

**COMHAIRLE CHONTAE UÍBH FHAILÍ**

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

**HELD IN ÁRAS AN CHONTAE, TULLAMORE  
ON MONDAY, 19<sup>TH</sup> JULY 2010 AT 2.00 P.M.**

**PRESENT:**

Cllr. B. Cowen (Presiding), Cllrs. N. Bourke, M. Buckley, J. Butterfield, J. Carroll, P. Clendennen, , 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. P. Gallagher, County Manager, Mr. S. Murray, D.O.S., Mr. F. Heslin, D.O.S., Mr. D. Kirrane, D.O.S., Mr. D. Conlon, H.O.F., Mr. A. Murray, S.P., Ms. L. O'Sullivan, E.P., Mr. Dermot Mahon, S.E.O., Mr. G. Bruton, Meetings Administrator, Ms. P. Hughes, A.O., and Ms. N. Troy, C.O.

**APOLOGIES:**

**VOTES OF  
SYMPATHY:**

Votes of sympathy were unanimously extended to the following:-

Geraldine Flattery, staff member of Offaly County Council on the death of her mother, Mary.

Denis Tierney, Birr Town Councillor on the death of his father, Stephen.

The McKane Family, Ardaoibhan, Mountbolus, Tullamore on the death of Catherine.

Christy & Hannah Mooney, Kilbride, Portarlinton, Co. Laois on the death of their son, Paul.

Neville Ridgeway, Cloneygowan, Tullamore, Co. Offaly on the death of his father, Stanley.

Ann Champ, Cloneyquinn, Portarlinton on the death of her mother, Violet Meredith.

Audrey Dunne, Garryhinch Cross, Portarlinton on the death of her husband, James.

Brid Smith, Mouth Lucas, Daingean on the death of her mother, Kathleen Gallery.

Michael Harte (Snr), Ballyowen, Daingean on the death of his brother-in-law, Bridie.

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

Joe Enright, Fr. Paul Murphy Street, Edenderry on the death of his wife, Theresa.

Mr. Tommy Mahon, Ballintemple, Walsh Island on the death of his sister, Molly.

Michael Tierney & Family, Kilcremin, Roscrea on the death of his mother, Philomena.

Freda Tierney, Burkes Hill, Birr on the death of her husband, Stephen.

Geraldine Kilmartin, Rahan Road, Tullamore on the death of her husband, John.

Ian Haslam, Woodlane, Birr on the death of his mother, Dorothy.

Ernest Joyce Reid, Irishtown, Dunkerrin on the death of his mother, Eirene Benson.

Stan Mulvin & Family, Rooske, Edenderry on the death of his sister, Mary Young.

Nell Donegan & Family, Ashgrove, Lusmagh, Banagher on the death of her husband, Kieran.

The Kelly Family, Belmont on the death of their father, Vincent.

Tomo Kelly, Feighs, Banagher on the death of his brother, Vincent.

Josephine Seery, Molesworth St., Daingean on the death of her husband, Joe.

The Clarke Family, Lumville, Rhode on the death of 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.

**VOTES OF  
CONGRATULATIONS:**

The members passed a vote of congratulations to the following:

Killoughey Tug-of-War Team, on their success at The Novice 640kg & Catchweight Championships which took place at Ballyhooly, Co. Cork.

FilmOffaly for the short film "Noreen", starring Brendan Gleeson, which won Best Short Film at the Galway Film Fleadh.

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

The Staff of Offaly County Council who contributed to the Staff Photography Exhibition.

**CONFIRMATION OF  
MINUTES:**

On the proposal of Cllr. M. Buckley, seconded by Cllr. D. Owens, the minutes of Offaly County Council's June Monthly Meeting, held 21<sup>st</sup> June 2010, were confirmed and signed.

On the proposal of Cllr. M. Buckley, seconded by Cllr. D. Owens, the minutes of Offaly County Council's Annual Meeting, held 21<sup>st</sup> June 2010, were confirmed and signed.

