

**MINUTES OF THE JULY MEETING OF LAOIS COUNTY COUNCIL HELD IN ÁRAS AN  
CHONTAE ON THE 30<sup>TH</sup> OF JULY 2012**

|                 |             |                   |                      |
|-----------------|-------------|-------------------|----------------------|
| <b>PRESENT:</b> | Councillors | Paul Mitchell     | In the Chair         |
|                 |             | Rotimi Adebari    | William Aird         |
|                 |             | Pat Bowe          | Patrick Bracken      |
|                 |             | Ben Brennan       | Ray Cribbin          |
|                 |             | James Daly        | James Deegan         |
|                 |             | John Joe Fennelly | Catherine Fitzgerald |
|                 |             | Padraig Fleming   | David Goodwin        |
|                 |             | Alan Hand         | John King            |
|                 |             | Michael Lalor     | Jerry Lodge          |
|                 |             | Seamus McDonald   | John Bonham          |
|                 |             | John Moran        | Tom Mulhall          |
|                 |             | Kathleen O' Brien | Brendan Phelan       |
|                 |             | Martin Phelan     | Mary Sweeney         |

**APOLOGIES:** Councillor James Daly

**IN ATTENDANCE:**

Messers Peter Carey, County Manager, Michael O' Hora, A/Director of Services, Gerry Murphy, Head of Finance, Ms. Anna Marie Delaney, Director of Services, Ms. Irene Delaney, Administrative Officer & Ms. Michelle McCormack, Executive Secretary.

**78. VOTE OF SYMPATHY**

On the proposition of Councillor Padraig Fleming & Councillor Ben Brennan and unanimously agreed a vote of sympathy was extended to the Brophy family on the death of Mr. Shane Brophy, Fairymount, Crettyard, Co. Laois.

On the proposition of Councillor Mary Sweeney and unanimously agreed a vote of sympathy was extended to the Scully family on the death of Ms. Bernie Scully, Tullore, Ballyroan, Co. Laois.

On the proposition of Councillor Ray Cribbin and unanimously agreed a vote of sympathy was extended to the Cooper family on the death of Mr. Tom Cooper, Patrick Street, Portarlinton, Co. Offaly.

On the proposition of Councillor Catherine Fitzgerald and unanimously agreed a vote of sympathy was extended to the Kerwin family on the death of Ms. Maura Kerwin, Clonard, Mountrath, Co. Laois.

On the proposition of Councillor Tom Mulhall and unanimously agreed a vote of sympathy was extended to the Booth family on the death of Mr. Richard Booth, The Heath, Portlaoise, Co. Laois.

## 79. CONFIRMATION OF MINUTES

- (i) On the proposition of Councillor Rotimi Adebari seconded by Councillor Seamus McDonald, the Minutes of the June Monthly Meeting of Laois County Council held on the 25<sup>th</sup> of June 2012 were agreed as circulated.
- (ii) On the proposition of Councillor Rotimi Adebari seconded by Councillor Seamus McDonald, the Minutes of the Special Meeting of Laois County Council held on the 25<sup>th</sup> of June 2012 were agreed as circulated
- (iii) On the proposition of Councillor Rotimi Adebari seconded by Councillor Seamus McDonald, the Minutes of the Annual General Meeting held on the 25<sup>th</sup> of June 2012 were agreed as circulated.

## 80. DISPOSAL OF LAND UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001

- (i) **DISPOSAL OF 0.1584 ACRES AT MIDDLEMOUNT IN THE TOWNLAND OF MIDDLEMOUNT/BALLYVOUGHAN, GRANTSTOWN, RATHDOWNEY, CO. LAOIS, FOR A CONSIDERATION OF €1,584.00**

On the proposition of Councillor John Joe Fennelly seconded by Councillor John King, the Members unanimously agreed to the disposal of 0.1584 acres at Middlemount in the townland of Middlemount/Ballyvoughan, Grantstown, Rathdowney, Co. Laois, for a consideration of €1,584.00

