

Minutes of Monthly Meeting of Offaly County Council

Held on 15th May 2023 at 2pm, in Clara Library

The Meetings Administrator carried out a roll call to confirm attendance

Present

Cllr. Frank Moran, Leas Cathaoirleach

Cllr. John Carroll	Cllr. Declan Harvey
Cllr. Clare Claffey	Cllr. John Leahy
Cllr. John Clendennen	Cllr. T. McCormack
Cllr. Eamon Dooley	Cllr. R. McDermott
Cllr. Neil Feighery	Cllr. Sean O'Brien
Cllr. Eddie Fitzpatrick	Cllr. Peter Ormond
Cllr. John Foley	Cllr. Danny Owens
Cllr. Mark Hackett	Cllr. Liam Quinn
	Cllr. Ken Smollen

Apologies

Cllr. N. Cribbin

Officials in Attendance

Ms. A. Delaney, Chief Executive; Mr. T. Shanahan, D.O.S.; Ms. S. Kennedy, D.O.S.; Ms. A. Dillon, D.O.S.; Mr. M. Connolly, H.O.F.; Mr. R. Bell, H.O.I.S.; Ms. E. McGinn, County Librarian; Ms. A.M. Kelly, S.O.; Ms. L. Mitchell, S.E.P.; Mr. J. Condrón, E.P.; Mr. M. McRedmond, E.P.; Ms. O. Cummins, T.R.O; Ms. Amanda Glancy, Director of Corporate Affairs, Dennis Cambridge, Director of Build, Damian McGee, SIRO; Mr. E. Fennell, S.E.O.; Mr. G. Bruton, Meetings Administrator and Ms. L. Carbery, C.O.

Suspension of Standing Orders

On the proposal of Cllr. S. O'Brien, seconded by Cllr. J. Leahy, the members resolved to suspend standing order to hold a minutes silence on the passing of Mr. Joe Smollen, father of Cllr. K. Smollen the members joined with Cllr. S. O'Brien in expressing their condolences to Cllr. Smollen.

Cllr. Sean O'Brien joined with the members in remembrance of Mr Smollen who was a great family man and had an amazing working career, working in the UK and then back to Tullamore where he worked in the Midland Butter and Bacon factory in 1963 until it closed.

Cllr. K. Smollen thanked the members for their support and he expressed that it's very difficult to lose a parent no matter what age they are.

The Chief Executive, on her own behalf and on behalf of the staff of Offaly County Council, joined with the members in expressing her condolences.

Votes of Sympathy were unanimously extended to the following:

Aoife Murphy and the Murphy Family, Back Road, Pullough, on the death of her husband Keith.

The Chief Executive, on her own behalf and on behalf of the staff of Offaly County Council, joined with the members in these votes of sympathy.

1. Confirmation of Minutes

On the proposal of Cllr J. Leahy seconded by Cllr. E. Fitzpatrick, the members resolved to adopt the Minutes of the Ordinary meeting of Offaly County Council held on Monday 17 April 2023.

2. Minutes for Noting

The members noted the following minutes:

- Minutes of the Corporate Policy Group meeting held on 24 March 2023

3. Section 183 of the Local Government Act 2001

On the proposal of Cllr. E. Dooley, seconded by Cllr. J. Leahy, the members resolved to adopt Section 183 of the Local Government Act 2001, to lease Ferbane Convent to An Síolán, for €100 per annum for 18 Months

4. Planning and Development Act 2000, as amended, Part 8 of the Planning and Development Regulations, 2001 as amended

On the proposal of Cllr. L. Quinn, seconded by Cllr. J. Foley the members resolved to adopt the Planning and Development Act 2000, as amended, Part 8 of the Planning and Development Regulations, 2001 as amended, for development at 8 Village Crescent, Rhode, Co. Offaly

5. Chief Executive's report on the material alterations of the draft Birr LAP

Ms. A. Dillon advised the members of their obligations under Section 148 of the Planning and Development Act 2000, as amended which addresses 'requirements affecting members who have certain beneficial interests'

148 (2) Where, at a meeting of a planning authority or of any committee of a planning authority, a resolution, motion, question or other matter is proposed or otherwise arises either pursuant to, or as regards the performance by the authority of a function under this Act or in relation to the acquisition or disposal by the authority of land under or for the purposes of this Act or any other enactment, a

member of the authority or committee present at the meeting shall, if he or she has a pecuniary or other beneficial interest in, or which is material to, the matter—

(a) at the meeting, and before discussion or consideration of the matter commences, disclose the nature of his or her interest and (b) withdraw from the meeting for so long as the matter is being discussed or considered, and accordingly, he or she shall take no part in the discussion or consideration of the matter and shall refrain from voting in relation to it

She advised the members that this is the final Stage of adoption.

