

**MINUTES OF THE SEPTEMBER MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 25<sup>TH</sup>**  
**OF SEPTEMBER 2023 IN ÁRAS AN CHONTAE**

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

**IN ATTENDANCE:**

Messrs John Mulholland, Chief Executive, Donal Brennan, Director of Services, Gerry Murphy, Head of Finance, Ms. Angela McEvoy, Director of Services, Mr. Paul McLoughlin, A/ Director of Services, Ms. Carmel McNicholl, A/Director of Service, Ms. Irene Delaney, Administrative Officer & Ms. Michelle McCormack, S.O.

**118. VOTES OF SYMPATHIES**

The following Votes of Sympathies were agreed:

- The Keenan family, Marian Avenue, Portlaoise on the recent death of Ms. Bridie Keenan, Assistant Arts Officer, Laois County Council
- The Gittens family, Clonmoran, Shellumsrath, Kilkenny City on the recent death of Ms. Mary Gittens, Wife of Mr. Larry Gittens, Sanitary Services Supervisor, Laois County Council
- The Grehan family, Four Roads, Mountmellick on the recent death of Ms. Sheila Grehan, mother of Ms. Amy Grehan, Finance Department, Laois County Council
- The Fitzpatrick family, Paddock, Mountrath on the recent death of Mr. Vincent Fitzpatrick, brother of Ms. Mary Treacy, Environment Department, Laois County Council
- The Cross family, Newtown, Rathangan, Co. Kildare on the recent death of Ms. Lizzie Cross, mother of Mr. Joe Cross, Water Services Department, Laois County Council
- The O' Mahony family, 7 Ashgrove, Mountmellick on the recent death of Mrs. Brid O' Mahony, wife of the late and former employee of Laois County Council, Mr. Ger O' Mahony
- The Murphy family, Dunmore, Durrow on the recent death of Ms. Áine Murphy
- The Duggan family, Dublin Road, Portlaoise on the recent death of Ms. Margaret Duggan
- The Young family, Bellair, Clonaslee on the recent death of Mr. Eugene Young
- The O' Reilly family, Mullagh, Kilcock, Co. Meath on the recent death of Councillor Damien O' Reilly
- The Gill family, Harp Road, Rathdowney, Co. Laois on the recent death of Mr. Patrick Gill
- The Vaughn family, Tinweir, Durrow, Co. Laois on the recent death of Ms. Anne Vaughn

#### 119. VOTE OF CONGRATULATIONS

On the proposition of Councillor Paschal McEvoy, the Members unanimously agreed to pass a vote of congratulations to the Heath Senior mixed rounders team as they claimed their 5<sup>th</sup> mixed All-Ireland title after beating Limekiln of Dublin recently

On the proposition of Councillor Willie Aird, the Members unanimously agreed to pass a vote of congratulations to Ms. Sinead Slevin, Ms. Jill Sheehy and Ms. Carol Sheehy, Scoil Chríost Rí, Portlaoise on reaching the group finals for the Certified Irish Angus School's Competition following their exhibition held in Croke Park last month.

On the proposition of Councillor John Joe Fennelly, the Members unanimously congratulated the Abbeyleix Senior Hurling Team for their recent win of the semi Final and wished them every success in the County Final on the 8<sup>th</sup> of October which is the first time in 74 years they have reached this.

On the proposition of Councillor Catherine Fitzgerald seconded by Councillor Pdraig Fleming, the Members unanimously complimented to all associated with the recent National Ploughing Championships.

Councillor James Kelly complimented all those involved with the recent Ras na mBán which commenced and finished in Laois and in doing so complimented the support of An Garda Síochana for the event.

#### 120. MINUTES OF THE JULY MEETING HELD ON THE 31<sup>ST</sup> OF JULY 2023

On the proposition of Councillor Willie Aird seconded by Councillor James Kelly, the Members unanimously agreed the minutes of the July meeting held on the 31<sup>st</sup> of July 2023.

