

110. CONFIRMATION OF MINUTES

Councillor Brian Stanley referred to Notice of Motion No: 19/10 in relation to the report on ghost estates. Mr. John Daly, Director of Services indicated that the report would be circulated to the Members when received.

On the proposition of Councillor Michael Lalor seconded by Councillor Mary Sweeney, the Minutes of the September meeting held on the 27th of September 2010 were confirmed as circulated.

111. REPORTS ON AREA MEETINGS HELD IN SEPTEMBER 2010

On the proposition of Councillor Patrick Bracken seconded by Councillor John Joe Fennelly, the reports on the Area Meetings held in September 2010 were noted by the Members.

112. PART VII OF THE PLANNING & DEVELOPMENT REGULATIONS 2001 IN RESPECT OF:

- (i) Upgrade of Temperance Street, R430 Ballinakill Road junction, Abbeyleix and the improvement of Temperance Street, Abbeyleix over a distance of approximately 95 metres.**

Ms. Anna Marie Delaney, Director of Services advised the Members of the following:-

Under Part 15 of the Local Government Act, 2001, Members are required to comply with the requirements of the Act in relation to disclosure of pecuniary or other beneficial interests in any matter with which they are concerned in the course of their duties. Councillor John Bonham declared an interest in this item and excused himself from the meeting for the duration of the discussion of this item under Part 15 of the Local Government Act, 2001.

Following various queries from the Members, Mr. Gerry Gibson, Director of Services advised that this road proposal scheme was submitted as part of a planning application. He also advised that the statutory procedure had been adhered to.

Councillor John King proposed that this development proceed and this was seconded by Councillor Michael Lalor.

Councillor John Joe Fennelly proposed that the meeting be deferred for a period of ten minutes to have the matter discussed. This motion was seconded by Councillor Ray Cribbin.

Following a discussion on the matter, there was a counter proposal – Councillor John Joe Fennelly proposed that consideration of this Part VIII be deferred. This motion was seconded by Councillor Brendan Phelan.

A roll call vote was taken on the proposal for a deferral of the Part VIII which resulted as follows:-

COUNCILLOR		FOR	AGAINST	ABSTENTION/ABSENT
FIRST NAME	SURNAME			
Rotimi	ADEBARI	✓		
Willie	AIRD	✓		
John	BONHAM			Absent
Pat	BOWE		✓	
Paddy	BRACKEN		✓	
Ben	BRENNAN		✓	
Raymond	CRIBBIN		✓	
James	DALY	✓		
James	DEEGAN	✓		
John Joe	FENNELLY		✓	
Catherine	FITZGERALD		✓	
Padraig	FLEMING		✓	
David	GOODWIN	✓		
John	KING	✓		
Michael	LALOR	✓		
Jerry	LODGE		✓	
Seamus	MCDONALD		✓	
Paul	MITCHELL	✓		
John Robert	MORAN			Absent
Tom	MULHALL	✓		
Kathleen	O'BRIEN			Absent
Brendan	PHELAN		✓	
Martin	PHELAN	✓		
Brian	STANLEY		✓	
Mary	SWEENEY	✓		

As the result of the Roll Call Vote, there was 11 votes in favour of Councillor John King's proposal to defer the Part VIII and 11 votes against. As there was an equal division in the votes, the Cathaoirleach gave his casting vote. It was agreed that the Part VIII be deferred and that it be tabled on the agenda for discussion at a special meeting of the Council to take place on the 8th of November 2010 at 10.30 a.m.

(ii) CONSTRUCTION OF SALT STORAGE BARN AT LAOIS COUNTY COUNCIL MACHINERY YARD COMPLEX, CLONKEEN, PORTLAOISE

The Members were circulated with a copy of the Part VIII report in relation to the construction of a Salt Storage Barn at Laois County Council Machinery Yard Complex, Clonkeen, Portlaoise. The Members were advised that the proposed development will provide for a substantial increase in the storage capacity of salt within County Laois. The salt is required as a de-icing material for the winter maintenance of the National Primary and National Secondary road network in County Laois. On the

proposal of Councillor William Aird seconded by Councillor Brian Stanley, the Members unanimously agreed to proceed with the proposed development.

113. DISPOSAL OF LAND UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001 IN ACCORDANCE WITH THE LAND AGGREGATION SCHEME IN RESPECT OF THE FOLLOWING:

Mr. Michael Rainey briefed the Members on the proposed Section 183's and the Land Aggregation Scheme.

The County Manager, Mr. Peter Carey replied to the Members in relation to this and recommended that the Council avail of the scheme. The proposals are to achieve a more financially advantageous position for the Council. Mr. Michael Rainey, Senior Executive Officer responded to the various queries raised. Ms. Anna Marie Delaney, Director of Services indicated also that each of the loans have to be fully repaid by the end of next year.

