

COMHAIRLE CHONTAE UÍBH FHAILÍ

MINUTES OF JANUARY MONTHLY MEETING OF OFFALY COUNTY COUNCIL HELD IN ARAS AN CHONTAE, TULLAMORE ON MONDAY, 21ST JANUARY 2008 AT 2.00P.M.

PRESENT: Cllr. E. Dooley (Presiding), Cllrs. N. Bourke, Cllr's M. Buckley, J. Butterfield, J. Carroll, P. Clendennen, M. Corcoran-Kennedy, E. Fitzpatrick, Cllr J. Foran, M. Fox, C. Hanniffy, T. McKeigue, T. McLoughlin, S. Moylan Ryan, P. Ormond, D. Owens

IN ATTENDANCE: Mr. Pat Gallagher, County Manager, Mr. Michael Roche, D.O.S., Mr. Declan Kirrane, D.O.S., Mr. Sean Murray D.O.S., Ms. Ruth McNally Acting D.O.S., Mr. Andrew Murray, S.E.P., Ann Dillon, Acting S.E.O., (Meetings Administrator) & Ms. Natasha Troy, C.O.

APOLOGIES: Cllr's B. Cowen, D. Dolan, T. Feighery, G. Killally, F. McDonnell.

VOTES OF SYMPATHY: The members extended Votes of sympathy to families of the following: -

Vincent & Amy Bracken on the death of their wife and mother, Emer, who died tragically.

Lars Quade, from Borken, Germany who worked as a teacher in the Sacred Heart School, Tullamore who also died tragically.

Michael Cowen, Kentstown, Co Meath, uncle of Cllr. Barry Cowen and An Tánaiste, Mr. Brian Cowen, T.D. and Minister for Finance.

The Doheny Family on the deaths of David & Joe.

The members also extended Votes of sympathy in respect of the following: -

Michael Bolger, Kilmurray, Tullamore on the death of his brother, Stephen.

Christina Byrne, Cloneygowan, Tullamore on the death of her mother, Margaret Grattan.

Martin Costello, Treascan, Portarlinton on the death of his sister, Sheila.

James Brady, The Ceaders, Patrick Street, Portarlinton on the death of his brother, Thomas.

**VOTES OF SYMPATHY
(cont'd):**

Michael Slattery, St Patrick Tce., Portarlington on the death of his mother, Nan.

Valerie Mathews & Family, Rathrobin, Blueball, Tullamore on the death of her husband, Raymond.

The McIntyre Family, Ballard, Tullamore on the death of Sean.

Mrs. Joan Conlon & Family, Lowertown, Mountbolus, Tullamore on the death of her husband, Christopher.

The Brazil Family, Clonderg, Ballinahowan, Athlone on the death of their mother, Rose.

Josephine Graham & Family, Cuba Avenue, Banagher on the death of her husband, Brian.

Mr. & Mrs. Higgins, Clondelara, Shannonbridge on the death of their son, James.

Liam Bergin, Emmett Street, Birr on the death of his wife, Geraldine.

Anne Delaney, Burkes Hill, Birr on the death of her husband, Michael.

Mr Paddy McIntyre, Moylena, Clara Road, Tullamore on the death of his wife, Marie.

Mr. Paddy Egan, c/o Bridge House, Tullamore on the death of his mother, Mrs Egan.

**CONFIRMATION OF
MINUTES:**

On the proposal of Cllr. M. Buckley, seconded by Cllr. N. Bourke the following minutes were confirmed and signed:

- Statutory Budget Meeting held in Áras an Chontae, Tullamore on Monday, 17th December 2007 at 2.00 p.m.
- Monthly Meeting of Offaly County Council held in Áras an Chontae, Tullamore on Monday, 17th December 2007 at 2.30 p.m.

NOTING OF MINUTES:

The minutes of the following meeting were noted: -

- Minutes of Birr Town Council & Birr Area Committee held in Birr Civic Offices, Wilmer Road, Birr on Monday 12th November 2007.
- Minutes of Edenderry Area Committee held in Edenderry Town Hall on Tuesday 13th November 2007.

**NOTING OF MINUTES
(cont'd):**

- Minutes of Corporate Policy Group held in Áras an Chontae, Tullamore on 19th November 2007.
- Minutes of Housing, Social & Cultural S.P.C. held on 4th December 2007.

**NOMINATION TO THE EU
OPERATIONAL
COMMITTEE:**

Cllr. P. Ormond was nominated to the E.U. Operational Committee, on the proposal of Cllr. D. Dolan, seconded by Cllr. Sinead Moylan-Ryan.

**REVIEW OF COUNTY
DEVELOPMENT PLAN
2003-2009:**

This item was approved for public consultation at Special Meeting held at 10 a.m. in Áras an Chontae, Tullamore prior to the January Monthly Meeting

**FIXING OF DATE FOR
MARCH MONTHLY
MEETING:**

Due to St. Patrick's Day falling on the third Monday in March it was agreed to reschedule the monthly meeting until 31st March 2008.

**DRAFT SCHEDULE OF
MEETINGS:**

The members approved the draft schedule of meetings for 2008 as circulated with the Agenda.