Under matters arising from the Minutes of the July Meeting, Councillor Marie Tuohy referred to Notice of Motion No: 38/2023 considered at the July meeting as follows:-

***“That this Council commend the ongoing effort of the Management Team and affiliated bodies such as the Laois Chamber Alliance on the ongoing promotion of Laois as a tourist destination and request an update on the current Laois Tourism Strategy and status report on tourism related infrastructure projects such as the facilities at the Rock of Dunamaise and Glenbarrow in the Slieve Blooms”***

Councillor Tuohy proposed that Ms. Regina Dunne, Laois Tourism be invited to make a presentation to a future meeting of Laois County Council. This proposal was seconded by Councillor Paschal McEvoy.

#### 121. MINUTES OF THE SPECIAL MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 6<sup>TH</sup> OF SEPTEMBER 2023

On the proposition of Councillor John Joe Fennelly seconded by Councillor Paddy Bracken the Members unanimously agreed the minutes of the special meeting of Laois County Council held on the 6<sup>th</sup> of September 2023.

**122. REPORT ON CPG MEETING HELD ON THE 24<sup>th</sup> OF JULY 2023**

On the proposition of Councillor John Joe Fennelly seconded by Councillor Paddy Bracken, the Members unanimously agreed the report on CPG meeting held on the 24<sup>th</sup> of July 2023.

**123. REPORT ON MUNICIPAL DISTRICT MEETINGS HELD IN JUNE 2023**

On the proposition of Councillor John King seconded by Councillor Seamus McDonald, the Members unanimously agreed the reports on Municipal District Meetings held in June 2023.

**124. REPORT ON SPC MEETINGS HELD IN MARCH & JUNE 2023**

On the proposition of Councillor John King seconded by Councillor John Joe Fennelly, the Members unanimously agreed the reports on the SPC meetings held in March and June of 2023

**125. DISPOSAL OF LAND UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001 IN RESPECT OF LEASE OF LAND AT MONURE, GRAIGUECULLEN**

On the proposition of Councillor Pdraig Fleming seconded by Councillor Catherine Fitzgerald, the Members unanimously agreed to the lease of land comprising 2.1 hectares at Monure, Graiguecullen in the townland of Monure for a period of 25 years to St. Fiac's AFC, Graiguecullen, Co. Laois for a consideration of €100.00 per annum.

**126. SEEK THE VIEWS OF THE MEMBERS IN RELATION TO STRATEGIC INFRASTRUCTURAL DEVELOPMENT (SID) REF: 23/317809 – COOLGLASS WINDFARM LIMITED – PLANNING APPLICATION TO AN BOARD PLEANÁLA – CHIEF EXECUTIVE'S REPORT**

It was noted that both Portlaoise and Graiguecullen/Portarlinton Municipal Districts were briefed on this item at their September monthly meetings. The Members were circulated with a copy of the Chief Executive's report on the Strategic Infrastructural Development which was prepared as required by Section 37E (4) of the Planning and Development Act, 2000 (as amended). The report was unanimously agreed by the elected members with further comments made and recorded as set out below :-

**Cllr Fleming**

Proposed that the Chief Executive's report fully deals with all the issues that are to be raised particularly that the proposed development would materially contravene the Laois County Development Plan 2021-2027 and Wind Energy Strategy.

Also raised the following :

- A number of Public meetings have been held ;
- A number of flaws in the application which have been pointed out in the CE Report;
- Lack of consultation at local level by the Wind Energy Developer;
- Some of the turbines are 75m from the nearest well – queried impact on water supply;

- Shadow flicker needs to be considered;
- Confusing figures in the documents.

