

MINUTES OF THE MARCH MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 25TH
OF MARCH 2024 IN ÁRAS AN CHONTAE

PRESENT:	Councillor	Paschal McEvoy	In The Chair
	Councillors	Willie Aird	Paddy Bracken
		John Joe Fennelly	Marie Tuohy
		James Kelly	Caroline Dwane Stanley
		John King	Aidan Mullins
		Catherine Fitzgerald	Seamus McDonald
		P.J. Kelly	Ollie Clooney
		Padraig Fleming	Aisling Moran
		Conor Bergin	Ben Brennan
		Barry Walsh	Thomasina Connell

IN ATTENDANCE:

Messrs John Mulholland, Chief Executive, Donal Brennan, Director of Services, Gerry Murphy, Head of Finance, Ms. Angela McEvoy, Director of Services, Mr. Simon Walton, Director of Services, Ms. Irene Delaney, Administrative Officer & Ms. Michelle McCormack, S.O.

38. STATEMENT BY CATHAOIRLEACH

The Cathaoirleach advised the Members that it had been brought to his attention that Laois County Council did not formally comment as a body following publication of *Report of the Mother and Baby Homes Commission of Investigation and proceeded to make the following statement on behalf of Laois County Council with the agreement of the Members:-*

“That Laois County Council conveys its regrets as to the wrongs visited on mothers from County Laois and their children who ended up in a Mother and Baby Home or who were discriminated against based on the marital status of the mothers in relation to their pregnancy. The lack of respect for the rights and dignity of mothers and children who spent time in these institutions or who were discriminated against on account marital status of the mothers is also acknowledged and regretted. In passing this motion, the Council also bears in mind the totally unacceptable treatment of the woman referred to at section 19.29 of the Final Report of the Mother and Baby Homes Commission of Investigation, when she presented in 1934 to the hospitals in Abbeyleix and Portlaoise”

39. VOTE OF SYMPATHIES

The following Votes of Sympathies were agreed:

- (i) The Delaney family, Dromagh, Crettyard on the recent death of Ms. Ann Delaney
- (ii) The Langton family, Barrowhouse, Athy, Co. Kildare on the recent death of Mr. Alan Langton
- (iii) The Behan family, Tierenane, Ballickmoyler, Carlow on the recent death of Mr. John Behan
- (iv) The O’ Connor family, Coolaghy, Portarlinton on the recent death of Ms. Elizabeth O’ Connor
- (v) The Thornton family, Rathleague, Portlaoise on the recent death of Mr. Ben Thornton
- (vi) The Behan family, Bellgrove, Ballybrittas on the recent death of Mr. Mick Behan

- (vii) The Flynn family, Garnamanagh, Freshford, Kilkenny on the recent death of Ms. Catherine Flynn, mother of Ms. Bernie Flynn, My-Pay Department
- (viii) The Mulhall family, Cappakeel, Emo, Co. Laois on the recent death of Mr. Tom Mulhall, former Member of Laois County Council. The Members all complimented Tom on his work as a Member of Laois County Council. The meeting was adjourned for a period of 15 minutes as a mark of respect to Tom.

40. CONFIRMATION OF MINUTES OF THE FEBRUARY MONTHLY MEETING HELD ON THE 26TH OF FEBRUARY 2024

On the proposition of Councillor Ollie Clooney seconded by Councillor Willie Aird, the minutes of the February monthly meeting held on the 26th of February 2024 were confirmed as circulated.

Councillor James Kelly proposed that in view of the 125th anniversary of Local Government that Laois County Council should recognise the event appropriately at the April meeting. This proposal was seconded by Councillor Aisling Moran and agreed.

41. REPORT ON CPG MEETING HELD ON THE 19TH OF FEBRUARY 2024

On the proposition of Councillor John Joe Fennelly seconded by Councillor Padraig Fleming the minutes of the CPG Meeting held on the 19th of February 2024 were confirmed as circulated.

42. REPORT ON MUNICIPAL DISTRICT MEETINGS HELD IN FEBRUARY 2024

On the proposition of Councillor James Kelly seconded by Councillor John Joe Fennelly, the minutes of the Municipal District meetings held in February 2024 were confirmed as circulated.

43. PART VIII OF THE PLANNING & DEVELOPMENT REGULATIONS, 2001 (AS AMENDED) IN RELATION TO THE CONSTRUCTION OF A SHARED PEDESTRIAN AND CYCLE ROUTE FROM THE PEOPLE'S PARK TO GREEN MILL LANE (TRIOGUE WAY), PORTLAOISE, CO. LAOIS.

