

COMHAIRLE CHONTAE UÍBH FHAILÍ

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

**HELD IN ÁRAS AN CHONTAE, CHARLEVILLE ROAD, TULLAMORE
ON MONDAY, 15TH SEPTEMBER 2014 AT 2.00 P.M.**

PRESENT:	Cllr. S. Dooley, Cathaoirleach (Presiding), Cllrs. N. Bourke, J. Carroll, J. Clendennen, N. Cribbin, D. Dolan, E. Dooley, E. Fitzpatrick, J. Foley, D. Harvey, B. Killeavy, J. Leahy, T. McKeigue, F. Moran, C. Nolan, M. O'Reilly, P. Ormond, D. Owens, and L. Quinn.
IN ATTENDANCE:	Ms. C. Byrne, Chief Executive, Mr. D. Conlon, H.O.F, Mr. F. Heslin, D.O.S., Mr. D. Kirrane, D.O.S, Ms. M. Cleary, Meetings Administrator, Ms. Ruth Minogue, Minogue & Associates, Mr. D. Mahon, SEO Housing, Mr. T. Mawe, Financial Management Accountant, Ms. A. Dillon, SEO HR, Ms. A. Walsh E.P., Ms. B. Maher E.P., Mr. D. Meehan E.P., Mr. E. Lynch A.P., Ms. S. Foy C.O., Ms. F. Flaherty C.O.
VOTES OF SYMPATHY:	<p>Votes of sympathy were unanimously extended to the following:-</p> <p>Mr. Johnny Mooney and Family, Botley Court, Portarlinton on the death of his wife, Eileen</p> <p>Ms. Dolores Gorman, Garryhinch, Portarlinton on the death of her mother, Mrs. Bridgid Scally</p> <p>Mrs. Mary Graham and Family on the death of her husband, John</p> <p>The Hurst Family, Clonmullen, Edenderry on the death of their father, Sean</p> <p>Mr. Richard Delaney, Cadamstown, Kinnitty, Birr on the death of his wife, Geraldine</p> <p>Eoin & Marion Lyons, Raheenfglass, Rath, Birr on the death of their son, Liam</p> <p>The Byrne Family, Drummin, Cadamstown, Birr on the death of their mother, Betty</p> <p>Mrs. Marie Hogan, The Heath, Roscrea on the death of her husband, Dermot</p> <p>Mrs. Mary Lawlor, Annaghmore, Kinnitty, Birr on the death of her sister, Sheila Graham</p> <p>The Chief Executive, on her own behalf and on behalf of the staff of the Council joined with the members in these votes of sympathy.</p>

<p>CONFIRMATION OF MINUTES:</p>	<p>On the proposal of Cllr. E. Dooley, seconded by Cllr. L. Quinn, the minutes of the July monthly meeting held in Áras an Chontae, Tullamore, Co. Offaly on 21st July 2014 were agreed and adopted.</p>
<p>S.183 LOCAL GOVERNMENT ACT 2001: SALE OF LANDS AT ARD ABHAINN, BANAGHER</p>	<p>On the proposal of Cllr. J. Clendennen, seconded by Cllr. E. Dooley, the members resolved to the sale of 0.75ha/1.85ac at Portavolla (Ard Abhainn), Banagher, Co. Offaly in accordance with the terms of the notice dated 27th August 2014.</p>
<p>S.183 LOCAL GOVERNMENT ACT 2001: SALE OF INDUSTRIAL SITE NO. 3 AT LEAMONAGHAN, FERBANE</p>	<p>On the proposal of Cllr. E. Dooley, seconded by Cllr. J. Leahy, the members resolved to the sale of Industrial Site No. 3 at Leamonaghan, Ballycumber, Ferbane, Co. Offaly in accordance with the terms of the notice dated 28th August 2014.</p>
<p>SECTION 5 HOUSING ACT 1988:RASING OF LOAN FOR VOLUNTARY HOUSING PROJECT AT DAINGEAN ROAD, TULLAMORE</p>	<p>On the proposal of Cllr. D. Harvey, seconded by Cllr. D. Owens, the members approved the raising of a supplementary loan in the sum of €392,243 for the completion of Voluntary Housing Project at Daingean Road, Tullamore, Co. Offaly.</p>
<p>LOCAL PROPERTY TAX</p>	<p>Mr. D. Conlon, HOF, gave a presentation to the members on the Council's 2015 Local Property Tax allocation, the Estimation of Income and Expenditure for 2015, and, the consolidated financial position at 31st June 2014.</p> <p>Mr. D. Conlon, HOF informed the meeting that Offaly County Council will receive €2,618,474 from the distribution of the Equalisation Fund. He advised that the maximum variation of the Local Property Tax (LPT), i.e., 15%, equates to an increase or decrease in the Council's Revenue Budget of €758,469.</p> <p>Mr. D. Conlon, HOF, outlined the LPT process and advised that six submissions were received during the public consultation period. He drew the members attention to the matters that they are required to take into consideration including the financial effect of varying the LPT rate on the householder and on the Council's finances. He provided an overview of the potential impact on the Council's service delivery plans should the LPT be reduced. Mr. D. Conlon, HOF advised that a resolution of the Council is required to vary the LPT rate and that the statutory period for informing the Revenue Commissioners and Minister of any LPT adjustment is 30th September 2014.</p> <p>Cathaoirleach, Cllr. S. Dooley thanked Mr. D. Conlon, HOF for his comprehensive presentation and requested that any member proposing an increase or decrease to the LPT rate should clarify what services should be adjusted to accommodate the proposed increase or decrease to the Council's finances.</p> <p>Cllr. D. Dolan acknowledged that any reduction to the LPT</p>

