

**COMHAIRLE CHONTAE UÍBH FHAILÍ**  
**MINUTES OF OCTOBER MONTHLY MEETING**  
**OF OFFALY COUNTY COUNCIL**  
**HELD IN ÁRAS AN CHONTAE, TULLAMORE**  
**ON MONDAY, 19<sup>TH</sup> OCTOBER 2009 AT 2.00 P.M.**

**PRESENT:**

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

**IN ATTENDANCE:**

Mr. Pat Gallagher, County Manager, Mr. F. Heslin, D.O.S., Mr. D. Kirrane, D.O.S, Mr. M. Roche, D.O.S., Mr. D. Conlon, Head of Finance, Ms. M. Cleary, A/D.O.S., Meetings Administrator, Mr. E. O’Ceilleachair, C.F.O., Mr. D. Mahon, S.E.O., Mr. A. Murray, S.P., Ms. A. Walshe, E.P., Ms. N. Troy, Clerical Officer.

**APOLOGIES:**

Mr. S. Murray, D.O.S.

**VOTES OF SYMPATHY:**

Votes of sympathy were unanimously extended to the following:-

Madeline McCarthy & Family, Beechmount Ave., Kilcoursey, Clara on the death of her husband, John.

Mary Nolan & Family, 16 Moneygall, Birr on the death of her husband, Tom.

Mrs M. Scally & Family, Kilmore, Blueball, Tullamore on the death of her husband, Michael.

Patricia Grogan, 38 Clontarf Road, Tullamore on the death of her husband, John.

Ned & Attracta O’Connor, Killeenmore, Killeigh on the death of his mother, Mrs. O’Connor.

Kieran Roe, Kiladerry, Daingean on the death of his father, Michael.

Breda Bracken, Raheen, Geashill, on the death of her mother, Rita Sheil.

The Bagnall Family, Ballinvalley, Killeigh on the death of their sister, Stella.

John O’Brien, Ballyegan, Birr on the death of his mother, Mrs. O’Brien.

Joseph Coughlan, Burkes Hill, Birr on the death of his uncle, John Kenny.

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

The Walsh Family, Coniker, Durrow, Tullamore on the death of Mrs. Walsh.

Margaret Maher, Ballybritt, Roscrea on the death of her husband, John Maher.

Breda McCormack, Garryhinch, Portarlinton on the death of her sister Patricia Green.

Cyril O'Brien and Family, Kilmalogue Gardens, Patrick Street, Portarlinton on the death of his wife, Marie.

Margaret O'Brien, Burkes Hill, Birr on the death of her brother, William Delaney.

Greta Delaney, Woodland Drive, Birr on the death of her husband, Kevin.

Nicolette McRedmond, Coolacree, Cadamstown, Birr on the death of her mother, Maudie.

Mary Naughton, Ballivor House, Banagher on the death of her mother, Margaret (Peggy) McDonnell.

Kathleen Roe, Coolnagrower, Fortal, Birr on the death of her mother, Kathleen (Kit) Breen.

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.

**VOTES OF  
CONGRATULATIONS:**

The members extended a Vote of Congratulations to the following:

The Tullamore Senior Hurling Team on winning the County Hurling Final.

Shinrone Junior Hurling Team on winning the Junior Title.

Clara Senior Football Team on winning the County Football Final.

**CONFIRMATION OF  
MINUTES:**

On the proposal of Cllr. T. McKeigue, seconded by Cllr. M. Buckley the minutes of Offaly County Council's September Monthly Meeting, held in Áras an Chontae, Tullamore on Monday, 21<sup>st</sup> September 2009 at 2.00 p.m., were confirmed and signed.

On the proposal of Cllr. J. Butterfield, seconded by Cllr. C. Hanniffy the minutes of Offaly County Council's Special Meeting, held in Áras an Chontae, Tullamore on Monday, 5<sup>th</sup> October 2009 at 10.00 a.m., were confirmed and signed.

