

**COMHAIRLE CHONTAE UÍBH FHAILÍ**

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

**HELD IN ÁRAS AN CHONTAE, CHARLEVILLE ROAD, TULLAMORE  
ON MONDAY, 16TH SEPTEMBER 2019 AT 2.00 P.M.**

<b>PRESENT:</b>	Cllr. P. Ormond, Cathaoirleach, Cllrs. J. Carroll, C. Claffey, N. Cribbin, E. Dooley, N. Feighery, E. Fitzpatrick, J. Foley, D. Harvey, P. Hackett J. Leahy, T. McCormack, R. McDermott, F. Moran, S. O'Brien, D. Owens, L. Quinn and K. Smollen
<b>APOLOGIES</b>	Cllr. J. Clendennen
<b>IN ATTENDANCE:</b>	Ms. A. Delaney, Chief Executive; Mr. F. Heslin, D.O.S.; Mr. D. Conlon, H.O.F.; Mr. T. Shanahan, D.O.S.; Mr. E. O'Ceilleachair, A/D.O.S.; Ms. M. Flynn Kenny, Meetings Administrator; Mr. T. Mawe, F.M.A. Ms. J. Ryan, A/S.E.; and Ms. L. Carbery, C.O.
<b>VOTES OF SYMPATHY:</b>	<p>Votes of sympathy were unanimously extended to the following: -</p> <p>Ms. Eileen O'Meara, Offaly County Council, on the death of her father Donie O'Meara,</p> <p>Ms. Ann Dillon, Offaly County Council, on the death of her mother Teresa Dillon;</p> <p>Cllr. Pippa Hackett, Geashill on the death of her brother Jay Powers;</p> <p>Mrs. Josie Mahon, Ballincanty, Blueball, on the death of her husband Mick Mahon;</p> <p>Mrs. Anita Hogan, Corkhill, Clara, on the death of her daughter Jean Hogan;</p> <p>Ms. Deirdre Fox, Durrow, Tullamore, on the death of her aunt Sr. Bernadette Fox;</p> <p>Mrs. Breda Carroll, Ballinamona, Durrow, on the death of her mother May Conway;</p> <p>Mrs. Tess McEvoy, Killurin, Tullamore, on the death of her husband John McEvoy;</p> <p>Mrs. Kathleen Brannock, Cloneygowan, Tullamore, on the death of her husband Dan Brannock;</p>

	<p>Mrs. Theresa Burke, Clonbrin, Rathangan, on the death of her husband Gerry Burke;</p> <p>Mr. Pat Hynan, Shandra, Portarlinton, on the death of his wife Eithne Hynan;</p> <p>Mrs Helen McIntyre, Coolfin, Banagher on the death of her husband William McIntryre.</p> <p>The Chief Executive, on her own behalf and on behalf of the staff of Offaly County Council, joined with the members in these votes of sympathy.</p>
<p><b>SUSPENSION OF STANDING ORDERS:</b></p>	<p>On the proposal of Cllr. E. Dooley, seconded by Cllr. J. Leahy the members agreed to suspend standing orders to seek an update in relation to West Offaly Power and if a judicial review application has been sought by ESB on the decision by an Bord Pleanala.</p> <p>The members voiced their concerns on the lack of assistance by the IDA, the need for carbon tax to be filtered into the communities in Offaly hit by job losses and the status of Edenderry Power. Cllr Sean O'Brien proposed the issue be placed as a standing item on the agenda of every monthly meeting of Offaly County Council. Cllr. N. Feighery noted that €21 million has been ringfenced by Bord na Mona for the rehabilitation of bogs post peat production and highlighted the announcement of the battery energy storage in Lumcloon. The members agreed that the Transition team is well represented by various bodies and is working hard to tackle the relevant issues. Cllr Pippa Hackett informed the members that the Green Party are bringing its Just Transition Bill before the Dáil this week and urged other parties to support it.</p> <p>In responding to the members queries Ms. A. Delaney, C.E. advised the members that the Council has not been informed if ESB has lodged an application for a Judicial Review. She agreed that this would be a standing item on the monthly agenda. She informed the members that the transition team chaired by the Cathaoirleach of Offaly County Council in conjunction with the various bodies has been providing job support, training and assistance to access funding. She highlighted that the Midlands Peat region has been accepted to the EU Regions in Transition platform and an application for technical assistance funding will be lodged in September. She advised the members that a representative from the ESB would be attending the next transition team meeting and that the IDA will be invited to the October Council meeting as requested by the members. She advised that all assistance would be provided to Bord na Mona and ESB on any future applications.</p>
<p><b>CONFIRMATION OF MINUTES:</b></p>	<p>On the proposal of Cllr. D. Owens, seconded by Cllr. N. Feighery the members resolved to adopt the Minutes of the In-Committee Meeting held in Áras an Chontae, Charleville Road, Tullamore, Co. Offaly on Monday 15<sup>th</sup> July 2019.</p>

