

**MINUTES OF THE MARCH MEETING OF LAOIS COUNTY COUNCIL HELD IN ÁRAS  
AN CHONTAE, PORTLAOISE ON 29<sup>th</sup> OF MARCH 2010**

**PRESENT: Councillors**

James Daly	In the Chair
Rotimi Adebari	William Aird
John Bonham	Pat Bowe
Patrick Bracken	Ben Brennan
Raymond Cribbin	James Deegan
Catherine Fitzgerald	John Joe Fennelly
Padraig Fleming	David Goodwin
John King	Michael Lalor
Jerry Lodge	Seamus McDonald
Paul Mitchell	John Moran
Tom Mulhall	Kathleen O' Brien
Brendan Phelan	Martin Phelan
Brian Stanley	Mary Sweeney

**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. Michelle McCormack, Executive Secretary.

**21. VOTE OF CONGRATULATIONS**

On the proposition of Councillor John Bonham, it was unanimously agreed that a vote of congratulations be extended to Ms. Mary Donohue, Harps Camogie Official and employee of Laois County Council on recently receiving the GAA President's Award in Croke Park recently. A founding Member of the Harps Camogie Club, Mary was commended for her dedication to the Club.

Councillor Rotimi Adebari thanked Laois County Council for their support of the recent Voices Across Culture event.

Councillor Ray Cribbin raised a query in relation to the rental element of the shared ownership scheme which should be decreased and that this should be reviewed at national level. Ms. Anna Marie Delaney, Director of Services indicated that she would arrange to have the issue raised with the Department of the Environment, Heritage & Local Government.

**22. CONFIRMATION OF THE MINUTES OF THE FEBRUARY MEETING HELD ON THE 22<sup>ND</sup> OF FEBRUARY 2010**

Councillor Brian Stanley requested that the minutes of the February meeting held on the 22<sup>nd</sup> of February 2010 be amended at item No. 16 in relation to the adoption of the amendment to the Portlaoise Local Area Plan. He stated that the minutes should be amended to reflect that 15m gardens will be re-instated in the plan and that improvements to the Mountmellick Road be included as an objective of the plan.

Mr. John Daly, Director of Services, confirmed that both amendments were agreed and draft plan is on public display.

On the proposition of Councillor John Bonham seconded by Councillor James Deegan, the minutes of the February meeting held on the 22<sup>nd</sup> of February 2010 were confirmed with the above amendment.

**23. REPORTS ON AREA MEETINGS & STRATEGIC POLICY COMMITTEES HELD IN MARCH 2010**

On the proposition of Councillor John Joe Fennelly seconded by Councillor Patrick Bracken, the reports on the Area Meetings & Strategic Policy Committees held in March 2010 were noted by the Members.

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

- (a) On the proposition of Councillor William Aird seconded by Councillor Mary Sweeney, the Members unanimously agreed to the disposal of freehold at No. 42 Beladd, Portlaoise for a consideration of €127
- (b) On the proposition of Councillor Brian Stanley seconded by Councillor William Aird, the Members unanimously agreed to the disposal of 0.01 acres at Craydon Court, Portlaoise in the townland of Portlaoise for a consideration of €100
- (c) On the proposition of Councillor John Joe Fennelly seconded by Councillor John Bonham, the Members unanimously agreed to the disposal of 0.38 hectares (0.94 acres) of roadside verge in the townland of Tullyroe for a consideration of €5,000

**25. LAOIS COUNTY COUNCIL AUDIT COMMITTEE – NOMINATION OF MR. RAY CARROLL, 65 ARDEN VALE, TULLAMORE, CO. OFFALY TO THE COMMITTEE AS COUNTY MANAGER'S REPRESENTATIVE**

Ms. Anna Marie Delaney, Director of Services indicated that Mr. Ray Carroll, 65 Arden Vale, Tullamore, Co. Offaly was being recommended by the County Manager to replace Mr. Paul Ryan on the Laois County Council Audit Committee.

On the proposition of Councillor John Bonham seconded by Councillor Paul Mitchell, the Members unanimously ratified Mr. Ray Carroll's nomination to the Laois County Council Audit Committee.

**26. NOMINATION OF ONE MEMBER OF LAOIS COUNTY COUNCIL TO MANAGEMENT COMPANY FOR THE NEW COMMUNITY CENTRE AT KNOCKMAY**

Councillor William Aird proposed the nomination of Councillor Kathleen O' Brien to the new Management Company for the new Community Centre at Knockmay. This was seconded by Councillor M. Sweeney.