**MINUTES FOR NOTING:**

The following minutes were noted:

- Minutes of Tullamore Area Committee Meeting held on 26th May 2009
- Minutes of Birr Area Committee held At Birr Civic Offices on Friday 10th July, 2009
- Minutes of Ferbane Area Committee held At Birr Civic Offices on Friday 10th July, 2009
- Minutes of Corporate Policy Group held 21<sup>st</sup> September 2009

**CONSIDERATION OF COUNTY MANAGER'S REPORT ON SUBMISSIONS RECEIVED ON THE DRAFT BIRR TOWN AND ENVIRONS DEVELOPMENT PLAN 2010-2016:**

Ms. A. Walsh, Acting Senior Executive Planner, informed the meeting that the Birr Area Committee, made up of Birr Town Council members and Offaly County Council Area members, had met on three (3) occasions to consider the Managers Report on the *Draft Birr Town and Environs Development Plan 2010-2016*, circulated to members on 18<sup>th</sup> August 2009.

Ms. Walsh detailed the amendments agreed by the members at the Area Committee Meeting on 12<sup>th</sup> October 2009, which would be placed on public display for a period of four (4) weeks, from 5<sup>th</sup> November 2009 to 4<sup>th</sup> December 2009. Ms. Walsh listed the three (3) submissions, within the environs area of Birr, which are for the consideration of Offaly County Council members, namely, BTEP 09/27, BTEP 09/72 and BTEP 09/30

A further Manager's report on submissions received would be circulated to the members for their consideration in December 2009. Cllr. J. Carroll's proposal, seconded by Cllr. T. McLoughlin, to place the agreed amendments to the *Draft Birr Town and Environs Development Plan 2010-2016* on public display was accepted by the members.

**AN BORD PLEANÁLA APPLICATION RE. LUMCLOON, CLOGHAN:**

Mr. D. Kirane, DOS, advised the members that the application was in compliance with the County Development Plan. The members expressed their support for the application and welcomed the potential job creation that the development may bring to the area. Some members expressed their concerns as to the impact of the seven (7) further information requests sought by the Fire Service on the application and enquired as to when a decision on the application would be made. Mr. Kirane advised that the further information requests were relatively standard and while they may require some redesign they would not appear to be insurmountable. He noted that An Bord Pleanála is in a position to request modifications to the development. On the proposal of Cllr. C. Hanniffy, seconded by Cllr. J. Leahy, the members adopted the circulated Manager's Report.

**SECTION 183, LOCAL GOVERNMENT ACT 2001 - DISPOSAL OF LEASEHOLD INTEREST IN 9 HOUSES IN ARD NA CARRAIGE EDENDERRY TO HELM HOUSING ASSOCIATION:**

On the proposal of Cllr. N. Bouke, seconded by Cllr. E. Fitzpatrick, the Council approved the disposal of leasehold interest in lands in accordance with the terms of Section 183 Notice dated 1<sup>st</sup> October 2009 as follows:

- Nos 33, 34, 35, 36, 37, 38, 39, 40 & 41 Ard Na Carraige, Edenderry.

**SECTION 183, LOCAL GOVERNMENT ACT 2001 - DISPOSAL OF FREEHOLD INTEREST IN LANDS AT KNOCKAULIN DRIVE, FERBANE:**

On the proposal of Cllr. B. Cowen, seconded by Cllr. G. Plunkett, the Council approved the disposal of freehold interest in land at Knockaulin Drive, Ferbane, in accordance with the terms of Section 183 notice dated 18<sup>th</sup> September 2009.

**SECTION 183, LOCAL GOVERNMENT ACT 2001 – DISPOSAL OF PRIVATE SITE NO 6 IN GALLEN, FERBANE:**

On the proposal of Cllr. S. Moylan-Ryan, seconded by Cllr. E. Dooley, the Council approved the disposal of private site No. 6 ‘Cluny’, Gallen, Ferbane, in accordance with the terms of Section 183 Notice dated 18<sup>th</sup> September 2009.

