

**MINUTES OF THE GRAIGUECULLEN/PORTARLINGTON MUNICIPAL DISTRICT MEETING  
HELD ON WEDNESDAY 16<sup>th</sup> SEPTEMBER 2020 IN ÁRAS AN CHONTAE, PORTLAOISE**

**PRESENT** Ms. Aisling Moran, Cathaoirleach (In the Chair)  
Mr. Aidan Mullins M.C.C.  
Mr. Paschal McEvoy, M.C.C.  
Mr. Ben Brennan, M.C.C.  
Mr. Pádraig Fleming, M.C.C.

**IN ATTENDANCE:** Mr. Gerry Murphy, Head of Finance  
Mr. Adrian Barrett, Senior Engineer  
Ms. Michelle McCormack, Staff Officer

**APOLOGIES:** Mr. Tom Mulhall, M.C.C.

**1. WELL WISHES**

The Members unanimously agreed that the good wishes of the Municipal District be extended to Councillor Mulhall for a speedy recovery from his recent illness.

**2. VOTE OF SYMPATHY**

The Cathaoirleach, Councillor Aisling Moran proposed a vote of sympathy to Mr. Philip McVeigh, A/Senior Engineer on the death of his mother, Ms. Loretta McVeigh. Mr. Gerry Murphy, Head of Finance & Mr. Adrian Barrett, Senior Engineer also associated themselves with the vote of sympathy to the McVeigh family.

**3. CONFIRMATION OF THE MINUTES OF THE JUNE MEETING OF GRAIGUECULLEN / PORTARLINGTON MUNICIPAL DISTRICT HELD ON THE 17<sup>th</sup> JUNE 2020**

On the proposal of Councillor Aidan Mullins seconded by Councillor Ben Brennan, the minutes of the June meeting held on the 17<sup>th</sup> June 2020 were confirmed as circulated.

**4. CONFIRMATION OF THE MINUTES OF THE AGM OF GRAIGUECULLEN / PORTARLINGTON MUNICIPAL DISTRICT HELD ON THE 17<sup>th</sup> JUNE 2020**

On the proposal of Councillor Paschal McEvoy seconded by Councillor Pádraig Fleming, the minutes of the AGM meeting held on the 17<sup>th</sup> June 2020 were confirmed as circulated.

**2. PROPOSAL FOR FARMERS' MARKET – STRADBALLY**

It was agreed that this matter be deferred for consideration to the October meeting of the Municipal District

**3. PROGRESS REPORT**

Report to be prepared for next meeting.

#### 4. NOTICE OF MOTIONS

##### Notice of Motion No: 55/2020

Councillor Aidan Mullins proposed the following Notice of Motion:-

*“That Laois County Council take the necessary enforcement action over derelict sites in Portarlington such as the former AIB Bank on Main Street, derelict house and cottages on Bracklone Street and the site of the demolished house on Foxcroft Street. These derelict sites have been the subject of a number of Notices of Motion from me over a number of years and little or no action taken”*

This Notice of Motion was seconded by Councillor Aisling Moran. The Members were advised that a review of all the derelict sites within Portarlington town is currently underway as some of the sites referenced have been the subject of planning applications which have not yet commenced. The Planning Authority will be liaising with all owners of derelict sites in the next 2 weeks to ascertain works to be done and timelines associated. A further update will be provided for the next MD meeting.

In relation to the specific sites mentioned:

DS 11/05 - AIB Bank on Main Street -- Planning permission was granted on the 18/11/2019 (19/319) for a change of use of a vacant AIB bank and the adjacent vacant House (former Rectory/Apartments) to apartments, comprised of one 1 bedroom apartment in the banking hall, two 2 bedroom apartments, two 1 bedroom apartment and two studio apartments in the house and the construction of a new three storey apartment block containing three 2 bedroom apartments and associated site works. The development works will include the demolition of a single storey rear extension and two-storey return, the reconstruction of a collapsed section to the rear of the house, general restoration and conservation works to the bank and house. The works are within the site of two protected structures RPS 128A and RPS 128B. The Planning Authority will be engaging with the developer to ascertain an update.

DS 17/09 - derelict house and cottages on Bracklone Street – there has been no further reply or works as a result of letters served. An inspection has been carried out and action will be taken.

DS 11/07 - the site of the demolished house on Foxcroft Street - there has been no further reply or works as a result of letters served. An inspection has been carried out and action will be taken.

Contact will be made with all the owners to advise them of the works required to be carried out.