Councillor Rotimi Adebari proposed the nomination of Councillor Brian Stanley to the new Management Company for the new Community Centre at Knockmay. This was seconded by Councillor Ben Brennan.

The Members enquired as to whether or not the two Councillors proposed could sit on the Management Company. The County Manager, Mr. Peter Carey indicated that the committee is in it's early stages and that Laois County Council would try and facilitate this. A Roll Call Vote took place which resulted as follows-

COUNCILLOR		FOR CLLR. STANLEY	FOR CLLR. O' BRIEN	ABSENT
FIRST NAME	SURNAME			
Rotimi	ADEBARI	✓		
Willie	AIRD		✓	
John	BONHAM		✓	
Pat	BOWE	✓		
Paddy	BRACKEN	✓		
Ben	BRENNAN	✓		
Raymond	CRIBBIN	✓		
James	DALY		✓	
James	DEEGAN		✓	
John Joe	FENNELLY	✓		
Catherine	FITZGERALD	✓		
Padraig	FLEMING	✓		
David	GOODWIN		✓	
John	KING		✓	
Michael	LALOR		✓	
Jerry	LODGE	✓		
Seamus	MCDONALD	✓		
Paul	MITCHELL		✓	

John Robert	MORAN		✓	
Tom	MULHALL		✓	
Kathleen	O'BRIEN		✓	
Brendan	PHELAN	✓		
Martin	PHELAN			Absent
Brian	STANLEY	✓		
Mary	SWEENEY		✓	

As the result of the Roll Call Vote was 12 votes in favour of Councillor Stanley and 12 votes in favour of Councillor Kathleen O' Brien, the Cathaoirleach, Councillor James Daly exercised his casting vote and nominated Councillor Kathleen O' Brien to An Treo Nua, Management Company for the new Community Centre for Knockmay.

Councillor Kathleen O' Brien thanked her proposer and seconder.

## **27. ADOPTION OF UPDATED FIRE AND EMERGENCY OPERATIONS PLAN IN ACCORDANCE WITH SECTION 26 OF THE FIRE SERVICES ACT, 1981**

The Members were circulated with a copy of the updated Fire and Emergency Operations Plan in accordance with Section 26 of the Fire Services Act, 1981 which has been prepared by the Fire Service. Mr. John Daly, Director of Services indicated that this is a development plan and factual statement for the Fire Service. It sets out details of staffing, equipment, fire stations, operational procedures and training in respect of the Fire Service.

The Members complimented the Fire Service on the plan and welcomed the plan. Mr. John Daly, Director of Services responded to the various queries raised.

On the proposition of Councillor Ray Cribbin seconded by Councillor Paul Mitchell, the Members unanimously adopted the updated Fire and Emergency Operations Plan in accordance with Section 26 of the Fire Services Act, 1981.

## **28. APPROVAL OF ARTS ACTS GRANTS 2010**

The Members were circulated with a list of Arts Acts Grants for 2010 – the total allocation being €8,500 and on the proposition of Councillor John Bonham seconded by Councillor Mary Sweeney the grants as listed were approved.

## **29. PRESENTATION BY MR. RAY SPAIN, PROJECT CO-ORDINATOR, SOUTH EASTERN RIVER BASIN DISTRICT ON SOUTH EASTERN & SHANNON RIVER BASIN DISTRICT MANAGEMENT PLANS**

Mr. Ray Spain, Project Co-Ordinator was in attendance to give the Members a presentation on the South Eastern River Basin District on the South Eastern & Shannon River Basin District Management Plans.

The Members complimented Mr. Ray Spain and all his staff for the comprehensive presentation.

### **30. ADOPTION OF SOUTH EASTERN RIVER BASIN DISTRICT MANAGEMENT PLAN**

On the proposition of Councillor Martin Phelan seconded by Councillor Brendan Phelan, the Members of Laois County Council hereby approved the adoption of the South Eastern River Basin District Management Plan 2009 – 2015 in accordance with the European Communities (Water Policy)(Amendment) Regulations 2010 (S.I. No. 93 of 2010).

