

**MINUTES OF THE APRIL MEETING OF LAOIS COUNTY COUNCIL HELD IN
ARAS AN CHONTAE, PORTLAOISE, ON THE 24th OF APRIL 2017**

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

IN ATTENDANCE:

Messers John Mulholland, Chief Executive, Kieran Kehoe, Director of Services, Gerry Murphy, Head of Finance, Donal Brennan, Director of Services, Ms. Irene Delaney, Administrative Officer & Ms. Michelle McCormack, Executive Secretary.

**57. CONFIRMATION OF THE MINUTES OF THE MARCH MEETING OF
LAOIS COUNTY COUNCIL HELD ON THE 27TH OF MARCH 2017**

On the proposition of Councillor Brendan Phelan seconded by Councillor Paschal McEvoy, the Minutes of the March meeting held on the 27th of March 2017 were confirmed as circulated.

**58. CONFIRMATION OF THE MINUTES OF THE MEETING ON THE DRAFT
COUNTY DEVELOPMENT PLAN 2017-2023**

On the proposition of Councillor John Joe Fennelly seconded by Councillor Ben Brennan, the Minutes of the March meeting held on the 20th of March on the Draft County Development Plan 2017-2023 were confirmed as circulated.

59. REPORT ON CPG MEETING HELD ON THE 20th OF MARCH 2017

On the proposition of Councillor Willie Aird seconded by Councillor John Joe Fennelly, the report on the CPG meeting held on the 20th of March 2017 was confirmed as circulated

**60. REPORTS ON MUNICIPAL DISTRICT MEETINGS HELD IN MARCH
2017**

On the proposition of Councillor John Moran seconded by Councillor James Kelly, the reports on the Municipal District Meetings held in March 2017 were confirmed as circulated.

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

(i) Disposal of freehold at 75 College Avenue, Mountmellick

On the proposition of Councillor Paddy Bracken seconded by Councillor Seamus McDonald, the Members unanimously agreed to the disposal of freehold at 75 College Avenue, Mountmellick in the townland of Townsparks for a consideration of €95,000.00

(ii) Disposal of freehold at 26 Elm Lawn, Portlaoise

On the proposition of Councillor William Aird seconded by Councillor Noel Tuohy, the Members unanimously agreed to the disposal of freehold at 26 Elm Lawn, Portlaoise in the townland of Maryborough for a consideration of €130,000.00.

62. PROPOSED MATERIAL CONTRAVENTION OF THE LAOIS COUNTY DEVELOPMENT PLAN 2011-2017 AND THE PORTARLINGTON LOCAL AREA PLAN 2012-2018 – PLANNING REF NO: 17/32

On the proposition of Councillor Tom Mulhall seconded by Councillor Jerry Lodge, the Members unanimously agreed to the proposed material contravention of the Laois County Development Plan 2011 – 2017 & the Portarlinton Local Area Plan 2012-2018 - Planning Ref. No. 17/32 – permission to construct Scoil Phadraig National School, Portarlinton, RN 17827A, comprising of 1 no. 3 storey building with 24 classrooms, 2 class SNU, general purpose hall, support teaching spaces and ancillary accommodation, with a total floor area of 4430 sq.m. The site works to the school ground will consist of the provision of cycle storage, bin stores, ball courts, project gardens, external storage building, landscaping and boundary treatment and all other associated site development works. The works to the remainder of the site will consist of the provision of 60 no. car parking spaces, drop off and pick up facilities all on a site of 3.70 ha at Canal Road, Portarlinton, Co. Laois.

A Roll Call Vote was taken which resulted as follows:

COUNCILLOR	FOR	AGAINST
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FIRST NAME	SURNAME		
William	AIRD	✓	
Paddy	BRACKEN	✓	
Ben	BRENNAN	✓	
Caroline	DWANE STANLEY	✓	
John Joe	FENNELLY	✓	
Catherine	FITZGERALD	✓	
Padraig	FLEMING	✓	
David	GOODWIN	Absent	
James	KELLY	✓	
John	KING	✓	
Jerry	LODGE	✓	
Seamus	MCDONALD	✓	
Paschal	MCEVOY	✓	
John Robert	MORAN	✓	
Tom	MULHALL	✓	
Aidan	MULLINS	✓	
Brendan	PHELAN	✓	
Mary	SWEENEY	✓	
Noel	TUOHY	✓	

The result of the roll call vote was 18 votes in favour of the Material Contravention.

