

MINUTES OF THE SEPTEMBER MONTHLY MEETING OF LAOIS COUNTY COUNCIL HELD IN ÁRAS AN CHONTAE ON THE 29TH OF SEPTEMBER 2014

PRESENT:	Councillors	John Joe Fennelly	In the Chair
	Councillors	William Aird	Paddy Bracken
		Ben Brennan	Caroline Dwane Stanley
		Catherine Fitzgerald	Padraig Fleming
		David Goodwin	James Kelly
		John King	Jerry Lodge
		Seamus McDonald	Paschal McEvoy
		John Moran	Tom Mulhall
		Aidan Mullins	Brenan Phelan
		Mary Sweeney	Noel Tuohy

IN ATTENDANCE:

Messers Gerry Murphy, Chief Executive, Kieran Kehoe, Director of Services, Ms. Anna Marie Delaney, Director of Services, Ms. Josephine Kavanagh, Administrative Officer & Ms. Michelle McCormack, Executive Secretary.

117. CONFIRMATION OF MINUTES OF THE JULY MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 28TH OF JULY 2014

On the proposition of Councillor William Aird seconded by Councillor John King, the minutes of the July meeting of Laois County Council held on the 28th of July 2014 were confirmed as circulated.

118. VOTE OF CONGRATULATIONS

Mr. John Joe Fennelly, Cathaoirleach of Laois County Council extended a vote of congratulations to Ballinakill G.A.A. on winning the Laois Senior Hurling (B) Championship, Na Fianna for winning the Minor (A) Hurling and also the runners up in the Minor (A) Hurling Borris Kilcotton. Councillor Mulhall also extended congratulations to Courtwood G.A.A. on winning the Junior (A) Football Championships.

The Members noted the recent success of both the Electric Picnic and the National Ploughing Championships which were held recently in Laois.

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

(i) DISPOSAL OF 0.155 HECTARES OF LAND AT TRUMERA IN THE TOWNLAND OF TRUMERA, MOUNTRATH

On the proposition of Councillor William Aird seconded by Councillor Catherine Fitzgerald, the Members unanimously agreed to the disposal of 0.155 hectares of

land at Trumera in the townland of Trumera, Mountrath, Co. Laois, for a consideration of €400.00

(ii) DISPSOAL OF 0.231 HECTARES OF LAND AT TRUMERA IN THE TOWNLAND OF TRUMERA, MOUNTRATH

On the proposition of Councillor John Joe Fennelly seconded by Councillor Caroline Dwane Stanley, the Members unanimously agreed to the disposal of 0.231 hectares of land at Trumera in the townland of Trumera, Mountrath, Co. Laois for a consideration of €400.00

(iii) DISPOSAL OF 0.0171 HECTARES AT 363 MARKET MEWS, MARYBOROUGH VILLAGE, PORTLAOISE, CO. LAOIS IN THE TOWNLAND OF CLONROOSK LITTLE

On the proposition of Councillor Jerry Lodge seconded by Councillor Noel Tuohy, the Members unanimously agreed to the disposal of 0.0171 hectares at 363 Market Mews, Maryborough Village, Portlaoise, Co.. Laois in the townland of Clonroosk Little for a consideration of €65,000

(iv) DISPOSAL OF 0.1292 HECTARES AT KYLEOGUE, BORRIS-IN-OSSORY, CO. LAOIS IN THE TOWNLAND OF KEEOLOGE SOUTH

On the proposition of Councillor Brendan Phelan seconded by Councillor John King, the Members unanimously agreed to the disposal of 0.1292 hectares at Kyleogue, Borris-in-Ossory, Co. Laois in the townland of Keelogue South for a consideration of €100.00

(v) DISPOSAL OF 0.0134 HECTARES IN PARNELL CRESCENT, PORTLAOISE, CO. LAOIS IN THE TOWNLAND OF KNOCKMAY

On the proposition of Councillor Caroline Dwane Stanley seconded by Councillor Noel Tuohy, the Members unanimously agreed to the disposal of 0.0134 hectares in Parnell Crescent, Portlaoise, Co. Laois in the townland of Knockmay for a consideration of €100.00

(vi) DISPSOAL OF 0.1943 HECTARES OF LAND ADJACENT TO CAMROSS, PORTLAOISE, CO. LAOIS IN THE TOWNLAND OF LONGFORD

On the proposition of Councillor Paddy Bracken seconded by Councillor John King, the Members unanimously agreed to the disposal of 0.1943 hectares of land adjacent to Camross, Portlaoise, Co. Laois, in the townland of Longford for a consideration of €100.00

