

**MINUTES OF THE MARCH MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 28TH
OF MARCH 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 Catherine Fitzgerald Seamus McDonald Barry Walsh	Paddy Bracken Aidan Mullins P.J. Kelly John King Padraig Fleming Noel Tuohy Aisling Moran Ben Brennan
APOLOGIES:		Ollie Clooney	Paschal McEvoy

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.

22. VOTES OF SYMPATHIES

On the proposition of Councillor Conor Bergin, Cathaoirleach, the Members unanimously passed a vote of sympathy to the Lawler Family, 1446 Kilberry, Athy, Co. Kildare on the recent death of Ms. Seamie Lawler, father of Ms. Marie Murray, Planning Department, Laois County Council.

On the proposition of Councillor Conor Bergin, Cathaoirleach, the Members unanimously passed a vote of sympathy to the Cunningham Family, Cellbridge, Co. Kildare on the recent death of Ms. Rowena Cunningham, mother of Ms. Niamh Cunningham, MyPay Department, Laois County Council.

On the proposition of Councillor Conor Bergin, Cathaoirleach, the Members unanimously passed a vote of sympathy to the Beatty Family, Finter Lane, Killeigh, Co. Offaly on the recent death of Mr. Donal Beatty, husband of Ms. Arlene Guilfoyle, Offaly County Council & former employee of Laois County Council.

On the proposition of Councillor Noel Tuohy, Members unanimously passed a vote of sympathy to the Molloy Family, Summerhill Lane, Portlaoise on the recent death of Mr. Ollie Molloy.

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.

23. MINUTES OF THE FEBRUARY MONTHLY MEETING HELD ON THE 28TH OF FEBRUARY 2022

Councillor Aisling Moran proposed that Paragraph No. 8 of the Minutes of the February meeting in relation to the disposal of 3.42 hectares (Plot C) of land at J17 National Enterprise Park, Togher, Portlaoise be amended. Councillor Moran outlined details of the amendment sought which was seconded by Councillor Aidan Mullins. A lengthy discussion ensued during which the Chief Executive referred to previous presentations to the Members in relation to this matter and to the re-valuation of the lands over the Christmas period to ensure its continued viability.

Mr. Donal Brennan, Director of Services outlined the provisions of Section 183 of the Local Government Act, 2001 and the requirements of same in relation to disposals of land. Councillor Pdraig Fleming proposed that the minutes remain as presented and this proposition was seconded by Councillor Paddy Bracken.

Mr. Gerry Murphy, Head of Finance confirmed that the price obtained for the lands in question was in excess of the valuation placed on the land. A further discussion ensued following which on the proposition of Councillor Caroline Dwane Stanley seconded by Councillor Noel Tuohy, the meeting was adjourned for a period of ten minutes.

The meeting reconvened and Councillor Pdraig Fleming sought clarification with regard to the legal implications for the purchaser of an amendment to the minutes. The Chief Executive, Mr. John Mulholland confirmed that there are no implications arising from same.

It was agreed to amend Paragraph No. 8 of the Minutes of the February meeting in relation to the disposal of 3.42 hectares (Plot C) of land at J17 National Enterprise Park, Togher, Portlaoise to include the following :- A counter proposal was made by Councillor Aisling Moran “not to dispose of the land pending a re-assessment of the costings going forward” There was no seconder for that counter proposal.

24. REPORT ON CPG MEETING HELD ON THE 21ST OF FEBRUARY 2022

On the proposition of Councillor Thomasina Connell seconded by Councillor John King, the Members unanimously agreed the report on CPG meeting held on the 21st of February 2022 as circulated.

25. REPORT ON MUNICIPAL DISTRICT MEETINGS HELD IN FEBRUARY 2022

On the proposition of Councillor Catherine Fitzgerald seconded by Councillor John King, the Members unanimously agreed the report on Municipal District meetings held in February 2022 as circulated.

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

DISPOSAL OF 0.025 HECTARES OF LAND AT RIDGE ROAD, PORTLAOISE

On the proposition of Councillor Caroline Dwane Stanley seconded by Councillor Catherine Fitzgerald, the Members unanimously agreed to the disposal of 0.025 hectares of land at Ridge Road, Portlaoise in the townland of Maryborough for a consideration of €1.00.

27. UPDATE ON UKRAINIAN SITUATION

The Members were circulated with a detailed report in relation to the response to the Ukrainian crisis which included details of the accommodation needs, the community response and details on the interagency working group.

The Members complimented all associated with the work undertaken to date.

