

**MINUTES OF OCTOBER MONTHLY MEETING OF LAOIS COUNTY  
COUNCIL HELD IN ARAS AN CHONTAE, PORTLAOISE ON 22<sup>ND</sup> OF  
OCTOBER**

<b>PRESENT:</b> Councillors	William Aird	John Bonham
	Paddy Bracken	Ray Cribbin
	James Deegan	Geraldine Delaney
	Catherine Fitzgerald	John Joe Fennelly
	David Goodwin	Laurence Kavanagh
	Michael Lalor	Jerry Lodge
	Seamus McDonald	Michael Moloney
	Dick Miller	John Moran
	Brendan Phelan	Martin Phelan
	Michael Rice	Brian Stanley
	Mary Sweeney	John D. Turley

<b>APOLOGIES:</b> Councillors	Tom Jacob	James Daly
	Paul Mitchell	

**IN ATTENDANCE:**

Messers Peter Carey, County Manager, Gerry Gibson, Director of Services, Declan Byrne, Director of Services, Gerry Murphy, Head of Finance, Ms. Anna Marie Delaney, Director of Services, Ms. Georgina Ireland, A/Senior Executive Officer & Ms. Michelle McCormack, Executive Secretary

**115. CONFIRMATION OF MINUTES**

On the proposal of Councillor Ray Cribbin seconded by Councillor Michael Lalor, it was unanimously agreed that the Minutes of the September meeting held on the 24<sup>th</sup> of September 2007, as circulated, be adopted and signed.

Councillor John Joe Fennelly indicated that during a discussion on the Mountrath Orbital Route that there be a slight change to the entrance and that the minutes be amended to reflect this.

## **116. EMERGENCY ACCOMMODATION AT THE MONTAGUE HOTEL**

Councillor James Deegan raised the matter of the recent news that the Montague Hotel will be providing emergency accommodation for 240 asylum seekers. Councillor Ray Cribbin also expressed his concern with this situation and indicated that there are insufficient facilities at this location. A number of Councillors expressed concern in relation to this issue.

The County Manager indicated that Laois County Council has had no official contact in relation to this matter. Councillor Aird proposed that the Minister for Justice receive a deputation from Laois County Council in this regard. This proposal was seconded by Councillor Martin Phelan.

Councillor Aird proposed four members of the Emo area plus the Cathaoirleach comprise the deputation. This was seconded by Councillor Mary Sweeney. Councillor Lodge indicated that one person from the Portlaoise Electoral Area also take part in the deputation.

## **117. (a) REPORT ON AREA MEETINGS HELD IN SEPTEMBER 2007**

On the proposition of Councillor James Deegan seconded by Councillor Michael Lalor, the members unanimously noted the reports, as circulated, on area meetings held in September 2007.

Councillor Patrick Bracken raised a query on the Mountmellick Area Minutes, i.e. Notice of Motion for a dangerous bend at Clonagowan, Ballyfin. This was supported by Councillor Seamus McDonald.

## **117. (b) REPORT ON SPC MEETINGS HELD IN SEPTEMBER 2007**

On the proposition of Councillor John Joe Fennelly seconded by Councillor Jerry Lodge, the members unanimously noted the reports, as circulated, on SPC meetings held in September 2007.

## **118. PROVISION OF ACCOMMODATION FOR VICTIMS OF DOMESTIC VIOLENCE**

Councillor Aird raised the issue of the provision of accommodation for victims of domestic violence and that money be allocated in the budget for 2008.

Councillor Brian Stanley proposed that one unit of accommodation be provided for this purpose as a short term measure. Councillor Moloney proposed that €50,000 should be allocated in the budget and four or five houses be rented in the area for this purpose. Councillor Stanley proposed that Laois County Council make application to the Department for funding for the provision of a centre for victims of domestic violence in County Laois. This proposal was seconded by Councillor Catherine Fitzgerald.

The County Manager stated that this was a very complex matter and indicated that it required the active input of a number of agencies. Councillor Stanley proposed that the Health Services Executive be contacted with a view to arranging a meeting with the other relevant agencies and that a submission be made to the Department.

The County Manager indicated that the various agencies will be called in for a meeting with a view to making an application to the various Departments.

## **119. FILLING OF CASUAL VACANCY**

Councillor Fennelly proposed the name of Ms. Geraldine Delaney to fill the casual vacancy on Laois County Council. This proposal was seconded by Councillor Brendan Phelan.

Councillor Laurence Kavanagh wished Councillor Delaney the very best in her new role. Councillor John Bonham, on behalf of the Fine Gael party welcomed Councillor Delaney to the Chamber. Councillor Michael Moloney also welcomed her to the Chamber.

