

**MINUTES OF THE NOVEMBER MEETING OF LAOIS COUNTY COUNCIL HELD
IN ARAS AN CHONTAE, PORTLAOISE, ON THE 26TH OF NOVEMBER 2018**

| | | | |
|------------------------|-------------|------------------------|-----------------|
| <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 | Noel Tuohy |
| | | Pauline Madigan | John Moran |
| | | Mary Sweeney | Aidan Mullins |
| | | Caroline Dwane Stanley | James Kelly |
| | | John Joe Fennelly | |

APOLOGIES: Councillor Ben Brennan

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.

196. VOTE OF SYMPATHY

- (i) The Members expressed a vote of sympathy to Mr. Pat Delaney, Administrative Officer on the death of his mother, Mrs. Mary Delaney, Derryguile, Mountmellick, Co. Laois.
- (ii) The Members expressed a vote of sympathy to Ms. Eilish Dillon on the death of her mother, Mrs. Pat Dillon, 3 Kennedy Park, Roscrea, Co. Tipperary.
- (iii) The Members expressed a vote of sympathy to Mr. John Kirby on the death of his father, Mr. Billy Kirby, Gurteen, Cullohill, Co. Laois.
- (iv) The Members expressed a vote of sympathy to Mr. John Joe Fennelly, M.C.C. on the death of his mother, Mrs. Sally Fennelly, Rathmoyle, Abbeyleix, Co. Laois.

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

197. VOTE OF CONGRATULATIONS

(i) Pride of Place

Councillor John King, Cathaoirleach expressed a vote of congratulations to the two Laois Representatives, Killeshin Community Centre, and SVT Activity and Wellness Hub, who attended the Pride of Place awards which took place in City Hall, Cork on Saturday 17th November, 2018. Special congratulations also was extended to Killeshin who secured a Runner Up award in the 300-1000 population category. 800 community heroes from across the country attended Saturday's IPB Pride of Place Awards 2018 and this award was a remarkable achievement which reflects the spirit and level of activity in this community. Congratulations was extended to SVT Activity & Wellness Hub who represented Laois in the Community Wellness category and did their community proud. This initiative links the 3 communities of Stradbally Timahoe and Vicarstown and promotes all physical activities while also ensuring the health & wellbeing and social needs of the communities are reflected.

(ii) Community & Voluntary Awards 2018

Mr. John King, M.C.C., Cathaoirleach extended a vote of congratulations to all those involved in the the 9th Community and Voluntary Awards 2018 hosted by Laois County Council, in association with Laois PPN at the Midlands Park Hotel last week. 38 groups were nominated across 5 categories and 23 individuals were nominated for Unsung Hero. The event, hosted by RTEs Justin Treacy, was a great success with over 280 people in attendance. Volunteers were commended for their hard work and selfless dedication to their communities. All group winners received €500, while runners up received €250. Ms. Carmel O'Connor, was honoured on the night as an Unsung Hero for 2018 and was presented with her award . Carmel is noteworthy for the huge difference she makes in other people's lives, and in particular for her work with the Irish Wheelchair Association and Special Olympics. She was a popular winner evidenced by the standing ovation she received. All group winners received €500, while runners up received €250.

(iii) Nook & Cranny

Mr. John King, M.C.C., Cathaoirleach extended a vote of congratulations to the Nook & Cranny, 44 Main Street, Portlaoise on their recent success at the Retail Excellence Awards where their store was crowned 'National Gift Store of the Year' for 2019.

(iv) 2018 European Enterprise Promotion Awards 2018

Mr. John King, M.C.C., Cathaoirleach extended a vote of congratulations to the Local Enterprise Office on being selected 'Runner Up' in the '2018 European Enterprise Promotion Awards 2018' last week in Graz, Austria.

The Chief Executive & Director of Services were associated with the vote of congratulations to all of the above.

198. CONFIRMATION OF THE MINUTES OF THE OCTOBER MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 22ND OF OCTOBER 2018

On the proposition of Councillor Brendan Phelan seconded by Councillor James Kelly, the Minutes of the October meeting held on the 22nd of October 2018 were confirmed as circulated.

