

**MINUTES OF THE JANUARY MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 31ST OF
JANUARY 2022 IN ÁRAS AN CHONTAE**

PRESENT:	Councillor	Conor Bergin	In The Chair
	Councillors	Willie Aird John Joe Fennelly James Kelly Caroline Dwane Stanley Thomasina Connell Padraig Fleming Ben Brennan Mary Sweeney	Paddy Bracken Aidan Mullins P.J. Kelly John King Paschal McEvoy Catherine Fitzgerald Ollie Clooney Noel Tuohy
APOLOGIES:		Seamus McDonald	Aisling Moran

IN ATTENDANCE:

Messers John Mulholland, Chief Executive, Donal Brennan, Director of Services, Simon Walton, Director of Services, Ms. Angela McEvoy, A/Director of Services, Mr. Gerry Murphy, Head of Finance, Ms. Irene Delaney, A.O., & Ms. Michelle McCormack, S.O.

1. VOTES OF SYMPATHIES

On the proposition of Councillor Conor Bergin, Cathaoirleach, the Members unanimously passed a vote of sympathy to the Murphy family, Cully, Blueball, Co. Offaly on the recent tragic death of Ms. Aisling Murphy.

On the proposition of Councillor Conor Bergin, Cathaoirleach, the Members unanimously passed a vote of sympathy to the Lowry family, Cremorgan, Timahoe, Co. Laois on the recent death of Mr. Denis Lowry, retired IS Analyst/Developer, IT Section.

On the proposition of Councillor Conor Bergin, Cathaoirleach, the Members unanimously passed a vote of sympathy to the Kelly family, Ballycoolan, Stradbally, Co. Laois on the recent death of Ms. Chrissie Kelly, mother of Mr. P.J. Kelly, Assistant Health & Safety Advisor with Laois County Council.

On the proposition of Councillor Willie Aird, the Members unanimously passed a vote of sympathy to the White Family, Newpark, Portlaoise, Co. Laois on the recent death of Mr. Frank White.

On the proposition of Councillor Ollie Clooney, the Members unanimously passed a vote of sympathy to the Woods Family, Carrigan Street, Durrow, Co. Laois on the recent death of Mr. John Woods.

On the proposition of Councillor Ben Brennan, the Members unanimously passed a vote of sympathy to the Patterson Family, Monavea, Crettyard, Co. Laois on the recent death of Mr. Padraig Patterson.

On the proposition of Councillor Ben Brennan, the Members unanimously passed a vote of sympathy to the Jordan Family, St. Mary's Park, Pollerton Road, Carlow on the recent death of Mr. Pat Jordan.

Councillor Pádraig Fleming referred to the vote of sympathy passed to his family on the recent death of his sister Ann at the special meeting of Laois County Council held on the 6th of January 2022 and thanked his fellow Elected Members, Management and staff of Laois County Council for their condolences.

The Chief Executive on behalf of the Management & Staff of Laois County Council joined in the sentiments expressed by the Members to the bereaved families.

2. MINUTES OF THE DECEMBER MONTHLY MEETING HELD ON THE 13TH OF DECEMBER 2021

On the proposition of Councillor John Joe Fennelly seconded by Councillor John King, the Members unanimously agreed the minutes of the December monthly meeting held on the 13th of December 2021 as circulated.

3. MINUTES OF THE SPECIAL MEETING HELD ON THE 6TH OF JANUARY 2022

On the proposition of Councillor Ollie Clooney seconded by Councillor Paddy Bracken, the Members unanimously agreed the minutes of the special meeting held on the 6th of January 2022 as circulated.

4. MINUTES OF THE ADJOURNED SPECIAL MEETING HELD ON THE 25TH OF JANUARY 2022

On the proposition of Councillor James Kelly seconded by Councillor John King, the Members unanimously agreed the minutes of the adjourned special meeting held on the 25th of January 2022 as circulated.

5. REPORT ON CPG MEETING HELD ON THE 6TH OF DECEMBER 2021

On the proposition of Councillor Pádraig Fleming seconded by Councillor Paddy Bracken, the Members unanimously agreed the report on CPG meeting held on the 6th of December 2021 as circulated.

