

**MINUTES OF THE JANUARY MEETING OF LAOIS COUNTY COUNCIL HELD IN
ARAS AN CHONTAE, PORTLAOISE, ON THE 28th OF JANUARY 2019**

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

APOLOGIES: Councillor Noel Tuohy

IN ATTENDANCE:

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

1. VOTE OF SYMPATHY

- (i) The Members expressed a vote of sympathy to Councillor Noel Tuohy on the death of his brother, Mr. Patrick (Pa) Moylan-Tuohy, Marian Avenue, Portlaoise, Co. Laois.
- (ii) The Members expressed a vote of sympathy to the Ring Family on the recent death of Mrs. Mary Ring, Balladine, Abbeyleix, Co. Laois.
- (iii) The Members expressed a vote of sympathy to the McGill Family on the recent death of Ms. Catherine McGill, Ballycarroll, Portarlinton, Co. Laois, former employee of Laois County Council.

A minutes silence was observed and the meeting was adjourned for a period of fifteen minutes as a mark of respect to the deceased in accordance with the Bereavement Protocol.

2. CONFIRMATION OF THE MINUTES OF THE DECEMBER MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 17TH OF DECEMBER 2018

On the proposition of Councillor John Joe Fennelly seconded by Councillor John Moran, the Minutes of the December meeting held on the 17th of December 2018 were confirmed as circulated.

3. REPORT ON CPG MEETING HELD ON THE 10TH OF DECEMBER 2018

On the proposition of Councillor John Joe Fennelly seconded by Councillor John Moran, the report on the CPG meeting held on the 10th of December 2018 was confirmed as circulated.

4. REPORT ON MUNICIPAL DISTRICT MEETINGS HELD IN DECEMBER 2018

On the proposition of Councillor John Joe Fennelly seconded by Councillor Caroline Dwane Stanley, the Members unanimously agreed the reports on Municipal District Meetings held in December 2018

5. REPORT ON S.P.C. MEETINGS HELD IN DECEMBER 2018

On the proposition of Councillor James Kelly seconded by Councillor Caroline Dwane Stanley, the Members unanimously agreed the reports on the SPC Meetings held in December 2018

6. PART VIII OF THE LOCAL GOVERNMENT PLANNING & DEVELOPMENT REGULATIONS, 2001 IN RESPECT OF WORKS TO MOUNTRATH FIRE STATION, SHANNON ROAD, MOUNTRATH, CO. LAOIS.

On the proposition of Councillor James Kelly seconded by Councillor John Joe Fennelly, the Members unanimously agreed to the proposed Part VIII of the Local Government Planning & Development Regulations, 2001 in respect of the construction of Fire Tower at Mountrath Fire Station, Shannon Road, Mountrath, Co. Laois & the construction of a new garage attached to existing fire station at Mountrath Fire Station, Shannon Road, Mountrath, Co. Laois.

7. PART VIII OF THE LOCAL GOVERNMENT PLANNING & DEVELOPMENT REGULATIONS, 2001 IN RESPECT OF 10 HOUSING UNITS AND ASSOCIATED SITE DEVELOPMENT WORKS AT PATTISON ESTATE, MOUNTMELICK

On the proposition of Councillor Paddy Bracken seconded by Councillor David Goodwin, the Members unanimously agreed to the proposed Part VIII of the Local Government Planning & Development Regulations, 2001 in respect of 10 housing units and associated site development works at Pattison Estate, Mountmellick. The scheme comprises 10 no. Units and support infrastructure including access road, public lighting, public footpaths, public and private open space, foul and surface water drainage and potable water supply.

8. PART VIII OF THE LOCAL GOVERNMENT PLANNING & DEVELOPMENT REGULATIONS, 2001 IN RESPECT OF PORTLAOISE LANEWAYS & LYSTER LANE ENHANCEMENT SCHEME, LYSTER SQUARE AND JAMES FINTAN LALOR AVENUE, BULL LANE, LYSTER LANE & PEPPERS LANE, PORTLAOISE

On the proposition of Councillor Catherine Fitzgerald seconded by Councillor Mary Sweeney, the Members unanimously agreed to the proposed Part VIII of the Local Government Planning & Development Regulations, 2001 in respect of the upgrade of laneways and footpaths in the vicinity of Lyster Square and James Fintan Lalor Avenue including Bull Lane, Lyster Lane & Peppers Lane

