

**MINUTES OF THE JULY MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 29TH OF
JULY 2024 IN ÁRAS AN CHONTAE**

PRESENT:

| | | |
|-------------|---|-------------------|
| Councillor | John King (Leas Cathaoirleach) In The Chair | |
| Councillors | Aisling Moran | Tommy Mulligan |
| | James Kelly | Marie Tuohy |
| | Caroline Dwane Stanley | |
| | Aidan Mullins | Paddy Bracken |
| | Seamus McDonald | John Joe Fennelly |
| | Catherine Fitzgerald | Paschal McEvoy |
| | Ollie Clooney | Conor Bergin |
| | Barry Walsh | Willie Aird |
| | Vivienne Phelan | Ben Brennan |

APOLOGIES: Councillor Pdraig Fleming

IN ATTENDANCE:

Messrs Simon Walton, Interim Chief Executive, Donal Brennan, Director of Services, Gerry Murphy, Head of Finance, Ms. Angela McEvoy, Director of Services, Mr. Adrian Barrett, A/Director of Services, Ms. Carmel McNicholl, A/Director of Services & Ms. Michelle McCormack, S.O.

121. VOTES OF SYMPATHY

The following Votes of Sympathies were agreed:

- (i) Ms. Dolores Murphy on the recent death of her husband, Mr. Jimmy Murphy, Crowe Lane, Portarlinton, Co. Laois.
- (ii) The Carroll Family on the recent death of Mr. Michael Carroll, Swan Road, Durrow, Co. Laois.
- (iii) The Sheppard Family on the recent death of Mr. Hughie Sheppard, Derry Road, Durrow, father of Mr. Brian Sheppard, My Pay Department
- (iv) The Dunphy Family on the recent death of Mr. Patrick Dunphy, Cullohill Mountain, Cullohill, Co. Laois.
- (v) The O' Grady Family and the Presentation Community on the recent death of Sr. Mary O' Grady, Presentation Convent, Thurles, Co. Tipperary.
- (vi) The Thompson Family on the recent death of Ms. Ellen Thompson, Parnell Street, Mountmellick, Co. Laois.
- (vii) The Gorman Family on the recent death of Mr. P.J. Gorman, Woodview, Stradbally, Co. Laois.
- (viii) The Carroll Family on the recent death of Ms. Ann Carroll, Rathmoyle, Abbeyleix, Co. Laois.
- (ix) The Campion Family on the recent death of Ms. Alice Campion, St. Canices's Terrace, Borris-in-Ossory, mother of Mr. Eamon Campion in the Roads Department
- (x) The Loughnane Family on the recent death of Ms. Eileen Loughnane, Rathnahanagh, Portlaoise
- (xi) The Smyth Family on the recent death of Mr. Sean Smyth, Cherrygarth, Portlaoise, Co. Laois.
- (xii) The Dunne Family on the recent death of Mr. Camillus Dunne, Portlaoise, Co. Laois.

- (xiii) The Dunne Family on the recent death of Mr. Niall (Cornelius) Dunne, Beechfield and formerly of Cill Sileach, Ballyfin Road, Portlaoise, Co. Laois.
- (xiv) The Whelehan Family on the recent death of Mr. Jim Whelehan, Coolnabacca, Timahoe, Co. Laois.

122. CONFIRMATION OF MINUTES OF THE MAY MONTHLY MEETING HELD ON THE 27TH OF MAY 2024

On the proposition of Councillor James Kelly seconded by Councillor Willie Aird, the minutes of the May monthly meeting held on the 27th of May 2024 were confirmed as circulated.

Councillor Aisling Moran raised the issue of two Notice of Motions which she had submitted. Councillor Moran was advised that the said Notice of Motions had been received on Sunday, 21st of July which were past the deadline for receipt for consideration on the agenda – it was agreed that these Notice of Motions could be considered at the next CPG meeting for the September meeting of Laois County Council.

123. CONFIRMATION OF MINUTES OF THE SPECIAL MEETING HELD ON THE 24TH OF APRIL 2024

On the proposition of Councillor Paddy Bracken seconded by Councillor Seamus McDonald, the minutes of the Special Meeting held on the 24th of April 2024 were confirmed as circulated.

