

**MINUTES OF OCTOBER MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 23<sup>rd</sup> OCTOBER 2006 IN ÁRAS AN CHONTAE, PORTLAOISE AT 11.00 A.M.**

**PRESENT:**      Councillor                      Michael Lalor                      In the Chair  
                         Councillors                      John Bonham                      Paddy Bracken  
                                                              Ray Cribbin                      James Daly  
                                                              James Deegan                      William Aird  
                                                              John Joe Fennelly                      Catherine Fitzgerald  
                                                              David Goodwin                      John D Turley  
                                                              Jerry Lodge                      Bill Delaney  
                                                              Seamus McDonald                      Michael Moloney  
                                                              Dick Miller                      Paul Mitchell  
                                                              John Moran                      Brendan Phelan  
                                                              Martin Phelan                      Michael Rice  
                                                              Brian Stanley

**APOLOGIES:** Councillors                      Larry Kavanagh                      Mary Sweeney  
                                                              Thomas Jacob

**IN ATTENDANCE:**

**Mr. Peter Carey, County Manager; Mr. Gerry Gibson, Director of Services; Mr. Declan Byrne, Director of Services; Mr. Gerry Murphy, Head of Finance; Mr. Gerry Gillen, Senior Executive Officer Corporate Affairs.  
Ms. Anna Marie Delaney, Director of Services; Ms. Mary White, Acting Director of Services; Ms. Breda Creed, Acting Assistant Staff Officer.**

**136. BEST WISHES**

**On the proposition of Councillor James Daly, it was unanimously agreed that best wishes, for a speedy recovery to full health, should be extended to Councillor Larry Kavanagh, who was unable to attend the meeting due to illness.**

**137. VOTE OF SYMPATHY**

**The Members unanimously agreed that the sympathy of the Council should be extended to the following people who have recently suffered bereavements:  
To Mrs Kitty Kennedy on the death of her husband John Kennedy, former County Secretary of Laois County Council.  
To Councillor John Bonham on the death of his mother, Mrs Elizabeth Bonham.  
To Councillor John Joe Fennelly on the death of his aunt, Mrs Elizabeth Bonham.  
To Mary Teresa Delaney on the death of her father Mr. Patrick Delaney.**

#### 138. ADJOURNMENT OF MEETING

The Cathaoirleach proposed that the business of the Council Meeting be adjourned for a period of fifteen minutes as a mark of respect to the deceased persons. The Members unanimously agreed to the proposed adjournment.

#### 139. VOTE OF CONGRATULATIONS

On the resumption of the Meeting the Members agreed unanimously to extend the congratulations of the Council to the Rathdowney/Errill Senior Hurling team, and the Clough/ Ballacolla Minor Hurling team, on their recent achievements.

The Members also agreed unanimously to extend the congratulations of the Council to the Ballyroan Gaels football team on winning the County Senior Football Final, and to the Harps Camogie Team on winning the Leinster title.

The Members also agreed unanimously to extend the congratulations of the Council to the communities of Durrow and Stradbally in relation to their recent achievements in the Pride of Place competition. Mr Peter Carey, County Manager complimented those employees of the Council who had worked with the communities concerned and whose efforts had contributed to both successes.

#### 140. VOTE OF THANKS

On the proposal of Councillor Michael Rice, which was seconded by Councillor James Daly, the Members unanimously extended their thanks to the Cathaoirleach and the employees of the Council for hosting the Civic Reception at which the efforts of the St. Abban's Athletic Club had been acknowledged.

#### 141. CONFIRMATION OF MINUTES

On the proposition of Councillor James Deegan which was seconded by Councillor Jerry Lodge, it was unanimously agreed that the Minutes of the Meeting of Laois County Council held on the 25<sup>th</sup> of September, 2006 as circulated be adopted and signed.

#### 142. (a) REPORT ON ELECTORAL AREA MEETING AND SPC MEETINGS

(i) The Members noted the reports of the Area Meetings that had been held in September 2006, which had been circulated to them.

(ii) The Members noted the reports of the SPC Meetings held in September 2006, which had been circulated to them.

**(b) DRAFT POLICY DOCUMENT ON "ILLEGAL PARKING OF VEHICLES ON PUBLIC ROADS"**

On the proposal of Councillor John Joe Fennelly, which was seconded by Councillor Brian Stanley, the Members unanimously agreed to adopt the Draft Policy Document on "Illegal Parking of Vehicles on Public Roads" which had been circulated to them subject to one change being made. The amendment related to Page 2 of the circulated document and it was agreed that any reference to public road/s, public roadside should be replaced by public property. Mr Gerry Gibson, Director of Services, welcomed the Members decision and he replied to some questions that were put to him in relation to the document.

