

COMHAIRLE CHONTAE UÍBH FHAILÍ

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

**HELD IN ÁRAS AN CHONTAE, TULLAMORE
ON MONDAY, 20TH FEBRUARY 2012 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, 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., Mr. D. Mahon, S.E.O., Ms. S. O'Reilly, Arts Officer, Ms. M. Stuart, Co. Librarian, Mr. T. Shanahan, S.E., Mr. E. Lynch, A.P., Mr. D. Meehan, A.P., Ms. B. Maher, A.P., Ms. M. Cleary, Meetings Administrator, Ms. N. Troy, C.O.
APOLOGIES:	Cllr. J. Foley.
VOTES OF SYMPATHY:	<p>Votes of sympathy were unanimously extended to the following:-</p> <p>Maureen DeForge, Moorpark St., Birr, Offaly on the death of her husband, Michael, former staff member of Offaly County Council.</p> <p>Veronica Lucas & Family, Curraghavarina, Cuba Avenue, Banagher, Offaly on the death of her mother, Agnes.</p> <p>John Carty, Ballycrystal, Geashill, Offaly on the death of his father, Sean.</p> <p>Olive, Brigid & Siobhan Flynn, Kiladerry, Daingean, Offaly on the death of their father, Bert.</p> <p>Maura Claffey, Moorpark St., Birr, Offaly on the death of her husband, John.</p> <p>Tom Coughlin, Church Road, Tullamore, Offaly on the death of his brother, James.</p> <p>Maura Conroy, Arden Heights, Tullamore, Offaly on the death of her mother, Mary Duignan.</p> <p>Tim Spollen, Chapel St., Tullamore, Offaly on the death of his wife, Tess.</p> <p>Tess Bryan, Cloneyquinn, Portarlinton, Offaly on the death of her father, Dave Malone.</p> <p>Sheila Walsh, Cloneyhurke, Portarlinton, Offaly on the death of her mother, Elizabeth.</p>

	<p>The Higgins Family, Patrick Street, Portarlington, Offaly on the death of Brian.</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>
VOTES OF CONGRATULATIONS:	<p>Congratulations were extended to the women's cycling tandem team of Catherine Walsh and her pilot Francie Meehan, from Killurin, who claimed gold at the UCI 2012 Paracycling Track World Championships in Los Angeles. They were wished continued success for the future.</p> <p>The members extended congratulations and best wishes to the Coolderry Hurling Team on reaching the All Ireland Club finals. They were wished every success in the final on St. Patrick's day.</p>
CONFIRMATION OF MINUTES:	<p>On the proposal of Cllr. E. Dooley, seconded by Cllr. J. Leahy the minutes of January Monthly Meeting held in Áras an Chontae, on 16th January, 2012 were agreed and adopted.</p> <p>On the proposal of Cllr. D. Dolan, seconded by Cllr. M. Buckley the minutes of Special Meeting of Offaly County Council to consider the Reform of the Water Sector in Ireland held in Áras an Chontae, on 30th January, 2012 were agreed and adopted.</p>
MINUTES FOR NOTING:	<p>The following minutes were noted:</p> <ul style="list-style-type: none"> - Housing, Social & Cultural SPC held on 24th November 2011; - Corporate Policy Group held on 21st November and 7th December 2011.
MANAGER'S REPORT OF THE SUBMISSIONS RECEIVED IN RELATION TO VARIATION NO.1 OF THE COUNTY DEVELOPMENT PLAN 2009-2015 TO INCORPORATE THE CORE STRATEGY AND REMOVE PORTARLINGTON TOWN PLAN FROM VOLUME 2:	<p>Mr. D. Kirrane, DOS, drew the members' attention to the proposed Variation No. 1 of the County Development Plan 2009-2015 which was circulated to them on 31st January 2012. He advised that the Variation provided for the inclusion of the Core Strategy into the Plan and the removal of the Portarlington Town Plan from Volume Two.</p> <p>Mr. Kirrane advised that an objective of the Core Strategy was to ensure that land zoned in the County Development Plan is consistent with the Midland Regional Planning Guidelines. He informed the members that a joint Local Area Plan for Portarlington, between Laois County Council and Offaly County Council, was currently at pre-draft stage.</p> <p>In responding to a question raised Mr. Kirrane advised that the proposed Variation No. 1 was discussed with the Area Committees and that the making of the Variation was published, as required.</p> <p>Mr. E. Lynch, A.P., noted that 14 submissions were received within the statutory timeframe, 9 of these submissions related to the written statement of the Core Strategy and planning principles and 6 related to specific sites and the</p>

zoning/phasing of land.

Cllr. D. Owens, Cathaoirleach, requested the members to consider each of the Manager's responses on an individual basis. He invited Mr. E. Lynch to go through each of the individual submissions and the Co. Manager's response and recommendation on each.

