

**MINUTES OF MARCH MONTHLY MEETING OF LAOIS COUNTY COUNCIL HELD AT
CASTLE DURROW, DURROW ON 31ST OF MARCH 2008**

PRESENT:	Councillors	John Moran	In the Chair
		Willie Aird	John Bonham
		Patrick Bracken	Ray Cribbin
		James Daly	James Deegan
		David Goodwin	Geraldine Delaney
		J.J. Fennelly	Catherine Fitzgerald
		Thomas Jacob	Laurence Kavanagh
		Michael Lalor	Jerry Lodge
		Dick Miller	Seamus McDonald
		Michael Moloney	Thomas Jacob
		Brendan Phelan	Martin Phelan
		Michael Rice	Brian Stanley
		Mary Sweeney	John D. Turley
		Paul Mitchell	

IN ATTENDANCE:

Messers 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. Michelle McCormack, Executive Secretary

23. CONFIRMATION OF MINUTES

On the proposal of Councillor Ray Cribbin seconded by Councillor Tom Jacob, it was unanimously agreed that the Minutes of the February meeting held on the 25th of February 2008, as circulated be adopted and signed.

24. REPORTS ON AREA & SPC MEETINGS HELD IN MARCH 2008

On the proposal of Councillor James Deegan seconded by Councillor Martin Phelan, the reports on area meetings held in March 2008 were noted, as circulated.

On the proposal of Councillor James Deegan seconded by Councillor Brendan Phelan, the reports on SPC meetings held in March 2008 were noted, as circulated.

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

(a) Disposal of 0.13 acres at Watercastle, Durrow

On the proposition of Councillor Martin Phelan seconded by Councillor Tom Jacob, the Members unanimously agreed to the disposal of 0.13 acres at Watercastle, Durrow in the townland of Watercastle at Watercastle, Durrow, Co. Laois for a consideration of €100.00

26. PART VIII OF THE LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS 2001-2007

(a) Mountmellick Wastewater Treatment Plant

The Members were circulated with the planning report on the Mountmellick Wastewater Treatment Plant. The proposed development comprises of upgrading works to the existing wastewater treatment plant in Mountmellick. This work is being carried out as part of the Mountmellick Sewer Extensions Scheme which also involves the upgrading of existing pump stations located in Mountmellick town (at Irishtown, Connolly Street and Emmett Terrace).

At present, the WWTP serving Mountmellick has a design population equivalent of 7,000 p.e. Due to the significant overloading of the plant Laois County Council wish to undertake works to provide storm storage at the plant and to increase the biological treatment capacity in the oxidation ditch. Additionally, the works include for the construction of a control/administration building. The works will improve the treatment of the town's wastewater by facilitating the diversion of inlet flows from the existing inlet works to a proposed storm inlet overflow chamber. Inlet flows greater than 601s will be stored at a proposed storm attenuation tank and returned for full treatment as soon as the flow has returned to normal.

On the proposition of Councillor James Daly seconded by Councillor Tom Jacob, the Members unanimously agreed to proceed with the proposed development.

(b) Reary GWS Upgrade Improvement Scheme

The Members were circulated with the planning report on the Reary Group Water Upgrade Improvement Scheme.

This Part VIII proposes an upgrade/improvement of the Reary Group Water Scheme. The improvement works include the erection of a new pump house and all associated

works at Knockanowl, Clonaslee. The proposal provides for a new pump house to the north west of the existing pump house on the side, and an on site parking area to the front of this proposed pump house.

On the proposition of Councillor Patrick Bracken seconded by Councillor Seamus McDonald, the Members unanimously agreed to proceed with the proposed development.

(c) Rathdowney Traffic Management Scheme

Members were circulated with the planning report on the Rathdowney Traffic Management Scheme. The proposed scheme will improve vehicle movements and traffic flows through the village and entails the reconstruction and resurfacing of the existing pavement, it also involves the construction of a new section of road utilising a box culvert, provision of new footways, traffic signage and road markings. In addition, surface water drainage, public lighting and statutory utility diversions shall be designed and implemented prior to construction.

On the proposition of Councillor David Goodwin seconded by Councillor Seamus McDonald, the Members unanimously agreed to proceed with the proposed development.

27. SUSPENSION OF STANDING ORDERS

On the proposition of Councillor John Bonham seconded by Councillor John Joe Fennelly, the Members unanimously agreed that the meeting be adjourned until 1.30 p.m. to allow the Members to convene for a formal photograph with President Mary McAleese and attend the formal reception being hosted by Durrow Development Forum.

28. VOTE OF SYMPATHY

On the proposition of Councillor Paul Mitchell seconded by Councillor Ray Cribbin, the Members unanimously passed a vote of sympathy to Ms. Catherine Gorman on the death of her father-in-law, Mr. Patrick Gorman.

On the proposition of Councillor John D. Turley, the Members unanimously passed a vote of sympathy to the Deegan family from Moyanna, Vicarstown on the death of Patrick Deegan.