**143. PART VIII OF THE LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS 2001 IN RESPECT OF:**

**(a) DEVELOPMENT AT CLONIN HILL, MOUNTRATH**

On the proposal of Councillor Bill Delaney which was seconded by Councillor John Joe Fennelly the Members unanimously agreed to develop a new water source at Clonin Hill to augment the supply for the Mountrath / Castletown area.

**(b) VERTICAL AND HORIZONTAL ALIGNMENT ON THE L7917 AT NUMBERS ROAD, CARLOW.**

On the proposition of Councillor John Moran which was seconded by Councillor Michael Rice, the Members unanimously agreed to the Vertical and Horizontal Alignment on the L7917 at Numbers Road Carlow.

**(c) EXTENSION OF 3<sup>RD</sup> FLOOR PARTIALLY GLAZED ROOF ENCLOSURE TO BOTH EASTERN AND WESTERN ENDS OF EXISTING BUILDING ENCLOSURE AT ROOF LEVEL TO PROVIDE ADDITIONAL OFFICE ACCOMMODATION. MODIFICATIONS TO GROUND FLOOR INTERNAL LAYOUT TO RE-STRUCTURE EXISTING EXHIBITION AREA, OFFICE AREAS, INTERVIEW ROOMS AND POST ROOM TO PROVIDE A NEW SUITE OF 8 NO. INTERVIEW ROOMS/OFFICES, CENTRAL RECEPTION/WAITING AREA AND POST ROOM. MODIFICATIONS TO GROUND FLOOR INTERNAL LAYOUT TO RE-STRUCTURE EXISTING ENTRANCE FOYER AND PLANNING RECEPTION AREA TO PROVIDE DIRECT ACCESS FROM FOYER TO EXTENDED PLANNING RECEPTION, WAITING AREA, INTERVIEW BOOTHS AND RECEPTION COUNTER.**

On the proposal of Councillor Jerry Lodge which was seconded by Councillor William Aird, the Members unanimously agreed to proceed with the proposed works. Mr Peter Carey, County Manager, gave a brief overview of the project,

and informed the Members that the project will allow for an overall review of facilities at Áras an Chontae. The County Manager advised the Members that the modifications to the existing exhibition area and interview rooms, had been included in error, and would not be proceeding.

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

On the proposal of Councillor John Joe Fennelly which was seconded by Councillor Martin Phelan the Members agreed to the disposal of 1.53 acres at Portlaoise Road, Abbeyleix, Co. Laois, to Lidl Ireland GmbH, Great Connell Road, Newbridge, Co Kildare. for the sum of €1.8 million, subject to certain conditions.

**145. APPROVAL TO THE RAISING OF A LOAN NOT EXCEEDING €13,000,000 FROM THE HOUSING FINANCE AGENCY PLC.**

On the proposal of Councillor James Daly which was seconded by Councillor Catherine Fitzgerald the Members unanimously agreed to the raising of a loan not exceeding €13,000,000 from the Housing Finance Agency Plc. for the purpose of providing Affordable Housing Loans, Annuity Loans, Shared Ownership Loans and Bridging Finance Loans, for the acquisition and construction of homes by suitably qualified loan applicants.

**146. (a) PORTLAOISE APPOINTED STANDS BYE-LAWS 2006 (TAXI RANKS)**

**(b) PORTLAOISE APPOINTED STANDS BYE-LAWS 2006 SUMMARY OF CHANGES (TAXI RANKS)**

On the proposal of Councillor Brian Stanley which was seconded by Councillor William Aird, the Members unanimously agreed to adopt the Portlaoise Appointed Stands Bye-Laws 2006 (taxi ranks) which had been circulated. The changes that were proposed had been highlighted in documentation that had also been circulated to the Members.

#### 147. APPROVAL TO USE THE CREST OF LAOIS COUNTY COUNCIL.

On the proposal of Councillor Paddy Bracken which was seconded by Councillor James Daly the Members unanimously agreed to grant permission to the Slieve Bloom Association, Oak Tree View, Brittas, Clonaslee, Co. Laois, to print the Crest of Laois County Council on a Photo Map and Visitor Guide of the Slieve Blooms that would soon be used to promote the tourist amenities in the Slieve Blooms. The County Manager, Mr Peter Carey, supported the application to use the Council Crest and stressed the importance of developing the Slieve Blooms as a natural amenity. He also congratulated the Slieve Bloom Association on their efforts in promoting and developing this amenity area.