Mr. E. Lynch drew the members' attention to Section 3 which detailed the submissions received from the Minister and MRA. The members noted the Manager's response in relation to each of the issues raised and advised that they were in agreement with each of the Manager's responses and recommendations.

Mr. E. Lynch drew the members' attention to Section 4 which detailed the 8 submissions received from Public Bodies. The members stated their agreement to each of the Co. Manager's responses and recommendations in relation to the submissions received.

Mr. E. Lynch drew the members' attention to Section 5 which detailed the site specific submissions. He advised that 3 of the submissions related to lands in Banagher, 1 to lands in Kilcormac, 1 in Riverstown and 1 to lands in Rahan. A lengthy discussion on the Manager's responses and recommendations ensued.

Cllr. S. Moylan-Ryan proposed that the lands referred to in submission 9 from Hugh and Carmel Horan, Mullaghakaraun, Banagher and submissions 11 and 12 from Thomas Langtry, Main Street, Banagher not be phased and remain designated for the development of housing for the duration of the plan. Cllr. T. McKeigue seconded the proposal. Mr. D. Kirrane, DOS, informed the members that for the proposal to be valid the members should identify other lands that could be considered in their place for phasing. It was agreed to defer consideration of this matter until after the afternoon break to afford the members a further opportunity to identify alternative lands.

Mr. E. Lynch drew the members' attention to the Manager's response and recommendation in relation to Submission 14 from Mr. Thomas Feighery, Kinnitty Road. The members advised that they were in agreement with the Manager's response and recommendation.

The members noted the Manager's response in relation to Submission 5 from John Mollin, Rahan, Tullamore and advised that they were in agreement with the Manager's response and recommendation.

During the discussion in relation to Submission No. 13 from O'Halloran & Rooney, Architects & Interior Designers, 3 The Beehives, Ballingerry, Mullingar on behalf of Jason Tooher Cllr. P. Ormond advised that planning permission on these lands was being actively pursued at this time.

	<p>It was agreed to adjourn the meeting to allow the members an opportunity to consider alternative lands that could be phased in relation to Submission Nos. 9, 11, 12 and 13.</p> <p>The meeting resumed at 4.35pm.</p> <p>The members advised that they had considered the issues and were now in a position to agree with the Manager's recommendation in relation to Submission Nos. 9, 11, 12 and 13. They also that the subject matter to which Submission No. 13 referred would be considered again during the forthcoming variation of the Birr & Environs Town Development Plan relating to the Core Strategy.</p> <p>On the proposal of Cllr. E. Dooley, seconded by Cllr. P. Rowland, the members resolved to adopt the Variation No.1 of the Offaly County Development Plan 2009-2015 including:</p> <ul style="list-style-type: none"> a) The inclusion of a Core Strategy; and b) The removal of the Portarlington Town Plan from Volume 2 <p>as placed on public display on 7th December 2011 and as amended in accordance with the recommendations contained within the Manager's Report circulated on 31st January 2012 as agreed at the monthly meeting of Offaly County Council on the 20th February 2012.</p>
<p>NOMINATION/ELECTION TO JOINT POLICING COMMITTEE:</p>	<p>Ms. M. Cleary, Meetings Administrator, informed the members that Cllr. N. Hogan had resigned her position on the Joint Policing Committee and requested nominations for her replacement.</p> <p>Cllr. M. Buckley proposed Cllr. T. McKeigue as her replacement. This proposal was seconded by Cllr. C. Hanniffy and agreed by the members.</p> <p>Ms. M. Cleary advised that the Community Forum had informed the Joint Policing Committee that Mr. B. Harte would be replacing Mr. S. Cooke on the Committee.</p>
<p>2012 DRAFT DIFFERENTIAL RENT SCHEME:</p>	<p>Mr. D. Mahon, SEO Housing drew the members' attention to the <i>Draft Differential Rent Scheme</i> that was circulated with the Agenda. He informed the meeting that the major changes included: the elimination of the maximum and minimum rent; the removal of child maintenance from the calculation of rent; the introduction of a penalty rent for the non-submission of income details; an increase of rent for caravan bays and demountable dwelling; and, the inclusion of an Appeals process in the Scheme.</p> <p>Cllr. M. Buckley, Chairperson Housing, Social & Cultural SPC advised that the Scheme was considered by the SPC and that the SPC were recommending the Scheme to the members. She advised that the SPC considered the Draft Scheme to be more equitable.</p>

