

**MINUTES OF THE NOVEMBER MEETING OF LAOIS COUNTY COUNCIL HELD IN ÁRAS AN  
CHONTAE, PORTLAOISE ON 30<sup>TH</sup> OF NOVEMBER 2009**

PRESENT:	Councillors	James Daly	In the Chair
	Councillors	Rotimi Adebari	William Aird
		John Bonham Pat Bowe	
		Patrick Bracken	Ben Brennan
		Ray Cribbin	James Deegan
		John Joe Fennelly	Catherine Fitzgerald
		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, Ian McCormack, A/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

**176. CONFIRMATION OF THE MINUTES OF THE OCTOBER MEETING HELD ON THE  
19<sup>th</sup> OF OCTOBER 2009**

On the proposal of Councillor Michael Lalor seconded by Councillor Paul Mitchell, it was agreed that the Minutes of the October meeting held on the 19<sup>th</sup> of October 2009, as circulated be adopted and signed.

It was noted that the Minutes should be amended at No: 167 – Material Contravention of the Portarlinton Local Area Plan 2007 – 2013 to reflect Councillors Brian Stanley's & Brendan Phelan's vote in favour of the material contravention.

**177. APPOINTMENT OF THE REMAINING FOUR MEMBERS TO THE VOCATIONAL EDUCATIONAL COMMITTEE – 2 MALE & 2 FEMALE**

**PROPOSAL NO.1**

Councillor John Moran proposed that the following appointments be made to the Vocational Educational Committee:

- Ms. Irene Murray
- Monsignor John Byrne
- Mr. Patrick Buggy
- Ms. Winnifred Champ-Cox

This proposal was seconded by Councillor Mary Sweeney. A roll call vote was taken on Councillor John Moran’s proposal which resulted as follows:-

COUNCILLOR		FOR	AGAINST	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			Abstain
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	✓		
Brian	STANLEY			Abstain
Mary	SWEENEY	✓		

Total Number of Votes – 13 votes in favour of the proposal.

## **PROPOSAL NO. 2**

Councillor Jerry Lodge proposed that the following appointments be made to the Vocational Educational Committee:

- Mr. Robert Quinn
- Monsignor John Byrne
- Ms. Irene Murray
- Ms. Rosemary Whelan

This proposal was seconded by Councillor Patrick Bracken. A roll call vote was taken on Councillor Jerry Lodge's proposal which resulted as follows:-

<b>COUNCILLOR</b>		<b>FOR</b>	<b>AGAINST</b>	<b>ABSENT</b>
<b>FIRST NAME</b>	<b>SURNAME</b>			
Rotimi	ADEBARI			✓
Willie	AIRD		✓	
John	BONHAM		✓	
Pat	BOWE	✓		
Paddy	BRACKEN	✓		
Ben	BRENNAN	✓		
Raymond	CRIBBIN	✓		
James	DALY		✓	
James	DEEGAN		✓	
John Joe	FENNELLY	✓		
Catherine	FITZGERALD			Abstain
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		✓	
Brian	STANLEY	✓		
Mary	SWEENEY		✓	

Total Number of Votes – 10 votes in favour of the proposal.

Therefore, it was unanimously agreed that Ms. Irene Murray, Monsignor John Byrne, Mr. Patrick Buggy & Ms. Winifred Champ-Cox be nominated to the Vocational Educational Committee.

**178. DISPOSAL OF LAND UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001 IN RESPECT OF ONE SERVICED RESIDENTIAL SITE (NO. 33) AT CLONASLEE IN THE TOWNLAND OF CLONASLEE TO PHYLLIS GALVIN**

On the proposition of Councillor Brian Stanley seconded by Councillor Patrick Bracken, the Members unanimously agreed to the disposal of one serviced residential site (No. 33) at Clonaslee in the townland of Clonaslee for a consideration of €48,000

**179. TAKING IN CHARGE OF ESKER HILLS, RIDGE ROAD, PORTLAOISE**

On the proposition of Councillor Martin Phelan seconded by Councillor David Goodwin, the Members unanimously agreed to the taking in charge of Esker Hills, Ridge Road, Portlaoise

**180. APPROVAL OF OVERDRAFT ACCOMMODATION IN THE SUM OF €9,000,000 FOR THE HALF-YEAR ENDING 30/06/2010**

The County Manager informed the Members that statutory approval has to be sought for the overdraft accommodation in the sum of €9,000,000 for the half-year ending 30/06/2010.

On the proposition of Councillor Mary Sweeney seconded by Councillor John Moran, the Members unanimously approved overdraft accommodation in the sum of €9,000,000 for the half-year ending 30/06/2010.

Councillor William Aird enquired about the repairs to the third floor of Áras an Chontae. The County Manager confirmed that Departmental approval to borrow €1 million has been given for the repair works and work will commence in April or May 2010

**181. STATUTORY AUDIT REPORT FOR THE YEAR ENDED 31<sup>ST</sup> DECEMBER 2008**

On the proposition of Councillor John Joe Fennelly seconded by Councillor Patrick Bracken, the Members unanimously noted the Statutory Audit Report for the year ended 31<sup>st</sup> December 2008 as circulated.

