

**MINUTES OF THE SEPTEMBER MEETING OF LAOIS COUNTY COUNCIL HELD IN ÁRAS AN
CHONTAE ON THE 24TH OF SEPTEMBER 2012**

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

APOLOGIES: Councillor John Moran

IN ATTENDANCE:

Messers Peter Carey, County Manager, Kieran Kehoe, Director of Services, Gerry Murphy, Head of Finance, Ms. Anna Marie Delaney, Director of Services, Ms. Irene Delaney, Administrative Officer & Ms. Michelle McCormack, Executive Secretary.

90. VOTE OF SYMPATHY

On the proposition of Councillor John Bonham and unanimously agreed a vote of sympathy was extended to the Cathaoirleach, Mr. Paul Mitchell on the death of his uncle, Mr. Anthony Dillon, Cloneygowan, Tullamore, Co. Offaly.

On the proposition of Councillor John Bonham and unanimously agreed a vote of sympathy was extended to Councillor Kathleen O' Brien on the death of her mother, Ms. Kitty Dunne, Old Knockmay Road, Portlaoise, Co. Laois.

It was also unanimously agreed that the meeting be adjourned for ten minutes as a mark of respect to the deceased.

On the proposition of Councillor Ben Brennan and unanimously agreed a vote of sympathy was extended to the Brennan family on the death of Mrs. Kathleen Brennan, 154 Crettyard, Carlow.

On the proposition of Councillors Tom Mulhall & Ray Cribbin and unanimously agreed a vote of sympathy was extended to the Behan family on the death of Mrs. Anne Behan, Morette, Emo, Co. Laois.

On the proposition of Councillor Tom Mulhall and unanimously agreed a vote of sympathy was extended to the Bailey family on the death of Mrs. Margaret Bailey, 5 Triogue Place, New Road, Portlaoise, Co. Laois.

On the proposition of Councillor Tom Mulhall and unanimously agreed a vote of sympathy was extended to the Holohan family on the death of Mr. Peter Holohan, 9 Church Avenue, Stradbally, Co. Laois.

On the proposition of Councillor Tom Mulahll and unanimously agreed a vote of sympathy was extended to the Booth family on the death of Ms. Emma Booth, Ballyduff, Stradbally, Co. Laois.

On the proposition of Councillor Brendan Phelan and unanimously agreed a vote of sympathy was extended to the Davy family on the death of Mr. Joseph Davy, Knockardgannon, Errill, Co. Laois.

On the proposition of Councillor Ray Cribbin and unanimously agreed a vote of sympathy was extended to the Manley family on the death of Mrs. Nora Manley, 56 St. Michael's Park, Portarlinton, Co. Laois.

On the proposition of Councillor Ray Cribbin and unanimously agreed a vote of sympathy was extended to the O' Reilly family on the death of Mr. Ger O' Reilly, 1 Ballymorris Manor, Portarlinton, Co. Laois.

On the proposition of Councillors Ray Cribbin & Seamus McDonald and unanimously agreed a vote of sympathy was extended to the Culliton family on the death of Mr. Gerry Culliton, Rearymore, Rosenallis, Co. Laois.

On the proposition of Councillor Ray Cribbin and unanimously agreed a vote of sympathy was extended to the O' Connor family on the death of Mr. Kevin O' Connor, Kilbracken, Ballybrittas, Co. Laois.

On the proposition of Councillor Ray Cribbin and unanimously agreed a vote of sympathy was extended to the Dillon family on the death of Mr. Anthony Dillon, Cloneygowan, Tullamore, Co. Offaly.

On the proposition of Councillor Ray Cribbin and unanimously agreed a vote of sympathy was extended to the Lalor family on the death of Ms. Kitty Lalor, Main Street, Portarlinton, Co. Laois.

On the proposition of Councillor Mary Sweeney and unanimously agreed a vote of sympathy was extended to the Devoy family on the death of Mr. Bill Devoy, Woodview, Stradbally, Co. Laois. The County Manager also endorsed this vote of sympathy to the Devoy family on the death of Bill who was a former employee of Laois County Council.

On the proposition of Councillor William Aird and unanimously agreed a vote of sympathy was extended to the Fitzpatrick family on the death of Ms. Catherine Fitzpatrick, Togher, Portlaoise, Co. Laois.

On the proposition of Councillor William Aird and unanimously agreed a vote of sympathy was extended to the McEvoy family on the death of Mr. James McEvoy, 32 Upper Beladd, Stradbally Road, Portlaoise, Co. Laois.