**LOCAL PROPERTY TAX
(Cont.)**

would be welcomed by householders; however he advised that severe cuts were applied to service delivery in recent years and accordingly he was not in a position to propose that service delivery be reduced further. Cllr. D. Dolan proposed that the LPT be retained at its current rate for 2015.

Cllr. J. Leahy, in seconding the proposal, stressed that a resolution to reduce the LPT rate and thereby reduce the Council's revenue budget was unsustainable.

A number of members spoke in support of the motion not to vary the LPT rate.

Cllr. B. Killeavy proposed that the LPT rate be reduced by 15%. The proposal was seconded by Cllr. C. Nolan. In responding to a request from the Cathaoirleach to clarify what services would be reduced to accommodate the loss in revenue, Cllr. B. Killeavy suggested that this was a matter for the executive.

On the proposal of Cllr. S. Dooley, seconded by Cllr. E. Dooley, it was agreed to suspend the meeting for fifteen minutes to afford the members the opportunity to consider what services could be reduced to accommodate the proposed reduction to the LPT rate.

When the meeting resumed Cllr. B. Killeavy reiterated that he was not in a position to outline where cuts to the Council's budget could be made and proposed that these be considered at a later date during the Budget meeting.

It was agreed to take a roll call on the proposals.

The members voted as follows on the proposal of Cllr. B. Killeavy, seconded by Cllr. C. Nolan, to decrease the LPT rate by 15%:

In Favour: Cllrs. B. Killeavy, C. Nolan and M. O'Reilly.

Against: Cllrs. N. Bourke, J. Carroll, J. Clendennen, N. Cribbin, D. Dolan, E. Dooley, S. Dooley, E. Fitzpatrick, J. Foley, D. Harvey, J. Leahy, T. McKeigue, F. Moran, P. Ormond, D. Owens and L. Quinn.

The Cathaoirleach declared the motion defeated.

The members voted as follows on the proposal of Cllr. D. Dolan, seconded by Cllr. J. Leahy, to retain the LPT rate at its current rate:

In Favour: Cllrs. N. Bourke, J. Carroll, J. Clendennen, N. Cribbin, D. Dolan, E. Dooley, S. Dooley, E. Fitzpatrick, J. Foley, D. Harvey, J. Leahy, T. McKeigue, F. Moran, P. Ormond, D. Owens and L. Quinn.

Against: Cllrs. B. Killeavy, C. Nolan and M. O'Reilly.

The Cathaoirleach declared the motion carried and declared that in pursuance of the provisions of Section 20 of the Finance (Local Property Tax) Act 2012 (as amended) that there would be no variation in the LPT rate for 2015.