Ms. L. Mitchell provided the members with a presentation on the Chief Executive's report on the Material Alterations to the Draft Birr Local Area Plan. She updated the members on the legalities and the consultation undertaken for adoption and to come into effect on 26 June 2023. She outlined the submissions where the Chief Executive recommended a change and sought proposers and seconders to adopt the recommendations.

Relating to BLAP MA 03, Cllr. J. Carroll proposed to leave out changes in red and the footnote, as the submission has been well covered in a number of areas in the plan e.g.

- Bottom of table 11.1 of the County Development Plan
- Section 8.4.2 of the draft Local Area Plan
- DMS 106 of the County Development Plan

They also noted the public have not had an opportunity to make a submission in response. Ms. A. Dillon informed the meeting that this proposal requires vote from all the members present, as it deviated from the Chief Executives recommendation.

Mr. G. Bruton, Meetings Administrator called a roll on Cllr. J. Carroll's proposal not to change BLAP MA03 as submitted by OPW

In favour: Cllrs. J. Carroll, C. Claffey, J. Clendennen, E. Dooley, N. Feighery, E. Fitzpatrick, J. Foley, M. Hackett, D. Harvey, J. Leahy, T. McCormack, R. McDermott, F. Moran, S. O'Brien, P. Ormond, D. Owens L. Quinn and K. Smollen.

Absent: Cllr. N. Cribbin

Cllr. F. Moran declared the motion passed.

Ms. L. Mitchell outlined the remaining 3 submissions which the Chief Executive recommended changes to:

BLAP-MA-5	Department of Environment, Climate and Communications
BLAP-MA-6	TII
BLAP-MA-8	OPR

Ms. L. Mitchell red out the Final Appropriate Assessment Determination, which was signed by the Chief Executive.

Having considered the Draft Birr Local Area Plan 2023-2029, the proposed material alterations which were placed on public display and the Chief Executive's Report on submissions received on the proposed material alterations which was circulated to the members on the 6th April 2023 and the

The Strategic Environmental Assessment (SEA) Environmental Report for the Draft LAP
The Appropriate Assessment (AA) Natura Impact Report for the Draft LAP
The Strategic Flood Risk Assessment (SFRA) for the Draft LAP
The Screening for SEA Report for the Proposed Material Alterations
The Screening for AA Report for the Proposed Material Alterations
Screening for SEA and AA determinations to date
Written submissions relating to SEA, AA and SFRA made during the Plan preparation process
Ongoing advice on SEA, AA and SFRA from the Council's agents
The final, consolidated Natura Impact Report
The final AA Determination

in accordance with the provisions of Section 20 of the Planning and Development Act 2000 (as amended), the members agree, by resolution, to make the Birr Local Area Plan 2023-2029, as recommended by the Chief Executive and as further modified by way of motions and resolutions at the Council Meeting on Monday 15th May 2023 and to proceed in accordance with Section 20 of the Planning and Development Act 2000 (as amended) to publish notice of the making of the LAP.

On the proposal of Cllr. J. Carroll, seconded by Cllr P. Ormond, the members resolved to adopt the Birr Local Area Plan.

The members raised concerns about the lengthy process involved in developing the plan and with the inconsistencies that arose between the Local Area Plans and the County Development Plan.

Ms. A. Dillon thanked the members for their patience and the planning staff at the end of this long process.

Cllr. F Moran acknowledged the huge amount of work carried out and on behalf of all the members, he thanked all staff that were involved. Cllr. P. Ormond noted the process needs streamlining and needs to be reviewed by the Department. Cllr. E. Fitzpatrick outlined the complexity for Portarlington in considering both counties involved and the flooding issues.