6. REPORT ON MUNICIPAL DISTRICT MEETINGS HELD IN DECEMBER 2021

On the proposition of Councillor Catherine Fitzgerald seconded by Councillor John King, the Members unanimously agreed the report on Municipal District meetings held in December 2021 as circulated.

7. REPORT ON STRATEGIC POLICY COMMITTEE MEETINGS HELD IN SEPTEMBER 2021

On the proposition of Councillor John King and seconded by Councillor Ollie Clooney, the Minutes of the Strategic Policy Committee meetings held in September were agreed.

During a discussion on the Minutes of the Transportation, Environment & Emergency Services Strategic Policy Committee, Councillor Willie Aird raised a query in relation to a prohibition on the burning of bushes. Members expressed their concern about the lack of notification and communication with the farming community in relation to this issue. Mr. Simon Walton, Director of Services, advised Members that legislation (Waste Management (Prohibition of Waste Disposal by Burning) (Amendments) Regulations 2020) provided an exemption to all farmers, as a last resort, to dispose of certain wastes, generated by agricultural practices, by burning. The Regulations provided this exemption up until 1st January, 2022. In this way he noted that, post 1st January, 2022, it is now unlawful for farmers to burn those wastes generated by agricultural practices. Councillor Noel Tuohy proposed that the Council invite the Minister with responsibility for this matter to address a meeting of Laois County Council as a matter of urgency.

Councillor Willie Aird proposed that an amnesty be requested from the Minister on this cessation of the burning of bushes until the end of February 2022. This proposal was seconded by Councillor Ben Brennan.

A discussion ensued regarding the cost of having the bushes disposed of at Kyletelisha Landfill and the costs were outlined by Mr. Simon Walton, Director of Services. Further extensions to the end of 2022 and for the next 10 years were also proposed.

Councillor Catherine Fitzgerald proposed that a deputation be made to the three Oireachtas Members seeking their support and asking them to request a meeting with the Minister for Climate Action, Communications, Networks & Transport. It was agreed that the deputation would include the Cathaoirleach, Councillor Conor Bergin together with Councillors Padraig Fleming, Ben Brennan & Ollie Clooney. Separately it was unanimously agreed that a letter be drafted to the Minister reflecting the dissatisfaction of the Elected Members as to the lack of notification and communication in this matter and requesting an extension of the existing exemption.

8. PART VIII OF THE PLANNING & DEVELOPMENT REGULATIONS 2001 (AS AMENDED) IN RELATION TO THE PROPOSED DEVELOPMENT OF A FIRE STATION FACILITY AND ANCILLARY WORKS AT THE JUNCTION OF CORK ROAD AND MAIN STREET, STRADBALLY, CO. LAOIS.

The Members were circulated with the Part VIII report on the above development consisting of the construction of a fire station building of 310 square meters floor area. The building incorporates a watch room, training, welfare and canteen space and internal parking for fire tenders. The building is of standard design and finish. In addition, the erection of drill tower, Crofton FT96C or equivalent drill tower combined with a pitched roof training rig at the southern corner of the site.

On the proposition of Councillor Paschal McEvoy seconded by Councillor John King, the Members unanimously agreed to the above development as presented.

9. DISPSOAL OF LAND UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001

DISPOSAL OF LEASEHOLD OF APARTMENT AT 149 CRANN NUA, EDENDERRY ROAD, PORTARLINGTON, CO. LAOIS.

On the proposition of Councillor Aidan Mullins seconded by Councillor Paschal McEvoy, the Members unanimously agreed to the disposal of leasehold of apartment at 149 Crann Nua, Edenderry Road, Portarlington, Co. Laois in the townland of Droughill for a consideration of €1.00.

DISPOSAL OF FREEHOLD COMPRISING 0.0248 HECTARES AT 31 SLIEVE BLOOM HEIGHTS, RATHDOWNEY, CO. LAOIS.