**CHIEF EXECUTIVE'S
REPORT REGARDING
SUBMISSIONS RECEIVED
IN RELATION TO THE
MATERIAL ALTERATIONS
TO THE DRAFT OFFALY
COUNTY DEVELOPMENT
PLAN 2014-2020**

Mr. D. Kirrane, D.O.S drew the members' attention to the Chief Executive's Report regarding submissions received in relation to the Material Alterations to the *Draft County Development Plan 2014-2020*. He advised that the report forms part of the statutory procedure for the review of the existing plan and the preparation of the new *County Development Plan 2014-2020*.

Mr. D. Kirrane, D.O.S informed the meeting that 826 submissions had been received during the display period, i.e., 27th June 2014 to 25th July 2014.

Mr. D. Kirrane, D.O.S. advised that it was proposed to consider those submissions that did not relate to Wind Energy Development initially and thereafter consider the 800 submissions relating to Wind Energy Development. He reminded the members of their obligations and requirements under the planning legislation, the *Local Government Act, 2001, as amended* and the *Code of Conduct for Councillors* noting in particular paragraph 3.3 and 3.4 in the *Code of Conduct for Councillors*.

Cllr. E. Dooley declared that, as an employee of Bord na Móna, he would be withdrawing from the meeting for so long as the submissions relating to Wind Energy Development was being discussed or considered.

Cllr. D. Owens declared that he is currently employed by a Wind Energy Company operating in Offaly and therefore he would withdraw from the meeting for so long as submissions relating to Wind Energy Development was being discussed or considered.

Cllr. J. Leahy declared that he would be withdrawing from the meeting during the consideration of submissions relating to Wind Energy Development was being discussed or considered, as his spouse, is an employee of Bord na Móna.

Cllr. N. Bourke, as a former employee of Bord na Móna for more than 40 years, declared that he would withdraw from the meeting during the consideration of the Wind Energy Development submissions are being discussed or considered.

Cllr. C. Nolan declared that her husband is an employee of a Bord na Móna and advised that she would be withdrawing from the meeting during the consideration of the Wind Energy Development submissions are being discussed or considered. Cllr. C. Nolan withdrew after Mr. E. Lynch, AP. presentation.

Ahead of commencing consideration of the Chief Executive's Report on submissions received on the Material Amendments to the draft plan, Mr. D. Kirrane, D.O.S. reminded the members of Section 11 of the *Planning and Development Act 2000, as amended*, which states the following:

"In making the development plan under subsection (6) or

**CHIEF EXECUTIVE'S
REPORT REGARDING
SUBMISSIONS RECEIVED
IN RELATION TO THE
MATERIAL ALTERATIONS
TO THE DRAFT OFFALY
COUNTY DEVELOPMENT
PLAN 2014-2020
(Cont'd)**

(10), the members shall be restricted to considering the proper planning and sustainable development of the area to which the development plan relates, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or any Minister of the Government."

He stated that 29th September 2014 was the latest date for the members to consider and amend the plan and that it would come into effect 4 weeks after its adoption date which, he advised, required a resolution of the Council.

Ms. Ruth Minogue from Minogue & Associates gave a brief presentation on the Strategic Environment Assessment in relation to the Material Alterations to the *Draft County Development Plan 2014-2020*.

Mr. D. Meehan, Executive Planner gave a detailed summary of the various submissions received in relation to those areas of the *Draft County Development Plan 2014-2020* that did not relate to the development of Wind Energy.

Section 3: Summary of and Response to the submission from the Minister of the Environment, Community and Local Government

(On the proposal of Cllr. S. Dooley seconded by Cllr. D. Dolan it was agreed to suspend the meeting for ten minutes to allow the members to gain access to the Chief Executive's report.)

On the proposal of Cllr. D. Dolan, seconded by Cllr. T. McKeigue, the members' resolved to adopt the Chief Executive's recommendation of 'no change' in relation to White Land Zoning.

On the proposal of Cllr. D. Dolan, seconded by Cllr. N. Cribbin, the members resolved to adopt the Chief Executive's recommendation of 'no change' in relation to Public Rights of Way.

Section 4: Summary of and Response by CE to the submissions from Government Departments, agencies and prescribed bodies

On the proposal of Cllr. L. Quinn, seconded by Cllr. F. Moran, the members resolved to adopt the Chief Executive's recommendation in relation to the NRA's submission CDP/SUB/3/007.

The members noted the Department of Education and Skills submission, CDP/SUB/3/004.