	<p>Cllr. Tony McCormack proposed the following amendment to Minutes of Ordinary Meeting of Offaly County Council held on the 15<sup>th</sup> July 2019. Cllr. N. Feighery seconded the proposal.</p> <p>“sufficient bollards and planting should be provided, residential units solely for over 55 age category.”</p> <p>Mr. T. Shanahan, D.O.S. confirmed that the Part 8 proposal for the development in Clonminch as adopted by Members in July already included these provisions.</p> <p>On the proposal of Cllr. L. Quinn, seconded by Cllr. N. Feighery the members resolved to adopt the Minutes of Ordinary Meeting of Offaly County Council held on the 15<sup>th</sup> July, 2019, with amendment.</p>
<p><b>MINUTES FOR NOTING:</b></p>	<p>The members noted –</p> <ul style="list-style-type: none"> <li>- Minutes of Corporate Policy Group Meeting held in Áras an Chontae, Charleville Road, Tullamore, Co. Offaly on Monday 17<sup>th</sup> June 2019.</li> </ul>
<p><b>LOCAL PROPERTY TAX 2020</b></p>	<p>Ms. A. Delaney, C.E. informed the members that there has been no increase in the Local Government fund since 2014 and with little buoyancy in rates further match funding for projects would be limited. She noted the achievement in reducing the deficit over the last five years. She proposed a 15% increase in the Local Property tax, which would be ringfenced for projects to support local communities and to leverage further funding.</p> <p>Mr. D. Conlon advised the members that an increase of 15% would raise €3.7m over the 5 years and this would generate a new funding stream of €18.5m. Mr. T. Mawe provided the members with a detailed presentation on the proposal to raise the LPT by 15%. He advised the members that following public consultation, one submission had been received supporting the increase and the cost to 40% of households in Offaly would be 0.26c per week. He informed the members that the Development Levy income for infrastructural projects is averaging €770k for the last 4 years and is required to support development in the capital budget. Amenities Development Levy income is running at approx. €150k per annum and this will be used to leverage additional funding for amenities like Library development, parks, playgrounds etc. There is no scope currently in the 2020 draft budget to allocate additional match funding for schemes like the Urban and Rural Regeneration development fund which is potentially worth over €30m. He advised the members that the decision to vary the LPT will be reviewed each year. The additional income generated from an increase, would be 100% retained in the county and ring fenced for match funding purposes with the unspent balance carried forward from year to year and an Annual Progress Report would be presented to council.</p> <p>Following the presentation, a discussion took place among the members with concerns raised that without the increase,</p>

