

COMHAIRLE CHONTAE UÍBH FHAILÍ

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

**HELD IN ÁRAS AN CHONTAE, TULLAMORE
ON MONDAY, 15TH NOVEMBER 2010 AT 2.00 P.M.**

PRESENT:

Cllr. B. Cowen (Presiding), Cllrs. N. Bourke, 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.

APOLOGIES:

Cllr. M. Buckley.

IN ATTENDANCE:

Mr. P. Gallagher, County Manager, Mr. S. Murray, D.O.S., Mr. D. Kirrane, D.O.S., Mr. D. Conlon, H.O.F., Mr. C. McCarthy, A/D.O.S., Ms. M. Cleary, Meetings Administrator, Ms. L. O'Sullivan, S.E.P., Mr. D. Mahon, S.E.O., Mr. H. O'Donoghue, Head of I.S. and Ms. N. Troy, C.O.

**VOTES OF
SYMPATHY:**

Votes of sympathy were unanimously extended to the following:-

Alan Robinson, Portnahinch, Mountmellick, Co. Laois on the death of his mother

Maeve Hyland and her son John, Garryhinch, Portarlinton, Co. Offaly on the death of her husband, Billy.

Ray and Maureen McDonnell & Family, Cloneyhurke, Portarlinton, Co. Offaly on the death of their son, Mark.

Hugh Mahon, Ballycue, Geashill, Co. Offaly on the death of his mother, Nora.

John O'Keefe, Brocca, Clonaslee, Co. Laois on the death of his wife, Anna May.

Rose Hopkins, The Manor, Cokery Lane, Edenderry on the death of her son, Aidan.

Eileen Dunne, Clonsast, Bracknagh, Co. Offaly on the death of her brother, J.J. Bracken.

Pat Quinn & Family, Kilbride, Portarlinton, Co. Laois on the death of his wife, Rita.

Mary Hughes & Family, Harbour Road, Banagher on the death of her husband, Sean.

VOTES OF SYMPATHY (cont'd):

Michael Flannery, Crank Road, Banagher on the death of his mother, Kitty.

Ray & May Flannery, Harbour Road, Banagher on the death of his mother, Kitty.

Alo Kelly, Ballinahown Post Office, Ballinahown, Athlone on the death of his wife, Nancy.

Josie Guinan, Curraghmore, Kilcormac on the death of her husband, Eamon.

Bridget Connor & Family, Breaghmore, Fortel, Birr on the death of her husband, Chris.

Mary Clarke & Family, Castletown, Kinnity on the death of her husband, Noel.

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:

Ms. Kelley Farrell on being voted Young Carer of the Year 2010.

CONFIRMATION OF MINUTES:

On the proposal of Cllr. T. McLoughlin, seconded by Cllr. P. Ormond, the minutes of Offaly County Council's October Monthly Meeting held on 18th October 2010 were agreed and adopted.

MINUTES FOR NOTING:

The following minutes were noted:

- Planning & Economic Development SPC held 12th April 2010;
- Planning & Economic Development SPC held 5th July 2010;
- Corporate Policy Group held 20th September 2010;
- Edenderry Area Committee held on 6th October 2010.

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS 2001-2010 PART V111 CLONEYGOWAN BYPASS:

Mr. C. McCarthy, A/D.O.S., informed the meeting that the proposed R420 Cloneygowan Bypass Scheme was approximately 2.6km in length and would eliminate two dangerous bridges. He informed the meeting that the proposal conformed to the objectives of the County Development Plan 2009 - 2015.

On the proposal of Cllr. E. Fitzpatrick, seconded by Cllr. G. Plunkett, the members adopted the Part VIII Cloneygowan Bypass Project.

In responding to a question, Mr. C. McCarthy advised that a Speed Limit Review will take place in 2011.

SUSPENSION OF STANDING ORDERS

On the proposal of the Cathaoirleach the members agreed to suspend Standing Orders and to take the following items next –

- Item 8: National Survey on Ongoing Housing Developments;
- Item 11: Housing Presentation;
- Item 10: Information Systems Presentation; and
- Item 9: Roads Winter Services Plan 2010-2011.

NATIONAL SURVEY OF ONGOING HOUSING DEVELOPMENTS:

Ms. L. O’Sullivan, A/S.E.P. gave a detailed presentation on the National Housing Survey Report prepared by the D.E.H.L.G. and its findings in relation to County Offaly.

Following the presentation, the members agreed to take Notice of Motion (d). Speaking to his Motion Cllr. T. McKeigue stated that Ms. L. O’Sullivan had addressed some of his concerns. He proposed that the Council ascertain ownership of certain estates within the county with the view to finding out if or when they may be completed. Cllr. B. Cowen, Cathaoirleach seconded the motion, which the members unanimously approved.

