

COMHAIRLE CHONTAE UÍBH FHAILÍ

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

**HELD IN ÁRAS AN CHONTAE, TULLAMORE
ON MONDAY, 21ST NOVEMBER 2011 AT 2.00 P.M.**

PRESENT:	Cllr. D. Owens (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, T. McLoughlin, J. Leahy, S. Moylan-Ryan, P. Ormond, G. Plunkett, L. Quinn and P. Rowland.
IN ATTENDANCE:	Mr. P. Gallagher, County Manager, Mr. D. Kirrane, D.O.S., Mr. S. Murray, D.O.S., Mr. D. Conlon, H.O.F., Mr. F. Heslin, D.O.S., Ms. M. Cleary, Meetings Administrator, Mr. T. Shanahan, S.E., Mr. B. O'Brien, Assistant Planner, Ms. S. O'Reilly, Arts Officer, and Ms. V. Francis, A.S.O.
VOTES OF SYMPATHY:	<p>Votes of sympathy were unanimously extended to the following:-</p> <p>Frank Wyer and Family, Cushina, Portarlinton, on the death of his wife, Molly.</p> <p>Dorothy Galvin and Family, Cloneyhurke, Portarlinton, on the death of her husband, J.J.</p> <p>Peter Enright Mooney, The Doon, Ballinahoun, Athlone, on the death of his mother, Kathleen.</p> <p>Henry Pardy, 12 High Street, Birr, on the death of his brother, Peter.</p> <p>Ann Downey, Dromoyle, Birr, on the death of her husband, Pat.</p> <p>Pauric Gallagher, Ballinagar, Tullamore, on the death of his uncle, Noel.</p> <p>Joseph, Phil and Nora Dunne, Ballycrystal, Geashill, on the death of their sister, Ann.</p> <p>Nuala Henry, Knock, Ballinagar on the death her mother, Cait Leavy.</p> <p>Dean De Cleir, Kinnitty, Birr on the death of his mother, Irena.</p> <p>Pauline Quinlan and Family, on the death her husband, Sean.</p> <p>Joe Mooney, Oakley Park, Clareen, Birr, on the death of his mother, Winifred.</p> <p>Ann Downey and Family, Dromoyle, Birr, on the death of her husband, Patrick.</p>

<p>VOTES OF SYMPATHY (CONT'D):</p>	<p>Ann Moran, Ross, Screggan, Tullamore, on the death of her uncle, Joe Molloy.</p> <p>Brendan Monaghan, Clara Road, Tullamore on the death of his mother, Gret,</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>
<p>SUSPENSION OF STANDING ORDERS</p>	<p>On the proposal of Cllr. L. Quinn, seconded by Cllr. E. Fitzpatrick, the members agreed to suspend Standing Orders to allow Mr. J. Parlon, Chairman, Offaly IFA, to make a presentation.</p>
<p>PRESENTATION ON 'THE IMPORTANCE OF AGRICULTURE AND THE FOOD INDUSTRY TO THE IRISH ECONOMY':</p>	<p>Mr. J. Parlon, Chairman, Offaly IFA, gave an informative presentation to the members on the IFA commissioned study <i>The Importance of Agriculture and the Food Industry to the Irish Economy</i>.</p> <p>During the ensuing discussion the members acknowledged the importance of the agricultural sector to the Irish economy. Mr. Parlon reiterated the importance of the Single Farm payment for farmers and their local communities and stressed that the Irish Government should continue to co-fund EU payments. Mr. Parlon noted that Ireland had the capacity to increase agricultural products to meet the needs of the world's increasing population and that the I.F.A. recognised the importance of consumer confidence for the sector. He encouraged the Buy Irish campaign stating that the consumer could be confident of Irish products. Mr. Parlon advised that the IFA proposed that payments should be directed towards productive farming in relation to the on-going CAP discussions.</p> <p>Mr. Parlon advised that the IFA were working with the OPW and the National Parks and Wildlife in an effort to address areas that are subject to flooding.</p> <p>The members thanked Mr. Parlon for his informative presentation and wished the IFA success in their work.</p>
<p>CONFIRMATION OF MINUTES:</p>	<p>On the proposal of Cllr. E. Dooley, seconded by Cllr. P. Clendennen, the minutes of Offaly County Council's Monthly Meeting held on 17th October 2011 were agreed and adopted.</p>
<p>MINUTES FOR NOTING:</p>	<p>The following minutes were noted:</p> <ul style="list-style-type: none"> - Minutes of Meeting of the Corporate Policy Group held on 19th September 2011. - Minutes of Meeting of Edenderry Area Committee held on 13th July 2011;

