

COMHAIRLE CHONTAE UÍBH FHAILÍ

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

**HELD IN ÁRAS AN CHONTAE, TULLAMORE
ON MONDAY, 19TH SEPTEMBER 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. D. Conlon, H.O.F., Mr. F. Heslin, D.O.S., Mr. S. Murray, D.O.S., Ms. M. Cleary, Meetings Administrator, Mr. D. Hogan, S.E., Mr. J. Connolly, S.E.E., Ms. L. O'Sullivan, A/S.E.P., Ms. C. Hilliard, A.O., Mr. T. Shanahan, S.E. and Ms. V. Francis, A.S.O.

**VOTES OF
SYMPATHY:**

Votes of sympathy were unanimously extended to the following:-

Margaret Maher, Newtown, Ballybritt, Roscrea, on the death of her mother, Mary.

Ursula Bergin, Breaghmore, Fortal, Birr on the death of her father, Thomas.

Peggy Farrell and Family, Clonmullen, Edenderry on the death of her husband, Peter (Pee).

Angela Usher and Family, Kilcumber, Clonbullogue on the death of her husband, Paddy.

Eamon Guilfoyle, Ballydownan, Geashill on the death of his brother, Barry.

Ita Heavey, Clonmore, Rhode on the death of her husband, Bill.

Nan King, Dungar, Kilavilla, Roscrea on the death of her husband, Seamus.

Marie Kirwan, Cormac Street, Tullamore on the death of her husband, Liam.

Bridget Malone, The Hill, Banagher on the death of her brother, Kieran.

Cora Flaherty, Kinnitty, Birr on the death of her mother, Therese.

Ann Moran, Ross, Screggan on the death of her aunt, Kathleen.

The Mullen Family, Mountbolus, Tullamore on the death of their mother, Kathleen.

Ann and Sean Forrestal, Charleville Road, Tullamore on the death of her granddaughter, Leona.

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.

**VOTE OF
CONGRATULATIONS:**

Cllr. P. Clendennon acknowledged and congratulated Mr. Luke Maher for achieving All Ireland success in the U12 Fleadh Cheoil singing competition.

**CONFIRMATION OF
MINUTES:**

On the proposal of Cllr. M. Buckley, seconded by Cllr. J. Leahy, the minutes of Offaly County Council's Monthly Meeting held on 18th July 2011 were agreed and adopted.

**MINUTES FOR
NOTING:**

The following minutes were noted:

- Minutes of the Corporate Policy Group Meeting held on 20th June 2011;
- Minutes of the Environment and Water Services Strategic Policy Committee Meeting held on 8th June 2011;
- Minutes of the Planning and Economic Development Strategic Policy Committee Meeting held on 12th May 2011.

**SECTION 183, LOCAL
GOVERNMENT ACT, 2001
DISPOSAL OF LAND:
SITE NO 7
MEADOWLANDS,
KILCORMAC, CO.
OFFALY :**

On the proposal of Cllr. J. Leahy, seconded by Cllr. C. Hanniffy the members approved the disposal of land at Site No 7 Meadowlands, Kilcormac, Co. Offaly in accordance with the terms of the notice dated 2nd September 2011.

**SECTION 183, LOCAL
GOVERNMENT ACT, 2001
DISPOSAL OF LAND: NO.
3 ST. BRIGID'S PARK,
MOUNTBOLUS,
TULLAMORE, CO.
OFFALY:**

On the proposal of Cllr. J. Butterfield, seconded by Cllr. D. Owens the members approved the disposal of land at No. 3 St. Brigid's Park, Mountbolus, Tullamore, Co. Offaly in accordance with the terms of the notice dated 19th September 2011.

**PROPOSED POLICY
CHANGE FOR WASTE
WATER TREATMENT
AND DISPOSAL FOR
SINGLE DWELLINGS:**

Mr. J. Connelly, S.E.E., Environment gave a detailed presentation on proposed policy for on-site wastewater treatment and disposal for single dwellings. He advised that the S.P.C. had examined the proposed policy and had recommended as follows:

- (i) That the Council continue the practice of utilising Council staff to carry out percolation tests;
- (ii) Where the site conditions permit, i.e., the site conditions comply with specific conditions contained within the EPA Code of Practice, the Council will allow the use of septic tank systems; and
- (iii) For other sites which do not meet these specific conditions, but do comply with the requirements of

the EPA Code of Practice, effluent treatment systems will continue to be specified.

The members thanked Mr. Connelly for his presentation and welcomed the proposed changes noting that septic tanks are more economical to install and maintain.

In responding to questions Mr. Connelly advised that the Council had received no communication to date regarding the proposed national registration and inspections of septic tanks.

On the proposal of Cllr. E. Fitzpatrick, seconded by Cllr. J. Leahy the members agreed the proposed policy change for waste water treatment and disposal for single dwellings.

**PRELIMINARY FLOOD
RISK ASSESSMENT
STAGE - PUBLIC
CONSULTATION:**

Mr. D. Hogan, S.E., Environment advised that the public consultation phase in relation to the Preliminary Flood Risk Assessment (PFRA) continues until 1st November 2011. He advised that the members may, by reserved function, agree to prepare and forward a submission in relation to the PFRA to the OPW by that date.