	<p>A lengthy discussion ensued during which the members sought the removal of family income supplement from the calculation of the differential rent and the elimination or reduction in the penalty rent.</p> <p>In bringing the discussion to a conclusion Mr. S. Murray agreed to refer the <i>Draft Differential Rent Scheme</i> back to the SPC for further consideration.</p>
<p>HOUSING SUPPORT GRANTS 2012:</p>	<p>Mr. D. Mahon, SEO Housing informed the meeting that having regard to the reduced Housing Support Grants adopted budget and the members comments during the Budget 2012 meeting that the Housing Section had reviewed how the Housing Support Grants were being administered.</p> <p>Mr. D. Mahon advised that the proposals circulated would allow the Council to: facilitate a greater number of applications; align necessary works with the needs of the individual; and, have regard to reduced building costs. He proposed that, due to the number of applications in-hand and the reduced budget, the Council refrain from accepting Housing Aid for Older People applications during 2012. Mr. D. Mahon suggested that this decision would be reviewed after a 12 month period. In responding to questions raised Mr. D. Mahon stressed that the earliest that works for new applications would commence would be at least 2015. Accordingly, he recommended that Offaly County Council suspend the acceptance of HAOP applications as an unrealistic expectation that works would be carried out was given to applicants when the Council accepted applications.</p> <p>Mr. D. Mahon advised that the reduction in maximum grants being proposed were close to the average payments for these grants over the past number of years.</p> <p>The members expressed their dissatisfaction with the reduced grant payments and the suspension of receipt of HAOP applications. They acknowledged that work may not be completed but stressed that the Authority should not refuse applications.</p> <p>In concluding the discussion Mr. S. Murray, DOS, noted that it was a matter of decreasing the value of the grant or decreasing the number of approved applications. He advised that the schemes were already suspended in a number of Councils. He advised members that some applicants may be given an unrealistic expectation that works would be done and that applicants may be incurring costs when submitting their application. He reiterated that the reduced grant allocation was reflective of the grants being awarded.</p> <p>Mr. S. Murray, DOS, accepted the members' position and advised that the Council would continue to accept applications and continue to manage the resources to ensure that the best use of public money was being achieved.</p>

<p>DRAFT ARTS PLAN 2012-2016:</p>	<p>Ms. S. O'Reilly, Arts Officer gave a comprehensive presentation of the <i>Draft Arts Plan 2012-2016</i>. Cllr. M. Buckley acknowledged the social benefits and economic potential that a vibrant arts culture can bring to the community. She recognised the severe cuts that were made to the Arts budget over recent years. On the proposal of Cllr. M. Buckley, seconded by Cllr. S. Dooley it was agreed that the <i>Draft Arts Plan 2012-2016</i> would be placed for public consultation.</p>
<p>SUSPENSION OF STANDING ORDERS</p>	<p>On the proposal of Cllr. J. Carroll, seconded by Cllr. P. Rowland the members resolved to suspend Standing Orders to allow the meeting to continue beyond 6pm.</p>
<p>TWO YEAR PROGRESS REPORT FOR THE BIRR TOWN AND ENVIRONS DEVELOPMENT PLAN 2010-2016 – MR. D. KIRRANE, DOS:</p>	<p>On the proposal of Cllr. D. Owens, seconded by Cllr. E. Dooley, the members agreed to suspend consideration of this item until the March Council meeting.</p>
<p>REFORM OF THE WATER SECTOR IN IRELAND:</p>	<p>Mr. S. Murray, DOS, referred the members to the submission drafted following the Special Meeting of Offaly County Council held to consider the Reform of the Water Sector in Ireland on 30th January, 2012.</p> <p>Cllr. C. Hanniffy thanked Mr. S. Murray for drafting the submission and proposed that it be adopted and forwarded to the Department.</p> <p>Cllr. S. Dooley outlined her disappointment that the submission did not refer to comments, made by her on behalf of the Fianna Fail group, i.e., that if Irish Water is to be established that it would be best served by being awarded to an existing semi state company.</p> <p>Mr. S. Murray advised that he had attempted to write the submission based on the consensual agreement of the members at the January meeting and that any individual or group could make a submission to the Department.</p> <p>On the proposal of Cllr. C. Hanniffy, seconded by Cllr. D. Dolan the members resolved to forward the submission as circulated to the Department.</p>
<p>UPDATE ON SERVICE DELIVERY FOLLOWING ADOPTION OF 2012 BUDGET:</p>	<p>Mr. P. Gallagher, County Manager, informed the meeting that Heads of Section had prepared an Operational Plan for their service areas for 2012 having regard to the allocated resources, both human and financial. They had examined the impact of budget reductions on the level of services to be provided in 2012. These impacts will as far as practicable, he advised, be kept to a minimum so that the public can avail of best affordable services. However, there will be a general reduction in routine maintenance, repair, and operations across all areas. The Manager advised that these reductions will impact on responsiveness and internal controls/risk management, and, over time, on the condition of</p>