Ms. A. Dillon reassured members that the legislative was introduced as a once off process, following the dissolution of Town Councils and will not be required again. She confirmed that consultation with Laois County Council is taking place in advance of the Portarlington Joint Local Area Plan process.

6. Local Community Development Committee Membership

Ms. Kennedy advised the members on the requirements of Section 128C of the Local Government Reform Act 2014 relating to the membership of the Local Community Development Committee. She thanked Ms. Sinead McDonagh for her contribution over her terms on the Committee and she welcomed the nomination for Non Statutory Interests PPN, Community & Voluntary Representative Ms. Fiona Fitzpatrick.

On the proposal of Cllr. J. Leahy, seconded by Cllr. D. Harvey the members elected Ms. Fiona Fitzpatrick to the Local Community Development Committee.

7. Derelict Sites Policy

Cllr. E. Dooley chair of the Land Use, Planning and Economic Development SPC welcomed the introduction of policy, providing focus for towns and villages to tackle their dereliction.

Ms. A. Dillon advised the members the policy has been reviewed and adopted by SPC.

Ms. O. Cummins updated the members on the new resources for the Regeneration team, including an Executive Engineer David Ledwith with responsibility for updating the register. The policy sets out how register looks, with work commenced to remove developed properties, secure levies, inspect potential properties and issue notices. She outlined the Government funding schemes, Town Centre First and Housing For All. She noted the URDF call 3 funding to acquire properties and to de-risk properties to make them more attractive. She advised it will be a rolling programme to tackle dereliction and the housing vacant homes officer is working on properties that can be developed through housing section. She welcomed the expansion of the Croí Connaithe scheme to include rental properties, pre 2007 properties and increased funding. She highlighted that other funding options can be pursued and that 2 pilot projects are being carried out currently, which may open up further schemes.

The members thanked her for the update, they welcomed the policy noting its importance, and that it has been needed for a long time. They highlighted that there is a large amount of work in each town and village and called for a vacant homes officer for each Municipal District. They highlighted the success in areas such as Church Hill, Tullamore, which has cleaned up the area and has helped to reduce anti-social behaviour. They acknowledged the emphasis that the executive have placed on dereliction over the course of the council, the lengthy process of the CPO process and the needs for on-going resources. They acknowledged incentives are required for property owners to either sell or develop their vacant or derelict properties.

They welcomed the success of schemes such as the Banagher painting scheme and they raised queries on the number of properties on the register, timeframe of implementation of the policy, the number of CPOs and targets. They sought clarity on the 7% levy. Cllrs. K. Smollen and F. Moran raised concerns about the application of the streetscape scheme in Clara.

In response Ms. O. Cummins advised that the process to get properties on register is outlined in the policy, she agreed there is good overlap with the planning, regeneration and housing sections and further resources are being reviewed by the Department. She advised that acquisition agreement is always more suitable in acquiring property, but it is not always possible and in some cases the CPO route may have to be pursued. She advised that two properties are due to be removed from the list following development by the housing section. She pointed to the website for all information on the register.

She noted applications for the new round of URDF will be submitted following its approval. She advised that Housing section can provide an update on vacant homes. She informed the members on the

success of the Croí Connaithe scheme and that details of expansion has been sent to applicants, the uptake is excellent with approximately 100 applicants to date. She confirmed the levy is 7% annually and is valued every 5 years. She noted the difficulty with developing properties that are above commercial premises and that heritage grants are also available. She advised that the criteria for the Clara streetscape scheme is set out by the Departments, with grants available up to €1,000. She noted that 40 applicants were successful, not all will take up the scheme and so unsuccessful applicants may still get an opportunity to avail of the scheme. She further advised that the Department have been informed that the scheme is oversubscribed and have sought unspent funding from other Local Authorities.

On the proposal of Cllr. E. Dooley, seconded by Cllr. P. Ormond, the members resolved to adopt the Derelict Sites Policy.

8. Local Property Tax supported projects update

Ms. A. Dillon informed the members that an update on the status of the Local Property Tax projects will be presented to them.