199. CONFIRMATION OF THE MINUTES OF THE STATUTORY BUDGET MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 12TH OF NOVEMBER 2018

On the proposition of Councillor John Joe Fennelly seconded by Councillor William Aird, the Minutes of the Statutory Budget meeting of Laois County held on the 12th of November 2018.

200. REPORT ON CPG MEETING HELD ON THE 15TH OF OCTOBER 2018

On the proposition of Councillor Seamus McDonald seconded by Councillor Paddy Bracken, the report on the CPG meeting held on the 15th of October 2018 was confirmed as circulated.

**201. REPORT ON MUNICIPAL DISTRICT MEETINGS HELD IN OCTOBER
2018**

On the proposition of Councillor James Kelly seconded by Councillor Paddy Bracken, the Members unanimously agreed the reports on Municipal District Meetings held in October 2018.

**202. PROPOSED MATERIAL CONTRAVENTION OF THE LAOIS COUNTY
DEVELOPMENT PLAN 2017-2023 – PLANNING REF: 18/11**

On the proposition of Councillor Pdraig Fleming seconded by Councillor John Moran, the Members unanimously agreed to the proposed material contravention of the Laois County Development Plan 2017-2023 – Planning Ref: 18/11 for permission to construct a new 60 bed nursing home facility with access via the existing service road off the Killeshin Road and all ancillary site works at Ballykillen, Graiguecullen, Co. Laois.

**203. PROPOSED MATERIAL CONTRAVENTION OF THE LAOIS COUNTY
DEVELOPMENT PLAN 2017-2023 – PLANNING REF: 18/301**

On the proposition of Councillor Paschal McEvoy seconded by Councillor Tom Mulhall, the Members unanimously agreed to the proposed material contravention of the Laois County Development Plan 2017-2023 – Planning Ref: 18/301 for permission to construct 72 no. residential dwellings (7,858 sq. m, gross floor area) comprising 8 no. 2 storey two-bedroom terrace houses, 30 no. 2 storey three bedroom terrace houses, 14 no. 2 storey three bedroom semi-detached houses, 16 no. 2 storey semi-detached four bedroom houses and 4 no. 2 storey detached four-bedroom houses; public open space areas; a total of 159 no. car parking spaces (71 no. private spaces, 83 no. communal spaces and 5 no. visitor spaces); and new vehicular access and egress and pedestrian and cyclist gate at the northern boundary of the site to Church Lane at Church Avenue, Stradbally, Co. Laois

204. DISPOSAL OF 4.58 HECTARES OF LAND AT TOGHER, PORTLAOISE

On the proposition of Councillor Paddy Bracken seconded by Councillor Brendan Phelan, the Members unanimously agreed to the disposal of 4.58 hectares of land at Togher, Portlaoise, Co. Laois in the townland of Togher for a consideration of €670,000

**205. DISPOSAL OF 0.197 HECTARES OF LAND AT GORTNAGRUE,
BALLACOLLA**

On the proposition of Councillor Paddy Bracken seconded by Councillor James Kelly, the Members unanimously agreed to the disposal of 0.197 hectares of land at Gortnagrue, Ballacolla, Co. Laois in the townland of Gortnagroagh for a consideration of €1,000

206. TAKING IN CHARGE OF KILLEEN GARDENS, MAGANEY

On the proposition of Councillor John Moran seconded by Councillor Paschal McEvoy, the Members unanimously agreed to the taking in charge of Killeen Gardens, Maganey.

207. TAKING IN CHARGE OF MILL COURT, BORRIS-IN-OSSORY

On the proposition of Councillor Brendan Phelan seconded by Councillor James Kelly, the Members unanimously agreed to the taking in charge of Mill Court, Borris-in-Ossory.

208. TAKING IN CHARGE OF CORRIG GLEN, PORTARLINGTON

On the proposition of Councillor Tom Mulhall seconded by Councillor Paschal McEvoy, the Members unanimously agreed to the taking in charge of Corrig Glen, Portarlinton

209. TAKING IN CHARGE OF COLLEGE AVENUE, MOUNTMELICK

On the proposition of Councillor Paddy Bracken seconded by Councillor Seamus McDonald, the Members unanimously agreed to the taking in charge of College Avenue, Mountmellick.

210. TAKING IN CHARGE OF SPINDLEWOOD, GRAIGUECULLEN

On the proposition of Councillor Pdraig Fleming seconded by Councillor John Moran, the Members unanimously agreed to the taking in charge of Spindewood, Graiguecullen.

