

**MINUTES OF THE JANUARY MONTHLY MEETING OF LAOIS COUNTY COUNCIL HELD IN ÁRAS AN CHONTAE ON THE 26<sup>TH</sup> OF JANUARY 2015**

**PRESENT:**

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

**APOLOGIES:** Councillor Ben Brennan

Messers Gerry Murphy, Chief Executive, Kieran Kehoe, Director of Services, Ms. Anna Marie Delaney, Director of Services, Ms. Julie Bergin, A/Head of Finance, Ms. Irene Delaney, Administrative Officer & Ms. Michelle McCormack, Executive Secretary.

**1. CONFIRMATION OF THE MINUTES OF THE DECEMBER MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 15<sup>TH</sup> OF DECEMBER 2014**

On the proposition of Councillor John Moran seconded by Councillor John King, the Minutes of the December meeting of Laois County Council held on the 15<sup>th</sup> of December 2014 were confirmed as circulated.

**2. MONTHLY MANAGEMENT REPORT FOR DECEMBER 2014 (IN ACCORDANCE WITH CIRCULAR LETTER LG 18/2014)**

Mr. Gerry Murphy, Chief Executive briefed the meeting on this matter and the report for December was circulated. On the proposition of Councillor John Moran seconded by Councillor John King, the monthly management report for December 2014 was unanimously agreed and noted. A number of queries were raised on the report and the Directors of Services responded to the queries raised.

**3. REPORTS ON MUNICIPAL DISTRICT MEETINGS HELD IN OCTOBER & NOVEMBER 2014**

The Members were circulated with the reports on Municipal District Meetings held in October & November 2014 and on the proposition of Councillor Paddy Bracken seconded by Councillor Brendan Phelan, the reports were noted and agreed.

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

**(i) DISPSOAL OF 0.749 HECTARES OF LAND AT GLOSHA ROAD, RATHDOWNEY**

On the proposition of Councillor John King seconded by Councillor Brendan Phelan, the Members unanimously agreed to the disposal of 0.749 hectares of land at Gloscha Road, Rathdowney in the townland of Rathdowney, Co. Laois for a consideration of €12,000.

**(ii) DISPSOAL OF SITE NO. 5 – PORTARLINGTON BUSINESS PARK, CANAL ROAD, PORTARLINGTON**

On the proposition of Councillor Tom Mulhall seconded by Councillor Paschal McEvoy, the Members unanimously agreed to the disposal of Site No. 5 – Portarlington Business Park, Canal Road, Portarlington in the townland of Cooltederry for a consideration of €30,000.

**5. TAKING IN CHARGE OF BALLACOLLIG, MOUNTMELICK**

The Members were circulated with details on the above. It was noted that an advertisement was placed in the Leinster Express on the 10<sup>th</sup> September 2013 and no submissions were received. On the proposition of Councillor Paddy Bracken seconded by Councillor David Goodwin, the Members unanimously agreed to the taking in charge of Ballacollig, Mountmellick.

Councillor Paddy Bracken expressed thanks to Mr. Kieran Kehoe, Director of Services, Mr. Jim O' Sullivan, Building Control Officer & Ms. Yvonne O' Reilly, Executive Technician together with Mr. Ger O' Mahony and his staff in respect of the works carried out

**6. RATIFICATION OF NOMINATIONS TO THE STRATEGIC POLICY COMMITTEES:**

The Members were circulated with details of the above and were advised of the following nominations:

**Nominations received from the Business Sector in respect of the Development/Construction nominees:**

Economic Development, Enterprise & Planning SPC – Mr. Pat Culleton, Garoon Construction Ltd., Mountmellick, Co. Laois.

Transportation, Environment & Emergency Services SPC – Mr. Chris Callaghan, Chartered Institute of Logistics & Transport, 1 Fitzwilliam Place, Dublin 2.

Housing SPC – Mr. Michael Kelly Jnr., Thomas Kelly & Sons, Westfield House, Castletown, Co. Laois.

**Nominations received from the Trade Union Sector in respect of the Trade Union nominees:**

Economic Development, Enterprise and Planning SPC – Mr. Michael Kielty, SIPTU, Liberty Hall, Dublin 1

Transportation, Environment & Emergency Services SPC – Mr. Michael Kielty, SIPTU, Liberty Hall, Dublin 1.

**Nominations received from the Business Sector in respect of the Business/Commercial nominees as follows:-**

Economic Development, Enterprise & Planning SPC – Mr. William Telford, Berlin Invest, Lismard Business Park, Portlaoise, Co. Laois.