**ENVIRONMENTAL GRANTS 2009:**

Mr. M. Roche, D.O.S., directed the members to the Environmental Grants List 2009 which had been previously circulated.

On the proposal of Cllr. D. Owens, seconded by Cllr. J. Butterfield the council approved of the Environmental Grants 2009 as circulated.

**ELECTION / APPOINTMENT / NOMINATION OF MEMBERS TO THE FOLLOWING BODIES / COMMITTEES:**

**(i) Strategic Policy Committees**

**(I) STRATEGIC POLICY COMMITTEES**

- PLANNING, ECONOMIC & LOCAL DEVELOPMENT
- TRANSPORTATION & EMERGENCY SERVICES
- ENVIRONMENT & WATER SERVICES
- HOUSING, CORPORATE & CULTURAL SERVICES

Ms. M. Cleary, SEO, Corporate Services advised the members that Chambers Ireland had forwarded nominations as follows:

- Mr. Dominic Doheny for the Planning, Economic & Local Development SPC;
- Mr. Brian Kenny, OEB for the Transportation & Emergency Services SPC;
- Ms. Anne Fahy for the Environment & Water Services SPC; and
- Mr. Joe O’Brien for the Housing, Corporate & Cultural Services SPC.

She advised that the Cathaoirligh of the Town Councils had agreed to nominate as follows:

- Birr Town Council, nominee to be confirmed, to the Planning, Economic & Local Development SPC;
- Cllr. P. Rowland, Tullamore Town Council to the Transportation & Emergency Services SPC;
- Cllr. B. Killeavy, Tullamore Town Council to the Environment & Water Services SPC; and
- Cllr. F. O’Neill, Edenderry Town Council to the Housing, Corporate & Cultural Services SPC.

The members agreed to write to Chambers Ireland requesting them to review their nominees with the view to having representation from a wider geographical area.

It was noted that nominations from the agriculture sector and one further ICTU nominee were still to be notified to the Council.

Cllr. T. McKeigue proposal that the nominations be accepted was seconded by Cllr. M. Buckley and agreed by the members. It was agreed by the members that SPC meetings would be held in the coming weeks.

**ELECTION /  
APPOINTMENT /  
NOMINATION OF  
MEMBERS TO THE  
FOLLOWING BODIES /  
COMMITTEES: (cont'd)**

**(ii) Midland Regional Drugs Task Force**

Cllr. E. Dooley proposed Cllr. S. Moylan-Ryan for the first term of the Midlands Regional Drugs Task Force and Cllr. P. Clendennen for the second term. The proposal was seconded by Cllr. M. Buckley and agreed by the members.

**(II) MIDLAND REGIONAL  
DRUGS TASK FORCE**

**FINANCE REPORT:**

Mr. D. Conlon, HoF, briefed the members on the circulated financial report. He informed the meeting that the actual revenue expenditure and income to the end of September was 65% and 69% respectively of the 2009 Budget figures. He was hopeful that the savings and adjustments being implemented by the Council would result in a deficit at year end which would not be as significant as previously anticipated. In responding to questions raised Mr. Conlon advised that development levies related to the Council's capital account and that the Council was legally obliged to pursue the payment of all levies. He noted that the various monies outstanding to the Council could be viewed in the Annual Financial Statement.

**OFFALY COUNTY  
COUNCIL WATER  
SERVICES INVESTMENT  
PROGRAMME 2010 - 2012  
- NEEDS ASSESSMENT  
2009:**

Mr. M. Roche, D.O.S., in referring to the report which had been circulated with the Agenda advised that the closing date for submission to the Department is 23<sup>rd</sup> October 2009.

