

# COMHAIRLE CHONTAE UÍBH FHAILÍ

## MINUTES OF NOVEMBER MONTHLY MEETING OF OFFALY COUNTY COUNCIL HELD IN ÁRAS AN CHONTAE, TULLAMORE ON MONDAY, 17<sup>TH</sup> NOVEMBER 2008 AT 2.00P.M.

**PRESENT:** Cllrs. J. Carroll, Leas Cathoairleach (Presiding), N. Bourke, J. Butterfield, P. Clendennen, M. Corcoran-Kennedy, D. Dolan, E. Dooley, T. Feighery, E. Fitzpatrick, J. Foran, M. Fox, C. Hanniffy, F. McDonnell, T. McKeigue, T. McLoughlin, S. Moylan Ryan, P. Ormond, D. Owens.

**IN ATTENDANCE:** Mr. P. Gallagher, County Manager, Mr. D. Kirrane, D.O.S., Mr. M. Roche, D.O.S., Mr. S. Murray, D.O.S., Mr. F. Heslin, D.O.S., Mr. D. Conlon, D.O.S., Mr. D. Hogan, S.E., Mr. A. O’Gorman, S.E.O.; Ms. A. Dillon, A/S.E.O., (Meetings Administrator), Ms. N. Dowler, Community Forum Support Worker, J. Finney, A.O. & Ms. N. Troy, C.O.

**APOLOGIES:** Cllrs. M. Buckley, B. Cowen, G. Killally.

### COMHIRLE NA NÓG PROGRAMME OF VISITING SCHOOLS:

The Leas Cathoairleach, Cllr. J. Carroll welcomed the students of St. Mary's Girls N.S., Edenderry and their teachers, Aisling Ryan and Chris Farrell to the meeting as part of the Comhairle na nÓg programme.

He also complimented Ms. Niamh Dowler, Community & Enterprise on her association with the Comhairle na nÓg programme.

### VOTES OF SYMPATHY:

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

Mr. Gerry Fox, Offaly County Council on the death of his father, Peter.

Mr. Declan Mullally, Rathmore, Portarlinton, Co. Offaly on the death of his brother, Seamus.

Ms. Liz Cunningham, Bracknagh, Rathangan, Co. Offaly on the death of her mother, Betty Maher.

Mrs. Agnes Teehan, Brosna, Coolderry, Birr, Co. Offaly on the death of her husband, Martin.

Ms. Mary Rogers, High St., Birr, Co. Offaly on the death of her sister, Elsie Pardy.

Mr. John McCreaner, Cappagh, Daingean, Co. Offaly on the death of his mother, Mrs. McCreaner.

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

Bridget & Joe Treacy, Moneygall, Birr, Co. Offaly on the death of their mother, Annie.

Mrs. Agga Teehan & Family, Gashes Hill, Coolderry, Co. Offaly on the death of her husband, Martin.

Mrs. Catherine Leahy, Lettybrook, Cadamstown, Birr, Co. Offaly on the death of her husband, Thomas.

Mrs. Gertie Keane, Tullamore Road, Kilcormac, Co. Offaly on the death of her father, Jimmy Horan.

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.

**VOTE OF CONGRATULATIONS :**

The members extended a vote of congratulations to Ms. Michaela Morkan, Shinrone on her achievement at being the first Offaly player to receive a Camogie All-Star.

The members also expressed a vote of congratulations to the Queen of the Land committee.

**CONFIRMATION OF MINUTES:**

On the proposal of Cllr. D. Dolan, seconded by Cllr. T. McKeigue the minutes of Offaly County Council's October monthly meeting held on 20<sup>th</sup> October 2008 were confirmed and signed.

Cllr. Hanniffy had a number of queries in reference to the minutes, as follows:

1. When had Offaly County Council last advertised for recruitment for firemen for the Banagher Fire Station?
2. Have there been any further development regarding the UNESCO World Heritage Bid for Clonmacnoise?
3. She advised that a meeting had been held with Bord na Mona with regard to "The West Offaly Bog Rail" and confirmed, with great disappointment, that it would be ceasing to operate.