The members noted DCENR's submission, CDP/SUB/3/408.

Section 5: Wind Topic Based Submissions. List of person/Bodies who made submissions, summary of submissions and CE's response to issues raised

**CHIEF EXECUTIVE'S
REPORT REGARDING
SUBMISSIONS RECEIVED
IN RELATION TO THE
MATERIAL ALTERATIONS
TO THE DRAFT OFFALY
COUNTY DEVELOPMENT
PLAN 2014-2020
(Cont'd)**

Educational Facilities and Access: On the proposal of Cllr. D. Dolan, seconded by Cllr. T. McKeigue, the members resolved to adopt the Chief Executive's recommendation of 'no change'.

Section 6: Other Topic Based Submissions. List of person/Bodies who made submissions, summary of submissions and CE's response to issues raised.

CDP/SUB/3/069: On the proposal of Cllr. T. McKeigue, seconded by Cllr. J. Clendennen, the members resolved to adopt the Chief Executive's recommendation of 'no change'.

CPD/SUB/3/409: On the proposal of Cllr. P. Ormond, seconded by Cllr. D. Harvey, the members resolved to adopt the Chief Executive's recommendation of 'no change'.

CPD/SUB/3/414: On the proposal of Cllr. J. Foley, seconded by Cllr. D. Harvey, the members resolved to adopt the Chief Executive's recommendation of 'no change'.

CPD/SUB/3/826: On the proposal of Cllr. F. Moran, seconded by Cllr. D. Harvey, the members resolved to adopt the Chief Executive's recommendation of 'no change'.

CPD/SUB/3/418: On the proposal of Cllr. T. McKeigue, seconded by Cllr. J. Carroll, the members resolved to adopt the Chief Executive's recommendation of 'no change'.

CPD/SUB/3/420: On the proposal of Cllr. E. Fitzpatrick, seconded by Cllr. L. Quinn, the members resolved to adopt the Chief Executive's recommendation of 'no change'.

CPD/SUB/3/421: On the proposal of Cllr. D. Dolan, seconded by Cllr. N. Cribbin, the members resolved to adopt the Chief Executive's recommendation of 'no change'.

CDP/SUB/3/424: On the proposal of Cllr. T. McKeigue, seconded by Cllr. J. Clendennen, the members resolved to adopt the Chief Executive's recommendation of 'no change'.

Section 7: SEA/AA Based Submissions. List of person/Bodies who made submission, summary of submissions and CE's response to issues raised.

The members noted the contents of Section 7.

Section 8: Non-material Amendments

The members noted the contents of Section 8.

Section 5: Wind Topic Based Submissions. List of person/Bodies who made submissions, summary of submissions and CE's response to issues raised.

The Cathaoirleach noted that those members' who had earlier declared potential conflicts of interests had withdrawn from the meeting.

Mr. E. Lynch, Assistant Planner informed the meeting that the Minister had registered his objection to the 3.2km set-

**CHIEF EXECUTIVE'S
REPORT REGARDING
SUBMISSIONS RECEIVED
IN RELATION TO THE
MATERIAL ALTERATIONS
TO THE DRAFT OFFALY
COUNTY DEVELOPMENT
PLAN 2014-2020
(Cont'd)**

back, which was adopted by the members at their meeting in April 2014. Mr. E. Lynch, A.P. noted that the 3.2km set-back from every residence effectively resulted in no area in Offaly being suitable for Wind Development. This, he advised, was inconsistent with the designation of areas for possible wind developments.

Mr. E. Lynch, A.P. noted the requirements of the Aarhus Convention were addressed via the public consultation and engagement with the public throughout the process.

Mr. E. Lynch, A.P. drew the members attention to the four specific Material Alterations that required consideration and resolution, namely:

- 3.2km Set-back distance from all dwellings, AHAs and European Sites;
- Corracullin Bog;
- Cutaway Bog; and
- Development in Cutaway Bogs from the centre outwards.

Set-back distance

A lengthy discussion on the Chief Executive's recommendation ensued.

Mr. E. Lynch A.P. advised the Members that the only options available to the members at this stage were to accept the material alterations that had been put on display, reject them, or accept them with minor amendments only.

