

**MINUTES OF MAY MEETING OF LAOIS COUNTY COUNCIL HELD IN ÁRAS AN
CHONTAE, PORTLAOISE ON THE 28TH OF MAY 2007 AT 11.00 A.M.**

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

APOLOGIES: Jerry Lodge

IN ATTENDANCE:

Messrs Peter Carey, County Manager, Michael O' Hora, A/Director of Services, Declan Byrne, Director of Services, Gerry Murphy, Head of Finance, John Daly, Director of Services, Ian McCormack, A/Director of Services, Ms. Carmel McNicholl, Senior Executive Officer & Ms. Michelle McCormack, Executive Secretary.

58. CONFIRMATION OF MINUTES

On the proposition of Councillor John Joe Fennelly seconded by Councillor Tom Jacob, it was unanimously agreed that the Minutes of the April Monthly Meeting held on the 30th of April 2007, as circulated, be adopted and signed.

A discussion ensued regarding the revised opening hours at Kyletelisha. Mr. John Daly indicated that the situation will be reviewed after a couple of months. He indicated that it was working well to date. Mr. Peter Carey, County Manager confirmed that the revised opening hours are for a trial period only and will be reviewed at the end of June.

59. COUNT – GENERAL ELECTION – 24TH MAY 2007

Members congratulated the candidates in their success in the recent General Election on the 24th of May 2007. A discussion ensued regarding the Laois/Offaly count at the recent general elections. The Members expressed concern regarding the venue for the count and indicated that the location was unsuitable for such a large number of people.

A discussion also ensued regarding the Register of Electors and the Members expressed concern regarding the large number of people that were removed from the Register.

The County Manager, Mr, Peter Carey indicated that the venue for the Count is a matter for the County Registrar. He also stated that Laois has a very good record in the compilation of the Register of Electors and complimented the staff in the Corporate Affairs Department for their input.

60. REPORT ON BORRIS-IN-OSSORY AREA MEETING HELD ON THE 18TH OF APRIL 2007 FOR NOTING

On the proposition of Councillor John Joe Fennelly seconded by Councillor John Bonham, the report on the Borris-in-Ossory Area Meeting held on the 18th of April 2007 was noted.

61. APPOINTMENT OR NOMINATION OF A MEMBER TO LOCAL AUTHORITY MEMBERS ASSOCIATION

The Members were advised that it was necessary to fill the vacancy on the Local Authority Members Association vacated by the late Councillor Larry Kavanagh.

Councillor Tom Jacob proposed that Councillor Laurence Kavanagh fill the vacancy. This proposal was seconded by Councillor Brian Stanley.

62. APPOINTMENT OR NOMINATION OF A MEMBER TO THE HOUSING , SOCIAL & CULTURAL STRATEGIC POLICY COMMITTEE

The Members were advised that it was necessary to fill the vacancy on the Housing, Social & Cultural Strategic Policy Committee vacated by the late Councillor Larry Kavanagh.

Councillor Brian Stanley proposed that Councillor Laurence Kavanagh fill the vacancy. This proposal was seconded by Councillor John Joe Fennelly.

Councillor Kavanagh thanked his proposer and seconder for his nominations.

63. 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 junction 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 Tom Jacob seconded by Councillor Martin Phelan, the Members unanimously agreed that this item be deferred to the June Meeting of Laois County Council.

(ii) Portarlinton Civic Amenity Site

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

Councillor Deegan indicated that this matter will be discussed at the Emo Area Meeting on the 1st of June 2007.

On the proposition of Councillor James Deegan seconded by Councillor Ray Cribbin, the Members unanimously agreed that this item be deferred to the June Meeting of Laois County Council.

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.

(iii) Single Rural Dwelling at Brocka, Rathdowney

It was noted that this proposed development consists of the construction of 1 no. 3 bed rural dwelling at Brocka, Rathdowney.

On the proposition of Councillor Martin Phelan seconded by Councillor John Bonham, the Members unanimously agreed to the proposed construction of 1 no. 3 bed rural dwelling at Brocka, Rathdowney.

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

It was unanimously agreed that this item be deferred to the June Meeting of Laois County Council.