A lengthy discussion on the issues ensued, following which it was agreed:

- To email all the members a copy of the National Housing Survey Report, Ms. O’Sullivan’s presentation and the Council’s submission to the D.E.H.L.G.
- To hold an Information Briefing for the members on the Planning and Development Amendment Act, 2010.

HOUSING PRESENTATION:

Mr. D. Mahon, S.E.O., Housing gave a comprehensive presentation to the members on the objectives, policy, activities and current situation with regard to the Council’s housing functions. Cllr. B. Cowen, Cathaoirleach noted that the traditional means of obtaining and allocating Council housing has changed. He invited the members to make observations and/or raise queries on the content of the presentation.

Mr. D. Mahon, S.E.O. in responding to some of the issues raised advised that:

- The D.E.H.L.G. had indicated that 75% of housing output will be through RAS or leasing options for the coming years;
- The Council were assessing leasing proposals from both Cluid and Clanmill Housing Associations for 17 units each in Edenderry and was hopeful that at least one of the proposals would be approved.
- The Council had received 70 expressions of interest with regard to leasing options in the rural areas;
- Promotion of the Council’s affordable sites will be continued;
- Offaly Local Authorities work with persons who are making an effort to address their housing loan arrears. He advised that there are three cases where householders are considering voluntary surrender of their homes.

**HOUSING
PRESENTATION (cont'd):**

- Four units to deal with homeless persons are being established in Tullamore.
- Offaly County Council has €3.5m HFA loans and €2.5m on overdraft in relation to its land bank. Interest on the HFA Loans will come into effect from 2011 onwards and that it may be necessary to avail of the Land Aggregation Scheme and/or disposal of some of the lands;
- Changes to assessment procedures were introduced to address housing grant applications.

**INFORMATION
SYSTEMS
PRESENTATION:**

Mr. H. O'Donoghue, Head of I.S. gave a presentation on various issues with regard to I.C.T. in Offaly. The members thanked Mr. O'Donoghue for his informative presentation and acknowledged the good practices measures that had been implemented

**ROADS WINTER
SERVICE PLAN 2010/2011:**

Mr. C. McCarthy, A/D.O.S., drew the members' attention to the *Roads Winter Services Plan 2010-2011*. He advised that the Plan was prepared in accordance with the Department of Transport guidelines and was submitted to the relevant Departments and to the National Roads Authority. He noted that the roads had been treated seventy times during the 2009-2010 winter period at cost of €50,000. He advised that should there be a reduction in resources roads will be treated in accordance with the stated priority listing. The members noted the plan.

**SUSPENSION OF
STANDING ORDERS:**

The members agreed to suspend standing order to take Notices of Motion (a), (b) and (c) before the remaining items on the agenda.

NOTICES OF MOTION:

The Cathaoirleach informed the members that Notice of Motion (a) and (b) could not be addressed, as the Proposer was not present to speak on them.

Cllr. J. Leahy proposed Notice of Motion (c), i.e., "That Offaly County Council makes provision in the up coming budgets estimates for 8 operational Fire Stations in Co. Offaly". He proposed that the Executive find savings while preparing the 2011 Budget that will allow for the provision of eight operational Fire Stations.

Cllr. J. Carroll seconded the motion and noted that the current adopted Fire Services Plan provides for eight operational stations. Accordingly, he suggested that as the *Plan For Fire And Emergency Operations, Section 26, Fire Services Act 1981* is still a draft that the 2011 Budget should provide for the eight Fire Stations.

Following a lengthy discussion on the issues the Cathaoirleach requested the Executive to:

- seek an early L.R.C. hearing, in an effort to reach a resolution and thereby allow the members to have regard to the L.R.C.'s findings during the preparation of the Draft Budget;

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

- write to the Croke Park Implementation Body seeking a derogation and request that should savings be made from the introduction of efficiencies measures in the Fire Services that these savings will revert to Offaly County Council, as the dispute predated the Croke Park Agreement; and, finally,
- advise on the motion proposed by Cllr. J. Leahy.

Mr. P. Gallagher, County Manager, agreed to contact the L.R.C. and to write to the Croke Park Implementation Body.

In relation to the preparation of the Budget, the County Manager advised that: (i) Section 102, Local Government Act, 2001 requires a balanced Draft Budget be prepared under the direction of the Manager showing the amounts necessary for the functional programmes; (ii) Section 103, Local Government Act, 2001 provides that the members shall consider the Draft Budget; may by resolution amend the Draft Budget; shall adopt the draft budget with or without amendment; (iii) Section 102 makes no provision for the elected members to direct the Manager in the preparation of the draft budget.