During the discussion, it was agreed that the following Notice of Motion in the name of Councillor Thomasina Connell be taken:-

Notice of Motion No: 13/2022

“That this Council re-establish the Laois Community Response Forum in order to respond to the current Ukrainian crisis”

This Notice of Motion was seconded by Councillor Pdraig Fleming. The Members were advised that Laois County Council is establishing an interagency group (along the lines of previous resettlement programmes) to assist with the Ukrainian crisis – this will also include community and volunteer representatives and in that sense will be very similar to the Community Response Forum. The first meeting was held on the 23rd of March 2022.

Notice of Motion No: 11/2022 in the name of Councillor Pdraig Fleming was taken as follows:-

“That Laois County Council in view of the devastating consequences of the war in Ukraine calls on the Minister for Justice, Ms. Helen McEntee, T.D. and the Minister for Housing, Local Government & Heritage, Mr. Darragh O’ Brien, T.D., to urgently request all of the Banks who closed their branches and which are currently vacant to make them immediately available for emergency accommodation for Refugees from Ukraine”

This Notice of Motion was seconded by Councillor Aisling Moran. It was agreed that correspondence issue to the Minister for Justice & the Minister for Housing, Local Government & Heritage in this regard.

Ms. Angela McEvoy, A/Director of Services advised that the vacant banks have been included on the list of vacant properties submitted to the Department. No inspections on these premises have been carried out to date.

28. ANNUAL FINANCIAL STATEMENT 2021 INCLUDING APPROVAL OF OVER-EXPENDITURE AND TRANSFERS TO CAPITAL

Mr. Gerry Murphy, Head of Finance briefed the Members on the Annual Financial Statement 2021 including the approval of over-expenditure and transfers to capital. On the proposition of Councillor John Joe Fennelly seconded by Councillor Seamus McDonald, the Members unanimously agreed to the Annual Financial Statement 2021 including approval of over-expenditure and transfers to capital as presented.

29. REPORT ON DEVELOPMENT CONTRIBUTIONS

Mr. Gerry Murphy, Head of Finance briefed the Members on the 2021 Development Contributions and the report as circulated was agreed on the proposition of Councillor Pdraig Fleming seconded by Councillor Paddy Bracken.

Councillor Aidan Mullins made an enquiry regarding the Portarlington Orbital Route. Mr. Simon Walton, Director of Services advised the Councillor that an application would have to be made to An Bord Pleanala to secure planning consent for this project. He further noted that, based on current project development guidelines, taken in conjunction with a very substantial river crossing, consent for the development may not emerge. It was noted that a new route may need to be developed and that this could subsequently be included in the Portarlington Area Plan.

30. MINISTERIAL DIRECTION ON THE LAOIS COUNTY DEVELOPMENT PLAN 2021-2027

Ms. Angela McEvoy, A/Director of Services delivered a presentation on the Ministerial Direction on the Laois County Development Plan 2021-2027 received on the 28th of February 2022 which detailed the reasons for the direction and the four areas as follows:-

- Wind Energy
- Energy Targets

- Height Policy
- Zonings

The matter was discussed and the various comments made by the Members as follows will be included in the Chief Executive's Report to be submitted to the Minister for Housing, Local Government & Heritage.

Cllr James Kelly

- *De-zoning of housing lands is not logical given the housing crisis and need to build social and affordable houses under Housing For All*
- *Very disappointed in report of OPR & Minister regarding the 1.5km setback – guidelines currently interim – what were they before?*

Cllr Willie Aird

- *A significant amount of time and effort was invested by everyone in preparing the County Development Plan*
- *The Plan was made for our people.*
- *It is not the Councillors plan – we should be getting advice at different stages of the plan – will make his views known*

Cllr Pdraig Fleming

- *National policy is still only in draft format and needs to be updated*
- *Wind farm has to be 500 metres away from houses. Has been for the last 12 years.*
- *Why de-zone lands when there is a housing crisis.*

Cllr Aisling Moran

- *The plan is a reserved function of the Council, the Councillors make the plan for the people of the county*
- *The proposed height of wind turbines is a huge issue for local people; the proposed distance from their homes and the number of turbines permissible in an area these are issues for communities.*
- *Q - Can the Minister override a decision made by Councillors*
 - *A - yes if there is sufficient reasons for inconsistencies with national policy*
- *The right to make a decision for a rural community*
- *Laois County Council need to make a strong case against the Direction*

Cllr Thomasina Connell

- *Proposed sites for removal need to be examined/current housing shortage/crisis – need to have zoned land*

Cllr Aidan Mullins

- *The Department may change or may not follow through with the Direction*
- *The Ministerial Direction overrides Councillors*

Cllr John Joe Fennelly

- *Can we meet the housing targets for Portlaoise if the two pieces of land are removed?*
- *Wind Energy – waiting 10 – 12 years on Departmental direction*

Cllr Caroline Dwane Stanley

- *Setback of 1.5 km being removed – these are guidelines – legislation needs to be put in place*
- *Proposal for high rise apartments – we are not living in a City – people are completely opposed to high rise flats as not suitable for elderly or children*
- *De-zoned land at Rathevan (impact) – Infrastructure should be in place. Right for the Minister to take it out*

It was noted that the advertisement has been placed in the local media this week and that the public consultation period would extend from the 21st of March until the 3rd of April 2022.