65. EXTINGUISHMENT OF PUBLIC RIGHT OF WAY AT LEVEL CROSSING NO: XCo62 AT CLONKEEN, PORTLAOISE

Members were advised that a request had been received from Iarnród Éireann to extinguish public right of way at Level Crossing No: XCo62 at Clonkeen, Portlaoise on Local Road L-66959.

Councillor William Aird proposed that Laois County Council do not extinguish the right of way at this location and that the item be deferred pending the construction of the M7/M8 Project. This proposal was seconded by Councillor Catherine Fitzgerald.

66. TAKING IN CHARGE OF KILLENARD GROUP WATER SCHEME

The original Killenard Group Water Scheme was constructed in 1965 and since then it has expanded to serve approximately 390 connections in Killenard and its hinterland. It obtains water both from Lough well and Portarlinton Water Supply. The committee and membership of the group have requested the Council to take this scheme in charge. A major renewal and upgrade of the scheme has been undertaken by the Council in association with the group, on a phased basis over the past number of years to bring it to the standard required for taking-in-charge. A storage reservoir has been provided. The scheme is now deemed to be in a satisfactory state of construction and maintenance with the infrastructural capacity to adequately supply its catchment area. The estimated cost of the first year's maintenance and operation outlay is €20,000.

On the proposal of Councillor James Deegan seconded by Councillor Paul Mitchell, the Members unanimously agreed to the taking in charge of Killenard Group Water Scheme.

67. FIX DATE FOR ANNUAL GENERAL MEETING OF LAOIS COUNTY COUNCIL – 3.00 P.M. ON THE 25TH OF JUNE

On the proposition of Councillor William Aird seconded by Councillor Mary Sweeney, the Members unanimously agreed that the Annual General Meeting would take place on the 25th of June 2007 at 3.00 p.m.

68. ADOPTION OF THE LAOIS TRAVELLER INTER-AGENCY STRATEGY

On the proposition of Councillor Mary Sweeney seconded by Councillor John Joe Fennelly, the Members unanimously agreed that the Laois Traveller Inter-Agency Strategy for travellers 2007-2009 be adopted as circulated.

69. APPROVAL TO THE COMPLETION OF A MORTGAGE AGREEMENT BETWEEN LAOIS COUNTY COUNCIL AND RESPOND! HOUSING ASSOCIATION & APPROVAL TO THE RAISING OF A LOAN FROM THE HOUSING FINANCE AGENCY PLC

On the proposition of Councillor John Bonham seconded by Councillor John Joe Fennelly, the Members unanimously agreed to the completion of a mortgage agreement between Laois County Council and Respond! Housing Association, Dominick Place, Airmount, Waterford for an amount not exceeding €1,271,001 in accordance with Section 6 of the Housing (Miscellaneous Provisions) Act, 1992 for the construction of 8 Accommodation Units Balladine, Abbeyleix, Co. Laois under the Capital Loan & Subsidy Scheme. The Members also approved the raising of a loan from the Housing Finance Agency Plc., not exceeding €1,271,001 for the construction of 8 Accommodation Units at Balladine, Abbeyleix, Co. Laois under the Capital Loan & Subsidy Scheme.

A discussion ensued regarding the provision of social and affordable housing during which Mr. Declan Byrne, Director of Services responded to the various queries raised

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

(a) Disposal of 0.60 acres at Balladine, Abbeyleix in the townland of Tonduff to Respond! Housing Association, Airmount, Dominick Place, Waterford for a consideration of €1,016

On the proposition of Councillor John Bonham seconded by Councillor John Joe Fennelly, the Members unanimously agreed to the disposal of 0.60 acres at Balladine, Abbeyleix in the townland of Tonduff to Respond! Housing Association, Airmount, Dominick Place, Waterford for a consideration of €1,016

(b) Disposal of Freehold at No. 7 Beladd, Portlaoise in the townland of Beladd for a consideration of €127

On the proposition of Councillor William Aird seconded by Councillor Tom Jacob, the Members unanimously agreed to the disposal of freehold at No. 7 Beladd, Portlaoise in the townland of Beladd, for a consideration of €127

71. CORRESPONDENCE

(a) Councillor Dick Miller raised an item of correspondence in relation to the Turra Road, Ballickmoyler. The County Manager, Mr. Peter Carey stated that this matter was currently being investigated.

