

**MINUTES OF OCTOBER MONTHLY MEETING OF LAOIS COUNTY
COUNCIL HELD AT ÁRAS AN CHONTAE, PORTLAOISE ON THE
20TH OF OCTOBER 2008**

PRESENT:	Councillors	Thomas Jacob	In the Chair
		Willie Aird	Mary Sweeney
		Patrick Bracken	Ray Cribbin
		James Deegan	David Goodwin
		Geraldine Delaney	John D. Turley
		J.J. Fennelly	James Daly
		Laurence Kavanagh	Michael Moloney
		Michael Lalor	Jerry Lodge
		Dick Miller	Seamus McDonald
		Brendan Phelan	Catherine Fitzgerald
		Martin Phelan	Michael Rice
		Paul Mitchell	

APOLOGIES:	Councillors	Brian Stanley	John Bonham
		John Moran	

IN ATTENDANCE:

Messers Peter Carey, County Manager, Gerry Gibson, Director of Services, John Daly, Director of Services, Declan Byrne, Director of Services, Gerry Murphy, Head of Finance Ms. Anna Marie Delaney, Director of Services, , Mr. John O'Donoghue, Senior Engineer, Ms. Angela McEvoy, A/Senior Planner, Mr. Donal Kiely, Senior Executive Planner, Ms. Emer Shanahan, Executive Planner, Mr. Michael O'Hora, Senior Engineer, Mr. John Gavin, Senior Executive Engineer, Ms. Orla Barrett, Senior Executive Engineer, Ms. Josephine Kavanagh, A/Senior Executive Officer, Ms. Ann Marie Kirrane, A/Administrative Officer, & Ms. Catherine Gorman, A/Executive Secretary.

116. KYLETALESHA LANDFILL

The Cathaoirleach Tom Jacob advised the members that a representative from Kyletalesha/Derryguile Residents Association would address the meeting.

Ms. Sheelagh Coyle, Spokesperson, addressed the members and outlined the resident's complaints and concerns regarding the landfill.

117. MEDICAL CARD SCHEME

On the proposal of Councillor James Deegan, seconded by Councillor William Aird, it was agreed that the following resolution be issued to Ms. Mary Harney, T.D., Minister for Health & Children:-

“That Laois County Council call on the Minister for Health, Mary Harney, to withdraw in its entirety the means test for people over 70 years of age”.

It was agreed that a letter issue to Minister Harney in this regard.

118. CONFIRMATION OF MINUTES

On the proposal of Councillor William Aird, seconded by Councillor David Goodwin, it was agreed by the Members that the Minutes of the September meeting held on the 29th September 2008 as circulated be adopted and signed.

119. DRAFT LITTER MANAGEMENT PLAN 2008-2011

Members were circulated with the Draft Litter Management Plan 2008-2011. They were advised that under Section 10 of the Litter Pollution Act 1997-2003, each local authority is obliged to prepare and implement a Litter Management Plan for its functional area and to review its Plan at least once in each period of 3 years after the plan is first implemented. The draft had gone on public display in September 2008 and no submissions were received.

The issue regarding steel signs erected by the N.R.A. that advertise EU and Government funding throughout the County was discussed.

The Members complimented all the environment staff on the excellent work that had been carried out to-date.

On the proposition of Councillor Jerry Lodge, seconded by Councillor Martin Phelan, the Members unanimously agreed to the adoption of the Litter Management Plan 2008-2011.

120. PROPOSED VARIATION NO. 1 – (CAR PARKING STANDARDS) TO:

- (A) LAOIS COUNTY DEVELOPMENT PLAN 2006-2012
- (B) PORTLAOISE LOCAL AREA PLAN 2006-2012
- (C) PORTARLINGTON LOCAL AREA PLAN 2007-2013
- (D) MOUNTMELICK LOCAL AREA PLAN 2007-2013
- (E) GRAIGUECULLEN LOCAL AREA PLAN 2007-2013

Members were circulated with the Manager's Report on Draft Variation No. 1 (2008) – Car parking standards to:

- (a) Laois County Development Plan 2006-2012
- (b) Portlaoise Local Area Plan 2006-2012
- (c) Portarlington Local Area Plan 2007 - 2013
- (d) Mountmellick Local Area Plan 2007 - 2013
- (e) Graiguecullen Local Area Plan 2007 - 2013

On the proposition of Councillor John Joe Fennelly, seconded by Councillor Jerry Lodge, the Members unanimously adopted the Proposed Variation No. 1 (Car Parking Standards).