**182. DRAFT CORPORATE PLAN 2009 – 2014**

On the proposition of Councillor Brian Stanley, it was unanimously agreed that this item be deferred to the December meeting of Laois County Council for discussion.

**183. STRATEGIC POLICY COMMITTEES**

- (i) **Nomination of Council Members to the S.P.C.s**
- (ii) **Nomination of Sectoral Representatives to the S.P.C.'s**

On the proposition of Councillor Paul Mitchell seconded by Councillor Patrick Bracken, it was unanimously agreed that the following Elected Members were nominated to the S.P.C's as outlined below.

On the proposition of Councillor Mary Sweeney seconded by Councillor John Moran, it was unanimously agreed that the following Sectoral Representatives were nominated to the S.P.C's as outlined below.

<b>Committees</b>	<b>Elected members</b>	<b>Sectors to be represented</b>
<b>Community &amp; Economic Development, Culture and Heritage</b>	<b>Laois County Council</b> Cllr. M. Lalor (Chair) Cllr. J. King Cllr. J. Bonham Cllr. J. Deegan Cllr. P. Mitchell Cllr. P. Fleming Cllr. R. Adebari <b>Portlaoise Town Council</b> Cllr. Alan Hand	<ul style="list-style-type: none"> <li>• Agriculture / Farming – Mr. Harry Vanston,</li> <li>• Business / Commercial – Ms. Margaret Ryan, CEO,</li> <li>• Comm/Vol/Disadv/Culture/ Conservation – Ms. Kathleen Gorman,</li> <li>• Trade Union – Ms. Miriam Hamilton, SIPTU</li> </ul>
<b>Planning and Development and Environment</b>	<b>Laois County Council</b> Cllr. J. J. Fennelly (Chair) Cllr. R. Cribbin Cllr. T. Mulhall Cllr. P. Bowe Cllr. D. Goodwin Cllr. P. Bracken <b>Mountmellick Town Council</b> Cllr. M. Connolly	<ul style="list-style-type: none"> <li>• Agriculture / Farming – Mr. Michael McEvoy</li> <li>• Comm/Vol/Disadv/Culture/ Conservation – Ms. Sheelagh Coyle</li> <li>• Business/Commercial – Mr. Jason Redmond, Redmond &amp; Assoc.</li> <li>• Environment – Mr. Senan Gardiner, Ecology and Sustainable Living Officer,</li> </ul>

<b>Transportation and Water Services</b>	<b>Laois County Council</b> Cllr. M. Phelan (Chair) Cllr. B. Phelan Cllr. B. Brennan Cllr. J. Lodge Cllr. K. O'Brien Cllr. S. McDonald <b>Portlaoise Town Council</b> Cllr. M Keegan	<ul style="list-style-type: none"> <li>• Agriculture / Farming – Mr. Francis Gorman</li> <li>• Business / Commercial – Mr. Pat Culleton, Garoon Construction,</li> <li>• Comm/Vol/Disadv/Culture/Conservation – Ms. Noreen Byrne,</li> <li>• Trade Union – Ms. Miriam Hamilton, SIPTU</li> </ul>
<b>Housing and Social Policy</b>	<b>Laois County Council</b> Cllr. J. Moran, (Chair) Cllr. J. Daly Cllr. W. Aird Cllr. B. Stanley Cllr. M. Sweeney (nee Scully) Cllr. C. Fitzgerald <b>Mountmellick Town Council</b> Cllr. R. Whelan	<ul style="list-style-type: none"> <li>• Business / Commercial – Mr. Pat Flanagan</li> <li>• Comm/Vol/Disadv/Culture/Conservation – Mr. Mick Dowling</li> <li>• Development/Construction – Mr. Michael Kelly,(CIF), Thomas Kelly &amp; Sons</li> <li>• Trade Union – Ms. Miriam Hamilton, SIPTU</li> </ul>

### (iii) Adoption of Revised Standing Orders

The Members were circulated with a copy of the revised Standing Orders for the Strategic Policy Committees and on the proposition of Councillor William Aird seconded by Councillor John Joe Fennelly, the revised Standing Orders were adopted, with the addition of the words 'save in exceptional circumstances' to the non-attendance clause.

#### 184. PRESENTATION BY MR. COLM O' GORMAN, AMNESTY IRELAND

The Cathaoirleach, Councillor James Daly welcomed Mr. Colm O' Gorman, Amnesty Ireland to the Chamber who gave a briefing paper on Violence Against Women in Ireland. The Members complimented Mr. O' Gorman for his presentation and a lengthy discussion ensued during which Members expressed concern in relation to the significant increase of violence against women.

The County Manager indicated that there needs to be greater collaboration between the agencies in Laois and assured the Members of the willingness of Laois County Council to work with the agencies for a more strategic approach in this area.