Ms. O. Cummins provided the members with an overview of the projects supported by the Local Property Tax:

She outlined the 2020 projects proposals, including Birr Destination Town Project with the completion of The Green, Birr and the opening up of new entrance to Birr Castle with works due to come May 2023. The Edenderry Regeneration Phase 1, with completion of Blundell Avenue, which opens up access to the whole Blundell Master Plan Area, further development possible for the back land area and assistance with the development of the Old Tesco Site for new Community Library. The Tullamore Street Enhancement and Urban Regeneration

- Urban Regeneration Development Fund (URDF) Call 1 (€9m)
- Tullamore Street Enhancement (Complete 2020)
- Millennium Bridge (Complete 2020)
- Urban Greenway (Construction Commencing 2023) and the Harbour Street / Store Street (Future Project)

She provided the members with details of the 2021 project proposals, including the Kinnitty ORIS project consisting of:

- Route to the Slieve Bloom Mountain Bike Trails - contractor awarded
- Kinnitty Woods Novice-Grade MTB Loop - under construction
- Rediscovering Castle Bernard's Historic Bridges steel suspension bridge restored and reinstated - metal girder bridge restored, pathways complete, fencing and railings ongoing.

The Edenderry Regeneration Phase 2 Design Team progressing through design work programme, working towards a Part 8 planning permission Q4 2023, next step a Category 1 RRDF application – Call expected Nov 2023 and appraisal of extension of Blundell Master Plan area continuing. RRDF Regeneration Ferbane with Architect Led Design Team appointed, initial open/public consultation day held on 31 March and community use agreed.

She updated the members on the 2022 proposals, with the Banagher RRDF Regeneration, Architectural and Tourism Master Plan for Banagher Marina and Environs nearing completion, final designs being prepared for planning based on public consultations, Conservation Plan for Royal Shannon Hotel due to commence and liaison with WWI & IW ongoing. In Portarlinton investigating the opportunities for regeneration funding to be availed of and possible projects, being developed which will require match funding. In Clara Town Centre First Draft plan due shortly and looking at opportunities of funding based on the plan to be availed of, funding possible opportunities RRDF, TCF, TVR, BAM, ORIS etc. all requiring match funding.

She outlined the Tullamore Urban Regeneration Development Fund (URDF)

- Call 2 consisting of (€3m) O'Connor Square to Church Street, Urban Garden, Church Street RWH (Tender for Consultants Q2 2023)
- High Street to Tanyard New Street Link (Tender for Contractor Q2 2023)
- Meath Lane Civic Space (Tender for Contractor Q2 2023)
- Tullamore Regeneration Framework Entire Town Centre (BSM appointed; Framework in progress)
- Tullamore Harbour Development Masterplan (Grafton Architect appointed; Masterplan in progress)
- Acres' Folly Enhancements (Tender for Contractor Q2 2023)

In regard to Just Transition funding the LPT utilised as our own resource with JT fund to support projects of scale delivering a Just Transition for Offaly and LPT to be utilised as match funding for OCC led projects under the EMRA EU JTF (if match funding is required t.b.c.)

She advised that the focus for LPT 2023/2024 is on future transformational projects of scale, continued support already commenced Cat 2 projects as they develop to Cat 1 to benefit all Municipal District areas Birr, Edenderry & Tullamore. Also for opportunity to match/leverage URDF/RRDF/JT funds for future consideration, other large scale funding opportunities through the following:

- TVR Town and Village Renewal
- ORIS Outdoor Recreational Infrastructure Scheme
- CCIF Community Centre Investment Fund

She highlighted the geographical spread of regeneration projects across the county and that LPT 2020-2022 has the potential to provide €2.2m LPT Match Funding, €8.1m additional funding resulting in €10.3m total. LPT of 2020-2024 has the potential to provide €3.5m LPT Match funding, €13m potential additional funding, totalling €16.6m.

Cllr. E Dooley joined the members in acknowledging the success of projects made possible by the increase in LPT funding. He welcomed the acquisition of Ferbane convent as a positive addition for the community and he stressed the need to develop the more rural areas. The members acknowledged the success of schemes across the county including active travel and TVR. Cllr. K. Smollen expressed concerns that many people could not afford the increase. The members sought clarity on the cost to the public and the level of complaints submitted concerning LPT.

