

**Minutes of Monthly Meeting of Offaly County Council**  
Held on 17 July 2023 at 2pm, in Áras an Chontae, Charleville Road,  
Tullamore and via Zoom

The Meetings Administrator carried out a roll call to confirm attendance.

**Present**

Cllr. Eddie Fitzpatrick, Cathaoirleach

|                     |                    |
|---------------------|--------------------|
| Cllr. John Carroll  | Cllr. John Leahy   |
| Cllr. Clare Claffey | Cllr. T. McCormack |
| Cllr. Noel Cribbin  | Cllr. R. McDermott |
| Cllr. Eamon Dooley  | Cllr. F. Moran     |
| Cllr. Neil Feighery | Cllr. Sean O'Brien |
| Cllr. John Foley    | Cllr. Peter Ormond |
| Cllr. Mark Hackett  | Cllr. Danny Owens  |
| Cllr. Declan Harvey | Cllr. Liam Quinn   |

**Apologies**

Cllrs. K. Smollen and John Clendennen

**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. A. Murray, S.P.; Ms. L. Mitchell, S.E.P.; Mr. J. Condrón, E.P.; Mr. J. McNally, C.A.C.; 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. D. Harvey the members resolved to suspend Standing Orders. The members joined with Cllr. S. O'Brien and the Executive in expressing their best wishes to Cllr. K. Smollen, who is going through a serious illness and is undergoing treatment.

**Votes of Sympathy**

Votes of sympathy were unanimously extended to the following:

Josie Larkin, Killurin, Tullamore on the death of her husband Joe.

Irene Guilfoyle, Killeenmore, Killeigh on the death of her husband Paddy.

Ruth Maxwell, Streamstown, Mullingar on the death of her mother Maureen.

Sally O'Meara, Fortal, Birr on the death of her husband Tom.

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. L Quinn, the members resolved to adopt the Minutes of the Ordinary meeting of Offaly County Council held on Monday 19 June 2023

On the proposal of Cllr. D. Owens, seconded by Cllr. D. Harvey the members resolved to adopt the Minutes of the Annual Meeting of Offaly County Council held on Monday 19 June 2023

### **2. Minutes for Noting**

The members noted the Minutes of the Corporate Policy Group Meeting held on 12 May 2023

### **3. Planning and Development Act, 2000 as amended, Part 8 of the Planning and Development Regulations, 2001 as Amended**

Mr. T. Shanahan outlined the proposal to provide an extension of 0.586ac. (0.237 ha.) to the existing St. Mary's cemetery in Edenderry. In total, the development will provide 313 new graves. It is estimated that it will provide capacity for at least 10 years and the works will be carried out in one phase. He advised the members that the works proposed to extend St. Mary's Cemetery will not restrict the use of surrounds if it is decided not to designate it as a Lawn cemetery. Following the completion of the works, and prior to any burials taking place members will be required to decide whether or not the extension, or any part of, is to be designated as a Lawn Cemetery under section 8 of the Offaly County Council Burial Ground Byelaws 2015.

On the proposal of Cllr. N. Cribbin, 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 the proposed extension to St. Mary's Cemetery, Edenderry.

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

Mr. T. Shanahan informed the members that in conjunction with the recent opening of the Greenway Cycle routes from Tullamore to Edenderry and Campbells Bridge to Kilbeggan and in keeping with the tourism policy of Offaly County Council, it is proposed to include the development of the first Greenway Trailhead at Ballycommon, along with the introduction of road safety measures on both approaches to Ballycommon Grand Canal Bridge.

He advised the development is also in conjunction with Offaly County Council Sustainable Mobility policy and the link has several aims including the promotion of sustainable communities, economic growth, tourism potential and to strengthen rural communities.

On the proposal of Cllr. L. Quinn, seconded by Cllr. N. Cribbin, 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 the proposed development of New Car Park, Traffic Lights, Public Lighting, Footpaths, Pedestrian Crossing Points & Associated Works at Ballycommon and Ballycommon Bridge, Tullamore Co. Offaly

#### **5. Planning and Development Act, 2000 as amended, Part 8 of the Planning and Development Regulations, 2001 as Amended**

Mr. T. Shanahan updated the members on the proposal to provide a safe cycling and pedestrian link from the Edenderry Town Centre to the Grand Canal Greenway at Downshire Canal Bridge.

He highlighted the development is in conjunction with Offaly County Council Sustainable Mobility policy and the link has several aims including the creation of safer routes to schools, green safe linkages between urban centres, promotion of healthier living and to provide a platform for modal shift away from the car towards cycling and walking.

