

**COMHAIRLE CHONTAE UÍBH FHAILÍ**

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

**HELD IN ÁRAS AN CHONTAE, TULLAMORE  
ON MONDAY, 18<sup>TH</sup> JANUARY 2010 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, Cllr. P. Ormond, D. Owens and G. Plunkett

**IN ATTENDANCE:** Mr. P. Gallagher, County Manager, Mr. M. Roche, D.O.S., Mr. S. Murray, D.O.S., Mr. F. Heslin, D.O.S., Mr. D. Kirrane, D.O.S., Mr. D. Conlon, Head of Finance, Ms. M. Cleary, Meetings Administrator, Mr. A. Murray, S.P., Ms. A. Walsh, E.P., Ms. Suzanne O'Toole, Planner, Mr. E. Lynch, Mr. K. Keyes and Ms. N. Troy, Clerical Officer.

**APOLOGIES:** L. Quinn  
**VOTES OF CONGRATULATIONS:** The members extended a Vote of Congratulations to the following:

Cllr. Molly Buckley on her success at being chosen as a contestant for Winning Streak

Cllr. Connie Hanniffy on her successful re-election to the Committee of the Regions.

Andy Gallagher and Sean Foran on their induction into the Offaly GAA's Hall of Fame.

**VOTES OF SYMPATHY:** Votes of sympathy were unanimously extended to the following:-

Mr Gene Carson, Rose Cottage, Ballincur, Kinnitty, Birr on the death of his aunty, Tess Carry.

Paddy & Sally Nugent, Green Street, Birr on the death of their daughter, Sarah.

Hubert Rigney & Family, Cushcallow, Banagher on the death of his wife, Maire.

Bridie Lynch & Family, Main Street, Banagher on the death of her husband, Michael.

Kathleen Fitzpatrick, Shandra, Portarlinton on the death of her sister-in-law, Margaret.

Eugene & Margaret Bolton, Curragh Hill, Ballinagar on the death of their son, Donal.

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

Ann Donegan, Ballydownan, Geashill on the death of her mother, Kathleen.

Pat & William Reynolds, Grove St., Crinkle on the death of their father, Thomas.

Una O'Gorman, 10 Seffin Ave, Seffin, Birr on the death of your mother, Mrs. P. Donoghue.

Sheila McDermott, Arden Lane, Tullamore on the death of your husband, Steve.

Monica Reilly, Arden Vale, Tullamore on the death of your mother, Mary.

Eamon McManus, Lecarrow, Shannonbridge on the death of his brother, Simon.

Michael McDonagh, 17 Eden Road, Birr on the death of his sister, Winifred.

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. E. Dooley, seconded by Cllr. J. Butterfield the minutes of Offaly County Council's December Monthly Meeting, held in Áras an Chontae, Tullamore on Monday, 21<sup>st</sup> December 2009 at 3.30 p.m., were confirmed and signed.

**MINUTES FOR NOTING:**

The following minutes were noted:

- Ferbane Area Committee meeting held on Monday 7<sup>th</sup> September 2009.
- Birr Area Committee meeting held on Monday 14<sup>th</sup> September 2009.
- Edenderry Area Committee meeting held on Monday 4<sup>th</sup> November 2009.
- Corporate Policy Group minutes held 16<sup>th</sup> November 2009.
- Housing, Social and Cultural S.P.C. held 8<sup>th</sup> December 2009.

**DRAFT SCHEDULE OF MEETINGS 2010:**

The members noted and agreed the Draft Schedule of meetings for 2010 as circulated with the Agenda.

**ANNUAL DECLARATION OF INTERESTS:**

Mr. Sean Murray, D.O.S. drew the members' attention to the requirement to submit their Annual Declaration of Interests by the 28<sup>th</sup> February 2010.

**COUNTY OF OFFALY POLLING SCHEME:**

On the proposal of Cllr E. Dooley, seconded by Cllr. C. Hanniffy the County of Offaly Polling Scheme and was approved.

**NOMINATION TO  
TULLAMORE  
COMMUNITY ARTS  
CENTRE  
COMMITTEE:**

Cllr. Cllr S. Dooley was nominated to the Tullamore Community Arts Centre Committee, on the proposal of Cllr B. Cowen, seconded by Cllr. G. Plunkett.

**REVIEW OF BIRR  
TOWN &  
ENVIRONS  
DEVELOPMENT  
PLAN 2010-2016:**

Ms. A. Walsh, E.P., recommended to the members' that Offaly County Council, having considered the amendments and the Manager's Report, resolve to adopt the Birr Town and Environs Development Plan 2010-2016, insofar as it relates to their functional area, as placed on public display in March 2009 and as amended in October 2009 and as further amended at today's meeting of 18<sup>th</sup> January 2010.