124. CONFIRMATION OF MINUTES OF THE ANNUAL GENERAL MEETING HELD ON THE 21ST OF JUNE 2024

On the proposition of Councillor Seamus McDonald seconded by Councillor John Joe Fennelly, the minutes of the Annual General Meeting held on the 21st of June 2024 were confirmed as circulated.

125. REPORT ON CPG MEETING HELD ON THE 17TH OF JUNE 2024

On the proposition of Councillor John Joe Fennelly seconded by Councillor Paschal McEvoy, the minutes of the CPG Meeting held on the 17th of June 2024 were confirmed as circulated.

126. REPORT ON BORRIS-IN-OSSORY/MOUNTMELICK MUNICIPAL DISTRICT MEETINGS HELD ON THE 8TH OF MAY 2024

On the proposition of Councillor James Kelly seconded by Councillor Seamus McDonald, the minutes of the Borris-in-Ossory/Mountmellick Municipal District meetings held on the 8th of May 2024 were confirmed as circulated.

127. PART VIII OF THE PLANNING & DEVELOPMENT REGULATIONS, 2001 (AS AMENDED) – PROPOSED DEVELOPMENT OF A COMMUNITY HUB AND ASSOCIATED WORKS AT THE FORMER METHODIST CHAPEL/ICA HALL, PATRICK STREET, DURROW

The Members were circulated with details on the proposed development consisting of the following work:

- Alterations to the single-storey toilet block side extension (42 sq.m.) which comprised Phase 1 of the previously permitted Community Hub extension (Laois County Council Planning Register Ref: 18/639 & An Bord Pleanala appeal ref: 303848-19)
- Construction of new two-storey Community Hub side extension with single-storey link element to/from the protected structure (436 sq.m.) and associated site works and service connections.
- Hard and soft landscaping of the Patrick Street forecourts to enhance the setting of the protected structure and to facilitate drop-off/deliveries and a variety of outdoor community activities.

Following discussion of the issues and on the proposition of Councillor Ollie Clooney seconded by Councillor Conor Bergin, the Members agreed to proceed with the development as outlined.

128. LEASE OF THE OLD FIRE STATION, PORTLAOISE ROAD, PORTARLINGTON

On the proposition of Councillor Aidan Mullins seconded by Councillor Aisling Moran, the Members unanimously agreed to the lease of the old Fire Station, Portlaoise Road, Portarlington in the townland of Cooltederry to Portarlington Men's Shed for a period of 4 years and 11 months for a consideration of €1.00 per annum

129. LEASE OF LAND COMPRISING 1.52 HECTARES AT THE FORMER OLD WATERWORKS IN THE TOWNLAND OF BALLYMORRIS

The Members noted that this item was postponed.

130. NOMINATION OF MR. SIMON WALTON, INTERIM CHIEF EXECUTIVE (REPRESENTING THE LOCAL GOVERNMENT BODY) TO THE LOCAL COMMUNITY DEVELOPMENT COMMITTEE

On the proposition of Councillor Willie Aird seconded by Councillor John Joe Fennelly, the Members unanimously agreed to the nomination of Mr. Simon Walton, Interim Chief Executive (representing the Local Government Body) to the Local Community Development Committee.

131. NOMINATION OF COUNCILLOR CAROLINE DWANE STANLEY TO THE LAOIS LEADER LAG (REPLACING COUNCILLOR AISLING MORAN FOLLOWING HER RESIGNATION)

On the proposition of Councillor John Joe Fennelly seconded by Councillor Caroline Dwane Stanley, the Members agreed the nomination of Councillor Caroline Dwane Stanley to replace Councillor Aisling Moran following her resignation to the Laois Leader LAG.

132. NOMINATION OF EXTERNAL MEMBERS, MR. JOHN MCCORMACK & MR. JOHN BRENNAN TO THE AUDIT COMMITTEE

On the proposition of Councillor John King seconded by Councillor John Joe Fennelly, the Members unanimously agreed to the nomination of the External Members, Mr. John McCormack & Mr. John Brennan to the Audit Committee.

