

COMHAIRLE CHONTAE UÍBH FHAILÍ

**MINUTES OF JUNE MONTHLY MEETING
OF OFFALY COUNTY COUNCIL**

**HELD IN ÁRAS AN CHONTAE, TULLAMORE
ON MONDAY, 20TH JUNE 2011 AT 2.00 P.M.**

PRESENT:

Cllr. D. Owens (Presiding), Cllrs. N. Bourke, M. Buckley, J. Butterfield, J. Carroll, P. Clendennen, D. Dolan, E. Dooley, S. Dooley, E. Fitzpatrick, J. Foley, C. Hanniffy, N. Hogan, T. McKeigue, T. McLoughlin, J. Leahy, S. Moylan-Ryan, P. Ormond, G. Plunkett, L. Quinn and P. Rowland.

IN ATTENDANCE:

Mr. P. Gallagher, County Manager, Mr. F. Heslin, D.O.S., Mr. S. Murray, D.O.S., Mr. D. Conlon, H.O.F., Ms. A. Dillon, A/D.O.S., Ms. M. Cleary, Meetings Administrator, Mr. E. O’Ceilleachair, C.F.O., Mr. T. Mawe, Financial Management Accountant, Mr. D. Hogan, S.E., Mr. A. Murray, S.P., Ms. A. Walsh, A/S.E.P., Mr. E. Lynch, A.P., Mrs. E. Boyd, S.O. and Ms. V. Francis, A.S.O.

**VOTES OF
SYMPATHY:**

Votes of sympathy were unanimously extended to the following:-

Mary Stuart, County Librarian, on the death of her father, Michael.

Seamus & Martina Hogan, Ballydaly, Tullamore on the tragic death of their son, Conor.

Sheelagh Duffy, Moylena, Clara Road, Tullamore on the death of her sister, Ann Lawless.

Michael Byrne, Arden Road, Tullamore on the death of the Right Reverend Monsignor Laserian Byrne.

Rosemarie McManus, Military Road, Birr on the death of her husband, Brian.

Christina McEvoy, 18 Presentation Place, Birr on the death of her sister, Patsy.

Matt Moore, Treascan, Portarlinton on the death of his mother, Una.

Brian Keogh, St Michaels Park, Portarlinton on the death of his brother, Gary.

Powell Family, Dorughal, Portarlinton on the death of their husband & father, Paddy.

Maura Allen, Clonbullogue, Edenderry on the death of her husband, Eddie.

VOTES OF SYMPATHY (cont'd):

Betty Crobmie, Kilcappagh, Cloneygowan on the death of her sister, Geraldine.

Aileen Roberts, Ballincur, Kinnitty, Birr on the death of her sister in law, Mary Fletcher.

Philomena Quinlan & Family, The Heath, Roscrea on the death of her husband, Jerry.

Kathleen McGinn, Cadamstown, Birr on the death of her mother, Margaret (Gretta).

The County Manager on his own behalf and on behalf of the staff of the Council joined with the members in these votes of sympathy.

CONFIRMATION OF MINUTES:

On the proposal of Cllr. D. Dolan, seconded by Cllr. M. Buckley, the minutes of Offaly County Council's Monthly Meeting held on 16th May 2011 were agreed and adopted.

MINUTES FOR NOTING:

The following minutes were noted:

- Minutes of Corporate Policy Group held 17th January 2011;
- Minutes of Corporate Policy Group held 21st February 2011;
- Minutes of Housing, Social & Cultural S.P.C. held 10th March 2011;
- Minutes of Corporate Policy Group held 21st March 2011;
- Minutes of Environment and Water Services SPC meeting held 23rd March 2011;
- Minutes of Corporate Policy Group held 18th April 2011;
- Information briefing held 16th May 2011.

