

MINUTES OF THE NOVEMBER MEETING OF LAOIS COUNTY COUNCIL HELD IN ARAS AN CHONTAE ON THE 28th OF NOVEMBER 2011

PRESENT:	Councillors	John Bonham	In the Chair
		William Aird	Pat Bowe
		Paddy Bracken	Ben Brennan
		Ray Cribbin	James Deegan
		John Joe Fennelly	Catherine Fitzgerald
		Padraig Fleming	David Goodwin
		Alan Hand	John King
		Michael Lalor	Jerry Lodge
		Seamus McDonald	Paul Mitchell
		John Moran	Kathleen O' Brien
		Tom Mulhall	Brendan Phelan
		Martin Phelan	Mary Sweeney

APOLOGIES: Councillors Rotimi Adebari James Daly

IN ATTENDANCE:

Messers Peter Carey, County Manager, John O' Donoghue, A/Director of Services, Ian McCormack, A/Director of Services, John Daly, Director of Services, Mr. Gerry Murphy, Head of Finance, Ms. Anna Marie Delaney, Director of Services, Ms. Irene Delaney, A/Senior Executive Officer & Ms. Michelle McCormack, Executive Secretary

148. VOTE OF SYMPATHY

On the proposition of Councillor John Bonham, Cathaoirleach and unanimously agreed, a vote of sympathy was extended to the McAuley family on the recent death of Mr. Frank McAuley, a former employee of Laois County Council.

On the proposition of Councillor John Bonham, Cathaoirleach and unanimously agreed, a vote of sympathy was extended to the Ring family on the recent death of Mr. Paddy Ring, a former employee of Laois County Council.

On the proposition of Councillor Mary Sweeney, the members unanimously agreed that a vote of sympathy be extended to the O' Rourke family on the recent death of Mr. Michael O' Rourke, Boley, Abbeyleix, Co. Laois.

On the proposition of Councillor Mary Sweeney, the members unanimously agreed that a vote of sympathy be extended to the Egan family on the recent death of Mr. Noel Egan, Kilbride, Portarlinton, Co. Laois.

On the proposition of Councillor James Deegan, the members unanimously agreed that a vote of sympathy be extended to the Dunne family on the recent death of Ms. Julia Dunne, Court Square, Stradbally, Co. Laois.

On the proposition of Councillor John Moran, the members unanimously agreed that a vote of sympathy be extended to the Gaffney family on the recent death of Mr. John Gaffney, Killeshin, Carlow.

On the proposition of Councillor Tom Mulhall, the members unanimously agreed that a vote of sympathy be extended to the Whelan family on the recent death of Mr. John Whelan, Ballycarroll, Co. Laois.

On the proposition of Councillor Ray Cribbin, the members unanimously agreed that a vote of sympathy be extended to the O' Sullivan family on the recent death of Ms. Gemma O' Sullivan, Killenard, Portarlinton, Co. Laois.

On the proposition of Councillor Ray Cribbin, the members unanimously agreed that a vote of sympathy be extended to the Weir family on the recent death of Ms. Molly Weir, Cusina, Portarlinton, Co. Laois.

On the proposition of Councillor Ray Cribbin, the members unanimously agreed that a vote of sympathy be extended to the McHale family on the recent death of Ms. Mary McHale, Killenard, Portarlinton, Co. Laois.

On the proposition of Councillor Paddy Bracken, the members unanimously agreed that a vote of sympathy be extended to the Culleton family on the recent death of Mr. William Culleton, Garoon, Mountmellick, Co. Laois.

On the proposition of Councillor Alan Hand, the members unanimously agreed that a vote of sympathy be extended to the O' Brien family on the recent death of Ms. Agnes O' Brien, Oakleaf Place, Portlaoise, Co. Laois.

On the proposition of Councillor Ben Brennan, the members unanimously agreed that a vote of sympathy be extended to the Fitzpatrick family on the recent death of Ms. Mary Fitzpatrick, Cappalug, Killeshin, Carlow.

On the proposition of Councillor Martin Phelan, the members unanimously agreed that a vote of sympathy be extended to the Tynan family, Rockview, Borris-in-Ossory on the recent tragic death of Mr. Kieran Tynan in Australia.

149. CONFIRMATION OF MINUTES OF THE SPECIAL MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 11TH OF OCTOBER 2011

On the proposition of Councillor Jerry Lodge seconded by Councillor John Moran, the Minutes of the special meeting of Laois County Council held on the 11th of October 2011 were confirmed as circulated.

150. CONFIRMATION OF MINUTES OF THE OCTOBER MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 24TH OF OCTOBER 2011

On the proposition of Councillor John Joe Fennelly seconded by Councillor John Moran, the Minutes of the October Meeting of Laois County Council held on the 24th of October 2011 were confirmed as circulated.