The members in welcoming the information on the PFRA acknowledged that the identification and mapping of areas at risk of flooding will enable engineering measures to be put in place and the carrying out of more effective emergency works. Mr. Hogan informed the meeting that maps relating to Offaly were on public display outside the Environment Section's office.

It was agreed that the members would liaise with Mr. D. Hogan, S.E., and that a submission would be drafted for consideration at the October monthly meeting.

**DERRYCLURE WASTE &
RECYCLING FACILITY:**

Mr. S. Murray, D.O.S., drew the members' attention to the press release which had issued and was included with the Council's Agenda. Mr. S. Murray, D.O.S., clarified that the facility will continue to cater for small businesses and private household waste. He agreed to examine the proposal of introducing a transfer facility at Derryclure.

**PROPOSED PLAN AND
STRATEGIC
ENVIRONMENTAL
STATEMENT ON THE
DUBLIN REGION WATER
SUPPLY PROJECT:**

Mr. D. Hogan, S.E., Environment gave a presentation to the members with regard to the Dublin Region Water Supply Project. He noted that the members had received briefings at earlier meetings on this issue. Mr. Hogan advised that a *Proposed Plan And Strategic Environmental Statement On The Dublin Region Water Supply Project* had been published and he outlined the main components included in the Plan, namely:

- Abstraction of raw water from Lough Derg (400ml/day);
- Proposed raw water storage reservoir at Garryhinch, Co. Offaly covering 1400 acres (capacity 12 million cubic m.);
- Proposed midlands eco-park;
- Drinking water treatment plant at Garryhinch (356ml/day);

- Drinking water supply to greater Dublin region and Offaly;
- Capital cost of the scheme – approximately €545m.

Mr. D. Hogan informed the members that the next stages included the conducting of an Environmental Impact Assessment over the next two years; applying for an Abstraction Licence from the E.P.A.; applying for planning permission; and, a period for public consultation.

The members thanked Mr. D. Hogan for keeping them apprised of the project.

FINANCE REPORT:

Mr. D. Conlon, H.O.F., drew the members' attention to the financial reports which had circulated with the Agenda, i.e., Revenue Account Income & Expenditure Summary by Service Division to 30/06/2011; Analysis of Debtors to 30/06/2011 and Capital Account Income & Expenditure Summary by Service Division.

Mr. Conlon advised that these reports had been submitted to the Department in compliance with the EU/IMF reporting requirements.

Mr. Conlon drew the members' attention to the current revenue deficit of €2,165,427. He outlined that the main reasons for the deficit were:

- Write-offs of water invoices on a once off basis where leaks were not identified - €300,000;
- Increase in bad debt provision - €150,000;
- Increase in legal fees, in particular in relation to planning enforcement where the Council were awarded costs but, to date, had not managed to secure this money - €150,000; and
- Cost incurred with regard to the closure of Fire Stations - €900,000.

Mr. Conlon advised that the Council had a deficit from 2010 of €1.9m thereby resulting in the Council having a cumulative deficit of approximately €4m. Mr. Conlon advised that the Council were endeavouring to collect all monies owed and that he would bring an up-to-date report to the members at the November Council Meeting. He stressed that the Council would face significant challenges in preparing the 2012 Budget and advised that he proposed to discuss a draft 2012 Budget with the Corporate Policy Group in November 2011.

In responding to questions Mr. Conlon recommended that the members consider at the Budget meeting to addressing this deficit by having €800,000 as the first charge in each of the Council's budgets over the next 5 years.

The members acknowledged the difficult financial times ahead for the Council.

**WINTER SERVICE PLAN
FOR ROADS 2011-2012:**

Mr. F. Heslin, D.O.S., in presenting the *Winter Service Plan for Roads 2011-2012* noted that the Council had salted the roads seventy three times during the previous winter and had thirty consecutive days of ice and snow. He informed the members' that the Winter Maintenance Budget for 2011-2012 was €536,000.

Mr. Heslin drew the members attention to the priority 1, 2 and 3 routes identified in the Plan noting that:

- Priority 1 routes consist of National Primary, National Secondary and Motorway routes;
- Priority 2 routes are desirable key regional roads; and
- Priority 3 routes are desirable and may be treated subject to resources being available.

Mr. F. Heslin in responding to questions and concerns raised by members in relation to routes and villages not included in the report stressed that the Council needs to maximise and make choices with regard to the allocation of its resources noting that the allocation was finite and that manpower levels had significantly reduced in recent years. He advised that he was liaising with the surrounding counties to ensure that where roads were being treated that they would go from town to town rather than stopping at county borders. He advised that the Plan would be published and encouraged schools and local communities to make some preparations for icy conditions.

NOTICES OF MOTION:

- (i) On the proposal of Cllr. P. Ormond, seconded by Cllr. E. Dooley the members agreed the following motion:

“That Offaly County Council write to the Minister for Transport, Tourism & Sport to upgrade the level of service being provided on the Ballybrophy/Limerick railway line.”

