

COMHAIRLE CHONTAE UÍBH FHAILÍ

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

**HELD IN ÁRAS AN CHONTAE, TULLAMORE
ON MONDAY, 17TH MAY 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, 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. T. Mawe, A/D.O.S., Mr. E. O’Ceilleachair, C.F.O., Ms. S. O’Reilly, Arts Officer, Mr. A. Murray, S.P., Ms. A. Walsh, E.P., Ms. M. Cleary, Meetings Administrator and Ms. N. Troy, Clerical Officer.

APOLOGIES:

**VOTES OF
SYMPATHY:**

Votes of sympathy were unanimously extended to the following:-

Tarleigh Foley, staff member of Offaly County Council on the death of her brother, Raymond Kelly.

Cllr. M. Buckley, elected member of Offaly County Council on the death of her aunt, Kitty McCann.

Tosh Gorry, Ballydownan, Geashill on the death of his wife, Eileen.

Siobhan Barnes, 28 Scurragh, Birr on the death of her daughter, Chelsea.

Jack Deegan, The Borness, Mountmellick, Laois on the death of his mother, Elizabeth.

Kathleen Kelly & Family, Gilroy Avenue, Edenderry on the death of her son, Raymond.

Ferbane Prayer Group, c/o Angela Dermedy, Ballyclare Rd., Ferbane on the death of their friend and member, Tommie Clements.

Bernadette Coughlan, Church Rd, Kinnitty, Birr on the death of her mother, Mary Langton.

Thomas McDonagh, Tullamore Travellers Movement, Harbour St, Tullamore on the death of his mother, Brigid.

VOTES OF SYMPATHY (cont'd):	<p>The Flaherty Family, Main St., Moneygall, Birr on the death of Paddy.</p> <p>Betty Ryan, c/o Midlands Radio 3, Axis Industrial Park, Clara Road, Tullamore on the death of her husband, Ed.</p> <p>Margaret Mannion, Charleville View, Tullamore on the death of her husband, Martin.</p> <p>Eileen O'Brien, Charleville Road, Tullamore on the death of her mother, Ellen Duggan.</p> <p>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.</p>
VOTE OF CONGRATULATIONS:	<p>Clara Scór Ballad Group on their success in winning the All Ireland Score Competition.</p> <p>The Phoenix Festival Committee on the excellent weekend of entertainment.</p> <p>The Edenderry Branch of Comhaltas on successfully hosting the Offaly Fleadh Cheoil.</p> <p>Mr. Girvan Dempsey on being inducted into the IRUPA Hall of Fame.</p>
CONFIRMATION OF MINUTES:	<p>On the proposal of Cllr. S. Dooley, seconded by Cllr. E. Fitzpatrick, the minutes of Offaly County Council's April Monthly Meeting, held 19th April 2010, were confirmed and signed.</p>
MINUTES FOR NOTING:	<p>The following minutes were noted:</p> <ul style="list-style-type: none"> - Corporate Policy Group Meeting held Monday 22nd March 2010 - Planning & Economic SPC held on 5th November 2009 - Planning & Economic SPC held on 25th January 2010 - Minutes of Information Briefing held on 13th April 2010
ARTS ACTS GRANTS 2010:	<p>Ms. S. O'Reilly, Arts Officer, outlined the criteria for the awarding of the Arts Act Grants 2010. On the proposal of Cllr. T. McKeigue, seconded by Cllr. P. Ormond, the grants were agreed and approved by the members.</p>
RAISING OF LOAN FOR VOLUNTARY HOUSING DEVELOPMENT AT KILMALOGUE GARDENS, PORTARLINGTON:	<p>On the proposal of Cllr. E. Fitzpatrick, seconded by Cllr. J. Foley, the Council approved the raising of loan for voluntary housing development at Kilmalogue Gardens, Portarlington.</p>
SECTION 85 AGREEMENT UNDER THE LOCAL GOVERNMENT ACT 2001 BETWEEN OFFALY	<p>On the proposal of Cllr. P. Clendennen, seconded by Cllr. B. Cowen, the Council approved the Section 85 Agreement under The Local Government Act 2001 between Offaly County Council and the County Councils of Carlow, Laois,</p>

**COUNTY COUNCIL AND
THE COUNTY COUNCILS
OF CARLOW, LAOIS,
MEATH AND KILKENNY
FOR THE PURPOSE OF
THE ADMINISTRATION
OF A BRIDGE
REHABILITATION AND
STRENGTHENING
CONTRACT:**

Meath and Kilkenny for the purpose of the administration of a bridge rehabilitation and strengthening contract.