	<p>projects could not be pursued, as evidenced in the last few years, the need for job creation, tourist development and potential loss of funding from rates appeals and Bord na Mona closures. They queried if a team with representation from each municipal district would oversee the projects. Other members raised concerns that an increase would put undue pressure on households already struggling, some who are in repossession court, that this form of funding is outdated and warned of other pressures on Offaly households from the uncertainty of Brexit and the upcoming budget.</p> <p>Ms. A. Delaney, C.E. advised that an oversight mechanism would be put in place and it may be appropriate for Corporate Policy group. It will be considered at next CPG meeting.</p> <p>A roll was called on maintaining the status quo on LPT for 2020 as proposed by Cllr. J. Foley and seconded by Cllr. K. Smollen.</p> <p>In favour: Cllrs. C. Claffey, J. Foley, S. O’Brien and K. Smollen</p> <p>Against: Cllrs. J. Carroll, N. Cribbin, E. Dooley, N. Feighery, E. Fitzpatrick, P. Hackett, J. Leahy, T. McCormack, R. McDermott, F. Moran, P. Ormond, D. Owens and L. Quinn</p> <p>Abstain: Cllr. D. Harvey</p> <p>Absent: Cllr. J. Clendennen.</p> <p>Cllr. P. Ormond, Cathaoirleach declared the motion defeated.</p> <p>A roll was called on increasing the Local Property Tax by 15% as proposed by Cllr. E. Dooley and seconded by Cllr. T. McCormack</p> <p>In favour: Cllrs. J. Carroll, N. Cribbin, E. Dooley, N. Feighery, E. Fitzpatrick, P. Hackett, J. Leahy, T. McCormack, R. McDermott, F. Moran, P. Ormond, D. Owens and L. Quinn</p> <p>Against: Cllrs. C. Claffey, J. Foley, S. O’Brien and K. Smollen</p> <p>Abstain: Cllr. D. Harvey</p> <p>Absent: Cllr. J. Clendennen</p> <p>Cllr. P. Ormond, Cathaoirleach, declared the motion successful and the members resolved to vary the basic rate of local property tax upwards by 15 per cent for the year 2020.</p>
<p><b>SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001, OFFALY COUNTY COUNCIL PROPOSES TO DISPOSE OF INDUSTRIAL SITE</b></p>	<p>On the proposal of Cllr. E. Fitzpatrick, seconded by Cllr. R. McDermott, the members resolved to the adopt the Section 183 of The Local Government Act, 2001. Offaly County Council proposes to dispose of Industrial Site Number 3, Portarlinton Industrial Estate, Botley Lane Portarlinton to Polarice Ltd.</p>

<p><b>NUMBER 3, PORTARLINGTON INDUSTRIAL ESTATE, BOTLEY LANE PORTARLINGTON TO POLARICE LTD.</b></p>	
<p><b>SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001, OFFALY COUNTY COUNCIL PROPOSES TO DISPOSE OF INDUSTRIAL SITE NUMBER 14, FERBANE BUSINESS PARK TO MR. MARK EGAN, EASY TRACK SURVEY</b></p>	<p>On the proposal of Cllr. E. Dooley, seconded by Cllr. J. Leahy the members resolved to adopt the Section 183 of The Local Government Act, 2001. Offaly County Council proposes to dispose of Industrial Site Number 14, Ferbane Business Park to Mr. Mark Egan, Easy Track Survey.</p>
<p><b>PLANNING AND DEVELOPMENT ACT, 2000 AS AMENDED, PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS, 2001 AS AMENDED, FOR THE PROPOSED DEVELOPMENT FOR EXTENSION TO KILREAHAN CEMETERY</b></p>	<p>On the proposal of Cllr. E. Dooley, seconded by Cllr. J. Leahy the members resolved to adopt the Planning And Development Act, 2000 as Amended, Part 8 of The Planning and Development Regulations, 2001 as Amended, for the proposed extension to Kilreahan Cemetery.</p>
<p><b>DRAFT STRATEGIC POLICY COMMITTEE SCHEME 2019 -2024</b></p>	<p>Ms. M Flynn Kenny, A/S.E.O. advised the members that following on from the prescribed public consultation process three submissions had been received. She informed the members that amendments to the Draft consist of reconfiguration of PPN representatives to appropriate SPCs, additional trade union representation, training for all members and to include appropriate sustainability development goals any policies should identify how same will impact on the relevant sustainable development goals. Mr. F. Heslin, D.O.S recommended that the Draft Strategic Policy Committee Scheme, as circulated ,be adopted with amendments.</p> <p>On the proposal of Cllr. J. Leahy, seconded by Cllr. J. Carroll the members resolved to adopt the Draft Strategic Policy Committee Scheme 2019-2024.</p>
<p><b>ELECTION / APPOINTMENT / NOMINATION OF MEMBERS TO THE FOLLOWING COMMITTEES</b></p>	<p>On the proposal of Cllr. L. Quinn seconded by Cllr. D. Owens the members resolved to the election/appointment/nomination of the member below to the following committees:</p> <ul style="list-style-type: none"> <li>• Housing Strategic Policy Committee - Cllrs. R. McDermott, K. Smollen, D. Harvey and N. Cribbin;</li> <li>• Land Use, Planning and Economic Development Strategic Policy Committee - Cllrs. S. O'Brien, E. Fitzpatrick, J. Carroll, T. McCormack, J. Clendennen and F. Moran;</li> </ul>