#### **Cllr Moran**

- The height of the proposed structures is exceptional- height equates to 3 round towers and blades equates to 3 jumbo jets;
- Shadow flicker – they should be 1.5km from a dwelling to avoid shadow flicker;
- The company has not engaged with the community;
- Turbines are proposed in the red zone of the Wind Strategy – no turbines are allowed in this area;
- Heritage structures are not all marked on the maps;
- Many of the birds and animals affected are not taken into account;
- During construction stage of the wind turbines, foundations are 30ft deep which equates to 170 loads of soil removal – traffic impacts;
- Number of contradictions made in application;
- Elimination of 130 acres of woodland, each turbine sterilizes 8 to 10 acres of land;
- Noise from turbines causes issues with sleep patterns;
- Wind energy accounts for 70% of the energy used but needs to be located in the correct area.

#### **Cllr Mullins**

- This is viewed as an incompetent application;
- Area is broken into 2 clusters – should it not be covered by 2 applications;
- Planning statement is inaccurate – it is stated that there are 4 turbines in the area ‘open’ for consideration and 9 in the ‘not open’ for consideration area;
- Landscape assessment not reflective of the site in question;
- What is the role of An Bord Pleanála, can they oppose the Council’s recommendation and Chief Executive’s report. When can Laois County Council expect to be notified of a decision?

#### **Cllr Aird**

- Seeking confirmation that the cables will be laid underground – they must be undergrounded.

#### **Cllr Clooney**

- Supports wind turbines in the right places and this location is not right;
- There should be a levy applied.

#### **127. NOMINATION OF MS. EVELYN REDDIN REPRESENTING LAOIS LOCAL ENTERPRISE OFFICE (STATUTORY SECTION) TO THE LAOIS LOCAL COMMUNITY DEVELOPMENT COMMITTEE (LCDC)**

On the proposition of Councillor Willie Aird seconded by Councillor James Kelly, the Members unanimously agreed to the nomination of Ms. Evelyn Reddin representing Laois Local Enterprise Office (Statutory Section) to the Laois Local Community Development Committee (LCDC).

**128. LOCAL PROPERTY TAX – NOTICE OF CONSIDERATION OF SETTING A LOCAL ADJUSTMENT FACTOR**

The Members were circulated with details on the Local Property Tax for 2024. They were briefed on this item by Mr. Gerry Murphy, Head of Finance. On the proposition of Councillor Willie Aird seconded by Councillor James Kelly, the Members agreed to leave it at the 2023 rate, which was a 10% increase on the basic rate.

**129. APPROVAL OF OVERDRAFT ACCOMMODATION IN RESPECT OF €8 MILLION FOR THE YEAR ENDING 31<sup>ST</sup> OF DECEMBER 2024 TO FINANCE WORKING CAPITAL**

On the proposition of Councillor Ollie Clooney seconded by Councillor John King, the Members unanimously agreed to the approval of overdraft accommodation in respect of €8 million for the year ending 31<sup>st</sup> of December 2024 to finance working capital.

**130. APPROVAL OF OVERDRAFT ACCOMMODATION IN RESPECT OF €15 MILLION FOR THE YEAR ENDING 31<sup>ST</sup> OF DECEMBER 2024 TO FACILITATE ANY TIMING ISSUES REGARDING THE PAYMENT OF PAYROLL AND PENSIONS FOR MY-PAY**

On the proposition of Councillor Ollie Clooney seconded by Councillor John King, the Members unanimously agreed to the approval of overdraft accommodation in respect of €15 million for the year ending 31<sup>st</sup> of December 2024 to facilitate any timing issues regarding the payment of payroll and pensions for My-Pay.

**131. PRESENTATION BY MS. PATRICIA FRAYNE, CENTRE CO-ORDINATOR, PORTLAOISE ENTERPRISE CENTRE**

Ms. Patricia Frayne, Centre Co-Ordinator of the Portlaoise Enterprise Centre delivered a presentation on the Portlaoise Enterprise Centre. Ms. Frayne provided the members with an overview of the facilities at the centre. Members were also briefed on the links with other agencies, the various development works and grant aided funding together with their future plans.

The Members complimented Ms. Frayne on her presentation and wished her every success going forward.

**132. MONTHLY MANAGEMENT REPORT FOR AUGUST/SEPTEMBER 2023**

The Members were circulated with a copy of the Monthly Management report for August/September 2023. The Director of Services responded to the various queries raised by the Members.