On the proposition of Councillor Willie Aird seconded by Councillor Catherine Fitzgerald, the Members unanimously agreed to the construction of a shared pedestrian and cycle route from The People's Park to Green Mill Lane (Triogue Way), Portlaoise, Co. Laois under Part VIII of the Planning & Development Regulations 2001 (as amended)

44. PART VIII OF THE PLANNING & DEVELOPMENT REGULATIONS, 2001 (AS AMENDED) IN RELATION TO SITE DEVELOPMENT AND ANCILLARY WORKS AT CANAL ROAD BUSINESS PARK (PART OF FORMER AVON FACTORY SITE), CANAL ROAD, PORTARLINGTON, COUNTY LAOIS

On the proposition of Councillor P.J. Kelly seconded by Councillor Aidan Mullins, the Members unanimously agreed to site development and ancillary works at Canal Road Business Park (part of former Avon factory site), Canal Road, Portarlington, Co. Laois under Part VIII of the Planning & Development Regulations, 2001 (as amended)

45. DISPOSAL OF LAND UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001

Disposal of 0.0292 hectares of land at Townsparks, Mountmellick, Co. Laois

On the proposition of Councillor Seamus McDonald seconded by Councillor John Joe Fennelly, the Members agreed to the disposal of 0.0292 hectares of land at Townsparks, Mountmellick, Co. Laois in the townland of Townsparks for a consideration of €300.00 under Section 183 of the Local Government, Act, 2001

Lease of 0.2759 hectares of land and buildings at St. Mary's Hall, Borris Little, Portlaoise, Co. Laois

On the proposition of Councillor Thomasina Connell seconded by Councillor Catherine Fitzgerald, the Members agreed to the disposal of 0.2759 hectares of land and buildings at St. Mary's Hall, Borris Little, Portlaoise in the townland of Borris Little for a period of eight years for a consideration of €100.00 per annum under Section 183 of the Local Government Act, 2001

It was agreed to consider the following Notice of Motion under this item. It was also noted that the Notice of Motion was in the joint names of Councillor Dwane Stanley and Councillor Marie Tuohy.

Notice of Motion No: 18/2024

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

"This Council take a lead in bringing together all relevant stakeholders, ie Sports Ireland and Basketball Ireland along with Laois County Council to make progress and advance a Sports Hall in the County"

The Notice of Motion was seconded by Councillor Willie Aird. The Members were advised that Laois County Council has taken a leadership role over a long number of years in the landscape of sports facilities in the County and will continue to take on that role to identify the most appropriate solutions for recreation and sporting needs.

A discussion ensued and Members requested that Mr. Donal Brennan, Director of Services meet with the relevant stakeholders including Sport Ireland

Disposal of 0.714 hectares of land at J17 National Enterprise Park, Togher, Portlaoise

On the proposition of Councillor Willie Aird seconded by Councillor Barry Walsh, the Members agreed to the disposal of 0.714 hectares of land at J17 National Enterprise Park, Togher, Portlaoise for a consideration of €259,000 + VAT

46. TWO YEAR PROGRESS (REVIEW) OF THE LAOIS COUNTY DEVELOPMENT PLAN 2021-2027 (IN ACCORDANCE WITH SECTION 15(2) OF THE PLANNING & DEVELOPMENT ACT, 2000 AS AMENDED

The Members were circulated with the Chief Executive's report on the two year progress of the Laois County Development Plan 2021-2027 which was unanimously agreed on the proposition of Councillor Ollie Clooney seconded by Councillor Aidan Mullins.

47. PROPOSED MATERIAL CONTRAVENTION OF THE LAOIS COUNTY DEVELOPMENT PLAN 2021-2027 TO ALLOW FOR THE CONSTRUCTION OF A HOUSING DEVELOPMENT AT SUMMERHILL/AUGHNAHARNA, PORTLAOISE

On the proposition of Councillor Paschal McEvoy seconded by Councillor Seamus McDonald, the Members unanimously agreed to pass a resolution approving the proposal of the chief executive to materially contravene the Laois County Development Plan 2021-2027 and grant permission to allow for the construction of a housing development at Summerhill/Aughnaharna, Portlaoise – Planning Application Ref: 23/60348.

A Roll Call Vote was taken which resulted as follows:-

COUNCILLOR		FOR	AGAINST	ABSENT
FIRST NAME	SURNAME			
William	AIRD			✓
Conor	BERGIN			✓
Paddy	BRACKEN			✓
Ben	BRENNAN			✓
Ollie	CLOONEY	✓		
Thomasina	CONNELL	✓		
Caroline	DWANE STANLEY	✓		
John Joe	FENNELLY	✓		
Catherine	FITZGERALD	✓		
Padraig	FLEMING	✓		
James	KELLY	✓		
John	KING			✓
Seamus	MCDONALD	✓		
Paschal	MCEVOY	✓		
Aisling	MORAN	✓		
P.J.	KELLY			✓
Aidan	MULLINS	✓		
Marie	TUOHY	✓		
Barry	WALSH	✓		

Total number of Votes 13 votes in favour of Councillor Paschal McEvoy's proposal with 6 Members absent.