On the proposition of Councillor John King seconded by Councillor James Kelly, the members unanimously agreed to the disposal of freehold comprising 0.0248 hectares at Slieve Bloom Heights, Rathdowney Co. Laois in the townland of Rathdowney for a consideration of €1.00.

DISPOSAL OF FREEHOLD COMPRISING 0.0248 HECTARES AT 60 CLONROOSKE ABBEY, PORTLAOISE. CO. LAOIS.

On the proposition of Councillor Caroline Dwane Stanley seconded by Councillor Noel Tuohy, the Members unanimously agreed to the disposal of freehold comprising 0.0248 hectares at 60 Clonrooske Abbey, Portlaoise, Co. Laois in the townland of Clonroosk for a consideration of €1.00

DISPOSAL OF HOUSE AND LANDS AT MILLBROOK HOUSE, ABBEYLEIX DEMENSE, ABBEYLEIX, CO. LAOIS.

On the proposition of Councillor John Joe Fennelly seconded by Councillor James Kelly, the Members unanimously agreed to the disposal of house and lands at Millbrook House, Abbeyleix Demense, Abbeyleix in the townland of Abbeyleix Demense comprising 1.7 hectares for a consideration of €400,000.

10. DELCARATION OF A PUBLIC ROAD IN ACCORDANCE WITH SECTION 11 OF THE ROADS ACT, 1993

ROAD ADJACENT TO THE L-6114-0 PALLAS LITTLE, PORTLAOISE

On the proposition of Councillor Willie Aird seconded by Councillor Thomasina Connell, the Members unanimously agreed that the road adjacent to the L-6114-0 Pallas Little, Portlaoise be declared as a public road in accordance with Section 11 of the Roads Act, 1993 (as amended)

LANEWAY ADJACENT TO R430, BALLINAKILL ROAD, ABBEYLEIX, CO. LAOIS.

On the proposition of Councillor Caroline Dwane Stanley seconded by Councillor John Joe Fennelly, the Members unanimously agreed that the laneway adjacent to the R430, Ballinakill Road, Abbeyleix, Co. Laois be declared as a public road in accordance with Section 11 of the Roads Act, 1993 (as amended)

11. ADOPTION OF DRAT POLICY FOR NAMING OF HOUSING DEVELOPMENTS, COMMEMORATIVE NAMING OF INFRASTRUCTURE AND THE PROVISION OF MONUMENTS, MEMORIALS AND PLAQUES

The Members were circulated with a copy of the policy for the naming of Housing Developments, Commemorative Naming of Infrastructure and the provision of Monuments and Plaques.

The Director of Services, Mr. Simon Walton responded to the various queries raised on the policy which included items such as the committee composition/representation of the technical group, the quorum and the twenty-year lapse in relation to the deceased person to be commemorated.

On the proposition of Councillor Paddy Bracken seconded by Councillor John Joe Fennelly, the Members agreed to the adoption of the draft policy subject to the following amendments being made:-

- The Committee to include three Elected Members (one from each Municipal District)
- The Quorum to be discussed and agreed at the first Committee meeting
- The requirement for a Five-Year Lapse (as opposed to the Twenty Year Lapse) for events and deceased persons to be commemorated.

It was agreed that the matter would be tabled for consideration on each Municipal District Agenda in February with a view to the three Elected Members being nominated to the committee following which the first meeting can be arranged.

12. OFFICIAL INVITATION TO THE ST. PATRICK'S DAY PARADE 2022 NEW YORK FROM THE LAOIS ASSOCIATION NEW YORK

Mr. Donal Brennan, Director of Services advised the Members that an invitation had been received from the County Laois Association in New York inviting the Cathaoirleach and other officials of Laois County Council to the St. Patrick's Day Parade in New York. On the proposition of Councillor John King seconded by Councillor John Joe Fennelly, approval was given to same. Councillor Willie Aird proposed that the previous Cathaoirleachs that were unable to travel due to the Covid-19 pandemic should also be given the opportunity to attend – this proposal was seconded by Councillor Pdraig Fleming.

13. UPDATE ON THE IMPLEMENTATION OF THE CORPORATE PLAN 2019-2024

On the proposition of Councillor John King seconded by Councillor Paschal McEvoy, the Members unanimously agreed to the update on the implementation of the Corporate Plan 2019-2024.