CONSIDERATION OF THE MANAGER'S REPORT ON SUBMISSIONS RECEIVED ON THE MATERIAL ALTERATIONS TO THE DRAFT EDENDERRY LOCAL AREA PLAN 2011-2017 :

Mr. A. Murray, S.P., informed the meeting that the material alterations to the Draft Edenderry Local Area Plan 2011-2017 were placed on public display from 7th April 2011 to 6th May 2011. He advised the members that, in accordance with the legislation, there was no provision for any further material alterations to be made and that their considerations should be restricted to the proper planning and sustainable development of the area to which the Local Area Plan relates. Further Mr. A.Murray advised that it was only the Manager's Report and the submissions received that were to be considered by the members. He advised that the Local Area Plan should be consistent with the objectives of the County Development Plan. Mr. Murray drew the members attention to the requirement for them to state if they had any beneficiary interest in the issues under discussion and, if so, they must take no further part in the discussions and must withdraw from the meeting.

Ms. A. Walsh, A/S.E.P., drew the members attention to the report which had circulated in advance of the meeting. She advised that nine submissions were received within the prescribed timeframe. Ms. Walsh informed the members

**CONSIDERATION OF
THE MANAGER'S
REPORT ON
SUBMISSIONS
RECEIVED ON THE
MATERIAL
ALTERATIONS TO THE
DRAFT EDENDERRY
LOCAL AREA PLAN 2011-
2017 (cont'd):**

that in accordance with the *Planning and Development (Amendment) Act 2010* that it is necessary for the passing of any resolution to amend the plan and any resolution to make the plan that such a resolution shall be passed by not less than half the members of the planning authority, therefore a vote would be required.

Alteration Reference: No. 5:

To insert the following objective into Chapter 4: 004-07 *Offaly County Council will undertake a Public Realm Study for Edenderry Town Centre in order to create a strategy for future improvements works, subject to the availability of resources.*

The members requested that the Council show their commitment to the carrying out of a Public Realm Study by the insertion of a timeframe in the objective. Ms. A. Walsh advised that a change to the wording was not considered a material amendment but cautioned the members that the inclusion of a definitive timeframe would not necessarily mean that the work would be done as all works that are carried out by the Council are subject to the availability of resources.

Mr. A. Murray advised members that including a timeframe in the objective may result in that objective not being achieved.

The members queried whether there was a progress report to be carried out on the Local Area Plan similar to a development plan and Ms. A. Walsh advised that there is no provision for such a progress report where Local Area Plans are concerned.

Cllr. N. Bourke proposed that the wording '*subject to the availability of resources*' be deleted from the objective. The proposal was seconded by Cllr. J. Foley and the motion was put to a vote.

The result of the roll call vote was:

FOR: Cllrs. N. Bourke, M. Buckley, J. Butterfield, J. Carroll, P. Clendennen, D. Dolan, E. Dooley, S. Dooley, E. Fitzpatrick, J. Foley, C. Hanniffy, N. Hogan, T. McKeigue, T. McLoughlin, J. Leahy, S. Moylan-Ryan, P. Ormond, D. Owens, G. Plunkett, L. Quinn and P. Rowland.

AGAINST: None

The Cathaoirelach declared the motion adopted and the amendment made.

Alteration Reference: A

The alteration relates to lands at Killane that were zoned for residential purposes in the draft plan and subsequently altered to public/community/education lands at amendment stage.

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Ms. A. Walsh drew the members attention to the three submissions received. She advised that any development on the lands would be required to apply for planning permission and any detailed issues, e.g., traffic management, access etc., would be addressed during the consideration of the planning application. She advised that the zoning of the land as public/community/education does not preclude the Department of Education and Skills seeking planning permission at another location in Edenderry. Ms. A. Walsh advised that the purpose of the Local Area Plan was to ensure that correct sites from a planning perspective were identified. Ms. A. Walsh advised that the Manager's recommendation was that no change be made to the alteration.

During the ensuing discussion the members acknowledged that specific issues could be addressed during the consideration of any subsequent planning applications. A query was raised relating to whether there were any plans to develop schools on the Dublin Road side of Edenderry and whether a planning permission for one school could be transferred from one site to another. Ms. A Walsh advised that while there were lands zoned for public/community/educational purposes to the east of the town, she was not aware of any plans to develop schools in this area. Further Ms. A Walsh advised that planning permission is not transferrable from one site to another.