Mr. Roche informed the members that the purpose of this Needs Assessment was to develop an overall strategic investment plan for the medium term to meet identified water services needs in County Offaly. These needs will be reflected in the Offaly WSIP 2010 – 2012. He stated that while the programme has a multi-annual focus it is also important that the investment programme is responsive to emerging needs. Consequently, the Needs Assessment will be supplemented by Annual Programme Reviews which will allow for the updating of the priorities in the light of progress and emerging issues.

On the proposal of Cllr. C. Hanniffy, seconded by Cllr. E. Dooley the members adopted the Water Services Investment Programme 2010 - 2012 - Needs Assessment 2009 as circulated.

**PLAN FOR FIRE AND  
EMERGENCY  
OPERATIONS, SECTION  
26, FIRE SERVICES ACT  
1981:**

Cllr. N. Bourke, Cathaoirleach, informed the meeting that the *Plan for Fire and Emergency Operations* had been deferred from the September meeting to afford the members an opportunity to consider the plan. He noted that additional information had been circulated by the Executive, including clarification issued by the County Solicitor on the members' Health and Safety responsibilities.

Following a lengthy discussion Mr. Heslin, DOS, and Mr. E. O'Ceilleachair, Chief Fire Officer, responded to a number of questions. They clarified the issues raised with regard to: the current restrictions to staff recruitment; the cost of training and issuing PPE to firefighters; the average cost of attending fires; the financing agreements with surrounding local authorities; the

**PLAN FOR FIRE AND  
EMERGENCY  
OPERATIONS, SECTION  
26, FIRE SERVICES ACT  
1981 (cont'd):**

operational fire service budget and the distribution of unspent monies; the health and safety responsibilities of both the executive and the members. The County Manager advised that Section 4 of the draft plan detailed the standards which the plan was based upon and noted that these met with international standards. It was agreed to seek a second legal opinion on the members' responsibilities with regard to Health and Safety. The Co. Manager advised that Cllr. J. Foley's proposal, seconded by Cllr. S. Moylan-Ryan, to keep the three (3) stations open did not constitute a decision on the plan. Cllr. N. Bourke proposed that a decision on the plan be deferred to the December meeting and that the draft *Plan for Fire and Emergency Operations* be considered in the context of the 2010 Budget. Cllr. E. Dooley seconded the proposal. The members agreed to defer a decision on the draft plan to the December meeting.

**HOUSING  
PRESENTATION:**

Mr. Dermot Mahon, Senior Executive Officer, Housing gave a detailed presentation outlining the main objectives of the housing section and highlighted the issues currently being addressed. Mr. Mahon informed the members that the Council had recently received notification of additional grant funding, in the sum of €484,000, for Housing Grants for 2009

In answering queries raised Mr. Mahon stated that revised procedures were being considered to address delays being experienced in processing grants. He confirmed that funding for future capital programmes would be affected if the Council did not comply with regulations on energy efficiency and ensure compliance with revised building regulations.

He informed the members that a number of proposals have been submitted from voluntary housing bodies for consideration including Sue Ryder Foundation and Cluid Housing Association but that it was unlikely that funding would be approved from the Department in the short-term.

The members thanked Mr. Mahon for his presentation.

**RURAL TRANSPORT  
SCHEME  
PRESENTATION:**

Ms. Sarah Kennedy, Rural Transport Coordinator, Offaly Local Development Company gave a comprehensive presentation on the rural transport scheme and its implementation in Offaly.

The members thanked Ms. Kennedy for her informative presentation.

**SUSPENSION OF  
STANDING ORDERS:**

On the proposal of Cllr. D. Dolan, seconded by Cllr. J. Butterfield, it was agreed to suspend the Standing Orders to allow the meeting to continue beyond 6 p.m.

**APPLICATION UNDER  
THE GATEWAY AND  
HUBS ERDF GRANTS  
SCHEME:**

The County Manager advised the meeting that the Council had been notified that they had received a grant in the sum of €1.2m in relation to the ERDF grant scheme application.

