

COMHAIRLE CHONTAE UÍBH FHAILÍ

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

**HELD IN ÁRAS AN CHONTAE, TULLAMORE
ON MONDAY, 17TH OCTOBER 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, J. Foley, C. Hanniffy, N. Hogan, T. McKeigue, T. McLoughlin, J. Leahy, S. Moylan-Ryan, P. Ormond, G. Plunkett, L. Quinn and P. Rowland.
APOLOGIES:	Cllr. E. Fitzpatrick
IN ATTENDANCE:	Mr. P. Gallagher, County Manager, Mr. D. Kirrane, D.O.S., Mr. D. Conlon, H.O.F., Mr. F. Heslin, D.O.S., Ms. M. Cleary, Meetings Administrator, Mr. B. Pey, A.O., Mr. M. Quinn, S.E.E., Mr. C. McCarthy, S.E., Mr. T. Mawe, Financial Management Accountant, Mr. D. Hogan, S.E., Ms. C. Hilliard, A.O., and Ms. V. Francis, A.S.O.
VOTES OF SYMPATHY:	<p>Votes of sympathy were unanimously extended to the following:-</p> <p>Loretta Jenkins & Family, Harbour Road, Banagher, on the death of her mother, Mrs. Bortolozzo.</p> <p>The Plunkett Family, Pearse Park, Tullamore, on the death of their father, Paddy.</p> <p>Kathleen Williamson, Ballydaly, Tullamore, on the death of her mother, Mrs. Healy.</p> <p>Ann Keenan, Mucklagh, Tullamore, on the death of her mother, Mrs. Healy.</p> <p>Louise Dooley, Breaghmore, Fortel, Birr, on the death of her father, Desmond.</p> <p>Eugene King, Dungar, Roscrea, on the death of his mother, Annie.</p> <p>Sean Grennan, Glaskill, Screggan, Tullamore, on the death of his brother, Edward.</p> <p>Tony O’Riordan, Ballycleary, Roscrea, on the death of his brother, John.</p> <p>Maura McCormack, Townspark, Daingean, on the death of her husband, Peter.</p> <p>Paula Kozlovskyte, 7 Tihilly, Lannello, Clontarf Road, Tullamore, on the death of her partner, Noel Cunniffe.</p> <p>John Kenny & Family, Ballyboy, Kilcormac, on the death of his son, Gerard.</p>

	<p>Mary Dunne, Garryhinch, Portarlington, on the death of her husband, John Joe.</p> <p>Maureen Fitzpatrick, Allenwood, Naas, Co. Kildare, on the death of her husband, Michael.</p> <p>Essie Dunican, Canal Line, Pullagh, Tullamore, on the death of her husband, Thomas Andy.</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. E. Dooley, seconded by Cllr. G. Plunkett, the members agreed to suspend Standing Orders to discuss the Government's decision to amalgamate Offaly VEC and Laois VEC and to locate the headquarters in Portlaoise.</p> <p>Cllr. E. Dooley informed the meeting that Offaly had 5 VEC schools with an approximate student population of 5,000 and an Outdoor Education Centre in Birr. Laois has 3 VEC schools and approximately 1,000 students. Cllr. E. Dooley suggested that the decision to locate the headquarters in Portlaoise was not compatible with the National Spatial Strategy and undermined Tullamore's status as a Gateway Town. He noted that Laois-Offaly was one of only two amalgamating areas where a sub-office in the other county was not being retained. Cllr. E. Dooley proposed that the Council write to the Minister requesting further information with regard to the decision, in particular the assessment criteria used to make the decision.</p> <p>A number of members, in supporting the motion, noted that the VEC facilities in Castle Buildings, Tullamore, albeit leased, were more suitable than the proposed Portlaoise location and that they had an advanced technology infrastructure. The facilities in Tullamore, the members claimed, had the capacity to increase adult education numbers as it accommodated adults wishing to return to education but who were reluctant to re-enter a school environment.</p> <p>Cllr. C. Hanniffy stressed that money should be focused on the delivery of a properly managed service to the schools, students and adults in the catchment area and suggested that the location of the VEC headquarters was not the most significant factor.</p> <p>On the proposal of Cllr. E. Dooley, seconded by Cllr. G. Plunkett the members agreed to write to the Minister requesting the following information:</p> <ul style="list-style-type: none"> - the criteria used for assessing and determining the location of the headquarters; - the reasons why the Minister had deviated from the National Spatial Strategy in deciding to locate the VEC HQ outside of the Midlands Gateway

