

**MINUTES OF JUNE MEETING OF LAOIS COUNTY COUNCIL HELD IN
ÁRAS AN CHONTAE, PORTLAOISE ON THE 25TH OF JUNE 2007 AT 11.00
A.M.**

PRESENT:	Councillor	Michael Lalor	In the Chair
	Councillors	William Aird Paddy Bracken James Daly John Joe Fennelly Catherine Fitzgerald Laurence Kavanagh Michael Moloney Dick Miller John Moran Martin Phelan Mary Sweeney	John Bonham Ray Cribbin James Deegan David Goodwin Thomas Jacob Seamus McDonald Dick Miller Paul Mitchell Brendan Phelan Brian Stanley John D. Turley

APOLOGIES: Councillors Bill Delaney & Michael Rice

IN ATTENDANCE:

Messer's Peter Carey, County Manager, Gerry Gibson, Director of Services, Declan Byrne, Director of Services, Gerry Murphy, Head of Finance, John Daly, Director of Services, Ms. Anna Marie Delaney, Director of Services, Ms. Carmel McNicholl, Senior Executive Officer & Ms. Georgina Ireland, A/Administrative Officer.

73. CONFIRMATION OF MINUTES

On the proposition of Councillor William Aird seconded by Councillor Tom Jacob, it was unanimously agreed that the Minutes of the May Monthly Meeting held on the 28th of May 2007, as circulated, be adopted and signed.

74. REPORT ON AREA MEETINGS HELD ON IN MAY/JUNE 2007 FOR NOTING

On the proposition of Councillor Paddy Bracken seconded by Councillor John Moran the report on the Area Meetings held in May/June 2007 was noted.

75. APPROVAL OF OVERDRAFT ACCOMMODATION IN THE SUM OF 6 MILLION EURO FOR THE HALF YEAR-ENDED 31/12/2007

On the proposition of Councillor James Deegan seconded by Councillor Mary Sweeney, the overdraft accommodation in the sum of 6 million Euro for the half year ended 31/12/2007 was approved.

76. (a) APPROVAL TO THE RAISING OF A LOAN FROM THE HOUSING FINANCE AGENCY PLC., NOT EXCEEDING €34,000,000 FOR HOUSING PURPOSES

On the proposition of Councillor John Moran seconded by Councillor John Bonham, the raising of a loan from the Housing Finance Agency Plc., not exceeding €34,000,000 (34 million Euro) for housing purposes was approved.

(b) APPROVAL TO THE COMPLETION OF A MORTGAGE AGREEMENT BETWEEN LAOIS COUNTY COUNCIL AND RESPOND! HOUSING ASSOCIATION, DOMINICK PLACE, AIRMOUNT, WATERFORD.

(i) On the proposition of Councillor John Bonham and seconded by Councillor Michael Moloney, an amount not exceeding €137,802 in accordance with Section 6 of the Housing (Miscellaneous Provisions) Act, 1992 for the construction of 4 Accommodation Units for the elderly at Kiln Lane, Mountrath, Co. Laois under the Capital Assistance Scheme was approved.

(ii) On the proposition of Councillor John Bonham and seconded by Councillor Laurence Kavanagh, an amount not exceeding €533,748 in accordance with Section 6 of the Housing (Miscellaneous Provisions) Act, 1992 for the construction of 16 Accommodation Units (16 No. 3 bedroomed units) at Kiln Lane, Mountrath, Co. Laois under the Capital Loan and Subsidy Scheme was approved.

(c) APPROVAL TO THE RAISING OF A LOAN NOT EXCEEDING €610,764 FROM THE HOUSING FINANCE AGENCY PLC., FOR THE CONSTRUCTION OF 16 HOUSING UNITS AT KILN LANE, MOUNTRATH, CO. LAOIS BY RESPOND! HOUSING ASSOCIATION, AIRMOUNT, DOMINICK PLACE, WATERFORD IN ACCORDANCE WITH THE CAPITAL LOAN AND SUBSIDY SCHEME.

On the proposition of Councillor John Bonham and seconded by Councillor Laurence Kavanagh, the raising of a loan not exceeding €610,764 from the Housing Finance Agency Plc., for the construction of 16 housing units at Kiln Lane, Mountrath, Co. Laois by Respond! Housing Association, Alrmount, Dominick Place, Waterford in accordance with the Capital Loan and Subsidy Scheme was approved.

The Members requested that an update be given in relation to voluntary housing projects.

