

COMHAIRLE CHONTAE UÍBH FHAILÍ

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

**HELD IN ÁRAS AN CHONTAE, CHARLEVILLE ROAD, TULLAMORE
ON MONDAY, 15TH JULY 2013 AT 2.00P.M.**

PRESENT:	Cllr S. Moylan-Ryan (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, J. Leahy, T. McKeigue, T. McLoughlin, P. Ormond, D. Owens, G. Plunkett, L. Quinn
APOLOGIES:	Cllr. P. Rowland, Mr. D. Kirrane DOS, Mr. S. Murray, DOS
IN ATTENDANCE:	Mr. P. Gallagher, County Manager, Mr, T. Shanahan A/D.O.S. Mr. M. Daly, A/D.O.S. Mr. F. Heslin, D.O.S., Mr. D. Conlon, H.O.F., Mr. G. Bruton, A/Meetings Administrator, Ms. F. Flaherty C.O., Ms. Alma Walsh, A/S.E.P.
VOTES OF SYMPATHY:	<p>Votes of sympathy were unanimously extended to the following:-</p> <p>Hugh Thomas and family, 21 O' Molloy St, Tullamore on the death of his wife, Frances</p> <p>Anne Claffey, Mucklagh, Tullamore on the death of her husband, Joseph</p> <p>Tony Claffey, Blueball, Tullamore on the death of his brother, Joseph</p> <p>Cllr. T. McKeigue and his wife Anne on the death of his sister-in-law, Gerty Hanly</p> <p>Cllr. D. Owens and family on the death of his father-in-law</p> <p>Cllr. P. Rowland and family on the death of his father-in-law, Paddy O' Donnell</p> <p>Richard Mangan, Ballylennon, Daingean on the death of his mother, Bridget</p> <p>Brendan Ennis, Cloneygowan, Tullamore on the death of his wife, Kay</p> <p>Nancy Shine, Esker Court, Clara on the death of her husband, Joe</p> <p>Dermot Maher, 34 The Green, Clara on the death of his wife, Anne</p> <p>Paddy Kelly, Marion Square, Clara on the death of his aunt, Josie McCormack</p>

<p>VOTES OF SYMPATHY: (cont'd)</p>	<p>Kathleen Brophy and family, Marion Place, Tullamore on the death of her husband, Paddy</p> <p>Tessie Egan and family, Clonaderig, Ballinahown on the death of her husband, Kieran</p> <p>Kieran Devery, Ballinagar, Tullamore on the death of his wife, Judy</p> <p>Nora Dunne, Ballycrystal, Geashill on the death of her sister, Philomena</p> <p>Mary Dunne, Garryhinch, Portarlinton on the death of her sister, Philomena</p> <p>Ray McDonnell, Cloneyhurke, Portarlinton on the death of his brother, Sean</p> <p>The Mahon Family, Eneghan, Walsh Island on the death of PJ Mahon</p> <p>Heather Ridgeway, Cloneygowan, Tullamore on the death of her sister, Olwen Bennett</p> <p>Agnes Berry, Scrubb, Killeigh on the death of her husband, Edward</p> <p>Seamus Kennedy, Oakley Park, Clareen, Birr on the death of his mother, Nora</p> <p>Anne O' Toole, Pearse Park, Tullamore on the death of her sister, Shirley Walsh</p> <p>Eamonn Duignan, Hopes House, Hopestown, Navan, Co. Meath on the death of his mother, Josephine</p> <p>Noel Lowry, Military Road, Crinkle, Birr on the death of his wife, Cathleen</p> <p>Noel Stokes, Arden Heights, Tullamore on the death of his brother, Sean</p> <p>Angela Digan, Spollanstown, Tullamore on the death of her brother, Edward Lynch</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>VOTES OF CONGRATULATIONS:</p>	<p>A vote of congratulations/best wishes were extended to:</p> <ul style="list-style-type: none"> - The members of the Edenderry Branch of Comhaltas Ceoltoiri Eireann which hosted the Leinster Fleadh Ceoil 2013, the organising

