

COMHAIRLE CHONTAE UÍBH FHAILÍ

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

**HELD IN ÁRAS AN CHONTAE, TULLAMORE
ON MONDAY, 20TH DECEMBER 2010 AT 2.00 P.M.**

PRESENT:

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

IN ATTENDANCE:

Mr. P. Gallagher, County Manager, Mr. D. Kirrane, D.O.S., Mr. F. Heslin, D.O.S., Mr. D. Conlon, H.O.F., Mr. T. Shanahan, A/D.O.S., Ms. M. Cleary, Meetings Administrator, Mr. D. Mahon, S.E.O., Mr. D. Hogan, S.E. and Ms. N. Troy, C.O.

APOLOGIES:

C. Hanniffy and J. Butterfield

**VOTES OF
SYMPATHY:**

Votes of sympathy were unanimously extended to the following:-

Mr. Paddy Heaney, Cadamstown, Kinnitty, Birr on the death of his sister, Josephine.

Mrs. Helen Fitzgerald, Newbridge Street, Birr on the death of her husband, Bill.

Mr. Seamus Geoghegan, Ballinagar, Tullamore on the death of his mother, Molly.

Mr. & Mrs. Galvin, Coolnagarry, Walsh Island on the death of their son, Shane.

Mr. Peter Conroy & Family, Clondonnell, Blueball, Tullamore on the death of his wife, Gertrude.

Mr. John Claffey & Family, Mucklagh, Tullamore on the death of his father, Enda.

James & Margaret Murphy, St. Patrick's Terrace, Portarlinton on the death of their son, Declan.

Maura & David Donogher, Bunnagappa, Walsh Island on the death of their husband and father, Michael.

Mr. Pat Kiely, Shandra, Portarlinton on the death of his father, John.

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.

CONFIRMATION OF MINUTES:

On the proposal of Cllr. S. Dooley, seconded by Cllr. E. Dooley, the minutes of Offaly County Council's November Monthly Meeting held on 15th November 2010 were agreed and adopted.

MINUTES FOR NOTING:

The following minutes were noted:

- Minutes of Tullamore Area Committee Meeting held on 6th September 2010;
- Minutes of Transportation & Emergency Services SPC Meeting held on Friday 10th September, 2010;
- Minutes of Corporate Policy Group Meeting held on 18th October, 2010.

RAISING OF LOAN - VOLUNTARY HOUSING DEVELOPMENT AT MOYLENA TULLAMORE SISTERS OF CHARITY OF JESUS AND MARY

Mr. D. Mahon, S.E.O. Housing, advised that the loan, in the sum of €703.982, was to provide six units of accommodation for the intellectually disabled under the Capital Assistance Scheme.

On the proposal of Cllr. M. Buckley, seconded by Cllr. D. Owens, the members agreed to the raising of a loan for the Voluntary Housing Development at Moylena, Tullamore Sisters of Charity of Jesus and Mary.

DRAFT EDENDERRY LOCAL AREA PLAN 2011-2017

Mr. D. Kirrane, D.O.S., informed the members that the Draft Edenderry Local Area Plan 2011-2017 along with a SEA Screening Report were on public display until 24th January 2011. Submissions from the public and elected members were invited. Mr. Kirrane advised that a Manager's Report would be prepared thereafter.

TAKING IN CHARGE OF PRIVATE HOUSING ESTATE AT DEERPARK, CLONMINCH, TULLAMORE

Mr. F. Heslin, D.O.S., informed the members that no representations or objections were received following the advertisement of the Council's proposal to take in charge the private housing estate at Deerpark, Clonminch, Tullamore.

On the proposal of Cllr. T. McKeigue, seconded by Cllr. D. Dolan the members agreed to the taking in charge of the private housing estate at Deerpark, Clonminch, Tullamore.

OFFALY LOCAL AUTHORITIES WATER DISCONNECTION PROCEDURE:

Mr. D. Conlon, H.O.F., drew the members' attention to *Offaly Local Authorities Water Disconnection Procedure* which was circulated, for their information, with the meeting's agenda. He outlined the thirteen steps which must be taken before the Director of Services for Water Services and the Head of Finance jointly approve the disconnection of a commercial water supply. He advised that the outstanding balance together with a minimum €500 disconnection / reconnection fee would be required to be paid prior to the restoration of the water connection.

In responding to a number of questions Mr. Conlon advised that the Council is required, in accordance with the legislation, to charge the economic cost of providing water to commercial customers. He noted that water is a utility expense for business, similar to ESB and

**OFFALY LOCAL
AUTHORITIES WATER
DISCONNECTION
PROCEDURE (cont'd):**

telecommunication costs. He advised that the Council was taking a responsible attitude to disconnection. The *Water Disconnection Procedure*, he advised, outlined the rigorous process that must be taken prior to any disconnection taking place. He encouraged all customers who may be experiencing difficulties paying their water bills to contact the Council. He assured the meeting that every effort would be made to agree repayment terms with customers. Mr. T. Shanahan, Acting D.O.S., advised that the disconnection / reconnection fee was based on the estimated staff costs and the excavation works involved in disconnecting and restoring water connections.

A number of members continued to express concern in relation to the €500 fee for disconnection / reconnection costs. In concluding the debate the Cathaoirleach requested the Executive to review the fee.

