

**MINUTES OF THE JANUARY MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 25<sup>TH</sup> OF  
JANUARY 2021 BY MICROSOFT TEAMS**

**PRESENT:**

Councillor	Catherine Fitzgerald	In The Chair
Councillors	Willie Aird	Paddy Bracken
	John Joe Fennelly	Aidan Mullins
	Padraig Fleming	James Kelly
	Seamus McDonald	Conor Bergin
	Aisling Moran	Mary Sweeney
	Noel Tuohy	Caroline Dwane Stanley
	Ollie Clooney	John King
	Thomasina Connell	Paschal McEvoy
	Ben Brennan	

**APOLOGIES:** Councillor Tom Mulhall

**IN ATTENDANCE:**

Messers John Mulholland, Chief Executive, Donal Brennan, Director of Services, Simon Walton, Director of Services, Mr. Joe Delaney, Director of Services, Mr. Gerry Murphy, Head of Finance, Ms. Irene Delaney, A.O., & Ms. Michelle McCormack, S.O.

**1. VOTES OF SYMPATHIES**

On the proposition of the Cathaoirleach, Councillor Catherine Fitzgerald, the Members extended a vote of sympathy to the Condrón family, Carrick Hill on the recent death of Mr. Brendan Condrón, former Senior Executive Engineer with Laois County Council.

On the proposition of the Cathaoirleach, Councillor Catherine Fitzgerald, the Members extended a vote of sympathy to Ms. Sandra Southern, Capital Roads Project Office on the death of her father, Mr. Johnny Southern, Croneyhorn Lower, Carnew, Wicklow.

On the proposition of the Cathaoirleach, Councillor Catherine Fitzgerald, the Members extended a vote of sympathy to Ms. Jackie Doherty, MyPay and Mr. Eddie Doherty, Water Services on the death of their father, Mr. Jackie Doherty, Fr. O' Connor Crescent, Mountrath, Co. Laois

On the proposition of the Cathaoirleach, Councillor Catherine Fitzgerald, the Members extended a vote of sympathy to Ms. Janet Molloy, Finance Section on the death of her father, Mr. Jack Murphy, Clontico, Ballyroan, Co. Laois.

Councillor Catherine Fitzgerald proposed a vote of sympathy to the residents in the Drominin Nursing Home who recently passed away and also that a letter issue to the healthcare staff of the Nursing Home complimenting them on the excellent care provided in the unit during these very challenging times.

On the proposition of Councillor John Joe Fennelly, the Members extended a vote of sympathy to the Dunne Family on the death of Mr. Brendan Dunne, Roseville, Abbeyleix, Co. Laois.

On the proposition of Councillor Ollie Clooney, the Members extended a vote of sympathy to the Fogarty Family on the death of Mr. Jim Fogarty, Lakeview, Dereen, Durrow, Co. Laois.

**2. CONFIRMATION OF THE MINUTES OF THE DECEMBER MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 14<sup>TH</sup> OF DECEMBER 2020**

On the proposition of Councillor Paddy Bracken seconded by Councillor John Joe Fennelly, the Members unanimously agreed to the minutes of the December meeting of Laois County Council held on the 14<sup>th</sup> of December 2020

**3 CONFIRMATION OF THE MINUTES OF THE SPECIAL MEETING HELD ON THE 16<sup>TH</sup> OF DECEMBER 2020**

On the proposition of Councillor Seamus McDonald seconded by Councillor James Kelly, the Members unanimously agreed to the minutes of the special meeting of the special meeting held on the 16<sup>th</sup> of December 2020

**4. REPORT ON CPG MEETING HELD ON THE 7<sup>th</sup> OF DECEMBER 2020**

On the proposition of Councillor John King seconded by Councillor Ollie Clooney, the Members unanimously agreed to the report on CPG meeting held on the 7<sup>th</sup> of December 2020.

**5. REPORT ON MUNICIPAL DISTRICT MEETINGS HELD IN DECEMBER 2020**

On the proposition of Councillor John Joe Fennelly seconded by Councillor Pdraig Fleming, the Members unanimously agreed to the report on the Municipal District Meetings held in December 2020.

**6. REPORT ON STRATEGIC POLICY MEETINGS HELD IN DECEMBER 2020**

On the proposition of Councillor Paschal McEvoy seconded by Councillor John Joe Fennelly, the Members unanimously agreed to the report on the Strategic Policy Committee Meetings held in December 2020.