Cllr. N. Bourke, seconded by Cllr. N. Hogan, proposed that the lands at Killane the subject of Alteration reference A be rezoned from residential to public/community/educational. This motion was put to a vote of the members.

The result of the roll call vote on the motion was:

FOR: Cllrs. N. Bourke, M. Buckley, J. Butterfield, J. Carroll, P. Clendennen, D. Dolan, E. Dooley, S. Dooley, E. Fitzpatrick, J. Foley, C. Hanniffy, N. Hogan, T. McKeigue, T. McLoughlin, J. Leahy, S. Moylan-Ryan, P. Ormond, D. Owens, G. Plunkett, L. Quinn and P. Rowland.

AGAINST: None

The Cathaoirleach declared the motion adopted and the amendment made.

Alteration Reference: F

Zone subject lands (c. 11.97ha – 30acres) at Clonmullen for Public/Community/Educational use.

Ms. A. Walsh drew the members' attention to the circulated report and to the Manager's response to the submissions received. She reminded members of the advise already issued in the Manager's Report dated February 2011 and the advice issued to members at the March meeting of the Council relating to this alteration. Ms. A. Walsh advised that the Manager's recommendation was to remove the zoning objective of Public/Community/Educational from

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2017 (cont'd):**

the subject lands at Clonmullen identified as 'Alteration F' and return the lands to 'white lands'.

Ms. A. Walsh advised that, in her opinion, the proposed zoning would constitute piecemeal development. She advised that the development of a retirement village with retail shops would not be appropriate to the location as the site was not serviced by transport, footpaths, public lighting etc. Ms. A. Walsh noted her concerns with regard to the location of the quarry and drew the members attention to the classification of the lands as benefiting lands and to the robust submission received from the Department of the Environment, Community and Local Government.

During the ensuing discussion a number of members spoke in support of Alteration F. They suggested that the proposed zoning was consistent with proper planning for the area and advised that:

- the lands were located within the town boundary;
- the proposed development of the lands was of a high standard, vital for the area and would benefit the town;
- there was potential for employment during the construction and subsequent operation of a retirement village and shops;
- local people could not recollect any flooding in this area;
- the proximity of the lands to Dublin would benefit the proposed development; and
- the proposed development gave an opportunity for an aging population to live independently.

Members who spoke in support of the Manager's recommendation suggested that:

- the zoning was detached from other zoned lands;
- its location, at 1.5km, from the town centre was significant;
- subsequent planning applications could be considered by the Executive on their merits and if they were deemed appropriate the members could materially vary or alter the Local Area Plan at that time if the lands were to remain unzoned.

Ms. A. Walsh advised that the Executive were keenly aware of the importance of supporting, facilitating and promoting employment when preparing the Local Area Plan and that this was achieved through zoning additional lands for business/employment use and through the inclusion of positive policies and objectives relating to employment creation. Ms. A. Walsh advised members to consider the issue of the zoning of the lands separately from any potential development proposal as the zoning was the matter. She further stated that the objectives in the Offaly County Development Plan also supplement the positive and proactive approach in relation to employment creation. Ms. A Walsh clarified member's concerns in relation to the topic of flooding of the lands and advised that on the basis of the 'precautionary approach', the lands were not

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2017 (cont'd):**

considered suitable for zoning, referring to the benefiting lands maps and the CFRAM for the River Boyne being undertaken by the OPW, where Edenderry is listed as an Area of Potential Significant Risk (APSR). Further Ms. A. Walsh advised that the reduction in the size of the proposed site for zoning is not sufficient to address the overall unsuitability of the site. She reiterated that the Manager's Response set out robust and reasonable planning advice for the members and that she did not consider the proposed zoning appropriate.