9. PART VIII OF THE LOCAL GOVERNMENT PLANNING & DEVELOPMENT REGULATIONS, 2001 IN RESPECT OF HEPBURN COURT RE-DEVELOPMENT, BALLYFIN ROAD, PORTLAOISE – DEMOLITION PROJECT

On the proposition of Councillor Caroline Dwane Stanley seconded by Councillor John Joe Fennelly, the Members unanimously agreed to the proposed Part VIII of the Local Government Planning & Development Regulations, 2001 in respect of the demolition and site clearance of :-

- ❖ Dwelling units 9, 10, 11 & 12
- ❖ Kingdom Hall structure
- ❖ Squash Club structure
- ❖ All associated site and development works

It is proposed to demolish a number of structures in and around Hepburn Court including house no's 9 and 12 inclusive in Hepburn Court, the adjoining disused Squash Club building and the disused Kingdom Hall.

10. PART VIII OF THE LOCAL GOVERNMENT PLANNING & DEVELOPMENT REGULATIONS, 2001 IN RESPECT OF O' MOORE PLACE RE-DEVELOPMENT, PORTLAOISE – DEMOLITION PROJECT

On the proposition of Councillor Caroline Dwane Stanley seconded by Councillor Catherine Fitzgerald, the Members unanimously agreed to the proposed Part VIII of the Local Government Planning & Development Regulations, 2001 in respect of the demolition and site clearance of dwelling units 43, 45, 47, 49, 65 & 66 at O' Moore Place, Mountmellick Road, Portlaoise.

11. PROPOSED MATERIAL CONTRAVENTION OF LAOIS COUNTY DEVELOPMENT PLAN 2017-2023 AND THE GRAIGUECULLEN LOCAL AREA PLAN 2012-2018, PART OF THE JOINT SPATIAL PLAN FOR THE GREATER CARLOW GRAIGUECULLEN URBAN AREA 2012-2018 (AS EXTENDED) PLANNING REF: 18/38

On the proposition of Councillor John Moran seconded by Councillor Pdraig Fleming the Members unanimously agreed to the proposed Material Contravention of the Laois County Development Plan 2017-2023 and the Graiguecullen Local Area Plan 2012-2018, part of the Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area 2012-2018 (as extended) – Planning Ref: 18/388 – permission for change use from existing retail unit over two floors (originally Lifestyle) to a physiotherapy clinic on ground and first floor, external signage and all associated site works at Unit No. 3, Barrowvale Retail Park, Sleaty Road, Carlow, Co. Laois.

12. DISPOSAL OF LAND UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001 – 1.108 HECTARES OF LAND AT CLONMINAM INDUSTRIAL ESTATE, PORTLAOISE

On the proposition of Councillor John Joe Fennelly seconded by Councillor James Kelly, the Members unanimously agreed to the disposal of 1.108 hectares of land at Clonminam Industrial Estate, Portlaoise in the townland of Clonminam for a consideration of €175,000.

13. DISPOSAL OF LAND UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001 – 0.018 HECTARES OF LAND AT CULLAHILL, CO. LAOIS.

On the proposition of Councillor Brendan Phelan seconded by Councillor John King, the Members unanimously agreed to the disposal of 0.018 hectares of land at Cullahill, Co. Laois in the townland of Oldtown, Cullahill for a consideration of €500.00

14. NOMINATION OF MR. RAY HARTE, 36 RATH GAILINE, DUBLIN ROAD, PORTLAOISE AS THE PPN ENVIRONMENTAL REPRESENTATIVE TO THE LCDC

On the proposition of Councillor Mary Sweeney seconded by Councillor Catherine Fitzgerald, the Members unanimously agreed to the nomination of Mr. Ray Harte, 36 Rath Gailine, Dublin Road, Portlaoise as the PPN Environmental Representative to the LCDC.

15. TAKING IN CHARGE OF WOODGROVE AND WOODGROVE LAWNS, PORTLAOISE

On the proposition of Councillor Caroline Dwane Stanley seconded by Councillor Catherine Fitzgerald, the Members unanimously agreed to the taking in Charge of Woodgrove and Woodgrove Lawns, Portlaoise.

16. TAKING IN CHARGE OF CLUININ, MOUNTRATH

On the proposition of Councillor James Kelly seconded by Councillor Brendan Phelan, the Members unanimously agreed to the taking in Charge of Cluinin, Mountrath

17. TAKING IN CHARGE OF WESTLANDS, PORTLAOISE

On the proposition of Councillor Catherine Fitzgerald seconded by Councillor Mary Sweeney, the Members unanimously agreed to the taking in Charge of Westlands, Portlaoise.