29. APPROVAL TO THE RAISING OF LOANS FROM THE HOUSING FINANCE AGENCY PLC.

- (a) Approval to the raising of a loan from the Housing Finance Agency Plc., not exceeding €32,000,000**

On the proposition of Councillor Brendan Phelan, seconded by Councillor Ray Cribbin, the Members unanimously agreed to the raising of a loan not exceeding €32,000,000 from the Housing Finance Agency Plc., for housing purposes

- (b) Approval to the raising of a loan from the Housing Finance Agency Plc., not exceeding €2,125,500**

On the proposition of Councillor James Deegan, seconded by Councillor Martin Phelan, the Members unanimously agreed to the raising of a loan not exceeding €2,125,500 from the Housing Finance Agency Plc., for land acquisition at Stradbally, Portarlinton & Rathdowney

A discussion ensued regarding the provision of affordable housing, turnkey housing and Part V's and Ms. Anna Marie Delaney, Director of Services responsible for housing responded to the various queries. It was agreed that a report in relation to Part V's would be issued to Members in early course.

30. ADOPTION OF PORTLAOISE CAR PARK AND PARKING PLACES (AMENDMENT) BYE-LAWS 2008

The Members were circulated with a copy of the Parking Areas & Car Park Bye-Laws in Portlaoise. The Bye-Laws were discussed and agreed with the Portlaoise Parking Bye-Law Committee.

On the proposition of Councillor James Deegan seconded by Councillor Tom Jacob, the Members unanimously agreed to the adoption of the Portlaoise Car Park and Parking Places (Amendment) Bye-Laws 2008.

31. ADOPTION OF THE COMMUNITY INVOLVEMENT SCHEMES 2008

The Members were circulated with a list of applications received under the Community Involvement Schemes totalling €220,000.

On the proposition of Councillor Martin Phelan, seconded by Councillor Michael Lalor, the Members unanimously agreed to the adoption of the Community Involvement Schemes 2008 as circulated.

32. LOCAL IMPROVEMENT SCHEME 2008

The Members were circulated with a list of Local Improvement Schemes to be undertaken in 2008. Concern was expressed in relation to some of the larger amounts and the number of beneficiaries. Mr. Gerry Gibson, Director of Services responded to the various queries raised.

On the proposition of Councillor Paul Mitchell seconded by Councillor James Deegan, the Members unanimously agreed to the adoption of the Local Improvement Schemes 2008 as circulated.

33. TAKING IN CHARGE OF KYLEBROOK ESTATE, ABBEYLEIX ROAD, PORTLAOISE

On the proposition of Councillor William Aird seconded by Councillor Catherine Fitzgerald, the Members unanimously agreed to the taking in charge of Kylebrook Estate, Abbeyleix Road, Portlaoise.

34. ANNUAL FINANCIAL STATEMENT 2007 – APPROVAL FOR OVER-EXPENDITURE AND TRANSFERS TO CAPITAL

The Members were circulated with the Annual Financial Statement of Laois County Council for the year ended December 31st 2007 containing an Income and Expenditure Account Statement, Balance Sheet, Statement of Accounting Policies and notes.

On the proposition of Councillor Ray Cribbin seconded by Councillor Paul Mitchell, the Members unanimously approved over-expenditure and transfers to capital as per the Annual Financial Statement 2007.

35. REPORT ON DEVELOPMENT CONTRIBUTIONS IN ACCORDANCE WITH SECTION 48 (14B) OF THE PLANNING & DEVELOPMENT ACT, 2000

The Members were circulated with a report on Development Contributions which contains details of monies received in respect of development contributions and which indicates how such monies have been expended.

On the proposition of Councillor Tom Jacob and seconded by Councillor Seamus McDonald, the Members unanimously noted the report on Development Contributions as presented.

36. DRAFT POLLING SCHEME

The Members were circulated with a copy of the Draft Polling Scheme for County Laois including a briefing report and electoral area maps. The Members were advised that a public notice will be placed in the newspapers advising that the Draft Polling Scheme is available for inspection and that representations in relation to the Draft Scheme may be made within 5 weeks from the publication of the notice. The public notice will be published on the 2nd of April 2008 and the final date for receipt of submissions or representations in relation to the draft scheme will be Tuesday, May 6th 2008.

Councillor William Aird proposed that a polling booth be provided at The Rock School and this proposal was seconded by Councillor Catherine Fitzgerald. Councillor Michael Rice proposed that a polling booth also be provided at Newtown, Crettyard.

A discussion also ensued regarding the Register of Electors. Ms. Anna Marie Delaney, Director of Services indicated that every effort is being made to ensure accuracy on the Register of Electors.

37. RURAL WATER PROGRAMME 2008

The Members were circulated with details in relation to the Rural Water Programme for 2008 and were advised of the total allocation to Laois County Council of €3,200,000. On the proposition of Councillor Mary Sweeney seconded by Councillor James Daly, the Members unanimously adopted the Rural Water Programme for 2008.