Housing SPC – Mr. Andrew Cremin, RBL Estates/EBS, Main Street, Portlaoise, Co. Laois.

On the proposition of Councillor James Kelly seconded by Councillor Seamus McDonald, The Members unanimously agreed to the nominations to the various Strategic Policy Committees.

**7. UPDATE ON THE IMPLEMENTATION OF THE CORPORATE PLAN 2009-2014**

The Members were circulated with an update on the Corporate Plan 2009 – 2014 and a discussion ensued in relation to same. Ms. Anna Marie Delaney indicated that the strategies and objectives outlined in the Plan will enable Laois County Council's Elected Members and Employees to continue to provide leadership in the promotion and development of the social, economic and cultural life of the County.

The Chief Executive of Laois County Council, Mr. Gerry Murphy advised the Members that Laois County Council can be justifiably satisfied with the progress achieved in the implementation of the Corporate Plan 2009-2014. Laois County Council is constantly striving to achieve excellence in all areas. Given the commitment and dedication of its employees and the Elected Members and the co-operation of the Sectoral Partners, Laois County Council will continue to be viewed as a model of excellence in Local Government, notwithstanding the difficult economic climate and the unprecedented challenges facing the Council.

The Members unanimously agreed with the plan as circulated.

**8. UPDATE ON THE ESTABLISHMENT OF LAOIS PUBLIC PARTICIPATION NETWORK – PRESENTATION BY MS. GEORGINA IRELAND, ADMINISTRATIVE OFFICER, COMMUNITY & ENTERPRISE**

Ms. Georgina Ireland delivered a presentation to the Members on the Laois Public Participation Network which has replaced the former Community Forum. Ms. Ireland informed the Members that The Local Authority will now be engaging with the public and enabling them to take part in local and county decisions and policy making via the PPN

The PPN aims to provide a strong link between the local authority and local communities to establish a networking opportunity and a two-way feedback mechanism with local government for community, social inclusion and environmental groups.

It also aims to connect groupings of a similar nature or in the same local area to exchange information and networks. The Structure is at County level and at Municipal District level. A County Plenary of groups will meet twice a year and groups within a particular Municipal District will meet twice a year. Linkage Groups will eventually be established also.

The PPN register will be divided by Pillars, i.e. Environmental, Social Inclusion & Community & Voluntary. Any registered group can nominate a representative to stand for election to a Local Authority.

Ms. Ireland advised the Members on the forthcoming briefing sessions for the public and encouraged Members to advise community groups in their area of same. The deadline for final receipt of registration forms for this year is the 20<sup>th</sup> of February 2015.

The Members complimented Ms. Ireland on her very comprehensive presentation.

**9. RATIFICATION OF CONFERENCES/ATTENDANCE AT TRAINING**

On the proposition of Councillor James Kelly seconded by Councillor Seamus McDonald, the Members unanimously agreed to the ratification of conferences/attendance at training as circulated.

**10. CORRESPONDENCE**

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

- (i) Correspondence received from the Minister for Justice and Equality dated the 12<sup>th</sup> of January 2015 in response to Notice of Motion No: 30/2014 in relation to the re-location of Portlaoise Courthouse

- (ii) Circular Letter LG 1/2015/AL 1/2015 from the Department of the Environment, Community and Local Government in relation to the Local Economic and Community Plans

## 11. NOTICE OF MOTIONS

### NOTICE OF MOTION NO: 01/2015

Councillor James Kelly proposed the following Notice of Motion:-

***“That Laois County Council call on the Minister for Communication, Energy and Natural Resources, Mr. Alex White, T.D., to reduce the television licence fee from €160.00 to €120.00 per year and that if the proposed new household broadcasting charge is introduced that the price is set at €100.00 and is fixed for three years”***

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

### NOTICE OF MOTION NO: 02/2015

Councillor Jerry Lodge proposed the following Notice of Motion:-

***“That this Council agrees to undertake a survey of the ecclesiastical sites in the County including Clonenagh with a view to having it declared as a National Monument”***

This Notice of Motion was seconded by Councillor Catherine Fitzgerald. The Members were informed that The Heritage Officer agrees that subject to resources, a survey of ecclesiastical sites in the County would be an excellent resource. Heritage Council funding for projects such as this has been greatly reduced in recent years but it is hoped that as more public funding becomes available, research and surveys such as this one and many others aspects of our heritage may be carried out.