**MINUTES FOR  
NOTING:**

The following minutes were noted:

- Corporate Policy Group Meeting held Monday 17th May 2010
- Meeting with Members of the European Parliament for Ireland East held Monday 21st June 2010
- Minutes of Birr Area Committee Meeting held 9th March 2010
- Minutes of Ferbane Area Committee Meeting held 9th March 2010

**MATERIAL  
CONTRAVENTION OF  
OFFALY COUNTY  
DEVELOPMENT PLAN  
2009-2015 - PL2/09/464  
CONSTRUCTION OF  
THREE DETACHED  
BUNGALOWS,  
GARAGES, ACCESS  
ROADS, INCLUDING  
ACCESS ROAD OFF  
PÁIRC NA HEORNAN  
AND ALL ANCILLARY  
SERVICES ON SITE  
ADJACENT TO PÁIRC  
NA HEORNAN:**

On the proposal of Cllr. G. Plunkett, seconded by Cllr. T. McKeigue, the members unanimously agreed to materially contravene the Offaly County Development Plan 2009-2015 - PL2/09/464 to allow for the proposed works as outlined in the County Manager's report.

**REVIEW OF  
DEVELOPMENT  
CONTRIBUTION  
SCHEME:**

Mr D. Kirrane, D.O.S., reported to the members on the review of this Scheme. He noted that the members of the Planning SPC had identified that development contributions imposed an additional cost on establishing a business enterprise in the county. He noted that Offaly County Council wished to foster business enterprise in the county. He advised that the SPC had decided not to recommend amending the development contributions in relation to residential developments at this stage. He advised that amended Scheme would be placed on public display for a period of six weeks.

Following discussion on the amended Scheme the members agreed that the Planning SPC would review the Scheme later in the year with a view to reducing the

**REVIEW OF  
DEVELOPMENT  
CONTRIBUTION  
SCHEME (cont'd):**

domestic contribution.

The County Manager noted that the elected members could review the Scheme at any stage and also noted the proposed amendments to the Scheme would see a reduction 25% in the cost of development contributions for commercial developments.

On proposal of Cllr. E. Dooley, seconded by Cllr. M. Buckley the members adopted the revised draft development contributions scheme to the Development Contribution Scheme as outlined above.

On a related topic, Mr. Kirrane advised the members that Offaly County Council had established an Innovation Centre in Áras an Chontae, titled “*Designhub*”. He noted that a huge potential currently exists for the closer integration of the ‘Creative Industry’ and ‘Business / Innovation’. Offaly County Council is perfectly placed to take advantage of the growing emphasis on the economic potential associated with creative industries such as product designers, digital designers, information designers and many other creative people that work latently in the local area. *Designhub* is a studio which design professionals can work from, it is a central hub where companies and individuals alike can go to link in with design professionals to develop new ideas. The centre will attempt to bring together at one focal point all of the advisory expertise needed to help innovators evaluate their ideas and convert them into business projects. The centre’s focus will also be on encouraging visiting regional companies to discover their problems and solutions in Offaly’s Innovation Centre. The initiative is being taken by Offaly County Council to support young people and many other creative people that work latently locally with the space and support to investigate or further explore a business concept. Offaly County Council would be providing office space, equipment, and provision of broadband, phone line, printing facilities and meeting rooms.

He advised that a presentation on the work of the Hub would be made at the September meeting.

The members congratulated this innovative project.

**TAKING IN CHARGE  
OF PRIVATE  
HOUSING ESTATE AT  
PARKERS HILL,  
WALSH ISLAND:**

On the proposal of Cllr. G. Plunkett, seconded by Cllr. E. Fitzpatrick, the Council approved of the Taking in Charge of Private Housing Estate at Parkers Hill, Walsh Island.

Cllr Plunkett advised the meeting that there was a flooding problem in the Walsh Island area. Following a proposal by Cllr B. Cowen, Cathaoirleach, the members agreed that this issue should be referred to the Area Committee for consideration.

**PART VIII -  
CONSTRUCTION OF  
SALT BARN AND  
ANCILLARY  
MACHINERY  
STORAGE  
STRUCTURE AT  
OFFALY COUNTY  
COUNCIL  
MACHINERY YARD  
FACILITY,  
BALLYDROHID,  
TULLAMORE:**

On the proposal Cllr. M. Buckley, seconded by Cllr. E. Dooley, the Council approved of the proposed Part VIII – Construction of Salt Barn and ancillary machinery storage structure at Offaly County Council’s Machinery Yard facility, Ballydrohid, Tullamore as outlined in the report which was circulated with the Agenda.

The County Manager noted that the NRA had approved funding for the provision of a Salt Barn to assist in the delivery of Winter Maintenance operations in the county. He noted that this decision reflected the NRA confidence in local authorities handling of the difficult weather conditions last winter.