- (ii) **DISPOSAL OF 2.7802 HECTARES OF LAND AT MORETTE, EMO IN THE TOWNLAND OF MORRETTE, MORETTE, EMO, PORTLAOISE FOR A CONSIDERATION OF €72,000**

On the proposition of Councillor Ray Cribbin seconded by Councillor Tom Mulhall, the Members unanimously agreed to the disposal of 2.7802 hectares of land at Morette, Emo in the townland of, Morette, Emo, Portlaoise for a consideration of €72,000

- (iii) **LEASE OF 0.309 HECTARES OF LAND AT PATTISON ESTATE, MOUNTMELICK IN THE TOWNLAND OF TOWNSPARKS FOR A PERIOD OF 6 YEARS FOR A CONSIDERATION OF €500.00 PER ANNUM**

On the proposition of Councillor David Goodwin seconded by Councillor Patrick Bracken, the Members unanimously agreed to the lease of 0.3909 hectares of land at Pattison Estate, Mountmellick in the townland of Townsparks for a period of six years for a consideration of €500.00 per annum

- (iv) **DISPOSAL OF 0.1756 HECTARES OF LAND (SITE NO. 5) AT CHURCHFIELD, CASTLETOWN IN THE TOWNLAND OF CHURCHFIELD FOR A CONSIDERATION OF €35,000**

On the proposition of Councillor John Joe Fennelly seconded by Councillor Michael Lalor, the Members unanimously agreed to the disposal of 0.1756 hectares of land (Site No. 5) at Churchfield, Castletown in the townland of Churchfield, 2 Gash Court, Castletown, Co. Laois, for a consideration of €35,000

- (v) LEASE OF 0.1823 HECTARES OF LAND AT COOLRAIN VILLAGE IN THE TOWNLAND OF COOLRAIN FOR A PERIOD OF 10 YEARS FOR A CONSIDERATION OF €100.00 PER ANNUM**

On the proposition of Councillor Michael Lalor seconded by Councillor John Joe Fennelly, the Members unanimously agreed to the lease of 0.1823 hectares of land at Coolrain Village in the townland of Coolrain for a period of 10 years for a consideration of €100.00 per annum.

- (vi) DISPOSAL OF 0.8143 HECTARES OF LAND AT VICARSTOWN IN THE TOWNLAND OF VICARSTOWN, VICARSTOWN, CO. LAOIS FOR A CONSIDERATION OF €35,250.00**

On the proposition of Councillor James Deegan seconded by Councillor Ray Cribbin, the Members unanimously agreed to the disposal of 0.8143 hectares of land at Vicarstown in the townland of Vicarstown, Vicarstown, Co. Laois for a consideration of €35,250.00

- (vii) DISPOSAL OF 0.8076 HECTARES OF LAND AT VICARSTOWN IN THE TOWNLAND OF VICARSTOWN, TAE LANE, GLASSHOUSE, VICARSTOWN, CO. LAOIS, FOR A CONSIDERATION OF €35,250.00**

On the proposition of Councillor Tom Mulhall seconded by Councillor Ray Cribbin, the Members unanimously agreed to the disposal of 0.8076 hectares of land at Vicarstown in the townland of Vicarstown, Tae Lane, Glasshouse, Vicarstown, Co. Laois, for a consideration of €35,250.00

- (viii) LEASE OF 0.2469 ACRES OF LAND AT BORRIS-IN-OSSORY IN THE TOWNLAND OF TOWNSPARKS TO BORRIS-IN-OSSORY DEVELOPMENT FOR A PERIOD OF 10 YEARS FOR A CONSIDERATION OF €100.00 PER ANNUM**

On the proposition of Councillor Brendan Phelan seconded by Councillor Michael Lalor, the Members unanimously agreed to the lease of 0.2469 acres of land at Borris-in-Ossory in the townland of Townsparks to Borris-in-Ossory Development for a period of 10 years for a consideration of €100.00 per annum

## **81. TAKING IN CHARGE OF 'CHURCHFIELD COURT, CASTLETOWN, CO. LAOIS**

On the proposition of Councillor John Joe Fennelly seconded by Councillor Michael Lalor, the Members unanimously agreed to the taking in charge of 'Churchfield Court' Castletown, Co. Laois.