**ANNUAL DECLARATION
OF INTERESTS:**

Mr. Declan Kirrane, DOS, advised that the Annual Declaration of Interests forms which have already been issued must be completed as accurately as possible and returned to Ethics Registrar by 29th February 2008. He also referred to the Donation Statements forms which were forwarded to the members in early December should be completed and returned by 31st January 2008.

In responding to a query he confirmed that written acknowledgement of receipt will be issued.

**OVERDRAFT
ACCOMMODATION:**

In briefing the members, Mr. Declan Conlon, Head of Finance stated that it was necessary to increase our overdraft facility from €10 million to €15 million due to possible cash flow timing differences on major projects such as the Tullamore Bypass, Tullamore Sewerage Scheme etc.

On the proposal of Cllr. B. Cowen, seconded by Cllr. D. Dolan the members approved a provision for overdraft accommodation for 2008 up to the sum of €15 million.

**STATUTORY AUDIT
REPORT 2006:**

Mr. D. Conlon, Head of Finance, directed the members attention to the Statutory Audit Report 2006 which had previously been circulated. It included the County Manager's reply in relation to any matters raised by the Auditor in the report. He advised that the Auditor's findings and opinion on the Annual Financial Statement of the Council is stated on page 5 of the statement.

The A.F.S. showed a small overall deficit of €30,331 which in the context of the overall gross expenditure of €64.9 million is .05%. He advised that our overall accumulated deficit of €48,416 is very small and leaves the council with minimal excess expenditure from previous years as a burden on future years.

He informed the members that it was the intention of the Audit Committee to report to the Corporate Policy Group on a quarterly basis. The first report is expected in April.

On the proposal of Cllr. N. Bourke, seconded by Cllr. J. Butterfield the members approved the Statutory Audit Report.

**PRESENTATION ON NEW
WATER SERVICES
REGULATIONS:**

Mr. M. Roche, DOS, gave a presentation to the members on the "increasing water services costs" and "the impact of Water Pricing Policing and Design Build Operate" both documents had been circulated and included the following details:

1. Water Pricing Policy:
 - Evolved from the Polluter Pays Principle as outlined in EU Water Framework Directive
 - Ireland has a derogation for domestic consumers - DEHLG will fund domestic element
 - Non-domestic sector must pay both capital and operational costs. Charging:
 - Transparent/non profit making (OCC will be recurring costs only)
 - Water in/water out
 - Unaccounted for Water – proposed 20% but currently in excess of 50% in rural counties
 - Will impact on farmers, community centres, schools, churches and all businesses.

**PRESENTATION ON NEW
WATER SERVICES
REGULATIONS (cont'd):**

- Operational costs (non domestic costs to be recovered locally via metered charge)
 - €1.10/cu.m. (220gallons) for water
 - €1.40/cu.m. for wastewater
 - Consolidated charge of €2.50 per cu.m.
 - Standing charge for €150 for 1st meter €75 for 2nd
 - Meters to be in place by Dec 2006 (2,700 meters – estimated cost for OCC is €2.5mil)
- Capital Funding Costs – breakdown of all costs/annual expenditure for capital projects 2007-2012
- How much funding will be available from DEHLG for each scheme

2. Design, Build, Operate (DBO)

- DEHLG now requires that almost all major water services contracts will be implemented by means of DBO.
- The Department's rationale for this policy is to ensure that water services infrastructure is properly maintained and the value of the asset is not degraded.
- All major water services projects will be tendered for both the capital works and the 20-yr maintenance contract.
- This will not extend to networks, which means that OCC will have to retain staff and other resources to carry out maintenance/repair works on pipes, manholes etc.
- Unfortunately this may lead to disputes with DBO contractors over responsibility for breakdowns, overloading, system faults etc.
- Implications:
 - Significant increase in cost due to Capital Replacement Fund and Profit Margin.
 - Staffing implications
 - Risk implications

3. New Regulations for water and wastewater

- Regulations – standards and regulations to be adhered to, also highlighting any new regulations which have recently come into effect i.e. Licensing of Urban Waste Water – Waste Water Discharge (Authorisation) Regulations 2007 & EC Drinking Water Regulations 2007
- Fees/Timescales
- Offences and Penalties
- Health & Safety

**PRESENTATION ON NEW
WATER SERVICES
REGULATIONS (cont'd):**

Mr. Roche outlined the issues facing Offaly County Council i.e. the installation of the meters, recovering of non-domestic capital and operating costs and recovering of domestic costs. With regard to water metering developing a charging scheme with 95% recovery, 10,800 meter readings V's 1,600 currently, government cap on staff and whether to administer in-house or contract out. He advised that the major concerns are the increased cost for non-domestic consumers as protest is likely, this increased cost could also frighten away new business. The charge may include an element of future Capital Cost and 95% recovery of charges may require drastic measures i.e. "clampers". Development contributions may not meet the expected ND cost of currently proposed schemes unless a major increase is approved, there could be huge cash-flow problems and schemes may have to be refused/deferred.