**7. DISPOSAL OF LAND UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001 IN RESPECT OF DISPOSAL OF 0.0059 HECTARES OF LAND AT THE REAR OF 2 CRAYDON COURT, PORTLAOISE**

On the proposition of Councillor Caroline Dwane Stanley seconded by Councillor Catherine Fitzgerald, the Members unanimously agreed to the disposal of 0.0059 hectares of land at the rear of 2 Craydon Court, Portlaoise in the townland of Maryborough for a consideration of €300.00.

**8. DISPOSAL OF LAND UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001 IN RESPECT OF DISPOSAL OF 0.2197 HECTARES OF LAND AT DYSARTBEAGH, MOUNTRATH**

On the proposition of Councillor James Kelly seconded by Councillor Paddy Bracken, the Members unanimously agreed to the disposal of 0.2197 hectares of land at Dysartbeagh, Mountrath in the townland of Dysartbeagh for a consideration of €10,000.

**9. TAKING IN CHARGE OF AGHAHARNA DRIVE (NO'S 90-102) STRADBALLY ROAD, PORTLAOISE**

On the proposition of Councillor Catherine Fitzgerald seconded by Councillor Noel Tuohy, the Members unanimously agreed to the taking in charge of Aghnaharna Drive (No's 90-102), Stradbally Road, Portlaoise, Co. Laois.

**10. TAKING IN CHARGE OF GRACEFIELD MANOR, BALLYLINAN**

On the proposition of Councillor Pdraig Fleming seconded by Councillor Aisling Moran, the Members unanimously agreed to the taking in charge of Gracefield Manor, Ballylinan.

**11. TAKING IN CHARGE OF MILLBROOK, PORTLAOISE**

On the proposition of Councillor Caroline Dwane Stanley seconded by Councillor Noel Tuohy, the Members unanimously agreed to the taking in charge of Millbrook, Portlaoise.

**12. NOTIFICATION OF RESIGNATION OF COUNCILLOR TOM MULHALL**

Members were advised that notification had been received from Councillor Mulhall of his resignation from membership of Laois County Council. The Cathaoirleach, Councillor Catherine Fitzgerald commended Councillor Mulhall on his dedication to his role and expressed her thanks to him for his immense contribution to Laois County Council. The Members individually wished Councillor Mulhall continued health and encouraged him to keep in contact with his colleagues.

The Chief Executive, Mr. John Mulholland also joined in the sentiments expressed and on behalf of the Management & Staff of Laois County Council paid tribute to Councillor Mulhall on his geniality and courtesy to everyone in Laois County Council and on being an excellent public representative. Mr. Mulholland assured Councillor Mulhall of a warm welcome in County Hall in the future and wished him continued recovery to good health.

**13. UPDATE ON THE IMPLEMENTATION OF THE CORPORATE PLAN 2019-2024**

The Members were circulated with a copy of the update on the implementation of the Corporate Plan 2019-2024 and same was noted.

#### **14. DRAFT 2021 TRAINING & DEVELOPMENT PROGRAMME**

On the proposition of Councillor John Joe Fennelly seconded by Councillor James Kelly the Members unanimously agreed the draft 2021 Training & Development Programme as circulated. The Programme for 2021 also provides for maximising opportunities for the delivery of training by remote means and seeking training opportunities for Members post Covid-19.

#### **15. MONTHLY MANAGEMENT REPORT FOR DECEMBER 2020/JANUARY 2021**

The Members were circulated with a copy of the Monthly Management Report for December 2021/January 2021 and the Directors of Service & Head of Finance responded to the various queries raised.

#### **16. TRAINING & CONFERENCES**

The Members were circulated with a list of forthcoming training and conferences which was noted by the Members.

#### **17. CORRESPONDENCE**

The Members were circulated with the following correspondence which had been received since the last Council Meeting as follows:

- (i) Acknowledgment from the Dublin Midlands Hospital Group dated the 7<sup>th</sup> of January 2021 & the Department of Health dated the 6<sup>th</sup> of January 2021 in relation to Notice of Motion No: 39/20 in relation to the recruitment of personnel for the purpose of contact tracing
- (ii) Correspondence from the Minister for health dated the 13<sup>th</sup> of January 2021 in relation to Notice of Motion No: 40/2020 in relation to the nurse and midwife registration fees. Councillor Moran, the proposer of Notice of Motion No: 40/2020 requested that a further letter issue to the Minister for Health requesting that consideration be given to the Government paying the fee for this year and going forward that the Employer would pay this fee.
- (iii) Correspondence from Senator Robbie Gallagher dated the 20<sup>th</sup> of January 2021 in relation to Developer Provided Water Infrastructure

#### **18. NOTICE OF MOTIONS**

### Notice of Motion No. 01/2021

Councillor Thomasina Connell proposed the following Notice of Motion

*“That this Council call on the Department of Social Protection to remove the age limit currently in place on the Pandemic Unemployment Payment (PUP) to allow those who were in employment and also over the age of 66 years, be eligible to apply”*

This Motion was seconded by Councillor Noel Tuohy. The Members were advised that a letter would issue to the Minister for Social Protection in this regard.