Mr. M. Connolly confirmed the 15% increase applied to local property tax by Offaly County Council, on average, resulted in a 26 cent per week rise for 60% of population. For 95% of the population this average increased to 54 cent.

Mr Connolly advised that due to the re-evaluation process carried out by the Revenue Commissioners, the amount of LPT raised locally decreased as more properties are now in the lowest valuation bracket. However, Central Government provided funding to ensure that the final baseline LPT funding (before any increases are applied) was maintained at 2022 levels in 2023.

He noted that following public consultation only 3 submissions were received concerning LPT.

9. SIRO Presentation

Mr. R. Bell welcomed Amanda Glancy, Dennis Cambridge and Damian McGee, SIRO to the meeting and invited them to provide the members with a presentation on their organisation.

Ms. A. Glancy thanked Mr. Bell for all his hard work and co-operation as Broadband Officer. She informed the members that SIRO is a fully commercial joint venture between ESB and Vodafone, rolling out high quality and reliable fibre broadband. Currently they have introduced high quality broadband to almost 500,000 homes and businesses in 126 towns. A further rolling out to an additional 30+ towns reaching 700,000+ premises over the next 4 years is planned. She stressed that SIRO are a commercial company that do not provide their services to rural areas as this is the remit of NBI, a subsidised company contracted by government to roll out broadband in rural areas.

She advised that SIRO provide wholesale open access for network providers and their fibre broadband is available through 20 retailers nationwide, with Virgin Media due to join in Q2. She outlined the SIRO network designing and building sequence for each town, based on the existing electrical infrastructure. She highlighted the benefits of SIRO for Offaly, in allowing people to live and work locally, ensuring more money stays in the community, reducing commuting, improving quality of life and the environment, as fibre is the greenest network. She outlined further benefits for consumers and businesses in accessing high quality, reliable and future proofed broadband. This reaches a range of retailers, provides greater choice for the consumer and increases market competition. It enables businesses to utilise Cloud and digital tools, supports remote and hybrid working and is future proofed to meet increasing data demands for 2G and 10G. This results in making Offaly a more attractive place to do business.

She brought the the members attention to SIRO's Gigabit hub scheme that supports 4 or 5 hubs per year. The criteria is for high standard hubs, embedded in community and supported by state agencies. She noted SIRO are currently supporting 18 hubs and are engaging with Steam in Birr. In relation to Offaly, she advised that SIRO are targeting over 9,000 premises across 3 towns, Tullamore, Edenderry, Birr and she referred to Portarlinton covered in both Offaly and Laois. She highlighted that work has commenced in Tullamore with 600 premises handed over in March and they are working in partnership with the Local Authority and Elected Representatives to minimise disruption.

Mr. D. Cambridge provided the members with the build overview, aiming to reach 4,500 residences in Tullamore, with the contractor TLI having already commenced works. A further 2,400 planned in Edenderry and 2,300 in Birr using the same contractor. Build in Portarlinton is to start this year targeting 2,400 residences. He explained that work is carried out in clusters, in line with the electrical infrastructure and the objective is to leave resilient robust network for the next generation.

Cllr. F. Moran thanked them for their presentation and commended Mr. R. Bell for his excellent work within the county. The members agreed connectivity is very important and they expressed concerns about rural areas. Cllr. S. O'Brien highlighted the excellent work carried out so far in Tullamore and he commended the contractor TLI for their engagement with the community.

Ms. A. Delaney Chief Executive thanked them for providing the update to the members and she noted the importance of ramping up digitisation for remote working and to keep improving and expanding broadband for economic development.

On the proposal of Cllr. D. Harvey, seconded by Cllr. J. Leahy the members agreed to suspend standing orders to break for refreshments and to allow the meeting to continue past 6pm.

10. Just Transition

Ms. A. Dillon brought the members attention to the presentation by EMRA outlining the EU Just Transition Fund 2021-2027. She noted the tourism micro grants are aiming to launch end July/August and all grants to be awarded by end 2024.