### **31. ADOPTION OF SHANNON RIVER BASIN DISTRICT MANAGEMENT PLAN**

On the proposition of Councillor John Bonham seconded by Councillor Paddy Bracken the Members of Laois County Council hereby approved the adoption of the Shannon River Basin District Management Plan 2009 – 2015 in accordance with the European Communities (Water Policy) (Amendment) Regulations 2010 (S.I. No. 93 of 2010)

### **32. ADOPTION OF ANNUAL ROADWORKS PROGRAMME 2010**

The Members were circulated with a copy of the Annual Roadworks Programme for 2010. On the proposition of Councillor John Joe Fennelly seconded by Councillor Ray Cribbin, the Members unanimously agreed to adopt the Annual Roadworks Programme for 2010

### **33. ADOPTION OF COMMUNITY INVOLVEMENT IN ROADWORKS SCHEME 2010**

Members were circulated with a copy of the proposals for the Community Involvement in Roadworks Scheme 2010 and this scheme was adopted on the proposal of Councillor Michael Lalor seconded by Councillor Paddy Bracken

### **34. ADOPTION OF LOCAL IMPROVEMENT SCHEMES 2010**

The Members were circulated with a list of the Local Improvement Schemes to be undertaken in 2010. Councillor James Deegan proposed that this item be deferred

pending a re-assessment of the schemes. This was seconded by Councillor Brendan Phelan and it was agreed that the item be tabled for the April meeting agenda.

### **35. TAKING IN CHARGE OF THE HERMITAGE PHASE 1 AND PHASE 2, BORRIS ROAD, PORTLAOISE**

On the proposition of Councillor Jerry Lodge seconded by Councillor Brian Stanley, the Members unanimously agreed to the taking in charge of the Hermitage Phase 1 and Phase 2, Borris Road, Portlaoise

### **36. CORRESPONDENCE**

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

- (a) Correspondence received from the Health Services Executive dated the 9<sup>th</sup> of March 2010 in relation to St. Vincent's Hospital, Mountmellick & Shaen Hospital, Portlaoise
- (b) Acknowledgement received from the Office of the Minister for Education & Science dated the 10<sup>th</sup> of March 2010 in relation to Higher Education Grants

### **37. NOTICE OF MOTIONS**

Notice of Motion No: 04/10

Councillor Brian Stanley proposed the following Notice of Motion:-

*“That this Council calls on the Government to put in place a scheme to assist those who have purchased houses under the Affordable Housing Scheme and Shared Ownership Scheme and who now find it impossible to meet the full repayments”*

This motion was seconded by Councillor Rotimi Adebare. It was agreed that a letter issue to the Minister in this regard and that we seek the support of all City & County Councils on this issue. It was also agreed that Minister Michael Finneran be invited to address a future meeting of the Council on the matter.

**Notice of Motion No: 05/10**

Councillor William Aird proposed the following Notice of Motion:-

*“That Laois County Council ensure that the format of the Roads Meetings be amended so that Members be given at least fourteen days notice of the allocations to the various roads and bridges and associated works in each electoral area”*

This motion was seconded by Councillor Paul Mitchell. Mr. Gerry Gibson, Director of Services indicated that the Members are given fourteen days notice of area roads meetings. However, this can be dependant upon the timing of the allocations from the Department/N.R.A. because it is imperative that meetings take place as expeditiously as possible after the allocations announcement to allow the annual programme to commence. Unfortunately, this year, the roads programme had to be revisited a number of times on account of the impact the flooding and severe weather had on road infrastructure and was not finalised until quite late.

### **Notice of Motion No: 06/10**

Councillor William Aird proposed the following Notice of Motion:-

*“That Laois County Council consider the provision of a skate park on the Civic Plaza adjacent to Áras an Chontae given that it is already being used for this purpose”*

This motion was seconded by Councillor Rotimi Adebari. The Members were advised that the Civic Plaza was designed and constructed and is maintained on the basis of a legal agreement with Dunnes Stores that ensures that it is only used as a public Civic Plaza. It is regularly used by voluntary, community and other groups for public purposes. In addition, the public has right of passage through it to County Hall, to the multi-storey car park and towards the town. It was not designed for or suitable as a skate park.

This concluded the business of the meeting.

SIGNED: \_\_\_\_\_  
CATHAOIRLEACH

CERTIFIED: \_\_\_\_\_  
DIRECTOR OF CORPORATE AFFAIRS