- (i) **Disposal of 1.98 hectares (4.90 acres) of land at Golflinks Road, Rathdowney in the townland of Rathdowney for a consideration of €1.00**

There is 10 acres in Rathdowney at present – the disposal of this plot of land is recommended.

Councillor Brendan Phelan expressed his opposition in relation to the disposal of 1.98 hectares of land at Golflinks Road, Rathdowney and proposed that Laois County Council do not dispose of this piece of land. This proposal was seconded by Councillor Seamus McDonald.

There was a counter proposal by Councillor John King and seconded by William Aird that Laois County Council proceed with the disposal of the said land.

A roll call vote was taken on Councillor King's proposal which resulted as follows:-

COUNCILLOR		FOR	AGAINST	ABSTENTION/ABSENT
FIRST NAME	SURNAME			
Rotimi	ADEBARI	✓		
Willie	AIRD	✓		
John	BONHAM			Absent
Pat	BOWE	✓		
Paddy	BRACKEN	✓		
Ben	BRENNAN			Absent
Raymond	CRIBBIN		✓	
James	DALY			Absent
James	DEEGAN	✓		
John Joe	FENNELLY	✓		
Catherine	FITZGERALD	✓		

Padraig	FLEMING	✓		
David	GOODWIN	✓		
John	KING	✓		
Michael	LALOR	✓		
Jerry	LODGE	✓		
Seamus	MCDONALD		✓	
Paul	MITCHELL	✓		
John Robert	MORAN			Absent
Tom	MULHALL	✓		
Kathleen	O'BRIEN			Absent
Brendan	PHELAN		✓	
Martin	PHELAN	✓		
Brian	STANLEY	✓		
Mary	SWEENEY	✓		

The result of the roll call was 17 votes for the disposal to proceed, 3 against and 5 abstentions/absent. Therefore, it was agreed that Laois County Council would dispose of this plot of land.

(ii) Disposal of 1.79 hectares (4.43 acres) of land at Woodbrook, Abbeyleix Road, Mountrath in the townland of Mountrath for a consideration of €1.00

On the proposition of Councillor Councillor John Joe Fennelly seconded by Councillor Patrick Bracken, the members unanimously agreed to the disposal of 1.79 hectares (4.43 acres) of land at Woodbrook, Abbeyleix Road, Mountrath in the townland of Mountrath for a consideration of €1.00. There is a small portion of land being retained at this location and on which Ms. Anna Marie Delaney, Director of Services clarified the position. There is a separate Part VIII proposal for this land.

(iii) DISPOSAL OF 0.92 HECTARES (2.278 ACRES) OF LAND AT BRIDE STREET, BALLINAKILL IN THE TOWNLAND OF BALLINAKILL FOR A CONSIDERATION OF €1.00

On the proposal of Councillor Michael Lalor seconded by Councillor John King, the Members unanimously agreed to the disposal of 0.92 hectares (2.278 acres) of land at Bride Street, Ballinakill in the townland of Ballinakill for a consideration of €1.00

(iv) DISPOSAL OF 1.5 HECTARES (3.710 ACRES) OF LAND AT CHURCHFIELD, CASTLETOWN IN THE TOWNLAND OF CASTLETOWN FOR A CONSIDERATION OF €1.00

On the proposal of Councillor Martin Phelan seconded by Councillor Michael Lalor, the Members unanimously agreed to the disposal of 1.5 hectares (3.710 acres) of land at Churchfield, Castletown in the townland of Castletown for a consideration of €1.00. Councillor John Joe Fennelly indicated that a local soccer club had expressed an interest in this land – Ms. Anna Marie Delaney indicated that they may apply to the Sustainable Housing Agency for a lease if they so wish.

- (v) DISPOSAL OF 1.25 HECTARES (3.11 ACRES) OF LAND ADJACENT TO THE CEMETERY IN BALLINAKILL IN THE TOWNLAND OF BALLINAKILL FOR A CONSIDERATION OF €1.00**

On the proposal of Councillor John Joe Fennelly seconded by Councillor Michael Lalor, the Members unanimously agreed to the disposal of 1.25 hectares (3.11 acres) of land adjacent to the cemetery in Ballinakill in the townland of Ballinakill for a consideration of €1.00

- (vi) DISPOSAL OF 3.10 HECTARES (7.68 ACRES) OF LAND AT PORTLAOISE RAOD, MOUNTRATH IN THE TOWNLAND OF MOUNTRATH FOR A CONSIDERATION OF €1.00**

On the proposition of Councillor Councillor Michael Lalor seconded by Councillor Martin Phelan, the Members unanimously agreed to the disposal of 3.10 hectares (7.68 acres) of land Portlaoise Road, Mountrath for a consideration of €1.00.

