

**MINUTES OF THE MARCH MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 29<sup>TH</sup> OF  
MARCH 2021 BY MICROSOFT TEAMS**

<b>PRESENT:</b>	Councillor	Catherine Fitzgerald	In The Chair
	Councillors	Willie Aird	Paddy Bracken
		John Joe Fennelly	Aidan Mullins
		Padraig Fleming	James Kelly
		Seamus McDonald	Aisling Moran
		Mary Sweeney	Noel Tuohy
		Caroline Dwane Stanley	John King
		Thomasina Connell	Paschal McEvoy
	Ollie Clooney		

**APOLOGIES:** Councillor Conor Bergin Ben Brennan

**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.

**45. VOTE OF SYMPATHY**

On the proposition of the Cathaoirleach, Councillor Catherine Fitzgerald, the Members unanimously extended a vote of sympathy to the following families:-

- (i) The White Family on the recent death of Mr. John White, Ballagh, Errill, Co. Laois, Retired Western Area Roads Outdoor Team, Laois County Council
- (ii) The Keeshan Family on the recent death of Mr. Martin Keeshan, Boherard, Clough, Co. Laois, Retired Western Area Roads Outdoor Team, Laois County Council
- (iii) The McEvoy Family on the recent death of Ms. Alice Victoria McEvoy, Davin Park, Mountmellick, mother of Mr. Liam McEvoy, Roads Outdoor Team, Laois County Council
- (iv) The Dunne Family on the recent death of Ms. Maureen Dunne, Ballyfin Road, Portlaoise, mother of Mr. Donal Dunne, Water Services, Laois County Council
- (v) The Armitage Family on the recent death of Mr. Paddy Armitage, Brooklands Drive, Nenagh, Tipperary, father of Ms. Claire Armitage, MyPay Department, Laois County Council
- (vi) The Cotter Family on the recent death of Ms. Pauline Cotter, Cellbridge, Co. Kildare, mother of Ms. Bernie Everard, CEO of Laois Chamber of Commerce.

**46. CONFIRMATION OF THE MINUTES OF THE FEBRUARY MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 22<sup>ND</sup> OF FEBRUARY 2021**

On the proposition of Councillor Paddy Bracken seconded by Councillor John King, the Members unanimously agreed to the minutes of the February meeting of Laois County Council held on the 22<sup>nd</sup> of February 2021

Councillor James Kelly raised the issue of the new Land Development Agency Bill which was discussed at the February meeting of Laois County Council and the correspondence from the Minister of Housing, Planning & Local Government dated the 9<sup>th</sup> of March was discussed.

**47. REPORT ON CPG MEETING HELD ON THE 15<sup>th</sup> OF FEBRUARY 2021**

On the proposition of Councillor Catherine Fitzgerald seconded by Councillor John King, the Members unanimously agreed to the report on CPG meeting held on the 15<sup>th</sup> of February 2021.

**48. REPORT ON MUNICIPAL DISTRICT MEETINGS HELD IN FEBRUARY 2021**

On the proposition of Councillor John Joe Fennelly seconded by Councillor James Kelly, the Members unanimously agreed to the report on the Municipal District Meetings held in February 2021.

Councillor James Kelly raised the issue of Notice of Motion No: 06/2021 which was tabled on the February meeting of the Borris-in-Ossory/Mountmellick Municipal District as follows:-

*“That this Council carry out a survey on the Spa Hill to Forest Road Mountrath with the purpose of installing the unfinished footpath for the safety of all road users”*

Councillor Kelly sought an update on the survey that was to be carried out by the Road Design Section of existing road and the preparation of a report for works which are required at this location.

Mr. Simon Walton, Director of Services indicated that the investigations are underway and it is likely that there will be proposals for the phased introduction of the footpath and this will be included in the forthcoming Roadworks Scheme which will be presented to the April Council meeting. Mr. Walton also referred to the NTA Active Travel 2021 Allocations which were notified this morning, details of which would be forwarded to the Members for their information.

There are a number of other NTA schemes that are also being developed and Laois County Council will engage with those Schemes. Following queries from Members, it was noted that there are allocations included also for The Rock Footpath Scheme and the N80 Carlow Road, Stradbally Footpath Scheme.