133. AGREE A DATE FOR SPECIAL MEETING OF FULL COUNCIL TO CONSIDER THE CHIEF EXECUTIVE'S REPORT ON SUBMISSIONS TO THE DRAFT PORTLAOISE LOCAL AREA PLAN 2024-2030

Ms. Angela McEvoy, Director of Services briefed the Members on this item. It was noted that the Interim Chief Executive's Report on submissions received will be circulated to the Members next week. It was agreed that a special meeting of the full Council will take place on the 10th of September 2024 at 2.00 p.m.

134. ADOPTION OF THE CARLOW GRAIGUECULLEN JOINT URBAN AREA PLAN 2024-2030 – CONSIDERATION OF THE CHIEF EXECUTIVE REPORT ON MATERIAL ALTERATIONS –

DISCLOSURE OF INTERESTS Ms. Irene Delaney, A.O., Corporate Affairs referred to the Members statutory obligations regarding the ethics - disclosure at meetings and disclosures in advance of meeting, details of which had been sent to all Elected Members in advance of this meeting. Members were advised that if there were any further declaration of interests that they should advise in advance of any discussion on that particular submission.

Ms. Angela McEvoy, Director of Services delivered a presentation to the Members on the Chief Executive's report on the material alterations on the Carlow Graiguecullen Joint Urban Area Plan. The Members were advised that the amendments were agreed on the 24th of April 2024 and were placed on public display from the 14th of May until the 12th of June 2024.

The first submission considered was:-

OPR Submission LS-C98-1

Recommendation No: 1 Land Use Zoning for residential use

OPR requested the planning authority to make the JULAP without the following proposed material alterations:

Amendment No. 61 – Amend Landuse Zoning Map 12.1 to zone 0.15ha to the north of N80 as Strategic Reserve and extend the development boundary; and

***Amendment No.62 – Amend Landuse Zoning Map 12.1 to zone 1.32ha to the north of N80 as Strategic Reserve and extend the development boundary
These are the Dormer family lands. This was also the submission from TII (LS-C98-6) and NTA 9Is-C98-2)***

CE Recommendation - Do Not accept the MA 61 & 62

On the proposition of Councillor Aisling Moran seconded by Councillor Paschal McEvoy, it was proposed to accept Material Amendment No. 61 & 62.

A Roll Call Vote was taken on the proposition of Cllr Moran to accept Material amendment No 61 and 62 which resulted as follows:

| COUNCILLOR | | FOR | AGAINST | ABSENT |
|------------|------------------|-----|---------|--------|
| FIRST NAME | SURNAME | | | |
| William | AIRD | ✓ | | |
| Conor | BERGIN | ✓ | | |
| Paddy | BRACKEN | ✓ | | |
| Ben | BRENNAN | ✓ | | |
| Ollie | CLOONEY | ✓ | | |
| Caroline | DWANE STANLEY | ✓ | | |
| John Joe | FENNELLY | ✓ | | |
| Catherine | FITZGERALD | | | ✓ |
| Padraig | FLEMING | | | ✓ |
| James | KELLY | ✓ | | |
| John | KING | ✓ | | |
| Seamus | MCDONALD | ✓ | | |
| Paschal | MCEVOY | ✓ | | |
| Aisling | MORAN | ✓ | | |
| Tommy | MULLIGAN | ✓ | | |
| Aidan | MULLINS | ✓ | | |
| Vivienne | PHELAN | ✓ | | |
| Marie | TUOHY | ✓ | | |
| Barry | WALSH | ✓ | | |

The result of the Roll Call Vote was as follows:-

- ❖ 17 votes in favour
- ❖ 2 Members Absent

Decision – to include accept material amendment 61 and 62

Recommendation No. 2

Land Use Zoning for Employment Uses
Amendments 57/58/54 – relate to Carlow CC)

This was noted.

Recommendation No. 3

Flood Risk Management LCC

This was also the submission from OPW (LS-C98-10)

The OPW were consulted in relation to Proposed Material Alteration No. 63 (Leighlin Road) and the flood zones were clarified.

