

**MINUTES OF THE MAY MEETING OF LAOIS COUNTY COUNCIL HELD IN ARAS
AN CHONTAE, PORTLAOISE, ON THE 29th OF MAY 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.

74. VOTES OF SYMPATHY

On the proposition of the Cathaoirleach, Councillor Tom Mulhall, the Members unanimously agreed to the extend a vote of sympathy to the following :

- Ms. Margaret Saunders on the recent death of her father, Mr. Joe Dempsey, Swan Road, Durrow, Co. Laois.
- Mr. Sean Fleming, T.D., & Mr. Padraig Fleming, M.C.C. on the death of their mother, Ms. Margaret Fleming, The Swan House, The Swan, Athy, Co. Laois.
- Ms. Bernie Foran on the death of her father, Mr. Charlie Hyland, Banaho, Carrickaboy, Cavan
- Mr. Donal Kiely on the recent death of his mother, Ms, Alice Kiely, Green Street Cappelquin, Waterford
- The Quigley O' Keeffe family, Timahoe, Co. Laois on the death of Baby Rian Quigley
- The McEvoy & Dargan family, Lakeglen, Portlaoise, Co. Laois on the death of Mr. Daryl Dargan
- The Doran family on the recent death of Mr. Oliver Doran, Executive Technician, Water Services, Laois County Council.

In accordance with Laois County Council's Bereavement Protocol, the meeting was adjourned for a period of fifteen minutes as a mark of respect.

75. CONFIRMATION OF THE MINUTES OF THE APRIL MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 24TH OF APRIL 2017

On the proposition of Councillor John Moran seconded by Councillor Mary Sweeney, the Minutes of the April meeting held on the 24th of April 2017 were confirmed as circulated.

A query was raised in relation to the Portlaoise Library Project and it was agreed that an update be given at the June meeting of the Council with regard to same.

76. REPORT ON CPG MEETING HELD ON THE 18TH OF APRIL 2017

On the proposition of Councillor John Joe Fennelly seconded by Councillor David Goodwin, the report on the CPG meeting held on the 18th of April 2017 was confirmed as circulated.

77. REPORTS ON MUNICIPAL DISTRICT MEETINGS HELD IN APRIL 2017

On the proposition of Councillor John Joe Fennelly seconded by Councillor William Aird, the reports on the Municipal District Meetings held in April 2017 were confirmed as circulated. It was noted that at the Portlaoise Municipal District meeting held on the 19th of April 2017, it was agreed that an in-committee meeting of Laois County Council be held to discuss housing issues. On the proposition of Councillor John Joe Fennelly seconded by Councillor William Aird, the Members unanimously agreed that the in-committee meeting be held on the 8th of June 2017 at 2.00 p.m.

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

(i) DISPOSAL OF 1.003 HECTARES OF LAND AT COOLACURRAGH, GRANTSTOWN, CO. LAOIS.

On the proposition of Councillor John King seconded by Councillor Brendan Phelan, the Members unanimously agreed to the disposal of 1.003 hectares of land at Coolacurragh, Grantstown, Co. Laois in the townland of Coolacurragh for a consideration of €2,000

(ii) LEASE OF PART OF KNOCKNAMOE HOUSE IN THE TOWNLAND OF KNOCKNAMOE, ABBEYLEIX

It was noted by the Members that the proposed period for the lease is for five years. The Members proposed that the lease be extended for a period of ten years. On the proposition of Councillor John Joe Fennelly seconded by Councillor Mary Sweeney, the Members unanimously agreed to the lease of part of Knocknamoe House in the townland of Knocknamoe, Abbeyleix consisting of office accommodation for a period of 10 years for a consideration of €50.00 per annum.

(iii) EXTENSION OF LEASE AGREEMENT ON ARAS EOGHAN COMMUNITY CENTRE, O' MOORE PLACE, PORTLAOISE

On the proposition of Councillor Caroline Dwane Stanley seconded by Councillor Noel Tuohy, the Members unanimously agreed to the extension of lease agreement on Aras Eoghan Community Centre, O' Moore Place, Portlaoise to the 31st of December 2020 for a consideration of €100.00

(iv) DISPOSAL OF 0.1052 HECTARES OF LAND AT CLODIAGH WAY, CLONASLEE

On the proposition of Councillor Seamus McDonald seconded by Councillor Paddy Bracken, the Members unanimously agreed to the disposal of 0.1052 hectares of land at Clodiagh Way, Clonaslee in the townland of Clonaslee and Ballynakill

(v) DISPOSAL OF FREEHOLD INTEREST AT 62 SUMMERHILL LANE, PORTLAOISE

On the proposition of Councillor William Aird seconded by Councillor Noel Tuohy, the Members unanimously agreed to the disposal of freehold interest at 62 Summerhill Lane, Portlaoise in the townland of Beladd for a consideration of €300.00

78. RATIFICATION OF MR. JOHN E. TROY TO THE LAOIS PUBLIC PARTICIPATION NETWORK POSITION ON THE JOINT POLICING COMMITTEE

On the proposition of Councillor Paddy Bracken seconded by Councillor Seamus McDonald, the Members unanimously agreed to the nomination of Mr. John E. Troy to the Laois Public Participation Network position on the Joint Policing Committee.