**49. Part VIII of the Local Government Planning & Development Regulations 2001 in respect of application for approval for the construction of a shared pedestrian/cycle link from Portlaoise Peoples Park to the Southern Circular Road (documentation enclosed)**

On the proposition of Councillor Catherine Fitzgerald seconded by Councillor Thomasina Connell, the Members unanimously agreed to the Part VIII of the Planning & Development Regulations 2001 as amended for the provision of the Triogue ‘Blueway route’ which will consist of the construction of a shared pedestrian and cycle route that will navigate its way through a

diverse range of receiving environments from natural woodland areas near the Portlaoise Southern Circular Road to the Peoples Park.

The Members were circulated with the planning report on this proposal and Mr. Simon Walton, Director of Services briefed the members on same and it was noted that this represents the first phase of the Troigue Blueway. Four submissions received during the public consultation phase all of which were addressed. The assistance of the two landowners were acknowledged.

**50. Material Contravention of the Laois County Development Plan 2017-2023 – Planning Ref: No: 20/255 – permission to construct a dwelling house, domestic garage, septic tank treatment system, new percolation area, new site entrance and all associated site works at Mill Road, Durrow, Co. Laois. Part of the development site is zoned “General Business” in the Laois County Development Plan 2017-2023 and would materially contravene an objective of the Development Plan. (Documentation enclosed)**

On the proposition of Councillor Ollie Clooney seconded by Councillor John King, the Members unanimously agreed to the material contravention of the Laois County Development Plan 2017-2023 in relation to Planning Ref: No 20/255 for permission to construct a dwelling house, domestic garage, septic tank treatment, new percolation area, new site entrance and all associated site works at Mill Road, Durrow, Co. Laois. Part of the development site is zoned ‘General Business’ in the Laois County Development Plan 2017-2023 and would materially contravene an objective of the Development Plan.

**49. DISPOSAL OF LAND UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001 IN RESPECT OF 3.04 HECTARES OF LAND AT J17 NATIONAL ENTERPRISE PARK, PORTLAOISE, R32 NY77**

Councillor Paddy Bracken proposed the disposal of 3.04 hectares of land at J17 National Enterprise Park, Portlaoise, R32 NY77 in the townland of Togher for a consideration of €562,400 plus V.A.T. This proposal was seconded by Councillor Ollie Clooney.

There was a counter proposal by Councillor Aisling Moran seconded by Councillor Thomasina Connell that the disposal be deferred for a period of one month pending further clarification on the market value of the land. A Roll Call vote was taken on this counter proposal which resulted as follows:-

COUNCILLOR		FOR	AGAINST	ABSENT
FIRST NAME	SURNAME			
William	AIRD		ü	
Conor	BERGIN			ü
Paddy	BRACKEN		ü	

Ben	BRENNAN			ü
Ollie	CLOONEY		ü	
Thomasina	CONNELL	ü		
Caroline	DWANE STANLEY		ü	
John Joe	FENNELLY		ü	
Catherine	FITZGERALD		ü	
Padraig	FLEMING		ü	
James	KELLY		ü	
John	KING		ü	
Seamus	MCDONALD		ü	
Paschal	MCEVOY		ü	
Aisling	MORAN	ü		
Aidan	MULLINS		ü	
Mary	SWEENEY		ü	
Noel	TUOHY		ü	

The result of the Roll Call was 2 votes for the counter proposal, 14 against with two Members being absent.

The Members welcomed this development which will bring further employment to the County and noted that the company exports all over Europe and the UK.

Mr. John Mulholland, Chief Executive responded to a number of queries and advised the Members that this will be the fourth business to be in operation at the J17 Enterprise Park in Portlaoise alongside Glanbia, Aubren and Alpha Drives thereby providing diverse activities and employment at the site while providing good investment and sustainable development for our

County. He noted that up to 270 jobs are to be created in addition to 200 jobs at the motorway services area at J17.

**50. DISPOSAL OF LAND UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001 IN RESPECT OF DISPOSAL OF 0.3609 HECTARES OF LAND AT BALLYMACKAN INDUSTRIAL ESTATE**

On the proposition of Councillor William Aird seconded by Councillor Mary Sweeney, the Members unanimously agreed to the disposal of 0.3609 hectares of land at Ballymackan Industrial Estate in the townland of Ballymackan for a consideration of €36,500.

