

COMHAIRLE CHONTAE UÍBH FHAILÍ

MINUTES OF APRIL MONTHLY MEETING OF OFFALY COUNTY COUNCIL HELD IN ÁRAS AN CHONTAE, TULLAMORE ON MONDAY, 20TH APRIL 2009 AT 2.00P.M.

PRESENT: Cllrs. B. Cowen, Cathaoirleach (Presiding), M. Buckley, J. Butterfield, N. Bourke, J. Carroll, 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. M. Roche, D.O.S., Mr. D. Kirrane, D.O.S., Mr. S. Murray, D.O.S., Mr. F. Heslin, D.O.S., Mr. D. Conlon, H.O.F., Mr. C. McCarthy, S.E., Mr. D. Mahon, S.E.O., Mr. A. Murray, S.E.P., Mr. B. Pey, Housing Social and Community Co-ordinator, Mr. G. Bruton (A/Meetings Administrator), Ms. N. Dowler, C.F.S.W., & Ms. N. Troy, C.O.

APOLOGIES: Cllrs. G. Killally

**COMHIRLE NA NÓG
PROGRAMME OF
VISITING SCHOOLS:**

Cathaoirleach, Cllr. B. Cowen welcomed the students of the Gael Scoil an Eiskir Riada, Tullamore and their teacher, Ms Yelena Ní Earchadha to the meeting as part of the Comhairle na nÓg programme.

**VOTES OF
CONGRATULATIONS:**

The members passed a vote of congratulations to:

- Tullamore Rugby Club on winning the All Ireland Junior Cup
- St. Mary's Secondary School, Edenderry on winning the Leinster Colleges Senior Football Final title. The members also commiserated with St. Mary's on their loss at the All Ireland.

**VOTES OF
SYMPATHY:**

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

Val Balfe, staff member of Offaly County Council on the death of his mother, Kathleen.

The Family of Laurance Cunningham, Tara, Durrow on the death of their brother.

Mr. Sean Coleman, Bogtown, Cloneygowan, Tullamore on the death of his father, Christopher.

Ms. Kathleen Coughlan, St. Oliver's Est., Geashill on the death of her mother, Mrs. Kelly.

VOTES OF SYMPATHY (cont'd):

Mrs. Elizabeth Pardy, Clonoghill, Birr on the death of her husband, Michael.

Mr. Eddie Coughlan, 8 Fair View, Birr on the death of his brother, Willie.

Mr. Aidan Maloney, Glendaniel, Tullamore on the death of his mother, Maureen.

Mrs. Breda Kelly, Church Road, Tullamore on the death of her husband, Dr. Joe (Shora) Kelly.

Mrs. Sheila McNamee, Delvin Park, Ferbane on the death of her husband, Alo.

Mrs. Ann Dempsey, Forelacka, Kinnitty on the death of her son, Paul Dolan.

Mrs. Phil Molloy, Ballincur, Kinnitty on the death of her brother, Brendan Murphy.

Mrs. Denise Delaney, Forelacka, Kinnitty on the death of her brother, Michael Pardy.

Mr. Stephen Kenny, Busherstown, Dunkerring, Birr on the death of his mother, Margaret (Peg).

Mrs. Marie Killally, Ballykilleen, Edenderry on the death of her husband, Barry.

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.

SUSPENSION OF STANDING ORDERS

A request was made to suspend standing orders to allow for discussion on the Revised Roads Grant Allocations for 2009.

It was agreed to suspend standing orders, without a formal vote, to facilitate the request.

SUSPENSION OF STANDING ORDERS

Mr. F. Heslin, DOS, referred the members attention to a report which had been circulated, and included the following:

1. Dept. of Transport Circular RLR 08/2009 referring to "Revised Regional and Local Road Grant Allocation 2009".
2. Comparison of February and April allocations for Regional and Local Road Grants. Total Grants being reduced by 28%.
3. Comparison of maintenance grants for National Roads. Total grants are reduced by a further 12%.

**SUSPENSION OF
STANDING
ORDERS(cont'd):**

Mr. Heslin advised that the Road Works Programme 2009 which was adopted at the March meeting of Offaly County Council will now require to be revised. It is intended that the executive will consult with the Area Committees over the next few weeks and to redraft the programme in advance of the May Council Meeting. The Cathaoirleach, Cllr. B. Cowen, informed the members that the Area Engineers have been asked to carry out an assessment of the roads in their areas to assist in prioritising works.

A full and frank discussion ensued. The members expressed their disappointment with the reduction in the Roads Allocation for 2009.