Mr. Gerry Murphy, Head of Finance advised that the two houses on Bracklone Street, Portarlington would be subject to the CPO process which will commence shortly.

**Notice of Motion No: 56/2020**

Councillor Aidan Mullins proposed the following Notice of Motion:-

***“That Laois County Council carry out a speed survey on the Edenderry Road in Portarlinton”***

This Notice of Motion was seconded by Councillor Paschal McEvoy. The Members were advised that a speed survey is currently being arranged for the R419 at this location.

**Notice of Motion No: 57/2020**

Councillor Aidan Mullins proposed the following Notice of Motion:-

***“That Laois County Council provide litter bins in the Swan Village”***

This Notice of Motion was seconded by Councillor Padraig Fleming. The Members were advised that Laois County Council will consider this request following confirmation of the preferred locations.

**Notice of Motion No: 58/2020**

Councillor Ben Brennan proposed the following Notice of Motion:

***“That this Council advise when the hard shoulder will be installed at the R431 in Crettyard”***

This Notice of Motion was seconded by Councillor Aisling Moran. The Members were advised that the works on the R431 hard shoulder in Crettyard will commence in the coming month.

**Notice of Motion No: 59/2020**

Councillor Ben Brennan proposed the following Notice of Motion:-

***“That this Council fill in the two drains opposite the Church of Ireland in Mayo for safety”***

This Notice of Motion was seconded by Councillor Padraig Fleming. The Members were advised that Laois County Council will include these works around the same time that the works on the R431 hard shoulder will be carried out.

**Notice of Motion No: 60/2020**

Councillor Ben Brennan proposed the following Notice of Motion:-

***“That this Council give an update on when the repair work will be done outside of a residence in Monure, Killeslin”***

This Notice of Motion was seconded by Councillor Padraig Fleming. The Members were advised that Laois County Council has recently completed all of the drainage works at this location.

### Notice of Motion No: 61/2020

Councillor Padraig Fleming proposed the following Notice of Motion:-

***“That Laois County Council install a Lay-Bye on the Monument Road, Arles as there is an area that is very narrow and causes a lot of difficulty for motorists and pedestrians”***

This Notice of Motion was seconded by Councillor Aisling Moran. The Members were advised that Laois County Council will install a lay-bye at this location on the Monument Road to make it easier for vehicles to pass.

### Notice of Motion No: 62/2020

Councillor Padraig Fleming proposed the following Notice of Motion:-

***“That Laois County Council cut the hedges as discussed with the Residents Committee in:  
1) Mount Clare Court  
2) Heather Hill Estate  
3) and the entrance to the Vale Estate in Graiguecullen in the interest of Health & Safety”***

This Notice of Motion was seconded by Councillor Aisling Moran. The Members were advised that Laois County Council will cut the hedges at the locations identified in these estates in the interest of health and safety.

### Notice of Motion No: 63/2020

Councillor Padraig Fleming proposed the following Notice of Motion:-

***“That Laois County Council give an update on the traffic management plan for the Swan Village with regard to the issue of speeding”***

This Notice of Motion was seconded by Councillor Aisling Moran. The Members were advised that Laois County Council has recently applied to the NTA for funding of traffic calming measures in The Swan, particularly for retrofitting of the existing pedestrian crossing near the school.

Mr. Adrian Barrett, Senior Engineer indicated that an application will be made for the Low Cost Safety Improvement Schemes shortly and that Members will be contacted by the Area Engineer for the inclusion of various locations in same. Councillor Aisling Moran enquired regarding the different colours of surfacing – Mr. Barrett, Senior Engineer indicated that there is ongoing maintenance with this type of work but that the matter could be checked with the T.I.I.

### Notice of Motion No: 64/2020

Councillor Paschal McEvoy proposed the following Notice of Motion:-

***“That this Council address the issue of serious flooding at Timahoe Village”***

This Notice of Motion was seconded by Councillor Padraig Fleming. The Members were advised that Laois County Council has inspected this location and a series of remedial works are planned to be carried out in the coming weeks to address this flooding.

### Notice of Motion No: 65/2020

Councillor Paschal McEvoy proposed the following Notice of Motion:-

***“That this Council give an update as to when The Orchard Housing Estate Stradbally will be taken in charge”***

This Notice of Motion was seconded by Councillor Aidan Mullins. The Members were advised that the following works need to be completed before we can commence the taking in charge process:

- Replacement of hydrant cover at house No. 8.
- Works to surface water manholes including benching, provision of steps, removal of silt, debris, etc.
- Replacement of footpaths to rear of house No. 7 and side of house No. 8

Clarification was sought as to whether the bond has expired for this development.