211. TAKING IN CHARGE OF WESTLANDS, PORTLAOISE & CHANTIERE GATE, PORTLAOISE

It was noted that these two estates would be deferred to a future meeting of Laois County Council.

212. PRESENTATION BY MS. PATRICIA FRAYNE

Ms. Patricia Frayne, Co-Ordinator, Portlaoise Enterprise Centre CLG delivered a very comprehensive presentation to the Members on the work programme of the Enterprise Centre. The Members thanked Ms. Frayne for her work and her presentation in this regard.

213. ADOPTION OF THE LAOIS SPORTS, RECREATION & PLAY STRATEGY 2018-2022

On the proposition of Councillor James Kelly seconded by Councillor Padriag Fleming, the Members unanimously adopted the Laois Sports, Recreation & Play Strategy 2018-2021

214. LAOIS COUNTY COUNCIL INDICATIVE CAPITAL PROGRAMME 2019-2021

The Members noted the Indicative Capital Programme 2019-2021 as circulated.

215. CONSIDERATION OF CIVIC RECEPTION TO MR. TOM TREACY

On the proposition of Councillor Tom Mulhall seconded by Councillor John Joe Fennelly, the members unanimously agreed to the hosting of a Civic Reception to Mr. Tom Treacy (as recommended by the Corporate Policy Group on the 19th of November 2018)

216. LAOIS COUNTY COUNCIL MONTHLY MANAGEMENT REPORT FOR NOVEMBER 2018

Mr. John Mulholland, Chief Executive briefed the meeting on this matter and the report for November 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.

In relation to the position on housing, Mr. Gerry Murphy, Head of Finance indicated that of the €128m capital budget for the period 2019 - 2021, €50 million referred to housing purposes. He advised that the Council owned land in Knockmay and Hepburn Court as well as the old Squash Court and Kingdom Hall. This land has capacity for 55 houses. He indicated that the Council had spent in excess of €15 million purchasing houses in the county, the majority of these being in Portlaoise. He further advised that the Voluntary Housing Sector had plans at present to construct 190 houses in Portlaoise on the Dublin Road, Borris Road, Abbeyleix Road, Mountmellick Road and on the convent site in Portlaoise. Part V housing will also be provided in a number of areas in the town. He advised the members that the Council had identified a site in Portlaoise suitable for the construction of social housing and that he hoped to make further progress on that.

217. 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.

217. 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 Department of Housing, Planning & Local Government dated the 19th of November 2018 in relation to Notice of Motion No: 24/2018
- (ii) Correspondence received from the Department of Housing, Planning & Local Government dated the 21st of November 2018 in relation to Notice of Motion No: 18/2018
- (iii) Correspondence received from the Office of the Minister for Education & Skills dated the 5th of November 2018 in relation to Notice of Motion No: 26 & 28/2018

218. NOTICE OF MOTIONS

Notice of Motion No: 29/2018

Councillor Tom Mulhall proposed the following Notice of Motion:-

“That Laois County Council give an update on the establishment of a Chamber of Commerce in the County”

This Notice of Motion was seconded by Councillor Mary Sweeney. The Members were advised that Laois County Council has initiated the process of re-establishing a Laois Chamber of Commerce – there are a number of people who have agreed to become Directors of the new Chamber and it is currently being legally established and will hold its initial public meeting in early 2019.

The following three Notice of Motions were seconded by Councillor John Joe Fennelly and discussed together:-

Councillor Pauline Madigan - “That Laois County Council give an update in relation to the status of Laois Civil Defence who currently operate from a base in Mountmellick, a base in Stradbally and a small office/classroom in Portlaoise”

Councillor Caroline Dwane Stanley - “That this Council help identify a suitable site/premises in Portlaoise for Laois Civil Defence”

Councillor Catherine Fitzgerald - “That Laois County Council provide an update in relation to the provision of accommodation at Bay Road, Mountmellick for Laois Civil Defence”

The Members were advised that Laois Civil Defence is a critical support agency for the Primary Response Agencies. It is funded and reports to the Department of Defence with the Civil Defence HQ based in Roscrea, Co Tipperary and the day-to day operations and management is the responsibility of Laois County Council. Laois Civil Defence employs a full time Civil Defence Officer who reports to the Director of Roads, Transportation, Planning, Economic Development and Emergency Services.