**NOTICE OF MOTION:**

a) *“That this Council rearranges procedures in relation to car parking, motor tax and housing consultations.”*

In responding to the motion proposed by Cllr. J. Butterfield, seconded by Cllr. M. Buckley, the County Manager advised that the Council were addressing the issues raised. He advised that a review of the Council’s Customer Service Action Plan would commence later in the year.

b) The following motion was proposed by Cllr. M. Buckley and seconded by Cllr. N. Hogan and agreed:

*“That Offaly Co Council call on the Taoiseach and Minister for Social & Family Affairs to publish the National Carers Strategy as committed to in the Social Partnership Agreement – Towards 2016 and in the programme for Government as a matter of principal”*

Cllr. M. Buckley advised that Offaly had two thousand, six hundred and ninety one (2,691) carers in the county. The members agreed to circulate the motion to all the Councils.

c) The following motion was proposed by Cllr. T. McKeigue, seconded by Cllr. L. Quinn and agreed:

*“That Offaly Co Council call on An Bord Pleanála to ensure that there are representatives from the rural community on the Board.”*

It was agreed to send the motion to the Minister of Environment, Heritage and Local Government.

d) Cllr. M. Buckley proposed the following motion, which was seconded by Cllr. C. Hanniffy:

*“That Offaly Co Council take into account the difficulties being experienced by disabled people and provide emergency funds for those in greatest need of adaptations”*

Cllr. M. Buckley welcomed the receipt of €483,000 from the Department for Housing Adaptations Grant for People with a Disability and was pleased to note that the Council was reviewing the procedures for approving these grants.

e) Cllr. L. Quinn proposed the following motion, which was seconded by Cllr. P. Clendennen and agreed:

*“That Offaly Co Council write to the Minister for Agriculture and request that a modified REPS scheme be put in place”*

The members agreed that the motion be forwarded to the Minister.

**COMHDHÁLACHA:**

On the proposal of Cllr. M. Buckley, seconded by Cllr. E. Dooley it was agreed to approve the members attendance at conferences as follows:

**Tipperary Institute – 28<sup>th</sup>/29<sup>th</sup> Oct 2009.**

No members expressed an interest in this conference.

**COMHDHÁLACHA  
(cont'd):**

**Public Policy Making and the Councillor – 30<sup>th</sup> Oct /1<sup>st</sup> Nov 2009.**

It was agreed to send Cllrs. P. Ormond, S. Dooley.

**The Ceifin Centre “Who is in Charge” – 3<sup>rd</sup>/4<sup>th</sup> Nov. 2009**

No members expressed an interest in this conference.

**LAMA Winter Seminar - 6<sup>th</sup>/7<sup>th</sup> Nov. 2009**

It was agreed to send Cllrs. T. McKeigue, N. Hogan, J. Carroll

**Local Government Seminar – Council Budget 2010 – 20<sup>th</sup>/22<sup>nd</sup> Nov. 2009.**

No members expressed an interest in this conference.

**COMHFHREAGRAS:**

In responding to a query raised regarding correspondence received from Galway County Council, dated 1<sup>st</sup> October 2009, the County Manager advised that a circular from the Department of Transport was being circulated to all the members.

**ANY OTHER BUSINESS:**

**Conservation Grants**

Ms. M. Cleary, SEO, Corporate Services, drew the members' attention to the circulated conservation grants proposal. The award of grants as circulated was proposed by Cllr. J. Leahy and seconded by Cllr. T. McKeigue and agreed by the members.

**American Ambassador**

Cllr. M. Buckley proposed that Offaly County Council extend an invitation to the American Ambassador inviting him to visit the county. The proposal was agreed by the members.

This concluded the business of the meeting.

**MINUTES CONFIRMED:**

\_\_\_\_\_ **CATHAOIRLEACH**

\_\_\_\_\_ **RUNAÍ**

**16<sup>th</sup> NOVEMBER 2009**