## **82. NOMINATION OF CHAIRMAN OF LAOIS COUNTY DEVELOPMENT BOARD FROM SPC CHAIRS**

On the proposition of Councillor John Moran seconded by Councillor Tom Mulhall, it was unanimously agreed that Councillor John King be nominated Chairman of the Laois County Development Board.

## **83. APPROVAL OF OVERDRAFT ACCOMMODATION IN THE SUM OF €9,000,000 FOR THE YEAR ENDING 31<sup>ST</sup> OF DECEMBER 2013**

On the proposition of Councillor Catherine Fitzgerald seconded by Councillor John Bonham, the approval of overdraft accommodation in the sum of €9,000,000 for the year ending 31<sup>st</sup> of December 2013 was unanimously agreed.

#### **84. LOCAL GOVERNMENT FUND GENERAL PURPOSES GRANT ALLOCATIONS 2012**

The Members were circulated with details of Circular 09/2012 received from the Department of the Environment, Community & Local Government, The Circular indicates a reduction in our General Purpose Grant of €1,638,399 with 25% or €409,600 being deducted from our Quarter Three Payment. The reduction is a direct result of our percentage collection of the Household Charge. Laois County Council's collection rate to date is 53%.

The County Manager, Mr. Peter Carey briefed the Members on the issue. He advised of the serious implications of same which will inevitably lead to budget cuts across the organisation and impact on the level of public services that are currently being provided by Laois County Council. Without significant improvement in the payment of the Household Charge, Laois County Council are facing a further reduction in our final quarter payment. Non-payment of the charge is now being pursued in accordance with guidance received from the L.G.M.A.

#### **85. UPDATE ON REGISTRATION OF SEPTIC TANKS**

The Members were circulated with details on the Registration of Septic Tanks together with registration forms for same.

Mr. Michael O' Hora, A/Director of Services advised the Members that there are in the order of 10,400 Domestic Wastewater Treatment Systems (Septic Tanks) in County Laois of which 171 households have registered their treatment systems. Registration forms are available in libraries and at Áras an Chontae, Portlaoise. Registration fee is €5.00 until the 28<sup>th</sup> of September 2012 to encourage the public to register.

Mr. John Gavin, Senior Executive Engineer responded to the various queries raised by the Members in relation to same.

#### **86. CORRESPONDENCE**

The Members were circulated with the following items of correspondence:-

- (i) Correspondence from the Department of Communications, Energy & Natural Resources dated the 4<sup>th</sup> of July 2012 in relation to mobile phone and internet providers
- (ii) Correspondence from Bus Eireann dated the 6<sup>th</sup> of July 2012 in relation to Bus Eireann's commercial Route 8 inter-city service.

#### **87. NOTICE OF MOTIONS**

**Notice of Motion No: 37/2012**

Councillor John Jerry Lodge proposed the following Notice of Motion:-

*“Recognising the importance of Schools Green Flag Programme and that the majority of schools in Laois are participating, this meeting calls on Laois County Council to visit each of the schools not involved and inform them of the benefits of the Scheme for the school, the students and the community and provide whatever support the Council can in encouraging them to participate in this Programme”*

This motion was seconded by Councillor John Moran.