In responding to questions raised Mr. D. Kirrane, D.O.S. advised that: there was no update on the National Wind Energy Guidelines; the introduction of the term Sraid in the set-back criteria would be considered significant and therefore was not legislatively possible at this time; the introduction of the word 'residences' in a 2km set-back criteria would be material and accordingly legislatively not possible at this stage.

Cllr. D. Dolan proposal that the members revert back to the position adopted during the Draft Plan stage, i.e., a 2km set-back distance from towns and villages, and European sites as per the October 2013 Draft. This proposal was seconded by Cllr. T. McKeigue.

Cllr. J. Foley proposed that the 3.2km set-back distance from residences and AHAs be retained. This proposal was seconded by Cllr. M. O'Reilly.

Cllr. S. Dooley, Cathaoirleach requested that a vote on the proposals be taken.

The members voted as follows on the proposal of Cllr. J. Foley, seconded by Cllr. M. O'Reilly, to retain the 3.2km set-back distance:

For: Cllrs. N. Cribben, J. Foley, B. Killeavy and M. O'Reilly.

Against: Cllrs. J. Carroll, J. Clendennen, D. Dolan, S.

**CHIEF EXECUTIVE'S
REPORT REGARDING
SUBMISSIONS RECEIVED
IN RELATION TO THE
MATERIAL ALTERATIONS
TO THE DRAFT OFFALY
COUNTY DEVELOPMENT
PLAN 2014-2020
(Cont'd)**

Dooley, E. Fitzpatrick, D. Harvey, T. McKeigue, F. Moran, P. Ormond, L. Quinn.

The Cathaoirleach declared the motion defeated.

The members voted as follows on the proposal of Cllr. D. Dolan, seconded by Cllr. T. McKeigue, to approve the Chief Executive's recommendation as per Section 3.5.1 and EP-03, i.e, to have a 2km set-back distance from towns, villages and European sites:

For: Cllrs. J. Carroll, J. Clendennen, D. Dolan, S. Dooley, E. Fitzpatrick, D. Harvey, T. McKeigue, F. Moran, P. Ormond, L. Quinn.

Against: Cllrs. N. Cribben, J. Foley, B. Killeavy and M. O'Reilly.

The Cathaoirleach declared the motion carried.

Corracullin Bog

On the proposal of Cllr. P. Ormond, seconded by Cllr. D. Dolan, the members resolved not to adopt the Chief Executive's recommendation and to remove Corracullin Bog from the wind energy development areas.

It was agreed that the map would be changed to reflect this decision.

(On the proposal of Cllr. L. Quinn, seconded by Cllr. T. McKeigue it was agreed to suspend Standing Orders to allow the meeting continue beyond 6pm.)

Cutaway Bog

Cllr. D. Dolan proposed that a precautionary approach be adopted with regard to the development of wind energy in suitable locations and proposed that the wording of the material alteration, i.e., the inclusion of cutaway bogs be adopted. Cllr. J. Carroll seconded the proposal.

Mr. D. Kirrane, D.O.S. in responding to a question from Cllr. P. Ormond, advised the meeting that cutaway bogs are not mapped and that the EPA submission had advised that they found no justification for exclusively curtailing wind development to cutaway bogs. Mr. D. Kirrane, D.O.S. cautioned the members that the resolution may further limit areas for development.

Having considered Mr. D. Kirrane's comments the members resolved to adopt Cllr. D. Dolan's proposal, seconded by Cllr. J. Carroll, i.e., retaining the wording of the material alteration and thereby include 'on cutaway bogs'.

Development in Cutaway Bogs from the centre outwards

Following consideration of the issues the members on the proposal of Cllr. D. Dolan, seconded by Cllr. J. Carroll, resolved to adopt the Chief Executive's recommendation and include the word 'generally'.

**CHIEF EXECUTIVE'S
REPORT REGARDING
SUBMISSIONS RECEIVED
IN RELATION TO THE
MATERIAL ALTERATIONS
TO THE DRAFT OFFALY
COUNTY DEVELOPMENT
PLAN 2014-2020
(Cont'd)**

(On the proposal of the Cathaoirleach, seconded by Cllr. T. McKeigue it was agreed to adjourn the meeting for fifteen minutes.)

When the meeting resumed, at 6.45pm, Mr. E. Lynch, A.P. drew the meetings attention to other sections of the Chief Executive's Report that required the members' consideration and resolutions.