	<ul style="list-style-type: none"> - why Laois/Offaly has been not allocated a sub office; - to confirm that the Department of Education and Skills will continue to work with the VEC to develop Tullamore College, which is currently at design stage; - that the direct link established between Offaly VEC and Athlone IT would continue to be honored and developed; - that adult education classes throughout Offaly be fostered and provided, where appropriate, outside a school environment; - that, if the proposed changes proceed, Tullamore be considered for a sub office, especially to manage and co-ordinate adult education classes; - that the Outdoor Education Centre in Birr will continue to be developed and supported. <p>In responding to a question raised the County Manager advised that while planning legislation requires planning authorities to give effect to the National Spatial Strategy, he understood that there was not a similar statutory obligation on other public bodies. He noted that the Indecon Report had recommended that one of Tullamore's strengths to be developed in the Linked Gateway was as an Administrative Centre. It was a cause of concern, he stated, that the loss of the Midland Health Board HQ and this decision to relocate the VEC headquarters to Portlaoise might be perceived as a weakening of Tullamore's strengths in this area.</p>
<p>CONFIRMATION OF MINUTES:</p>	<p>On the proposal of Cllr. M. Buckley, seconded by Cllr. E. Dooley, the minutes of Offaly County Council's Monthly Meeting held on 19th September 2011 were agreed and adopted.</p> <p>On the proposal of Cllr. P. Clendennen, seconded by Cllr. S. Moylan-Ryan, the minutes of the Special Meeting of Offaly County Council held on 27th September 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 Housing, Social & Cultural SPC held on 12th May 2011; - Minutes of Meeting of Birr Area Committee held on 14th June 2011; - Minutes of Annual General Meeting of Ferbane Area Committee, held on 14th June, 2011; - Minutes of Meeting of the Transportation & Emergency Services SPC held on Thursday 16th June 2011; - Minutes of Meeting of the Corporate Policy Group held on 18th July 2011. <p>Cllr. T. McKeigue noted that there were four vacant units in Lann Elo, Clontarf Road, Tullamore which are managed by Tullamore Housing Association. Mr. B. Pey, A.O. Housing advised that these units are designated for emergency homeless facilities and that the Council was awaiting Departmental approval.</p> <p>Cllr. D. Dolan sought confirmation on the status of the CPG</p>