**NOMINATION/ELECTION/
APPOINTMENT TO
TULLAMORE DEW
HERITAGE CENTRE
LIAISON GROUP:**

Mr. D. Kirrane, D.O.S., informed the members that William Grant and Sons have taken over the Dew Heritage Centre. He advised that William Grant and Sons plan to renovate the centre and have a target of attracting 40,000 visitors annually. They have agreed to establish a liaison group with representatives of Local Chamber, OHAS, Tullamore Tidy Towns, Offaly County Council Heritage Officer and a representative from Tullamore Town Council and Offaly County Council. He advised that Tullamore Town Council had nominated a representative and asked for nominations from Offaly County Council.

Mr. D. Kirrane, D.O.S., also advised that pre-planning discussions were ongoing and it was hoped that a planning application for the renovations would be submitted before the end of the year.

It was proposed by Cllr. P. Ormond and seconded by Cllr. S. Dooley, that Cllr. P. Rowland be nominated to the liaison group.

It was proposed by Cllr. T. McKeigue and seconded by Cllr. P. Clendennen that Cllr. M. Buckley be nominated to the liaison group.

It was proposed by Cllr. D. Dolan and seconded by Cllr. J. Carroll that the Cathaoirleach of Offaly County Council be nominated to the liaison group.

As there were three proposals before the members, Mr. S. Murray, D.O.S., advised that a roll call vote would be taken on all three candidates and if no candidate had an absolute majority, then the candidate with the lowest number of votes would be eliminated and another vote would be taken.

The result of the first vote was as follows:

For Cllr. P. Rowland: Cllrs. N. Bourke, E. Dooley, S. Dooley, E. Fitzpatrick, J. Leahy, S. Moylan-Ryan, P. Ormond, D. Owens, G. Plunkett and P. Rowland.

For Cllr. Cllr. M. Buckley: Cllrs. M. Buckley, J. Butterfield, P. Clendennen, C. Hanniffy, N. Hogan, T. McKeigue, and L. Quinn.

For Cathaoirleach, Offaly County Council: Cllrs. J. Carroll, D. Dolan, J. Foley and T. McLoughlin.

The Cathaoirleach, Offaly County Council was then excluded and a second roll call was taken, the result as follows:

For Cllr. P. Rowland: Cllrs. N. Bourke, E. Dooley, S. Dooley, E. Fitzpatrick, J. Leahy, T. McLoughlin, S. Moylan-Ryan, P. Ormond, D. Owens, G. Plunkett and P. Rowland.