48. AGREE A DATE FOR SPECIAL MEETING TO DISCUSS THE GRAIGUCULLEN JULAP

Ms. Angela McEvoy, Director of Services advised the meeting that it was necessary to schedule a special meeting of Laois County Council to discuss the Graiguecullen JULAP. It was noted that the meeting would take place on the 24th of April 2024 at 2.00 p.m.

49. APPROVAL OF THE LAOIS LOCAL ECONOMIC AND COMMUNITY PLAN(LECP) 2023-2028 FRAMEWORK DOCUMENT

The Members were circulated with the framework document and this was unanimously agreed on the proposition of Councillor Paschal McEvoy seconded by Councillor James Kelly.

50. ADOPTION OF THE SOCIAL HOUSING ALLOCATION SCHEME 2024

The Members were circulated with a copy of the Social Housing Allocation Scheme 2024 which was agreed on the proposition of Councillor Dwane Stanley seconded by Councillor Paschal McEvoy

51. ADOPTION OF THE ANTI-SOCIAL BEHAVIOUR STRATEGY

The Members were circulated with a copy of the Anti-Social Behaviour Strategy and was agreed on the proposition of Councillor Dwane Stanley seconded by Councillor Paschal McEvoy

52. ADOPTION OF THE LAOIS COUNTY COUNCIL ESTATE MANAGEMENT POLICY

The Members were circulated with a copy of the Laois County Council Estate Management Policy which was agreed on the proposition of Councillor Dwane Stanley seconded by Councillor Paschal McEvoy

53. LAOIS COUNTY COUNCIL ROADWORKS SCHEME 2024

The Members were presented with a copy of the Laois County Council Roadworks Scheme 2024. On the proposal of Councillor Seamus McDonald seconded by Councillor Pdraig Fleming, the Members unanimously agreed the Roadworks Scheme 2024. Mr. Simon Walton, Director of Services responded to the various queries raised by the Members.

During the discussion on the Scheme, the Elected Members agreed that the TII be requested to meet Laois County Council in relation to a number of issues relating to the National Secondary and Motorway Network in County Laois.

54. APPROVAL OF ARTS ACTS GRANTS 2024

The Members were presented with a list of recipients for the Arts Acts Grants 2024. On the proposition of Councillor John King seconded by Councillor Thomasina Connell, the Members unanimously agreed the Arts Acts Grants 2024 as circulated.

55. REPORT ON OFFICIAL TRIP TO NEW YORK

The Members noted the report on the recent official trip to New York which was attended by Ms. Angela McEvoy, Director of Services & Ms. Evelyn Reddin, Head of Local Enterprise, Laois County Council.

56. PROPOSED CIVIC RECEPTION TO TIMAHOE NATIONAL SCHOOL – WINNERS OF THE ALL-IRELAND MINI-SCIENTIST EXHIBITION AS RECOMMENDED BY THE CORPORATE POLICY GROUP ON THE 19TH OF MARCH 2024

On the proposition of Councillor Paschal McEvoy seconded by Councillor John Joe Fennelly, the Members unanimously agreed that a civic reception be accorded to Timahoe National School – Winners of the All-Ireland Mini-Scientist Exhibition as recommended by the Corporate Policy Group on the 19th of March 2024.

57. MONTHLY MANAGEMENT REPORT FOR MARCH 2024

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

58. TRAINING & CONFERENCES

On the proposition of Councillor John King seconded by Councillor Pdraig Fleming, the Members unanimously agreed the details as circulated on Training & Conferences

59. CORRESPONDENCE

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

- (i) Correspondence dated the 7th of March 2024 from TII in relation to Notice of Motion No: 02/2024
- (ii) Correspondence dated the 13th of March 2024 from Eirgrid in relation to Notice of Motion No: 10/2024
- (iii) Correspondence dated the 13th of March 2024 from Clare County Council in relation to CES and RSS Schemes

60. NOTICE OF MOTIONS

Notice of Motion No: 12/2024

Councillors Thomasina Connell, Willie Aird, Barry Walsh, P.J. Kelly, Conor Bergin & John King proposed the following Notice of Motion:-

“That Laois County Council notes, that the Help to Buy Scheme has assisted 982 individuals and families in County Laois with up to €30,000 of their taxes back from the previous four years towards their deposit to either build or purchase their first home. Laois County Council further supports the Government’s extension of the Help to Buy Scheme to the end of 2025 and calls for the scheme to be extended to the end of 2026 in Budget 2025 to introduce certainty for prospective buyers or those seeking to build their first home”

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

Notice of Motion No: 13/2024

Councillor James Kelly proposed the following Notice of Motion:-

“That Laois County Council clean and repair road signs across County Laois”

This Notice of Motion was seconded by Councillor Paddy Bracken. The Members were advised that Laois County Council maintain and clean Regional and Local road signage on our network on an ongoing basis. Following an extended wet period from last summer through to the current spring conditions have been challenging in this regard. There is currently a concerted effort to clean and replace damaged signage (where required) on the Regional road network given that it carries approximately 50% of the traffic within the County. National road signage cleaning and maintenance is the subject of a contract managed by Transport Infrastructure Ireland.