Laois County Council has also supported the development of a state of the art support unit in Mountmellick with over 6,000 sq.ft. of space to accommodate the equipment and provide a state of the art search base in close proximity of the Sliabh Bloom Mountains – Laois County Council have secured a lease for these premises for the next 10 years.

Laois County Council also supports a base in Stradbally and this allows quick response to the east and South of the County and is in close proximity to the Electric Picnic within which Laois Civil Defence provides support to the lake activities.

In 2018 Laois County Council Civil Defence Unit established its first base in Portlaoise and now utilise modern state of the art facilities in Portlaoise Enterprise Centre for training and meeting purposes which has made Laois Civil Defence easier for members from our County Town to join.

Laois County Council have been examining the potential to find a suitable base in order to centralise and consolidate all Civil Defence units – this process is ongoing however no suitable locations are currently available however the current structure and facilities are more than adequate for our current needs.

Notice of Motion No: 31/2018

Councillor Mary Sweeney proposed the following Notice of Motion:

“That this Council contact the Minister for Health asking him to provide an update on the current situation with regard to the provision of medicinal cannabis for persons with Dravet syndrome”

This Notice of Motion was seconded by Councillor Willie Aird. It was agreed that a letter would issue to the Minister for Health in this regard.

Notice of Motion No: 32/2018

Councillor Mary Sweeney proposed the following Notice of Motion:-

“That this Council, noting the recent Cervical Check Scandal, calls upon the Minister for Health and An Taoiseach to acknowledge, support and respond in detail to the demands of the ‘Standing4Women’ campaign. These include: Legislation and policy on mandatory open disclosure independent of the Patient Safety Bill, provision of a start and end date and full disclosure on the 1800 smears yet to be audited, and a breakdown of the new packages being negotiated with laboratories carrying out smear slide analysis including mandatory site audits”

This Notice of Motion was seconded by Councillor Catherine Fitzgerald. It was agreed that a letter would issue to the Minister for Health in this regard.

Notice of Motion No: 33/2018

Councillor Noel Tuohy proposed the following Notice of Motion:-

“That this Council recommend a no postering policy during the upcoming local and general elections”

This Notice of Motion was seconded by Councillor Willie Aird. A lengthy discussion ensued on this matter.

A roll call vote was taken on 'No Postering Policy' which resulted as follows:

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

As a result of the Roll Call Vote, there were 8 votes in favour of the Motion, 8 Against with 3 Members absent.

The Cathaoirleach in this instance used his casting vote and voted against the proposal.

Notice of Motion No: 34/2018

Councillor James Kelly proposed the following Notice of Motion:-

“That Laois County Council request funding from the Department of Justice & Equality to facilitate the operational expenses of the County Morgue & Coroner”

This Notice of Motion was seconded by Councillor Caroline Dwane Stanley. It was agreed that a letter issue to the Department of Justice & Equality in this regard.

Notice of Motion No: 35/2018

Councillor James Kelly proposed the following Notice of Motion:-

“That Laois County Council request the Department of Justice & Equality to expedite the outstanding issue of electronic tagging under the Criminal Justice Act, 2017”

This Notice of Motion was seconded by Councillor Caroline Dwane Stanley. It was agreed that a letter issue to the Department of Justice & Equality in this regard.

Notice of Motion No: 38/2018

Councillor Catherine Fitzgerald proposed the following Notice of Motion:-

“That this Council contact the HSE regarding the long waiting lists for home help in Laois”

This Notice of Motion was seconded by Councillor Caroline Dwane Stanley. It was agreed that a letter issue to the HSE in this regard.

Notice of Motions No: 39 & 40/2018 were deferred to the December meeting of Laois County Council.

This concluded the business of the meeting.

SIGNED: _____
CATHAOIRLEACH

CERTIFIED: _____
DIRECTOR OF SERVICES
CORPORATE AFFAIRS

After Louis Comy found the Department of Justice a partner in
the implementation of the anti-trust laws, he was in a position
to work.

The case of *Albion* was not the only case in which the
Department of Justice was a partner in the anti-trust
effort.

Notes on the case

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