63. PROPOSED MATERIAL CONTRAVENTION OF THE LAOIS COUNTY DEVELOPMENT PLAN 2011-2017 PLANNING REF NO: 16/567

On the proposition of Councillor Padraig Fleming seconded by Councillor John Moran, the Members unanimously agreed to the proposed material contravention of the Laois County Development Plan 2011 - 2017 - Planning Ref. No. 16/567 - Planning permission to retain existing storage units and all associated site works. Unit A is used for the secure internally storage of site vehicles. Unit B is used as a site Office. Units C, D & E are used for the secure storage of light building materials. Unit F is used as canteen and/or light storage at Slatt Lower, The Swan, Co. Laois.

A Roll Call Vote was taken which resulted as follows:

COUNCILLOR		FOR	AGAINST
FIRST NAME	SURNAME		
William	AIRD	✓	
Paddy	BRACKEN	✓	
Ben	BRENNAN	✓	
Caroline	DWANE STANLEY	✓	
John Joe	FENNELLY	✓	
Catherine	FITZGERALD	✓	
Padraig	FLEMING	✓	
David	GOODWIN	Absent	
James	KELLY	✓	
John	KING	✓	
Jerry	LODGE	✓	
Seamus	MCDONALD	✓	
Paschal	MCEVOY	✓	
John Robert	MORAN	✓	
Tom	MULHALL	✓	
Aidan	MULLINS	✓	
Brendan	PHELAN	✓	
Mary	SWEENEY	✓	
Noel	TUOHY	✓	

The result of the roll call vote was 18 votes in favour of the Material Contravention.

64. TAKING IN CHARGE OF JESSOP COURT, PORTLAOISE

On the proposition of Councillor Caroline Dwane Stanley seconded by Councillor Noel Tuohy, the Members unanimously agreed to the taking in charge of Jessop Court, Portlaoise

65. CONSIDERATION OF VARIATION NO. 1 TO THE LAOIS COUNTY DEVELOPMENT PLAN 2011-2017 TO ENABLE THE IMPLEMENTATION OF THE HOUSING AND URBAN REGENERATION ACT 2015 (INCLUDING VACANT SITES LEVY PROVISIONS) (CIRCULATED FEBRUARY 2017) AND THE CHIEF EXECUTIVES REPORT (CIRCULATED 29TH MARCH 2017) IN RELATION TO SAME

On the proposition of Councillor Willie Aird seconded by Councillor John King, the Members unanimously agreed to Variation No. 1 to the Laois County Development Plan 2011 – 2017 to enable the implementation of the Housing & Urban Regeneration Act, 2015 (including Vacant Sites levy provisions) (circulated February 2017) and the Chief Executive’s Report (circulated 29th March 2017).

66. LAOIS COUNTY COUNCIL – MONTHLY MANAGEMENT REPORT FOR APRIL 2017 (IN ACCORDANCE WITH CIRCULAR LETTER LG 18/2014)

Mr. John Mulholland, Chief Executive briefed the meeting on this matter and the report for April was circulated. The report for April 2017 was unanimously agreed and noted. A number of queries were raised on the report and the Directors of Services responded to the various queries raised.

67. PRESENTATION BY IRISH RAIL

Ms. Noreen Clohessy, District Manager with Irish Rail and Mr. Jim Gallivan, Business Development Manager, Limerick were in attendance to deliver a presentation to the Members of Laois County Council on ‘Enhancing Customer Services in Iarnród Eireann’. The presentation contained details on proposed changes within the service, new systems for 2017 and new and improved Station Customer Services. The Cathaoirleach & Members thanked Irish Rail for a very detailed presentation and both Ms. Clohessy & Mr. Gallivan responded to the various concerns raised by the Members.

68. PORTLAOISE LIBRARY PROJECT

Mr. Donal Brennan, Director of Services briefed the Members on the Portlaoise Library Project together with Mr. Joseph Mackey, McCarthy & O’ Hora, Consulting Architects on the project.

The Members were advised that the Part 8 Planning Process for the Portlaoise library will commence in the coming days and they were circulated with details of the project and were advised that at the conclusion of the Part 8 process the matter will come back to the Members for their consideration. The Members welcomed the development and Mr. Donal Brennan, Director of Services responded to the various queries raised.

69. CONFIRM DATE FOR THE ANNUAL GENERAL MEETING OF LAOIS COUNTY COUNCIL – MONDAY, JUNE 26TH 2017 AT 2.30 P.M. (IN ACCORDANCE WITH SECTION 3(SCHEDULE 10) OF THE LOCAL GOVERNMENT ACT, 2001

On the proposition of Councillor William Aird seconded by Councillor John Moran, the Members unanimously agreed to the scheduling of the Annual General Meeting of Laois County Council on Monday, June 26th 2017 at 2.30 p.m. in accordance with Section 3 (schedule 10) of the Local Government Act, 2001

70. ADOPTION OF DRAFT ANNUAL REPORT 2016

Members were circulated with a copy of the draft Laois County Council Annual Report 2016. Mr. Donal Brennan, Director of Services indicated to the Members that Section 221 of the Local Government Act, 2001 requires that a draft Report be presented to the Members by the 30th of April. The final Report will be listed for consideration and adoption at the June meeting of Laois County Council. On the proposition of Councillor Willie Aird seconded by Councillor John Moran, the Members unanimously agreed to adopt the draft Laois County Council Annual Report for 2016.