A submission was also made by the agent for the developer Peter Thomson Planning Solutions on behalf of Whitehorse Developments Limited T/A Capital Homes (LS-C98-4)

This was proposed by Councillor Aisling Moran seconded by Councillor John King.

Recommendation No 4:

Monitoring and Implementation

Accept MA 9/50/51 - *This was proposed by Councillor Aisling Moran seconded by Councillor John King.*

SRA Submissions (LS C98-3)

Chapter 3 – Core Strategy and Housing – Accept MA 2/3

Chapter 4 – Economic Development – Accept MA 6 with some further amendment

Chapter 8 – Sustainable Communities – Accept MA 32

Chapter 11 – Climate Action – Accept MA 47

These were agreed on the proposition of Councillor Aisling Moran seconded by Councillor John King.

In relation to the following Material Amendments of the plan , they were taken chapter by chapter as follows

Chapter 1 – Plan review and context – **no material amendments proposed** – this was agreed on the proposition of Councillor Aisling Moran seconded by Councillor John King.

Chapter 2 – Carlow Graiguecullen Strategic Vision – **Accept Proposed MA No. 1** – this was agreed on the proposition of Councillor Aisling Moran seconded by Councillor John King.

Chapter 3 – Core Strategy and Housing LS C98-5 – **Accept Proposed MA No. 4** – this was agreed on the proposition of Councillor Aisling Moran seconded by Councillor John King

Chapter 4 – Economic Development and Retail and Tourism – **Accept Proposed MA No. 5** this was agreed on the proposition of Councillor Aisling Moran seconded by Councillor John King

Chapter 5 – Urban Design Town Centre and Regeneration – **Accept Proposed MA No 7-8** - this was agreed on the proposition of Councillor Aisling Moran seconded by Councillor John King

Chapter 6 – Sustainable Travel and Transportation LS C98-6, LS 98-2 – **Accept Proposed MA 10-13, 15-17, 14-21, 21-27, 29, 30, 19, 20, 28** - this was agreed on the proposition of Councillor John King seconded by Councillor Paschal McEvoy

Chapter 7 – Infrastructure and Environmental Services – **Accept Proposed MA No 31** - this was agreed on the proposition of Councillor Paschal McEvoy seconded by Councillor Aisling Moran.

Chapter 8 – Sustainable Communities – **Accept Proposed MA No 33** - this was agreed on the proposition of Councillor Aisling Moran seconded by Councillor John Joe Fennelly

Chapter 9 – Built Heritage – **Accept Proposed MA No 34-42** - this was agreed on the proposition of Councillor Aisling Moran seconded by Councillor John King

Chapter 10 – Natural Heritage, Green Infrastructure and Landscape – **Accept Proposed MA 43-46** - this was agreed on the proposition of Councillor Aisling Moran seconded by Councillor John King

Chapter 11 – Climate Action – **Accept Proposed MA No 48** - this was agreed on the proposition of Councillor Aisling Moran seconded by Councillor John King

Chapter 12 – Land Use Zonings Objectives and Implementation - this was agreed on the proposition of Councillor Aisling Moran seconded by Councillor John King

SFRA LSC98-10

As per OPR submission relating to Amendment No 63 - ***This was proposed by Councillor Aisling Moran seconded by Councillor John King.***

LS -C98-7 – duplicate CLW – C119-10) Theresa Abbey

LS-C98-9 – duplicate CLW-C119-11) Kehoe Architectural Design on behalf of Theresa Abbey, Derek Abbey, Andy Doyle and Mary Doyle

LS-C98-9 – duplicate CLW-C119-12) Anthony Abbey

LS C-98-11 duplicate CLW – C119-3) James Millar Developments

LS C – 98-4 Peter Thompson on behalf of Whitehorse Developments Ltd (Capitol Homes)

The CE response and recommendation was noted and agreed.

It was advised that following consideration of the proposed amendments to the Draft JULAP and the Chief Executive's Report, the Elected Members shall, by resolution, having considered the proposed amendments and the Chief Executive's report make the plan with or without the proposed amendments except that where they decide to accept the proposed amendment they may do so subject to any modifications to the amendment.