	<ul style="list-style-type: none"> <li>• Climate Action, Environment, Water and Transportation Strategic Policy Committee – Cllrs. P. Hackett, P. Ormond, J. Foley and N. Feighery;</li> <li>• Community, Cultural and Emergency Service Strategic Policy Committee – Cllrs. C. Claffey, J. Clendennen, K. Smollen and P. Hackett</li> </ul>
<p><b>DRAFT TRAVELLER ACCOMMODATION PROGRAMME 2019-2024</b></p>	<p>On the proposal of Cllr.T. McCormack, seconded by Cllr. N. Feighery, the members resolved to adopt the Draft Traveller Accommodation Programme 2019-2024.</p>
<p><b>OFFALY CLIMATE CHANGE ADAPTATION STRATEGY</b></p>	<p>Mr. E. O’Ceilleachair, A/D.O.S. advised the members that following on from the National Adaption Strategy the Offaly Climate Change Strategy has been developed. Ms. J. Ryan, A/S.E. provided the members with a comprehensive presentation. She outlined the Local Authority Adaptation Strategy Development Guidelines, including the Adaptation Baseline Assessment, Climate Risk Identification, the goals, objectives and actions. She referred to the various serious weather incidents in the last few years, including extreme rain &amp; flooding, snow &amp; frost, wind &amp; storm events, heat &amp; drought and the challenges facing the council into the future.</p> <p>Cllr. P. Ormond advised the members that Cllr. P. Hacketts motion would be taken in conjunction with this agenda item.</p> <p>On the proposal of Cllr. P. Hackett, seconded by Cllr. S. O’Brien the members discussed <i>"That Offaly County Council recognises the overwhelming evidence that a Climate and Biodiversity Emergency is evident and that local action is crucial; and as such Offaly County Council:</i></p> <ul style="list-style-type: none"> <li>• <i>Declares a Climate Emergency for County Offaly, and commits to putting in place a Climate Action Plan.</i></li> <li>• <i>Declares a Biodiversity Emergency for County Offaly, and commits to updating and putting in place a Biodiversity Action Plan.</i></li> <li>• <i>Commits to reporting back with an update on Climate and Biodiversity Action at every Council meeting.</i></li> <li>• <i>Establishes a Climate &amp; Biodiversity Action Committee comprised of elected members and representatives of civil society in Offaly, part of whose remit is to oversee the development and implementation of the Climate Action and Biodiversity Action Plans"</i></li> </ul> <p>Cllr. P. Hackett suggested Offaly County Council mission statement and County Development Plan should refer to our climate adaption goals and that a special SPC should be formed for this issue.</p> <p>In response the members agreed that there is a lot of work to be done, funding is required and agriculture should be supported to encourage biodiversity.</p>

