

MINUTES OF THE MARCH MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 27th
OF MARCH 2023 IN ÁRAS AN CHONTAE

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

APOLOGIES: Councillor Aidan Mullins

IN ATTENDANCE:

Messrs Gerry Murphy, Deputy Chief Executive, Donal Brennan, Director of Services, Simon Walton, Director of Services, Ms. Angela McEvoy, Director of Services, Ms. Carmel McNicholl, A/Director of Services, Ms. Irene Delaney, A.O., & Ms. Michelle McCormack, S.O.

38. VOTES OF SYMPATHIES

On the proposition of the Cathaoirleach, Councillor Thomasina Connell, M.C.C., the Members unanimously agreed to pass a vote of sympathy to the following families on their recent bereavements:-

- (i) The McKane family, Ballygillaheen, Rosenallis, Co. Laois on the recent death of Ms. Ann McKane, wife of Mr. John McKane, retired employee of Laois County Council
- (ii) The Delaney family, Abbeyleix Road, Portlaoise on the recent death of Mrs. Colette Delaney, mother of Firefighter with Laois County Council Mr. Brian Delaney
- (iii) The Gardiner family on the recent death of Ms. Annette Gardiner, School Cottge, Barnashrone, Mountmellick, former School Warden with Laois County Council. This was also endorsed by Councillor Willie Aird. Mr. Gerry Murphy, Deputy Chief Executive also associated himself with the Vote of Sympathy on behalf of the staff and management of Laois County Council.
- (iv) The Malone family on the recent death of Mrs. Kathleen Malone, Coolane, Killeshin, Carlow, mother of Mr. William Malone in the Roads Department of Laois County Council. This vote of sympathy was also endorsed by Councillors Padraig Fleming & Ben Brennan.
- (v) The Quinn family on the recent death of Mr. Paul Quinn, Glasnevin, Dublin, father of Ms. Natasha Daly, Housing Department, Laois County Council

Councillor Willie Aird proposed the following Votes of Sympathies:-

- (i) The Maher family on the recent death of Ms. Bridie Maher, New Road, Portlaoise, Co. Laois.
- (ii) The Hedigan family on the recent death of Mr. John Hedigan, Carhoo, Clonakilty, grandfather of Mr. Shane Booth, Planning Department, Laois County Council
- (iii) The Brennan family on the recent death of Mr. Stanislaus Brennan, Clarey House, Nurney, Co. Kildare, brother of Ms. Anna May McHugh, National Ploughing Association.
- (iv) The Cushen family on the recent death of Mr. Tom Cushen, 49 Pattisons Estate, Mountmellick
- (v) The Conroy family on the recent death of Ms. Brigid Conroy, Craydon Court, Portlaoise

Councillor Caroline Dwane Stanley proposed a vote of sympathy to the Cleary family on the recent death of Mrs. Kathleen Cleary. St. Brigid's Place, Portlaoise. This was also endorsed by Councillor Willie Aird.

Councillor Ben Brennan proposed the following Votes of Sympathies:-

- (i) The O' Shea family on the recent death of Ms. Irene O' Shea, Chatsworth Street, Castlecomer, Co. Kilkenny
- (ii) The Graham family on the recent death of Mr. Joe Graham, Tolerton, Carlow

Councillor John King proposed the following Votes of Sympathies:-

- (i) The McCabe family on the recent death of Mr. Seamus McCabe, Moore Street, Rathdowney, Co. Laois. This was also endorsed by Councillor Willie Aird.
- (ii) The Kirwan family on the recent death of Mr. Adam Kirwan, Derrough, Mountrath, Co. Laois. This was also endorsed by Councillor James Kelly

Councillor James Kelly proposed a vote of sympathy to the Seale family on the recent death of Mr. David Seale, Clonenagh, Mountrath, Co. Laois. This was also endorsed by Councillor Willie Aird.

Councillor Pdraig Fleming proposed a vote of sympathy to the Rowan family on the recent death of Mr. Patrick Rowan, 11F the Swan, Wolfhill, Co. Laois. This was also endorsed by Councillor Ben Brennan.

39. MINUTES OF THE FEBRUARY MONTHLY MEETING HELD ON THE 27TH OF FEBRUARY 2023

On the proposition of Councillor Willie Aird seconded by Councillor James Kelly, the Members unanimously agreed the minutes of the February Meeting held on the 27th of February 2023. The request from Councillor Moran for the provision of additional information in relation to Section 183 Notices was noted.

40. REPORT ON CPG MEETING HELD ON THE 20TH OF FEBRUARY 2023

On the proposition of Councillor John Joe Fennelly seconded by Councillor Padriag Fleming, the Members unanimously agreed the report on CPG meeting held on the 20th of February 2023.