	<p>assets/infrastructure. The Manager informed the members that the report circulated at the meeting outlined some of the significant items from these Plans and that it also addressed the highly inaccurate reports that were communicated in the media the previous week.</p> <p>Cllr. D. Owens, Cathaoirleach welcomed the corrections that were provided which, he advised, corrected the misinformation that was disseminated in the media.</p> <p>During the lengthy discussion that followed a number of members expressed their dissatisfaction with a number of the proposed cost saving measures. The decision to reduce opening hours in the branch library network was strongly opposed by a number of members and they requested that the decision be considered further.</p> <p>Mr. S. Murray, DOS, informed the members that the opening hours were based on statistical data gathered regarding the use of the various library services. He noted that it was an executive decision of the Council taken as a result of the reduced staff numbers and that the Council was seeking to match staff resources with the needs of customers.</p> <p>It was agreed that the Council would inform the HSE that the Fire Service were withdrawing from responding to assist in cases of medical emergency and advise the HSE that the decision was as a result of the HSE continuing to decline payment for such assistance.</p>
<p>BRIEFING ON THE RECENTLY COMMENCED EVALUATION OF THE CURRENT WASTE MANAGEMENT PLAN FOR THE MIDLANDS REGION:</p>	<p>Mr. S. Murray, DOS drew the members attention to the information note circulated with the Agenda on the recently commenced evaluation of the current Waste Management Plan for the Midlands Region.</p> <p>Cllr. G. Plunkett expressed his dissatisfaction at the Council's response to the unauthorised development in Barnan, Daingean. Mr. S. Murray, DOS, in responding advised that the Environment Section had carried out a number of inspections and were satisfied that the contractor was operating in accordance with the Waste Permit. Mr. D. Kirrane, DOS, advised that unauthorised developments may be pursued under the Planning legislation and the final resolution for unauthorised developments may be a matter for the courts.</p>
<p>CORPORATE POLICY GROUP REPORT:</p>	<p>Cllr. D. Owens Cathaoirleach informed the meeting that the Corporate Policy Group had reviewed the Council Agenda.</p> <p>On the recommendation of the Corporate Policy Group Cllr. M. Buckley proposed and Cllr. P. Clendennen seconded that an invitation be extended to Minister Deenihan, Department of Arts, Heritage and the Gaeltacht to the opening of the <i>Engage with Architecture</i> exhibition and that should this date be unsuitable that he would be welcome to attend any of the other event engagements during March. The members agreed to the proposal.</p>

	The members agreed that LAMA would be invited to use the Council Chamber to hold their meeting scheduled for 10th March 2012.
LAUNCH OF 'PORT'S VISION 2020':	It was agreed to defer this item to the March monthly meeting.
NOTICES OF MOTION:	It was agreed to defer consideration of the Notices of Motion to the March monthly meeting.
COMHDHÁLACHA:	<p>On the proposal of Cllr. E. Dooley, seconded by Cllr. J. Leahy, conferences were approved as follows:</p> <p><i>Dealing with Personal Insolvency</i> Westport Plaza hotel, Castlebar Street, Westport, Co Mayo 2nd – 4th March 2012 It was agreed that Cllrs. M. Buckley and C. Hanniffy would attend.</p> <p><i>Changes to Quarry Legislation & Substitute Consent Procedures</i> Tullamore Court Hotel, Tullamore, Co. Offaly. 8th March 2012 It was agreed that Cllrs. E. Fitzpatrick and J. Butterfield would attend.</p> <p><i>Amalgamations & Reforms in Local Government</i> Silver Tassie Hotel, Letterkenny, Co. Donegal. 23rd – 25th March 2012 It was agreed that Cllrs. M. Buckley, P. Clendennen and N. Hogan would attend.</p> <p><i>What it takes to succeed in the Tourism Sector</i> Ballymascanlon House Hotel, Dundalk, Co. Louth 28th March 2012 It was agreed that Cllrs. M. Buckley and C. Hanniffy would attend.</p> <p><i>Atlantic Conference on STEM Education 2012</i> Tullamore Court Hotel, Tullamore, Co. Offaly. 29th March 2012 It was agreed that Cllr. E. Fitzpatrick would attend.</p> <p><i>LAMA Spring Seminar</i> Tower Hotel, Waterford. 13th – 14th April 2012 It was agreed that Cllrs. T. McKeigue and E. Fitzpatrick would attend.</p>
COMHFHREAGRAS:	The members noted the correspondences received.
ANY OTHER BUSINESS:	There were no other matters arising.

This concluded the business of the meeting.

MINUTES CONFIRMED: _____

CATHAOIRLEACH

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26TH MARCH 2012