VOTES OF CONGRATULATIONS: (cont'd)	<p>committee, Edenderry Town Council and everybody involved in the 10 day festival</p> <ul style="list-style-type: none"> - John Brady on the publication of his new book - "The Brady Collection" which includes John's biography as well as photos, three CDs and 118 pieces of music by him, which was officially launched by Arts, Heritage and Gaeltacht Minister Jimmy Deenihan and Senator Labhras O Murchu. - Ms. Emily O'Reilly, Irish Ombudsman and Tullamore native, on her election as European Ombudsman
CONFIRMATION OF MINUTES:	<ul style="list-style-type: none"> - On the proposal of Cllr. E. Fitzpatrick, seconded by Cllr. N. Bourke, the minutes of June Monthly Meeting held in Áras an Chontae, Tullamore, Co. Offaly on 17th June 2013 were agreed and adopted. - On the proposal of Cllr. J. Leahy, seconded by Cllr. P. Ormond, the minutes of the Annual Meeting of Offaly County Council held in Áras an Chontae, Tullamore, Co. Offaly on 17th June 2013 were agreed and adopted - On the proposal of D. Owens, seconded by Cllr. S. Dooley, the minutes of the In-Committee meeting on "County Offaly Wind Strategy to 2015" held in Áras an Chontae, Tullamore, Co. Offaly on 17th June 2013.
MINUTES FOR NOTING:	<p>The minutes of the following meetings were noted:</p> <ul style="list-style-type: none"> - Corporate Policy Group meeting held on 20th May 2013; - Edenderry Area Committee Meeting held on 6th March 2013
S.183 LOCAL GOVERNMENT ACT 2001 – LEASE OF A GREEN AREA LOCATED AT BARRACK ST., CRINKILL, BIRR, FOR 6 YEARS	<p>On the proposal of Cllr. J. Carroll, seconded by Cllr. P. Clendennon, the members resolved to approve the lease of a green area located at Barrack St, Crinkill, Birr for 6 years in accordance with the terms of the notice dated 14th June 2013.</p>
TAKING IN CHARGE OF PRIVATE HOUSING ESTATE AT SHANDRA WOODS, PORTARLINGTON, CO. OFFALY	<p>On the proposal of Cllr. E. Fitzpatrick, seconded by Cllr. G. Plunkett, the members resolved to approve the taking in charge of private housing estate at Shandra Woods, Portarlington, Co. Offaly in accordance with the terms of the notice dated 10th June 2013.</p>
TAKEOVER OF DURROW BALLYBOUGHT GWS	<p>On the proposal of Cllr. D. Owens, seconded by Cllr. D. Dolan, the members resolved to approve the takeover of Durrow Ballybought Group Water Scheme in accordance with the terms of notice dated 10th June 2013.</p>
NOMINATION TO OFFALY INNOVATION AND DESIGN CENTRE LTD	<p>On the proposal of Cllr. N. Bourke, seconded by Cllr. G. Plunkett, the members resolved to nominate Cllr. S. Dooley to the Offaly Innovation and Design Centre Ltd.</p>
NATIONAL INSPECTION PLAN AND GRANT SCHEME FOR SEPTIC TANKS	<p>Mr. T. Shanahan, A/DoS, gave the members a comprehensive report on the Inspection Plan and Grant Scheme. He noted that under the EPA Plan only 16 of the</p>