Resolution

We the Members of Laois County Council having considered the Draft Plan, the Proposed Material Amendments, the Chief Executive Reports on Consultations; and

- the Strategic Environmental Assessment (SEA) Environmental Report for the Draft Local Area Plan
- The Appropriate Assessment (AA) Natura Impact Report for the Draft Local Area Plan
- The Strategic Flood Risk Assessment (SFRA) for the Draft Local Area Plan

- The Screening for AA Report for the Proposed Material Alterations
- The Screening for SEA Report for the Proposed Material Alterations
- Screening for SEA and AA determinations to date
- Written submissions relating to SEA, AA and SFRA made during the Local Area Plan preparation process
- Ongoing advice on SEA, AA and SFRA from the Council's agents
- The final, consolidated Natura Impact Report and
- The final AA Determination,

in accordance with the provisions of Section 20 of the Planning and Development Act 2000 (as amended), the members agree, by resolution, to make the Plan, as recommended by the Chief Executive at the Council Meeting on 29th July 2024 on the on the proposal of Councillor Aisling Moran seconded by Councillor Paschal McEvoy , with 17 members voting in favour, 0 members voting against and 0 members abstaining, and 2 members absent and to proceed in accordance with Section 20 of the Planning and Development Act 2000 (as amended) to publish notice of the making of the Carlow-Graiguecullen Joint Urban Local Area Plan 2024-2030.

A Roll Call Vote took place to adopt the Joint Local Area Plan which resulted as follows:-

| COUNCILLOR | | FOR | AGAINST | ABSENT |
|------------|------------------|-----|---------|--------|
| FIRST NAME | SURNAME | | | |
| William | AIRD | ✓ | | |
| Conor | BERGIN | ✓ | | |
| Paddy | BRACKEN | ✓ | | |
| Ben | BRENNAN | | | ✓ |
| Ollie | CLOONEY | ✓ | | |
| Caroline | DWANE STANLEY | ✓ | | |
| John Joe | FENNELLY | ✓ | | |
| Catherine | FITZGERALD | ✓ | | |
| Padraig | FLEMING | | | ✓ |
| James | KELLY | ✓ | | |
| John | KING | ✓ | | |
| Seamus | MCDONALD | ✓ | | |
| Paschal | MCEVOY | ✓ | | |
| Aisling | MORAN | ✓ | | |
| Tommy | MULLIGAN | ✓ | | |
| Aidan | MULLINS | ✓ | | |
| Vivienne | PHELAN | ✓ | | |
| Marie | TUOHY | ✓ | | |
| Barry | WALSH | ✓ | | |

The result of the Roll Call Vote was as follows:-

- ❖ 17 votes in favour
- ❖ 0 Votes Against
- ❖ 2 Members Absent

The Motion was passed and it was advised that the plan would come into effect six weeks from the date of the meeting (i.e. 29th of July 2024)

135. LAOIS ROAD SAFETY STRATEGY 2024-2030

The Members were circulated with a copy of the Laois Road Safety Strategy 2024-2030 and the Director of Services responded to the various queries raised. On the proposition of Councillor John Joe Fennelly seconded by Councillor Paschal McEvoy the Members unanimously agreed the adoption of the Laois Road Safety Strategy 2024-2030.

136. DRAFT S.P.C. SCHEME 2024-2029

Mr. Donal Brennan, Director of Services briefed the Members on the draft S.P.C. Scheme 2024-2029 and replied to the various queries. It was agreed that the scheme would be advertised with the closing date for receipt of nominations being the 3rd of September 2024 on the proposition of Councillor John Joe Fennelly seconded by Councillor Willie Aird.

137. COMMENCEMENT OF INITIAL CONSULTATION ON THE DRAFT- CORPORATE PLAN FOR NOTING

The Members were advised that Laois County Council are required to adopt the Laois County Council Corporate Plan 2024-2029 within six months of the date of the AGM which was held on the 21st of June 2024. It was noted that the preparation of such documentation is subject to public consultation. It is proposed to commence the consultation for the Corporate Plan at the same time as the consultation of the SPC scheme. During the preparation of the Corporate Plan the Council staff will engage with the CPG and the SPCs (once these committees are established). As part of the consultation process for the Corporate Plan the Council will also consult the public on what is termed the 'public sector duty' under Section 42 of Irish Human Rights and Equality Commission Act, 2014. The first draft of the Corporate Plan will be prepared after the conclusion of the consultation process for that plan.