The Heritage Office has previously carried out a survey of burial grounds in County Laois. This is available on the County Council website at <http://www.laois.ie/LeisureandCulture/Heritage/HeritagePublications/Title,8861,en.aspx> and hard copies are available on request. Many of the burial grounds surveyed are situated on older ecclesiastical sites, and the graveyards at Clonenagh were included in this survey. Members were circulated with a copy of the site reports.

In addition, an audio guide to the monastic sites of Laois has been produced and is available to download for free from <http://abartaaudioguides.com/our-guides/> . Clonenagh is naturally one of the sites featured in this guide also. The Guide to the Story of Laois is also available on audio CD.

Ms. Anna Marie Delaney, Director of Services indicated that the matter would be referred to the Tourism and Heritage Officers in relation to applying to UNESCO to assess possibility of attaining World Heritage Site status.

**NOTICE OF MOTIONS NO: 03/2015, 05/2015, 07/2015, 09/2015 & 10/2015**

It was agreed that the following Notice of Motions would be discussed

**Notice of Motion No: 03/2015 – Councillor Noel Tuohy**

***“That Laois County Council vigorously oppose the proposed amalgamation of the Laois & Offaly Library Services”***

**Notice of Motion No: 05/2015 – Councillor Caroline Dwane Stanley**

***“That this Council confirm if Laois and Offaly Library services are to be merged and if so outline details of these plans and what stage they are at”***

**Notice of Motion No: 07/2015 – Councillor John Joe Fennelly & Councillor Catherine Fitzgerald**

***“That this Council does not sign any agreement regarding the amalgamation of the Library Services until full consultation takes place between public representatives, staff and the general public”***

**Notice of Motion No: 09/2015 – Councillor William Aird**

***“That this Council object to any proposals to amalgamate Laois County Library Service with services in Offaly. We have a very proud tradition of providing an excellent services to all our customers in County Laois and as an Elected Public Representative, I would not like this to be interfered with in any way”***

**Notice of Motion No: 10/2015 – Councillor Mary Sweeney**

***“That Laois County Council clarify the current situation regarding the proposed amalgamation of the Laois & Offaly Library Service and the implications for Laois County Library services”***

These Notice of Motions were seconded by Councillor Fitzgerald and the Members were circulated with a response as follows:-

The Public Library Development Strategy “**Opportunities for All, a strategy for Public Libraries 2013 - 2017**” was launched in September 2013. This follows on from two previous library development strategies “*Branching Out: A New Public Library Service*” 1998-2007, which was the first national strategy for public libraries, and “*Branching Out – Future Directions*” 2008-2012.

The *Branching Out* strategies and capital funding programmes delivered improved library buildings, opening hours, ICT, stock and staffing. In Laois the library service was improved in Mountrath, Abbeyleix Ballylinan, Mountmellick and Stradbally.

The new Public Library Development Strategy 2013 – 2017 was prepared in line with the Local Government reform agenda set out in the Action Programme for Effective Local Government, Putting People First. The strategy sets out seven programmes of activity to deliver a vibrant library service:-

- i) The physical space and service provision
- ii) Learning, skills & enterprise
- iii) Culture & community
- iv) The virtual library
- v) Workforce development
- vi) Cooperation, partnership & promotion
- vii) Research & innovation

Under the seven programmes of activity, there are 43 strategic aims and 68 recommended actions in total. These seven programmes ensure that the economic, social and cultural outcomes of the strategy are achieved.

Some of the key recommendations are as follows:

- 1) The Department of the Environment, Community & Local Government (DECLG) will endeavour to provide financial support for the Library Buildings Capital Programme and service development, as economic circumstances allow.
- 2) Public libraries will be the frontline service of the local authorities and lead in community engagement, in line with the changing role of the local authorities and government policy.
- 3) Public libraries will further develop the roles of information, literacy, learning and job-seeking support in the community in addition to the traditional functions of promoting literature, reading and culture.
- 4) The DECLG will work with local authorities to investigate models of service provision in terms of value for money and effectiveness with a view to enabling free access to core information, learning and cultural services by 2017.
- 5) The DECLG will investigate the feasibility of a registration mechanism for universal public library membership for all children.
- 6) Local authorities will collaborate at national and regional levels to develop a single national library management system. This system will enable one single national membership card for universal access to all public libraries and online library services, national access for all citizens to the digital library and access to a national catalogue and database of resources.
- 7) A policy for shared acquisitions for libraries will be developed that maximises the cost-effectiveness of resources expenditure and increases purchasing power in line with government policy.
- 8) A review of the library services' existing organisation structures and service delivery to be undertaken to establish stronger, more effective and efficient public

libraries in the context of local government reform, shared services and new opportunities based on outcomes of the strategy.