In responding to queries raised Mr. Roche confirmed the following:

- The increase in costs will affect Group Schemes
- Dairy Farmers will also be subject to the new regulations
- The regulations come from the Department of Environment, Heritage and Local Government by actions taken by the European Court and fines will apply if we don't comply.
- There are no grants available for farmers who want to bore own well, only domestic grants
- There are no plans to introduce a system where non-domestic users will be awarded an allowance.
- It is expected to receive full reimbursement for domestic costs from the DEHLG
- It is intended to have all non-domestic water meters installed in the first ¼ of this year.
- Domestic allowance (50,000 gallons) – not based on how many people occupy the house – metered basis. Public scheme/combined connection will benefit from the allowance. At present farmers being awarded same.
- Currently the percentage of fixed/metered connections is approximately 50/50. No question that all will pay same amount from now on.
- Decision to be made on domestic connections in 2009.
- Focus on water conservation. Unavoidable leakage will commit to ensuring leaks are fixed on day they are reported.

The County Manager advised that this issue formed a major part of our budget for 2008 and stated that he has requested confirmation from the Department on what grants are available and what costs will be recouped and are currently awaiting a response. He also confirmed that he would commit to making a case to the Minister for Environment.

**PRESENTATION BY MR.
KEVIN KIDNEY, FAILTE
IRELAND:**

Following a presentation by Mr. Kevin Kidney, Fáilte Ireland the members raised the following issues:

- Plans by OPW to develop Durrow Abbey
- Product Development ideas for the Midlands
- Identifying what attracts people to the Midlands
- Supports for Tidy Towns, Arts Centre
- Future Development of Lough Boors Parklands
- Development of family Tourism
- Comparison with Westmeath visitor figures
- What is being done to develop products identified in the McIvor report

NOTICES OF MOTION:

The following motion was proposed by Cllr. T. McKeigue and agreed:

“That Offaly County Council calls on the ESB to establish Regional Offices to deal with queries and application regards new connections and increased supply etc.”

On the proposal of Cllr. J. Butterfield, seconded by Cllr. D. Dolan, the members approved of the following motion:

“That Offaly County Council organise a workshop, seminar or conference to facilitate debate on a range of options for the utilisation of cutaway bogs in the generation of energy”

A lengthy discussion ensued and after some debate it was agreed to investigate the possibility of organising a workshop.

On the proposal of Cllr. J. Butterfield, seconded by Cllr. T. McKeigue, the members approved of the following motion:

“That Offaly County Council will meet with the relevant officials of the Health Service Executive in relation to Tullamore Hospital and other health issues pertaining to County Offaly”.

Cllr. McKeigue confirmed that he would make the necessary arrangements.

**NOTICES OF MOTION
(cont'd):**

On the proposal of Cllr. M. Buckley, seconded by Cllr. T. McKeigue the members approved of the following motion:

“That Offaly County Council allocate houses which have been vacant for over a year.”

In responding the County Manager advised that in order to provide a better service we are currently reviewing the arrangements regarding housing maintenance. It is proposed to put two procedures in place, one to deal specifically with planned maintenance and one for emergency repairs.

Mr. F. Heslin, DOS, confirmed that a number of vacant houses around the county are currently in the process of being re-let. There are a total of three which are currently vacant due to being in a state of disrepair. He stated that it is the intention of the housing department to endeavour to improve the response time in relation to repairs.

On the proposal of Cllr. M. Buckley, seconded by Cllr. T. McKeiuge, the members approved of the following motion:

“That Offaly County Council monitor the situation whereby motorists are parking in Disabled parking spaces and impose a fine on the offenders”.

Cllr. T. McKeigue confirmed that the fines are set nationally and on the approval of Cllr. M. Buckley it was agreed to write to the Department of Transport in this regard.

COMHDHÁLACHA:

On the proposal of Cllr. P. Clendennen, seconded by Cllr. D. Owens, the Council approved of the members attendance at conferences as follows:

Third Sector Forum presents Irelands Newest Immigrants ensuring participation in the 2009 European and Local Elections.
21st, 22nd & 23rd February 08 – The Silver Tassie Hotel,
Letterkenny, Co. Donegal
No one expressed an interest in this item.

Antrim Tourism Conference, Forty Shades of Green Tourism
Fri 1st & Sat 2nd February 08 – Dunadry Hotel, Muckamore,
Dunadry, Co. Antrim
It was agreed to send Cllr. Fergus McDonnell

Mid-West Regional Authority, Planning for Renewable Energy,
14th Annual Conference
Thursday 7th & Friday 8th February 2008 – Woodlands House
Hotel, Adare, Co. Limerick
It was agreed to send Cllr. Sinead Moylan-Ryan and Cllr. Johnny Butterfield.

ANY OTHER BUSINESS:

Cllr. J. Butterfield queried the status on the issue with regard to car parking facilities at the Áras.

Mr. D. Kirrane, DOS, advised that we are no longer proceeding with the current proposals and it is now necessary to revert back to the original proposals. He stated that he was hopeful that there would be advances within the coming weeks.

This concluded the business of the meeting.

MINUTES CONFIRMED: -

CATHAOIRLEACH

MEETINGS ADMINISTATOR

18TH FEBRUARY 2008