114. PRESENTATION OF CERTIFICATES – PRIDE OF PLACE 2010

Mr. James Deegan, Cathaoirleach welcomed the Pride of Place 2010 entrants to the Chamber – the Mountmellick Christmas Tree Committee & Sisters of Charity of Jesus and Mary, The Green, Stradbally.

Mr. Declan Byrne, Director of Services congratulated the two groups and acknowledged, in particular, the support of the Elected Members and also that of the Management Team. He congratulated all the groups involved in the competition.

The County Manager also congratulated the groups involved, thanked the communities individually and acknowledged the support of the Elected Members. He also paid tribute to Mr. Declan Byrne, Director of Services and his staff.

115. PRESENTATION BY MS. MUIREANN NI CHONAILL, ARTS OFFICER, LAOIS COUNTY COUNCIL – ARTS PROGRAMME

Ms. Muireann Ni Chonaill gave a detailed presentation on the Arts Programme. The Members complimented the Arts Officer and her team for the effort and commitment to Arts in County Laois over the last number of years and thanked her for her timely presentation.

The County Manager, Mr. Peter Carey also acknowledged the support of the Elected Members of the Arts. He complimented Muireann and all her staff for their work and also Mr. Declan Byrne, Director of Services for his leadership.

Mr. Declan Byrne, Director of Services referred to the proposed two year bursary programme and to the purchase of the percent for art piece referred to in Ms. Ni Chonaill's presentation. He sought the Members formal approval which was unanimous. Mr. Byrne advised that Laois County Council would work closely with the community into the future and thanked Muireann for her presentation on the Arts Programme.

116. DRAFT ANTI-SOCIAL BEHAVIOUR POLICY

Councillor Mary Sweeney, Member of the Housing & Social Strategic Policy Committee, in proposing the draft Anti-Social Behaviour policy briefed the Members on the policy. The policy was seconded by Councillor William Aird.

Councillor Brian Stanley enquired regarding suspending supplementary welfare benefit on grounds of anti-social behaviour. He enquired if RAS/Long Term Leasing are included under the policy.

Councillor Tom Mulhall also expressed concern in relation to this issue. He indicated that he would like to see the opening hours of the Garda Station in Portarlinton being extended.

The County Manager, Mr. Peter Carey acknowledged the work of Ms. Fionnuala Daly, Senior Social Worker, Ms. Natasha Moriarty & Mr. Aidan McCane, Tenant Liaison Officers on their work in this area.

117. DRAFT RENTAL ACCOMMODATION SCHEME POLICY

Councillor Mary Sweeney, Member of the Housing & Social Strategic Policy Committee, in proposing the draft Rental Accommodation Scheme Policy briefed the Members on the draft policy. This proposal was seconded by Councillor John Joe Fennelly.

118. MAJOR EMERGENCY PLANNING – HOUSEHOLDERS GUIDE TO EMERGENCIES

Mr. John Daly, Director of Services briefed the Members on the guide to emergencies which was circulated to the Members. He indicated that a Major Emergency Committee is in place in Laois County Council which Mr. Shea Brennan, Assistant Fire Officer is responsible for. A number of exercises have been carried out. This guide is a further initiative to assist householders to have systems in place in case of an emergency – the guide will be circulated as widely as possible and is also available on the Council’s website.

119. CORRESPONDENCE

The following correspondence was circulated to the Members which had been received since the last meeting:

- (i) An acknowledgement from the Office of the Minister for Social & Family Affairs dated the 6th of October 2010 in relation to the Back to School Allowance and Family Income Supplement for the self employed
- (ii) An acknowledgement from the Office of Public Works dated the 7th of October 2010 in relation to the Notice of Motion regarding family friendly recreational facilities for adults, senior citizens and children at Emo Gardens
- (iii) Correspondence from the Institute of Public Administration dated the 11th of October 2010 in relation to Certificate in Irish Government and Politics for local Councillors

120. NOTICE OF MOTIONS

Notice of Motion No: 20/10

Councillor Pdraig Fleming proposed the following Notice of Motion:

“That Laois County Council do everything possible, where appropriate to support local businesses when they are giving out contracts for services or for the purchase of materials and supplies etc., in an effort to support employment in the County”.

This motion was seconded by Councillor William Aird. The Members were advised that Laois County Council are very conscious of the need to support local businesses and this is done wherever possible. However, the Council is also subject to normal procurement rules and must comply with same.

Mr. Peter Carey, County Manager indicated that Laois County Council are pro-active in this regard while at the same time adhering to statutory guidelines. This concluded the business of the meeting.