**SEVERE WEATHER
UPDATE:**

Mr. F. Heslin, D.O.S., provided the members with an update with regard to the Council's response to the recent severe weather conditions. He informed the members that the Council had convened a Crisis Management Team, under the Council's Major Emergency Plan. The Team met daily since 29th November to review and co-ordinate the Council's response to the severe weather conditions and to liaise with the National Roads Authority and local media. He noted that the Major Emergency Plan Inter-agency Co-Ordination Group had also convened to review the response.

Mr. Heslin advised that roads were being treated in accordance with the *Roads Winter Service Plan 2010 – 2011*, which was circulated to the members at the November monthly meeting. He informed the meeting that roads had been treated for thirty-three nights to date and that 1,600 tonnes of salt had been used to date.

Mr. Heslin re-iterated the advice received from the Attorney General stating that persons would not be held legally liable for clearing snow and ice from outside their premises as long as they did not create an additional safety hazard by their actions.

The Council, Mr. Heslin advised, had submitted a claim, in the sum of €375,000, to the DEHLG in relation to the Council's expenses in addressing the initial severe weather. Mr. Heslin informed the members that he was hopeful that additional funds would be provided to the Council to meet the costs associated with the current snow and icy weather.

Mr. Heslin concluded his update by thanking all the staff involved and in particular Mr. C. McCarthy, Senior Engineer Roads, the Area Engineers, lorry drivers, outdoor staff, Machinery and Stores staff, Crisis Management Team and Civil Defence. He also acknowledged and thanked the various members of the public and the business community

**SEVERE WEATHER
UPDATE (cont'd):**

for clearing snow outside their premises. He thanked the local media for assisting the Council with their communications.

The Cathaoirleach and members joined with Mr. Heslin in complementing and thanking all the Council staff involved, the Gardaí, H.S.E. and Public Health Nurses who were also assisting persons during the severe snow and icy conditions.

During the ensuing discussion the members acknowledged that it was not feasible for all roads to be gritted. However, they suggested that the Council make salt and grit available to the IFA and rural communities in order that they may treat local black spots. Mr. Heslin in responding advised that the Council had been advised by the NRA and National Steering Group to prioritise National Primary and National Secondary routes. He advised that the Area Engineers had sought to address local areas as best they could having regard to the resources, staff and material, available to them. He again reiterated the Attorney General's advice. He informed the meeting that the Council was in the process of upgrading its equipment – a larger gritter was being purchased and a salt barn was to be built.

The members thanked Mr. Heslin for his update.

NOTICE OF MOTIONS

(a) The following motion was proposed by Cllr. T. McKeigue, seconded by Cllr. M. Buckley and agreed by the members:

“That Offaly County Council calls on the Minister and his department to revert to direct funding for Councils from Government and not through the NRA, who should be phased out, now that most of the major roads projects are complete”

(b) Cllr. T. McKeigue proposed the following motion, which was seconded by Cllr. M. Buckley, and agreed:

“That Offaly County Council calls on the Health and Safety Authority to review its whole approach regard the strict and excessive approach regards the implementation of its brief”

COMHDHÁLACHA:

The following conferences were agreed by the members:

European Legislation on Human Rights Irish Legislation & Case Law - The Effects on Local Authority Housing Insurance Issues: 14th/16th January 2011
No-one expressed an interest in this conference

Compliance with Planning Permission Enforcement of Conditions of Planning Professional Indemnity Insurance & Bonds: 21st/23rd January 2011.
No-one expressed an interest in this conference
Professional Development for Councillors
Time Management Success: 21st/23rd January 2011.

**COMHDHÁLACHA
(cont'd):**

No-one expressed an interest in this conference

TJK Conferences Ltd

Economic Conference for Councillors: 28th/29th January
2010

No-one expressed an interest in this conference

AMAI

Spring Seminar 2011: 11th/12th February 2011.

No-one expressed an interest in this conference

COMHFREAGRAS:

The correspondences were noted.

ANY OTHER BUSINESS:

The Cathaoirleach advised the meeting that he proposed to take the motions submitted by Cllr. M. Buckley for the November monthly meeting at this time.

(i) Cllr. M. Buckley proposed the following motion, which was seconded by Cllr. E. Dooley, and agreed.

“That Offaly County Council write to the Minister of Health and Children to request the Carers Strategy be implemented in full, to address the stress been experienced by Carers all over the Country but especially the 2691 family Carers in Offaly providing 63,308 hrs of care a week. Some paid as little as 96 cents per hour.”

The members also agreed to circulate the motion to other County Councils.

(ii) Cllr. M. Buckley in proposing the motion advised that there were one hundred and nine people waiting for works to be done since 2009 and that the members should prioritise the allocation of funding to this area when finalising the 2011 Budget:

“That Offaly County Council ensure there is adequate funding allocated to continue to do the work for disabled and older people.”

The motion was seconded by Cllr. T. McKeigue and agreed by the members.

Statutory Budget Meeting

The members agreed to hold the Statutory Budget Meeting, to consider the Draft Budget 2011, at 2pm on Monday, 10th January 2011.

This concluded the business of the meeting.

MINUTES CONFIRMED:

CATHAOIRLEACH

RUNAÍ

17th JANUARY 2011