121. JOINT POLICING COMMITTEES

Members were circulated with Circular letter and Guidelines regarding the establishment of Joint Policing Committee (JPC's) in County Laois.

The purpose of the JPC's is to provide a forum where a local authority and the senior Garda Officers responsible for the policing of that area, with the participation of Oireachtas Members and Community interests, can consult, discuss and make recommendations on matters affecting the policing of the area.

There will be three Committees in County Laois in respect of the 3 Local Authorities – Laois County Council, Portlaoise Town Council and Mountmellick Town Council. Membership of each JPC will include members of the Oireachtas, Community Representatives, Gardai, Local Authority elected representatives and the County Manager and another official.

Following a discussion it was agreed to consider the adoption of the Joint Policing Committee at the November Meeting. It was suggested that an authority on the JPC be invited to speak at the November Meeting.

122. PROGRESS REPORT ON IMPLEMENTATION OF SERVICE INDICATORS

The Members were circulated with the Progress Report on Implementation of Service Indicators for their information. The report provides a year on year comparison of Laois County Councils performance against the indicators for the 3 year period 2005 – 2007. It was noted that Laois County Council compares favourably against other Local Authorities over a range of service areas.

The County Manager thanked the staff and elected members for their role in achieving the required standards.

This report was noted by the Members.

123. DRAFT POLLING SCHEME 2008

The Members were circulated with the draft Polling Scheme 2008. A discussion took place on the draft Polling Scheme. Ms. Anna Marie Delaney, Director of Services, advised that she would revert back to the County Register regarding issues with Clonkeen and also check regarding if Polling Station at Macra na Feirme Hall in Mountmellick could be relocated to Community School Mountmellick.

On the proposition of Councillor Michael Moloney, seconded by Councillor Paddy Bracken, the Members unanimously agreed to the adoption of the Polling Scheme 2008 as circulated.

124. (a) PARKING AREA AND CAR PARK BYE-LAWS PORTARLINGTON 2008

(b) PORTARLINGTON APPOINTED STANDS BYE-LAWS 2008

The Members were circulated with the:

- i. Draft Bye-Laws 2008 for Portarlington (Parking Areas and Car Park)
- ii. Draft Portarlington Appointed Stands Bye-Laws 2008

On the proposition of Councillor John Turley, seconded by Councillor Paul Mitchell, the Members unanimously adopted the Bye-Laws 2008 for Portarlington (Parking Areas and Car Park and the Portarlington Appointed Stands Bye-Laws 2008).

125. DRAFT SEPTIC TANK AND WASTE WATER TREATMENT SYSTEMS FOR SINGLE HOUSES BYE-LAWS 2008

The Members were circulated with the Draft Septic Tank & Waste Water Treatment Systems for Single Houses Bye-laws 2008, which were approved by the Environment & Water Services SPC in June 2008.

Mr. John Daly, Director of Services, advised that at the July Meeting, the members decided to refer the Draft Bye-Laws back to the SPC for further consideration and amendments have now been made to the Draft Bye-Laws.

On the proposition of Councillor James Deegan, seconded by Councillor William Aird, it is agreed to postpone this issue until the November meeting of Laois County Council.

126. PRIDE OF PLACE 2008 – PRESENTATION OF CERTIFICATES

The Cathaoirleach welcomed to the October Council Meeting of Laois County Council representatives of Portlaoise Parish Centre and Mountmellick Voluntary Housing Association.

The Members were briefed and advised that Portlaoise Parish Centre are representing Laois in the Community Facility category and Mountmellick Volunatry Housing Association representing Laois in the Services for the Elderly category.

The efforts and dedication shown by both groups in preparing for the Pride of Place competition was acknowledged. Every success was wished to both groups at the forthcoming National Awards Ceremony to be held in Cappoquin, Co. Waterford on the 8th November, 2008.

Representatives from both groups were presented with Certificates in honour of their achievements to-date.