On the proposal of Cllr. R. McDermott, seconded by Cllr. N. Cribbin, 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 the development to Re-Surface / Re-Construct Existing Share Walking and Cycling Route (East Bank) Along Existing Grand Canal Towpath from Blundell Harbour in Edenderry Town to Downshire Bridge Edenderry, Co. Offaly

#### **6. Draft Edenderry Local Area Plan 2023 - 2029**

Ms. A. Dillon advised the members that the Draft Edenderry Local Area Plan 2023-2029 is now at the final stage and is required to be adopted by the end of July. She advised the members on Section 148 Planning and Development Act 2000, as amended that where a member, 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.

Ms. L. Mitchell provided a brief synopsis of the Edenderry Local Area Plan process, including reference to the errata published 07/07/2023. She highlighted the relevant extracts from the Planning and Development Act 2000, as amended and updated the members on submissions where the Chief Executive recommends a significant change i.e., 3 of the 12 submissions received.

**ELAP-MA-06** all references to Irish Water will be updated to Uisce Éireann within the Edenderry Local Area Plan.

On the proposal of Cllr. L. Quinn, seconded by Cllr. N. Cribbin the members resolved to adopt the Chief Executives recommendation for ELAP-MA-06

#### **ELAP-MA-09 Office of Public Works**

1. Amend Section 2.4 of the SFRA (which was subject to PMA77) as follows: ‘The PFRA indicative flood maps have now been superseded by the recently published national indicative fluvial flood mapping. There is no national indicative fluvial flood mapping available within the Plan area, although there are extents for this dataset in close proximity outside of the Plan area’.
2. Amend Section 11.6 of the draft LAP (which was the subject of PMA49) as follows; ‘LUZO-13 Facilitate the appropriate management and sustainable use of flood risk areas designated as ‘Constrained Land Use’ in the zoning map in accordance with the provisions of the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009), as amended, in consultation with the OPW. New development within this area is generally limited to water-compatible uses in Flood Zone A, and less vulnerable or water compatible uses in Flood Zone B, (although these restrictions do not apply where a Plan-making Justification Test has been passed) and a detailed SSFRA will be required.

On the proposal of Cllr. L. Quinn, seconded by Cllr. N. Cribbin the members resolved to adopt the Chief Executives recommendation for ELAP-MA-09

#### **ELAP-MA-11 Office of Planning Regulator**

1. OPR is concerned with the proposal to rezone additional land as New Residential under PMA 65, 67, 68, 69 and 70.
2. The peripheral sites (PMA65,68,69) will likely be costlier and less easy to service, including by sustainable transport modes, are peripherally located relative to services and facilities, are inconsistent with national and regional objectives for compact growth, do not have regard to the sequential approach to zoning, and are inconsistent with the core strategy.
3. The OPR is concerned with the concurrent zoning amendment of a strategically located central site from New Residential to Strategic Residential Reserve (PMA66) and agrees with the conclusions of the Planning and Infrastructural Assessment and the CE, which do not support the proposed rezoning on the basis that the subject lands are highly suitable for residential development as they adjoin the town centre, would promote compact growth and support the 10-minute town concept.
4. The OPR is concerned with the proposal to rezone a site from Community Services / Facilities adjacent to the Grand Canal to Enterprise and Employment (PMA71) on grounds of the potential conflict with the amenities of the Grand Canal Greenway, the proposed cycle way and with site accessibility issues where independent road access to the lands is restricted due to the isolated location within Community Services / Facilities zoned lands.

The planning authority is required to make the plan without PMA65, 66, 68, 69 and 71.

- OPR requires the Planning Authority to make plan without PMA 65, i.e., unzoned as per Draft Plan
- OPR requires the Planning Authority to make plan without PMA 68, i.e., site shall not be zoned as per Draft Plan.
- OPR requires the Planning Authority to make plan without PMA 69, i.e., site shall not be zoned as per Draft Plan.

- OPR requires the Planning Authority to make plan without PMA 66, i.e., site shall be zoned 'New Residential' as per Draft Plan.
- OPR requires the Planning Authority to make plan without PMA 71, i.e., site shall be zoned 'Community Services/Facilities' as per Draft Plan.
- OPR notes two oversights on zoning objectives map in PMA 46 which should be corrected - PMA 59 is not shown; and New Residential zoning is shown in place of Enterprise and Employment to the south of the Dunnes Stores site, but it was not presented as a Proposed Material Alteration

The OPR refers to Appendix B Proposed Infrastructure in the Local Transport Plan (LTP) as set out at PMA56, which it says would have the effect of reducing the number of pedestrian and cycle routes for the town. The OPR states that this is inconsistent with PMA57 (which inserts an All Options Map into the LTP which includes interventions not identified in the legend) and is inconsistent with the pedestrian and cycling policies in the CDP and draft LAP.