Mr. P. Gallagher, County Manager in responding to the first query clarified that it had been agreed in 2005 that the Banagher Firestation would employ 8 firemen. He confirmed that the last occasion when Offaly County Council advertised for the recruitment of firemen was November 2007. He could not confirm whether or not there would be provision made in the Budget for this.

**NOTING OF MINUTES:**

The following minutes were noted:

- Minutes of Special Council Meeting held 21st January 2008
- Corporate Policy Group Meetings (November & December 2007, February to September 2008)
- Minutes of Joint Meeting of Birr and Ferbane Area Committees held on the 1st September, 2008
- Minutes of Edenderry Area Committee meeting held on the 4th September, 2008
- Minutes of Tullamore Area Committee meeting held on the 5th September 2008

**PART VIII - WESTERN RELIEF ROAD CLARA:**

Mr. F. Heslin, D.O.S., informed the members some issues had been investigated and he was now recommending not to proceed with the scheme as circulated. He advised that he would present the members with a revised scheme in due course.

On the proposal of Cllr. D. Dolan, seconded by Cllr. T. McKeigue the members agreed to the removal of the proposed Part VIII – Western Relief Road for Clara.

**SECTION 183 OF LOCAL GOVERNMENT ACT 2001 – DISPOSAL OF LANDS AT:- EDENDERRY, CO. OFFALY:**

On the proposal of Cllr. F. McDonnell, seconded by Cllr. E. Fitzpatrick the council approved of the disposal of lands at Edenderry, Co. Offaly in accordance with the terms of the Section 183 notice dated 4<sup>th</sup> November 2008.

**RESOLUTION TO FIX A DATE FOR SPECIAL COUNCIL MEETING IN COMMITTEE:**

Mr. D. Conlon, Head of Finance advised the members that it was proposed to hold a Special Meeting In-Committee on 8<sup>th</sup> December 2008 at 11.00am to discuss the 2009 Budget.

On the proposal of Cllr. D. Dolan, seconded by Cllr. D. Owens it was agreed to hold the Special Meeting as proposed.

**RESOLUTION TO FIX A DATE FOR STATUTORY BUDGET MEETING:**

Mr. D. Conlon, Head of Finance advised the members that it was proposed to hold the Statutory Budget Meeting on 15<sup>th</sup> December 2008 at 2.00 p.m.

On the proposal of Cllr. D. Dolan, seconded by Cllr. D. Owens it was agreed to hold the Special Meeting as proposed.

**PRESENTATION ON  
BANAGHER ETOWN  
CONCEPT BY SHANNON  
DEVELOPMENT:**

It was agreed to bring this item forward.

Mr. D. Kirrane, D.O.S. welcomed Mr. Paul Ryan, Alice Morgan, Ms. Bernie Leonard & Mr. Denis Duggan from Shannon Development to the meeting.

Ms. Bernie Leonard and Mr. Paul Ryan gave a presentation on the work of Shannon Development in South Offaly generally and specifically on plans for an eTown Development at Banagher. This will involve up to 10 work-to-live units being built on a 2.8 acre site in the town. These units will be equipped to meet the needs of small technology based enterprises with a view to creating local employment and boosting the local economy.

In answering queries raised Ms. Leonard informed the members that in January 2007 Shannon Development lost their job creation role to Enterprise Ireland and no longer have the responsibility for grant aid but she confirmed that figures show job creation is keeping in line with job losses. With regard to tourism and access to transport, she stated that an Australian has taken a case against a car rental company on the ground of age discrimination and noted that this should have an impact on the car rental industry. She confirmed that Shannon Development work do work closely with the other tourism Agencies i.e. Fáilte Ireland. In reference to the Metropolitan Area Networks she advised that there are some issues with Broadband i.e. cost issues. Mr. Ryan stated that the 2.8 acre site is not the entire land bank and added that the planning process will dictate densities. She identified consultants, law firms, internet companies, Montessori schools as being some of the types of businesses that may avail of this type of development and assured the meeting that they are working with the community and their needs as the development is more that just catering for potential business from outside the community. She indicated that negotiations are still in progress and following these proposals will be examined.