Mr. F. Heslin, D.O.S., in responding to queries raised advised the following:

- Tullamore Bypass allocation remains unchanged.
- Allocation from the Dept. of Transport for Non-National roads is broken into 2 categories i.e. Improvements and Maintenance. The Improvements category of these grants is being reduced.
- Some of the allocations are discretionary and the members are in position to prioritise works in these areas.
- Total funding available is €40 million.

Mr. P. Gallagher, County Manger in referring to the issue of Road Safety advised that Offaly Local Authorities road maintenance is operated to the highest standard and he complimented the roads staff on their work to date. Road Safety takes precedence in all cases

**CONFIRMATION OF
MINUTES:**

Cllr. D. Dolan queried the Managers response under item 9 – Arts Act Grants of the previous minutes. The Manager confirmed that the figure recorded was incorrect; the correct figure should be 70%. It was agreed to amend the minutes accordingly.

On the proposal of Cllr. T. Feighery, seconded by Cllr. D. Dolan and subject to the above the minutes of Offaly County Council's March Monthly Meeting, held in Áras an Chontae, Tullamore on Monday, 23rd March 2009 at 2.00 p.m., were confirmed.

NOTING OF MINUTES:

The following minutes were noted:

- Housing, Social & Cultural SPC held on Tuesday 20th January 2009
- Corporate Policy Group held on 16th February 2009

**LOCAL GOVERNMENT
(PLANNING &
DEVELOPMENT)
REGULATIONS 2001
PART VIII – HOUSING
DEVELOPMENT AT
BALLYVORA,
FERBANE, CO OFFALY**

On the proposal of Cllr. M. Corcoran-Kennedy it was agreed to defer this item to allow the Area Committee to consider the issue.

**LOCAL GOVERNMENT
(PLANNING &
DEVELOPMENT)
REGULATIONS 2001
PART VIII – SHANNON
HARBOUR, PUBLIC
REALM:**

Mr. Michael Roche, DOS, directed the members' attention to the report under Part VIII which had been circulated detailing proposals for Shannon Harbour Public Realm – Phase 2, which is the second phase of the joint project between Offaly County Council, Shannon Development, Waterways Ireland and Atlantic Corridors Ltd. He outlined the proposed works which included mainly re-alignment/reconstruction/paving works to the roads and the provision of signage and lighting. He advised that 6 submissions had been received during the period of public consultation, the responses to same were also included in the report.

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

- The proposed works will not make the flooding situation any worse and should serve to alleviate some of the current problems.
- Kerb heights are standard
- Car parking facilities are currently being examined

He noted that there had been a high level of local consultation during the process and he welcomed same.

On the proposal of Cllr. S. Moylan-Ryan, seconded by Cllr. C. Hanniffy the members approved of the proposals to proceed with the above works.

**STRATEGIC
INFRASTRUCTURE
PROJECT AT
DERRYGREENAGH:**

Mr. D. Kirrane, Director of Services, referred to County Manager's report circulated to members with the agenda on the Strategic Infrastructure application to An Bord Pleanála for combined gas Turbine and Open Cycle Gas Turbine Power Plant at Derrygreenagh.

Mr. Kirrane outlined the contents of the Report and advised members that the Technical staff of the Council were consulted in relation to this proposed development and their comments were included in the County Manager's report. The report dealt with all matters concerning the proper planning and sustainable development of the area. He also stated the report also made recommendations in relation to development contributions and bond.

Mr. Kirrane advised the members that one submission had been received from Councillor Noel Bourke as follows:

1. I agree in principle with the proposal.
2. I note that it is in accordance with the County Development Plan 2009-2015.

**STRATEGIC
INFRASTRUCTURE
PROJECT AT
DERRYGREENAGH
(Cont'd):**

3. I note the economic benefits which it will bring to the area.
4. All necessary measures should be taken to ensure that distillate fuel to be stored on site is done in a manner which is fully safe.
5. I note that the nearest residence is 1.1 kms from the site but all measures should be taken to ensure that this residence and others further away are not adversely affected in any way in matters such as water supply, noise pollution and any other environmental matters.
6. Measures to control traffic during construction and subsequent operation should be put in place.”

Councillor N. Bourke referred to his submission and stated that he agreed in principle with the development. He stated that the proposed development is in accordance with the County Development Plan 2009-2015 and that 150 jobs are proposed when the project is completed and 30 jobs during construction. He complimented BNM for taking the initiative with this project.

Councillor F. McDonnell supported this development. He enquired as to the replacement of the workshop and asked that this be addressed.

Councillor B. Cowen stated that this report would be sent to An Bord Pleanala. He supported Councillor Bourke in his submission and complimented Bord na Mona for taking on this project.

Mr. D. Kirrane, Director of Services, stated that the County Manager’s report is a commentary on the development and the question of the replacement of the workshop is a matter for Bord na Mona. He suggested that the Council write to Bord na Mona in relation to this matter and he felt that this was an independent issue to the report.