Ms. L Mitchell outlined the Chief Executive recommendations:

- That the Edenderry LAP be adopted without PMA65, 68 and 69 (peripheral sites), for the reasons set out by the OPR and as set out in the previous CE Report on submissions at draft consultation stage.
- That the Edenderry LAP be adopted without PMA66 for the reasons set out by the OPR. Accordingly, this means that the subject site would remain zoned as New Residential as per the draft LAP and not Strategic Residential Reserve (SRR) as was proposed under PMA66.
- That the Edenderry LAP be adopted without PMA71 for the reasons set out by the OPR.
- The final Proposed Infrastructure Map is as put forward at Material Alterations Stage (PMA56).
- The All Options Map is amended to include an updated legend and is considered a minor modification.

In response to the Chief Executive's recommendation Cllr. L. Quinn on behalf the Edenderry Municipal District members put forward a proposal to retain Proposed Material Alteration 71 (PMA 71) and make a further (minor) modification to it as follows:

1. Employment: The creation of employment has been a main theme of both the current and proposed Local Area Plans and we refer in particular to proposed Strategic Aim 1: Economic Development of the draft plan.
2. Access: The material alteration PMA 36 proposed a new objective CIO-07 to ensure that access to these lands provides for the safe use of the proposed cycleway / walkway between the two areas of Enterprise & Employment zoned lands. It is proposed to make a further (minor) modification to the proposed material alteration PMA71 by zoning a further area of land as Enterprise & Employment (approx. 0.05ha) to provide for an entranceway to the site (north) and to reduce the Enterprise & Employment zoning at the rear (south) by a corresponding 0.05ha. This is not contrary to Section 20(q), parts (i) and (ii) of the Planning and Development Act 2000, as amended.
3. Community Services / Facilities: The proposed modification to PMA71 would not undermine the overall strategy for Community Services / Facilities as there remains a substantial area (approx. 5.9ha.) zoned for this purpose in the immediate area.

4. Amenities and the Grand Canal: The proposed modification to PMA71 would not unduly affect the setting of the Grand Canal Greenway or proposed Natural Heritage Area as it is separated from the canal by an open space zoned buffer and substantial mature hedgerow.

Ms. A. Dillon advised that a full vote is required if there is a desire to go contrary to the CE recommendation.

Mr. G. Bruton called a vote on Cllr. L. Quinn's proposal:

In favour: Cllrs. J. Carroll, C. Claffey, N. Cribbin, 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 and L. Quinn.

Absent: Cllrs. J. Clendennen, K. Smollen

Cllr. L. Quinn proposal was deemed passed.

Ms. L. Mitchell advised the members that a further modification to PMA 39 is also recommended: Inner Relief Road Site No. 1 a change from 9.4ha to 8.27ha.

On the proposal of Cllr. L. Quinn, seconded by Cllr. M. Hackett, the members resolved to adopt the Chief Executive's recommendation for PMA 39

In relation to the overall LAP process, the members expressed their concerns that reduces their powers and ignores local knowledge.

Ms. L. Mitchell read the Final AA Determination into the record of the meeting.

She advised the members the SEA Statement and the AA (Conclusion) Statement will be prepared in the coming weeks to take account of the final LAP.

Having considered the Draft Edenderry 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 3 July 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 SEA for the Proposed Material Alterations
- The Screening for AA Report for the Proposed Material Alterations
- The AA Natura Impact 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 Edenderry 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 17th July 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. L. Quinn, seconded by Cllr. J. Foley, the members resolved to adopt the Edenderry Local Area Plan.

Ms. A. Dillon thanked members and all who engaged in the process. She welcomed the positive policies in the plan, and she thanked the forward planning team.

Cllr. E. Fitzpatrick acknowledged the time and effort that the members and staff had put into the Edenderry Local Area Plan.

### 3. CE Report on requests for zoning variations in respect of the residential zoned land tax

Ms. A. Dillon advised the members on the Chief Executive's report on requests for zoning variations in respect of the Residential Zoned Land Tax RZLT. The Ministerial Guidelines titled 'Residential Zoned Land Tax – Guidelines for Planning Authorities June 2022' clarifies the requirements for planning authorities in relation to RZLT. In order to implement this tax measure, local authorities were required to undertake mapping to identify lands in-scope for the tax that satisfied relevant criteria, with provisions allowing those landowners identified as being within the scope to make submissions and appeal. The draft map of these lands was placed on public display 1st November 2022 until 1st January 2023, during which 19 no. submissions were received by Offaly County Council. Two of the 19 no. submissions made before 1st January 2023 sought a variation to zoning objectives, one in Tullamore and one in Edenderry.