### Notice of Motion No: 66/2020

Councillor Paschal McEvoy proposed the following Notice of Motion:-

***“That this Council give an update as to when Cil Beag Manor Housing Estate will be taken in charge”***

*This Notice of Motion was seconded by Councillor Aidan Mullins. The Members were advised that* The following works need to be completed by the Developer:

- Wall needs to be plastered.
- Sections of footpath need to be replaced.
- Boundary fence needs to be erected.

Clarification was sought as to whether the bond has expired for this development. It was agreed that a full update be available for the next meeting.

### Notice of Motion No: 67/2020

Councillor Aisling Moran proposed the following Notice of Motion:-

***“That Laois County Council Water Services improve the levels, service and supply of the water in Radhairc Alainn in Arles”***

This Notice of Motion was seconded by Councillor Padraig Fleming. The Members were advised that Irish Water operates the Arles Public Water Supply Scheme in full compliance with the requirements of its regulators, the Environmental Protection Agency, concerning water quality and the Commission for the Regulation of Utilities concerning customer service standards.

On occasions, customers’ water supplies are disrupted through planned works such as improvements to the water network or unplanned works such as bursts and emergency repairs. Minimising disruption, while carrying out these types of works safely, is a priority

for Irish Water. Updates are also posted on our Water Supply Updates Map on the Irish Water Website and on social media.

To report an issue with their water supply, customers should contact the Irish Water customer care helpline, open 24/7, on 1850 278 278 and we will investigate.

Irish Water continues to work at this time with our Local Authority partners, contractors and others to safeguard the health and well-being of both staff and the public and to ensure the continuity of critical drinking water and wastewater services.

#### **Notice of Motion No: 68/2020**

Councillor Aisling Moran proposed the following Notice of Motion:-

***“That Laois County Council give consideration to the erection of a fence at the back of the playground at Ballylinan”***

This Notice of Motion was seconded by Councillor Padraig Fleming. The Members were advised that the site has been previously inspected by officials of the council and the fencing of the site would be both complex and costly due to the nature of the site. Remedial measures have been implemented on site in the past week to address access issues. The situation is being reviewed on a regular basis.

The Members expressed concern for the children and residents at this location and requested that some works be carried out prior to the winter period.

#### **Notice of Motion No: 69/2020**

Councillor Aisling Moran proposed the following Notice of Motion:-

***“That Laois County Council assume the role of Data Controller in the Graigue/Portarlinton MD as cameras need to be installed in litter black spots and areas where there is anti social behaviour”***

This Notice of Motion was seconded by Councillor Paschal McEvoy. The Members were advised that from a corporate perspective, Laois County Council already operates as data controller in respect of data for which it is responsible, whether that is paper or electronic records under its control. The concept of the Council becoming a data controller for all data within a Municipal District area does not apply.

Specifically with regard to litter management, the Data Protection Commission (DPC) has recently issued an opinion that Local Authorities do not have a legal basis under the Litter Pollution & Waste Management Acts for the use of drones, overt and covert CCTV systems, etc, in their surveillance of areas subject to littering and illegal dumping areas.

Taking account of this, the LGMA has set up a Working Group to prepare a submission to the Data Protection Commission, with a view to demonstrating that, through the appropriate preparation of Data Protection Impact Assessment Reports (DPIAs), local authorities are entitled to use recording devices with a view to preventing, detecting and prosecuting breaches of Waste Management legislation in specific locations. Laois County Council is part of this Working Group.

The LGMA will be making the submission to the DPC in the coming weeks. The DPC will then make a decision on the submission.

The Members requested that Mr. Donal Brennan, Director of Services address the next meeting of the MD in relation to this matter.

#### **5. CORRESPONDENCE**

**There was no correspondence.**

The Cathaoirleach of the M.D., Councillor Aisling Moran raised the matter of home care packages and she advised that this would be raised at the September meeting of Laois County Council. Councillors Fleming & Moran agreed to raise this issue at the next Health Forum meeting also.

#### **6. TIME & DATE FOR NEXT MEETING**

It was agreed that the next meeting would be held on 21<sup>st</sup> of October 2020 at 2.00 p.m. in the Council Chamber. This concluded the business of the meeting.

Signed:

Aisling Moran, Cathaoirleach