

**MINUTES OF THE ADJOURNED SPECIAL MEETING OF LAOIS COUNTY COUNCIL HELD
ON THE 18TH OF NOVEMBER 2024 IN ÁRAS AN CHONTAE**

PRESENT:	Councillor	Padraig Fleming, Cathaoirleach In The Chair	
	Councillors	Conor Bergin Paddy Bracken Ollie Clooney John Joe Fennelly James Kelly Tommy Mulligan Willie Aird John King	Vivienne Phelan Ben Brennan Caroline Dwane Stanley Catherine Fitzgerald Paschal McEvoy Aidan Mullins Seamus McDonald Barry Walsh
APOLOGIES:	Councillor	Aisling Moran	Marie Tuohy

IN ATTENDANCE:

Mr. Simon Walton, Interim Chief Executive, Mr. Donal Brennan, Director of Services, Ms. Georgina Ireland, A/Director of Services, Ms. Julie Bergin, A/Director of Finance, Mr. Paul McLoughlin, A/Director of Services, Ms. Carmel McNicholl, A/Director of Services, Mr. David O’ Hara, Senior Planner Ms. Irene Delaney, A.O. & Ms. Michelle McCormack, S.O.

180. DISCLOSURE OF INTEREST

Ms. Irene Delaney, Meetings Administrator advised the Members that in considering and approving material contraventions of the County Development Plan the Elected Council, acting in the interests of the common good and the proper planning and sustainable development of the area, must, in accordance with the “Code of Conduct for Councillors” prepared under the Local Government Act 2001, as amended carry out their duties in this regard in a transparent manner, must follow due process and must make their decisions based on relevant considerations, while ignoring that which is irrelevant within the requirements of the statutory framework.

When performing their functions, members of the Planning Authority shall be restricted to considering the proper planning and sustainable development of the area, the statutory obligations of any local authority in any area and any relevant policies or objectives for the time being of the Government or of any Minister of the Government. Equally, Local Authority employees should perform their duties objectively, should have no vested interest in the contents of the matter and should be in accordance with the Council’s Code of Conduct for Employees.

Members are reminded of the requirement of Part 15 of the Local Government Act 2001, as amended in relation to Disclosure of Interest. Any member who has a pecuniary or other beneficial interest on any item in the subject matter before the members must disclose the nature of that interest and then withdraw fully from the meeting for as long as the matter is being discussed or considered.

Similarly, any member who has a connected person who has a pecuniary or other beneficial interest on any item in the subject matter before the members must disclose the nature of that interest and then withdraw fully from the meeting for as long as the

matter is being discussed or considered. A connected person means a brother, sister, parent or spouse of the person or a child of the person or of the spouse.

Members are also reminded that they are Designated Public Officials and should at all times act in accordance with the requirements of the Regulation of Lobbying Act 2015.

181 Proposed Material Contraventions of the Laois County Development Plan 2021 – 2027 to allow for:

- **The construction of 2 no. two and a half storey detached dwellings, connection to onsite services, boundary treatments, off street parking and all associated site works at Plot 19, Bruach Na Habhainn, Killeen, Maganey, Co. Laois – Planning Ref: 24/60077**

The Chief Executive’s report and recommendation was noted. Councillor Paschal McEvoy proposed that this application be refused as the proposed development would impinge on amenities. This proposal was seconded by Councillor Vivienne Phelan.

Mr. David O’ Hara, Senior Planner responded to a query from Councillor James Kelly in relation to the current zoning of the site.

Councillor James Kelly proposed that this application be granted and was seconded by Councillor Ben Brennan. As a result a Roll Call Vote took place which resulted as follows:-

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

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

- ❖ 3 votes in favour of the Material Contravention
- ❖ 11 votes against
- ❖ 3 abstentions
- ❖ 2 absent

182. Proposed Material Contraventions of the Laois County Development Plan 2021 – 2027 to allow for:

- **The construction of a single dwelling house and garage, new site entrance, connection to public water mains and public sewerage system and all associated site works at The Swan, Co. Laois - Planning Ref: 24/60231**

The Chief Executive’s report and recommendation was noted. Councillor Ben Brennan proposed that this application be granted and was seconded by Councillor Paschal McEvoy. As a result a Roll Call Vote took place which resulted as follows:-

COUNCILLOR		FOR THE MATERIAL CONTRAVENTION	AGAINST THE MATERIAL CONTRAVENTION	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			Absent
Tommy	MULLIGAN	✓		
Aidan	MULLINS	✓		
Vivienne	PHELAN	✓		
Marie	TUOHY			Absent
Barry	WALSH	✓		

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

- ❖ 17 votes in favour of the Material Contravention
- ❖ 2 absent

Councillor Willie Aird proposed that a copy of the legal opinion advising the redaction of a third party submission be circulated to the Members and this was seconded by Councillor Barry Walsh.

This concluded the business of the meeting.

SIGNED: _____
CATHAOIRLEACH

CERTIFIED: _____
**DIRECTOR OF SERVICES
CORPORATE AFFAIRS**