**133. TRAINING AND CONFERENCES**

The Members were circulated with a copy of the conferences and training for ratification and same was agreed on the proposition of Councillor John King seconded by Councillor John Joe Fennelly.

**134. CORRESPONDENCE**

The following correspondence was circulated which was received since the last meeting:-

- (i) Correspondence dated the 27<sup>th</sup> of July 2023 from Waterford City & County Council in relation to the Active Travel Funding Scheme
- (ii) Correspondence dated the 2<sup>nd</sup> of August 2023 from ESB in response to Notice of Motion No: 40/2023 in relation to frequent transient fault outages affecting Ballyroan and other areas
- (iii) Correspondence dated the 3<sup>rd</sup> of August 2023 from the Department of Housing, Local Government and Heritage in relation to Notice of Motion No: 37/2023 in relation to Housing Adaptation Grants for Older People and People with a disability scheme in respect of private houses
- (iv) Correspondence dated the 5<sup>th</sup> of September 2023 from Mayo County Council in relation to the Croí Cónaithe Scheme
- (v) Acknowledgement dated the 5<sup>th</sup> of September 2023 from the Minister for Justice in relation to the re-location of Portlaoise Courthouse
- (vi) Correspondence dated the 12<sup>th</sup> of September 2023 from Clare County Council in relation to a Notice of Motion in relation to National Car Test Company
- (vii) Correspondence dated the 20<sup>th</sup> of September 2023 from Cork City Council in relation to a Notice of Motion with respect to the review of policies to reduce road deaths

### **135. NOTICE OF MOTIONS**

#### **Notice of Motion No: 43/2023 – Councillor Aisling Moran**

“That Laois County Council provide the following information on the New Library in Portlaoise:

- Cost of purchasing the old Shaw’s premises where the new library is now located.
- A detailed breakdown of all the costs for engaging all consultant/s before, during and after the construction stage.
- A detailed breakdown of all costs for engaging the design architect/s.
- A detailed breakdown of all costs for the construction & turnkey project works to date.
- A detailed breakdown of costs for all the fittings/furnishings in the new library.
- A detailed breakdown of all stocks including books, computers, electrical fittings and CCTV equipment.
- A detailed breakdown of all salaries paid to date for staff employed by LCC for work associated with the new Library.
- A detailed breakdown of all the information on all funds it received from Government Departments and Agencies, to date, towards the full cost of the project.
- A detailed breakdown of how much Laois County Council has spent on the new library from its own budgets, to date, since the project commenced.
- Also please provide a detailed list of all elements of sustainability and low carbon used on this building e.g solar panels, rainwater collection, air to water heating, LED lights and low energy radiators.
- What are the estimated annual running costs, upkeep and maintenance of the new library? and how will it be funded?
- Please provide a breakdown of all services that will be provided in the new Library.

- Will there be security during all opening hours?”

Councillor Aisling Moran confirmed that this Notice of Motion was withdrawn and same was agreed.

#### **Notice of Motion No: 44/2023**

Councillor Aisling Moran proposed the following Notice of Motion

***“That this Council call on the Minister for Transport, Mr. Eamon Ryan, T.D., & the Minister of State for Transport, Mr. Jack Chambers, T.D., to review the current procedure regarding NCT testing. The capacity for testing is not sufficient to meet the needs of road users. Can we look at extending the need for a cars first NCT test to be pushed out, so that the capacity is there to test the cars that really need it, also the NCT disc should be two years from the date of the test and not two years from the date the test should have been”***

This Notice of Motion was seconded by Councillor Caroline Dwane Stanley. It was agreed that a letter issue to the Minister for Transport in this regard.