- (ii) Cllr. J. Leahy drew the members attention to the correspondence received from Mr. Seán Gallagher addressed to himself and the Cathaoirleach advising that as he had received the required formal support of four councils that he was requesting that the motion be withdrawn. On the proposal of Cllr. J. Leahy the members agreed to withdraw the following motion:

“That this Council in accordance with Section 16(1) of the Presidential Elections Act, 1993 resolves to nominate Seán Gallagher to be a candidate at the forthcoming Presidential Election”

- (iii) Cllr. J. Foley proposed and Cllr. J. Butterfield seconded the following motion:

“That all elected members of Offaly County Council will in this tough economic climate, show leadership and voluntarily agree for a period of two years to have their representational payments, mileage rate, Cathaoirleach's expenses, various chairpersons

allowance cut by 50% and that these savings are ring fenced by Offaly County Council to fund the required essential emergency services in the county”.

Cllr. T. McKeigue proposed the following amendment which was seconded by Cllr. E. Dooley:

“To delete all words after ‘that’ and replace with the following: any member of the Council who wishes to voluntarily surrender any amount from their payments or allowances, may do so in accordance with existing practice by written communication with the Council.”

Cllr. J. Foley advised that he was not prepared to accept the counter-motion.

Following a discussion and in accordance with the Standing Orders a show of hands was taken on the amendment. The majority of the members supported the amendment and the Cathaoirleach declared the motion as amended passed.

- (iv) On the proposal of Cllr. J. Carroll seconded by Cllr. T. McKeigue the members agreed the following motion:

“That when drafting this year’s estimates we do an in-depth study of “The County Demand” and the effect it is having on Birr and Tullamore Town Councils”.

In responding Mr. D. Conlon, H.O.F, advised that charges will be reviewed while preparing the 2011 Budget and that a detailed breakdown will be provided to the members.

COMHDHÁLACHA:

The following conferences were proposed by Cllr. M. Buckley, seconded by Cllr. E. Dooley and agreed by the members:

LAMA – Autumn Seminar 2011 The Role of Tourism in Economic Recovery

Clonea Strand Hotel, Dungarvan

23rd & 24th September 2011

It was agreed that Cllr. J. Carroll, Cllr. S. Dooley, Cllr. D. Owens and Cllr. P. Rowland would attend.

23rd Year Autumn Seminar Greystones TC

“Local Democracy – A Vision for the Future”

Charlesland Golf & Country Club Hotel, Greystones, Co Wicklow

30th September – 2nd October 2011

It was agreed that Cllr. E. Fitzpatrick and Cllr. M. Buckley would attend.

*Local Government & Planning Seminar for Councillors
Patrick Punch Hotel, Limerick
7th & 8th October 2011*

It was agreed that Cllr. J. Butterfield and Cllr. C. Hanniffy would attend.

Getting a Grip 2011 – Substance Misuse – “A Health or Criminal Justice Issue?”

*Europe Hotel & Conference Centre, Killarney, Co Kerry
6th & 7th October 2011*

It was agreed that Cllr. J. Carroll and Cllr. Molly Buckley would attend.

*Social Housing Assessment Regulations 2011
Carlton Atlantic Coast Hotel Westport, The Quay,
Westport, Co Mayo
14th – 16th October 2011*

It was agreed that Cllr. N. Hogan and Cllr. D. Owens would attend.

Clare Tourist Council – “Tourism – The potential for Economic Growth”

*Falls Hotel, Ennistymon, Co Clare
24th 25th and 26th November 2011*

It was agreed that Cllr. M. Buckley, Cllr. J. Carroll, Cllr. E. Fitzpatrick and C. Hanniffy would attend.

Retrospective approval to be sought for Cllr. L. Quinn to attend the following conference:

*Domestic Water Meters for Ireland
Carrickdale Hotel, Carrickarnon, Dundalk, Co Louth
9th – 11th September 2011*

ANY OTHER BUSINESS:

FÁILTE Ireland

In responding to a question from Cllr. C. Hanniffy Mr. D. Kirrane, D.O.S. advised that he had received no communication in relation to the closure of the tourism office at Clonmacnoise and that he would seek clarification from FÁILTE Ireland.

Offaly Mental Health Talk Week

A number of members joined with Cllr. S. Moylan-Ryan in recognising the important awareness programme and complementing all those involved including Offaly Community Forum, H.S.E. and Offaly County Council.

Tidy Towns

The members acknowledged the work done by all the Tidy Town committees and congratulated all the award winners.

NPPR

In responding to a question Mr. D. Conlon advised that the Council was not required to issue invoices in relation to NPPR charges. He accepted that the penalties for late payments were significant but stressed that the liability rested with the house owner and that the scheme was widely advertised on the local and national press.

St. Patrick's Church, Clareen and Kilmochonna Church, Lusmagh

It was agreed that the Council would write to the Office of Public Works and request them to examine and maintain these churches.

This concluded the business of the meeting.

MINUTES CONFIRMED:

CATHAOIRLEACH

RUNAÍ

17th October 2011