(b) The Members requested an update from the County Manager on Togher and the recent decision by An Bord Pleánala to refuse planning permission for the construction of a main distributor road at Togher and motorway services building, petrol filling station, associated car, coach and heavy goods vehicle parking areas and associated roads and infrastructure at Togher. The County Manager replied that the Council are presently studying the contents of the Boards decision and the Inspectors report.

It is proposed to arrange meetings with the relevant stakeholders to devise a strategy moving forward including detailed discussions with the N.R.A. The Council is committed to the comprehensive development of the Togher Masterplan particularly as it had it's origins in the National Spatial Strategy and is included in the subsequent Regional Planning Guidelines.

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

(i) Correspondence from the Department of Communications, Marine and Natural Resources dated the 24th of May 2007 in relation to Notice of Motion No. 21/07 passed at the April Meeting in relation to broadband services

(ii) Correspondence from the Department of Enterprise, Trade & Employment dated the 8th of May 2007 in relation to Notice of Motion No. 13/07 passed at the March Meeting in relation to Back to Work Schemes under FAS

(iii) Correspondence from I.D.A. Ireland dated the 21st of May 2007 in relation to Notice of Motion No. 17/07 passed at the April Meeting in relation to their attendance at a future meeting of the Council to discuss possible strategies for attracting employment to the IDA Business Park on the Mountrath Road, Portlaoise

- (iv) Acknowledgement from the Office of the Taoiseach dated the 24th of May 2007 in relation to Notice of Motion No. 18/07 passed at the April Meeting in relation to health services in the area.

72. NOTICE OF MOTIONS

Notice of Motion No. 22/07

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

“That Laois County Council retain ownership of all it’s Water/Wastewater treatment plants in County Laois”

This motion was seconded by Councillor John Bonham. The Members were advised that under the Water Services Investment Programme for Laois, schemes will be procured by both traditional and DBO types of contract. Water and Waste Water network contracts will be procured by the traditional tender procurement process. Treatment plants may be procured by DBO Contract, where the Contractor designs, builds and operates the Treatment Plant on behalf of the Council. In this case, the Treatment Plants will remain, at all times, firmly in the ownership of Laois County Council.

In DBO Contracts, the Contractor will be responsible for the Operation and Maintenance works and Laois County Council will be monitoring the Contractor to ensure satisfactory performance. In the case of non-performance, penalties will be imposed on the Contractor based on the Contract between Laois County Council and the Contractor.

Notice of Motion No. 23/07

Councillor Michael Moloney proposed the following Notice of Motion:-

“That Laois County Council calls on the incoming Minister of the Environment to

- (a) ***Make postal voting user friendly in so far that anybody who will be away from home on polling day can obtain a postal vote***
- (b) ***That the time period to apply for a postal vote to be changed from the present regulation of two days after the calling of an election to at least a period of ten days***

This motion was seconded by Councillor Brian Stanley. Councillor Stanley requested that this matter be referred to the Minister of the Environment. Councillor Michael

Moloney proposed that a sub-committee be set up to discuss possible improvements to the Register of Electors.

Notice of Motion No: 24/07

Councillor Martin Phelan proposed the following Notice of Motion:-

“That this Council call on the incoming Minister of Finance to allow the payment of accommodation for third level students to be treated at a legitimate expenses for income tax purposes by the parent or guardian of the student”

This motion was seconded by Councillor Catherine Fitzgerald.

It was agreed that a letter issue to the Minister for Finance in this regard.

Notice of Motion No: 25/07

Councillor Martin Phelan proposed the following Notice of Motion:-

“That this Council call on the C.I.E. to provide a better rail and bus service to Laois – more trains stopping in Ballybrophy and Portlaoise and improving the parking if possible and to provide bus shelters”

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

Notice of Motion No: 26/07

Councillor Martin Phelan proposed the following Notice of Motion:-

“That Laois County Council call on the N.R.A. to provide graded junctions at Cuffsborough and Agahaboe as planned so we have a better road network in north County Laois”

This motion was seconded by Councillor Brendan Phelan.

This concluded the business of the meeting.

Signed: _____

Certified: _____