41. REPORT ON MUNICIPAL DISTRICT MEETINGS HELD IN FEBRUARY 2023

On the proposition of Councillor John King seconded by Councillor Paddy Bracken, the Members unanimously agreed the report on the Municipal District meetings held in February 2023.

42. NOMINATION OF MR. MARK CLANCY REPRESENTING THE LOCAL ENTERPRISE OFFICE (STATUTORY SECTOR) TO THE LCDC

On the proposition of Councillor John Joe Fennelly seconded by Councillor John King, the Members unanimously agreed that Mr. Mark Clancy be nominated to the LCDC representing the Statutory Sector.

43. PART VIII OF THE PLANNING & DEVELOPMENT REGULATIONS, 2001 (AS AMENDED) IN RELATION TO THE CONSTRUCTION OF A RESIDENTIAL DEVELOPMENT OF 4 UNITS AND THE REFURBISHMENT OF 3 EXISTING TERRACE UNITS AT IONA, ABBEYLEIX ROAD, PORTLAOISE, CO. LAOIS

The Members were circulated with the Planning Report on the proposed development. On the proposition of Councillor Willie Aird seconded by Councillor Catherine Fitzgerald, the Members unanimously agreed to Part VIII of the Planning & Development Regulations 2001 (as amended) in relation to the construction of a residential development of 4 units and the refurbishment of 3 exiting terrace units at Iona, Abbeyleix Road, Portlaoise, Co. Laois.

44. LAOIS COUNTY COUNCIL ROADWORKS SCHEME 2023

The Members were circulated with a copy of the Roadworks Scheme 2023 for Laois County Council and was unanimously agreed by the Members on the proposition of Councillor Seamus McDonald and seconded by Councillor John King. Mr. Simon Walton, Director of Services responded to the various queries raised by the Members.

45. APPROVAL OF ARTS ACTS GRANTS 2023

The Members were circulated with a listing of the successful individuals and groups that have been awarded Arts Acts Grants for 2023. The Members unanimously agreed the award of the Arts Acts Grants on the proposition of Councillor John King and seconded by Councillor Ollie Clooney.

46. REPORT ON OFFICIAL TRIPS TO NEW YORK & FRANKLIN

The report on the recent official trips to New York & Franklin were circulated and noted by the Members.

47. MONTHLY MANAGEMENT REPORT FOR MARCH 2023

The Members were circulated with a copy of the Monthly Management report for March 2023. The Director of Services responded to the various queries raised by the Members.

48. 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 Paschal McEvoy seconded by Councillor John King.

49. CORRESPONDENCE

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

- (i) Correspondence from the Department of Health dated the 27th of February 2023 in response to Notice of Motion No: 01/2023 in relation to the MIDOC Out of Hours GP Service
- (ii) Acknowledgment from the Minister for Housing, Local Government and Heritage dated March 10th 2023 in relation to Notice of Motion No: 12/2023
- (iii) Correspondence from the Department of Housing, Local Government & Heritage dated March 13th 2023 in relation to the participation in the Fourth Open Government National Action Plan 2023-2025
- (iv) Correspondence from the Minister for Finance dated March 14th 2023 in response to Notice of Motion No: 65/2022 in relation to the Living City Initiative.
- (v) Correspondence from Tipperary County Council dated March 14th 2023 in relation to a Notice of Motion passed in relation to the Mother and Baby Redress Scheme
- (vi) Correspondence from Tipperary County Council dated March 14th 2023 in relation to a Notice of Motion passed in relation to the possibility of offering Apprentice Schemes within the Council and a clause for contractors tendering for large Council led construction projects
- (vii) Correspondence from Sligo County Council dated March 16th 2023 in relation to a Notice of Motion passed in relation to making the CF medication Kaftrio available to all patients who require it within the state
- (viii) Correspondence from Westmeath County Council dated March 3rd 2023 in relation to a Notice of Motion passed in relation to the implementation of a comprehensive regional public banking system
- (ix) Correspondence from Clare County Council dated March 14th 2023 in relation to a Notice of Motion passed in relation to Croi Conaithe Schemes

50. NOTICE OF MOTIONS

Notice of Motion No: 14/2023

Councillor Willie Aird proposed the following Notice of Motion:-

“That Laois County Council confirm what roads and laneways can be included for improvement under the additional €12.5 million announced recently”

This Notice of Motion was seconded by Councillor P.J. Kelly. The Members were advised that the Notice of Motion makes reference to a recent (February 2023) announcement by the Department of Community and Rural Development regarding €12.5million in national funding for Local Improvement Schemes (LIS) in 2023. The allocation announced for County Laois under LIS 2023 is €304,736.