Mr. A. Murray highlighted direction from the Circular NRUP 07/2022:

- Proper planning and sustainable development of the area including the core strategy and housing supply targets for the county.
- the development plan core strategy requirements of the Planning Act must be applied to each individual settlement where any land is zoned for residential purposes or a mixture of residential and other uses
- Sequential approach to re-zoning
- Financial impact should not be considered
- Executive function
- OPR may provide statutory observations and recommendations

He informed the members that the submission is of the view that the Core Retail Area should be enlarged to include all of the mixed-use land in the site and that it should be treated differently to the wider mixed use zoning category. It states that residential or other non-retail / leisure / café / restaurant uses should not be permitted in principle in the Core Retail Area but rather open for consideration. The submission seeks the redefinition of the Core retail area to include the entire 'Riverside' site, and that Opportunity site no. 6 considers residential use as only open for consideration.

The Chief Executive response is that the Offaly CDP sets out clearly that residential use is to be promoted in opportunity sites and it also sets out the promotion of the liveability of our towns for example:

- Promote mixed use and diversity, with a substantial amount of residential use

- Sustainable Development
- Comprise a mix of residential unit sizes and types which accommodate a range of living requirements
- Contribute to the enhancement of the vitality and vibrancy of town and village centres
- Support and further develop the role of town and village centres in their evolution as inclusive, diverse and attractive service centres, recreational centres and living centres for residents and visitors alike

The Chief Executive noted the recommendation is further supported in the NPF, RSES and government policy. Therefore, no reason based on proper planning and sustainable development that would warrant recognising residential use as only open for consideration and not permitted in principle and accordingly. Further in relation to the point made in the submission referring to the constrained land use designation and that residential use should be avoided; it should be noted that the subject site that is zoned mixed use is a previously developed site, and it is recommended not to vary the County Development Plan.

In response to the members queries Mr. A. Murray advised that this process will only de-zone land and it cannot re-zone in a different area, sites not serviced are not liable for RZLT, there is 6 years to develop the land, OCC will be liable for RZLT for their zoned land and the tax goes straight to Central Revenue.

Mr. J. Condrón advised the members on the submission from Neville Ridgeway on his land located at Cloneygowan, Co. Offaly outlining that he wishes the subject site rezoned from residential to agriculture.

He outlined the Chief Executive's recommendation that New Residential zoned land includes residential use as permitted in principle and accordingly such land assessed under the provisions of the RZLT process. The decision to zone this site as 'New Residential' in the Offaly County Development Plan 2021-27 was evidence-based having regard to the application of the core strategy allocation per settlement and also consistent with sequential development patterns, town centre first principles, proximity to and level of services and facilities available in the settlement and the need to reduce carbon emissions. It is considered that to dezone these lands from 'New Residential' would negate against the proper planning and sustainable development of Cloneygowan.

The Chief Executive does not recommend varying the Offaly County Development Plan 2021-2027 on foot of this submission as to do so would be contrary to proper planning and sustainable development.

Cllr. E. Fitzpatrick advised the members on a response he had received from the Minister of Finance: The RZLT was legislated for in the Finance Act 2022, so I will consider whether any legislative changes are needed in the Finance Bill 2023 that will follow the Budget. We are examining the various issues that have been raised.

Department of Housing are leading as you know on the operational aspects (relevant maps, de-zoning requests, appeals to An Bord Pleanála etc). I think it is fair to say the general view in government is that landowners who are seeking de-zoning (therefore avoiding the tax) should be accommodated with their request, but obviously Minister O'Brien and his officials have to respect the proper planning processes that are in place.



In response to the members queries Mr. J. Condrón advised that Uisce Éireann have confirmed this site is considered serviced and the criteria specifies connected land, or it is possible to be connected.

Ms. A. Dillon confirmed that clarification had been sought on capacity for services and it was confirmed that capacity is not considered to be part of the criteria.

#### 4. Draft Climate Action Plan

Mr. T. Shanahan introduced the Draft Climate Action plan. He advised the members on the process of and the tight timelines for adoption of the plan. He highlighted some of the challenges in particular concerning transport and he noted that some progress has already been made with the procurement of two high velocity patching units. He informed the members that Offaly County Council are engaged with SEAI to achieve sustainable energy objectives.