77. PART VIII OF THE LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS, 2001

(i) DURROW SOUTHERN RELIEF ROAD

It was noted that the selected route is Option 1 which extends from the N8 to the N77 south of Durrow within the boundaries of the buffer zone. This route investigates the options available along this alignment including the three junctions N8, N77 and Lisdowney Road and future linkages to the residentially zoned lands contained in the town side of the carriageway. It has an overall length of approx 1.75 kms.

On the proposition of Councillor John Bonham seconded by Councillor John Joe Fennelly, the Members unanimously agreed to the proposed construction the Durrow Relief Road.

(ii) PORTARLINGTON CIVIC AMENITY SITE

The Members requested clarification in relation to extent of declaration of an interest under the Local Government Act, 2001.

Ms. Anna-Marie Delaney, Director of Service reminded the Members that in accordance with Section 177 of the Local Government Act, 2001, they must disclose any pecuniary or other beneficial interest of which they have actual knowledge, that they or a connected person has in, or which is material to any matter proposed at this meeting as regards the adoption of the Part VIII for the Portarlington Civic Amenity Site.

If any member or a connected person has any pecuniary or other beneficial interests in any matter proposed at this meeting with particular reference to the Part VIII for the Portarlington Civic Amenity Site, he/she must disclose the nature of that interest and then withdraw fully for the meeting for as long as the matter is being discussed or being considered.

It was noted that this proposed development comprises of a civic amenity centre to comprise of reception area and skip areas for recyclable goods and bunded hard stands for white goods. The site is located on the Monasterevin Road, Portarlington opposite the SIAC site. The compound is well screened from the public road with palladine fence. Appropriate signage has been proposed also.

Mr. John Daly, Director of Services stated that this is an objective of the Regional Waste Management Plan. In order to obtain Departmental funding for this project, it would be necessary for the works to be completed by the end of December 2007.

There was considerable discussion in relation to the proposed location of the facility and its management.

Councillor James Deegan proposed the approval of the Part VIII. This was seconded by Councillor John Moran.

A roll call vote was taken which resulted as follows:

COUNCILLOR	FOR	Against	Absent
William Aird	√		
John Bonham	√		
Patrick Bracken		√	
Raymond Cribbin		√	
James Daly			√
James Deegan	√		
Bill Delaney			√
John Joe Fennelly		√	
Catherine Fitzgerald		√	
David Goodwin	√		
Thomas Jacob	√		
Laurence Kavanagh	√		
Michael Lalor	√		
Jeremiah Lodge		√	
Seamus McDonald		√	
Dick Miller		√	
Paul Mitchell	Abstain		
Michael Moloney		√	
John Moran	√		
Brendan Phelan		√	
Martin Phelan	√		
Michael Rice			√

Brian Stanley	√		
Mary Sweeney	√		
John D. Turley	Abstain		
TOTAL	11	9	3

The result of the Roll Call was 11 votes for the proposal and 9 against, 2 abstained. The Cathaoirleach declared the Part VIII approved.

78. LOCAL AGENDA 21 ACTION PLAN

A presentation made on the Local Agenda 21 Action Plan by Ms. Ann Marie Kelly, Environmental Awareness Officer was unanimously welcomed by the Members.

A discussion ensued and the Members made several suggestions in relation to improvements in energy conservation.

Councillor Mary Sweeney requested that the Members be invited to participate in any Working Groups established as part of the Action Plan.

The County Manager welcomed the report and thanked those who contributed.

He advised the Members in relation to the establishment of an Energy Agency in the Midlands region, Laois County Council being the lead authority.

79. DRAFT BYE-LAWS FOR THE PRESENTATION OF WASTE 2007

The Members were circulated with a copy of the draft Bye-laws for the Presentation of Waste 2007. The draft Bye-laws had been endorsed by the Environment & Water Services SPC at its meeting on 11th June 2007. Councillor Mary Sweeney, Chairperson of the S.P.C. presented the bye-laws at the meeting.

On the proposition of Councillor John Joe Fennelly seconded by Councillor John Moran, the Members unanimously agreed that the Draft Bye-Laws for the Presentation of Waste 2007 be adopted.

80. PROGRESS REPORT ON REGIONAL WASTE MANAGEMENT PLAN

John Daly, Director of Services presented a report on the Implementation of the Waste Management Plan for the Midlands Region.

The report was noted by the Members. There was discussion in relation to recycling and suggestions were made in relation to the imposition of levies in respect of plastic bottles.

