

**MINUTES OF THE PORTLAOISE MUNICIPAL DISTRICT MEETING HELD ON WEDNESDAY
15th JULY 2020 IN ÁRAS AN CHONTAE, PORTLAOISE**

PRESENT Mr. Thomasina Connell, Cathaoirleach (In the Chair)
Ms. Mary Sweeney, M.C.C.
Ms. Catherine Fitzgerald, M.C.C.
Ms. Caroline Dwane Stanley, M.C.C.
Mr. John Joe Fennelly, M.C.C.
Mr. Willie Aird, M.C.C.
Mr. Noel Tuohy, M.C.C.

IN ATTENDANCE: Mr. Simon Walton, Director of Services
Mr. Seamus Quinn, A/Senior Executive Engineer
Ms. Michelle McCormack, Staff Officer

1. CONFIRMATION OF THE MINUTES OF THE JUNE MEETING OF PORTLAOISE MUNICIPAL DISTRICT HELD ON THE 17TH OF JUNE 2020

On the proposal of Councillor Willie Aird seconded by Councillor Noel Tuohy, the minutes of the June meeting held on the 17th of June 2020 were confirmed as circulated.

2. MATTERS ARISING FROM MEETING HELD ON THE 17TH OF JUNE 2020

There were no matters arising from the Minutes of meeting held on the 17th of June 2020.

3. CONFIRMATION OF MINUTES OF THE A.G.M. HELD ON THE 17TH OF JUNE 2020

On the proposition of Councillor John Joe Fennelly seconded by Councillor Willie Aird, the minutes of the A.G.M. held on the 17th of June 2020 were confirmed as circulated.

4. J17 NATIONAL ENTERPRISE PARK – DECLARATION OF A PUBLIC ROAD

The Members were circulated with a Report on this item and were advised that the J17 National Enterprise Park Masterplan was adopted by Laois County Council in 2018 and provides for the development of circa 190 hectares of lands in the Clonminam/Togher townlands of Portlaoise.

It was noted that previous planning consents on private lands in the Masterplan Area issued so as to ensure that the road network throughout the Mastperlan area integrates appropriately with the broader public road network, that the various underground services are suitably sized to adequately service the Masterplan Area and that underground services are provided in a manner complimentary to the future connection of those underground services to the broader public network of services.

Laois County Council is in receipt of a Draft Deed of Dedication from the owner of the lands outlined in pink on the circulated map confirming agreement to create a public right of way over the lands to facilitate their use as a public road and, in turn, providing full public access to underground services.

On the proposition of Councillor John Joe Fennelly seconded by Councillor Mary Sweeney, the Members unanimously agreed to publish notice of Laois County Council's intention to declare the section of the road to be a public road. Once the public consultation has been conducted, a further report will be prepared in accordance with the requirements of the Section 11 Roads Act 1993, with a view to a resolution of Laois County Council declaring the road to be a public road.

5. CONSIDERATION OF STRATEGIC HOUSING DEVELOPMENTS FOR PLANNING APPLICATIONS

Ms. Angela McEvoy, Senior Planner delivered a presentation to the meeting on the following SHDs:-

- (i) Planning Application Ref: SHD – ABP307420-20 – Boderg Developments Ltd – permission for 155 no. residential units, comprising 115 no. dwellings and 36 no. apartments and 4 no. maisonettes at Foxburrow, Beladd, Portlaoise, Co. Laois.

The following outlines a summary of the recorded views of the Portlaoise Municipal District Members:-

Cllr. Willie Aird

- No vehicle Entrance through Grenville nor a pedestrian entrance should be allowed - in some places these do work but in others they don't and the residents of neither Grenville or Foxborrow want this link;
- The development is too dense – queries why such a density would be acceptable;
- The entrance from the Block Road needs to be looked at – will be traffic chaos with schools traffic and people going to work;
- Quality of life of the people living in the surrounding estates will be impacted upon;

Cllr Catherine Fitzgerald

- Existing estate has not been taken in charge – why not?
- Sewerage problems remain an issue in this area – Odour from sewerage and network;
- Entrance into Chantiere Gate has been the subject of minor accidents;
- The staggered junction within the estate is very dangerous;
- Impact of extra traffic on the existing network;

Cllr. Noel Touhy

- This will result in gridlock in this area;
- This does not create a sustainable environment for residents to enjoy.