### Notice of Motion No: 02/2021

Councillor Mary Sweeney proposed the following Notice of Motion:-

*“That Laois County Council establish a fund to assist community and voluntary organisations with day to day operational costs”*

This Notice of Motion was seconded by Councillor Willie Aird. The Members were advised that The Council operates a comprehensive range of grants for Community organisations. Many such grant schemes administered by the Council are Department funded, in some instances with a match funding requirement from the Council, or from the Community group themselves. The grants administered largely relate to capital expenditure and not revenue/ day to day expenses, and the terms and conditions applicable may specifically exclude day to day running costs. Where such expenses may be considered to be eligible this is stated in the terms and conditions, as is the case with the recently advertised Covid Emergency Fund.

For larger scale Community funding initiatives the Town and Village Renewal Scheme is a primary source of funding, for smaller scale projects, the Community Enhancement Programme is the main source of grants, (no match funding requirement) and these are approved by the LCDC. In 2020, as a result of Covid-19, additional Covid related grants schemes were introduced to assist Community groups. The Council also operates a range of environmental grant schemes for voluntary organisations, which are advertised annually.

Funding allocated/distributed in 2020 under the various schemes is set out below:

<b>Community Enhancement Programme (CEP) 2020</b>	<b>€58,297</b>
<b>CEP Community Facilities and Buildings 2020</b>	<b>€128,195</b>
<b>Covid Emergency Fund Round 1</b>	<b>€66,897</b>
<b>Covid Emergency Fund Round 2</b>	<b>€46,811</b>
<b>Town and Village Renewal Scheme 2019</b>	<b>€437,761</b>
<b>Town and Village Renewal Scheme 2020</b>	<b>€383,375</b>
<b>TVRS (Accelerated Measures/Covid related)2020</b>	<b>€369,400</b>
<b>Community Grant Scheme 2020 (Environmental)</b>	<b>€33,000</b>
<b>Tidy Towns Grant Scheme 2020</b>	<b>€29,615</b>
<b>Community Environment Action Fund 2020</b>	<b>€21,850</b>

### Notice of Motion No: 03/2021

Councillor Mary Sweeney proposed the following Notice of Motion:-

*“That Laois County Council ask the Department of Communications, Energy & Natural Resources to widen the criteria for broadband connection points to ensure more community halls and community facilities in Laois can apply”*

This Notice of Motion was seconded by Councillor Pdraig Fleming. The Members were advised that a letter would issue to the Department of Communications, Energy & Natural Resources in this regard.

### Notice of Motion No: 04/2021

Councillor Mary Sweeney proposed the following Notice of Motion:-

*“That Laois County Council provide an update on funding for a county wide cycle cafe scheme”*

This Notice of Motion was seconded by Councillor James Kelly. The Members were advised that Further to a previous response to a Notice of Motion at the October 2020 Portlaoise Municipal District in this matter, wherein it was confirmed that Laois County Council has sought and secured funding in the total sum of €65,000 for the introduction of Smart Cycling Stops along the Slieve Bloom Cycle Route(s) and also in Durrow, I can now confirm that procurement has commenced with a view to purchasing appropriate Smart Cycling Stops to be in place by Q2 2021. Similarly, as previously advised and subject to funding etc., this will, hopefully, give rise to opportunities to expand the network of such facilities and similar facilities that support local wellbeing, tourism and economic activity.

### Notice of Motion No: 05/2021

Councillor Willie Aird proposed the following Notice of Motion:-

*“That Laois County Council call on the Chief Executive Mr John Mulholland, to outline the reasons why planning permission was granted to Bord an Móna for an anaerobic digester waste facility at its Cúl an Móna site in the town land of Clonboyne and Clonkeen on the outskirts of Portlaoise”*

This Notice of Motion was seconded by Councillor Mary Sweeney. The Members were advised that on the 19<sup>th</sup> of September 2019, Laois County Council received a valid planning application for the development of a Renewable Gas Facility, associated peat deposition area and external and internal road upgrades at Cúl na Móna Bog within the townland of Clonboyne and Clonkeen, Portlaoise.

On January 4<sup>th</sup> 2021, the Chief Executive made an order to decide to grant planning permission for the development. The planning file (ref: 19/530) is available for inspection by the Elected Members and members of the public. It contains all relevant information in relation to the application and the assessment leading to a decision to grant permission. The file and attachments are also available on the Laois County Council website.