She informed the members that a Strategic Environmental Assessment of the plan had been undertaken throughout the review process. The consultants had advised that the mitigation measures included in the Environmental Report were sufficient to address any potential impacts on the environment. Ms. Walsh further advised that an SEA Statement would be prepared after the adoption of the plan.

On the proposal of Cllr. J. Carroll, seconded by Cllr. T. McLoughlin, the members agreed and adopted the Birr Town and Environs Development Plan 2010-2016.

**LOCAL  
GOVERNMENT  
(PLANNING &  
DEVELOPMENT)  
REGULATIONS  
2001-2007 PART VIII  
– CHILDRENS  
PLAYGROUND,  
SHANNONBRIDGE:**

Mr. M. Roche, D.O.S. informed the members that the proposed development was on grounds owned by Offaly County Council and conforms to the objectives of the County Development Plan.

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

**DRAFT JOINT  
PLAYGROUND  
POLICY:**

Cllr. M. Buckley outlined the main components of the Draft Joint Playground Policy, the supports available to local committees and advised that the Policy championed a partnership approach in the development of playgrounds and would assist in securing finance for playgrounds.

Mr. S. Murray, D.O.S. in responding to queries raised, advised that: it is not feasible for the local authorities to become involved in the maintenance of playgrounds; the leasehold arrangements outlined were a requirement of Offaly Local Development Company; procedures for addressing anti-social behaviour is included in the Policy; Irish Public Bodies Mutual Insurances requires the adoption and implementation of Maintenance Schemes. He recommended that Playground Committees work with their Local Development Committees.

On the proposal of Cllr. M. Buckley, seconded by Cllr. J. Butterfield the members adopted the Joint Playground Policy and agreed that it would be reviewed in 12 months.

**NAME AND SHAME  
POLICY WITH  
REGARD TO  
ILLEGAL DUMPING  
AND LITTERING:**

Cllr. E. Fitzpatrick in proposing The Name and Shame Policy advised that it is hoped that by advertising persons names who are found to be in breach of the legislation would act as a deterrent for such behaviour. The proposal was seconded by Cllr. N. Bourke. It was agreed that a review of the Policy would be held in eighteen months.

**BURIAL GROUND  
POLICY:**

Mr. M. Roche, D.O.S. drew the members' attention to the summary of the Burial Ground Policy's recommendations. A number of members expressed concern with the proposal that only one Burial Ground per parish would be publicly funded and with the proposed change to the reservation and purchase of burial spaces. Mr. M. Roche, D.O.S. in responding to queries raised advised that the Council is not required to develop a number of Burial Grounds and that the draft Policy did not stop communities developing their own Burial Grounds. He informed the members' that there was no further possibility of extending Clonmacnoise Graveyard and land for a graveyard had been purchased at an alternative location. On the proposal of Cathaoirleach, Cllr. N. Bourke, it was agreed to refer the policy to the Environment and Water Services SPC for further consideration having regard to the views of the members and to the suggestion that a process of public consultation be considered.

**NOTICES OF  
MOTION:**

a) The following motion was proposed by Cllr. T. McKeigue and seconded by Cllr. M. Buckley:

*"This Council calls on the Manager to provide an overview of the works undertaken by the Council to salt and grit the roads and footpaths during the severe frost and snow, to all the roads throughout the County. Also, could he inform the Council if there was or is a lack of money, salt or machines to address the many problems people experienced everywhere."*

Cllr. T. McKeigue paid tribute to Council staff who had worked hard during the recent cold weather.

Mr. F. Heslin, D.O.S. circulated a map outlining the routes which had been prioritised for salting and informed the meeting that it cost approximately €9,000 per night to salt these roads, which he advised had been salted on thirty three (33) nights. He advised that the Roads Section were in the process of examining the damage and is preparing an estimate of the repair work required. He confirmed that the impact on the roads budget would be significant.

Mr. M. Roche, D.O.S. advised that there had been a good public response to conserving water and that while periodic disruption to schemes had been unavoidable no area had endured a lengthy disruption. Water consumption, he advised, had increased by 15% and the cost of repairs he estimated were approximately €15,000 per week. He informed the members that staff were working to try repair bursts as quickly as possible.

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

Cathaoirleach, Cllr. N. Bourke, thanked the D.O.S.'s for their update and suggested that the issues could address further at area meetings.

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

*“That Offaly County Council calls on An Post to provide a second Post Office for Tullamore or extend the existing premises as it is not able to meet the demands of all the services which An Post are now providing.”*

The members agreed to invite An Post be invited to a meeting of the Council to discuss the matter.