<p>NATIONAL INSPECTION PLAN AND GRANT SCHEME FOR SEPTIC TANKS (cont'd)</p>	<p>9,800 septic tanks in the county would be inspected.</p> <p>In the general discussion that followed the members welcomed the Scheme. They noted the small number of inspections required, and some suggested that the grants being made available to householders were too low to allow any meaningful remedial works to be carried out on septic tanks.</p> <p>Cllr Carroll queried if Farm Inspections would also be carried out as part of the 16 inspections required under the Plan. Mr. Shanahan advised that no Farm Inspections were included in these inspections.</p> <p>The members sought clarification in relation to inspection of non-registered septic tanks. They also queried who decided on the household income limits. Mr. Shanahan stated that non-registered tanks could be inspected and if found to require remedial works the householder would not be entitled to a Grant. He noted that the registered tanks were mapped and this mapping process had shown up the probable locations of non-registered tanks. He noted that the income limits were set out in the Scheme. He advised that the Grants were administered by the County Council and the Department of Environment, Community and Local Government (DOECLG) would reimburse the Council for the Grant. In answer to queries from the members, Mr. Shanahan advised that the Grant would only be paid to a householder once the Council had inspected the septic tank and made recommendations on remedial works.</p> <p>In answer to a query from Cllr T. McKeigue, Mr. Shanahan advised that Department Grants were available to communities for Group Sewage Schemes. He noted that there was one Scheme approved by the Department in Offaly in 2013. Community Groups applied for these Grants through the County Council.</p>
<p>IRISH WATER UPDATE</p>	<p>Mr. T. Shanahan, A/DoS, updated the members on the recent developments regarding Irish Water.</p> <p>He noted that he had reported to members at their February meeting on the establishment of Irish Water (IW). He advised that work was continuing to develop the Irish Water organisation with staff being recruited directly by IW and seconded from the local authorities. Irish Water will become the single Water Services Authority from 1st January 2014.</p> <p>The most recent development was in relation to the Service Level Agreements (SLA), which will see local authorities continue to deliver water services as agents for IW. The duration of the initial SLA would be 12 years. He advised that in the event of a SLA coming to an end staff covered by that agreement would become employees of IW and their terms and conditions including superannuation arrangements would be protected by legislation. The</p>

<p>IRISH WATER UPDATE (cont'd)</p>	<p>delivery of Capital Works would be included under the SLA. He noted that the SLA would be reviewed after 2 years and 7 years.</p> <p>He advised that the main points of the SLA were:</p> <ul style="list-style-type: none"> • <i>IW will manage water services on a regional basis- 7 regions aligned with the regional structure proposed under “Putting People First”. (Laois, Offaly, Westmeath, Longford)</i> • <i>The installation of Domestic Water meters will be managed directly by IW.</i> • <i>A customer call centre will be set up initially dealing with metering queries and subsequently all customer service issues.</i> • <i>The Capital programme will continue under SLA’s but elements will transfer over to IW in 2014, and the Programme may be managed on a regional basis.</i> • <i>Irish Water will exercise control over financial management, incident control, setting investment priorities, etc.</i> • <i>The management of Design Build Operate Schemes (DBO’s) will transfer over to IW early in 2014</i> • <i>IW will manage all procurement- National & Regional Frameworks.</i> <p>Following consideration of Mr. Shanahan’s report the members sought clarification on a number of points. Mr. Shanahan advised that the installation of domestic water meters would be a national contract and it was possible that a number of local building contractors would carry out this work under the national contract. In answer to queries from the members he advised that funding would continue for Group Water Schemes and the Rural Water Monitoring Programme. He advised that IW would take over the water services related liabilities and assets from the local authorities.</p>
<p>UPDATE ON LOCAL PROPERTY TAX FOR OFFALY LOCAL AUTHORITIES SOCIAL HOUSING</p>	<p>The County Manager briefed the members on the Local Property Tax liabilities of Offaly Local Authorities.</p> <p>He advised that local authorities Social Housing was not exempt from this tax. He noted that the combined LPT liabilities for Offaly Local Authorities for 2013 and 2014 was estimated at €204,795 and that local authorities were obliged to pay the 2013 tax levy before 1st January 2014. He noted that as the relevant legislation had not been enacted at the time of preparation of the 2013 Council budget, provision had not been made for the tax.</p>