151. PRESENTATION BY MR. GERRY GEOGHEGAN, SENIOR ENGINEER, DUBLIN CITY COUNCIL ON THE GREATER DUBLIN REGIONAL WATER SUPPLY PROJECT

The Cathaoirleach welcomed Mr. Gerry Geoghegan, Senior Engineer, Dublin City Council along with Ms. Emily Ledwith, Dublin City Council to the Council Chamber to deliver a presentation on the Greater Dublin Regional Water Supply. Mr. Geoghegan set out the background of the project, proposed abstraction methodology and the costings of the programme to the Members of Laois County Council. Mr. Geoghegan responded to the various queries raised by the Members.

152. SECTION 85 AGREEMENT BETWEEN KILDARE COUNTY COUNCIL & LAOIS COUNTY COUNCIL FOR THE PROVISION OF VETERINARY SERVICES

The Members were advised that currently the veterinary services for Laois County Council are carried out by the County Veterinary Inspector in accordance with the Service Contract between Laois County Council and the Food Safety Authority of Ireland. This current contract commenced on the 31st of March 2011 and will continue to the 31st of December 2015. The Contract provides for the carrying out of certain functions by the relevant Local Authorities as agents for and on behalf of the Food Safety Authority of Ireland.

Section 1.20 of the Service Contract requires each local authority to enter into a mutual agreement with one or more local authorities by the end of 2011 to ensure continuity in the provision of official food controls services during periods of annual leave, sick leave, etc. The proposed agreement enables the Kildare County Veterinary Inspector to provide Food Safety Services in County Laois while the Laois County Veterinary Inspector will provide the same services to County Kildare, as required.

On the proposition of Councillor William Aird seconded by Councillor John Moran, the Members unanimously agreed to entering into an agreement with Kildare County Council under Section 85 of the Local Government Act, 2001 to carry out Food Safety Functions within their respective areas.

153. DISPOSAL OF LAND UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2011 IN RESPECT OF LEASE OF 2.44 ACRES OF LAND AT BALLYMORRIS, PORTARLINGTON

On the proposition of Councillor Ray Cribbin seconded by Councillor Tom Mulhall, the members unanimously agreed to the lease of 2.44 acres of land at Ballymorris, Portarlington in the townland of Cooltederry for a period of 5 years for a consideration of €500.00 per annum

154. NOMINATION OF MEMBER TO THE ASSOCIATION OF COUNTY & CITY COUNCILS (FOLLOWING THE RESIGNATION OF MR. MARTIN PHELAN, M.C.C.)

On the proposition of Councillor Michael Lalor seconded by Councillor Pat Bowe it was unanimously agreed that Councillor Ben Brennan be nominated to the Association of County & City Councils.

155. STATUTORY AUDIT REPORT FOR YEAR ENDED 31ST DECEMBER 2010

Mr. Peter Carey, County Manager advised the meeting that the Audit Report is a report from the Local Government Audit Services and confirmed that the Council is operating within its budget. A lengthy discussion ensued regarding the number of affordable units remaining for sale and the members were advised that approval had been received from the Department to transfer 6 affordable units to social housing. These units are located in Portlaoise and the members welcomed this development. The issue of taking re-possessed houses into social housing stock was also discussed and the meeting was advised that Departmental approval and funding would be required for such a proposal.

156. PRESENTATION BY MR. MARK MACAULAY, EXECUTIVE ENGINEER & MS. LINDA PARKINSON, EXECUTIVE ENGINEER, MIDLANDS ENERGY AGENCY – BRIEFING ON THE MIDLAND ENERGY AGENCY PLAN 2011-2012

Mr. Mark Macaulay, Executive Engineer & Ms. Linda Parkinson, Executive Engineer delivered a presentation on the Midlands Energy Agency Plan for 2011-2012 to the Members. The Members complimented Mark & Linda on their excellent presentation and the work to date in this area.

157. CORRESPONDENCE

The Members were circulated with the following items of correspondence which had been received since the last meeting of Laois County Council:-

- (1) Correspondence dated the 2nd of November 2011 in relation to Notice of Motion No: 17/11 from Mr. Willie Penrose, T.D., Minister for Housing & Planning
- (2) Correspondence dated the 2nd of November 2011 in relation to Notice of Motion No: 19/11 from the Department of Social Protection
- (3) Correspondence dated the 9th of November 2011 in relation to Notice of Motion No: 22/11 from the Department of Justice
- (4) Correspondence dated the 9th of November 2011 in relation to Notice of Motion No: 23/11 from the Department of Environment, Community & Local Government. Councillor Catherine Fitzgerald requested that a further letter issue to the Minister in light of the recent increase in household burglaries

The Members were also circulated with a copy of the 'Winter Ready' leaflet which will be circulated widely throughout the community.