#### **Notice of Motion No: 45/2023**

Councillor Aisling Moran proposed the following Notice of Motion:-

***“That this Council calls on the HSE and Minister Roderic O’ Gorman, Minister for Children, Equality, Disability, Integration and Youth of Ireland to engage with the public representatives and the community in Stradbally, to allay any concerns around the safety measures of the Ukrainian refugees, in particular the safety of women and children on the site in Stradbally”***

This Notice of Motion was seconded by Councillor James Kelly. The Members were advised that correspondence would issue to Minister Roderic O’ Gorman in this regard.

#### **Notice of Motion No: 46/2023**

Councillor Thomasina Connell proposed the following Notice of Motion-

***“That this Council write to Ms. Jennifer Carroll MacNeill, T.D., Minister of State at the Department of Finance with responsibility for financial services, Credit Unions and Insurances seeking the enactment of legislation to allow cancer survivors the ‘right to be forgotten’ which at present is a voluntary code of practice agreed by Irish Life Insurance Companies”***

This Notice of Motion was seconded by Councillor Caroline Dwane Stanley. The Members were advised that correspondence would issue to Minister Carroll MacNeill in this regard.

#### **Notice of Motion No: 47/2023**

Councillor Ollie Clooney proposed the following Notice of Motion:-

***“That Laois County Council contact the Minister for Finance, Mr. Michael McGrath, for financial support for all rural pubs as they provide a vital outlet for rural people”***

This Notice of Motion was seconded by Councillor James Kelly. The Members were advised that a letter would issue to the Minister for Finance in this regard.

#### **Notice of Motion No: 48/2023**

Councillor Ollie Clooney proposed the following Notice of Motion:-

***“That Laois County Council contact Transport for Ireland to ask them to adjust the timetable so that it works better for students wishing to use the service. Consultation between TFI & local secondary & third level education facilities should take place prior to setting new timetables”***

This Notice of Motion was seconded by Councillor Aisling Moran. The Members were advised that a letter would issue to Transport for Ireland in this regard.

#### **Notice of Motion No: 49/2023**

Councillors Catherine Fitzgerald, Caroline Dwane Stanley, Marie Tuohy, Thomasina Connell, John Joe Fennelly, Barry Walsh & Willie Aird proposed the following Notice of Motion:-

***“That Laois County Council request Laois Leisure to provide one hour per week in the swimming pool to LOFFA (Laois Offaly Families for Autism)”***

This Notice of Motion was seconded by Councillor Willie Aird. The Members were advised that LOFFA are a regular monthly Sunday pool session group booking in Laois Leisure - Portarlinton. At present, pool timetabling for both Laois Leisure facilities is in very high demand and both facilities are very well utilised by a broad range of members and pay per visit users for public swimming, swimming lessons, birthday parties, Rookie Lifesaving and a variety of groups including Laois Water Safety, Piranha's Swim Club, Laois Marlin's Swim Club, Vision Sports Ireland, LOFFA and numerous Schools per week. Laois Leisure have engaged with LOFFA with regard to a request for a regular weekend slot in our Portlaoise facility but are currently unable to create a suitable option to meet that booking request. When a suitable option can be made available, Laois Leisure would be delighted to facilitate a weekly booking option for LOFFA.

The Members requested that a letter issue to the Chairperson of Laois Leisure requesting that the issue be addressed as a matter of urgency.

#### **Notice of Motion No: 50/2023**

Councillor Caroline Dwane Stanley proposed the following Notice of Motion:

***“That this Council be given an update on the progress made with the building for Laois Civil Defence”***



This Notice of Motion was seconded by Councillor Aisling Moran. The Members were advised that the internal works required for the final configuration & fit-out of the building will be undertaken over a phased basis within the resources available. The current works are being undertaken to facilitate the initial move by Civil Defence to the premises.

Councillor Caroline Dwane Stanley requested clarification on the lease arrangement with Print Post. It was indicated that the lease is due to expire in March 2024 and not August 2023 as previously indicated. It was confirmed that the Council would be requesting vacant possession of the property after the expiry of the lease. It was also indicated that any further leasing arrangements will be brought before the Members for their consideration.

This concluded the business of the meeting.

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

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