

MINUTES OF THE SPECIAL MEETING OF LAOIS COUNTY COUNCIL HELD IN ÁRAS AN CHONTAE ON THE 24th OF SEPTEMBER 2012 TO CONSIDER THE MANAGER'S REPORT REGARDING THE PROPOSED AMENDMENTS TO THE DRAFT GRAIGUECULLEN LOCAL AREA PLAN 2012 – 2018 (PREPARED AS PART OF THE DRAFT JOINT SPATIAL PLAN FOR THE GREATER CARLOW GRAIGUECULLEN URBAN AREA 2012 – 2018)

PRESENT:	Councillors	Paul Mitchell	In the Chair
		Rotimi Adebari	William Aird
		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	John Bonham
		Tom Mulhall	Kathleen O' Brien
		Brendan Phelan	Martin Phelan
		Mary Sweeney	

APOLOGIES: Councillor John Moran
IN ATTENDANCE:

Messers Peter Carey, County Manager, Gerry Murphy, Head of Finance, Mr. Kieran Kehoe, Director of Services, Ms. Anna Marie Delaney, Director of Services, Ms. Irene Delaney, Administrative Officer, Ms. Michelle McCormack, Executive Secretary, Ms. Carmel McNicholl, Senior Executive Officer, Mr. Donal Kiely, Senior Executive Planner & Ms. Gormla O' Corrain, Executive Planner

PART 15 OF THE LOCAL GOVERNMENT ACT, 2001

Ms. Anna Marie Delaney, Director of Services drew the Members attention to the requirement of Part 15 of the Local Government Act, 2001 in relation to Disclosure of Interest. Any member or any connected person who has a pecuniary or other beneficial interest on any item in the subject matter before the members today must disclose the nature of that interest and then withdraw fully from the meeting for as long as the matter is being discussed or considered.

INTRODUCTION

Ms. Gormla O' Corrain, Executive Planner informed the Members of their role in this process as Elected Members as follows:-

Deciding whether to include, omit or modify the Proposed Amendments (also known as Material Alterations) in making the Local Area Plan is a function reserved for the Elected Members of Laois County Council. On foot of the submissions received that relate to the Proposed Amendments, the Manager has recommended the inclusion, omission or modification of a number of the Proposed Amendments.

Ms. Gormla O' Corrain, Executive Planner outlined progress to date, the considerations for the members in making their decisions and the scope for modifying the Proposed Amendments.

GRAIGUECULLEN LOCAL AREA PLAN 2012-2018

The Members were advised that on the 25th of June 2012, the Members considered the last Manager's Report and Draft Plan and voted to amend the Draft Graiguecullen Local Area Plan. The Proposed Amendments went on public display from July 10th to August 8th 2012 - 21 submissions were received relating to Greater Carlow Graiguecullen Urban Area, of these 7 were relevant to Graiguecullen. On the 31st of August 2012 the Joint Managers' Report was circulated to the Members, it sets out the Managers' Response and Recommendations in relation to the submissions.

SUBMISSIONS

The submissions were discussed as laid out in the Managers' Report circulated to the Members on the 31st of August 2012 and as relevant to Laois County Council.

ITEM NO: 1 – DEPARTMENT OF THE ENVIRONMENT, COMMUNITY & LOCAL GOVERNMENT

- Mapping Presentation
- Quantification of Zonings
- Mapped Amendment 25 recommended for inclusion
- Query Opportunity Site Briefs in relation to flood risk

The Manager's response and recommendations were:

Proposed by Councillor James Daly
Seconded by Councillor Ben Brennan

AND AGREED

'That Mapped Amendment 25 be included'

ITEM NO: 2 – SOUTH EAST REGIONAL AUTHORITY

This was not relevant to Laois County Council

ITEM NO: 3 – MIDLAND REGIONAL AUTHORITY

That no suggested changes be made and the Members agreed with the Manager's Recommendations in relation to this submission

ITEM NO: 4 – ENVIRONMENTAL PROTECTION AGENCY

That no suggested changes be made and the Members agreed with the Manager's Recommendations in relation to this submission

ITEM NO: 5 - NATIONAL ROADS AUTHORITY

Proposed by Councillor James Daly
Seconded by Councillor Pdraig Fleming

AND AGREED

That Amendment G be included and modified, inserting additional clause to TRANS 16 'identified in a plan-led manner'

ITEM NO: 6 – OFFICE OF PUBLIC WORKS

Proposed by Councillor James Daly
Seconded by Councillor Jerry Lodge

That Amendment E be included and modified, inserting clauses to Opportunity Site 15 – 'following the guidance of the 'Planning System and Flood Risk Management Guidelines for Local Authorities', the application of the justification Test and consideration of the flood defences' and 'That all development proposals will require an appropriately detailed flood risk assessment and management plan'

OTHER RELEVANT SUBMISSIONS

ITEM NO: 7 – Derrymoyle Residents Group

Proposed by Councillor Pdraig Fleming
Seconded by Councillor Ben Brennan

'That Mapped Amendment 24 be omitted'

Councillor James Daly made a counter-proposal that the County Manager's recommendations not be adopted and that Mapped Amendment 24 be included. This proposal was seconded by Councillor James Deegan.

A roll call vote was taken which resulted as follows:-

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

As a result of the Roll Call Vote, there was 11 votes in favour of Councillor James Daly's Motion with 12 against and 2 Absent.

A roll call vote was then taken on Councillor Padraig Fleming's proposal which was for the County Managers Report. This proposal was seconded by Councilor Ben Brennan and resulted as follows:-

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

As a result of the Roll Call Vote, there was 12 votes in favour of Councillor Padraig Fleming's Motion with 11 against and 2 Absent.

ITEMS 8-11

These items were not relevant to Laois County Council

ITEM 12 BMA PLANNING ON BEHALF OF MONACO PROPERTIES

Proposed by Councillor James Daly
Seconded by Councillor Ben Brennan

AND AGREED

‘That Amendment T is included (Zoning Objective for Neighbourhood Centre) – small group of shops typically comprising a newsagent, general grocery shop with floorspace of less than 500 sq metres’

ITEMS 13-21

These items were not relevant to Laois County Council

MAKING THE GRAIGUECULLEN LOCAL AREA PLAN 2012 – 2018

Proposed by Councillor Pdraig Fleming

Seconded by Councillor Ben Brennan

AND AGREED

‘Pursuant to Section 20(3) of the Planning and Development Act 2000-2010, having considered the Proposed Amendments (also known as material amendments) to the Draft Graiguecullen Local Area Plan 2012 - 2018, including the Draft Environmental Report, Appropriate Assessment and Strategic Flood Risk Assessment and the related Manager’s Report, and taking account of the proper planning and sustainable development of the area, the statutory obligations of the local authority and any relevant policies or objectives for the time being of the Government, or of any Minister of the Government, the members of Laois County Council hereby make the Graiguecullen Local Area Plan 2012-2018, including all the Proposed Amendments that relate to their functional area, save where specific Amendments were omitted and/or modified by resolution.

SIGNED: _____
CATHAOIRLEACH

CERTIFIED: _____
DIRECTOR OF CORPORATE AFFAIRS