158. NOTICE OF MOTIONS

Notice of Motion No: 26/11

Councillor Catherine Fitzgerald & Councillor Mary Sweeney proposed the following Notice of Motion:-

“That this Council request the Department of Health and the Department of Justice to provide finance for the Laois Domestic Abuse Service to enable the service to continue”

This motion was seconded by Councillor Mary Sweeney. Councillors Fitzgerald & Sweeney advised the meeting of the present financial situation of the Laois Domestic Abuse Service. The Members were advised that funding is only available for the next two to three months and thereafter the service may have to cease operation if additional funding is not forthcoming. The demand for the service is increasing.

Councillor Sweeney & Fitzgerald complimented Mr. Michael Rainey, S.E.O., & the staff in the Housing Department for their assistance and in particular in the provision of safe houses.

Notice of Motion No: 27/11

Councillor Alan Hand proposed the following Notice of Motion:-

“That this Council clarify the position on water fluoridation in the domestic water supply in County Laois”

This motion was seconded by Councillor Paul Mitchell. The Members were advised that water **fluoridation** is the controlled addition of fluoride to a [public](#) water supply to reduce tooth decay. Fluoridated water has fluoride at a level that is effective for preventing cavities; this can occur naturally or by adding fluoride. Fluoridated water

operates on tooth surfaces: in the mouth it creates low levels of fluoride in saliva, which reduces the rate at which tooth enamel demineralizes and increases the rate at which it remineralizes in the early stages of cavities. Local Authorities are required under the Health (Flouridation of Water Supplies) Act 1960 and in particular in Section 4 of the act to fluoridate water public water supplies. This act allows for the Local Authority to recoup the costs associated with the flouridation of water from the hse.

The most recent Regulations drawn up on foot of this act are the S.I No 42/2007 – Flouridation of Water Supplies Regulations 2007. These regulations revoked the earlier S.I. No. 274/1964 and one of the main changes made was that the levels of fluoride in treated water were reduced form between .8 to 1 mg/l to between .6 to .8 mg/l.

Mountmellick 1 PWS	5268
Mountrath PWS	3800
Portarlinton PWS	6784
Portlaoise PWS	22544
Rathdowney PWS	1856
Abbeyleix 1 PWS (flouride sampling point - Mountrath Rd.)	1860
Abbeyleix 2 PWS (flouride sampling point - Ballinakill Rd.)	1000

Graigucullen Water Supply supplying approx 5,000 people has been historically flouridated by Carlow and will continue to be flouridated following the onset of the new Graigucullen WS.

On the proposal of Councillor Alan Hand seconded by Councillor Pat Bowe, it was agreed that a letter issue to the Minister to have the current practice of water flouridation discontinued and that the support of all local authorities be sought.

Notice of Motion No: 28/11

Councillor Alan Hand proposed the following Notice of Motion

“That this Council calls on the Government to protect small hospitals in County Laois”

Notice of Motion No: 29/11

Councillor Catherine Fitzgerald proposed the following Notice of Motion

“That this Council call on the Minister for Health, Dr. Reilly to overturn the decision to close Shane and Abbeyleix Hospitals”

Notice of Motion No: 30/11

Councillor William Aird proposed the following Notice of Motion

“That this Council unanimously calls on the Minister for Health, Dr. James O’ Reilly to reverse the decisions to close Shaen & Abbeyleix Hospitals”

Notice of Motion No: 31/11

Councillor Tom Mulhall proposed the following Notice of Motion

“That Laois County Council call on the Minister for Health, Dr. James O’ Reilly to re-consider his decision to close Shaen Hospital”

Notice of Motion No: 32/11

Councillor Kathleen O’ Brien proposed the following Notice of Motion

“That this Council call on the Minister for Health, Dr. James O’ Reilly to take action to rescind the decision to close Abbeyleix Nursing Unit and St. Brigid’s Hospital in Shaen”

Notice of Motions No: 28/11, 29/11, 30/11, 31/11 and 32/11 were seconded by Councillor Paddy Bracken. The Members expressed disappointment and concern in relation to the announcement of the closure of the two hospitals. The Members requested that the Minister rescind his decision and that a letter issue in this regard to Minister James O’ Reilly.

This concluded the business of the meeting.

SIGNED: _____
CATHAOIRLEACH

CERTIFIED: _____
**DIRECTOR OF CORPORATE
AFFAIRS**