Educational Facilities and Access

On the proposal of Cllr. D. Dolan, seconded by Cllr. T. McKeigue, the members resolved to adopt the Chief Executive's recommendation of 'no change'.

Hedgerows – NHP-25 and NHP-26

On the proposal of Cllr. D. Dolan, seconded by Cllr. D. Harvey, the members resolved to adopt the Chief Executive's recommendation of 'no change'.

Cumulative Impact

On the proposal of Cllr. D. Dolan, seconded by Cllr. L. Quinn, the members resolved to adopt the Chief Executive's recommendation of 'no change'.

Miscellaneous Points about Wind Energy

On the proposal of Cllr. D. Dolan, seconded by Cllr. P. Ormond, the members resolved to adopt the Chief Executive's recommendation of 'no change required'.

Resolution

On the proposal of Cllr. T. McKeigue, seconded by Cllr. D. Dolan, the members unanimously resolved to adopt the *Offaly County Development Plan 2014-2020* and all accompanying strategies as placed on public display in October 2013 and as amended in April 2014 and as further amended by virtue of the Chief Executive's Report, and amendment thereto, considered and made at the monthly meeting on 15th September 2014.

The members present at the adoption of the resolution were: Cllrs. J. Carroll, J. Clendennen, N. Cribben, D. Dolan, S. Dooley, E. Fitzpatrick, J. Foley, D. Harvey, B. Killeavy, T. McKeigue, F. Moran, M. O'Reilly, P. Ormond and L. Quinn.

Mr. D. Kirrane, D.O.S. informed the meeting the *Offaly County Development Plan 2014-2020* will come into effect 4 weeks after its adoption date, i.e., 13th October 2014; that an SEA statement will be prepared and it will accompany the plan and it will catalogue how the SEA process has impacted on the Development Plan. He further advised that in accordance with Circular PL1/2014, the plan shall be forwarded to the Department within 5 working days after its adoption for evaluation and assessment.

Ms. C. Byrne, Chief Executive acknowledged the attention and consideration that the current and former members had given to the process.

<p>CHIEF EXECUTIVE'S REPORT REGARDING SUBMISSIONS RECEIVED IN RELATION TO THE MATERIAL ALTERATIONS TO THE DRAFT OFFALY COUNTY DEVELOPMENT PLAN 2014-2020 (Cont'd)</p>	<p>Cllr. S. Dooley, Cathaoirleach thanked all the members, current and former, for their contributions throughout the two year process and thanked the Planning staff for their work.</p>
<p>MATERIAL CONTRAVENTION OF BIRR TOWN AND ENVIRONS PLAN 2010-2016</p>	<p>On the proposal of Cllr. P. Ormond, seconded by Cllr. J. Carroll, the members resolved to adopt the Material Contravention of the <i>Birr Town and Environs Development Plan 2010-2016</i> to facilitate the granting of Planning Permission BR/14/008.</p>
<p>DRAFT OFFALY COUNTY COUNCIL STRATEGIC POLICY COMMITTEE SCHEME</p>	<p>Ms. M. Cleary, Meetings Administrator, advised that the draft <i>Strategic Policy Committee Scheme</i> was placed on public display and at the closing date for the receipt of submissions, 28th August 2014, two submissions were received – one from Mr. Michael Ewing, Co-ordinator, The Environment Pillar and one from the Midland Branch of the Construction Industry Federation. She informed the meeting that the Corporate Policy Group had considered the submissions at their meeting, held on 8th September, and were recommending to the Council that the draft <i>Strategic Policy Committees Scheme</i>, as previously circulated, be adopted without amendment.</p> <p>On the proposal of Cllr. P. Ormond, seconded by Cllr. L. Quinn, the members resolved to adopt the <i>Strategic Policy Committee Scheme</i>, as previously circulated.</p>
<p>LOCAL COMMUNITY DEVELOPMENT COMMITTEE</p>	<p>Mr. D. Kirrane, D.O.S gave the members a brief update on the Local Community Development Committee (LCDC) and the development of the Local Community and Economic Plan (LCEP). He advised that information briefings will be held and that elections to the Public Participation Network (PPN) will be held in October and November.</p>
<p>ELECTION/APPOINTMENT/ NOMINATION TO:</p> <ul style="list-style-type: none"> i. STRATEGIC POLICY COMMITTEES <ul style="list-style-type: none"> a. Economic Development, Enterprise and Planning SPC (6 members) b. Environment, Water and Drainage Services SPC (4 members) c. Transportation and Emergency Services SPC (4 members) d. Housing Policy, Social and Cultural SPC (4 members) ii. MIDLAND ENERGY AGENCY STEERING COMMITTEE (1 MEMBER) iii. JOINT POLICING COMMITTEE(13 MEMBERS) 	<p>i. <u>Strategic Policy Committees (SPCs):</u></p> <p>On the proposal of Cllr. P. Ormond, seconded by Cllr. D. Harvey, the members agreed to appointment members as follows:</p> <ul style="list-style-type: none"> - Economic Development, Enterprise and Planning SPC: Cllrs. F. Moran, E. Fitzpatrick, S. Dooley, E. Dooley, M. O' Reilly, J. Carroll and N. Bourke. - Environment, Water and Drainage Services SPC: Cllrs. J. Clendennen, C. Nolan, J. Foley and J. Leahy. - Housing Policy, Social and Cultural SPC: Cllrs. D. Harvey, N. Cribbin, B. Killeavy, and J. Leahy. - Transportation and Emergency Services SPC: Cllrs. D.