91. CONFIRMATION OF MINUTES

- (i) On the proposition of Councillor Patrick Bracken seconded by Councillor Rotimi Adebari, the Minutes of the July Monthly Meeting of Laois County Council held on the 30th of July 2012 were agreed as circulated.
- (ii) On the proposition of Councillor John Joe Fennelly seconded by Councillor Brendan Phelan, the Minutes of the Special Meeting of Laois County Council held on the 30th of July 2012 were agreed as circulated

92. REPORTS ON AREA & STRATEGIC POLICY COMMITTEE MEETINGS HELD IN SEPTEMBER 2012

The Members noted the reports on Area & Strategic Policy Committee Meeting held in September 2012.

93. FIX DATES FOR MEETINGS

- (I) On the proposition of Councillor Mary Sweeney seconded by Councillor William Aird, the Members unanimously agreed that the October Monthly Meeting of Laois County Council be held on the 22nd of October 2012 at 11.00 a.m.
- (II) On the proposition of Councillor Mary Sweeney seconded by Councillor Brendan Phelan, the Members unanimously agreed that the December Monthly Meeting of Laois County Council be held on the 10th of December 2012 at 11.00 a.m.
- (III) On the proposition of Councillor Brendan Phelan seconded by Councillor John Joe Fennelly, the Members unanimously agreed that the Budget Meeting of Laois County Council be held on the 17th of December 2012 at 11.00 a.m.

94. DISPOSAL OF LAND UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001

- (i) **DISPOSAL OF 0.43 HECTARES OF LAND AT ROSCREA IN THE TOWNLAND OF DERRYMORE FOR A CONSIDERATION OF €300,000**

On the proposition of Councillor Brendan Phelan seconded by Councillor Mary Sweeney, the Members unanimously agreed to the disposal of 0.43 hectares of land at Roscrea in the townland of Derrymore for a consideration of €300,000

- (ii) **DISPOSAL OF 0.0148 HECTARES OF LAND AT TIMAHOE IN THE TOWNLAND OF TIMAHOE FOR A CONSIDERATION OF €1.00**

On the proposition of Councillor James Deegan seconded by Councillor John Joe Fennelly, the Members unanimously agreed to the disposal of 0.0148 hectares of land at Timahoe in the townland of Timahoe for a consideration of €1.00

- (iii) **DISPOSAL OF 0.3827 HECTARES OF LAND AT CAPPAROGAN, CLONASLEE, CO. LAOIS FOR A CONSIDERATION OF €1.00**

On the proposition of Councillor Patrick Bracken seconded by Councillor Brendan Phelan, the Members unanimously agreed to the disposal of 0.3827 hectares of land at Capparogan, Clonaslee, Co. Laois for a consideration of €1.00

- (iv) **DISPOSAL OF 0.0367 HECTARES OF LAND AT BALLYROAN, CO. LAOIS IN THE TOWNLAND OF BALLYROAN FOR A CONSIDERATION OF €1.00**

On the proposition of Councillor Mary Sweeney seconded by Councillor John Joe Fennelly, the Members unanimously agreed to the disposal of 0.0367 hectares of land at Ballyroan, Co. Laois in the townland of Ballyroan for a consideration of €1.00

(v) DISPOSAL OF 0.0917 HECTARES OF LAND AT SENTRYHILL, BORRIS-IN-OSSORY IN THE TOWNLAND OF SENTRYHILL FOR A CONSIDERATION OF €1.00

On the proposition of Councillor Brendan Phelan seconded by Councillor John Joe Fennelly, the Members unanimously agreed to the disposal of 0.0917 hectares of land at Sentryhill, Borris-in-Ossory in the townland of Sentryhill for a consideration of €1.00

(vi) DISPOSAL OF 0.1336 HECTARES OF LAND AT KILLIMY, EMO IN THE TOWNLAND OF KILLIMY FOR A CONSIDERATION OF €1.00

On the proposition of Councillor Tom Mulhall seconded by Councillor Ray Cribbin, the Members unanimously agreed to the disposal of 0.1336 hectares of land at Killimy, Emo in the townland of Killimy for a consideration of €1.00

(vii) DISPOSAL OF 0.0529 HECTARES OF LAND AT ERRILL IN THE TOWNLAND OF ERRILL FOR A CONSIDERATION OF €1.00

On the proposition of Councillor Brendan Phelan seconded by Councillor John King, the Members unanimously agreed to the disposal of 0.0529 hectares of land at Errill in the townland of Errill for a consideration of €1.00