In responding to some of the other matters that arose during the discussion the Manager advised that the cost of providing eight Fire Stations was circulated to the members previously and was examined by the sub-committee. He informed the meeting that an additional budget of €750,000 was required to provide an eight brigade services for 2011 and each year thereafter. He advised that the last statutory Offaly County Council Fire Emergency Plan was adopted in 1996. This Plan, he advised, took no account of the Safety, Health & Welfare at Work Act 2005.

The County Manager informed the meeting that the overall budget deficit to be carried forward from 2010 was €500,000, and, having regard to the proposed reduction to the Local Government Fund that there is currently a shortfall of circa. €3 million working drafts in preparing the Draft 2011 Budget.

The County Manager advised the members that an eight percent increase in commercial rates would be required to maintain eight operational Fire Stations. The Manager advised that the Council had received no notice of strike action

Cllr. B. Cowen, Cathaoirleach, advised the members that they will have an opportunity to fully consider the Draft 2011 Budget and, if appropriate, may amend it at that time.

**SECTION 85
AGREEMENT UNDER
THE LOCAL**

On the proposal of Cllr. T. McKeigue, seconded by Cllr. E. Dooley, the members adopted the Section 85 Agreement under the Local Government Act, 2001 between Offaly

**GOVERNMENT ACT 2001
BETWEEN OFFALY
COUNTY COUNCIL AND
WESTMEATH COUNTY
COUNCIL FOR THE
PURPOSE OF
MOTORWAY
MAINTENANCE OF THE
M6:**

County Council and Westmeath County Council for the purpose of motorway maintenance of the M6.

**TAKE OVER OF GROUP
WATER SCHEMES:**

On the proposal of Cllr. D. Dolan, seconded by Cllr. C. Hanniffy, the members agreed the takeover of:

- Ballicknahee Group Water Scheme (off Clara Public Water Supply);
- Errymaryborough Group Water Scheme (off Clara Public Water Supply);
- Kilnabina Group Water Scheme (off Clara Public Water Supply);
- Kilnacarra Group Water Scheme (off Clara Public Water Supply).

**OVERDRAFT
ACCOMMODATION 2011:**

Mr. D. Conlon, Head of Finance, advised the members that it was necessary to renew our overdraft facility of €10 million.

On the proposal of Cllr. D. Dolan, seconded by Cllr. J. Butterfield, the members approved a provision for overdraft accommodation for 2011 in the sum of €10 million.

**UPDATE ON
EDENDERRY LOCAL
AREA PLAN:**

Mr. D. Kirrane, D.O.S., advised that the Draft Edenderry Local Area Plan 2011-2017 along with a SEA Screening Report would be placed on public display for a period of 6 weeks from 2nd December 2010 to 24th January 2011.

NOTICE OF MOTIONS

The following motion was proposed by Cllr. T. McKeigue and seconded by Cllr. C. Hanniffy:

“That this Council calls on the Government to change the existing practice regards providing each individual Minister with a state motor car to a more cost effective method and also request the retired Taoiseach to voluntary relinquish use of it.”

COMHDHÁLACHA:

The following conferences were agreed by the members:

Septic Tanks & Sewage Treatment Plants (Rules and Regulations
Silver Tassie Hotel, Letterkenny - 16th/17th November 2010
No member expressed an interest in attending.

Waste Management (Food Waste) Regulations 2009
Silver Tassie Hotel, Letterkenny – 3rd/5th December 2010
It was agreed that Cllr. E. Fitzpatrick would attend.

Building Regulations

**COMHDHÁLACHA
(cont'd):**

Manor West Hotel, Tralee – 17th/19th December 2010
No member expressed an interest in attending.

Retrospective approval for the attendance of Cllr. J. Leahy at Independent College Dublin: “Economics Without Boundaries” – 20th October/17th November 2010 and 12th January/9th February 2011.

Retrospective approval for the attendance of Cllr. N. Hogan at “Exploring Options for the Unemployed” on 19th/21st November in Carlton Hotel, Westport.

ANY OTHER BUSINESS:

Mr. D. Conlon, Head of Finance, informed the meeting that the Corporate Policy Group had arranged to meet on 13th December 2010 to examine the Draft 2011 Budget. The members agreed to hold a Draft Budget Meeting In-Committee at 10am on Monday, 20th December 2010.

This concluded the business of the meeting.

MINUTES CONFIRMED:

CATHAOIRLEACH

RUNAÍ

20th DECEMBER 2010