18. TAKING IN CHARGE OF CHANTIERE GATE, PORTLAOISE

On the proposition of Councillor Catherine Fitzgerald seconded by Councillor Pauline Madigan, the Members unanimously agreed to the taking in Charge of Chantiere Gate, Portlaoise.

19. TAKING IN CHARGE OF SPRINGHILL COURT, GRAIGUECULLEN

On the proposition of Councillor Padraig Fleming seconded by Councillor John Moran, the Members unanimously agreed to the taking in Charge of Springhill Court, Graiguecullen.

20. TAKING IN CHARGE OF FRUITHILL MANOR, GRAIGUECULLEN

On the proposition of Councillor Pádraig Fleming seconded by Councillor Ben Brennan, the Members unanimously agreed to the taking in Charge of Fruithill Manor, Graiguecullen

21. TAKING IN CHARGE OF SUMMERHILL, PORTLAOISE

On the proposition of Councillor Catherine Fitzgerald seconded by Councillor Pauline Madigan, the Members unanimously agreed to the taking in Charge of Summerhill, Portlaoise

22. TAKING IN CHARGE OF KNOCKIEL DRIVE, RATHDOWNEY

On the proposition of Councillor James Kelly seconded by Councillor John King, the Members unanimously agreed to the taking in Charge of Knockiel Drive, Rathdowney

23. AGREEMENT FOR THE DEVELOPMENT OF SOCIAL HOUSING, AFFORDABLE HOUSING & PUBLIC CAR & BICYCLE PARKING ON THE FORMER CBS SITE IN PORTLAOISE – PROPOSED PARTNERSHIP AGREEMENT PURSUANT TO SECTION 179(D) OF THE PLANNING & DEVELOPMENT ACT, 2000

Mr. John Mulholland, Chief Executive referred to the above matter, details of which were circulated to the Members. The Members welcomed the proposal and on the proposition of Councillor Catherine Fitzgerald seconded by Councillor Caroline Dwane Stanley, the members unanimously agreed to the proposal as outlined

24. OFFICIAL INVITATION TO THE ST. PATRICK'S DAY PARADE 2019 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 Pádraig Fleming seconded by Councillor John Moran, approval was given to same.

25. LAOIS COUNTY COUNCIL MONTHLY MANAGEMENT REPORT FOR DECEMBER 2018/JANUARY 2019

Mr. John Mulholland, Chief Executive briefed the meeting on this matter and the report for December 2018/January 2019 was circulated. The report 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.

26. ADOPTION OF THE 2019 DRAFT SERVICE DELIVERY PLAN

The Members were circulated with a copy of the 2019 Draft Service Delivery Plan. The plan was agreed on the proposition of Councillor Brendan Phelan seconded by Councillor John Moran.

27. UPDATE ON THE IMPLEMENTATION OF THE CORPORATE PLAN 2014-2019

The Members were circulated with a copy of the update on the implementation of the Corporate Plan 2014-2019 and same was noted by the Members.

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

Mr. Donal Brennan, Director of Services briefed the Members on this and referred to the recent correspondence which issued to the Members pursuant to Section 174(1)(a) of the Local Government Act, 2001 as amended.

29. RATIFICATION OF CONFERENCES/ATTENDANCE AT TRAINING

The Members were circulated with the list of conferences/training for ratification and forthcoming conferences/training which was ratified on the proposal of Councillor James Kelly and seconded by Councillor Noel Tuohy.

30. CORRESPONDENCE

The following items of correspondence were circulated to the Members which had been received since the last meeting of Laois County Council:-

- (i) Correspondence received from the Minister for Health, Mr. Simon Harris, T.D., in relation to Notice of Motion No: 31/2018 dated the 20th of December 2019
- (ii) Correspondence received from the Minister for Health, Mr. Simon Harris, T.D., in relation to Notice of Motion No: 32/2018 dated the 28th of December 2019
- (iii) Correspondence received from the Minister for Justice and Equality in relation to Notice of Motion No: 34/2018 dated the 20th of December 2019 – Councillor James Kelly requested that a copy of this correspondence be circulated to all Local Authorities
- (iv) Correspondence received from the health Services Executive in relation to Notice of Motion No: 38/2018 dated the 10th of January 2019
- (v) Correspondence received from the Department of Housing, Planning & Local Government in relation to Notice of Motion No: 39/2019 dated the 22nd of January 2019

31. NOTICE OF MOTIONS

Notice of Motion No: 01/2019

Councillor Mary Sweeney proposed the following Notice of Motion:-

“That Laois County Council engage with Local Link Laois and the National Transport Authority to ensure the continued support for the rural evening bus service and to consider extending the service to other areas in Laois”

This Notice of Motion was seconded by Councillor James Kelly. It was agreed that the matter be referred to the Local Link Laois and the National Transport Authority.