She advised that Pobal are actively working with grant stakeholders and in partnerships with agencies they will assist in getting applications in. She brought the members attention to the meeting that took place on 3 May to inform members on the work carried out by community energy groups, An Síolan and SEAI and their efforts to engage with other likeminded groups. She agreed to seek permission to share their presentations with the members and to arrange a further meeting as the information provided was invaluable.

Cllr. E. Dooley thanked Brian Flynn, An Síolan for this on-going work and stressed the importance of future funding for community owned energy projects. He expressed his concern about getting additional funding or time extension for Ferbane community project.

Cllr. L. Quinn called for large energy groups to include community amenity schemes in their planning applications.

11. Monthly Management Report

Ms. A. Delaney, Chief Executive, brought the members attention to the April monthly management report. She highlighted the upcoming Offaly Jobs Fair on 10 June. She noted the Regeneration Development Fund projects details are set out in the report and she highlighted the large array of arts, sports and library activities taking place. She welcomed the soft opening of Esker Arts in April.

12. Corporate Policy Group Report

Cllr. F. Moran thanked the members for their attendance at the recent civic reception for the Offaly boxers Grainne Walsh, Nichole Buckley and Paul Loonam and he thanked sports partnership for their assistance. The CPG members noted the success of the soft opening of the Esker Arts Centre.

13. Notice of Motions

Cllr. K. Smollen brought the member's attention to recent importation of wood chip from Brazil for the Edenderry Power Plant and the recording of the resulting carbon emissions to Brazil, resulting in distorted accounting of our carbon emissions. He also raised concerns on the importation of briquettes from Germany and peat from Latvia.

Cllr. K. Smollen agreed to amend his proposal:

"That Offaly County Council calls on the Government to consider putting an immediately cessation to the importation of woodchips into Ireland for use in the Edenderry Power Plant or any other Power Plant in the country."

Cllr. C. Claffey seconded this

A number of members voiced their objections to this motion, citing that it would close the Edenderry Power plant resulting in loss of 60 direct jobs, hundreds of indirect jobs and loss of revenue and rates to the area. They highlighted that Ireland does not produce sufficient biomass material, the material imported is sustainable by-product residual material and biomass is internationally traded.

A counter proposal was put forward.

Cllr. F. Moran informed the members that due to prior engagement he excused himself from the meeting and requested Cllr. T. McCormack, Leas Cathaoirleach to chair the remainder of the meeting. He also congratulated Cllr. T. McCormack on his upcoming nuptials

On the proposal of Cllr. R. McDermott, seconded by Cllr. L. Quinn the members voted on the counter proposal and 12 voted in favour to request the Minister to introduce a scheme to make it profitable for Irish farmers to grow the required products for Biomass, ensuring the future of Edenderry Power while avoiding the need for such imports.

14. Comhdhálacha /Conferences

ALLG Training Brochure 2023 was noted.

15. Comhfhreagras / Correspondence

Correspondence that issued with the agenda was noted. Cllr. L. Quinn requested clarification on waiver scheme for development contributions for next meeting.

16. Any Other Business

The members joined with Cllr. J. Leahy in congratulating Cllr. J. Clendennen on his appointment as President Elect to the Vintners Association.

Cllr. J. Clendennen acknowledged the work of the executive and engagement with the contractor on the repairs to Public Lighting.

Cllr. D. Harvey wished the Offaly U20 hurlers in the Leinster Championship this week.

Cllr. J. Leahy called on the members to support the fast track of a meeting of RTE and GAA in relation to the accessibility of the broadcast of matches to all the members of the public.

Cllr. M. Hackett sought an update on his previous years passed motion on stopping the use of glyphosate for weed control except in the case of invasive species control. He raised the need for a corresponding public awareness campaign and sought an update on how the implementation of the ban is going, any teething problems and is there a public awareness campaign in the planning.

Mr. T. Shanahan confirmed that Offaly County are implementing a policy of using non-glyphosate herbicide in our own operations from now on. All MD operations staff have been instructed on this. Publicity on this policy will be part of an overall publicity campaign on Climate Action and the Circular Economy to be rolled out soon.

MINUTES CONFIRMED:

CATHAOIRLEACH

RUNAÍ

19 June 2023