#### 148. FIX DATE FOR MEETINGS

- (a) It was agreed that the Budget Meeting in committee would be held on Thursday, December 14<sup>th</sup> 2006 at 10.30 p.m.
- (b) It was agreed that the statutory Budget Meeting would be held on Monday, December 18<sup>th</sup> 2006 at 11.00 a.m.
- (c) It was agreed that the monthly Council Meeting for December would be held on Monday, December 11<sup>th</sup> 2006. at 11.00 a.m.

#### 149. CORRESPONDENCE

There was no correspondence for noting.

#### 150. ANY OTHER BUSINESS.

Concerns regarding the operation of the Kyletalesha Landfill were highlighted by a number of Members. Mr Peter Carey, County Manager, and Ms. Mary White, Acting Director of Services responded, and it was pointed out that the difficulties that had been encountered in recent weeks would be of a short term nature.

#### 151. NOTICES OF MOTION:

Notice of Motion: No 50/06

Councillor Brian Stanley proposed the following Notice of Motion:-

"That Laois County Council should make a concerted effort, in partnership with other relevant agencies, to provide a hostel to accommodate persons who find themselves homeless as a result of crisis situations".

The motion was seconded by Councillor Jerry Lodge, and unanimously agreed by the Members. Mr Gerry Gillen read the reply to the Notice of Motion which was as follows "The Council is endeavouring, through the auspices of the Homeless

Forum, to source a suitable site and location for the provision of an emergency accommodation facility in County Laois. A response is currently awaited from the Health Services Executive on this issue". Following further discussion the Members agreed that a letter should be issued to the Health Service Executive requesting that immediate attention should be given to this matter.

**Notice of Motion: No 51/06**

**Councillor Michael Rice, Councillor James Daly, Councillor John Moran, and Councillor Dick Miller proposed the following Notice of Motion:-**

**"That this Council call on the Minister for the Environment, Heritage and Local Government to reverse the provisions of the Local Government (Boundaries) (Town Elections) Regulations 1994 (S.I. No. 114 of 1994) and re-instate the electoral boundaries of Carlow and Laois to their former status prior to the 1994 Local Elections".**

The motion was seconded by Councillor Martin Phelan and it was unanimously agreed by the Members that a letter should be sent to the Minister for the Environment in this regard.

**Notice of Motion: No 52/06**

**Councillor Michael Moloney proposed the following Notice of Motion:-**

**"That Laois County Council should retain the option of requiring developers to submit a Traffic Management Plan prior to granting a Road Opening Licence"**

The motion was seconded by Councillor Brian Stanley and was unanimously agreed by the Members. Mr Gerry Gillen read the reply to the Notice of Motion which was as follows -

**"It is the current practice that where a developer applies for a road opening licence and where the extent of works are such as to have a noticeable effect on traffic pattern and/or other road users, the area engineer requires the applicant to submit a traffic management plan together with documentary evidence that the works comply with the Safety, Health & Welfare at Works Act (Construction) Regulations 2001. It is proposed in 2007, that the procedures for granting road opening licences will be reviewed and that all procedures for road opening/road closures will be implemented in light of new Health & Safety Regulations".**

**Notice of Motion: No 53/06**

**Councillor Michael Moloney proposed the following Notice of Motion:-**

**"That Laois County Council should call for the referral of President George Bush for trial to the International Court of Justice"**

There was no seconder for this Notice of Motion. As a result of this the Cathaoirleach ruled that there could not be any discussion in relation to the Notice of Motion.

Notice of Motion 54/06

Councillor Michael Lalor proposed the following Notice of Motion.

"That Laois County Council request Bus Éireann to erect Bus Shelters at all Bus Stops in County Laois"

The Motion was seconded by Councillor Martin Phelan and it was unanimously agreed by the Members that a letter should be issued to Bus Éireann in relation to this matter. It was also agreed to request that a review of bus routes should be undertaken that would take account of the lack of Bus Éireann services in Portarlinton.

Notice of Motion 55/06

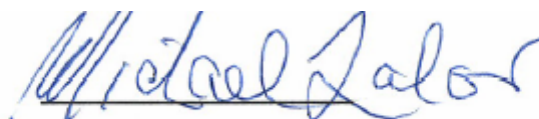
Councillor Martin Phelan proposed the following Notice of Motion:-

"That Laois County Council should call on C.I.E. to provide a better train service to this County".

The Motion was seconded by Councillor Jerry Lodge and it was unanimously agreed by the Members that Laois County Council should request an immediate meeting with Iarnróid Eireann, to express concerns regarding the level of train services provided in Laois by the company.

This concluded the business of the meeting.

Signed:



  
Director of Corporate Affairs