	<p>minutes being placed on the Agenda. It was agreed that the Corporate Policy Group would hold a review of the issues raised during the ensuing discussion, and the matter would be considered further. The County Manager requested that members advise Ms. M. Cleary of the matters they wished to have considered.</p>
<p>SECTION 183, LOCAL GOVERNMENT ACT, 2001 DISPOSAL OF LAND: 24 KILMALOGUE PARK, PORTARLINGTON, CO. OFFALY :</p>	<p>On the proposal of Cllr. G. Plunkett, seconded by Cllr. N. Hogan, the members approved the disposal of land at 24 Kilmalogue Park, Portarlinton, Co. Offaly in accordance with the terms of the notice dated 29th September 2011.</p>
<p>LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS 2001 (PART VIII): PROPOSED SCHOOL ACCESS ROAD AND ROUNDABOUT AT KILLANE, EDENDERRY.</p>	<p>Mr. M. Quinn, S.E.E. Housing, 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. L. Quinn, the members resolved to proceed with the proposed school access road and roundabout at Killane, Edenderry as previously circulated.</p>
<p>REVISIONS AND AMENDMENTS TO SCHEME OF LETTING PRIORITIES (AS REQUIRED BY SOCIAL HOUSING ALLOCATION REGULATIONS SI NO 84 OF 2001 AS AMENDED)</p>	<p>Cllr. M. Buckley, Chairperson of the Housing, Social & Cultural SPC, informed the meeting that the amendments and additions to the Scheme of Letting Priorities was required to be adopted by the Council to ensure compliance with the Social Housing Allocation Regulations SI No 84 of 2001, as amended.</p> <p>Mr. B. Pey, A.O. Housing, in responding to questions raised advised as follows:</p> <ul style="list-style-type: none"> - There is a statutory requirement for the Council's Scheme of Letting Priorities to be in a prescribed format; - There is a statutory requirement to conduct Housing Needs Assessments every three years; - It would only be in extreme exceptional cases that tenants who had previously damaged property would be reconsidered for housing; - The Council had received no communication or details of the recent reports in the media in respect of mortgaged houses; - A tenant breaks their tenancy agreement and accordingly surrenders their tenancy if the leave their rented accommodation for a period of greater than six weeks; - The award of rent allowances was a matter for the Community Welfare Officers. However, he understood that a tenant who surrenders their house without a valid reason may not be considered for a rent allowance by the Community Welfare Officers. <p>Mr. B. Pey agreed that the Housing Section would provide the members with a comprehensive report of their services at a later meeting.</p> <p>On the proposal of Cllr. M. Buckley, seconded by Cllr. S.</p>

	Moylan-Ryan, the members adopted the Revisions and Amendments, as circulated, to the Scheme of Letting Priorities.
TAKEOVER OF TOWNSPARK (DAINGEAN PWS) GROUP WATER SCHEME:	On the proposal of Cllr. G. Plunkett, seconded by Cllr. N. Hogan, the members agreed to the takeover of Townspark (Daingean PWS) Group Water Scheme.
ANNUAL FINANCIAL STATEMENT 2010:	Mr. D. Conlon, H.O.F., drew the members' attention to the <i>Annual Financial Statement 2010</i> which was circulated with the meeting's Agenda. The members' noted the contents of the Statement.
LOCAL GOVERNMENT AUDITOR'S REPORT 2010:	Mr. D. Conlon, H.O.F., drew the members' attention to some of the Manager's response to various queries raised by the Local Government Auditor. The members' noted the contents of the Local Government Auditor's Report 2010.
OVERDRAFT ACCOMMODATION 2012:	Mr. D. Conlon, H.O.F., advised the members that it was necessary to renew the Council's overdraft facility of €10 million for 2012. On the proposal of Cllr. D. Dolan, seconded by Cllr. G. Plunkett, the members approved a provision for overdraft accommodation for 2012 in the sum of €10 million.
ROAD TRAFFIC (SPEED LIMITS) (COUNTY OF OFFALY) BYE LAWS 2011:	Mr. F. Heslin, D.O.S., introduced the <i>Road Traffic (Speed Limits) (County of Offaly) Bye Laws 2011</i> noting that they were presented to the members at the various Area Committee meetings. On the proposal of Cllr. T. McKeigue, seconded by Cllr. N. Hogan, the members resolved to adopt the <i>Road Traffic (Speed Limits) (County of Offaly) Bye Laws 2011</i> .
PRELIMINARY FLOOD RISK ASSESSMENT REPORT:	Mr. D. Hogan, S.E. Environment, informed the meeting that the Commissioner of Public Works had published a draft <i>Preliminary Flood Risk Assessment</i> on 31 st August 2011. He noted that a presentation on the draft <i>Preliminary Flood Risk Assessment</i> and its implications for County Offaly had been given to the members at their monthly meeting in September and October. The response, circulated at the meeting, he suggested represented the members comments. On the proposal of Cllr. L. Quinn, seconded by Cllr. J. Carroll, the members agreed to forward the response, as circulated, on the Draft <i>Preliminary Flood Risk Assessment</i> , published by the Office of Public Works on 31 st August 2011.
OUTCOME OF THE REVIEW OF THE WASTE MANAGEMENT PLAN FOR THE MIDLANDS REGION:	Mr. D. Hogan, S.E. Environment informed the members that the current <i>Waste Management Plan for the Midlands Region (2005-2010)</i> was adopted in February 2006. He advised that a review of the Plan was initiated in August 2010 and that following a period of public consultation six