Mr. P. Gallagher, County Manager, drew the members attention to figure 1, on page 10 of 13, and advised that there were sufficient lands zoned Public/Community/Educational at more suitable locations and in closer proximity to the town centre. He suggested that facilities for older persons should be located close to other amenities, e.g., shops, churches etc. He cited the infrastructural deficits as a reason not to zone the lands as proposed. The County Manager drew the members' attention to the robust submission received from the Department noting in particular their observation that if the amendment is proceeded with that the plan will be at risk from not representing a strategy for the proper planning and sustainable development of Edenderry which the Planning Authority is legally obliged to adopt under the provisions of the *Planning and Development Act 2000*. Further, in response to an earlier comment from the members which queried how the information on flooding was being relayed by the Planning Officials to the Department, the County Manager advised members that all of the information relating to the draft plan, the amendments and the Manager's Reports is on the public record.

Cllr. D. Dolan queried the scale of the retail element of the proposed development which is considered to be 1,000m². Mr. A. Murray advised that the Retail Planning Guidelines indicate that 100m² is the appropriate size of a retail unit associated with a petrol station, therefore the proposed retail element would be 10 times the size of such a unit.

Cllr. N. Bourke proposed that the Alteration Reference: F, i.e., to zone subject lands (c. 11.97ha – 30acres) at Clonmullen for Public/Community/Educational use, be adopted. The proposal was seconded by Cllr. J. Foley. This motion was put to a vote of the members.

The result of the roll call vote was:

FOR: Cllrs. N. Bourke, M. Buckley, J. Butterfield, P. Clendennen, S. Dooley, E. Fitzpatrick, J. Foley, C. Hanniffy, N. Hogan, J. Leahy, S. Moylan-Ryan, P. Ormond, D. Owens, G. Plunkett and L. Quinn.

AGAINST: J. Carroll, D. Dolan, E. Dooley, T. McKeigue, T. McLoughlin, and P. Rowland.

**CONSIDERATION OF
THE MANAGER'S
REPORT ON
SUBMISSIONS
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MATERIAL
ALTERATIONS TO THE
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2017 (cont'd):**

The Cathaoirleach declared the motion adopted and the amendment made.

Miscellaneous

The members noted Ms. A. Walsh's comments in relation to the miscellaneous submission included in the circulated report.

Cllr. N. Bourke, seconded by Cllr. N. Hogan, proposed the the following motion: *'To adopt the Edenderry Local Area Plan 2011-2017 as placed on public display in December 2010 and as amended in March 2011 and as further amended by the three resolutions made at the monthly meeting of Offaly County Council on the 20th June 2011.'*

The motion was put to a vote of the members.

The result of the roll call vote was:

FOR: Cllrs. N. Bourke, M. Buckley, J. Butterfield, P. Clendennen, S. Dooley, E. Fitzpatrick, J. Foley, C. Hanniffy, N. Hogan, J. Leahy, S. Moylan-Ryan, P. Ormond, D. Owens, G. Plunkett and L. Quinn.

AGAINST: J. Carroll, D. Dolan, E. Dooley, T. McKeigue, T. McLoughlin, and P. Rowland.

Cllr. D. Owens, Cathaoirleach, declared the motion adopted, and accordingly, deemed the Edenderry Local Area Plan 2001-2017 made as amended.

**BANAGHER (PARKING
AREAS AND CAR PARK)
BYE LAWS 2008, WITH
AMENDMENTS 2011 :**

Mr. F. Heslin, D.O.S., set out the amendments proposed to the 2008 Bye-Laws to the members. The amendments are as follows:

Schedule 1 and 2 - the section of Main Street comprising of 122.0 metres between the junction with Queen St. and the junction with Church St. has been removed from Schedule 1 (Prohibited Parking Areas) and Schedule 2 (All Day Parking). This section now forms Schedule 6 (Restricted Parking), whereby parking is restricted to a maximum of One Hour.

The amendment to Schedule 3 restricts parking in the Library Car Park to a maximum of three hours. Parking was previously restricted to a maximum of one hour, under the 2008 Bye-Laws.

The members welcomed the amendments, stating that they will be helpful for businesses in the town and will prevent all day parking. The three-hour parking in the Library Car Park was particularly welcome as it gave people plenty of time to carry out their business in the town.

On the proposal of Cllr. S. Moylan-Ryan, seconded by Cllr. J. Leahy the Banagher (Parking Areas and Car Park) Bye Laws 2008, with amendments 2011 were adopted.