**51. DISPOSAL OF LAND UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001 IN RESPECT OF DISPOSAL OF SITE NO. 15 COMPRISING 0.087 HECTARES AT CASTLETOWN**

On the proposition of Councillor James Kelly seconded by Councillor John King the Members unanimously agreed to the disposal of Site No. 15 comprising 0.087 hectares at Castletown in the townland of Churchfield for a consideration of €30,000.

**52. Annual Financial Statement 2020 including approval of over-expenditure and transfers to capital**

Mr. Gerry Murphy, Head of Finance briefed the Members on the Annual Financial Statement 2020 including the approval of over-expenditure and transfers to capital. On the proposition of Councillor Seamus McDonald seconded by Councillor John King, the Members unanimously agreed to the Annual Financial Statement 2020 including approval of over-expenditure and transfers to capital as presented.

**53. Report on Development Contributions**

Mr. Gerry Murphy, Head of Finance briefed the Members on the 2020 Development Contributions and the report as circulated was agreed on the proposition of Councillor James Kelly, seconded by Councillor Paschal McEvoy.

The Head of Finance indicated that the amount of €1.503m allocated from Development Contributions was for works that were already completed and where there were debit balances to be funded.

Mr. Simon Walton, Director of Services advised that funding had been announced this morning under the Active Travel 2021 and that the allocation included various projects for Portarlington.

Councillor Ollie Clooney indicated that funding is required for the smaller towns as well.

**54. Nomination of the Director of Services, the Cathaoirleach & one Member from each political party and technical group to the Town Twinning Committee (documentation enclosed)**

The following Members were nominated to the Town Twinning Committee

- Councillor Catherine Fitzgerald, Cathaoirleach as agreed at the February Meeting
- Councillor Caroline Dwane proposed that Councillor James Kelly be nominated which was seconded by Councillor Noel Tuohy
- Councillor Aisling Moran proposed that Councillor Conor Bergin be nominated which was seconded by Councillor Willie Aird
- Councillor Paschal McEvoy proposed that Councillor Padraig Fleming be nominated which was seconded by Councillor Seamus McDonald

55. **Report on Local Community Development Committee**

The Members were circulated with the Annual Report. Ms. Carmel McNicholl, Senior Executive Officer briefed the Members on some of the highlights in the report.

56. **Approval of Arts Acts Grants 2021**

The Members were circulated with details of the successful applicants for funding under the Arts Acts Grants for 2021 totalling €6,000. On the proposition of Councillor Paschal McEvoy seconded by Councillor James Kelly, the Members unanimously approved the Arts Acts Grants for 2021.

57. **Agree date for special meeting with National Broadband Ireland**

Mr. Joe Delaney, Director of Services indicated that the suggested date for the meeting of the 12<sup>th</sup> of April 2021 is not suitable for National Broadband Ireland. The matter will be tabled on the agenda for the April CFG meeting with a view to agreeing a date for the meeting in May.

58. **Monthly Management Report for March 2021**

The Monthly Management Report for March 2021 was circulated and the Director of Services/Head of Finance responded to the various queries raised by the Members.

59. **Training & Conferences**

It was noted that there were no training or conferences for ratification.

60. **Correspondence**

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

- (i) Correspondence dated the 23<sup>rd</sup> of February 2021 from Minister Sean Fleming, Minister of State at the Department of Finance in relation to Notice of Motion No: 07/2021 in relation to roads grant allocations