**(vii) DISPSOAL OF 0.0159 HECTARES AT 366 MARKET MEWS,
MARYBOROUGH VILLAGE, PORTLAOISE, CO. LAOIS**

On the proposition of Councillor Mary Sweeney seconded by Councillor Jerry Lodge, the Members unanimously agreed to the disposal of 0.0159 hectares at 366 Market Mews, Maryborough Village, Portlaoise, Co. Laois in the townland of Clonroosk Little for a consideration of €65,000

**(viii) DISPSOAL OF 0.1212 HECTARES AT CAMPLONE, BALLYFIN, CO.
LAOIS, IN THE TOWNLAND OF CAMCLOON**

On the proposition of Councillor Seamus McDonald seconded by Councillor Paddy Bracken, the Members unanimously agreed to the disposal of 0.1212 hectares at Campclone, Ballyfin, Co. Laois, in the townland of Camcloon for a consideration of €50.00

**(ix) DISPSOAL OF 0.4885 HECTARES OF LAND AT BAY ROAD,
MOUNTMELICK, CO. LAOIS IN THE TOWNLAND OF
TOWNSPARKS**

On the proposition of Councillor Paddy Bracken seconded by Councillor Seamus McDonald, the Members unanimously agreed to the disposal of 0.4885 hectares of land at Bay Road, Mountmellick, Co. Laois in the townland of Townsparks for a consideration of €6,500

**(x) DISPOSAL OF FREEHOLD INTEREST AT 15 BELADD, PORTLAOISE,
CO. LAOIS IN THE TOWNLAND OF BELADD**

On the proposition of Councillor Catherine Fitzgerald seconded by Councillor Noel Tuohy, the Members unanimously agreed to the disposal of freehold interest at 15 Beladd, Portlaoise, Co. Laois in the townland of Beladd for a consideration of €300.00.

**120. NOMINATION OF MEMBER TO THE DUBLIN MID-LEINSTER
REGIONAL HEALTH FORUM**

Councillor Mary Sweeney proposed that Councillor John King be nominated to the Dublin Mid-Leinster Regional health Fourm and this proposal was seconded by Councillor William Aird.

Councillor Caroline Dwane Stanley proposed that Councillor Aidan Mullins be nominated to the Dublin Mid-Leinster Regional Health Forum. Following a show of hands 13 to 6, it was agreed that Councillor John King be nominated to the Dublin

Mid-Leinster Regional Health Forum following the resignation of Councillor Mary Sweeney.

121. NOMINATION OF MEMBER TO THE PORTLAOISE LEISURE CENTRE

Councillor Mary Sweeney proposed that Councillor Noel Tuohy be nominated to the Portlaoise Leisure Centre. This proposal was seconded by Councillor Caroline Dwane Stanley.

122. APPOINTMENT OF CHAIRPERSON & MEMBERS TO THE LOCAL TRAVELLER ACCOMMODATION CONSULTATIVE COMMITTEE

On the proposition of Councillor Seamus McDonald seconded by Councillor Mary Sweeney, the Members unanimously agreed that the following appointments be ratified:-

- Chairperson – Councillor Jerry Lodge
- Vice-Chairperson – Ms. Maria Carnicer, Traveller Representative
- Members: Councillors Tom Mulhall, Catherine Fitzgerald, Mary Sweeney, Paschal McEvoy, Paddy Bracken, John King, Ms. Kathleen Nevin, Ms. Kathleen McDonagh, Ms. Brigid McNerney, Mr. Johnny Harty, Mr. Michael Cash, Mr. Michael Rainey & Ms. Fionnuala Daly.

123. LOCAL GOVERNMENT AUDIT SERVICE – STATUTORY AUDIT REPORT FOR THE YEAR ENDED 31ST OF DECEMBER 2013

The Members were circulated with a copy of the Statutory Audit Report for the year ended 31st of December 2013 and the report was agreed on the proposal of Councillor John Moran seconded by Councillor Seamus McDonald.

124. ADOPTION OF AUDIT COMMITTEE CHARTER 2014

The Members were circulated with a copy of the Audit Committee Charter for 2014 which requires adoption by the Council Members.

On the proposition of Councillor Paschal McEvoy seconded by Councillor John Moran, the Members unanimously adopted the Audit Committee Charter for 2014 as presented.

125. ADOPTION OF AUDIT COMMITTEE ANNUAL WORK PROGRAMME

The Members were circulated with a copy of the Audit Committee Annual Work Programme for 2014 in accordance with Regulation 9 of the Local Government (Audit Committee) Regulations, 2014. On the proposition of Councillor Paddy Bracken seconded by Councillor John King, the Members unanimously adopted the Audit Committee Annual Work Programme.