Members will be aware that the making of a decision by a Planning Authority on a planning application is an executive function exercisable by the Chief Executive or a staff member to whom the function has been delegated. While the decision is made within the parameters of the development plan adopted by the Elected Members, no part of the decision or the determination of an application resides within the reserved function of Elected Council Members.

Members should further note that by law, under Section 34 of the Planning and Development Act, 2000, a Planning Authority when making its decision in relation to a valid application shall be restricted to considering the proper planning and development of the area, having regard to :-

- (a) The provisions of the County Development Plan;
- (b) The provisions of any special amenity order relating to the area;
- (c) The presence of any European site;
- (d) Government policy and the policy of the Minister for Housing, Planning & Local Government or any other Minister for Government
- (e) The application itself and any information furnished by the applicant pursuant to planning regulations,
- (f) Written submissions or observations by persons or bodies other than the applicant.

Noting the above and having regard to;

- (a) The right of any party to exercise an appeal of the decision or to seek a judicial review of the decision,

- (b) The requirement for additional statutory consent in respect of the operation of the proposed development by way of an Industrial Emissions Licence through the Environmental Protection Agency,

it is the case that the proposed development is still proceeding through a statutory legal process. Accordingly, the Chief Executive will not be in a position to add to the content of this note. The Chief Executive excused himself from the meeting during the discussion on the matter.

#### **Notice of Motion No: 06/2021**

**Councillor Willie Aird proposed the following Notice of Motion:-**

***“That Laois County Council calls on the Department of Health to increase the priority of members of the Fire Services to receive a COVID-19 vaccine”***

This Notice of motion was seconded by Councillor Mary Sweeney.

Councillor John King raised the prioritisation of CF sufferers also. It was agreed that a letter issue to the Department of Health in this regard.

#### **Notice of Motion No: 07/2021**

Councillor Caroline Dwane Stanley proposed the following Notice of Motion:

***“That this Council write to the Minister for Transport, Tourism & Sport, Mr. Eamonn Ryan, T.D. and the Chief Executive officer of Transport Infrastructure Ireland, Mr. Peter Walsh to raise with them the inadequate amount of funding in roads grants allocated to Laois for national roads in the current year”***

This Notice of Motion was seconded by Councillor Aisling Moran. The Members were advised that TII fund national roads which, in the case of County Laois, relates to the M7/M8 (funded directly from TII to Contractor), the N80 (Graiguecullen to south of Killeigh) and the N77 (Durrow to Portlaoise). TII maintenance funds are allocated at the beginning of each year and, in the case of County Laois 2021 allocations are the same as in 2020. Other, capital related funding streams are allocated across the calendar year and are based on condition surveys (Skid Resistance, Riding Quality etc.) i.e. on a needs basis across the network. LCC expects a reduced 2021 capital allocation in 2021 by comparison to 2020 arising from the completion of the N80 Maidenhead Realignment, an up to date skid resistance works programme and advance drawdown of funds in 2020 for the soon to commenced N80 Stradbally Road (Portlaoise) Resurfacing Scheme.

In discussing the Motion the Elected Members noted the longstanding objective of Laois County Council for an N80 Northern Orbital Route in Portlaoise. Over and above County/Town Development Plan various Regional and National Planning Guidelines together with the National Secondary Roads Needs Study support the provision of the N80 Northern Orbital Route. Nonetheless it is not a listed deliverable in the current National Development Plan. Members also noted the degree to which other, ongoing efforts, to make Portlaoise a more accessible, permeable and Smarter Travel Town are being frustrated in the absence of the N80 Northern Orbital Route and further noted that lack of progress to deliver the route is inconsistent with Portlaoise’s population growth and it’s status as a Low Carbon Town. The Elected Members are seeking an update on progress with the N80 Northern Orbital Route with a view to the Scheme being listed as a deliverable in the National Development Plan.

It was agreed that a letter issue to the Minister in this regard and that a copy of the correspondence be forwarded to Minister Sean Fleming, Deputy Sean Fleming & Deputy Charles Flanagan

Any Other Business

Councillor Moran – Leaving Cert – suggestion that it be cancelled and the money be spent on a college entrance exam



Mother & Babies Report

Councillor Moran – very dark part of Ireland’s history – stop this from happening in Direct Provision Centres

This concluded the business of the meeting.

**SIGNED:** \_\_\_\_\_  
**CATHAOIRLEACH**

**CERTIFIED:** \_\_\_\_\_  
**DIRECTOR OF SERVICES  
CORPORATE AFFAIRS**

Congratulate Portlaoise Tidy Towns – IBAI Results