Cathaoirleach, Councillor B. Cowen, noted that the Council was broadly supportive of the proposed development.

On the proposition of Councillor Bourke seconded by Councillor McDonnell the County Manager’s report was agreed.

**SECTION 183 OF
LOCAL GOVERNMENT
ACT 2001 – DISPOSAL
OF FREEHOLD
INTEREST IN LANDS
AT:
18 CLONMEEN ROSE,
EDENDERRY
6 KILBRIDE WAY,
CLARA**

On the proposal of Cllr. F. McDonnell, seconded by Cllr. M. Fox, the Council approved the disposal of freehold interest in lands in accordance with the terms of the Section 183 notice dated 2nd April 2009 as follows:

- 18 Clonmeen Rose, Edenderry
- 6 Kilbride Way, Clara

**WASTE MANAGEMENT
(STORAGE,
PRESENTATION,
SEGREGATION AND
COLLECTION OF
HOUSEHOLD WASTE)
BYE-LAWS 2009:**

Mr. M. Roche, D.O.S., directed the members' attention to the Managers Report on the proposed Waste Management Bye-Laws which had been previously circulated with the Agenda. He briefly introduced the document, the purpose of which is to list and summarise the submissions and observations which were received in response to the consultation process in relation to the making of storage, presentation, segregation and collection of household waste bye-laws and the Manager's response and recommendations to issues raised.

Mr. Roche in responding to queries raised advised that following:

- Advantage of having Bye-Laws is that it allows permitting body to influence the Bin Collectors.
- 3rd bin is running only in certain parts of the country at the moment and has not increased charges.
- Cost/waivers – L.G.M.S.B. have made a submission to the Ombudsman to address this issue nationally.
- Styrofoam – at the present moment in time there is no facility to recycle, currently this material is disposed of in the normal waste bin. The Director indicated that he would keep the members updated of any changes in this area.
- Recycling – hope people will take the responsible approach.
- Farm waste: O.C.C. are involved on permit and licensing aspect. There are depots where farmers can deposit waste.

On the proposal of Cllr. J. Butterfield, seconded by Cllr. C. Hanniffy the Council adopted the Draft Waste Management (Storage, Presentation, Segregation And Collection Of Household Waste) Bye-Laws 2009 as proposed.

**TRAVELLER
ACCOMMODATION
PROGRAMME 2009-
2013:**

Mr. S. Murray, D.O.S. informed the members that under the provisions of the Housing (Traveller Accommodation) Act 1998 and in particular Circular Letter TAU 7/08 issued by the Department of the Environment, Heritage and Local Government on the 22nd August 2008, housing authorities are required to prepare for adoption and implementation a third accommodation programme to cover the period 1st January 2009 to the 31st December 2013. He advised that the programme is now being presented to the members for their consideration and adoption following a comprehensive consultative process.

Mr. Murray in answering questions raised advised the following:

- Tullamore & Environs is as defined on the County Development Plan map
- In relation to the illegal encampment at Kilmucklin – legal notice to be served next week

On the proposal of Cllr. T. McKeiuge, seconded by Cllr. M. Buckley the council adopted the Traveller Accommodation Programme 2009-2013 as circulated.

ANNUAL REPORT 2008: Mr. S. Murray, D.O.S., directed the members' attention to the Draft Annual Report 2008 which had been circulated.

On the proposal of Cllr. D. Dolan, seconded by Cllr. J. Carroll the members adopted the Draft Annual Report 2008.

**POLLING
INFORMATION CARDS,
LOCAL GOVERNMENT
ACT 2001:**

Mr. S. Murray, D.O.S., advised that in accordance with Section 27 (8) of the Local Government Act 2001, a decision to issue polling cards by the local authority is a reserved function.

Resolution of European Returning Officer at Local Elections.

On the proposal of Cllr. F. McDonald, seconded by Cllr. E. Fitzpatrick the members agreed to proceed with the issuing of polling cards for the Local Elections.

NOTICES OF MOTION: On the proposal of Cllr. M. Buckley, seconded by Cllr. T. McKeigue, the council approved the following motion:

(a) *“That Offaly County Council update the members on the efforts being made to replace the jobs lost in Offaly”*

In responding, Mr. D. Kirrane, D.O.S. advised the following:

That while Offaly County Council does not have a direct role in employment creation none the less it works in co-operation with many state and semi-state agencies and indeed the private sector in promoting Economic Development in the County.

The County Development Plan

The County Development Plan for the period 2009-2015 contains a number of policies and objections supporting Economic Development in County Offaly.

The National Spatial Strategy has designated Tullamore as part of the Midland Gateway which it is hoped will be the driver of Economic Development throughout County Offaly and all of the Midlands Region.