	<p>(6) submissions were received. Mr. D. Hogan informed the members that the review had concluded that the current <i>Waste Management Plan for the Midlands Region</i> continues to remain relevant in the current climate and that the Plan has been thus shown to have the capacity to successfully address the five (5) Local Authorities obligations under current Irish and EU legislation. The Review had also determined that the Plan does not require a variation or replacement at this time.</p> <p>Mr. D. Hogan informed the meeting that the County Managers for the Region had accepted the conclusions of the review and accordingly had extended the current <i>Waste Management Plan for the Midlands Region</i> for a period of three (3) years, i.e., to 1st February 2014.</p> <p>The members noted Mr. D. Hogan's report.</p>
<p>ENVIRONMENT GRANTS 2011:</p>	<p>The members welcomed the allocation of the Environment Grants 2011 and acknowledged the work carried out by the various Tidy Towns Associations, Community Groups and Resident Associations. On the proposal of Cllr. M. Buckley, seconded by Cllr. G. Plunkett the members agreed the allocation of the grants as circulated.</p>
<p>LOCAL AGENDA 21 ENVIRONMENTAL PARTNERSHIP APPLICATIONS 2011:</p>	<p>The members noted the closing date, i.e., 19th October 2011, for the receipt of applications for the Local Agenda 21 Partnership Fund 2011.</p>
<p>UPDATE REGARDING THE VARIATION OF OFFALY COUNTY DEVELOPMENT PLAN TO INCLUDE THE CORE STRATEGY:</p>	<p>Mr. D. Kirrane, D.O.S., informed the members that the Planning and Development (Amendment) Act 2010 required that a Core Strategy be prepared and adopted through a variation to the Offaly County Development Plan 2009-2015.</p> <p>Mr. D. Kirrane, D.O.S., advised that the four (4) week period of public consultation, as required, for the Variation to the <i>Offaly County Development Plan 2009-2015</i> to include the Core Strategy would commence in November 2011. He advised that, due to resources, it was not possible to hold Area Meetings prior to the commencement of the public consultation. Mr. D. Kirrane stated that Area Meetings would be held during this period of public consultation and that a resolution of the Council was required to adopt a Variation of the County Development Plan.</p> <p>In responding to questions raised Mr. D. Kirrane noted that the Variation was required to bring the <i>Offaly County Development Plan 2009-2015</i> in line with <i>The Regional Planning Guidelines for the Midland Region 2010-2022</i>. He informed the meeting that the Core Strategy consisted of (i) a written statement, (ii) a table showing the residential land requirements for each settlement and identifying excess lands zoned for residential development and (iii) zoning maps. Mr. D. Kirrane advised that zoned residential lands</p>