127. APPROVAL TO RAISING OF A LOAN OF €1 MILLION FOR EMERGENCY WORKS AND ROOF REPAIRS AT BLOCK 1, ARAS AN CHONTAE

On the proposal of Councillor Paul Mitchell, seconded by Councillor Ray Cribbin, the Members unanimously approved the raising of a loan of €1 million for emergency works and roof repairs at Block 1, Aras an Chontae.

128. VOTE OF SYMPATHY

On the proposition of the Cathaoirleach Tom Jacob, the Members unanimously agreed that a vote of sympathy be passed and be extended to Rev. Fr. John Byrne, P.P., Portlaoise on the recent death of his mother Mary Byrne.

129. CORRESPONDENCE

The Members were circulated with and noted the following items of correspondence:-

- (i) Letter received from Clones Town Council dated 13th October, 2008, regarding notice of motion:- “That Clones Town Council writes to Minister for Social and Family Affairs, Mary Hanafin and the Taoiseach Brian Cowen, requesting that the Fuel Allowance Scheme be doubled, and that the payment be extended to 34 weeks instead of the current 30 weeks. We also request that the Living Alone Allowance be doubled, in line with the proposal from Age Action. That we circulate this motion to all Local Authorities”.
- (ii) Response from the Health Service Executive dated 9th October, 2008, in relation to CT scanner at Portlaoise Regional Hospital.
- (iii) Response from the Department of Environment, Heritage and Local Government dated 8th October, 2008, in relation to payment of ad hoc travel and subsistence.
- (iv) Letter received from Monaghan Town Council dated 1st October, 2008, regarding notice of motion:- “That Monaghan Town Council, in recognition of the important social service involved and the voluntary participation of those engaged in the distribution of Meals-on-Wheels, approves the issuance of a display disc or discs to the Managers of the Scheme for motor vehicle display purposes while engaged in active distribution of meals to recipient citizens of our town, thereby excusing the vehicle owner/driver from the requirements of our pay and display pay parking regulations and, if adopted, agrees to circulate this motion for the attention of all City, Corporation and Town Councils throughout the State”.
- (v) E-mail received from Sligo Borough Council dated 30th September, 2008, in relation to notice of motion: “That this Borough Council calls on the Minister of the Environment and Local Government to implement a full restructure of the Elector of Registers where the PPS number is the sole basis that the register of electors is compiled and that adequate funding is supplied to each local authority to implement this process a copy of this motion to be sent to all local authorities within the State”.

130. ANY OTHER BUSINESS

Councillor Martin Phelan expressed his concern in relation to the condition of roads affected by the M7/M8 road works. Mr. Gerry Gibson, Director of Services, advised that a meeting would be arranged to discuss same with the members of the Borris-in-Ossory electoral area. He also advised that speed monitoring of trucks would take place from 20th October 2008 and that the sum of €200,000 funding has been secured to carry out some remedial works.

131. NOTICES OF MOTION

Notice of Motion No. 28/08 – Councillor William Aird

“That the members of this Council be afforded the opportunity to debate the rent increases that have been imposed on all tenants of local authority houses under the remit of this Council”.

This motion was seconded by Councillor John Joe Fennelly. The members were briefed as follows:

Laois County Council Rent Scheme effective from 18th October, 2008. The Scheme has been circulated to all members. Increases from 18th October are subject to a maximum increase of €4.50 per week – where household circumstances have not changed.

(1) **Max. Rent**

3 bed or more	€93
2 bed	€80
1 bed	€73

(2) **Min. Rent**

3 bed or more	€24
2 bed	€21.50
1 bed	€20
Demountables	€10

(3) 6% approx. of Laois County Council Tenants are on maximum rent

(4) Hardship Clause available in the rent scheme stating that where payment of the rent calculated would in the opinion of the Council give rise to hardship – the Council may agree to accept a lesser sum.

Ms. Anna Marie Delaney, Director of Services, agreed to review the rent payable in respect of O.A.P.'s.

Notice of Motion No. 29/08 – Councillor William Aird

“That Laois County Council call on the Minister for Health, Mary Harney to ensure that there is no reduction in home help provision for those who qualify”.

This motion was seconded by Councillor Jerry Lodge. It was agreed that a letter issue to Minister Harney in this regard.

This concluded the business of the meeting.

Signed:

Cathaoirleach

Director of Corporate Affairs