<p>UPDATE ON LOCAL PROPERTY TAX FOR OFFALY LOCAL AUTHORITIES SOCIAL HOUSING (cont'd)</p>	<p>Following discussion on the issue the members agreed that given the constraints on council finances, the resources to meet this charge should be raised within the service area concerned (Housing) without impacting negatively on the service provision (e.g. maintenance, grants for elderly / disabled persons).</p> <p>The members noted that this charge should be eligible for inclusion in the Differential Rent Scheme as part of the cost of providing housing service to tenants.</p> <p>On the proposal of Cllr S. Dooley and seconded by Cllr. C. Hanniffy, it was agreed to write to the Minister requesting his Department to give approval to pursue this option.</p>
<p>CORPORATE POLICY GROUP REPORT:</p>	<p>Cllr. S. Moylan-Ryan, 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. The members also received a circular from the Department of the Environment, Community and Local Government in relation to a review of Wind Energy Guidelines to be carried out.</p> <p>Cllr J. Butterfield noted the minutes of the In-Committee meeting, on Windfarm developments, held in June and the DOECLG Circular letter issued prior to the start of the meeting. He suggested that Offaly County Council should make an immediate submission to the Department on foot of this circular. The members noted recent press and media reports on the issue of Windfarm Developments and expressed concern as to height and density of the proposed developments. They noted that the developers seemed to have no regard for the Strategy adopted by the Council.</p> <p>The County Manager advised that the DOECLG Circular circulated at the meeting was helpful and noted that it gave details of the current review of the Wind Energy Guidelines. Revised draft guidelines were expected for public consultation later this year. He noted that the Circular stated that in the meantime, <i>“all applications for wind energy development must be rigorously assessed in the light of the detailed advice in the 2006 guidelines”</i>. He noted that the Mountlucas Development was proceeding. He advised that the County Development Plan included robust policies on this type of development. He advised that the Review of the Draft Development Plan would cover this area. In relation to the comments made regarding the developments being classed as Strategic Infrastructural Developments and as such outside the remit of Offaly County Council, he advised that An Bord Pleanála must have regard to the policies of the local authority on these developments. He also advised that An Bord Pleanála would seek a written report from the Executive and a separate written report from the elected members regarding this class of development.</p> <p>Following queries from the members, the Manager noted</p>

<p>CORPORATE POLICY GROUP REPORT: (cont'd)</p>	<p>that the targeted review of the Wind Energy Guidelines 2006 would be focusing on noise, proximity and shadow flicker.</p>
<p>NOTICES OF MOTION:</p>	<p>(i) The following motion was proposed by Cllr. J. Leahy, seconded by Cllr. J. Butterfield, and agreed:</p> <p style="text-align: center;"><i>“That Offaly Council calls on the Minister for Social Protection to properly finance the training budget for Community Employment Schemes”</i></p> <p>During discussion on this motion, Cllr T. McLoughlin raised the issue of the JIS Scheme. The County Manager stated that this issue was in the IR forum at present and he was unable to comment on it. He noted that Offaly Local Authorities were involved in a number of job initiative schemes and had also expressed an interest in the new Local Authority Labour Market Activation Scheme.</p> <p>(ii) Cllr. J. Leahy withdrew his second notice of motion.</p> <p>(iii) The following motion was proposed by Cllr. M. Buckley, seconded by Cllr. L. Quinn and agreed by the members:</p> <p style="text-align: center;"><i>“That Offaly County Council write to the Minister for Health to highlight the importance of Community Care and the role of the Public Health Nurse.”</i></p> <p>It was agreed to write to the Minister for Health and to circulate the motion to all other councils.</p> <p>(iv) The following motion was proposed by Cllr. S. Dooley, seconded by Cllr. E. Fitzpatrick:</p> <p style="text-align: center;"><i>"That this Council supports the radical reform of Seanad Éireann."</i></p> <p>On the proposal of Cllr T. McKeigue and seconded by Cllr M. Buckley the following amended motion was put to the meeting.</p> <p style="text-align: center;"><i>"That this Council supports the abolition of Seanad Éireann."</i></p> <p>Following a show of hands the amended motion was defeated by 7 votes against, 5 votes in favour and 2 abstentions.</p> <p>The original motion was put to the meeting and was carried on by 7 votes in favour, 5 votes against and 2 abstentions.</p>

COMHDHÁLACHA:

On the proposal of Cllr. M. Buckley, seconded by Cllr. S. Dooley conferences were approved as follows:

“Elected Members Training Seminar - Taxing Goods & Services”

Manor West Hotel, Tralee, Co. Kerry

19th – 20th July 2013

It was agreed that no councillors would attend.