Mr. D. Kirrane acknowledged the close working relationship between the County Council and Shannon Development particularly in relation to tourism development. He stated that the Area Committee would be advised of this project in greater detail and that a formal resolution would come before the members regarding the disposal of lands relating to the project. Members welcomed the proposal and in discussion raised the following issues relevant to Shannon Development; Broadband access, interagency tourism product development and promotion, co-ordinating the agency's project planning with the Council's Town Planning process, the potential to expand the eTown concept to the rest of the county and integrated approaches to tourism development at Shannonharbour.

**REVISED RESOLUTION  
TO APPROVE A LOAN  
REGARDING  
VOLUNTARY HOUSING  
PROJECT TARA  
CRESENT  
TULLAMORE:**

On the proposal of Cllr. T. McKeigue, seconded by Cllr. J. Butterfield the members approved of the raising of loans to facilitate the voluntary housing project at Tara Crescent, Tullamore.

**DRAFT  
SUPPLEMENTARY  
DEVELOPMENT  
CONTRIBUTION  
SCHEME FOR CLARA  
SEWAGE  
IMPROVEMENT  
WORKS:**

Mr. D. Kirrane, D.O.S. reiterated to the members the need to increase the Development Contribution Scheme to facilitate Clara Sewage Improvement Works. He informed the members that a total of €4.5million has to be raised, 40% of which will be funded by the Department of Environment, Heritage & Local Government and the balance to be raised by Offaly County Council and advised that it is proposed to put a Supplementary Development Contribution Scheme in place to fund this balance. He stated that if approved, the proposal would go for Public Consultation for a period of 6 weeks.

On the proposal of Cllr. D. Dolan, seconded by Cllr. J. Butterfield it was agreed to send the proposed Draft Supplementary Development Contribution Scheme for Clara Sewage Improvement Works for Public Consultation.

Mr. D. Kirrane in responding to queries advised the following:

- Derelict Site Register is a matter for the Local Authority and he confirmed that if a site was not on the register but it was derelict it would take a reduction in charges.
- He indicated that the rapid growth in Clara was a major factor in the new scheme reaching its limits so soon after construction. He confirmed that a new town plan will be completed for Clara in 2010 and he stated that following this, new planning applications could be considered.

**DRAFT TIMBER  
PURCHASING POLICY  
FOR PUBLIC  
CONSULTATION:**

Mr. M. Roche, D.O.S. directed the members to the Draft Timber Purchasing Policy, which had been circulated with the Agenda and informed the members that there had been considerable consultation carried out in the drafting of the policy. He was now proposing to proceed to public consultation and circulated it to the other Strategic Policy Committees.

On the proposal of Cllr. F. McDonnell seconded by Cllr. P. Clendennen it was to agreed to proceed to public consultation with the Draft Timber Purchasing Policy.

**REALLOCATION OF  
CONSERVATION  
GRANTS FROM 2008  
SCHEME:**

Mr. D. Kirrane, D.O.S. which had been previously circulated. He advised that a total of €13,000 had been received from the Department of Environment, Heritage and Local Government in respect of the Conservation Grants Scheme 2008. He advised that there are 24 recommendations, which had been circulated.

**REALLOCATION OF  
CONSERVATION  
GRANTS FROM 2008  
SCHEME (cont'd):**

On the proposal of Cllr. D. Dolan, seconded by Cllr. J. Butterfield the members approved of the Conservation Grants Scheme 2007 as circulated with the Agenda.

**PRESENTATION ON  
DRAFT WASTE BYE-  
LAWS:**

M. Roche, D.O.S. referred members to the Draft Bye-Laws circulated to members with their agenda relating to the Storage, Presentation, Segregation and Collection of Household Waste, one of the main elements being the introduction of a third Brown Bin. He stated that the Environment S.P.C. had approved this draft for Public Consultation and he sought the members' approval for same.

It was agreed to bring the draft Bye Laws to Public Consultation on the proposal of Cllr. S. Moylan-Ryan, seconded by Cllr. T. McKeigue.