Local Improvement Scheme funds are directed towards private roads serving parcels of agricultural lands or private roads serving important community amenities. Private roads leading to commercial enterprises and private roads serving only houses or buildings, occupied or used by persons not engaged in agriculture, are ineligible.

There are currently 46 LIS Applications in County Laois. LIS funds will be allocated based on the numbers of applications in individual Municipal Districts, as previously agreed by Elected Members. The current allocation will enable 7 Local Improvement Schemes to be completed and offers are being made to applicants presently.

Notice of Motion No: 15/2023

Councillor Willie Aird proposed the following Notice of Motion:-

“That Laois County Council request the Minister of State with responsibility for the Office of Public Works & the Gaeltacht, Mr. Patrick O’ Donovan to receive a delegation from Laois County Council in relation to the allocation of funding for a new Courthouse in Portlaoise”

This Notice of Motion was seconded by Councillor Thomasina Connell. It was agreed that correspondence issue to the Minister of State in this regard and it was further agreed that the delegation would consist of the Cathaoirleach and one member from each political party.

On the proposition of the Cathaoirleach, Councillor Thomasina Connell, the Members unanimously agreed that the following Notice of Motions be taken together:-

Notice of Motion No: 16/2023 – Councillors Catherine Fitzgerald, John Joe Fennelly, Paschal McEvoy, Paddy Bracken, Pdraig Fleming & Seamus McDonald

“That Laois County Council contact the Minister for Education, Ms. Norma Foley, T.D., to request an urgent meeting with representatives from this Council to express our devastation that plans for the Kolbe School are put on hold. We do not accept that our special children from Laois should be treated in this manner and to prolong the muchneeded facility is unthinkable”

Notice of Motion No: 17/2023 – Councillor Marie Tuohy

“That this Council urgently seek an unequivocal commitment from the Department of Education to proceed without delay with the planned development of the Kolbe Centre so as to allay genuine and understandable public concerns on this issue. If necessary I propose this Council send a delegation to meet the Minister for Education in person to underline the dismay and upset being caused throughout Laois by the latest confusion on this important issue”

Notice of Motion No: 18/2023 – Councillors Barry Walsh, Thomasina Connell, Conor Bergin, Willie Aird, P.J Kelly & John King

“That Laois County Council contact Ms. Josepha Madigan, T.D., Minister of State for Special Education and Inclusion to express our concern at the latest announcement regarding the potential delay to school buildings and specifically the Kolbe Special School. The current conditions and facilities that these students of the Kolbe Special School are currently enduring are well below acceptable standards and any delay to the construction of a new facility for these students would be totally unacceptable and would deeply affect the morale and wellbeing of staff and students alike. As a consequence of above we demand that the tender process be expediated to prevent any further unnecessary delays and emotional strain to all concerned”

Notice of Motion No: 19/2023 – Councillors Caroline Dwane Stanley, Aidan Mullins, Marie Tuohy, James Kelly & Ben Brennan

“That this Council call on the Minister of State for Special Education and Inclusion, Ms. Josepha Madigan, T.D and the Minister for Education, Ms. Norma Foley to re-instate the funding immediately for the new build for the Kolbe School and to give the green light for it to go to tender”

Notice of Motion No: 20/2023 – Councillor Aisling Moran

“That this Council call on the Minister of State for Special Education and Inclusion, Josepha Madigan, to reinstate as a matter of urgency, the funding for the Kolbe School in Portlaoise and to move forward ASAP with the tendering process to build the new school”

The Notice of Motions were seconded by Councillor John King.

The members expressed serious concerns regarding the recent announcement that the funding allocated for the construction of the new building at Kolbe School would be put on hold indefinitely. During the course of the Council meeting, Members made reference to the public meeting in respect of Kolbe Special School held on Wednesday, March 22nd 2023 and following assurances given at that meeting by Government representatives, requested that a favourable resolution to this matter be identified on or before April 5th 2023. It was agreed that correspondence issue to the Minister of State for Special Education, Minister Josepha Madigan, the Minister for Education, Ms. Norma Foley, Minister for Education and the Minister for Public Expenditure, National Development Plan Delivery & Reform, Mr. Paschal Donohoe.

The Members also requested a meeting with the Minister of Education and the Minister of State for Special Education to receive a deputation from Laois County Council to comprise of the Cathaoirleach and three members. The purpose of the meeting requested is to discuss the immediate reinstatement of the funding allocation for this project. The Members requested that this meeting take place on or before the 5th April 2023. If a meeting cannot be facilitated before that date, an invitation to be extended to both to attend at Kolbe Special School to meet with the Cathaoirleach and the Council Members in advance of the 5th April.

The Members also requested that a letter of congratulations issue to the board of the Saplings Special School in Killeshin on their recent sod turning event.