<p>ELECTION/APPOINTMENT/ NOMINATION (Cont'd)</p>	<p>Owens and L. Quinn.</p> <p>On the proposal of Cllr. B. Killeavy, seconded by Cllr. M. O'Reilly, the members agreed to appoint Cllr. C. Nolan to the Transportation and Emergency Services SPC.</p> <p>On the proposal of Cllr. T. McKeigue, seconded by Cllr. L. Quinn, the members agreed to appoint Cllr. J. Clendennen to the Transportation and Emergency Services SPC.</p> <p>ii. <u>Midland Energy Agency Steering Committee</u></p> <p>On the proposal of Cllr. P. Ormond, seconded by Cllr. E. Dooley, the members agreed to appoint Cllr. T. McKeigue to the Midland Regional Drugs Task Force.</p> <p>iii. <u>Joint Policing Committee</u></p> <p>On the proposal of Cllr. P. Ormond, seconded by Cllr. D. Harvey, it was agreed that the following members would be appointed to the Joint Policing Committee: Cllrs. N. Bourke, J. Carroll, J. Clendennen, N. Cribbin, D. Dolan, S. Dooley, E. Fitzpatrick, J. Foley, D. Harvey, B. Killeavy, J. Leahy, F. Moran, C. Nolan and P. Ormond.</p>
<p>MONTHLY MANAGEMENT REPORT</p>	<p>Ms. C. Byrne, Chief Executive informed the members that the <i>Local Government Act 2001, as amended</i> requires that a monthly Management Report must be prepared by the Chief Executive and presented to the members.</p> <p>She drew the members' attention to the Management Report that had circulated with the Agenda noting that many of the items were on the September Monthly Agenda.</p>
<p>CORPORATE POLICY GROUP REPORT:</p>	<p>Cllr. S. Dooley, Cathaoirleach advised that the Corporate Policy Group (CPG) had met to discuss the September Monthly Council Agenda and had approved the list of conferences /training courses for circulation.</p> <p>The Cathaoirleach advised that the CPG are reviewing the Council's <i>Protocol for conferral of Civic Honours and Representation at Official Events</i>. She informed the meeting that the CPG were recommending that a Civic Welcome be extended to Óglaigh Náisiúnta na hÉireann Teoranta to mark the occasion of the hosting of their National Convention in Tullamore. On the proposal of Cllr. E. Dooley, seconded by Cllr. E. Fitzpatrick, the members approved the hosting of the Civic Welcome in Áras an Chontae on Friday, 26th September 2014 at 6pm.</p> <p>Cllr. S. Dooley, Cathaoirleach advised that an In Committee Housing Workshop will be held at 2pm on Monday, 15th September, and, that arrangements are being made to convene an In Committee meeting with the IDA.</p>
<p>NOTICES OF MOTION:</p>	<p>On the proposal of the Cathaoirleach the members agreed to take Cllr. J. Clendennen's first motion and Cllr. E.</p>