The Members were advised that the Environment Awareness Officer (EAO) is in regular contact with all Laois schools regarding the benefits of getting involved in the Green Schools programme and offers many activities to encourage schools to participate. These include

- School visits
- School workshops
- Producing and distributing educational resources
- Workshops for Parents on waste management, composting, wildlife gardening
- Delivering Teacher Training Seminars and workshops (ranging from 1 day to week long courses)
- Organising competitions on a variety of themes e.g. art, tidy primary schools, eco media projects for secondary schools etc
- Involving schools in national events which we run at local level (e.g. Gum Litter Task Force, Stop Food Waste campaign etc)

The County has gone from 5 schools awarded in 2005 to now having 61 schools awarded (including the National Learning Network which was the first in the country to achieve this accolade) with the prestigious flag, it is hoped to have 100% involvement in the programme. The EAO has a dedicated section on [www.laois.ie](http://www.laois.ie) and resources are available to download.

The EAO, together with the Environment Staff and County Horticulturalist, provide great support and encouragement.

#### **Notice of Motion No: 38/2012**

Councillor John King proposed the following Notice of Motion:-

*“That this Council put in proper legal measures to protect residents and persons using public roads by not allowing groups of vans and caravans to park causing obstruction and making the community feel vulnerable in their own homes”*

This motion was seconded by Councillor John Joe Fennelly.

The Members were advised that the unauthorised parking of caravans on the side of a public road is governed by National legislation, namely the Housing (Traveller Accommodation) Act, 1998, The Housing (Miscellaneous Provisions) Act, 2002 and the various Road Traffic Acts. Any changes to legislation must be made by the Houses of the Oireachtas.

#### **Notice of Motion No: 39/2012**

Councillor Alan Hand proposed the following Notice of Motion:-

*“That this Council calls on the Minister for Agriculture, Food & The Marine, Mr. Simon Coveney to implement a plan to restart the Irish Sugar Industry as a means to create jobs”*

This motion was seconded by Councillor Brendan Phelan. It was agreed that a letter issue to the Minister in this regard.

#### **Notice of Motion No: 40/2012**

Councillor Alan Hand proposed the following Notice of Motion:-

*“That this Council introduce a new scheme whereby Council tenants can purchase their homes”*

This motion was seconded by Councillor Rotimi Adebari. The Members were advised that the Minister for Housing & Urban Renewal intends to introduce legislation during 2013 to underpin a new scheme for the sale of existing local authority houses to tenants on incremental purchase principles. The new scheme will be a discount scheme based on household income.

Following on from the legislation and direction from the Department of Environment, Community & Local Government, Laois County Council will introduce the new scheme whereby tenants will have the option of buying the house they currently occupy under the incremental purchase model.

#### **Notice of Motion No: 41/2012**

Councillor Jerry Lodge proposed the following Notice of Motion:-

*“That this Council calls on the Minister for the Environment, Community & Local Government not to introduce a charge for domestic consumers based on ‘water in, water out’ as this is included in the household charge”*

This motion was seconded by Councillor John Joe Fennelly. It was agreed that a letter issue to the Minister in this regard.

#### **88. 1.45 P.M. – PRESENTATION OF CERTIFICATES OF ACHIEVEMENT TO MEMBERS OF THE MIDLANDS SCHOOLBOY LEAGUE UNDER 12 SFAI ALL IRELAND CASHIN CUP**

The Chairperson & PRO, Mr. Chris Nestor and Mr. Derek Collins from the MSL were in attendance together with the Midlands Schoolboy Soccer League players who recently won the u-12 All Ireland Cashin Cup. The Members & Management of Laois County Council congratulated the players and their families and their Club for a wonderful achievement and wished them every success in the future. The Cathaoirleach, Mr. Paul Mitchell presented each player with a Certificate of Achievement in recognition of their success.

## 89. ANY OTHER BUSINESS

Councillor John Joe Fennelly requested that a letter issue to Allied Irish Bank in relation to the proposed closure of the Abbeyleix & Portarlinton branches of Allied Irish Banks.

Councillor Brendan Phelan extended a vote of best wishes to the Laois Senior Football Team in the forthcoming All-Ireland Quarter Final of the Championships.

This concluded the business of the meeting.

SIGNED:

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CATHAOIRLEACH

CERTIFIED:

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DIRECTOR OF CORPORATE  
AFFAIRS