Notice of Motion No: 02/2019

Councillor Mary Sweeney proposed the following Notice of Motion:-

“That Laois County Council replicate the Tourism Ireland Global Greening Initiative and light up cultural and historic sites in Laois for St. Patrick’s Day”

This Notice of Motion was seconded by Councillor John King. Members requested that the initiative should be extended to other sites also.

Notice of Motion No: 03/2019

Councillor Mary Sweeney proposed the following Notice of Motion:-

“That Laois County Council engage with the HSE to ensure that the post of the creative workshop supervisor is reinstated for children and families who avail of this service through the Laois Offaly Child and Adolescent Mental Health Service”

This Notice of Motion was seconded by Councillor John Joe Fennelly. It was agreed that a letter issue to the HSE in this regard.

Notice of Motion No: 04/2019

Councillor Tom Mulhall proposed the following Notice of Motion:-

“That Laois County Council give an update as to when the Speed Limit Review will be finalised”

This Notice of Motion was seconded by Councillor Mary Sweeney. The Members were advised that Laois County Council has completed a public consultation process for the speed limit review. A report on the outcome of the public consultation will be provided to the Elected Members and it is proposed to bring the draft speed limit byelaws to the Council for adoption in Q2.2019.

Notice of Motion No: 05/2019

Councillor Catherine Fitzgerald proposed the following Notice of Motion:-

“That this Council request the Minister for Communications, Climate Action and Environment, Mr. Richard Bruton, T.D. to bring in legislation to regulate the colour of waste bins to ensure that the same waste goes into the same colour bins nationwide”

This Notice of Motion was seconded by Councillor Paschal McEvoy. It was agreed that a letter issue to the Department of Communications, Climate Action and Environment in this regard.

Notice of Motion No: 06/2019

Councillor Catherine Fitzgerald proposed the following Notice of Motion:-

“That this Council call on the Minister for Health, Mr. Simon Harris, T.D., to recognise the crisis in recruitment and retention of nurses and address their pay and conditions and do everything possible to prevent a strike”

This Notice of Motion was seconded by Councillor Caroline Dwane Stanley. It was agreed that a letter issue to the Minister for Health, Mr. Simon Harris, T.D., in this regard as a matter of urgency.

Notice of Motion No: 07/2019

Councillor William Aird proposed the following Notice of Motion:-

“That this Council request the Department of Housing, Planning & Local Government to review regulations whereby when a house is shared by an elderly person and their family that the income of the family is not taken into consideration when assessing means for grant purposes”

This Notice of Motion was seconded by Councillor David Goodwin. The Members were advised that a letter would issue to the Department in this regard.

Notice of Motion No: 08/2019

Councillor Noel Tuohy proposed the following Notice of Motion:-

‘That this Council call on the Minister for Justice & Equality, Mr. Charlie Flanagan, T.D., to introduce mandatory sentencing for anyone found to be carrying a knife in a public place’

This Notice of Motion was deferred to the February meeting.

Notice of Motion No: 09/2019

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

“That this Council commemorate and mark the 120th Anniversary of the formation of local government in April of this year and also the right of women to stand for election to public office”

This Notice of Motion was seconded by Councillor Catherine Fitzgerald. Mr. Donal Brennan, Director of Services indicated that consideration would be given to same.

32. VOTE OF BEST WISHES

The Members of Laois County Council extended their good wishes to Mr. Kieran Kehoe, Director of Services on his departure to Waterford City & County Council. Mr. John Mulholland, Chief Executive and the Director of Services also joined in the sentiments of good wishes and congratulations expressed to Mr. Kehoe and wished him every success in his future endeavours.

This concluded the business of the meeting.

SIGNED: _____
CATHAOIRLEACH

CERTIFIED: _____
DIRECTOR OF SERVICES
CORPORATE AFFAIRS