

**COMHAIRLE CHONTAE UÍBH FHAILÍ**

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

**HELD IN ARAS AN CHONTAE, CHARLEVILLE ROAD, TULLAMORE  
ON MONDAY, 18<sup>TH</sup> FEBRUARY 2013 AT 2.00P.M.**

<b>PRESENT:</b>	Cllr. P. Ormond (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, D. Owens, G. Plunkett, L. Quinn and P. Rowland.
<b>IN ATTENDANCE:</b>	Mr. P. Gallagher, County Manager, Mr. D. Kirrane, D.O.S. Mr. S. Murray, D.O.S. Mr. F. Heslin, D.O.S., Mr. T. Mawe, A/H.O.F., Ms. M. Cleary, Meetings Administrator, Mr. T. Shanahan, S.E., Ms. A. Walsh, E.P., Mr. E. Lynch, A.P., Ms. S. O' Reilly, Arts Officer, Mr. D. Meehan, E.P., Ms. F. Flaherty C.O.
<b>VOTES OF SYMPATHY:</b>	<p>Votes of sympathy were unanimously extended to the following:-</p> <p>Mr. P. Gallagher, County Manager on the death of his aunt, Patsy Cannon, wife of Vincent Cannon, The Walk, Kinnitty.</p> <p>Cllr. P. Ormond, Cathaoirleach on the death of his father-in-law, Stephen Oakley.</p> <p>John Dench, Offaly County Council on the death of his mother Esther Dench (nee Kennedy).</p> <p>Catherine Slevin, Offaly County Council on the death of her mother, Kathleen Brophy.</p> <p>The Mulhall Family, Oughter, Rahan on the death of their son Raymond.</p> <p>The Kelly Family, Shannonbridge on the death of their son Alan</p> <p>The Pender Family, Rooske, Edenderry on the death of their father, Ned</p> <p>The Standish Family, The Leap, Birr on the death of their father, Joe.</p> <p>Mr. William Mahon, Miletree, Birr on the death of his brother, Seamus.</p> <p>The Loughnane Family on the death of their father, Brendan.</p> <p>Breda Casey, Garryhinch, Portarlinton on the death of her</p>

	<p>uncle, Michael.</p> <p>David Mooney, Treascon, Portarlinton on the death of his wife Ann.</p> <p>Mrs. Margaret Murphy, Streamstown, Fortel, Birr on the death of her brother, Monty Franks.</p> <p>Grace O' Keeffe, Erry, Clara on the death of her father, Brendan.</p> <p>Rosie Dolan, Charlestown, Clara on the death of her husband, Paddy.</p> <p>Josie Simpson, Marion Square, Clara on the death of his mother, Margaret Simpson.</p> <p>Adrienne Wynne, Kilbride, Clara on the death of her mother, Mary Feehan.</p> <p>Dolores Dunne, The Green, Clara on the death of her mother, Frances Redmond.</p> <p>Stan Mulvin, Rooske, Edenderry on the death of his wife, Ise.</p> <p>Richard Egan, Spollanstown, Tullamore on the death of his grandmother, Kathleen.</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>
<b>VOTES OF CONGRATULATIONS:</b>	Votes of congratulations were extended to Kilcormac/Killoughey Senior Hurling Team on winning the All Ireland Club Semi Final and to their manager Cllr. D. Owens.
<b>CONFIRMATION OF MINUTES:</b>	<p>Ms. M. Cleary, Meetings Administrator advised that the minutes of the meeting held on 21<sup>st</sup> January 2013 in relation to the <i>Draft Housing Grant Schemes 2013</i> should read that <i>'the Housing Adaptation Grants were reduced to €20,000'</i> not €30,000 as stated. The minutes should also record that <i>'the members agreed that applicants approved for a grant under the Scheme that no subsequent application for an additional grant will be accepted for a period of five years.'</i></p> <p>On the proposal of Cllr. E. Dooley and seconded by Cllr. L. Quinn, the amended minutes of the January Monthly Meeting held in Áras an Chontae, on 21<sup>st</sup> January 2013 were agreed and adopted.</p>
<b>MINUTES FOR NOTING:</b>	The minutes of the Corportate Policy Group meeting held on 19 <sup>th</sup> and 30 <sup>th</sup> November 2012 were noted.
<b>S183 LOCAL</b>	On the proposal of Cllr. D. Dolan, seconded by Cllr. M.