38. ARTS ACTS GRANTS

The Members were circulated with a list of the successful applicants for funding under the Arts Act Grants for 2008. On the proposition of Councillor Brian Stanley seconded by Councillor John Joe Fennelly, the Members unanimously agreed to the payment of grants to the successful applications under this scheme.

39. CORRESPONDENCE

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

- (1) Correspondence from the Department of Communications, Energy and Natural Resources in relation to the provision of broadband in County Laois. This letter was in response to Notice of Motion No: 01/08 proposed by Councillor Brian Stanley at the January 2008 Council meeting

- (2) Correspondence from the Department of the Environment, Heritage & Local Government in relation to E.R.G's and D.P.G's. This letter was in response to Notice of Motion No: 04/08 proposed by Councillor William Aird at the February 2008 Council meeting
- (3) Correspondence from the Department of Agriculture in relation to the spreading of slurry. This letter was in response to Notice of Motion NO: 03/08 proposed by Councillor Brian Stanley at the February 2008 Council meeting
- (4) Correspondence from the Corporate Affairs Department in relation to postal votes which was discussed at the February 2008 Council meeting.

40. NOTICE OF MOTIONS

Notice of Motion No: 05/08

Councillor Paul Mitchell proposed the following Notice of Motion:-

“That Laois County Council help to form a joint body with Offaly County Council who would meet once a month to progress issues that affect both Councils in Portarlinton”

This motion was seconded by Councillor Raymond Cribbin. The Members were advised that the matter would receive further consideration. Currently the Emo Area Committee and Edenderry Committee hold meetings twice yearly to discuss co-ordination of issues relating to Portarlinton Town. Laois County Council is currently advancing proposals for new Civic Offices in Portarlinton and it is anticipated that Offaly County Council will also have a presence there. The matter will be discussed with Offaly County Council.

Notice of Motion No: 06/08

Councillor John Joe Fennelly proposed the following Notice of Motion:-

“That Laois County Council contact the Garda Siochana with a view to establishing a community police forum in County Laois”

This motion was seconded by Councillor Brian Stanley. The Members were advised that the Garda Siochana Act 2005 provided for the establishment of Joint Policing committees throughout the Country, thus giving these committees a statutory basis. In 2006, 29 Pilot Joint Policing Committees were established with a view to the roll out of Committees in all Local Authority Areas in due course. An evaluation of the pilot phase will be undertaken shortly. As part of the evaluation, the Joint Policing Guidelines which were prepared in accordance with the Garda Siochana Act 2005,

(including the provisions relating to membership and structures), will be revised as necessary. This revision will be informed by the experience gained from the pilot programmes and the evaluation process. Committees and, as appropriate, sub-committees of those committees, will then be established in all local authorities.

Councillor Fennelly requested that this committee be established as soon as possible.

Notice of Motion No: 07/08

Councillor John Joe Fennelly proposed the following Notice of Motion:-

“That a survey be completed on the condition of all roads that will be used as access routes for work on the M7/M8 motorway project and that the NRA/Contractor be obliged to maintain these roads in good condition during the period of construction and to fully re-instate all these roads to their original condition at the conclusion of the motorway project”

This motion was seconded by Councillor Martin Phelan. The Members were advised that this survey has been carried out as part of the overall contract.

41. ANY OTHER BUSINESS

- (1) Councillors Michael Lalor & Laurence Kavanagh raised a query in relation to flooding which occurred at the weekend from the Whitehorse River in Mountrath. Many houses in the vicinity of the river were flooded and requested that emergency works be carried out immediately to alleviate the problem and to ensure that this does not happen in the future. Mr. Gerry Gibson, Director of Services, Water Services indicated that immediate action would be taken.
- (2) The Cathaoirleach, Councillor John Moran indicated that he had been approached by the I.F.A regarding a presentation to the Members on the World Trade Talks . It was agreed that the meeting would take place on Tuesday, 15th of April 2008 in the Council Chamber at 8.00 p.m.
- (3) Councillors Michael Moloney, James Daly & Paul Mitchell, with the permission of the Cathaoirleach, proposed a Motion in light of the serious and disturbing issues raised at the Teachers Conference last week and that the Members of Laois County Council:-

- (i) Call on the Minister for Education & Science to stand over the commitments given by the Government prior to the General Election of last year and
- (ii) That the Minister also stands over the promises made to the people of Laois four years ago this month in the Heritage Hotel in Portlaoise by the then Minister for Education, Mr. Noel Dempsey that instead of ‘getting the crumbs of The Education Budget the special needs sector in Laois could look forward to getting a slice of the cake’

It was agreed that a letter issue to the Minister in this regard expressing the Members concerns

42. NOTE OF THANKS

The Cathaoirleach, Councillor John Moran expressed thanks to Castle Durrrow for the use of their facilities for this meeting and extended best wishes to Durrrow with their tri-centenary celebrations.

This concluded the business of the meeting.

Signed:

Cathaoirleach

Director of Corporate Affairs