**SPEED LIMIT BYE-  
LAWS 2010:  
HORSELEAP:**

On the proposal of Cllr. D. Dolan, seconded by Cllr. J. Butterfield, the Council approved of the proposed Speed Limit Bye-laws 2010 for Horseleap.

Mr F. Heslin, D.O.S., drew member’s attention to his report which had been circulated with the Agenda.

Cllr B. Cowen, Cathaoirleach, noted that the members had sought clarification on some issues at their June meeting and these had been dealt with in Mr. Heslin’s report.

**RAISING OF HFA  
LOAN TO REFINANCE  
LAND DEBIT  
BALANCES**

Mr. D. Conlon, H.O.F., advised members on this proposal and referred to the memo from Mr D. Mahon, SEO Housing, which had circulated with the Agenda.

On the proposal of Cllr. D. Dolan, seconded by Cllr. M. Buckley, the Council approved of the raising of a 20 year Annuity Loan from the Housing Finance Agency in the sum of €2,527,004.

**ANNUAL FINANCIAL  
STATEMENT 2009 -  
OVER-EXPENDITURE:**

Mr. D. Conlon, H.O.F., presented this statement to the members.

On the proposal of Cllr. M. Buckley, seconded by Cllr. D. Dolan, the Council approved of the excess expenditure as outlined.

Cllr B. Cowen, Cathaoirleach, and the elected members congratulated the County Manager and his staff on their efficient management of the Council’s budget in very difficult economic circumstances. The Cathaoirleach noted that credit was also due to the elected members for the part they played in assisting the executive to manage the budget.

**PROGRESS REPORT  
ON THE  
IMPLEMENTATION  
OF THE WASTE  
MANAGEMENT PLAN:**

Mr. S. Murray, D.O.S., presented the Report to the members; he noted that this was the fourth review of the current Plan. He noted that this was the fifth year of a five year Plan. He advised the members that the Minister had circulated a draft Statement of Waste Policy in the previous week and was seeking public submissions. He noted that the draft statement represented a significant change in the area of waste management. He advised that he would discuss the draft Policy with the Cathaoirleach of the Environment SPC with a view to preparing a draft submission for consideration by the Council at its September meeting.

On the proposal of Cllr. T. McKeigue, seconded by Cllr. M. Buckley the meeting adopted the Report.

In their consideration of the report the members raised some matter pertaining to Waste Management. Mr. Murray replied to their queries which related to Derryclure Landfill facility, the Green Schools Programme and the Council's policy on dealing with illegal dumping.

Cllr T. McLoughlin advised the meeting that he had evidence of illegal dumping at a location in Birr, in response Mr. Murray requested that Cllr McLoughlin forward details to the Environment Section and the issue would be investigated.

**PRESENTATION ON  
DERELICT SITES:**

Ms. Lorraine O'Sullivan, Senior Executive Planner, gave the presentation on Derelict Sites. Cllr B. Cowen, Cathaoirleach, noted that the members had requested a presentation on the issue at their previous meeting.

Ms. O'Sullivan advised the members on the definition of a derelict site and on the procedures adopted by the organisation in dealing a derelict site. She advised on the Derelict Sites Register, the levies applied and reported on the derelict sites statistics in relation to Offaly. She noted that there were currently six (6) sites on the Register and of the 212 derelict site files, 159 files were now closed. She noted that there was one site, on the register, in each of the following locations: Tober, Moate, Mountbolus, Tullamore, and 2 sites in Ferbane.

The members discussed the presentation and Ms O'Sullivan dealt with the queries raised.

Cllr B. Cowen, Cathaoirleach, thanked Ms. O'Sullivan for her informative presentation and requested that the members be circulated with a copy of the presentation in due course.

**NOTICES OF MOTION:**

(a) Cllr. T. McKeigue proposed the following motion, which was seconded by Cllr. L. Quinn, and agreed by the members:

*“That Offaly County Council together with the NRA take whatever action is necessary to prevent roadside trading (i.e. selling fruit, vegetables and many other products from trailers and stalls along the main roads)”.*

The meeting agreed to write to the Minister of Transport and seek his comments and observations on the motion. The members also agreed to circulate the motion to other local authorities.

Cllr. P. Ormond advised that he wished to abstain from this decision to circulate the motion.