79. SECTION 85 AGREEMENT BETWEEN WESTMEATH COUNTY COUNCIL AND LAOIS COUNTY COUNCIL IN ACCORDANCE WITH THE PROVISION OF SECTION 85 OF THE LOCAL GOVERNMENT ACT, 2001 FOR THE CASH COLLECTION AND OPERATION AND MAINTENANCE OF PAY & DISPLAY MACHINES

On the proposition of Councillor Brendan Phelan seconded by Councillor Willie Aird, the Members unanimously agreed to the Section 85 Agreement between Westmeath County Council and Laois County Council in accordance with the provision of Section 85 of the Local Government Act, 2001 for the cash collection and operation and maintenance of pay and display machines

80. AGREE DATE FOR A MEETING TO CONSIDER THE AMENDMENTS TO THE DRAFT COUNTY DEVELOPMENT PLAN 2017-2023, THE CHIEF EXECUTIVE'S REPORT IN RELATION TO SUBMISSIONS RECEIVED ON SAME AND THE MAKING OF THE COUNTY DEVELOPMENT PLAN 2017-2023

The Members unanimously agreed that an in-committee meeting to consider the amendments to the draft County Development Plan 2017-2023 would be held on the 22nd of June 2017 at 11.00 a.m. It was also agreed that the matter also be tabled for consideration at the June meeting of Laois County Council scheduled for the 26th of June 2017.

81. PRESENTATION BY LAOIS DOWN SYNDROME

Mr. Michael Gorman, P.R.O., Down Syndrome Ireland – Laois Branch was in attendance to make a presentation to the Members on the Laois Down Syndrome Branch. He briefed the Members on the range of services provided by the branch including the therapies available, employment opportunities and the benefits of same. Mr. Gorman indicated that the Laois Down Syndrome Branch are currently seeking support to secure a four acre site to establish a Centre of Excellence.

The Members complimented Laois Down Syndrome and acknowledged the work and supports which are currently available to those with intellectual disabilities.

82. PRESENTATION BY MS. ORLAGH NEVIN, DIRECTOR OF SALES, MARKETING & SERVICE, OPEN EIR

Ms. Orlagh Nevin, Director of Sales (Marketing & Services) Open Eir was in attendance to make a presentation to the Members in relation to the National Broadband Plan and in particular the Rural Plan. Ms. Nevin's presentation also included specific details in relation to Laois.

The Members complimented Ms. Nevin on her presentation and Members were advised to notify Mr. Kieran Kehoe, Director of Services or Ms. Antoinette Brennan, Broadband Officer with Laois County Council with details of any further blackspots in the County.

83. UPDATE ON PORTLAOISE VISION STATEMENT

Mr. Kieran Kehoe, Director of Services briefed the Members on the Portlaoise Vision Statement and responded to the various queries raised by the Members. The Members welcomed the Vision Statement and complimented all involved to date.

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

Mr. John Mulholland, Chief Executive briefed the meeting on this matter and the report for May was circulated. The report for May 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.

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

The Members were circulated with the draft Protocols for Council and Municipal District Functions and on the proposition of Councillor Padraig Fleming seconded by Councillor Brendan Phelan, the Members unanimously adopted the draft protocols for Council and Municipal District Functions.

86. ADOPTION OF THE FOLLOWING:

- (i) CUSTOMER CODE OF CONDUCT NOTICE**
- (ii) REVISED CUSTOMER CHARTER**
- (iii) POLICY ON ACCEPTABLE CUSTOMER BEHAVIOUR**

The Members were circulated with a copy of the Customer Code of Conduct Notice, the Revised Customer Charter and the Policy on Acceptable Customer Behaviour. Mr. Donal Brennan, Director of Services briefed the Members on the documentation and indicated that the documentation as presented will enable Laois County Council to manage more effectively the customer service delivery.

On the proposition of Councillor Caroline Dwane Stanley seconded by Councillor Brendan Phelan, the Members unanimously agreed to adopt the documents as presented above.