<p>NOMINATION/ELECTION/ APPOINTMENT TO TULLAMORE DEW HERITAGE CENTRE LIAISON GROUP (CONT'D):</p>	<p>For Cllr. Buckley: Cllrs. M. Buckley, J. Butterfield, P. Clendennen, C. Hanniffy, N. Hogan, T. McKeigue and L. Quinn.</p> <p>Abstentions: Cllrs. J. Carroll, D. Dolan and J. Foley.</p> <p>The Cathaoirleach declared Cllr. P. Rowland elected to represent Offaly County Council on the Tullamore Dew Heritage Centre Liasion Group.</p>
<p>LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS 2001 (PART VIII): EDENDERRY SEWERAGE SCHEME.</p>	<p>Mr. T. Shanahan, S.E. Water Services, drew the members' attention to the report which circulated with the Agenda. He informed the members that the proposal conformed to the County Development Plan.</p> <p>On the proposal of Cllr. N. Bourke, seconded by Cllr. J. Foley, the members resolved to proceed with the upgrade of Edenderry Sewerage Scheme and the upgrade of the Collection Network and Pumping Stations:</p> <ul style="list-style-type: none"> - Four new pumping stations at Derrycorris, Corkery Lane, Kishawanny and Killane - New rising mains for pumping stations at Derrycorris, Corkery Lane, Kishawanny, Killane, Carrick Road and Clonmullen Hall. - A new gravity foul sewer on the Rhode Road and Killane Road. - De-commissioning and demolition of the existing pumping stations at Derrycorris, Corkery Lane, Clonmullen Lane, Connyborough and Killane.
<p>PROPOSAL FOR TAKEOVER OF GROUP WATER SCHEMES</p>	<p>On the proposal of Cllr. D. Dolan, seconded by Cllr. C. Hanniffy the members resolved that Offaly County Council take over the following Group Water Schemes:</p> <ul style="list-style-type: none"> - Fahy GWS, Rhode - Stonestown GWS Cloghan - Rashina GWS, Ferbane - Kilmucklin GWS
<p>PORTARLINGTON LOCAL AREA PLAN AND CLARA TOWN PLAN:</p>	<p>Mr. D. Kirrane, D.O.S., informed the members that a Local Area Plan for Portarlington is being jointly prepared by Offaly and Laois County Councils and that it will be for adoption in the latter half of 2012.</p> <p>Mr. D. Kirrane advised that it is proposed that as part of Variation No. 1 to the Offaly County Development Plan 2009-2015 which will insert the Core Strategy, the current plan for Portarlington included in Volume Two of the County Development Plan, i.e., the written statement and the land use zoning map, is to be removed.</p> <p>He stated that the reason for the removal of the plan is in order to rationalise the current plan system and avoid a scenario where there are two statutory plans in force for Portarlington, within the administrative area of Offaly County Council at the same time. In addition, the potential for conflict between two statutory land use plans in one administrative area will be removed.</p>

PORTARLINGTON LOCAL AREA PLAN AND CLARA TOWN PLAN (CONT'D):

Mr. D. Kirrane stated that should there be an instance where there is no statutory land use plan in force in Portarlington, within the administrative area of Offaly County Council, any development proposals relating to lands in Portarlington will be assessed using the policies and objectives of the Offaly County Development Plan 2009-2015 (including the Core Strategy), until the draft joint Local Area Plan is prepared for Portarlington.

He advised that should there be an instance where there is no statutory land use plan in force in Portarlington, within the administrative area of Offaly County Council, it is anticipated that the period of time will be of short duration between the adoption of Variation No. 1 and the adoption of a draft joint local area plan. Variation No. 1 could be adopted by February 2012 and the Draft Local Area Plan for Portarlington may be adopted in October 2012.

Mr. Kirrane then gave an update on the Clara Plan. He advised that the current Local Area Plan for Clara remains in force until up to and including the 18th December 2011.

He stated that the *Planning and Development (Amendment) Act 2010* has increased the mandatory population threshold to undertake a Local Area Plan from 2,000 to 5,000. He advised that Clara's population in 2006 was 3,000.

He advised the members that it is intended to carry out a second variation to the Offaly County development Plan 2009-2015 to include a Town Plan for Clara in 2012.

Should there be an instance where there is not statutory land use plan in force in Clara, any development proposals relating to lands in Clara will be assessed using the policies and objectives of the Offaly County Development Plan 2009-2015 (including the core Strategy), until Variation No. 2 is adopted.

Clara Town Plan will be on display in January 2012 and may be adopted in April 2012.

A discussion ensued in which the members welcomed the Joint Portarlington Local Area Plan.

CONSTITUENCY COMMISSION REVIEW:

Mr. S. Murray, D.O.S., advised the members that a Constituency Commission was established under Section 5 of the Electoral Act 1997 (as amended) to report in relation to the constituencies for (a) the election of members to the Dáil and (b) the election of members of the European Parliament.

Mr. S. Murray, D.O.S., informed the meeting that the closing date for the receipt of submissions to the Commission is 10th January 2012.