	<p>Ms. A. Delaney advised that the Biodiversity Plan is currently under review and that a lot of work continues to be carried out in conjunction with the Heritage Officer. She highlighted that a meeting is planned with the Department at national level in relation to the Climate Action Plan. Ms. J. Ryan informed the members that workshops on biodiversity are planned in line with the All Ireland Pollinator Plan.</p> <p>The members thanked Ms. Ryan for her presentation and on the proposal of Cllr. J. Leahy, seconded by Cllr. N. Feighery, the members Pursuant to the provisions of the Climate Action and Low Carbon Development Act 2015 and the National Adaptation Framework (NAF), 2018, Offaly County Council resolved to approve the Offaly Climate Change Adaptation Strategy 2019-2024, having considered the draft strategy, the contents of the CE report on submissions received during the period of consultation and the SEA an AA Screening Reports carried out in accordance with the requirements of the SEA Directive (DIR 2001/42/EC) and Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC).</p> <p>In response to the motion it was agreed to refer to the Climate Action, Environment, Water and Transportation Strategic Policy Committee and review in six months.</p>
<p><b>TAKING IN CHARGE OF PRIVATE HOUSING ESTATES</b></p>	<p>On the proposal of Cllr. E. Fitzpatrick, seconded by Cllr. R. McDermott the members resolved to taking in charge of the private Housing Estates:</p> <ul style="list-style-type: none"> <li>• Woodville Manor, Rhode.</li> <li>• Bellswell, Daingean.</li> <li>• Cyprus Grove, Crinkle.</li> <li>• Ring O Fort, Walsh Island.</li> <li>• The Forge, Walsh Island.</li> </ul>
<p><b>ANNUAL FINANCIAL STATEMENT 2018</b></p>	<p>Mr. D. Conlon, H.O.F., drew the members' attention to the Annual Financial Statement 2018 which had circulated with the agenda. The members noted the report</p>
<p><b>STATUTORY AUDIT REPORT 2018</b></p>	<p>Mr. D. Conlon, H.O.F. presented the Statutory Audit Report 2018. The members noted the contents of the report.</p> <p>Cllr. N. Cribbin thanked Mr. D. Conlon for his dedicated work over the last 19 years and wished him and his family well on his upcoming retirement. The members joined him in thanking Mr. D. Conlon and congratulated him on the many successful projects achieved in Edenderry and his management of the finances of Offaly County Council. They noted that he always advocated for discretionary funding and managed a balanced budget while lowering the deficit each year.</p> <p>Ms. A. Delaney thanked Mr. D. Conlon for his dedicated service, outlining his wider career in both public and private sectors and noted that he had represented Heads of Finance nationally.</p>