## **185. PRIDE OF PLACE AWARDS**

Councillor James Daly, Cathaoirleach announced the great success of Laois County Council in this year's All-Ireland Pride of Place Competition for which the awards ceremony was held in Newcastle, Co. Down. The Cathaoirleach welcomed the representatives from the Camross Community Group who were the overall winners, representatives from the Riverview Apartments, Portlaoise who received a runner-up prize and also representatives from Oisín Park & Donaghmore Workhouse who were also shortlisted in the competition.

Laois County Council also won the award for the best local authority. This award was presented to Laois County Council in recognition of the excellent relationship between the elected Members and officials of the Council and the communities we work with. This was clearly demonstrated to the judges, who particularly remarked on the number of Councillors and officials from Laois County Council who attended the judging days.

The County Manager paid tribute to all the organisations concerned and congratulated Mr. Declan Byrne, Director of Services and his staff who were involved and worked with all the community groups, Ms. Georgina Ireland, Mr. Dom Reddin & Ms. Alice Kirwan. He also thanked the elected Members for their support. The County Manager congratulated the winners and also the participants.

The Members of Laois County Council individually and collectively congratulated all the groups involved and paid tribute to the Community & Enterprise Section.

Mr. Ian McCormack, A/Director of Services & Mr. Dom Reddin, Community & Enterprise Development Officer acknowledged the support of the County Manager, the Cathaoirleach & all the elected Members throughout the year.

## **186. REPORT ON SERVICE INDICATORS**

The Members were circulated with a report on the Service Indicators for Local Authorities 2008 which is a annual report published by the Department of the Environment, Heritage & Local Government in relation to service provision by the local authorities. The County Manager indicated that financial constraints will impact on performance in certain areas, however, Laois County Council will endeavour to meet high standards in 2010 with everyone working together and achieving the best use of our resources.

## 187. CORRESPONDENCE

The following items of correspondence had been circulated to the Members since the October meeting:-

- (i) **Correspondence from the H.S.E. in response to Notice of Motion No: 30/09 Re: St. Vincent's Hospital, Mountmellick**
- (ii) **Correspondence from the A.C.C.C. in relation to the regional and local roads maintenance programmes**
- (iii) **Correspondence from the Office of the Minister for Agriculture, Fisheries Food in relation to REPS 4**
- (iv) **Further correspondence from the A.C.C.C. in relation to the regional and local roads maintenance programmes**
- (v) **Correspondence from the Office of the Minister for Transport in relation to the regional and local roads maintenance programmes**

A lengthy discussion ensued regarding the response from the H.S.E in relation to St. Vincent's Hospital, Mountmellick and also in relation to a similar situation at Shaen Hospital. On the proposal of Councillor Pat Bowe, the Members unanimously agreed that a letter issue to the Minister for Health and also to the H.S.E. to seek clarification on the matter with a view to retaining the services at both these hospitals.

Councillor Jerry Lodge proposed that the three Dáil Deputies be requested to arrange a meeting with Professor Brendan Drumm in the H.S.E.

## 188. NOTICE OF MOTIONS

### **Notice of Motion No: 31/09**

Councillor Brian Stanley proposed the following Notice of Motion:-

***“That this Council put in place an Action Plan for drainage to prevent and alleviate flooding. This must include maintenance of gullies, grids and waterways which would prevent much of the flooding that has happened recently”***

This motion was seconded by Councillor John Joe Fennelly

The Members were advised that the Council has systems and procedures in place to deal with flooding emergencies. In fact, the council's Major Emergency Plan has a specific Sub-Plan to deal with flooding. As a matter of course, the Council carries out regular maintenance of road gullies.



Councillor Stanley indicated that the plan should identify the areas of concern and that the Members receive an outline of the plan and what the response procedures are.

Compliments were paid to area staff on action taken over the County during the recent floods. The County Manager also paid tribute to Laois County Council area staff and also the staff in the Fire Service and Civil Defence.

**Notice of Motion No: 32/09**

Councillor Jame Daly proposed the following Notice of Motion:-

***“That Laois County Council advocate the provision of a refuge in the County, enabling victims of domestic violence to have a refuge in their own County, and request the County Manager to meet with the H.S.E. to pursue the matter”***

This motion was seconded by Councillor Brian Stanely.

The Members were informed that Laois County Council refer victims of domestic violence to the Women’s Refuge in Athlone & Kilkenny. If the victims are unable to return to their homes, Laois County Council assists families to return to their hometowns, if safe to do so, with the aid of a deposit for private rented accommodation and rent supplement with the Health Services Executive. Laois County Council also have available two transitional units in the County for victims of domestic violence where it is deemed safe for them to remain in the County.

This concluded the business of the meeting.

**SIGNED:** \_\_\_\_\_ **CERTIFIED:** \_\_\_\_\_  
**CATHAOIRLEACH** **DIRECTOR OF CORPORATE AFFAIRS**