Notice of Motion No: 14/2024

Councillor Aisling Moran proposed the following Notice of Motion:-

“That Laois County Council clarify what protocol/s we rely on when valuing land purchased through the CPO process, to include an explanation of the protocol the Council relies on to ensure all persons from who land has been compulsorily purchased are treated equally and fairly whether in terms of financial remuneration and/ or by way of benefit in kind, or work completed on boundaries of land purchased through the CPO process”

This Notice of Motion was seconded by Councillor James Kelly. The Members were advised that in assessing compensation for land that has been compulsorily acquired by means of a CPO, Acquiring Authorities rely on rules, established further to the provision of the Acquisition of land (Assessment of Compensation) Act 1919 (as amended) having due regard to legal precedents where appropriate. These rules apply equally to all compulsory acquisitions.

Notice of Motion No: 15/2024

Councillor Aisling Moran proposed the following Notice of Motion:-

“That Laois County Council in line with good governance and best practice, call on the Minister for Housing, Local Government & Heritage, Mr. Darragh O Brien, to bring all Local Authorities under the remit of the Comptroller and Auditor General, and by extension under the remit of the Public Accounts Committee”

This Notice of Motion was seconded by Councillor James Kelly. The Members were advised that at the moment the Council is subject to the Local Government Audit Service rather than directly to the Comptroller and Auditor General. One marked difference between the Local Authorities and the bodies under the remit of the C & AG is that the meetings of the Council are open to the public and reported on by the press and other local media as such the accounts of the local authorities are subject to much greater public scrutiny in general than other public bodies.

A roll call vote was taken which resulted as follows:-

COUNCILLOR		FOR	AGAINST	ABSENT
FIRST NAME	SURNAME			
William	AIRD			✓
Conor	BERGIN		✓	
Paddy	BRACKEN		✓	
Ben	BRENNAN			✓
Ollie	CLOONEY			✓
Thomasina	CONNELL			✓
Caroline	DWANE STANLEY		✓	
John Joe	FENNELLY		✓	
Catherine	FITZGERALD			✓
Padraig	FLEMING		✓	
James	KELLY	✓		
John	KING			✓
Seamus	MCDONALD		✓	
Paschal	MCEVOY		✓	
Aisling	MORAN	✓		
P.J.	KELLY		✓	
Aidan	MULLINS			✓
Marie	TUOHY			✓
Barry	WALSH		✓	

Total number of Votes 2 votes in favour, 9 votes against with 8 Members absent.
As a result of the Roll Call Vote the Motion was lost.

Notice of Motion No: 16/2024

Councillor Aisling Moran propose the following Notice of Motion:-

“That Laois County Council call on the Minister for Housing, Local Government & Heritage, Mr. Darragh O Brien, T.D., that in the interest of transparency and accountability that this Council and all other Local Authorities Live stream and record all public meetings and that all in-committee meetings be at the very least recorded for the purpose of recording accurate minutes and also to have this in place to coincide with the new term of Local Government in June 2024”

This Notice of Motion was seconded by Councillor Caroline Dwane Stanley. It was agreed that correspondence issue in this regard.

Notice of Motion No: 17/2024

Councillor Caroline Dwane Stanley proposed the following Notice of Motion:

“This Council give an update on the progress made with the refurbishment of Laois Civil Defence building in Portlaoise”

This Notice of Motion was seconded by Councillor Aisling Moran. The Members were advised that Laois Civil Defence has substantially consolidated its activities to the recently-purchased premises in Kea-Lew. The Civil Defence Officer reports very positive feedback from volunteers and highlights that training, planning and servicing of equipment for Civil Defence activities are more streamlined from the new premises. Additionally, weekly training, for large groups of volunteers, is now regularly undertaken whereas, previously, this was not possible. In the coming weeks revisions to electrical installations, new signage and the development of revised floor layouts will all progress. Separately, it is of note that the lease on part of the building has expired and the tenant has vacated the premises. Furthermore, part of the building will be used as a count centre for the forthcoming local and European Elections.

This concluded the business of the meeting.

SIGNED: _____
CATHAOIRLEACH

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