<p><b>GOVERNMENT ACT 2001- DISPOSAL OF FREEHOLD INTEREST IN SITE NO. 43 CLUAIN FIA, CLARA:</b></p>	<p>Buckley, the members resolved to dispose of freehold interest in Site No. 43 Cluain Fia, Clara in accordance with the terms of the notice dated 1<sup>st</sup> February 2013.</p>
<p><b>S183 LOCAL GOVERNMENT ACT 2001- DISPOSAL OF LEASEHOLD INTEREST IN 0.53 ACRES AT CEMETERY RD, CRINKLE:</b></p>	<p>On the proposal of Cllr. J. Carroll, seconded by Cllr. P. Clendennen, the members resolved to dispose of leasehold interest in 0.53 acres at Cemetery Road, Crinkle, Birr in accordance with the terms of the notice dated 28<sup>th</sup> January 2013.</p>
<p><b>S183 LOCAL GOVERNMENT ACT 2001- SALE OF LAND 0.8 ACRES AT CORRAFURRISHA AND CORRABEG, BALLYCUMBER</b></p>	<p>On the proposal of Cllr. E. Dooley, seconded by Cllr. C. Hanniffy, the members resolved to the sale of land 0.8acres at Corrafurrish and Corrabeg, Ballycumber in accordance with the terms of the notice dated 1<sup>st</sup> February 2013.</p>
<p><b>CONSIDERATION OF THE MANAGERS REPORT ON THE SUBMISSIONS RECEIVED RELATING TO PROPOSED VARIATION NO.1 OF THE BIRR TOWN AND ENVIRONS DEVELOPMENT PLAN 2010 -2016 AND PROPOSED VARIATION NO. 3 OF THE OFFALY COUNTY DEVELOPMENT PLAN 2009-2015</b></p>	<p>Mr. D. Kirrane, DOS, informed the meeting that the proposed Variation No.1 of the Birr Town and Environs Development Plan 2010 -2016 comprised of two sections, Part A: the inclusion of the Core Strategy into the plan, and Part B: inserts the Riverstown Village Plan into the Plan.</p> <p>Mr. D. Kirrane, DOS, advised that the Proposed Variation No. 3 of the Offaly County Development Plan 2009-2015 provides for the removal of the Riverstown Village Plan from Volume 2 of the plan.</p> <p>Mr. E. Lynch, A.P., drew the members' attention to the Manager's report on the submissions received. He noted that nine (9) submissions were received, i.e., six (6) from public bodies and related to the written statement of the Core Strategy and planning principles and three (3) from individuals and related to specific sites and the zoning/phasing of land.</p> <p>Mr. E. Lynch, A.P., outlined Submission No. 6 received from the Department of Environment, Community and Local Government and noted the County Manager's recommendation. On the proposal of Cllr. J. Carroll, seconded by Cllr. J. Leahy, the members resolved to adopt the County Manager's recommendation.</p> <p>Mr. E. Lynch, A.P., detailed Submission No. 4 received from the Midland Regional Authority. He summarised seven (7) elements of the submission to which the County Manager was recommending no change. On the proposal of Cllr. J. Carroll, seconded by Cllr. J. Leahy, the members resolved to adopt the County Manager's 'no change' recommendation.</p> <p>Mr. E. Lynch, A.P., proceeded to detail the three (3) changes that the County Manager was proposing in relation to the Midland Regional Authority's submission.</p> <ul style="list-style-type: none"> <li>- On the proposal of Cllr. J. Carroll, seconded by Cllr. J. Leahy, the members resolved to adopt the County</li> </ul>