The County Manager joined with the Members in welcoming Councillor Delaney to Laois County Council. The Cathaoirleach also welcomed Councillor Delaney and wished her well in her new role.

Councillor Delaney thanked her proposer and seconder, all the officials and indicated that she looked forward to her new role as a Member of Laois County Council.

## **120. NOMINATION OF A MEMBER OF LAOIS COUNTY COUNCIL AS A DIRECTOR OF PORTLAOISE COMMUNITY ACTION PROJECT LTD**

Members were advised that Councillor Mary Sweeney is due to retire as part of the rotation of the Directors of Portlaoise Community Action Project Ltd., and is eligible for re-appointment.

On the proposition of Councillor James Deegan seconded by Councillor John Bonham, the re-appointment of Ms. Mary Sweeney as a Director of Portlaoise Community Action Project Ltd., was confirmed.

## **121. NOMINATION OF THREE MEMBERS OF LAOIS COUNTY COUNCIL TO NEW UNIFIED COUNTY STRUCTURE (COHESION)**

Mr. Declan Byrne, Director of Services advised the Members on the new unified integrated local development structure. The Department have issued guidelines stipulating the number of directors of the new Company at 23 with 5 for the local government sector . These 5 are comprised of three County Council members, one Town Council member and the County Manager or his representative.

Councillor James Deegan proposed that this item be postponed until the November meeting as this Council is not properly represented and requested a representative from each area. This proposal was seconded by Councillor Michael Moloney.

Mr. Declan Byrne, Director of Services indicated that he fully appreciated the Members comments. At the moment the first eight temporary Directors are being appointed and the Company can be registered. These members can sign the Memorandum and Articles of Association. The second part of this process is the nomination of the elected members. The County Manager indicated that the funding will not be forthcoming until the Company is in place. Councillor Brendan Phelan proposed that five members be nominated and a submission be made to the Minister. Mr. Declan Byrne, Director of Services indicated that the members would need to pass a resolution to nominate five members. This was proposed by Councillor Deegan and seconded by Councillor Mary Sweeney.

Councillor Lodge proposed that we go ahead and seek funding and appoint the three members as recommended. A show of hands was taken on the proposal that the item be deferred. This proposal was seconded by Councillor Michael Moloney. The result of the show of hands was 12 for deferral and 10 to proceed. Therefore the item was deferred.

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

### **(a) DISPOSAL OF .05 ACRES AT DAVITT ROAD MOUNTMELICK**

On the proposition of Councillor Patrick Bracken seconded by Councillor Seamus McDonald, the members unanimously agreed to the disposal of .05 acres at Davitt Road, Mountmellick in the townland of Ballycullenbeg, for a consideration of €100 to Mr. John Hennessy, Davitt Road, Mountmellick, Co. Laois.

### **(b) DISPOSAL OF 0.2 ACRES AT KYLEBEG, STRADBALLY**

Under Part 15 of the Local Government Act, 2001, Councillor James Deegan removed himself from the meeting for the discussion of the following item.

On the proposition of Councillor Mary Sweeney seconded by Councillor Michael Lalor, the members unanimously agreed to the disposal of 0.2 acres at Kylebeg, Stradbally in the townland of Kylebeg to Mr. Maurice Deegan, Kylebeg, Stradbally, for a consideration of €1,000

## **123. PART VIII OF THE LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS, 2001 - 2007**

### **(a) Abbeyleix Wastewater Treatment Plant**

Members were advised that the scheme will consist of the following:-

A wastewater treatment works with a design population equivalent of 4,000 people. The proposed wastewater treatment works is to be constructed on a new site approximately 0.5 km west of the existing wastewater treatment works in Abbeyleix. The purpose of the scheme is to provide the town of Abbeyleix with improved wastewater treatment by providing a waste water treatment works to meet the current and future needs of the town. On the proposition of Councillor John Bonham, seconded by Councillor John Joe Fennelly, the members unanimously agreed to the proposed development.

### **(b) Extension to Rosenallis Cemetery**

The proposed development comprises of an extension of the Rosenallis Cemetery on the Clonaslee Road, Rosenallis.

On the proposition of Councillor David Goodwin seconded by Councillor Paddy Bracken, the members unanimously agreed to the proposed development.

## **124. TAKING IN CHARGE OF ESTATES**

### **(a) Taking in Charge of The Grange, Borris Road, Portlaoise**

On the proposition of Councillor Catherine Fitzgerald seconded by Councillor William Aird, the members unanimously agreed to the taking in charge of The Grange, Borris Road, Portlaoise

**(b) Taking in Charge of Forrest Park, Borris Great, Portlaoise**

On the proposition of Councillor William Aird seconded by Councillor Catherine Fitzgerald, the members unanimously agreed to the taking in charge of Forrest Park, Borris Great, Portlaoise.