81. ROAD TRAFFIC (SPEED LIMITS) (COUNTY LAOIS) BYE-LAWS 2007

Gerry Gibson, Director of Service presented the Road Traffic (Speed Limits) (County Laois) Bye-Laws 2007 for approval.

The Members unanimously welcomed the Bye-Laws and requested some specific locations be examined by the Directorate in relation to reducing speed.

On the proposal of Councillor John John Fennelly seconded by Councillor Michael Moloney, the Members unanimously agreed that the Road Traffic (Speed Limits) (County Laois) Bye-Laws 2007 be approved.

82. EXITING OF PUBLIC RIGHT OF WAY AT LEVEL CROSSING NO. XC062 AT CLONKEEN, PORTLAOISE

On the proposition of Councillor William Aird seconded by Councillor Catherine Fitzgerald, the Members unanimously agreed that this item be placed on the agenda for the July Meeting of Laois County Council.

83. CORRESPONDENCE

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

- (a) An acknowledgement dated the 19th of June 2007 from Coras Iompair Eireann in relation to Notice of Motion No: 25/07
- (b) An acknowledgement dated the 19th of June 2007 from the Department of Finance in relation to Notice of Motion No: 24/07
- (c) Circular Letter dated the 12th of June 2007 from the Department of the Environment, Heritage & Local Government in relation to Social & Community Facilities Capital Scheme 2007 – Approval of Grant

84. NOTICE OF MOTIONS

Notice of Motion No. 27/07

Councillor Brian Stanley proposed the following Notice of Motion:-

“That Laois County Council contact the Department of Social, Community and Family Affairs to seek an immediate improvement in the processing of applications for old age and retirement pensions”

This motion was seconded by Councillor Tom Jacob.

It was agreed that a letter issue to the Department of Social, Community and Family Affairs in this regard.

Notice of Motion No. 28/07

Councillor Catherine Fitzgerald proposed the following Notice of Motion:-

“That this Council provide emergency accommodation for victims of domestic violence and be given an up-to-date at every meeting regarding same”

This motion was seconded by Councillor Mary Sweeney.

The Members were advised that “Homelessness – An Intergrated Strategy for Co. Laois 2006 – 2008” has identified the need for the provision of an accommodation facility to include a 24 hour service, which would be especially equipped to provide longer term counselling and support services for victims of domestic violence. An issues paper on this subject is being prepared for the next meeting of the Strategic Policy Committee on Housing, Social and Cultural.

Notice of Motion No: 29/07

Councillors Brian Stanley, Thomas Jacob, Catherine Fitzgerald, Mary Sweeney, Jerry Lodge and William Aird proposed the following Notice of Motion:-

“That, we, the elected members of Laois County Council call on the Executive of the Council not to grant planning permission for developments that are contrary to the stated policies and objectives as contained in the following Sections of our County Development Plan; 3.25, Page 24, 9.29, Page 99 and 10.16, Page 105”.

The Members were advised that, as with all applications for planning permission, Laois County Council Planning Section make decisions in accordance with our County Development Plan, Local Area Plans (where plans have been prepared and approved by the Council), Regional Planning Guidelines and the National Spatial Strategy and also in accordance with Guidelines, codes of practice etc, as issued by the Department of Environment, Heritage and Local Government in such cases where these guidelines and/or codes of practice are applicable.

Notice of Motion No: 30/07

Councillor William Aird proposed the following Notice of Motion:-

“That Laois County Council call on the Director of Services, Mr. Gerry Gibson to review the policy of publishing the interior floor plans of houses on the Internet in the interests of privacy and security of the owner”

This motion was seconded by Councillor Catherine Fitzgerald.
The Members were advised that Section 23 of the 2006 Planning & Development Regulations requires local authorities to request that plans and drawings of floor plans be submitted as part of the planning application. All correspondence and drawings submitted in a planning application are public documents and we are required to make them available to the general public. It is Laois County Council's policy to make these documents available via both the counter and the internet and the feedback we get regarding their availability on the internet is very positive.

It was agreed that a letter would issue to the Minister of Environment, Heritage and Local Government requesting that he consider this issue.

Notice of Motion No: 31/07

Councillor Michael Moloney proposed the following Notice of Motion:-

“That Laois County Council calls on the Government to commit to accepting refugees from Iraq as a matter of the greatest urgency”

This motion was seconded by Councillor Jerry Lodge.

It was agreed that a letter would issue in this regard.

This concluded the business of the meeting.

Signed: _____

Certified : _____

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