- (ii) Correspondence dated the 25<sup>th</sup> of March 2021 from the TII in relation to Notice of Motion No: 07/2021 in relation to national roads funding for County Laois
- (iii) Correspondence dated the 4<sup>th</sup> of March 2021 from Minister Eamon Ryan, Minister for Climate Action, Communications, Networks & Transport in relation to Notice of Motion No: 14/2021 in relation to illegal dumping
- (iv) Correspondence dated the 9<sup>th</sup> of March 2021 from the Minister of Housing, Local Government and Heritage in relation to the Land Development Agency Bill
- (v) Correspondence dated the 22<sup>nd</sup> of March 2021 from Senator Mark Daly in relation to the Land Development Agency Bill
- (vi) Correspondence dated the 4<sup>th</sup> of March 2021 from Deputy Brian Stanley in relation to the Land Development Agency Bill
- (vii) Correspondence dated the 3<sup>rd</sup> of March 2021 from Sligo County Council in relation to the appointment of an Independent Meat Regulator
- (viii) Correspondence dated the 3<sup>rd</sup> of March 2021 from Sligo County Council in relation to contract for local Post Offices
- (ix) Correspondence dated the 3<sup>rd</sup> of March 2021 from Sligo County Council in relation to the C & V Sector
- (x) Correspondence dated the 3<sup>rd</sup> of March 2021 from Sligo County Council in relation to the Land Development Agency Bill
- (xi) Correspondence dated the 5<sup>th</sup> of March 2021 from Leitrim County Council in relation to Pesticide Cypermethrin
- (xii) Correspondence dated the 16<sup>th</sup> of March 2021 from Kerry County Council in relation to the Land Development Agency Bill
- (xiii) Correspondence dated the 23<sup>rd</sup> of March 2021 from Wicklow County Council in relation to the Land Development Agency Bill
- (xiv) Correspondence dated the 24<sup>th</sup> of March 2021 from Louth County Council in relation to the Land Development Agency Bill
- (xv) Correspondence dated the 24<sup>th</sup> of March 2021 from Galway County Council in relation to the Land Development Agency Bill

## 61. Notice of Motions

### Notice of Motion No: 15/2021

Councillor Noel Tuohy proposed the following Notice of Motion:-

***“That this Council support the development of a County Museum”***

This Notice of Motion was seconded by Councillor Caroline Dwane Stanley. The Members were advised that it is currently an objective of the Laois County Development Plan 2017 -and the Laois Heritage Plan 2014-2020 to work with stakeholders including the Heritage Council, OPW, Department of Housing, Local Government and Heritage, Fáilte Ireland, local communities and businesses to support the development of heritage and cultural tourism in County Laois. The provision of a new Museum and/or the expansion of existing Facilities will be considered further in the context of the draft Development Plan and the forthcoming Heritage Plan.

#### Notice of Motion No: 16/2021

Councillor Pádraig Fleming proposed the following Notice of Motion:-

*“That Laois County Council call on the Minister for Agriculture, Food & the Marine, Mr. Charlie McConalogue, T.D., to establish an Independent Meat Regulator with statutory powers. The purpose of such an independent regulator will be to have legislative powers to investigate anti-competitive behaviour by meat processors, meat traders, retailers and other bodies, who operate along the supply chain and to protect primary producers. A regulator with real powers is required to get a fair share of the retail price for farmers”*

This Notice of Motion was seconded by Councillor Aisling Moran. The Members were advised that the matter would be referred to the Minister for Agriculture, Food & The Marine.

#### Notice of Motion No: 17/2021

Councillor Aisling Moran proposed the following Notice of Motion:-

*“That this Council call on the Minister for Health, Mr. Stephen Donnelly, T.D., to increase the delivery of the vaccine from 7.00 a.m. to 11.00 p.m. seven days per week so as to ensure rapid delivery”*

This Notice of Motion was seconded by Councillor Noel Tuohy. The Members were advised that the matter would be referred to the Minister for Health.

#### Notice of Motion No: 18/2021

Councillor Aisling Moran proposed the following Notice of Motion:-

*“That this Council take the necessary measures to ensure that Elected members of Local Government are included at committee level for future County Development renewal and tourism projects going forward”*

This Notice of Motion was seconded by Councillor Noel Tuohy and the matter was discussed.

#### Notice of Motion No: 19/2021

Councillor Aisling Moran proposed the following Notice of Motion:-

*“That this Council contact the Chief Superintendent to put in place measures to confiscate horses that are not registered or chipped, in particular in relation to sulky racing on backroads all over the County as this is a serious health and safety issue and needs to be addressed”*

This Notice of Motion was seconded by Councillor Padraig Fleming. The Members were advised that Laois County Council and the Gardai can only seize a horse(s) in accordance with the Control of Horses Act, 1996 and the Laois County Council's Bye Laws 2012 made under the Control of Horses Act, 1996. There is ongoing liaison between Laois County Council and An Garda Síochana as part of their implementation of the relevant legislation and byelaws

This concluded the business of the meeting.

**SIGNED:** \_\_\_\_\_  
**CATHAOIRLEACH**  
**OF SERVICES**  
**AFFAIRS**

**CERTIFIED:** \_\_\_\_\_  
**DIRECTOR**aubren  
**CORPORATE**