**125. PRESENTATION BY MR. KEVIN KIDNEY, GENERAL MANAGER, FAILTE IRELAND (EAST & MIDLANDS REGION)**

Mr. Kevin Kidney, Failte Ireland gave a brief presentation to the members of Laois County Council on it's strategy for 2008-2010. Mr. Kidney addressed the various issues raised by the members.

The Cathaoirleach & The County Manager thanked Mr. Kidney for his attendance and very informative presentation.

**126. PRESENTATION ON PART VIII OF THE LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS, 2001 – 2007 IN RESPECT OF BORRIS ROAD RE-ALIGNMENT**

Mr. Paul Bergin from Kilgallen & Partners gave a brief presentation on the Part VIII for the Borris Road Re-Alignment.

The proposed development comprises of the realignment of the Borris Road, Portlaoise from north of Grange Roundabout to north of the Hermitage Roundabout. The length of the project is 1 km approximately and will involve the straightening and widening of the existing road, with some alteration of the route into green fields located northwest of the existing Borris Road.

On the proposition of Councillor Willaim Aird seconded by Councillor Catherine Fitzgerald, the members unanimously agreed to the proposed development.

## **127. FIX DATE FOR 2008 BUDGET MEETINGS**

The following dates were agreed for the 2008 budget meetings

Budget Meeting in Committee to be held on the 14<sup>th</sup> of December 2007

Statutory Meeting to be held on the 19<sup>th</sup> of December 2007

## **128. (a) DRAFT POLICY ON SIGNAGE OF HOUSING ESTATES**

This draft policy document, as recommended by the Planning & Transportation SPC was proposed by Councillor Michael Rice and seconded by Councillor John Joe Fennelly.

## **128. (b) DRAFT POLICY ON RESTORATION AND APPROPRIATE AFTER USE OF QUARRIES**

This draft policy document, as recommended by the Planning & Transportation SPC was proposed by Councillor Michael Rice and seconded by Councillor John Joe Fennelly.

## **128. (c) DRAFT POLICY ON RESIDENTIAL BOUNDARY TREATMENTS**

This draft policy document, as recommended by the Planning & Transportation SPC was proposed by Councillor Michael Rice and seconded by Councillor John Joe Fennelly. Councillor Fitzgerald indicated her concern regarding the 2 metre height of boundary wall in relation to exempted developments. A lengthy discussion ensued regarding the issue of fencing and boundary walls. Councillor Fitzgerald requested that this document come before the members again, this proposal was seconded by Councillor Mary Sweeney. Mr. Kieran Kehoe, SEO Planning brought the condition on the second last page of the policy document to the attention of the Members. This policy is to be considered in further detail by the SPC.



## 129. CORRESPONDENCE

There were two items of correspondence received since the last Council Meeting and these were circulated to the Members.

## 130. VOTE OF CONGRATULATIONS

Councillor John Joe Fennelly proposed a vote of congratulations to Abbeyleix GAA on winning the Senior Hurling Final. This was seconded by Councillor Brendan Phelan.

Councillor William Aird proposed a vote of congratulations to Portlaoise on winning the County Final recently. Councillor Mary Sweeney seconded this proposal and in doing so wished the Laois ladies all the best in their forthcoming match.

## 131. NOTICE OF MOTIONS

### Notice of Motion No. 38/07

Councillor Mary Sweeney proposed the following Notice of Motion

*“That Laois County Council review the pricing structure for affordable housing schemes as pertains to rural areas”*

Councillor Brian Stanley seconded this Notice of Motion. The Members were advised that the pricing structure for affordable housing schemes is based on a number of factors, namely:

- Cost of the site
- Cost of construction
- Cost of legal fees
- Cost of bridging finance
- Any miscellaneous administrative costs such as land registry fees, valuations, advertising, etc.

While the Council try to keep the sale price as low as possible, it is imperative that the costs outlined above are covered.

Mr. Michael Mockler, Clerk of Works was complimented on the affordable housing scheme in Ballyroan.

**Notice of Motion No. 39/07**

Councillor James Deegan proposed the following Notice of Motion

*“That the members of the Emo Electoral Area request a dedicated budget from the D.O.E.H.L.G. for environmental purposes, e.g. street cleaning, etc.*

This Notice of Motion was seconded by Councillor Michael Lalor. This will be considered in the context of the Annual Budget for 2008.

This concluded the business of the meeting.

Signed:

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Cathaoirleach

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Director of Corporate Affairs