(viii) DISPOSAL OF 0.0184 HECTARES OF LAND AT 6 FR. O' CONNOR CRESCENT, MOUNTRATH IN THE TOWNLAND OF MOUNTRATH, 6 FR. O' CONNOR CRESCENT, MOUNTRATH, FOR A CONSIDERATION OF €127.00

On the proposition of Councillor John Joe Fennelly seconded by Councillor John King, the Members unanimously agreed to the disposal of 0.0184 hectares of land at 6 Fr. O' Connor Crescent, Mountrath in the townland of Mountrath, 6 Fr. O' Connor Crescent, Mountrath for a consideration of €127.00

(ix) DISPOSAL OF 98 M2 OF LAND ADJACENT TO SITE NO. 6 ARD EDMOND CHURCHFIELD, CASTLETOWN IN THE TOWNLAND OF CHURCHFIELD FOR A CONSIDERATION OF €100.00

On the proposition of Councillor John Joe Fennelly seconded by Councillor Brendan Phelan, the Members unanimously agreed to the disposal of 98 m2 of land adjacent to Site No. 6 Ard Edmond, Churchfield, Castletown in the townland of Churchfield, 12 Gash Court, Castletown, for a consideration of €100.00

95. ADOPTION OF DRAFT POLICY ON THE ERECTION OF ROADSIDE MEMORIALS IN COUNTY LAOIS (AGREED AT TRANSPORTATION & WATER SERVICES SPC MEETING ON THE 24TH OF APRIL 2012)

The Members were circulated with the draft policy on the erection of Roadside Memorials in County Laois which was agreed at Transportation & Water Services SPC Meeting on the 24th of April 2012. Mr. Kieran Kehoe, Director of Services briefed the Members on the policy

On the proposition of Councillor John King seconded by Councillor Kathleen O' Brien, the draft policy on the erection of Roadside Memorials in County Laois was unanimously agreed.

96. TAKING IN CHARGE OF PORTLAOISE SOUTHERN CIRCULAR ROAD

The Members were advised that an advertisement was placed in the Leinster Express on the 29th of June 2012 giving notice of the intention to consider the making of a declaration regarding the taking in charge of 'Portlaoise Southern Circular Road' from its junction with the R426 Timahoe Road to it's junction with the N80 Stradbally Road. No submissions were received.

The Members congratulated everyone involved and queried the inclusion of public lighting. Mr. Kieran Kehoe, Director of Services responded to the various queries.

On the proposition of Councillor William Aird seconded by Councillor Jerry Lodge, the Members unanimously agreed to the taking in charge of Portlaoise Southern Circular Road

97. TAKING IN CHARGE OF SLI NA MONA, PORTARLINGTON

The Members were advised that an advertisement was placed in the Leinster Express on the 18th of July 2012 giving notice of the intention to consider the making of a declaration regarding the taking in charge of 'Slí na Mona', Portarlington'. No submissions were received.

On the proposition of Councillor Ray Cribbin seconded by Councillor John Joe Fennelly, the Members unanimously agreed to the taking in charge of Slí na Mona, Portarlington

98. TAKING IN CHARGE OF BARROWVIEW, PORTARLINGTON

The Members were advised that an advertisement was placed in the Leinster Express on the 13th of June 2012 giving notice of the intention to consider the making of a declaration regarding the taking in charge of 'Barrowview, Portarlington'. No submissions were received.

On the proposition of Councillor Ray Cribbin seconded by Councillor Tom Mulhall, the Members unanimously agreed to the taking in charge of Barrowview, Portarlington

99. TAKING IN CHARGE OF SESKIN COURT, PORTARLINGTON

The Members were advised that an advertisement was placed in the Leinster Express on the 13th of June 2012 giving notice of the intention to consider the making of a declaration regarding the taking in charge of 'Seskin Court'. No submissions were received.

On the proposition of Councillor Ray Cribbin seconded by Councillor Tom Mulhall, the Members unanimously agreed to the taking in charge of Seskin Court, Portarlington

100. PRESENTATION BY MS. ROSA FLANNERY, CO-ORDINATOR, LAOIS MUSIC GENERATION

Ms. Rosa Flannery, Laois Music Generation Co-Ordinator delivered a presentation on the Laois Music Generation. Ms. Flannery outlined the background of the programme, it's aims and the programmes which are currently available

The Members thanked Ms. Flannery for her presentation. The County Manager, Mr. Peter Carey also thanked Rosa for her work and progress to date. The County Manager also thanked the Laois V.E.C., Laois Partnership and the Elected Members for their support.