**COMHDHÁLACHA:** The following conferences were proposed Cllr. M. Buckley and seconded Cllr. E. Dooley:

**Antrim Tourism conference -Tourism in the 21<sup>st</sup> Century - A Challenge for all**

It was agreed to send Cllr M. Buckley.

**Atlantic Conference 2010**

It was agreed to send Cllr.'s M. Buckley, E. Fitzpatrick and J. Butterfield.

**Ratoo Heritage Society**

No-one expressed and interest in this conference.

**Waste Management and the Law**

No-one expressed and interest in this conference.

**Managing Stress and Promoting Positive Mental Health**

No-one expressed and interest in this conference.

**Change Management in Local Government**

It was agreed to send Cllr.'s Percy Clendennen and N. Hogan.

**Mid West Regional Authority Annual Conference - Environmental Designation – Barriers or Opportunities**

No-one expressed and interest in this conference.

**21<sup>st</sup> Colmcille Winter School 2010 -The Role of Small Enterprises in Overcoming the Recession**

No-one expressed and interest in this conference.

**AMAI - Spring Seminar 2010**

It was agreed to send Cllr's J. Carroll, P. Ormond, E. Fitzpatrick, N. Hogan and M. Buckley.

**COMHFHREAGRAS:** There was no correspondence

**ANY OTHER  
BUSINESS:**

**1. EPA Draft License in respect of Derryclure  
Landfill**

Mr. M. Roche, D.O.S., advised that one of the conditions outlined in the Draft License was the requirement to divert 60% of biodegradable waste from the Landfill by 2011. The Council's By-Laws which provided for a three bin collection would be expected to attain a 53% segregation rate. The alternative mechanisms of segregation, i.e., mechanical biological treatment or mechanical heat treatment would cost in the region of €2m. He advised the members that the Council had forwarded a submission to the EPA outlining the impact for Offaly County Council, waste contractors and householders.

**2. Revised Code Of Practise for the Assessment of On-Site Waste Water Treatment Systems**

Mr. M. Roche, D.O.S., agreed to circulate a document outlining the main changes with regard to the Code of Practice. He advised that the cost of Percolation Tests were increasing from €350 to €550 per test to provide for the increased manpower cost associated with the increased level of testing.

**3. Fire Services – incorrectly reported response time**

Cllr. T. McLoughlin informed the meeting that the Fire Fighters from the Birr Brigade had advised him that the response time for the attendance at a fire ten miles away had been incorrectly stated in the chamber. He had confirmed the matter with the Chief Fire Officer and he wished to correct the record in that it had taken the Birr Brigade sixteen (16) minutes and not thirty three (33) minutes, as had been incorrectly stated at the meeting, to attend the incident.

**4. Strategic Policy Committees (SPC)**

Ms. M. Cleary, S.E.O., informed the meeting that the Corporate Policy Group was recommending an amendment to the Strategic Policy Committee Scheme and that an Agriculture/Farming nominee would replace the Irish Congress of Trade Unions nominee on the Roads and Emergency Services SPC. She advised that the Irish Congress of Trade Unions had failed to forward a nominee for the SPC. On the proposal of Cllr. E. Fitzpatrick, seconded by Cllr. J. Carroll, it was agreed to amend the scheme and to appoint Mr. Michael Kenny, Ballyclare, Ferbane to the Transportation and Emergency SPC.

The Cathaoirleach, Cllr. N. Bourke paid tribute to Mr. M. Roche, D.O.S. on the occasion of his retirement from Offaly County Council. He acknowledged his contribution to the Council, thanked him for recognising the needs of the county

**ANY OTHER  
BUSINESS (cont'd):**

and for his understanding of the role of the Councillors. He wished him and his family well in the future. Cllr. E. Dooley on behalf of the Fianna Fáil Group, Cllr. T. McKeigue on behalf of the Fine Gael Group, Cllr. E. Fitzpatrick on behalf of the Environment and Water Services SPC and Cllr. J. Carroll on behalf of Birr Town Council concurred and added their best wishes to Mr. M. Roche.

Mr. P. Gallagher, County Manager joined with the members in thanking Mr. M. Roche for his contribution to public service and in particular for his service to Offaly County Council.

Mr. Michael Roche thanked the members and County Manager for their best wishes. He acknowledged the changes that had taken place in the county and the Council during his time with the Authority.

This concluded the business of the meeting.

**MINUTES CONFIRMED:**

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**CATHAOIRLEACH**

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**RUNAÍ**

**15<sup>TH</sup> FEBRUARY 2010**