- (ii) Planning Application Ref: SHD – ABP307411-20 – Thomas Kelly & Sons Group – permission for the construction of a residential development with a gross floor area of 26,146.60 sq.m and comprising a total of 262 no. residential units, 1 no. double garage 1 no. crèche with a gross floor area of 178.70 sq.m., 1 no. retail unit with a gross floor area of 147.70 sq. M, car parking and cycle parking, open space, private amenity space, services, landscaping and associated site works at Rathevan, Portlaoise.

The following outlines a summary of the recorded views of the Portlaoise Municipal District Members:-

Cllr. Willie Aird

- Concerns with the number of estates being built in Portlaoise and not yet finished such as Bellingham, Ashwood Walk, Mount Stewart, Maryborough, etc and a number of social housing developments currently under construction
- Flooding needs to be considered in this development – where is the surface water to go safely- is there a potential for flooding given the height of the site;
- Pumping station on the Borris Road always in use, will this be surcharged as a result?
- The existing infrastructure needs to be able to cater for the existing residents without further pressure on it;
- Premature development;
- The green areas need to be accessible to everyone and should be able to be used for kicking football – examples given of Marian Ave, Portlaoise and Cherrygarth;
- Boundary treatments need to be in line with the Development Plan requirements – no palisade fencing or timber fencing
- Development is premature until such time as the Portlaoise Northern Orbital Route is delivered to allow traffic to feed from this proposed development out to the Dublin Road.
- The Red Lough has a lot of history associated with it and is a natural heritage feature in the area – should be protected.

Cllr. Mary Sweeney

- Concerns regarding the SHD process and its impact on the powers of the Local Authority;

Cllr. Thomasina Connell (Chairperson of the MD)

- Noted that there is no opportunity to appeal this and only a Judicial Review can be taken against a decision which is not fair to the ordinary home owners;
- This process leapfrogs the Councils which is not acceptable.

Cllr Catherine Fitzgerald

- Consideration should be given to all the applications that have been granted but haven't gone ahead before we grant anymore;
- The lands are very elevated – impact of the houses ;
- Proper infrastructure needs to be place before this goes ahead
- Residents will be living in a construction site if only small area is built and not finished;
- Construction routes are to go up the Ratheven Country (rural) Road which will need a safety scheme on it if this goes ahead as it wont be safe for existing traffic.

Cllr. Caroline Dwane Stanley

- Not against houses being built in the town;
- Infrastructure should be put in first and we should learn from our earlier mistakes

Cllr. John Joe Fennelly

- Not against houses being built in the town;
- Would these sites for SHD take up all the allocation for housing within the Town;
- Too big a development.

All Members of the Portlaoise Municipal District were unanimous in their opposition to the new Strategic Housing Development legislation that allows planning applications of over 100 units bypass the Local Authority and go straight to An Bord Pleanala.

The Members indicated that these applications should be dealt with locally and is a further erosion of Local Government and its powers. Mr. Joe Delaney, Director of Services with Laois County Council, indicated that the Member's views would go directly to An Bord Pleanala. It was agreed that a request for a deputation be sought from the Minister for Housing, Local Government & Heritage in this regard.

6. NOTICE OF MOTIONS

Notice of Motion No: 80/2020

Councillor Mary Sweeney proposed the following Notice of Motion:-

"That Laois County Council install rumble strips and additional safety measures at Raggettstown Road, Ballinakill"

This Notice of Motion was seconded by Councillor John Joe Fennelly. The Members were advised that Mr. Wes Wilkinson, S.E.E. will make himself available to meet Councillor Sweeney on site to examine the issues at this location.