Ms. Angela McEvoy, A/Director of Services responded to the various queries raised by the Members.

31. COUNTY LAOIS ROADWORKS SCHEME 2022

Mr. Simon Walton, Director of Services briefed the Members on the County Laois Roadworks Scheme for 2022 which had been circulated to the Members.

Funding in the sum of €27,027,750 was noted for the Scheme for 2022. The breakdown of the funds available to the various categories of road network was also outlined and it was further noted that additional supplementary grants for National Roads and for Local (Private) Roads would be announced subsequent to consideration of the Roadworks Scheme 2022.

Mr. Simon Walton, Director of Services responded to the various queries raised and in particular, to queries on the Local Improvement Schemes wherein the Members requested details of applications currently on hand and the manner by which funding will be allocated to each Municipal District. It was also agreed to summarise the current position in relation to the Local Improvement Scheme applications for submission to the Department.

On the proposition of Councillor John Joe Fennelly seconded by Councillor Padraig Fleming, the Members unanimously agreed the County Laois Roadworks Scheme for 2022.

32. APPROVAL OF ARTS ACT GRANTS 2022

The Members were circulated with a copy of the Arts Act Grants for 2022 in the sum of €6,000 which were agreed on the proposition of Councillor James Kelly seconded by Councillor John Joe Fennelly.

33. MONTHLY MANAGEMENT REPORT FOR MARCH 2022

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

34. REPORT ON OFFICIAL VISIT TO NEW YORK FOR NOTING

The Members were circulated with a copy of a report on the recent official visit to New York for St. Patrick's Day which was noted.

35. 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.

36. CORRESPONDENCE

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

- (i) Correspondence from Kerry County Council dated the 28th of February 2022 in relation to a Notice of Motion regarding the granting of planning permission of LNG infrastructure in Ireland
- (ii) Acknowledgment from the Department of Justice received on the 13th of March 2022 in relation to a recent Notice of Motion in relation to the Coroners Service
- (iii) Correspondence from the Minister for Health's office dated the 11th of March 2022 in relation to a recent Notice of Motion in relation to orthopedic care for children with Spina Bifida and/or Hydrocephalus

Councillor Padraig Fleming following agreement with the Cathaoirleach of Laois County Council, Mr. Conor Bergin read a report received from the Ratheniska Sub-Group dated the 26th of March 2022 wherein the support of the Council was sought for Eirgrid to carry out an independent risk assessment of the site. The matter was discussed in detail and the Chief Executive outlined Laois County Council's position in this matter. It was noted that Laois County Council had issued correspondence to An Bord Pleanala and that a response to same had been received, details of which were read out to the meeting by Ms. Angela McEvoy, A/Director of Services. It was also agreed to circulate a copy of same to the Members.

Further discussions ensued during which it was proposed by Councillor Dwane Stanley and seconded by Councillor Conor Bergin that a Notice of Motion be brought to the next Council meeting which would give members an opportunity to consider the matter further. It was also agreed to circulate a copy of the legal opinion received by the Council in relation to the Commencement Notice to the Members.

37. NOTICE OF MOTIONS

Notice of Motion No: 10/2022

Councillor James Kelly proposed the following Notice of Motion:-

“That Laois County Council provide an annual interactive grants booklet to assist and inform community groups in Laois of the funding streams available to carry out and complete various types of community activities and projects in their neighbourhoods”

This Notice of Motion was seconded by Councillor Paddy Bracken. The Members were advised that Laois County Council Community Department will co-ordinate the development of an annual grants booklet to assist and inform community groups in Laois of the various funding streams available from all Departments.

Notice of Motion No: 12/2022

Councillor Willie Aird proposed the following Notice of Motion:-

“That Laois County Council request a commencement date for the Kolbe School building from the Minister for Education, Ms. Norma Foley, T.D.”

This Notice of Motion was seconded by Councillor Thomasina Connell. It was agreed that a letter would issue to the Minister for Education in this regard.

This concluded the business of the meeting.

SIGNED:

CATHAOIRLEACH

CERTIFIED:

**DIRECTOR OF SERVICES
CORPORATE AFFAIRS**