Notice of Motion No: 21/2023

Councillor Aisling Moran proposed the following Notice of Motion:-

“That this Council give an update on the Regional Development Monitor (RDM) from AIRO to be used as a pilot project for Laois”

This Notice of Motion was seconded by Councillor Ben Brennan. The Members were advised that the Regional Development Monitor is a collaboration between the three Regional Assemblies of Ireland, the All-Island Research Observatory (AIRO) at Maynooth University and the Ordnance Survey Ireland (OSI) and was built using the GeoHive platform which is the State's geospatial datahub. The RDM provides indicators related to the Regional Strategic Outcomes (RSOs) of the RSEs along with their appropriate socio-economic and environmental variables and is categorised into four key principles: Our People and Places, Our Green & Sustainable Future, Our Region's Economy, and an All-Island Perspective.

The Planning, Business Support and Community Sections use the Regional Development Monitor for data on indicators as they relate to the housing, economic and social activity within the county such as – Population - Estimates, Age Cohorts, Dependency Rates and Population Density, Housing - Residential Vacant and Derelict Stock, Commencements and Completions, Property Prices, Property Sales and Rental Prices , Economic activity, etc.

As there is already a number of datasets available on a county by county basis through both interrogation of the CENSUS, Geohive and the RDM platforms , the Planning Authority will liaise with AIRO in relation to what further database could be realised and at what cost.

Notice of Motion No: 22/2023

Councillor Aisling Moran proposed the following Notice of Motion:-

“That this Council furnish the elected members with a copy of the original contract between Laois County Council and Glanbia for the sites at Junction 17”

This Notice of Motion was seconded by Councillor James Kelly. Mr. Gerry Murphy, Deputy Chief Executive advised that he was firstly making a general comment in relation to the motion. He said that contracts are signed every week by the Council regarding matters such as house and land acquisitions, loan, rent and lease agreements, sale of land agreements (subject to Section 183) and construction agreements for Housing, Roads, etc. These contracts are negotiated and signed by the Executive of Laois County Council on behalf of the Council. He added that some of these agreements may be commercially sensitive and that some of those making agreements with the Council would have an expectation that such agreements would not be made public. Mr. Murphy further advised that the passing of this Notice of Motion could affect future contracts that the Council may wish to enter into.

In relation to the Motion he advised that there were two agreements. The first agreement was for the sale of 5 hectares and the section 183 relating to same was approved by the members of the Council at the July 2018 monthly Council meeting. As part of the Section 183, the members were advised that an agreement had been entered into for an Option to Purchase a further 6 hectares at the same rate should the purchaser require extra lands in order to expand and/or develop further enterprises. Mr G Murphy stated that the option period runs from 28th May 2019 and applies for an initial period of 5 years and that can be extended for another five years. If the motion was passed legal advice would be sought and Glanbia Cheese EU Ltd would be advised, also. The agreement was between Laois County Council, its successors and Glanbia Cheese Eu Ltd and its successors.

The Notice of Motion was discussed in detail. A request from Councillor Fleming to Councillor Moran to withdraw the motion was refused. Councillor James Kelly indicated that he wished to withdraw his support for the Motion as he felt it could affect future contracts. On further clarification and in accordance with the Standing Orders, a Roll Call Vote was taken on the Notice of Motion which resulted as follows:-

COUNCILLOR		FOR	AGAINST	ABSENT
FIRST NAME	SURNAME			
William	AIRD		✓	
Conor	BERGIN		✓	
Paddy	BRACKEN		✓	
Ben	BRENNAN		✓	
Ollie	CLOONEY		✓	
Thomasina	CONNELL		✓	
Caroline	DWANE STANLEY		✓	

John Joe	FENNELLY		✓	
Catherine	FITZGERALD		✓	
Padraig	FLEMING		✓	
James	KELLY		✓	
John	KING		✓	
Seamus	MCDONALD			✓
Paschal	MCEVOY		✓	
Aisling	MORAN	✓		
Barry	WALSH		✓	
Aidan	MULLINS			✓
P.J.	KELLY		✓	
Marie	TUOHY		✓	

There was 1 vote in favour of the motion and 16 against, with 2 Members absent.

51. VOTE OF CONGRATULATIONS

Councillor Thomasina Connell, Cathaoirleach congratulated the Housing Department of Laois County Council for being shortlisted for the All-Ireland Housing Awards 2023 for their project on the Retrofitting Programme recently in Belfast in the Net zero in Housing category. Councillor Connell indicated that only a small number of Local Authorities were shortlisted for the award.

This concluded the business of the meeting.

SIGNED: _____
CATHAOIRLEACH

CERTIFIED: _____
DIRECTOR OF SERVICES
CORPORATE AFFAIRS