Notice of Motion No: 81/2020

Councillor Mary Sweeney proposed the following Notice of Motion:-

"That Laois County Council conduct a public information campaign on parking availability in the vicinity of the Main Street in Portlaoise in conjunction with the pedestrianisation of the Main Street"

This Notice of Motion was seconded by Councillor Willie Aird. The Members were advised that as part of its efforts to support the reopening of local business, in line with the Roadmap for Reopening Business and Society, Laois County Council recently made various modifications to existing parking in the vicinity of Main Street Portlaoise to encourage customers to return to the Main Street and to shop safely. These modifications include a number of short term stay spaces on Main Street, Lower Square and Market Square, all in support for the 'click and collect' philosophy. This was communicated as a requirement by local businesses. Laois County Council also commenced a public consultation in relation to a proposal to temporarily close public roads on and in the vicinity of Main Street.

Following this consultation, a public information campaign will be embarked upon in respect of availability of parking in the area.

A lengthy discussion ensued regarding the pedestrian of the Main Street in Portlaoise and the Members concerns were noted.

Mr. Simon Walton, Director of Services referred to the 80 submissions which had been received prior to the pedestrianisation of which 70 were favourable and also referred to a meeting with traders on the 8th of July 2020. It was noted that the circumstances are changing on a day to day basis due to the current Covid-19 pandemic. A decision was made to temporarily suspend the pedestrianisation for two weeks up until July 25th 2020.

Notice of Motion No: 82/2020

Councillor Mary Sweeney proposed the following Notice of Motion:-

"That this Council support the application for funding for a dedicated walking track in Ballyroan under the Town & Village Community Scheme"

This Notice of Motion was seconded by Councillor Caroline Willie Aird. The Members were advised that the Council was formally notified of the Town and Village Renewal Scheme 2020 on 3rd June last. Expressions of interests were invited for the identification of suitable projects under the Scheme and all EOP's submitted are receiving due consideration, including this project. Additional information is being sought, as required, and the Council intends to submit the maximum 6 applications under the Scheme by the due date of 28th August 2020.

Notice of Motion No: 83/2020

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

"That this Council take in charge Millbrook Estate without any further delay and carry out the outstanding works"

This Notice of Motion was seconded by Councillor Catherine Fitzgerald. The Members were advised that Laois County Council will advertise Millbrook for taking in charge before mid-August 2020. A Site Resolution Plan is under preparation and will be completed in conjunction with Irish Water to enable transfer of water services assets to Irish Water. Completion of the Site Resolution Plan will run parallel to the Taking in Charge process. COVID-19 issues have prevented the completion of the Site Resolution Plan over the past 4 months.

Notice of Motion No: 84/2020

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

"That this Council make every effort to secure funding from the Midlands Just Transition Fund to deep retrofit the houses in O' Moore Place & St. John's Square, Portlaoise"

This Notice of Motion was seconded by Councillor Noel Tuohy. The Members were advised that Laois County Council is liaising with the Department regarding the Energy Efficiency Retrofitting Project. A report will be presented to the Members as part of the housing report at the July meeting.

Councillor Dwane Stanley indicated that these were two of the oldest estates in the County and the provision of funding was required as a matter of urgency.

Notice of Motion No: 85/2020

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

"That this Council carry out works to deal with the drainage at the junction of L26965 Waterly Lane, Burnwood"

This Notice of Motion was seconded by Councillor Willie Aird. The Members were advised that Mr. Wes Wilkinson, S.E.E. will arrange to meet with Cllr Dwane Stanley to examine the issue and determine the works required to resolve the problem.

Notice of Motion 86/2020

Councillor Willie Aird proposed the following Notice of Motion:-

"That Portlaoise Municipal District calls on the Minister for Housing to change the legislation so that all planning applications for housing of over 100 houses must go through the Local Authority in the first instance"

This Notice of Motion was dealt with under Item 5 on the agenda during the discussion on the Strategic Housing Developments.