71. ADOPTION OF DRAFT PROTOCOLS FOR COUNCIL AND MUNICIPAL DISTRICT FUNCTIONS

The Members were circulated with a copy of the draft protocols for Council and Municipal District Functions and same were briefly discussed.

On the proposition of Councillor John Joe Fennelly seconded by Councillor Mary Sweeney, the Members unanimously agreed to schedule a Special Meeting of the Council to discuss the draft protocols for Council and Municipal District Functions on the 8th of May 2017 at 11.00 a.m.

It was agreed to proceed with the proposed Civic Reception for Ms. Nicole Turner and a Cathaoirleach's Reception for the Cooper family, the owners of the Grand National Winner Old Duke.

72. RATIFICATION OF CONCERENCES/ATTENDANCE AT TRAINING

On the proposition of Councillor Brendan Phelan seconded by Councillor John Moran, the Members unanimously agreed to the ratification of conferences/attendance at training as circulated.

72. CORRESPONDENCE

The following item of correspondence was circulated to the Members which had been received since the last meeting:-

- Correspondence dated the 28th of March 2017 from the Department of Housing, Planning, Community & Local Government in relation to the Programme for a Partnership Government in Rebuilding Ireland – Action Plan for Housing and Homelessness, a review of the first 12 months of the operation of the scheme is currently being undertaken by the Department.

73. NOTICE OF MOTIONS

Notice of Motion No: 10/2017

Councillor Noel Tuohy proposed the following Notice of Motion:-

“In view of the success of its installations in Lough Boora, Co. Offaly & Lullymore, Co. Kildare that Laois County Council invite Bord na Mona management to address the local authority on its plans for the future development of its land bank in Laois particularly in Coolnamona, Portlaoise and Garryhinch, Portarlinton. Bearing in mind the company’s social responsibility obligations, such plans will have significant bearing on the towns and communities affected”

This Notice of Motion was seconded by Councillor William Aird and it was agreed that a letter of invite issue to the Bord Na Mona in this regard.

Notice of Motion No: 11/2017

Councillor Willie Aird proposed the following Notice of Motion:-

“That Laois County Council indicate what is the capacity of the new C & D waste facility at the landfill and what charge per tonne will it be for the public”

This Notice of Motion was seconded by Councillor Paddy Bracken. The Members were advised that the new C & D facility at Kyletalesha will open later this month and has a total capacity of 200,000 tonnes. The facility is licenced to receive up to 50,000 tonnes per annum. The charge to use the facility is set at €5.50 per tonne with a minimum charge of €15 per load. A detailed discussion took place in relation to this matter and all queries/concerns raised by the Members were responded to.

Notice of Motion No: 12/2017

Councillor Willie Aird proposed the following Notice of Motion:-

“That Laois County Council indicate what is the timeframe for the transfer of the existing Shared Ownership Loans to an Annuity Loan “

This Notice of Motion was seconded by Councillor John Moran. The Members were advised that the Shared Ownership Loan Scheme was designed to enable persons on low to middle incomes who would not otherwise qualify for a mortgage to obtain a house of their choice. The purchase was financed by part mortgage and part rental equity. The applicant was required to take at least 40% mortgage of the purchase price and rent the remainder from the Council.

The total number of shared ownership loans granted by this Council was 384. 179 remain active, with 169 being redeemed, 20 converted to annuity and 16 transferred to Mortgage to Rent. At present, 24 shared-ownership loans/rentals are being considered for transfer to annuity. This is a legal process and the timeframe for completion is dependent on the various steps being met as well as the engagement of borrowers. Any Shared Ownership client wishing to transfer to Annuity can contact the Finance Section of the Council.

Notice of Motion No: 13/2017

Councillor Jerry Lodge proposed the following Notice of Motion:-

“That this meeting calls on the Government to introduce a refundable levy of 1 euro on each can purchased containing alcohol or soft drinks in the interest of recycling/reuse”

It was agreed that a letter issue to the Department in this regard.

This concluded the business of the meeting

SIGNED: _____
CATHAOIRLEACH

CERTIFIED: _____
DIRECTOR OF SERVICES
CORPORATE AFFAIRS