**SERVICE INDICATOR  
REPORT:**

Mr. S. Murray, D.O.S., directed the members' attention to the report on Local Authority Service Indicators which had been previously circulated. He advised that each local authority has compiled data on 42 Service Indicators and submitted them to the Department each year since 2004. He suggested that service indicators are probably most useful when examined as a trend over time or compared with the performance of similar authorities and in this regard advised that a table of comparisons had been prepared and attached for members' information. He stated that the OCC Management Team have decided to generate Service Indication data on a quarterly basis in the future and an internal team comprised of the staff that will compile, verify and return the data has been established. He added that the Directors of Services/Head of Finance will sign off on and report on the data to the C.P.G. quarterly also.

In responding to a query he advised that the extended opening hours will be reflected in the 2008 report following their introduction in June 2008.

**2008 PROGRESS  
REPORT OFFALY  
COUNTY  
DEVELOPMENT  
BOARD:**

Mr. D. Kirrane, D.O.S. informed the members that 4 meetings had been held since the start of the year with an average of 54% attendance. He advised that numerous matters had been considered, including the following:

- Endorsement of Local Development Company Plans for 2008.
- Offaly Integrated Local Development Company Ltd. (O.I.L.D.C.)
- CDB priority actions for 2006-2008.
- Review of CDB Strategy 2002-2012 and Action Plan 2009-2012.
- Consideration of Indecon Review of County/City Dev. Board Strategic Reviews and proposals for strengthening and developing the Boards.

**2008 PROGRESS  
REPORT OFFALY  
COUNTY  
DEVELOPMENT BOARD  
(cont'd):**

- Rural Development Programme 2007-2013 – proposals for Offaly to be submitted by the First Director of O.I.L.D.C.
- Report on Cohesion Process.

He continued with a summary of the activities which the County Development Board have been involved in and their progress to date, which included:

- Offaly Local Anti-Poverty Strategy 2008-2013.
- Interagency Project in relation to the Traveller Community.
- Social Inclusion.
- Strand 2 – Education.
- Play Day.
- Provision of Playgrounds.
- Offaly Sports Partnership.
- Offaly Community Forum.

In answering queries raised, Mr. Kirrane advised that it is clear from the 2008 Indecon report that there is a future for the C.D.B. at the level of strategic interagency co-operation and service planning.

**PRESENTATION ON  
DRAFT RIVER BASIN  
MANAGEMENT PLAN  
BY THE SHANNON  
REGIONAL  
DEVELOPMENT  
BOARD:**

Mr. Enda Thompson of the Shannon Regional Development Board gave a presentation on the draft River Shannon Basin Management Plan. He summarised the Water Framework Directive's emphasis on the sustainable management of waters in order to achieve good water quality by 2015. He outlined the timeframes involved in the Directive which will result in a River Basin Management Plan in 2009. He stated the three main objectives of the Draft Plan: 1) to enable protected areas to achieve their stricter standards, 2) to prevent deterioration and maintain 'high' or 'good' status, 3) to improve waters where appropriate to achieve at least a 'good' status.

In response to members' questions Mr. Thompson stated that the responsibility for the adoption of the plans lies with the relevant Local Authorities in the district. He also stated that the Water Services Investment Programme will in future be prioritised on the basis of each authority meeting the objectives of the Water Framework Directive.

He stated that getting information out regarding these objectives was a critical issue and that a six month period for publication was now starting with a widespread awareness campaign beginning in the New Year.

**OFFALY FILM  
COMMISSION VIDEO  
PRESENTATION:**

Cllr. Marcella Corcoran Kennedy, Chair of the Offaly Film Commission introduced the recently launched Offaly Film Commission Video. She stated that the video had resulted from huge effort on the part of the members of the Commission and marked the end of Phase 1 of their efforts. Phase 2 would involve working with the Irish Film Board to attract film and television activity to the county. She expressed her thanks to fellow elected members on the Commission, Cllr. S. Moylan Ryan and Cllr. F. McDonnell as well as other members Evan Chamberlain, Gary Hctor (Media Company, Birr) and Vivian Clarke (Offaly Express) and Arts Officer Sinead O'Reilly, who will present the project at a forthcoming National Conference. She stated that one of the unexpected positive outcomes of the Commission's work was the formation a network of the many media companies operational in the county, now supported by the County Enterprise Board. She also welcomed the support of Shannon Development and Fáilte Ireland who have expressed great interest in the promotional potential of the video and the scope to develop innovative industries in the county boosting the local economy.