Notice of Motion No: 87/2020

Councillor Willie Aird proposed the following Notice of Motion:-

"That Portlaoise Municipal District calls on the Housing Section of Laois County Council to repair the wall at Lakeglen, remove the rubbish that has been dumped in the field and give a commitment to work with the committee to clean up the back lanes in Lakeglen"

This Notice of Motion was seconded by Councillor Caroline Dwane Stanley. The Members were advised that the Housing Department will proceed to get quotes to carry out the necessary works and propose to include these works in the 2021 budget for Members approval. The Environment Section will work with the Housing Section and the Lakeglen Residents Committee to remove the illegally dumped waste material from the field adjoining Lakeglen and to clean-up the back lanes serving the houses. The Council has cleaned rubbish from this adjoining field in the past. The Environment Section will also engage with the registered landowner re their responsibilities to keep their lands litter and waste free under the Litter and the Waste Management Act. The registered landowner will also be requested to partake in the clean-up of the field. The clean-up of the back lanes could be carried out by the residents during the Laois Clean-Up Week in September. The Environment Section will provide the necessary equipment (bags, gloves, litter pickers etc.)

for the clean-up. The collected waste material will be collected by AES (Ireland) Ltd who are sponsoring this years Laois Clean-Up Week. The Residents Committee and the Lakeglen residents should report to the Environment Section any illegal dumping activities that occur on the estate or on adjoining lands etc. The Waste Bye-Laws 2018 places an obligation on each household to segregate, store and dispose of their waste in a responsible manner. Each household should either dispose of their waste using an authorised kerbside waste collector or by self-disposal at an authorised facility (i.e. Kyletalesha Landfill). Documentary evidence is required as proof to demonstrate how each household disposes of its waste. The Environment Section will carry out a door-to-door household waste survey to highlight to each household their responsibilities under the Waste Bye-Laws 2018.

Notice of Motion No: 88/2020

Councillor Willie Aird proposed the following Notice of Motion:-

"That Portlaoise Municipal District calls on Laois County Council to repair the road at Meelick at the junction with the Abbeyleix Road and include this road in the works programme for surface dressing"

This Notice of Motion was seconded by Councillor Catherine Fitzgerald. The Members were advised that road repairs were carried out on the main carriage-way surface on the L6310/0 last week - further repairs are due to be carried out in the coming weeks. This road can be considered for resurfacing as part of the 2021 Roads Programme.

Notice of Motion No: 89/2020

Councillor John Joe Fennelly proposed the following Notice of Motion:-

"That this Council erect a wheelchair sign on the L16564 in Ballytarsna, Abbeyleix"

This Notice of Motion was seconded by Councillor Willie Aird. The Members were advised that Mr. Wes Wilkinson, S.E.E. will arrange to meet with Councillor Fennelly to examine the issue and determine the works required to resolve the problem.

Notice of Motion No: 90/2020

Councillor John Joe Fennelly proposed the following Notice of Motion:-

"That this Council install a lay by or pull in area close to Knock School"

This Notice of Motion was seconded by Councillor Catherine Fitzgerald. The Members were advised that Mr. Wes Wilkinson, S.E.E. will meet Councillor Fennelly at Knock School to examine potential options for pull in areas and the feasibility of same can be discussed on site.

Notice of Motion No: 91/2020

Councillor John Joe Fennelly proposed the following Notice of Motion:-

"That this Council repair the road in front of the 6 houses at Ballytarsna, Abbeyleix"

This Notice of Motion was seconded by Councillor Willie Aird. The Members were advised that Portlaoise MD Staff will examine L16564/0 in Ballytarsna, Abbeyleix and arrangements will be made to carry out road repairs as appropriate

Notice of Motion No: 92/2020

Councillor Thomasina Connell proposed the following Notice of Motion:-

"That this Council undertake a review of our social media strategy"

This Notice of Motion was seconded by Councillor Catherine Fitzgerald. The Members were advised that the use of social media within Laois County Council is under regular review and internal training of staff is ongoing in the use of social media. In this context, social media is part of the broader communications aspect of Council business.

Notice of Motion No: 93/2020

Councillor Thomasina Connell proposed the following Notice of Motion:-

"That this Council provide an update on the new Courthouse and also engage with the Courts Services in relation to the management of the current Courthouse site at Main Street, Portlaoise"

This Notice of Motion was seconded by Councillor Willie Aird. The Members were advised that, as reported in the February monthly management report, the Courts Services have executed the contract for sale to purchase the site for the new Courthouse in Portlaoise. Given the intervention of Covid-19, the Council had not in the interim sought updates on the progress of the closure of sale. The Director of Services will engage with Councillor Connell to further explore the issues in question. Councillor Connell expressed concern regarding loitering at the steps of the Courthouse and requested that a letter go to An Garda Siochana in this regard. Concern was also raised in relation to the condition of the exterior of the building and Councillor Connell requested that the Courts Service be requested to clean the exterior of the building.