126. APPROVAL TO THE PAYMENT OF ALLOWANCE TO THE CATHAOIRLEACH AND LEAS CATHAOIRLEACH OF LAOIS COUNTY COUNCIL IN ACCORDANCE WITH CIRCULAR LETTER LG 12/2014

The Members were advised that Circular Letter LG 12/14 together with Local Government (Expenses of Local Authority Members) Regulations 2014 and associated directions establishes the allowances which Local Authority Members may decide by way of reserved function to pay to the Cathaoirleach and Leas Cathaoirleach of the Local Authority. The maximum allowances which may be paid shall not exceed €20,000 per annum for the Cathaoirleach and €4,000 per annum for the Leas Cathaoirleach or one fifth of the allowance payable to the Cathaoirleach if less than maximum.

On the proposal of Councillor Jerry Lodge seconded by Councillor Paddy Bracken, the Members unanimously approved the maximum payment of allowances to the Cathaoirleach and Leas Cathaoirleach of Laois County Council in accordance with Circular Letter LG 12/14

127. RATIFICATION OF CONFERENCES/ATTENDANCES AT TRAINING

On the proposition of Councillor William Aird seconded by Councillor Ben Brennan, the Members unanimously ratified the conferences/attendances at training as circulated.

128. CORRESPONDENCE

The following dates for forthcoming meetings were agreed:

MEETING	DATE	TIME
Budget Meeting - Boris-in-Ossory/Mountmellick Municipal District	08/10/2014	9.30 a.m.
Budget Meeting - Portlaoise Municipal District	08/10/2014	11.00 a.m.
Budget Meeting - Graiguecullen/Portarlinton Municipal District	08/10/2014	2.00 p.m.
October Monthly Meeting	20/10/2014	11.00 a.m.
Budget Meeting In-Committee	13/11/2014	2.00 p.m.
Statutory Budget Meeting	17/11/2014	11.00 a.m.

129. NOTICE OF MOTIONS

Notice of Motion No: 30/2014

Councillor Noel Tuohy proposed the following Notice of Motion:-

“That this Council call on the Minister for Justice, Equality & Law Reform and the Courts Services Section to expedite the agreed re-location of the Portlaoise Courthouse from Main Street to a more suitable, safe and appropriate location”

This Notice of Motion was seconded by Councillor Caroline Dwane Stanley. The Members expressed concern in relation to loitering in the town on the days of court sittings. It was agreed that a letter issue to the Minister for Justice, Equality & Law Reform and the Courts Services in this regard.

Notice of Motion No: 31/2014

Councillor Brendan Phelan proposed the following Notice of Motion:-

“That this Council request the Minister for the Environment to address problems with Shared Ownership Scheme”

This Notice of Motion was seconded by Councillor Catherine Fitzgerald. The Members were advised that currently Laois County Council have 232 active shared ownership loans. There are difficulties with some of these loans which the Council are currently reviewing and engaging with the mortgagees. One of the options include the possibility of converting to an annuity loan which may in some cases lead to reduced monthly instalments. It was agreed that a letter issue to the Minister in this regard.

Mr. Gerry Murphy, Chief Executive also indicated that the Department of Environment, Community & Local Government are aware of the difficulties with these loans and are considering various options. He further advised that the scheme was introduced in 1991 and that 17,000 availed of this scheme nationally. There are 4,500 remaining. Mr. Murphy indicated that there is a further meeting on the 17th of October 2014 in relation to Shared Ownership Loans.

Notice of Motion No: 32/2014

Councillor Catherine Fitzgerald proposed the following Notice of Motion:-

“That this Council investigate the planning status of all pre-1963 quarry operators in the County to ensure Sections 261A of the Planning & Development Act is adhered to and if not has substitute consent being applied for”

This Notice of Motion was seconded by Councillor Jerry Lodge. The Members were advised that the Planning Authority is satisfied that the Section 261A of the Planning & Development Act, 2000 as amended was completed appropriately. Where an

operator was requested to apply for substitute consent, the operator had to apply to An Bord Pleanála and deal directly with An Bord Pleanála. The role of the Planning Authority in this regard is as a consultee body during the process and with responsibility for observing that the conditions of any substitute consent granted are complied with. Additionally, the Planning Authority is currently investigating a number of quarries that failed to apply for substitute consent after being directed by the Planning Authority. However, in accordance with the provisions of the Section, not all pre 1963 quarries were required to apply for substitute consent. If a quarry was deemed not to require EIS or AA then that quarry would continue to operate legitimately without making a substitute consent application.