<p>CONSTITUENCY COMMISSION REVIEW (CONT'D):</p>	<p>The members welcomed the item being placed on the agenda. It was stated that 4,200 voters were transferred from the Laois/Offaly Constituency to the North Tipperary Constituency and that this had caused great confusion to the constituents at election time.</p> <p>The members agreed to establish a sub committee to consider the relevant issues and to prepare a draft report for the consideration of the Council. It was agreed that the sub-committee would consist of all the members of the Birr Electoral Area and one representatives of the other Electoral Areas as follows:</p> <p>Cllr. M. Buckley proposed, Cllr. D. Dolan seconded, and it was agreed that Cllr. T. McKeigue represent the members of the Tullamore Electoral Area.</p> <p>Cllr. E. Dooley proposed, Cllr. N. Hogan seconded, and it was agreed that Cllr. C. Hanniffy represent the members of the Ferbane Electoral Area.</p> <p>Cllr. F. Fitzpatrick proposed, Cllr. J. Foley seconded, and it was agreed that Cllr. N. Bourke represent the members of the Edenderry Electoral Area.</p> <p>Mr. S. Murray, D.O.S., requested that members advise him in the coming days of the matters that they wished the sub-committee to consider.</p>
<p>BUDGET 2012:</p>	<p>Mr. D. Conlon, H.O.F., recommended that the members meet in-committee at 2.00p.m. on Monday, 12th December to examine the Draft 2012 Budget and that the Statutory Budget Meeting be held at 2.00p.m. on Monday, 19th December to consider the 2012 Budget. The members resolved to meet as recommended by the Head of Finance.</p> <p>In response to a query from the members, Mr. Conlon clarified that the last date for the Council to adopt the Budget was Sunday, 8th January 2012.</p>
<p>CONTROL OF QUARRIES:</p>	<p>Mr. B. O'Brien, Assistant Planner, gave a comprehensive presentation to the members outlining details of the quarry legislation which has been introduced under Section 261A of the <i>Planning and Development Act 2010</i>.</p> <p>The members thanked Mr. O'Brien for his detailed and informative presentation and agreed that further updates would be beneficial.</p>
<p>WINTER READY WEEK:</p>	<p>Mr. F. Heslin, D.O.S., referred the members to the booklet, <i>Be Winter-Ready</i>, published by the Office of Emergency Planning, Department of Defence and circulated with the Agenda. Mr. Heslin informed the meeting that the publication is available on the Council's website and in the libraries.</p>

<p>WINTER READY WEEK (CONT'D):</p>	<p>Mr. Heslin advised that Offaly County Council would work with the I.F.A. over the winter period. He reiterated that the Council will salt roads as outlined in the <i>Winter Service Plan for Roads</i> and that the Council will not be providing salt to the IFA or to schools.</p>
<p>REVIEW CORPORATE POLICY GROUP:</p>	<p>Mr. S. Murray, D.O.S., advised the members that the Corporate Policy Group operates in accordance with Sn. 133, Local Government Act 2001. Mr. S. Murray noted that two submissions were received and that they were circulated at the meeting.</p> <p>Cllr. D. Owens, Cathaoirleach informed the meeting that the matter was discussed at the CPG meeting. Cllr. E. Dooley proposed that a report from the Cathaoirleach on matters arising at the CPG meeting would be included as a Standing Item on the Council's Agenda. Cllr. C. Hanniffy seconded the proposal. The members resolved to the placing of a CPG Report as a Standing Item on the Council Agenda.</p>
<p>PRESENTATION ON THE ARTS SECTION:</p>	<p>Ms. S. O'Reilly, Arts Officer, gave a very informative presentation to the members in relation to the Arts in Offaly today. Ms. O'Reilly outlined the importance of the arts for the enrichment of lives, fostering communities and gave detailed examples of how the arts had contributed to the local economy in Offaly.</p> <p>The members thanked Ms. O'Reilly for her comprehensive presentation and complimented her on the work being done by the Arts Section.</p>
<p>NOTICES OF MOTION:</p>	<p>(i) On the proposal of Cllr. N. Hogan, seconded by Cllr. T. McKeigue, the members agreed the following motion:</p> <p><i>"That in these difficult economic times, Offaly County Council would review the manner in which they accept payment of the Non Private Principal Resident tax with a view to allowing persons to make partial payments or in situations where penalties have become due to accept payment of the principal charge and allow penalties to be paid over a period of time."</i></p> <p>(ii) Cllr. M. Buckley proposed and Cllr. T. McKeigue seconded the following motion which was agreed by the members:</p> <p><i>"That Offaly County Council write to the Minister for the Environment and Local Government to request that a new structure be put in place for the Regulation of the Building Industry."</i></p> <p>(iii) On the proposal of Cllr. M. Buckley, seconded by Cllr. P. Clendennen, the members agreed to the following motion:</p> <p><i>"That Offaly County Council request a meeting with the County Registrar regarding the employment of Polling centre and Count staff and give priority to</i></p>