The members of Laois County Council were briefed on this strategy in September 2013 in a presentation by Ms. Bernie Foran, Acting County Librarian.

A number of actions were carried out at national level to review the current library management structures:-

- A Strategic Working Group was established at national level in July 2013. This group reviewed in detail the 31 library authorities in the country. The recommendations of the Working Group, approved by the Minister for the DECLG and the City & County Manager's Association(CCMA), were:-
  - i) Shared Service Organisational Structures – a new library management structure for the country based on population with a minimum population target of 100,000 set as an appropriate basis for determining a library's shared services structure. A recommended shared services structure was set out for affiliated cities and counties to deliver a single management structure with consequent resource efficiencies.
  - ii) The establishment of new shared services structures in the following counties:-
    - Laois/Offaly
    - Carlow/Kilkenny
    - Cavan/Monaghan
    - Longford/Westmeath
    - Sligo/Leitrim/Roscommon
    - Cork City/Cork County
  - iii) That a workforce planning group be established to examine the workforce planning requirements and develop guidelines for all library authorities including the shared management structure.
- A Shared Services Workforce Planning Group for Public Libraries was established in February 2014 to undertake the next phase of the process and implement the decisions of the report. This group reviewed current workforce structures for senior staff in public libraries and determined guidelines for headquarters and branch structures across all levels of library authorities. Principles for staff management requirements were determined on the basis of population. Their report was approved by the DECLG and the CCMA in March 2014.
- An Implementation Working Group was established at national level in April 2014 to develop the implementation framework for the new organisational structures and national workforce plan.



Following discussions at local level it was agreed that Laois County Council will be the lead authority, that the Library Headquarters will be based in Portlaoise, that the service would be managed by a single management team and that a joint service management committee would be established to oversee the service, consisting of a Director of Services from each County. Expenditure of a capital nature would be the responsibility of each authority. It was, also, agreed that a key focus would be to prioritise the continued delivery and efficiency of library services for both counties.

The DECLG has recommended that staffing levels be maintained at 2012 levels. There will be no reductions in staff numbers in Laois and no branch closures. The role of the elected members to approve the policies, priorities and budgets for the library service, as outlined in legislation, continues unchanged. The local library service branding will not be impacted by the new management structure.

Both Laois and Offaly Local Authorities will prepare new Library Development Plans to reflect local priorities and objectives. The plans will incorporate a coordinated approach to the management and delivery of services.

Libraries, local studies and archives are viewed as a local frontline service and have a strong county brand with rich and valuable local collections, strong community links and dedicated staff.

The proposed shared management structure represents a challenge for both local authorities.

Areas requiring further exploration and discussion with Offaly County Council include:-

- The proposed Senior Management grades and structure
- The payment of staff (MyPay);
- The requirement of staff currently based in one authority to transfer to another;
- The requirement of promoted staff to relocate to Laois;
- The recoupment of expenditure;
- Annual budgetary requirements;
- ICT, Health and Safety and Facility Management
- ICT standardisation
- Branding of the new Shared Service;
- The length of the transition phase;
- The development of specialist functions such as children's services, literacy and reading development, IT Services, etc.

It is proposed to maximise the capital invested by the DECLG in new branch libraries by continuing to provide a high quality service. This Council maintains ten branch libraries and is deeply committed to the improvement of library services in the County. A major refurbishment is underway at Portarlinton Library which will increase the library space and upgrade all the services for the community in the area.

The proposed new library for Portlaoise on the main street is a priority project for this council as is the continuing provision of the local studies and archive service.

Additional investment in library services beyond that already programmed will be challenging and resources to support this will be required.

Five additional posts of regional Strategy Implementation Officer will be established for a two year phase to facilitate the embedding of the public library strategy programmes. The posts will be two year contract posts at Grade 7 level. Recruitment for the posts will be from within the public library service, on secondment, with back filling of substantive posts in authorities not exceeding their proposed senior staff complement. Negotiations are ongoing with Trade Unions at national Level.

A lengthy discussion ensued and on the proposition of Councillor Catherine Fitzgerald, it was unanimously agreed that a letter issue to the Minister for the Environment, Community & Local Government in this regard stating their strong opposition to the proposed amalgamation of the Laois/Offaly library services. Mr. Gerry Murphy, Chief Executive indicated that the proposed merger is in line with Government Policy and the matter is still at a very early stage.