**LOCAL IMPROVEMENT
SCHEME 2010:**

Mr. F. Heslin, D.O.S., advised the members that the funding had reduced to €70,000 for Local Improvement Scheme 2010. He advised that the Council proposed to proceed with the three (3) applicants listed at the top of the priority listing, as circulated. The members expressed their disappointment in the funding provided for the Scheme and agreed that a letter should be written to the Department outlying the value of the Scheme and the requirement for it to be appropriately funded.

On the proposal of Cllr. P. Clendennen, seconded by Cllr. M. Buckley, the members approved and agreed the Local Improvement Scheme 2010.

**DRAFT TULLAMORE
TOWN & ENVIRONS
DEVELOPMENT PLAN
2010-2016 - COUNTY
MANAGERS REPORT ON
SUBMISSIONS
RECEIVED:**

Mr. D. Kirrane, D.O.S., informed the meeting that three (3) submissions were received regarding the amendments to the *Draft Tullamore Town and Environs Development Plan 2010-2016*.

Ms. A. Walsh, Acting Senior Executive Planner, informed the meeting that the members of Tullamore Town Council and the Tullamore Area had met the previous week to examine the County Manager's response in detail in a joint Area Committee Meeting with the Town Council. She advised that Tullamore Town Council had adopted the *Tullamore Town and Environs Development Plan 2010-2016* as it pertained to them. Ms. Walsh outlined the County Manager's response in relation to each of the submissions received.

The County Manager's recommendation was agreed by the members for the following submissions, where they pertained to the functional area of Offaly County Council with regard to:

- Reference TTEDP/10/01 which was proposed by Cllr. T. McKeigue, seconded by Cllr. M. Buckley, and agreed.
- Reference TTEDP/10/2 which was proposed by Cllr. S. Dooley, seconded by Cllr. D. Owens, and agreed.
- Reference TTEDP/10/03 which was proposed by Cllr. T. McKeigue, seconded by Cllr. M. Buckley, and agreed.

Mr. D. Kirrane, D.O.S., recommended to the members that

**DRAFT TULLAMORE
TOWN & ENVIRONS
DEVELOPMENT PLAN
2010-2016 - COUNTY
MANAGERS REPORT ON
SUBMISSIONS
RECEIVED:**

they adopt the *Tullamore Town and Environs Development Plan 2010-2016* which was placed on public display in July 2009 (and) as amended in February 2010 and as further amended by virtue of the County Manager's Report (amendment thereto) considered and made at the monthly meeting on 17th May 2010. The motion was proposed by Cllr. D. Owens, seconded by Cllr. M. Buckley, and agreed.

Ms. Walsh advised that there are two (2) non mandatory Local Area Plans in place for the Collins Lane Area and for the Grand Canal Harbour Area. The provisions of the Local Area Plans have either been achieved or incorporated into the development plan for 2010-2016, rendering the plans obsolete as the new development plan supersedes the local area plans. Advertisements of the adoption of the *Tullamore and Town Environs Development Plan 2010-2016* and the revoking of the Local Area Plans would be placed in the local media.

She informed the members that a Strategic Environmental Assessment Statement would be prepared, now that the plan is adopted, and that the *Tullamore Town and Environs Development Plan 2010-2016* would come into effect on 14th June 2010.

Cllr. N. Bourke, Cathaoirleach, thanked Ms. Walsh and all the Planning staff for their work and assistance during the preparation of the Plan.

**CONSERVATION GRANTS
2010:**

Ms. R. McKenna, Architect, informed the members that the Department of Environment, Heritage and Local Government had provided €106,000 for conservation works in 2010. The award of grants, as circulated, was proposed by Cllr. J. Leahy, seconded by Cllr. E. Fitzpatrick, and agreed.

**WATER SERVICE
INVESTMENT
PROGRAMME 2010-2012
AND RURAL WATER
PROGRAMME – SMALL
SCHEMES 2010:**

Mr. S. Murray, D.O.S., drew the members' attention to the circulated document which outlined the allocation of funding for County Offaly's Water Service Investment Programme (WSIP) 2010-2012 and the Rural Water Programme 2010.

He informed the members that the DEHLG had discontinued the Serviced Land Initiative (SLI) in 2009. However, following representations, the DEHLG had approved the continuation of the Clara Wastewater Treatment Plant Stage 2 – Treatment Plant Update (this had commenced as a SLI).

A discussion on the status of various schemes ensued.

The members' expressed their dissatisfaction that a number of businesses had received invoices for water in late 2009 and were being charged for water used from January 2009.

WATER SERVICE

**INVESTMENT
PROGRAMME 2010-2012
AND RURAL WATER
PROGRAMME – SMALL
SCHEMES 2010 (cont'd):**

Mr. S. Murray, D.O.S., advised that the change to water charging had been discussed at a number of Council and Strategic Policy Committee meetings. He informed the meeting that any persons may contact the Finance and/or Water Services Section to identify and resolve issues. He reiterated that it is European and Irish law that commercial water must be paid.