	<p>In responding Mr. D. Conlon stated it had been a great honour and privilege to work for Offaly County Council. He praised the members &amp; retired members, for their decision to reduce the deficit and thanked Thomas Mawe and all the staff for their hard work and diligence.</p>
<p><b>MONTHLY MANAGEMENT REPORT:</b></p>	<p>Ms. A. Delaney, Chief Executive, drew the members' attention to the monthly management report. She advised the members that 100% funding has been approved for the Greenway Daingean link under the National Greenway Strategy. She highlighted that Friday 20<sup>th</sup> September is Culture Night with many events taking place across the county. She noted that Age Friendly showcase will take place in Tullamore on 1<sup>st</sup> October. She updated the members on the County Development Review, legal cases pending for litter and the Edenderry Inner Relief Road. She informed the members that the Civil Defence launched their Facebook Page in July and it is hoped that it will aid the attraction of new members. She noted that the finance report to the 30<sup>th</sup> June is in line with the budget.</p> <p>Cllr. P. Ormond, Cathaoirleach, joined with the members in thanking the Chief Executive for her comprehensive report.</p>
<p><b>CORPORATE POLICY GROUP REPORT:</b></p>	<p>Cllr. P. Ormond, Cathaoirleach informed the members that the Corporate Policy Group met earlier that day and approved a request for a deputation from Employability Midlands to give a presentation at the October Monthly Meeting and noted the holding of a civic reception in Tullamore MD chamber for Tullamore boxer Grainne Walsh, to honor her success in winning a bronze medal at the European Games 2019 in Minsk.</p>
<p><b>NOTICES OF MOTION:</b></p>	<p>On the proposal of Cllr. C. Claffey, seconded by Cllr. K. Smollen:</p> <p><i>“That Offaly County council recognises the importance of Make Way Day taking place on September 26th and makes a commitment to support the local "Make Way Offaly" campaign, with projects being led by Offaly local Development as part of wider Make Way Day.</i></p> <p><i>Recognising that people with disabilities have the same right to use and enjoy public spaces that we all share, Acknowledging the obstacles which people with disabilities face in their daily lives, including badly parked vehicles and bicycles, overgrown hedges and other ill-placed hazards. Understanding that most obstacles are caused by thoughtlessness and genuine lack of awareness, That Offaly County Council will annually support and promote a local #MakeWayDayOffaly campaign as part of the wider “Make Way Day”.</i></p> <p>Cllr. C. Claffey noted that Offaly County Council have supported the Make Way Day over the last number of years and that staff members had attended each of the walks. Cllr. K. Smollen highlighted the difficulty for people with disabilities</p>

	<p>to access transport, business premises and that often disabled parking is ignored by the general public.</p> <p>Ms A. Delany confirmed that support would be given to the Make Way Day annually and to the wider campaign.</p>
<b>COMHDHÁLACHA</b>	<p><u>Conferences</u>  Creating Economic &amp; Business Opportunities from Climate Change, taking place on 9th October 2019 in the Tullamore Court Hotel  <i>It was agreed members would attend</i></p> <p>Celtic Conferences on 'A Practical Guide to Budget 2020' being held at the Four Seasons Hotel, Carlingford, Co. Louth from the 11th to 13th October 2019  <i>It was agreed no members would attend</i></p> <p>Safe Homes Safe Communities, taking place 25th November 2019 in Westport, Mayo  <i>It was agreed no members would attend</i></p> <p>Celtic Conferences 'Ireland and Plastic Waste' taking place at the O'Donovan's Hotel, Clonakilty, Co. Cork from the 25th to 27th October 2019  <i>It was agreed no members would attend</i></p> <p><u>Training</u>  LAMA 2019, AUTUMN TRAINING SEMINAR, taking place on Thursday, Friday &amp; Saturday 17<sup>th</sup>, 18<sup>th</sup> &amp; 19<sup>th</sup> October 2019 in The Falls Hotel, Ennistymon, Co Clare,  <i>It was agreed no members would attend</i></p> <p><b>Retrospective approval was sought for:</b></p> <p>Cllrs. L. Quinn, E. Fitzpatrick, J. Clendennen and D. Owens to attend the 39th Annual MacGill Summer School Sunday July 21st – Friday July 26th, 2019 Highlands Hotel Glenties, Co. Donegal</p> <p>Cllrs. E. Fitzpatrick, D. Harvey, D. Owens, N. Feighery, N. Cribbin, F. Moran, L. Quinn and E. Dooley to attend the Association of Irish Local Government, AILG Autumn Seminar, “Climate Change and Planning – A new Challenge for Local Authorities” 11<sup>th</sup> &amp; 12<sup>th</sup> September 2019 in the Hillgrove Hotel, Monaghan.</p>
<b>COMHFHREAGRAS</b>	<p>The correspondence that issued with the agenda were noted.</p>
<b>ANY OTHER BUSINESS:</b>	<p>In relation to ongoing dispute by beef farmers, Cllr. J. Leahy called on Minister Michael Creed to assist in resolving the issues.</p> <p>Cllr. J. Leahy requested information from the Department of Justice with regard to the emergency direct provision in</p>