Notice of Motion No: 94/2020

Councillor Thomasina Connell proposed the following Notice of Motion:-

"That this Council provide an improved mechanism for users of all day parking facility and consider a reduced cost monthly parking pass"

This Notice of Motion was seconded by Councillor Mary Sweeney . The Members were advised that Laois County Council currently provides an all day parking facilities at two sites – Civic Plaza in the vicinity of County Hall & Millbrook behind Church Avenue, Portlaoise, at a cost of €2.40 per day. This rate is very competitive compared to other towns of its size. A facility for parking permits in respect of all day parking can be explored, taking into account the availability of spaces and the income stream to the local authority. A report if requested can be brought to the Members in Q. 4 of 2020. It should be noted that in terms of convenience of payment, the cashless ‘park by text/app’ option is also available to customers. This allows the customer to conveniently and safely pay for parking

in both short term and all day car parks via text or by downloading the app on parking tag.ie.

Notice of Motion No: 95/2020

Councillor Noel Tuohy proposed the following Notice of Motion:-

"That this Council encourage traffic parking staff to assist shoppers with free flowing traffic and safe parking in the town particularly in the Lyster Square area as businesses are struggling to get back on their feet and make it attractive for the public to shop in Portlaoise and that it is not as some people think a 'cashcow' for the Council.

This Notice of Motion was seconded by Councillor Willie Aird. The Members were advised that Laois County Council was the first local authority nationally to suspend parking charges during the pandemic and subsequently reintroduced those charges later than many other counties. This action was taken in support of the public and local business.

Laois County Council consulted with and listened to the needs of local business representative groups, e.g., Downtown Portlaoise and the Chamber of Commerce. Their specific needs highlighted in relation to ensuring the frequent turnover of parking spaces are met by Laois County Council's Traffic Wardens, charged with ensuring the free flow of traffic particularly in busy built up shopping areas, thus ensuring the availability of parking for all customers. Laois County Council acknowledges the efforts being made by local businesses to reopen during this period and in this regard, is supporting them with a number of additional measures, including the reallocation of commercial loading bays as a shared space to accommodate new short-term 'click and collect' spaces for private vehicles.

Notice of Motion No: 96/2020

Councillor Catherine Fitzgerald proposed the following Notice of Motion:-

"That this Council take in charge the estate at the back of the shrine at Market Square"

This Notice of Motion was seconded by Councillor Willie Aird. The Members were advised that Laois County Council will commence the process of considering this development for taking in charge. This will involve reviewing the planning permission granted, the as-constructed development and possible requirement for a CCTV survey to be carried out. Councillor Fitzgerald can liaise directly with planning in relation to progress.

Notice of Motion No: 97/2020

Councillor Catherine Fitzgerald proposed the following Notice of Motion:-

"That this Council cut back the overhanging trees at Triogue Place"

This Notice of Motion was seconded by Councillor Caroline Dwane Stanley. The Members were advised that the scope of works to cut these trees is not included as part of the approved 2020 maintenance budget.

Councillor Fitzgerald indicated that this area is continuously used by walkers including the elderly and that efforts be made to make budgetary provision for appropriate tree pruning.

Notice of Motion No: 98/2020

Councillor Catherine Fitzgerald proposed the following Notice of Motion:-

"That this Council install new road markings on the new roundabouts in particular the Abbeyleix Road"

This Notice of Motion was seconded by Councillor Willie Aird. The Members were advised that Road Design Section will arrange a site meeting with Councillor Fitzgerald to identify issue relating to road marking on the roundabout.

7. Correspondence

There was no correspondence received since the last meeting.

8. Fix Time, Date & Venue for the next meeting

It was agreed that the next meeting would be held on 16th of September 2020 at 11.00 a.m. in the Council Chamber.

This concluded the business of the meeting.

Signed:

Thomasina Connell, Cathaoirleach