Gateway Implementation Forum

To facilitate the development of the Midlands Gateway the Gateway Implementation Forum was established by Offaly and Westmeath County Council's to support the development of the Midlands Gateway.

The Gateway Implementation Forum have established the following sub-committees:

1. Audit of Skills Sub-Committee
2. Marketing Sub-Committee
3. Midland Ambassador Sub-Committee

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

The Audit of Skills Sub-Committee undertook a survey of skills needs and deficits in the Gateway and published their findings recently.

Offaly County Council meets on a regular basis with many state and semi-state agencies to develop co-operation in relation to employment and industrial development in the County.

The County Council is currently in discussion with the IDA regarding a joint venture development of Offaly County Council lands at Clominch, Tullamore.

The Economic Development Officer for Offaly County Council supports the operation of both North Offaly and West Offaly Partnership Companies.

The development of tourism in County Offaly is recognised as having major potential for employment creation.

The Community and Enterprise Department of Offaly County Council is responsible for the operation and functioning of the County Development Board in its role in the development of the economic and social life of the County.

It was further agreed that the County Enterprise Board would co-ordinate an inter-agency response to reductions in employment in local industries. To successfully perform these tasks the membership of the sub-committee of the County Enterprise Board has been extended to include the IDA and Athlone Institute of Technology. This new committee has drawn up an action plan which includes:

1. Hosting a one stop shop information day involving all relevant agencies for those people who have become or about to become unemployed.
2. The preparation of a comprehensive information booklet detailing all supports available on the various agencies to create and support business development.
3. The establishment of a website which will contain details of all of these supports.

The Economic Sub-Committee have already intervened with a multi-agency approach in a number of companies where a reduction in employment is about to occur. It will continue to so respond where it gets advance notice of proposed employment reductions.

Offaly County Council interacts both formally and informally with Athlone Institute of Technology to explore how it can assist in supporting and developing Economic Development in the

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

County. A proposal for the development of an Enterprise/Innovation Centre and Outreach Education Centre for Tullamore is being actively considered by Athlone Institute of Technology.

Offaly County Council had re-established the position of Economic and Development Officer to co-ordinate and promote tourism development within the County.

It was agreed to write to the Minister of Enterprise, Trade and Employment to seek an outline of the national strategy.

The meeting agreed to request Mr. Sean Ryan, County Enterprise Board, to make a presentation on this issue to a future meeting of the Council.

The following motion was proposed by Cllr. M. Buckley, seconded by Cllr M. Corcoran Kennedy and agreed.

(b) "That Offaly County Council write to Mary Harney, Minister for Health & Children, regarding the increasing cost of Nursing Homes"

It was agreed to circulate the following motion to other Councils.

The following motion was proposed by Cllr. P. Ormond, seconded by Cllr. J. Carroll

(c) "We as members of Offaly County Council call on the NRA to withdraw proposals to develop an on-line motor service and rest area near Moneygall in the Interest of promoting a gateway for Tourism and business development in South Offaly."

Mr. A. Murray, S.E.P., in response stated a proposal has been prepared to go to An Bord Pleánala. He advised that a meeting had been held with the NRA in February and subsequently a letter issued to the NRA requesting them to defer the application on the basis that a similar application has been granted by North Tipperary County Council. This application is approximately 4km away from the proposed NRA application and could be adversely affected by same. The hinterland of Moneygall village could also be affected and the possible impact is currently being investigated.

Cathaoirleach, Cllr. B. Cowen proposed that the Council write to the Minister for Transport informing him of the motion and advising that it had the full support of the Council. The meeting agreed with this proposal.

COMHDHÁLACHA: The members approved attendance at conferences as follows:

Irish Planning Institute “National Planning Conference 2009”

23rd-24th April 2009

No members attended this conference.

Respond National Conference - 7th May 2009

No members attended this conference.

COMHFREAGRAS.

On the proposal of Cllr. P. Clendennen it was agreed to support the following motion raised by Killarney County Council:

“In view of the fact that the Irish Bookmakers Association are lobbying the Government very strongly to allow Gaming Machines in the Bookmakers Shops in the Republic, I am asking Killarney Town Council to circulate all Councils calling on the Government to reject this Gaming Machine proposal, as it would be the ruination of society in this Country.”

ANY OTHER BUSINESS: Pension Levy for Retained Fire Fighters

Cllr. T. McKeigue requested that we write to the Minister for Finance with regard to the pension levy which is being imposed upon the Retained Fire Fighters, even though they will not receive a pension when they retire. It was agreed.

This concluded the business of the meeting.

MINUTES CONFIRMED: -

CATHAOIRLEACH

MEETINGS ADMINISTATOR

18TH MAY 2009