Manager's clarification as per page 10 of his report, i.e. *'For the purposes of this Riverstown Village Plan, lands designated 'Other Settlement Lands' shall have the objectives and meaning assigned to them in Paragraph 18.3.3 and Table 18.1 of the Offaly County Development Plan 2009-2015.'*;

- On the proposal of Cllr. L. Quinn, seconded by Cllr. M. Buckley, the members resolved to adopt the County Manager's amendment, detailed on page 12 of his Report, which was noted to be a non-material change detailing a change in the language used;
- On the proposal of Cllr. L. Quinn, seconded by Cllr. J. Carroll, the members resolved to adopt the County Manager's recommendation on page 13 of the report noting that it was a minor non material change to the text of Table 1.

The County Manager's recommendation in relation to Submission No. 2 from the Office of the Environmental Assessment, Environmental Protection Agency was proposed by Cllr. L. Quinn, seconded by Cllr. J. Carroll and agreed by the members.

The County Manager's recommendation in relation to Submission No. 1 made on behalf of the National Roads Authority was proposed by Cllr. J. Carroll, seconded by Cllr. J. Leahy and agreed by the members.

The County Manager's recommendation in relation to Submission No. 1 made on behalf of the Dublin Airport Authority was noted and agreed by the members.

The County Manager's recommendation in relation to Submission No. 3 made on behalf of the Department of Education and Skills was proposed by Cllr. J. Carroll, seconded by Cllr. J. Leahy and agreed by the members.

Mr. E. Lynch, A.P. stated the following ahead of submissions that dealt with zoning: 'The requirements and the rationale for the inclusion of phased lands are outlined in the variation. The phasing approach has been applied as the overall quantity of zoned land in Birr Town and Environs is far in excess of the quantity required in order to meet the population targets outlined in the MRPGs. The preliminary results of the Census 2011 published in June 2011 found that Birr Town and Environs had a population of 5,716, in the current Birr Town and Environs Development Plan there are approximately 133 hectares of undeveloped residentially zoned lands. At a density of twelve to the hectare this would allow for an additional 1,596 dwellings, the current zoning would allow for an additional population of approximately 4,100 people in Birr within the lifetime of the plan'.

Taking into account the density of 12 units per hectare and accounting for development in the settlement since 2006, a dereliction rate of 2% per annum and a projected average

	<p>household size of 2.56 people, that the Core Strategy Table has allocated 40ha of housing land in Birr Town. Members are strongly advised that to zone in excess of the quantity of land for housing development would be contrary to the proper planning and sustainable development of Birr Town.”</p> <p>The members noted and agreed that Submission No. 7 Elizabeth Pardy, Burke’s Hill, Birr related to the Town Council’s functional area and therefore was not for the consideration of the County Council.</p> <p>The County Manager’s recommendation in relation to Submission No. 8 Thomas Smyth was proposed by Cllr. J. Carroll, seconded by Cllr. L. Quinn and agreed by the members.</p> <p>The County Manager’s recommendation in relation to Submission No. 9 John Hoare, Roscrea Road, Birr was proposed by Cllr. J. Carroll and seconded by Cllr. D. Dolan. Cllr. P. Clendennen proposed that the lands continue to be zoned for ‘Residential’ use Variation No. 1. This proposal was seconded by Cllr. T. McLoughlin. During the ensuing discussion Mr. E. Lynch, A.P. advised that members would have to outline the planning reasons for not accepting the Manager’s recommendation and indicate on a map the alternative lands in Crinkle village that should be phased in lieu of these lands. The members agreed to adjourn the meeting for ten minutes to allow the members to consider alternative lands for zoning. When the meeting resumed Cllr. P. Ormond, Cathaoirleach informed the meeting that the members had been unable to identify alternative lands and accordingly the counter-proposal was invalid. The members resolved to adopt the County Manager’s recommendation proposed by Cllr. J. Carroll and seconded by Cllr. D. Dolan in relation to Submission No. 9 John Hoare, Roscrea Road, Birr.</p> <p>On the proposal of Cllr. J. Carroll, seconded by Cllr. J. Leahy, the members resolved to adopt Variation No. 3 of the Offaly County Development Plan 2009-2015 and Variation No. 1 of the Birr Town and Environs Development Plan 2010-2016 (as it applies to the functional area of Offaly County Council), having been placed on public display from the 21<sup>st</sup> November 2012 to the 20<sup>th</sup> December 2012 and as amended in accordance with the recommendations contained within the Manager’s Report circulated on the 24<sup>th</sup> January 2013 and as considered and agreed at the monthly meeting of Offaly County Council on the 18<sup>th</sup> February 2013.</p>
<p><b>IRISH WATER UPDATE</b></p>	<p>Mr. T. Shanahan, S.E. gave a detailed presentation to the meeting on the current position with regard to the establishment of Irish Water. He advised that the Irish Water bill, currently before the Houses of the Oireachtas provide that Irish Water would by statute be allocated full responsibility for all aspects of water services planning and</p>