	<p>would have to reduce, from 1,200 hectares to 366 hectares, to conform to the Midland Regional Planning Guidelines. This reduction, he advised, would be achieved by identifying excess lands zoned for residential use and phasing them for the remaining timeframe of the County Development Plan.</p> <p>Following further representations Mr. D. Kirrane agreed to explore if it was feasible to hold Area Committee meetings in advance of placing the Variation of the <i>Offaly County Development Plan 2009-2015</i> on public display.</p>
<p>HERITAGE PLAN 2012 – 2016:</p>	<p>Mr. D. Kirrane, D.O.S., advised that extensive consultation had been held on the Draft <i>Offaly Heritage Plan 2012-2016</i>. In recommending the Plan to the members Mr. D. Kirrane noted that the Plan had adopted a realistic approach and included a number of actions that could be realised during the lifetime of the Plan.</p> <p>On the proposal of Cllr. E. Dooley, seconded by Cllr. M. Buckley, the members adopted the <i>Offaly Heritage Plan 2012-2016</i>.</p>
<p>NOTICES OF MOTION:</p>	<p>(i) On the proposal of Cllr. M. Buckley, seconded by Cllr. L. Quinn, the members agreed the following motion:</p> <p><i>“That Offaly Co Council contact the Dept of Justice regarding the Garda Vetting and request that the Garda Clearance would apply to the person rather than the organisation.”</i></p> <p>(ii) Cllr. M. Buckley proposed and Cllr. S. Moylan-Ryan seconded the following motion:</p> <p><i>“That Offaly Co Council will convene a meeting of all the Agencies and interested parties to prepare a Tourism plan for Offaly.”</i></p> <p>During the ensuing discussion Mr. D. Kirrane, D.O.S. advised that the Tourism Interagency Group, under the auspices of Offaly Local Development Company, had representations from all the relevant agencies for tourism in Offaly. Mr. D. Kirrane undertook to give a report, including the priorities identified by the Group for 2012, to the members following the next meeting of the Tourism Interagency Group.</p> <p>(iii) On the proposal of Cllr. T. McKeigue, seconded by Cllr. M. Buckley, the members agreed to the following motion:</p> <p><i>“That Offaly Co. Council calls on the N.R.A. together with this Council to meet with the O.P.W. to work out access arrangements for the Durrow High Cross Project.”</i></p> <p>(iv) On the proposal of Cllr T. McKeigue, seconded by Cllr. L. Quinn, the members agreed the following</p>

	<p>motion:</p> <p><i>“That this Council calls on the Minister to locate regional offices to deal with Planning Appeals and re-define an Board Pleanála to make it more user friendly.”</i></p>
COMHDHÁLACHA:	<p>The following conferences were proposed by Cllr. M. Buckley seconded by Cllr. L. Quinn, and agreed by the members:</p> <p>Douglas Hyde Conference 2011 BMW Regional Assembly, Ballaghaderreen, Co. Roscommon. 4th November 2011 It was agreed that Cllr. T. McKeigue would attend.</p> <p>Conference on the Great War 1914-1918 Westcourt Hotel, Drogheda 5th and 6th November 2011 It was agreed that Cllr. M. Buckley would attend.</p> <p>Local Government Powers to Create/Abolish Rights of Way The Kingsvalley Hotel, Merlin Park, Dublin Road, Galway City. 4th – 6th November 2011. It was agreed that Cllrs. J. Butterfield, P. Clendennen and N. Hogan would attend.</p> <p>Professional Development for Councillors – Strategic Planning for 2012: Creating a Practical Plan for Maximum Personal Productivity in 2012 11th – 13th November 2011 No member expressed an interest in attending.</p>
COMHFHREAGRAS:	<p>The members noted the correspondences received.</p> <p>The County Manager advised that the contents of the letter received from Mr. Eddie Kiernan, Private Secretary, Department of Environment, Community and Local Government, dated 4th October 2011, was in accordance with the information given to the members in July 2011 and that the Council would continue to proceed as outlined at that meeting.</p>
ANY OTHER BUSINESS:	<p>Ballydaly Residents Association: Cllr. M. Buckley requested that the Executive meet with the Ballydaly Residents Association to address their road safety concerns.</p> <p>Commercial Rates: Cllr. D. Owens, Cathaoirleach, noted Cllr. M. Buckley’s concerns in relation to revaluation of rates for commercial properties.</p>

This concluded the business of the meeting.

MINUTES CONFIRMED: _____
CATHAOIRLEACH **RUNAÍ**

21st November 2011