**SECTION 85
AGREEMENT UNDER
THE LOCAL
GOVERNMENT ACT 2001
BETWEEN OFFALY
COUNTY COUNCIL AND
LAOIS COUNTY
COUNCIL FOR THE
PURPOSE OF THE
ADMINISTRATION OF
THE PORTARLINGTON
LUTS ROUTE 2
CONTRACT :**

On the proposal of Cllr. E. Fitzpatrick, seconded by Cllr. G. Plunkett, the Section 85 Agreement under the Local Government Act 2001 between Offaly County Council and Laois County Council for the purpose of the administration of the Portarlington LUTS Route 2 was agreed and adopted.

**TAKING IN CHARGE OF
PRIVATE HOUSING
ESTATE AT BOYNE
MEADOWS, DUBLIN
ROAD, EDENDERRY :**

On the proposal of Cllr. J. Foley, seconded by Cllr. L. Quinn, the taking in charge of the private housing estate at Boyne Meadows, Dublin Road, Edenderry, was agreed and adopted.

**ANNUAL FINANCIAL
STATEMENT 2010:
OVER-EXPENDITURE:**

Mr. D. Conlon, H.O.F., drew the members' attention to the Annual Financial Statement 2010. He advised that the net deficit, in the sum of €1,414,476, had exceeded the projected estimated over-expenditure. Mr. Conlon noted that the deficit carried forward from 2009 was €484,668 giving accumulated deficit of €1,899,144. He stated that the listed the Local Government Auditor's requirement that gratuity payments be listed in the revenue accounts in the year that they take place and the increased number of commercial rates write-offs as the main reasons for the increased deficit.

The members expressed their concerns with regard to the increased deficit and proposed that action be taken to address the situation.

In responding to queries raised Mr. D. Conlon advised that there was an 18% decrease in the Local Government Fund between 2008 and 2011 and that staff numbers had decreased by 21% between 2008 and 2010.

On the proposal of Cllr. C. Hanniffy, seconded by Cllr. D. Dolan, the members approved the Annual Financial Statement 2010 and the gross over-expenditure as shown in Table 2 €12,774,811. Mr. D. Conlon that this gross over-expenditure had been offset by other income and savings giving a net deficit of €1,414,476.

**SUSPENSION OF
STANDING ORDERS:**

On the proposal of Cllr. M. Buckley, seconded by Cllr. D. Dolan, the members' agreed to suspend Standing Orders to allow for the postponement of the Annual Meeting until the conclusion of the June Council Meeting.

FINANCE REPORT:

Mr. D. Conlon, H.O.F., drew the members' attention to the financial report circulated with the Agenda. He advised that at the end of Quarter 1, 2011 the Council was in deficit to the sum of €1.421m. He advised that the closure of the

**FINANCE REPORT
(cont'd):**

three fire stations costing €849,000 and adjustments to commercial water metering invoices in the sum of €452,000 were the primary reasons for the significant deficit in Quarter 1.

In responding to questions raised Mr. D. Conlon advised that each Director of Service was examining their budgets, to reduce the 2011 deficit and also examine the implications for the 2012 budget, with the view to making adjustments at this time.

The members expressed their concern with regard to the finances and noted that there would be an impact on the ability of the Council to delivery its services.

Mr. D. Conlon agreed to the members request to advise them at the July meeting if there were any further 'one-off' issues that he was aware of that may have a negative impact on the Council's finances.

**PROGRESS REPORT ON
IMPLEMENTATION OF
FIRE & EMERGENCY
SERVICES
OPERATIONAL PLAN:**

Mr. F. Heslin, D.O.S., informed the members that the circulated report gave details of the Fire Service operational activity and financial performance. He noted that the standards set down in the Section 26 Plan are being achieved. The report, he advised, also included an update with regard to the recent bog fires and the position with regard to the attainment of further efficiencies within the service.