“TGR Seminars – Councillor Seminar & Professional Development Day – How to access funding for community programmes relevant to Councillors”

Bunratty Castle Hotel, Bunratty, Co. Clare

26th – 27th July 2013

It was agreed Cllr. E. Fitzpatrick would attend.

“Training Seminar – Community Development Arts & Sports”

Quality Hotel, Killarney, Co. Kerry

26th – 28th July 2013

It was agreed that no councillors would attend.

The Westport Conference – Media & the Councillor: Social Media & Traditional Media

Westport Country Lodge Hotel, Westport, Co. Mayo

26th – 28th July 2013

It was agreed that no councillors would attend.

“Future is Food Seminar on Employment Opportunities in Artisan Foods”

Celtic Ross Hotel, Rosscarbery, West Cork

26th – 28th July 2013

It was agreed that Cllr. E. Dooley would attend.

33rd Annual McGill Summer School

Glenties, Co. Donegal

28th July – 2nd August 2013

It was agreed that Cllr. P. Rowland would attend.

“Training Seminar for Councillors – Homelessness in Ireland”

Clareglaway Hotel, Co. Galway

31st July – 1st August 2013

It was agreed that no councillors would attend.

Training Seminar – Rural Crime Prevention & Detection

Clanree Hotel, Letterkenny, Co. Donegal

2nd – 4th August 2013

It was agreed Cllr. N. Hogan would attend.

“William Carleton International Summer School 2013”

Clogher, Co. Tyrone

2nd – 8th August 2013

It was agreed Cllrs. C. Hanniffy and M. Buckley would attend.

<p>COMHDHÁLACHA: (cont'd)</p>	<p><i>“Elected Members Training Seminar – Changing Social Relations of Housing Tenure”</i> <i>Westport Plaza Hotel, Castlebar Street, Westport, Co. Mayo</i> <i>30th – 31st August 2013</i> It was agreed that no councillors would attend.</p> <p><i>“Environment Ireland Conference 2013”</i> <i>Croke Park, Dublin</i> <i>Thursday 12th September 2013</i> It was agreed Cllr. J. Butterfield would attend.</p> <p><i>“AMAI - 101st Annual Conference”</i> <i>Inchydoney Lodge & Spa, Clonakilty, Co. Cork</i> <i>12th – 14th September 2013</i> It was agreed Cllr. N. Hogan would attend.</p>
<p>COMHFHREAGRAS:</p>	<p>The correspondences circulated with the Agenda were noted.</p>
<p>ANY OTHER BUSINESS:</p>	<p><u>Closure of Tullamore Agricultural Office</u></p> <p>On the proposal of Cllr. J. Butterfield, seconded by Cllr. E. Fitzpatrick, the members agreed to write to the Department of Agriculture, Food and the Marine requesting the Tullamore Office remain open as it is a vital local service to the farming community in Offaly.</p> <p><u>Restaurant Association of Ireland's “Keep VAT at 9% campaign.”</u></p> <p>On the proposal of Cllr. M. Buckley, supported by Cllr. S. Dooley and Cllr. N. Bourke, it was agreed to support the campaign and to ask all other Local Authorities to do likewise.</p> <p><u>Parking Meters</u></p> <p>Cllr. T. McLoughlin queried the franchising of parking metres in the town to private companies. The Cathaoirleach agreed to look into the matter.</p>

This concluded the business of the meeting.

MINUTES CONFIRMED: _____
CATHAOIRLEACH
RUNAÍ

16th September 2013