	<p>delivery at national, regional and local levels. Local Authorities would no longer have a role in water services provision. The Bill also provides that some key executive roles currently undertaken by the DECLG would transfer to Irish Water. The DECLG, he advised, will retain policy functions.</p> <p>The members thanked Mr. T. Shanahan, S.E. for the presentation. A lengthy discussion ensued. The members raised concerns in relation to: future employment of Council staff; retention of local knowledge; metering; possibility that apartments may not be metered; storm water; standing charges. The members expressed concern that there was no mechanism for engaging with elected representatives and policy makers and enquired if any forum to address these concerns was being established. A number of members raised concerns regarding the future of Group Water Schemes. The loss of the Council's investment in water schemes and whether Councils will be recompensed for this loss was also raised.</p> <p>Mr. S. Murray, DOS, in responding to questions raised advised that a number of the issues and concerns raised by them are currently being considered at this time.</p>
<p><b>MUSIC GENERATION UPDATE</b></p>	<p>Ms. S. O'Reilly, Arts Officer gave a comprehensive presentation on Music Generation Project, the national initiative funded by U2 and the Ireland Funds to increase accessible music education to young people in Ireland. She informed the members that Offaly County Council, in partnership with Westmeath County Council, was awarded support for a 3-year programme, total value of €1,116,000. She advised that the Councils will work with VEC's, Community Forum, Local Development Companies, County Childcare Committee's and Comhairle na Óg, musicians and teachers.</p> <p>The members congratulated the partnership approach adopted when applying for the grant and welcomed the project which they hoped would have a positive effect on the community.</p>
<p><b>CORPORATE POLICY GROUP REPORT:</b></p>	<p>Cllr. P. Ormond, Cathaoirleach informed the meeting that the Council Agenda was considered and a list of conferences was approved at the Corporate Policy Group meeting held earlier that day. He advised that the Manager had informed the meeting that the Household Charge collection rate was 64.1%. The CPG had agreed that the Roads and Infrastructure SPC would consider the deterioration of the county's local roads and prepare a strategy for the consideration of the Council.</p> <p>Cllr. P. Ormond, Cathaoirleach thanked all involved in the launch of The Gathering via a telecommunications link between Rhode and the Offaly Association in London.</p>