In responding to questions Mr. F. Heslin advised that:

- the Fire Officer on call co-ordinates the service throughout the county;
- the attendance of Offaly Fire Service at fires in the neighbouring counties is kept under review by the Chief Fire Officer;
- efficiency measures are being progressed at national and local level;
- the Edenderry Brigade historically has been busier than the Birr Brigade;
- Bord na Mona would be invoiced for the attendance of brigades at their bog fires.

Mr. F. Heslin advised that future reports on the *Section 26 Fire & Emergency Services Operational Plan* would contain the relevant statistics for the Portarlinton Brigade and stated that he was confident that an effective and efficient service was being provided throughout the county.

The County Manager informed the members that the *Section 26 Fire & Emergency Services Operational Plan*, adopted in January 2011, was the first Fire Services plan in the county to include performance standards. The performance report under discussion demonstrated that these standards were being exceeded and that costs within the service were in order.

**PROGRESS REPORT ON
IMPLEMENTATION OF
FIRE & EMERGENCY
SERVICES
OPERATIONAL PLAN
(cont'd):**

On the proposal of Cllr. J. Foley, seconded by Cllr. J. Carroll the members agreed to take Cllr. J. Foley's Notice of Motion at this time.

Cllr. J. Foley proposed:

"That Offaly County Council acknowledges the stress and anxiety caused to people in the County by the closure of three rural fire stations in January 2011 and further acknowledges the difficulties experienced in dealing with fires and emergency situations in the county over the past number of months.

Therefore as a member of Offaly County Council I am expressing no confidence in the current fire and emergency services plan for Offaly and I am calling on the Director of Services to immediately amend the existing plan or prepare a new fire and emergency services plan for the County that will incorporate the provision of fire and emergency services from the eight fire stations in the County including those located at Daingean, Banagher and Kilcormac."

Cllr. J. Butterfield seconded the motion. A number of members empathised with the sentiment of the motion, but in the absence of specific savings being identified, suggested that the motion was misleading to the public.

Cllr. C. Hanniffy proposed that the motion be amended to read 'That in the event that the financial climate improves sufficiently, Offaly County Council could consider amending the Section 26 Fire & Emergency Operations Plan at that stage.' Cllr. J. Foley agreed to the proposed amendment and the amended motion, seconded by Cllr. N. Bourke, was agreed by the members.

**BRIEFING ON
DERRYCLURE
LANDFILL:**

Mr. S. Murray, D.O.S., drew the members' attention to the report on Derryclure Landfill which was circulated at the meeting. Mr. Murray advised that the current landfill cell was nearing capacity and the development of new cells would require a total capital investment by the Council of more than €4 million. Mr. S. Murray advised that the Council had decided that the landfilling of commercial waste will cease when the current cell is filled later this year. Mr. S. Murray informed the meeting that due to the uncertainty in the waste market and the likely changes in national legislation, the Council had taken a decision not to develop further cells at this time. The current cell, he advised, would be capped and fully remediated in accordance with the terms of the Council's Waste Licence.

The Recycling Centre, Mr. S. Murray stressed, would continue to operate at the site for domestic use and the Council hoped to expand the range of services offered at this facility. Currently, the Recycling Centre accepts recyclable, biodegradable and general waste including bulky items.

In responding to questions raised by the members Mr. S. Murray advised that: the development of Derryclure Landfill

**BRIEFING ON
DERRYCLURE
LANDFILL (cont'd):**

reflected the advances in waste policy and infrastructure in Ireland over the last two decades; domestic customers could continue to bring their waste to the Recycling Centre; and, the Landfill at Derryclure would remain a valuable asset for the Council, who would continue to explore its future development potential.

The members expressed concerns that the decision may result in increased littering throughout the county. Mr. S. Murray advised that the Council would continue to pursue an active litter management approach.

**DRAFT OFFALY
HERITAGE PLAN 2012-
2016:**

Cllr. M. Buckley proposed that the *Draft Heritage Plan 2012-2016* be placed on public display until 15th August 2011. Cllr. E. Dooley seconded the proposal which was agreed by the members.

NOTICE OF MOTIONS:

Cllr. D. Owens, Cathaoirleach, advised that Cllrs. T. McKeigue, M. Buckley and J. Leahy had agreed to defer consideration of their Notices of Motion to the July monthly meeting.