Notice of Motion No: 33/2014

Councillor Catherine Fitzgerald proposed the following Notice of Motion:-

“That this Council request the Minister for Justice, Equality & Law Reform not to sell off any of the closed Garda Stations”

This Notice of Motion was seconded by Councillor Brendan Phelan. It was agreed that a letter issue to the Minister for Justice, Equality & Law Reform in this regard.

Notice of Motion No: 34/2014

Councillor Catherine Fitzgerald proposed the following Notice of Motion:-

“That this Council request an up to date position from the H.S.E. regarding the provision of Orthodontic services in Laois”

This Notice of Motion was seconded by Councillor William Aird. It was agreed that a letter issue to the H.S.E. in this regard.

Notice of Motion No: 35/2014

Councillor Pádraig Fleming proposed the following Notice of Motion:-

“That Laois County Council supports the call from the Restaurants Association of Ireland for the ongoing retention of the 9% V.A.T. rate for the food, tourism and hospitality sector that has helped create one in four of the jobs in the economy. That this Council ask the Minister for Finance to keep V.A.T. @ 9% into 2015 and beyond.”

This Notice of Motion was seconded by Councillor James Kelly and was taken in conjunction with Notice of Motion No: 36/2014 as follows tabled by Councillor James Kelly:

“That Laois County Council ask the Minister for Finance to keep the V.A.T. rate @ 9% into 2015 and beyond for the food, tourism and hospitality sector which has been a major factor in the creation of one of four of the jobs in our economy”

This Notice of Motion was seconded by Councillor Padraig Fleming. It was agreed that a letter issue to the Minister for Finance in this regard

Notice of Motion No: 37/2014

Councillor John Joe Fennelly proposed the following Notice of Motion:-

“That Laois County Council request a representative from Irish Water to attend the October meeting of Laois County Council”

This Notice of Motion was seconded by Councillor Caroline Dwane Stanley. It was agreed that Irish Water be requested to attend a future meeting of Laois County Council.

Notice of Motion No: 38/2014

Councillor Caroline Dwane Stanley proposed the following Notice of Motion:-

“That this Council make provision in the budget for 2015 for the roll out of traffic calming measures in housing estates”

This Notice of Motion was seconded by Councillor Catherine Fitzgerald. The Members were advised that Laois County Council’s Roads Section has undertaken to review Council policy in relation to the provision of traffic calming measures in housing estates in County Laois. This review is ongoing and will take a number of months to complete. The review will take cognisance of national guidance as set out in the current design manuals together with local engineering and road safety needs. It is also understood that a departmental roads circular from the Department of Transport, Tourism and Sport may issue in relation to traffic calming policy nationally in residential areas in the coming weeks. Notwithstanding the foregoing, the Roads Section will be bringing forward a budget for traffic calming measures under the customary 2015 budgetary process later this year.

Notice of Motion No: 39/2014

Councillor Caroline Dwane Stanley proposed the following Notice of Motion:-

“That this Council request a H.S.E. representative to attend a meeting of this Council to give assurances regarding maintaining and improving services at Portlaoise General Hospital”.

This Notice of Motion was seconded by Councillor Noel Tuohy. It was agreed that a letter issue to the H.S.E. in this regard.

Notice of Motion No: 40/2014

Councillor William Aird proposed the following Notice of Motion:-

"That this Council be informed as to when funding will be provided and works commence on the County Library in Portlaoise".

This Notice of Motion was seconded by Councillor Mary Sweeney. The Members were advised that a formal application for approval and funding has been made to the Department of the Environment, Community & Local Government. No funding will be available this year as the Department have a number of committed ongoing library projects in other Counties. A decision on the next programme of approved national library projects for 2015 should be announced towards the end of September/October.

Notice of Motion No: 41/2014

Councillor William Aird proposed the following Notice of Motion:-

"That as promised by the Government all medical cards be returned immediately to children with Down Syndrome"

This Notice of Motion was seconded by Councillor Catherine Fitzgerald. It was agreed that a letter issue to the Department in this regard.

Notice of Motion No: 42/2014

Councillor William Aird proposed the following Notice of Motion:-

"That this Council agree to send a deputation to meet Minister Alan Kelly to seek funding for housing in order to reduce our waiting lists"

This Notice of Motion was seconded by Councillor Catherine Fitzgerald. It was agreed that a deputation comprising of Mr. John Joe Fennelly, Cathaoirleach, Councillors Noel Tuohy & William Aird would be sent to meet with Minister Alan Kelly to seek funding for housing in order to reduce waiting lists in Laois.

This concluded the business of the meeting.

SIGNED: _____
CATHAOIRLEACH

CERTIFIED: _____
DIRECTOR OF CORPORATE
AFFAIRS