<p>NOTICES OF MOTION (CONT'D):</p>	<p><i>people who are unemployed, and write to the Minister re regarding same.</i>"</p> <p>(iv) On the proposal of Cllr T. McKeigue, seconded by Cllr. L. Quinn, the members agreed the following motion: <i>"That Offaly County Council calls on the Government to examine the complete workings of N.A.M.A. and not allow the very people that helped to create the financial mess that now effects all citizens to be paid enormous salaries."</i></p> <p>(v) On the proposal of Cllr T. McKeigue, seconded by Cllr. L. Quinn, the members agreed the following motion: <i>"That Offaly County Council calls on the Government to explore the possibility of allowing Irish people living in other countries a vote in future presidential elections."</i></p>
<p>COMHDHÁLACHA:</p>	<p>The following conferences were proposed by Cllr. P. Clendennen, seconded by Cllr. C. Hanniffy, and agreed by the members:</p> <p>Promoting Volunteerism Westport Plaza Hotel, Castlebar Street, Westport, Co. Mayo. 2nd – 4th December 2011. It was agreed that Cllr. M. Buckley would attend.</p> <p>Proposed Reform of the Common Agricultural Policy Carlton Hotel Tralee, Dan Spring Road, Tralee, Co. Kerry. 9th – 11th December 2011. It was agreed that Cllrs. J. Carroll and J. Butterfield would attend.</p> <p>ICT & Public Service Delivery DLA Conference 2011-11-22 Sheraton Athlone Hotel, Athlone, Co. Westmeath. It was agreed that Cllrs. N. Bourke and S. Moylan Ryan would attend.</p> <p>Local Government (Charges) Act 2009 The Kingsvalley Hotel, Merlin Park, Dublin Road, Galway 16th – 18th December 2011. It was agreed that Cllr. M. Buckley would attend.</p>
<p>COMHFHREAGRAS:</p>	<p>The members noted the correspondences received.</p>
<p>ANY OTHER BUSINESS:</p>	<p>Invitation to President Michael D. Higgins: Cllr. T. McKeigue requested that the Council write to President Michael D. Higgins congratulating him on becoming President and inviting him to attend a Council meeting.</p> <p>Rural Garda Stations: The members requested that the Council write to Minister Shatter seeking clarification with regard to the future of the</p>

**ANY OTHER BUSINESS
(CONT'D):**

Garda force in rural communities and request if he perceives that Garda stations will close in the future and if so to identify where these stations are. The members agreed to invite the Minister to address the Council in relation to this matter.

Fire Services:

Cllr. J. Foley informed the meeting that SOS DBK had issued a letter to the County Manager. Cllr. Foley requested that the County Manager give serious consideration to the proposals contained therein.

The County Manager confirmed that he had received the letter earlier that morning. He advised that the proposals would be examined and that a response would issue. The County Manager agreed to furnish the members with a copy of the response.

Suspension of Standing Orders:

On the proposal of Cllr. D. Dolan, seconded by Cllr. P. Clendennen, the members agreed to suspend Standing Orders to allow the meeting to proceed beyond 6.00p.m.

Start & Grow Conference:

Cllr. M. Buckley complimented all involved in the Start and Grow Conference. The Cathaoirleach joined with Cllr. Buckley and acknowledged the innovative approach.

Street Lighting at Shandra Woods, Portarlinton:

Cllr. E. Fitzpatrick advised that the developer of the Shandra Woods Estate, Portarlinton had advised that he will not pay for public lighting in the estate after 30th November 2011. The estate, Cllr. Fitzpatrick noted, has not yet been taken into charge by the Council. The Cathaoirleach noted Cllr. Fitzpatrick's comments.

R.T.E:

Cllr. T. McKeigue expressed his dissatisfaction with the management of RTE with regard to the treatment meted to Fr. Reynolds and the Presidential candidates, Martin McGuinness and Sean Gallagher.

This concluded the business of the meeting.

MINUTES CONFIRMED:

_____ **CATHAOIRLEACH**

_____ **RUNAÍ**

19TH DECEMBER 2011