**NOTICES OF MOTION:
(cont'd)**

Fitzpatrick's first motion together:

- (i) The following motions were proposed and seconded by Cllr. J. Clendennen and Cllr. E. Fitzpatrick and received the unanimous support of the members:

“That Offaly County Council supports the call from the Restaurants Association of Ireland for the ongoing retention of the 9% VAT rate for the food, tourism and hospitality sector, and the Minister for Finance to Keep VAT @ 9% into 2015 and beyond.”

and

“That Offaly County Council supports the call from the Restaurants Association of Ireland for the on-going retention of the 9% VAT rate for the food, tourism and hospitality sector, that has helped create one in four jobs in our economy and that this council call on the Minister for Finance to retain this level of Vat in the 2015 Budget”

- (ii) The following motion was proposed by Cllr. J. Clendennen, seconded by Cllr. J. Carroll and agreed by the members:

“That Offaly County Council writes to the Minister for Education and Skills requesting a review of the existing School Transport Scheme, with the anticipation of improving the current service options.”

- (iii) Cllr. P. Ormond motion:

“I wish to submit motion under Section 139 of the Local Government Act 2001 to revoke resolution pertaining to the adaption of the managers report in regard to the Part 8 enhancement works at Emmet Square which was adapted at the January meeting of Birr Town Council.

This project was granted funding under the Active Travel Towns Scheme. The objectives of the Active Travel Towns Funding Scheme 2014/2016 is to deliver cycle infrastructure and other measures to encourage sustainable transport measures. I propose that a more appropriate use of the funding would be to develop walking and cycling lanes as proposed in the Birr Walking and Cycling strategy and submitted under the Active Travel Towns Funding Scheme.”

Cllr. S. Dooley, Cathaoirleach read Cllr. P. Ormond's motion and proceeded to inform the meeting that the Chief Executive had received legal advice from Mr. B. Mahon, Hoey & Denning Solicitors. Cllr. S. Dooley, Cathaoirleach stated that the legal advice was that the wording of the Motion is outside the scope of S.139 and thus invalid.

<p>NOTICES OF MOTION: (cont'd)</p>	<p>The Cathaoirleach noted that the substance of the motion was addressed on a number of occasions by Birr Town Council earlier in the year. The Cathaoirleach's proposal that the executive of Offaly County Council provide a full briefing to all the members at an In Committee Meeting was seconded by Cllr. E. Fitzpatrick and approved by the members.</p> <p>On the proposal of Cllr. P. Ormond, seconded by Cllr. J. Leahy, the members resolved to adopt a motion directing the Chief Executive, in accordance with S.132 of the Local Government Act, to seek a second legal opinion on the motion.</p> <p>(iv) The following motion was proposed by Cllr. E. Fitzpatrick, seconded by Cllr. E. Dooley and agreed by the members:</p> <p><i>"That Offaly County Council call on the Minister for Social Protection to re-instate the Respite Care Grant to Carers in Budget 2015"</i></p>
<p>COMHDHÁLACHA:</p>	<p>On the proposal of Cllr. E. Dooley, seconded by Cllr. E. Fitzpatrick, the conferences and training seminars were approved as follows:</p> <p><u>CONFERENCES:</u></p> <p>Rural Development Conferences Planning for Climate Change Conference Series University of London 4th December 2014 and Dublin Chamber of Commerce 12th March 2015</p> <p>Councillors Conferences, Dublin Social Housing in Ireland Bewley's Hotel, Newland's Cross, Clondalkin, Dublin 22 12th – 14th September 2014</p> <p>Councillors Conferences, Dublin The Public Healthcare System Bewley's Hotel, Newland's Cross, Clondalkin, Dublin 22 26th – 28th September 2014</p> <p><u>TRAINING:</u></p> <p><u>Association of Irish Local Government (AILG) Training Days for Elected Members</u></p> <p>Finance: Budget 2015, Municipal District Financing, Schedule of Municipal Works, General Municipal Allocation (GMA), Audits/Local and National, Governance The Fairways Hotel, Dundalk Thursday 11th September 2014</p> <p>Housing: Details to follow The Hodson Bay Hotel, Athlone Tuesday 23rd October 2014</p> <p>Planning: Details to follow</p>