**IMPLEMENTATION OF
V.A.T. FROM 1ST JULY
2010:**

Mr. T. Mawe, Acting Head of Finance, advised the members that as a result of a decision by the European Court of Justice a V.A.T. directive and subsequent government legislation requires all Local Authorities to charge V.A.T. on certain services from 1st July 2010. Services where the Authority is engaged in business activities that compete with the private sector will be required to charge V.A.T.

Following a lengthy discussion on the matter it was agreed that the Council would write to the DEHLG and the Revenue Commissioners outlining those services where the Council does not consider itself to be in competition with the public sector.

**FIRE SERVICES
PROGRESS REPORT:**

Mr. F. Heslin, D.O.S., drew the members' attention to the correspondence, which was circulated with the agenda, and the attendance time for brigades accompanying/or assisting Kilcormac, Daingean and Banagher Fire Brigades. He advised that the Council is currently engaged in constructive dialogue with the Fire Services Union. The Union, he advised, proposed to ballot their members in the coming weeks. Mr. Heslin stated that a full report would be presented to the members in June. The County Manager advised that negotiations are at an important stage and recommended that a measured and focused approach be adopted at this time. The Cathaoirleach endorsed this approach and wished the parties well in their negotiations and in achieving the best outcome for Offaly.

NOTICES OF MOTION:

The following motion was proposed by Cllr. L. Quinn, seconded by Cllr. M. Buckley:

- (a) *“That this Council support the Rural Ireland Says Enough (RISE) campaign”*

It was agreed to write to the Minister and to circulate the motion to other councils.

COMHDHÁLACHA:

The following conferences were proposed by Cllr. M. Buckley and seconded by Cllr. T. McKeigue:

Celtic Conferences - “Integration of Joint Policing Committees into the existing Local Authority Structures”, Celtic Ross Hotel, Roscarbery, West Cork 21st – 23rd May 2010.

No member expressed an interest in attending this seminar.

**COMHDHÁLACHA
(cont'd):**

Wind and Solar Energy, County Arms Hotel and Leisure Club, Birr, 25th – 27th June 2010

It was agreed to send Cllr. M. Buckley and J. Leahy to this conference.

Byrne Perry Summer School, “Entwined Histories 11 – Ireland, France and America”

Gorey, Co. Wexford - 25th – 27th June 2010.

No member expressed an interest in attending this seminar.

Esperanza Enterprises , “Transformation of the Public Service, Insurance for the Public Service, Will the Croke Park Deal Deliver?”, Carlton Hotel, Tralee

4th – 6th June 2010

It was agreed to send Cllr’s M. Buckley, G. Plunkett, B. Cowen, D. Owens and N. Hogan to this conference.

William Carleton Summer School, Corick House Hotel, Clogher, 2nd – 5th August 2010.

It was agreed to send Cllr’s M. Buckley and C. Hanniffy to this conference.

A Climate for Change- “Opportunities for Carbon-Efficient Farming”, The Mansion House, Dublin, 24th & 25th June 2010

It was agreed to send Cllr’s J. Butterfield, C. Hanniffy, J. Leahy and E. Fitzpatrick to this conference.

Tidy Towns Seminar, Tullamore Dew Heritage Centre, 21st May 2010

It was agreed to send Cllr’s J. Butterfield, M. Buckley, P. Clendennen and T. McKeigue to this conference.

COMHFREAGRAS:

The correspondences received were noted.

On the proposal of Cllr. C. Hanniffy, seconded by Cllr. M. Buckley the members agreed to write in support of the motion received from Carlow County Council with regard to changing the administration of Home Energy Saving Grant and Warmer Homes Scheme Grant from Sustainable Energy Ireland to each relevant Local Authority.

ANY OTHER BUSINESS:

Members of European Parliament

Ms. M. Cleary, Meetings Administrator, advised that the Members of the European Parliament, East Leinster had confirmed that they would meet with the Council at 12 noon on 21st June 2010. She requested that the members submit their questions by Tuesday, 1st June 2010.

Annual Meeting

Ms. M. Cleary, Meetings Administrator, advised that the Annual Meeting would be held in Áras an Chontae following the June Monthly Meeting on 21st June 2010.

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

Flooding Concerns

Cllr. S. Moylan-Ryan requested that the Council write to Minister Mansergh, Minister of State at the Department of Finance with special responsibility for the Office of Public Works to highlight the immediate need to address flooding in the Shannonbridge area.

This concluded the business of the meeting.

MINUTES CONFIRMED:

CATHAOIRLEACH

RUNAÍ

21st JUNE 2010