Members complemented the Commission and the Arts Officer on their work to date in promoting Offaly as a destination for film and television production.

**NOTICES OF MOTION:**

The following motion deferred:

*(a) "That this Council engage in joint ventures to provide necessary services and employment".*

The following motion was proposed by Cllr. J. Carroll, seconded by Cllr. T. McLoughlin:

*(b) "That this Council calls on the Government to rescind the proposed cuts in the Education Budget that will have a huge adverse effect on the weak and vulnerable in our society. We seek 1. No reduction in the class sizes, 2. No change to the present teacher substitute cover or 3. No cut in budget for education programmes for disadvantaged."*

Cllr. D. Dolan expressed his disagreement with the National Budget and spoke at length with respect to the cost and role of the civil and public service in this time of Budgetary cutbacks. In particular, he drew attention to the effective immunity of the public sector and had issues with Benchmarking and sick leave. He requested that Management and Councillors consider voluntary cuts in payments in the interests of equity.

On the proposal of Cllr. T. McKeigue, seconded by Cllr. M. Corcoran-Kennedy and agreed:

*(c) "That Offaly County Council calls on the Minister and the H.S.E. to provide funding in their 2009 allocation to allow for the fit-out and staffing of the Riada House Nursing Home extension".*

Cllr. T. McKeigue proposed the following motion, which was seconded by Cllr. P. Clendennen and agreed:

*(d) "That this Council calls on the Minister for Environment, Heritage & Local Government to provide additional funding in 2009 to fund the scheme providing grant aid for housing adaptation and small essential works for the elderly".*

Cllr. D. Owens proposed the following motion, which was seconded by Cllr. E. Fitzpatrick:

*e) "That Offaly County Council follow the lead of some other county and city councils in promoting efficiencies and savings in the schools of Offaly by providing small grants for the introduction of water saving devices to toilet cisterns in all schools".*

#### **COMHDHÁLACHA:**

On the proposal of Cllr. M. Fox, seconded by Cllr. T. Feighery the Council approved of the members attendance at conferences as follows:

International Affairs Conference 2008  
21st November 2008  
Cllr. Eamon Dooley to attend

Training Seminar for Councillors  
Information & Communications Technologies  
21st - 23rd November 2008  
It was agreed Cllr. Peter Ormond and Cllr. Danny Owens would attend.

Training Seminar for Councillors  
"Homelessness in Ireland"  
5th & 6th December 2008  
Cllr. Danny Owens and Councillor Tom Feighery to attend.

**ANY OTHER BUSINESS: Motorway Signage**

Mr. F. Heslin, D.O.S. proposed that the elected members make representations to the N.R.A. regarding the signage of Tullamore from the M4, M6, M7 and M8.

**Register of Electors**

Mr. S. Murray, D.O.S. with reference to the above informed the members that the area meetings would be held on the 26<sup>th</sup> and 27<sup>th</sup> November. He advised that if the Councillors sign the RFA1 form the Draft Register can be amended accordingly.

**E.S.B.**

Cllr. T. McLoughlin expressed his dissatisfaction with the rising prices of electricity in Ireland and his disappointment with the Commission for Energy Regulation.

**Vaccination for Cervical Cancer**

On the proposal of Cllr. M. Corcoran-Kennedy, seconded by Cllr. T. McKeigue, it was agreed to write to the Minister for Health to request that she rescind the decision to suspend the cervical cancer vaccination for young girls.

This concluded the business of the meeting.

**MINUTES CONFIRMED: -**

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**CATHAOIRLEACH**

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**MEETINGS ADMINISTATOR**

**15<sup>TH</sup> DECEMBER 2008**