89. RATIFICATION OF CONFERENCES/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.

90. CORRESPONDENCE

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

- (i) Correspondence received from the Department of Health dated the 25th of April 2017 in relation to the provision of funding for the Cystic Fibrosis drug, Orkambi**
- (ii) Correspondence received from the Department of Communications, Climate Action & Environment dated the 16th of May 2017 in relation to the introduction**

- of a refundable levy of €1 on each can purchased containing alcohol or soft drinks in the interest of recycling/reuse
- (iii) Correspondence received from the Union of Students in Ireland in relation to publicly funded education and the possibility of a student loan scheme being likely in the budget 2018.

91. NOTICE OF MOTIONS

Notice of Motion No: 14/2017

Councillor Jerry Lodge proposed the following Notice of Motion:-

“That this Council now agrees to alter our rural housing guidelines to incorporate the ruling by the European Court of Justice regarding the distinction between locals and non-locals”

This Notice of Motion was seconded by Councillor William Aird. The Members were advised that the Department of Housing, Planning & Local Government are currently in discussion with the European Commission on this issue. Once these discussions are concluded the Department will issue guidance to the Planning Authorities around the next steps and Laois County Council will comply with the guidelines as issued by the Department.

Notice of Motion No: 15/2017

Councillor Jerry Lodge proposed the following Notice of Motion:-

“That this Council calls on the Irish Government to ratify as soon as possible, the Convention against trafficking in human organs which was adopted by the Council of Europe in July 2014 in order to criminalise illegal organ transplantation. The Irish Government has already signed this convention but has yet to ratify it “.

This Notice of Motion was seconded by Councillor Noel Tuohy. It was agreed that a letter issue to the Department in this regard.

Notice of Motion No: 16/2017

Councillor John King proposed the following Notice of Motion:-

“That this Council designate funding to new community alert projects from funding that is allocated to Laois County Council this year”

This Notice of Motion was seconded by Councillor James Kelly. The Members were advised that there is no scheme in place locally or provision made in the Council's revenue budget for the purpose of supporting community alert groups. A new national scheme was recently launched by the Department of Justice and Equality to part fund new community CCTV projects and details of this scheme are available on

the Department of Justice website, with a link to same on the Joint Policing Committee page of the Council's website.

Notice of Motion No: 17/2017

Councillor John King proposed the following Notice of Motion:-

“That Laois County Council address the problem of abandoned cars around the County and indicate what procedures are in place in order to move them”

This Notice of Motion was seconded by Councillor William Aird. The Members were advised that the issue of abandoned cars falls under the remit of Environment and Roads depending on the status of the car. Where an abandoned car is considered waste (no tax, insurance or derelict) the Environment section proceed as follows;

- Environment Section receives complaint regarding alleged abandoned vehicle
- Litter Warden inspects the vehicle – Determines if it is abandoned
- Ownership of vehicle is checked with Motor Tax Section
- Place Notice on car and write letter to owner requiring the removal of the car within 4 weeks form date of notice
- Leave Car in situ for 4 weeks
- Vehicle not removed satisfactorily- Litter Enforcement Officer contacts ATF for removal and disposal
- Vehicle is removed to ATF
- A Certificate of Destruction (COD) Issued for vehicle

Where the vehicle is not deemed waste the Road Section will use either Road_Traffic (Removal, Storage and Disposal of Vehicles) Regulations 1983 -1998 for abandoned cars or Section 71 of the Roads Act 1993 for a vehicle used for the purposes of advertising the sale of goods, the provision of services or other similar purpose on a public road without the authorisation of the Roads Authority. This includes the placing of vehicles “For Sale” on the public carriageways. The Roads Section would act on a complaint made by the public or observation from the Area Office.

Notice of Motion No: 18/2017

Councillor William Aird proposed the following Notice of Motion:-

“That Laois County Council write to the Tánaiste & Minister for Justice, Ms. Frances Fitzgerald, T.D., to request that the crime statistics provided by an Garda Síochána at the Laois Joint Policing Committee meetings do not include figures in relation to crimes that take place in the prison facilities in County Laois as they do not give a true reflection of the level of crime in the County”

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

Notice of Motion No: 19/2017

Councillor Noel Tuohy proposed the following Notice of Motion:-

“That Laois County Council call on the Minister for the Environment to urgently review the qualifying income thresholds for local authority housing lists which are currently so low as to be irrelevant and are contributing to a poverty trap and hardship for young families”

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

Notice of Motion No: 20/2017

Councillor Noel Tuohy proposed the following Notice of Motion:-

“That Laois County Council call on the Minister for Justice to review the need for more appropriate mandatory sentences and consecutive rather than concurrent terms for those convicted for repeat offences in particular for assault on senior citizens and on 24/7 front line staff in the course of their work.

This Notice of Motion was seconded by Councillor Brendan Phelan. It was agreed that a letter issue to the Minister in this regard.

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