14. DRAFT TRAINING & DEVELOPMENT PROGRAMME

On the proposition of Councillor Paschal McEvoy seconded by Councillor Thomasina Connell, the Members unanimously agreed the draft Training & Development Programme as presented.

15. SECTION 174(1) (a) OF THE LOCAL GOVERNMENT, ACT, 2001 AS AMENDED – ANNUAL ETHICS DECLARATION

The Members were advised of the requirement to furnish an annual Declaration in accordance with the requirements under Section 174(1)(a) of the Local Government Act, 2001 as amended for the Annual Ethics Declaration which was noted by the Members on the proposition of Councillor John King seconded by Councillor John Joe Fennelly.

16. MONTHLY MANAGEMENT REPORT FOR DECEMBER 2021/JANUARY 2022

The Members were circulated with a copy of the Monthly Management Report for December 2021/January 2022 and the Directors of Services responded to the various queries raised by the Members.

17. TRAINING AND CONFERENCES

The Members were circulated with a copy of the conferences and training for ratification and same was agreed on the proposition of Councillor John Joe Fennelly seconded by Councillor Paschal McEvoy.

18. CORRESPONDENCE

The following correspondence was circulated which was received since the last meeting:-

- (i) Correspondence from Monaghan County Council dated the 20th of December 2021 in relation to a Notice of Motion passed in connection with the Coroners Service
- (ii) Correspondence from Galway City Council dated the 22nd of December 2021 in relation to the Help to Buy Incentive Scheme

19. NOTICE OF MOTIONS

Notice of Motion No: 01/2022

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

“That this Council contact the Minister for Health, Mr. Stephen Donnelly, T.D., to take action and put in place services to address the lack of surgical intervention for children with spina bifida or hydrocephalus, also to highlight to the Minister the need for adequate funding to be put in place for elective surgery and other interventions that may be necessary, also to request Minister Donnelly to revert to Laois County Council on proposals his Department have in this regard”

This Notice of Motion was seconded by Councillor Catherine Fitzgerald. The Members were advised that a letter would issue to the Minister for Health in this regard.

Notice of Motion No: 02/2022

Councillor Noel Tuohy proposed the following Notice of Motion:-

“That Laois County Council see to the provision of Pen Readers in libraries throughout the County to assist those with reading difficulties and vision problems”

This Notice of Motion was seconded by Councillor Caroline Dwane Stanley. The Members were advised that this matter will be considered by the Library Service to establish what facilities can be put in place.

Notice of Motion No: 03/2022

Councillor Noel Tuohy proposed the following Notice of Motion:-

“That Laois County Council write to the Minister for Justice, Ms. Helen McEntee, T.D., to impose mandatory minimum sentencing to anyone found carrying a knife without a valid reason.

This Notice of Motion was seconded by Councillor Ben Brennan. The Members were advised that a letter would issue to the Minister for Justice in this regard.

Notice of Motion No: 04/2022

Councillor Willie Aird proposed the following Notice of Motion:-

“That Laois County Council afford people the opportunity to withdraw their planning application if the file is going to be refused”

This Notice of Motion was seconded by Councillor John King. The Members were advised that applicants have every right to withdraw an application at any stage of the planning process under Section 37 of the Planning and Development Act. However, under 247 of the Planning and Development Act 2000 as amended applicants are offered the opportunity to carry out a pre-planning meeting with planners with respect to potential development.

Due to the absence of Councillor Aisling Moran, it was agreed to defer the following Notice of Motion to the February meeting of Laois County Council:-

Notice of Motion No: 05/2022 – Councillor Aisling Moran

“That the Chief Executive under Section 136 of the Local Government Act 2001 (as amended) outline the full itemised list of costings in relation to The Cube, Junction 17 & Portlaoise Library as requested at the December 2021 Council Meeting”

This concluded the business of the meeting.

SIGNED: _____
CATHAOIRLEACH

CERTIFIED: _____
DIRECTOR OF SERVICES
CORPORATE AFFAIRS