101. PRESENTATION BY MS. MARGARET MORRIN, DIRECTOR, LAOIS THIRD LEVEL

Ms. Margaret Morrin, Director of Laois Third Level gave a presentation on Laois Third Level and outlined the courses, etc. which are currently available at the Centre.

The Members thanked Ms. Morrin for her presentation. The County Manager, Mr. Peter Carey thanked Ms. Morrin for her comprehensive presentation and also thanked the Laois V.E.C., and the Laois County Enterprise Board for their contribution to Laois Third Level.

102. NATIONAL TIDY TOWNS AWARDS 2012

The Members were circulated with the National Tidy Towns Results for 2012 which were announced on Monday, September 10th 2012. Mr. Kieran Kehoe, Director of Services briefed the Members on same and congratulated all those involved.

The Members also complimented all involved and in particular the community volunteers and the Laois County Council outdoor staff.

The County Manager also congratulated all the winners, the volunteers, Laois County Council staff and Ms. Maeve Flynn, Laois County Council's Horticulturist for their endless hard work and the pride in the villages. The County Manager also extended thanks to the support of the Elected Members. The County Manager also congratulated Ms. Noreen Byrne, Ballacolla Tidy Towns for her recognition at the National awards as a 'Super Valu Hero'. It was agreed that a letter of congratulations would issue from Laois County Council to Ms. Byrne.

As the time had reached 1.00 p.m. it was agreed that the remaining items on the agenda would be discussed in the afternoon following the special meeting of Laois County Council.

103. UPDATE ON BUDGET 2012

Mr. Peter Carey, County Manager advised the meeting that notification had been received from the Department of the Environment, Community & Local Government on the 21st of September 2012 setting out the detail of the percentage collection rates which must be achieved by Local Authorities in order to secure full payment of the final instalment of the Local Government Fund.

Collection Rates	Reduction in Local Government Fund
65% or more	No reduction in final payment
60% - 65%	0.5% reduction in final payment
Under 60%	1% reduction in final payment

The reduction of €409,600 which was applied to the 3rd Quarter was also confirmed. Mr. Peter Carey, County Manager indicated that at least 700 householders would need to pay within the

next month to avoid 0.5% reduction and that 2,000 householders would need to pay the charge to avoid any further reduction in the Local Government Fund.

Mr. Peter Carey, County Manager outlined details of expenditure savings and surplus income identified to date to meet the shortfall in funding. The details were circulated to the Members in letter dated the 24th of September 2012.

The meeting was advised that budgets are being monitored on an ongoing basis in order to identify further savings. Mr. Gerry Murphy, Head of Finance responded to the various concerns raised by the Members

Mr. Peter Carey, County Manager also provided an update in relation to the proposed closure of Kyletalesha Landfill.

The Members were circulated with correspondence in relation to the Registration of Domestic Waste Water Treatment Systems (including Septic Tanks)

The Members were reminded that Friday, September 28th 2012 is the last date for availing of the reduced registration fee of €5.00. Thereafter, the fee increases to €50.00. To date 1,437 septic tanks have been registered in Laois.

104. CORRESPONDENCE

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

- (i) Letter dated the 30th of August 2012 in response to Notice of Motion No: 41/2012 from the Department of the Environment, Community & Local Government
- (ii) Letter dated the 7th of September 2012 in response to Notice of Motion No: 39/2012 from the Department of Agriculture, Food and The Marine

105. NOTICE OF MOTIONS

Notice of Motion No: 42/2012

Councillor Catherine Fitzgerald proposed the following Notice of Motion:-

“That this Council request the Minister for Housing & Planning, Ms. Jan O’ Sullivan to change the system that houses for re-let are the only houses that are eligible for insulation”

This motion was seconded by Councillor Alan Hand

Notice of Motion No: 43/2012

Councillor Catherine Fitzgerald proposed the following Notice of Motion:-

“That this Council request information from the Department of Education & Science regarding the new centralized system for grant application as it seems impossible to get information about applications”

This motion was seconded by Councillor Alan Hand. It was agreed that a letter would issue to the Department in this regard.

Notice of Motion No: 44/2012

Councillor Tom Mulhall proposed the following Notice of Motion:-

“That this Council consider putting in place periodic speed limit signs especially outside schools at the next speed limit review”

This motion was seconded by Councillor Tom Mulhall. The Members were advised that the Roads Department of Laois County Council plan to undertake a Speed Limit Review for the County towards the end of the current year or early 2013. As part of that review, periodic speed limits will be considered at schools where this is appropriate.

This concluded the business of the meeting.

SIGNED:

CATHAOIRLEACH

CERTIFIED:

DIRECTOR OF CORPORATE
AFFAIRS