138. MONTHLY MANAGEMENT REPORT FOR JUNE/JULY 2024

The Members were circulated with a copy of the Monthly Management Report for June/July 2024 and the Directors of Services responded to the various queries raised.

139. TRAINING & CONFERENCES

It was noted that there was no training and conferences for ratification this month.

140. CORRESPONDENCE

The following correspondence was circulated which had been received since the last meeting of Laois County Council:-

- (i) Correspondence dated the 28th of May 2024 from the Minister for Health in relation to Notice of Motion No: 19/2024
- (ii) Correspondence dated the 4th of June 2024 from Limerick City & County Council in relation to allowing taxpayers one week where no tax is paid in line with Social Welfare recipients whereby their welfare payments increase at Christmas.

- (iii) Correspondence dated the 6th of June 2024 from the Department of Housing, Local Government & Heritage in relation to Notice of Motion No: 20/2024
- (iv) Correspondence dated the 6th of June 2024 from the Department of Finance in relation to Notice of Motion No: 12/2024
- (v) Correspondence dated the 13th of June 2024 from Minister Roderic O' Gorman in relation to Notice of Motion No: 26/2024

141. NOTICE OF MOTIONS

Notice of Motion No: 27/2024

Councillor Willie Aird proposed the following Notice of Motion:-

“That Laois County Council calls on the Minister for Health, Mr. Stephen Donnelly, T.D., to review Speech and Language Therapy, Occupational Health Therapy, Orthodontic and Psychological Services available to children in Laois with a view to resourcing adequate practitioners to reduce children’s waiting time for these services”

This Notice of Motion was seconded by Councillor Barry Walsh. The Members were advised that correspondence would issue to the Minister for Health, Mr. Stephen Donnelly, T.D., in this regard.

Notice of Motion No: 28/2024

Councillor Willie Aird proposed the following Notice of Motion:-

“That Laois County Council calls on Deputy Fleming, Flanagan & Stanley to meet with the O.P.W to finalise a commencement date for the new Courthouse in Portlaoise”

This Notice of Motion was seconded by Councillor Barry Walsh. The Members were advised that correspondence would issue to Minister Fleming & Deputies Stanley & Fleming in this regard.

Notice of Motion No: 29/2024

Councillor Tommy Mulligan proposed the following Notice of Motion:-

“That Laois County Council engage and consult with the various education agencies ensuring that adequate education places are available in future years. With the new building projects having commenced and the expected population projection there is an acute problem around school places. With most schools at capacity is there an awareness around the lack of availability of school places for pre-school, primary, post primary and special classes”

This Notice of Motion was seconded by Councillor Caroline Dwane Stanley. The Members were advised that correspondence would issue in this regard.

It was requested that a copy of this correspondence also issue to the Minister for Education, Ms. Norma Foley in this regard.

Notice of Motion No: 30/2024

Councillor Tommy Mulligan proposed the following Notice of Motion:-

“That Laois County Council write to Irish Rail requesting that they ensure that the Company have personnel available and operating throughout the working day to assist and provide information to customers at the train stations throughout the County - Portlaoise Train Station, Portarlinton Train Station and Ballybrophy Train Station”

This Notice of Motion was seconded by Councillor James Kelly. Councillor Mulligan requested that the correspondence be copied to the Minister for Transport also.

Notice of Motion No: 31/2024

Councillor Tommy Mulligan proposed the following Notice of Motion:-

“That Laois County Council call on the Minister of Education, Ms. Normal Foley, T.D., to ensure that there are adequate special education resources in all schools in the County”

This Notice of Motion was seconded by Councillor Aisling Moran. It was agreed that correspondence issue to the Minister for Education in this regard.

This concluded the business of the meeting.

SIGNED: _____
CATHAOIRLEACH

CERTIFIED: _____
DIRECTOR OF SERVICES
CORPORATE AFFAIRS