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

*“That this Council calls on the Minister and his/her department to pay people who have lost their jobs their statutory redundancy”.*

The meeting agreed to write to the Minister of Enterprise, Trade and Innovations and seek his comments and observations on the motion.

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

*“That Offaly County Council strengthens our efforts to increase tourism in the County”.*

In the ensuing discussion on the motion the members made a number of observations in relation to the management of tourism in the county.

In responding Mr. D. Kirrane, D.O.S. advised that the tourism agencies in Offaly were working together to promote tourism within the county. He drew the member’s attention to the *“Offaly at your leisure”* tourism brochure which was circulated prior to the meeting. He noted that the strategy for tourism promotion in the county was based on the McIvor Report, which had identified 8 *“product lines”* in the county. He noted that the format of the brochure was based on this strategy and advised that the booklet would be circulated to a wide audience, both nationally and internationally.

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

(d) On the proposal of Cllr. M. Buckley, seconded by Cllr. L. Quinn the following motion was agreed:

*“That Offaly County Council join with the other four County Councils to provide the Home Choice Loan Scheme for first time buyers”*

Mr. S. Murray, D.O.S., advised the members on the operation of the Scheme. He noted the Home Choice Loan is a mortgage facilitated through a number of local authorities for first time buyers who cannot get sufficient finance from a bank/building society. An application for the Home Choice Loan is made through an authorised mortgage broker in the area in which the applicant lives. The application is then submitted by the broker on the applicant's behalf to Home Choice Loans, based in Dublin. Home Choice Loans will assess the application and advise the mortgage broker of the decision. If approved by Home Choice Loans, a Letter of Recommendation is sent to the nominated regional authority, in this case Kilkenny County Council, who will then issue Loan Approval to the applicant. Offaly County Council are not involved in the application at any stage. All applications for the Home Choice Loan from residents in Offaly are dealt with in this fashion.

Cllr. Buckley requested that the Department of Environment, Heritage and Local Government be asked to clarify the particular assistance which would be made available to people with mortgage difficulties, as adverted to by a Department official at a recent Housing Conference. Mr. Murray undertook to seek this clarification.

**COMHDHÁLACHA:**

The following conferences were agreed by the members:

**Waste Management Regulations 20<sup>th</sup> – 22<sup>nd</sup> August 2010**

It was agreed that Cllrs. T. McKeigue and J. Carroll would attend.

**Water Conservation Conference 27<sup>th</sup> – 29<sup>th</sup> August 2010**

It was agreed that Cllrs. J. Butterfield and J. Carroll would attend.

**Planning Applications Professional Indemnity 24<sup>th</sup> – 26<sup>th</sup> September 2010 (rescheduled due to AMAI Conference)**

No member expressed an interest in attending this conference.

**The Parnell Summer School 2010 8<sup>th</sup> – 13<sup>th</sup> August 2010**

No member expressed an interest in attending this conference.



**COMHDHÁLACHA  
(cont'd):**

**LAMA Autumn Seminar 8<sup>th</sup> – 9<sup>th</sup> October 2010**

It was agreed that Cllrs. E. Fitzpatrick and J. Carroll would attend.

**The Irish Association of Suicidology Annual Conference - 5<sup>th</sup> October 2010**

No member expressed an interest in attending this conference.

**COMHFREAGRAS:**

The County Manager advised the members that the council received correspondence on the 19<sup>th</sup> July 2010 from the NRA in relation to the Multi Annual Non-National Roads Programme 2011-2013. The County Manager reminded the members that the NRA had been assigned responsibility for this by the Department of Transport. The NRA were requesting our submission by early September. He stated that Offaly County Council would advise the NRA that it would be difficult to meet their requirements given the short notice, but we would prepare it as quickly as possible and Area Committee Meetings may be convened at short notice to consider the matter.

**ANY OTHER BUSINESS:**

The members requested an update briefing on the discussions with the Fire Services unions.

Mr. F. Heslin, D.O.S., reported on his recent meetings with the Fire Services unions. He advised that he had issued a letter to the union regarding the various issues of concern to them and had requested that they would hold a ballot of their members on the proposals.

This concluded the business of the meeting.

**MINUTES CONFIRMED:**

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**CATHAOIRLEACH**

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**RUNAÍ**

**20<sup>TH</sup> SEPTEMBER 2010**