Cllr. J. Carroll in proposing the motion below advised that he had raised this matter at the April and May Council meetings and that he was dissatisfied with the responses received:

“That this council calls on the executive to cease immediately the policy of carrying out farm inspections without notice; also the inspection of septic tanks on these visits which I believe to be outside their remit.”

A lengthy discussion on the matter ensued, during which the following matters were raised:

- the lack of communication by the Council with farmers notifying them that inspections were going to be held;
- the lack of communication regarding the Environment Section’s plan to inspect the various river catchment areas with the S.P.C and members;
- the source of the Council’s statistics stating that three quarters of the county’s river water were below an acceptable quality;
- the duplication of inspections between the County Council and the Department of Agriculture;
- the legislation empowering the Council to inspect septic tanks;
- the manner in which farm inspections are being carried out were considered intrusive;
- the inadequate timeframes being provided for farmers to address issues;
- letters issuing from the Environment Section listing the fines and summons that may be imposed for non-compliance were considered excessive;
- the lack of appreciation of the significant investment made by many farmers installing sewerage storage units in recent years and an appreciation that some farmers may not be in a position to pay for further improvement works; and

**NOTICE OF MOTIONS
(cont'd):**

- the possibility of introducing a waiver scheme for the percolation test fee.

The members suggested that the Council adopt a more proactive approach and assist farmers by giving advice and adequate time to address issues. It was acknowledged that significant expenditure, in excess of €40m, had been spent in improving waste water and septic systems over the past few years and that these improvements would improve water quality over the coming years. The members acknowledged that there is a responsibility on all landowners and occupiers to protect ground and river water.

Mr. S. Murray, D.O.S., in responding to the members' concerns advised that they were commended by the E.P.A. for having over 85% of ground water at good status and that the members could be proud of the manner in which they had addressed ground water issues over successive years. However, the E.P.A. statistics with regard to the river water status was a matter of concern for the Council. Mr. S. Murray outlined the various acts, regulations and statutory instruments that gave the Council powers to inspect. He advised that the changed methodology of carrying out inspections, i.e., inspecting by river catchment areas, was resulting in inspections being more concentrated in an individual area. He acknowledged that the vast number of landowners were compliant.

Mr. S. Murray agreed that the Council would address communication issues and place notices in local papers stating the dates and the river catchment area that the Council were preparing to inspect. Mr. Murray drew the members' attention to the EU Court ruling against Ireland in relation to the non-compliance with EU Directives in this area. He advised that the Council is statutorily obliged to carry out inspections and, accordingly, he could not accede to the motion that farm inspections cease.

Mr. S. Murray suggested that the Executive would consider the points raised in the debate, seek clarification from the Departments and report to the next meeting. On the proposal of Cllr. C. Hanniffy to the proposal, seconded Cllr. E. Dooley, the members agreed to this as a way forward.

COMHDHÁLACHA:

The following conferences were proposed by Cllr. M. Buckley, seconded by Cllr. E. Dooley, and agreed by the members:

31st Annual MacGill Summer School
Glenties, County Donegal.

24th/29th July 2011

No member expressed an interest in attending.

The John Hewitt International Summer School
Marketplace Theatre & Arts Centre, Armagh

27th/29th July 2011

No member expressed an interest in attending.

**COMHDHÁLACHA
(cont'd):**

20th William Carlton Summer School
Corick House Hotel, Clogher
1st/4th August 2011.

It was agreed that Cllrs. M. Buckley, P. Clendennen and C. Hanniffy would attend.

Local Government Health & Safety Risk Assessment &
Insurance

The Kingsvalley Hotel, Merlin Park, Galway
29th/31st July 2011.

It was agreed that Cllrs. N. Hogan and C. Hanniffy would
attend.

COMHFREAGRAS:

The correspondences were noted.

ANY OTHER BUSINESS:

There were no items under Any Other Business

This concluded the business of the meeting.

MINUTES CONFIRMED:

CATHAOIRLEACH

RUNAÍ

18TH JULY 2011