#### **NOTICE OF MOTION NO: 04/2015**

Councillor Noel Tuohy proposed the following Notice of Motion:

***“That Laois County Council prepare an updated report on the operation and enforcement of the Dog Warden Service with particular regard to the muzzling of specified dangerous breeds”***

This Notice of Motion was seconded by Councillor Caroline Dwane Stanley. The Members were circulated with a reply on this Notice of Motion as follows:-

In accordance with the Control of Dogs Act as amended, the ISPCA provide the services of the Laois Dog Warden and operate the Laois Dog Pound. The Dog Pound is situated at Tentore, Ballacolla, and is open Monday, Tuesday, Thursday, Friday and Saturday between 10.00 a.m. and 12.30 p.m. The public are always welcome on these days to bring in stray dogs, to surrender their own dogs and to re-home suitable dogs. The office number of the Dog Pound is (057) 87 34067.

The Laois Dog Warden is Mr. Tristan Blundell. He works Monday through to Friday during normal working hours, and is also available for emergencies at weekends if contacted by Gardai. His contact number is 086-2556298.

The Laois Dog Pound is overseen on welfare issues by the County Veterinary Officer, Ruth Barry who inspects the dogs and the premises/kennels.

#### **Dog Licences**

The Warden’s daily duties include basic checks for dog licences.

Under Section 2 of the Control of Dogs Act, 1986, all dogs require a dog licence. A dog licence cannot be issued to any person under the age of sixteen years. Also if you take possession of a dog or transfer possession of a dog you must have a valid dog licence. Under Section 5 of the Control of Dogs Act, 1986, a person who has a guide dog is exempt from a dog licence.

#### **Statistics for Laois Dog Pound – 2014**

Total dogs dealt with in the Dog Pound	257
Total dogs reclaimed/re-homed	199
Dog related complaints	561
Total number of dogs reported to the Laois Dog Pound as Found & Holding <i>Where a person finds a dog and opts to keep this dog following reporting to the Gardai and the Dog Warden.</i>	130

It should also be noted that re-homing figures have increased considerably with usage of social media i.e. website & facebook.

#### **Control of Dogs Regulations, 1998 (RESTRICTED BREEDS) – Muzzling and leashing of a restricted breed – S.I. No. 442/1998**

In accordance with this legislation, if the Laois Dog Warden receives a complaint regarding dogs being led without a muzzle, the Dog Warden will ask for details of the Name and Address of complainant and Name and Address of dog owner and the location of where the dog is walked, The Dog Warden would then proceed to observe that area for a particular period of time and will then speak with the dog owner and explain why they are being stopped. Usually a first time stop results in a caution/warning being given to the owner. A 10 day notice will be issued to allow the dog owner to produce a valid dog licence, also an on the spot fine of €100 can/may be issued, but usually on a second offence.

If Dog warden is patrolling an area and observes a person walking a Restricted Listed Breed, as defined under the “Control of Dogs Regulations, 1998, The Dog Warden will stop and explain the legislation to the dog owner and issue 10 day notice and warning. Sometimes issues may arise which makes it difficult to issue any notices, and on occasions the Dog Wardens have had to get Gardai to intervene.

Councillor Tuohy expressed concerns about two incidences which occurred in Portlaoise recently where restricted breed dogs were not wearing muzzles

#### **NOTICE OF MOTION NO: 06/2015**

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

***“That this Council calls on the Minister for Social Protection, Ms. Joan Burton, T.D., to increase the rent ceilings and introduce rent controls as a matter of urgency to help alleviate the current housing crisis”***

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

**NOTICE OF MOTION NO: 08/2015**

Councillor Catherine Fitzgerald proposed the following Notice of Motion:-

*“That this Council make every effort to replace the ball nets at the Portlaoise Leisure Centre as the Leisure Centre is used by sporting clubs and individuals throughout the County”*

This Notice of Motion was seconded by Councillor James Kelly. The Members were advised that the ball nets were removed for Health and Safety reasons. This matter is currently under review by the Board of Portlaoise Leisure Centre and be discussed at the Board’s next meeting on the 19<sup>th</sup> February.

This concluded the business of the meeting.

**Signed:** \_\_\_\_\_  
**CATHAOIRLEACH**

**Certified:** \_\_\_\_\_  
**DIRECTOR OF CORPORATE  
AFFAIRS**