<p><b>NOTICES OF MOTION:</b></p>	<p>(i) The following motion was proposed by Cllr. T. McKeigue, seconded by Cllr. P. Clendennon and agreed:</p> <p><i>“Now that there is great interest in development of wind farms in Co. Offaly and with companies approaching landowners with offers etc, I request that this Council carry out a complete assessment of our policies regards locations, height of structures and impact if any on families living in close proximity to those structures.”</i></p> <p>A lengthy discussion on the issues relating to wind farms and the location of turbines followed. Mr. D. Kirrane, DOS, advised that planning applications for wind energy developments are assessed against a variety of policies, guidelines, legislation and standards including the policies and objectives of the Offaly County Development Plan 2009-2015 (in particular those listed in Chapter 8), The Department of the Environment, Community and Local Government’s Wind Energy Development Guidelines and the Offaly Wind Strategy.</p> <p>Mr. D. Kirrane, DOS advised that the Department’s Wind Energy Development Guidelines set standards and practice relating to both policy and individual applications including ‘Environmental Implications’, ‘Aesthetic Considerations in Siting and Design’ and ‘Planning Conditions’. He noted that parts of the guidelines are currently under review. The Offaly Wind Strategy prepared in 2008, he advised, provides information on the Areas Suitable for Wind Energy Development, in particular where windfarms will be ‘open for consideration’ subject to planning considerations and where they ‘shall not normally be permitted’. Mr. D. Kirrane, DOS noted that the review of the County Development Plan commenced on November 28<sup>th</sup> 2012 and advised that as part of the overall review of that plan, planning staff are examining the current Wind Strategy as well as accompanying policies and objectives included in the plan relating to wind energy development.</p> <p>(ii) The following motion was proposed by Cllr. T. McKeigue, seconded by Cllr. L. Quinn and agreed:</p> <p><i>“In order to have a level playing pitch for all retailers in the Country, that Offaly Co. Council investigate the possibility of having car parks associated with out of town shopping centres rated or apply a local tariff or tax.”</i></p> <p>The members agreed to write to the Valuation Office.</p>
<p><b>COMHDHÁLACHA:</b></p>	<p>On the proposal of Cllr. L. Quinn, seconded by Cllr. E. Fitzpatrick, conferences were approved as follows:</p> <p><i>“Economic Recovery – Progress in the Regions” Horse &amp; Jockey Hotel, Thurles, Co. Tipperary</i></p>

	<p>28<sup>th</sup> February – 1<sup>st</sup> March 2013 It was agreed that Cllr. M. Buckley would attend.</p> <p><i>“Association of County &amp; City Councils Annual Conference”</i> <i>Tower Hotel, Waterford</i> <i>7<sup>th</sup> - 8<sup>th</sup> March 2013</i> It was agreed that Cllrs. T. McKeigue, C. Hanniffy &amp; E. Fitzpatrick would attend.</p> <p><i>“Local Government supporting Volunteerism”</i> <i>Manor West Hotel, Killarney Road, Tralee, Co. Kerry</i> <i>8<sup>th</sup> - 9<sup>th</sup> March 2013</i> It was agreed that Cllrs. M. Buckley &amp; L. Quinn would attend.</p>
<p><b>COMHFHREAGRAS:</b></p>	<p><u>Circular PL2/2013: Update on the National Spatial Strategy</u> Cllr. P. Ormond, Cathaoirleach drew the members’ attention to <i>Circular PL2/2013: Update on the National Spatial Strategy</i> which was circulated at the meeting. The County Manager welcomed the clarification stating that designation of Tullamore as part of the Midlands Gateway was a positive influence when seeking investment. He stressed that it was important that the county retain a prominent position in future plans.</p>
<p><b>ANY OTHER BUSINESS:</b></p>	<p><u>Roads:</u> Cllr. L. Quinn raised concerns over the deteriorating state of the local road network, citing issues in the Edenderry Area. Cllr. G. Plunkett advised that he had raised the matter at the Corporate Policy Group meeting earlier that morning and it was agreed that the Infrastructure and Emergency Services SPC would consider the matter at their next meeting.</p> <p><u>Household Charge:</u> Cllr. T. McLoughlin enquired what the Household Charge collection rate was. The County Manager informed the meeting that current collection rate was 64.56%.</p> <p><u>The Gathering:</u> Cllr. L. Quinn thanked all involved with the successful launch of The Gathering via video conference call between Rhode and an Offaly Association in London.</p>

This concluded the business of the meeting.

**MINUTES CONFIRMED:**

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**CATHAOIRLEACH**

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**25<sup>th</sup> March 2013**