Mr. J. McNally welcomed the Climate Action Team consisting of Aisling Lambe - Climate Action Officer and Sinead McEvoy -Community Climate Action Officer and he provided the members with an update on the Draft Climate Action Plan for Offaly County Council, due to be adopted by February 2024. He advised of the three stages in the plan making process - Initiation, Drafting and Completion. The plan is currently at the drafting stage focussing on three areas - In-house, External & Community and Decarbonising zones.

He advised the members on the work conducted by the Climate Action Team including engagement with stakeholders internal and external, advertising, radio interviews, meeting with community groups and presenting to the various agencies. In line with CARO guidelines, targets are to reduce greenhouse emission by 21% and transport by 50%. Other objectives include providing leadership to assist external entities and to focus on de-carbonisation, using Tullamore as a demonstration site to highlight what can be achieved.

He updated the members on the structure of the Climate Action Plan 2024-2029 and on the achievements to date such as 37% increase in Energy Efficiency since 2009, 87 Social Houses retrofitted since 2021, with a further 33 due in 2023 and 44% of Public Lights retrofitted to LED. He brought the members through the next steps with a Framework of Actions under Thematic Areas, including Governance & Leadership, Transportation, Communities – Resilience and Transition and Green Energy.

He updated the members on the Offaly Community Climate Action Fund providing €444,000 for phase 1 over 18 months. The themes covered include Community & Energy, Travel, Food & Waste, Shopping & Recycling and Local Climate & Environmental Action and it is envisaged that 10% of the fund will be allocated to projects under €20,000, 40% to projects €21,000-€50,000 and 50% for project €51,000-€100,000. The successful projects will be 100% funded.

The members joined with Cllr. T. McCormack, Chair of the Climate Action, Environment and Transport SPC in thanking the Climate Action Team for their work and they welcomed this document as a roadmap for the future. The members raised queries on EV charging points across the county, PV panels for Offaly County Council properties, data centres, E-Scooters and anaerobic digestors. They sought clarification on the monitoring of results and the engagement with the community.

Mr. J. McNally clarified that community fund is 100% funding for each project approved. He confirmed that Offaly County Council are engaging with SEAI on a suite of measures, which may include PV panels. He advised the members that Ms. S. McEvoy's role is to engage with communities and to assist them

with applications. He informed the members that Offaly County Council have monitored and reported our energy usage through SEAI for many years and that when baseline emission inventory is complete, it will be possible to review the trends. He noted that policies in relation to anaerobic digestors will align with National Plan.

Ms. S. Kennedy informed the members that through the North Offaly Development Fund, Siemens were commissioned to report on the Data Centres, the report is available and will be circulated. She noted the report is very positive and planning will advise on amount of renewable energy production.

Mr. T. Shanahan noted the transport agenda encompasses cycling, walking and public transport development. He advised there are several considerations in relation to EV charging points and there is on-going discussion with the Department to seek further funding. He stressed that there is good integration with the various transport strands including NTA and rural link. E-Scooters are currently un-legislated, and they may form part of the climate change transport solutions. He agreed anaerobic digestion can help reduce greenhouse gas emissions and improve waste management, but it is not incentivised. He thanked the members for their feedback and advised that a special SPC meeting will be held before the plan is brought to them for adoption.

## 5. Monthly Management Report

Ms. A. Delaney brought the members attention to the June monthly management report. She welcomed the Birr Local Area Plan that came into effect on 26 June 2023 and the signing of the contract for St. Joseph's Convent, Ferbane. She highlighted the tourism radio campaign and support for festivals running over the Summer. She advised the Housing report is available for their information.

She informed the members the Local Economic and Community Plan is in preparation.

She thanked the members for their support for the Pride of Place 2023 and advised them on the judging dates:

- Ballyboy Community Development in the Community Wellbeing Initiative representing Birr MD, judging on Wednesday 6 September AM
- Tullamore Tidy Towns in the Climate Action and Biodiversity representing Tullamore MD, judging on Wednesday 6 September PM
- Bracknagh Community Association in the Population 0 to 500, representing Edenderry MD, judging on Thursday 7 September AM

She highlighted the success of the Age Friendly Walkability Audit in Kilcormac in June, with the support of the Kilcormac Development Association and the many events held by the Arts, Sports, and Libraries. The opening of Esker Arts by President Michael D. Higgins is presented in the report. She welcomed the commencement of the Edenderry Inner Relief Road.

## 6. Corporate Policy Group Report

Cllr. E. Fitzpatrick informed the members the CPG meeting has been re-scheduled to the Monday before the council meeting to allow time to review the agenda.

## 7. Notices of Motion

On the proposal of Cllr. M. Hackett, seconded by Cllr. N. Cribbin, the members resolved that Offaly County Council supports an outright ban of disposable / single use vaping products and makes a submission to the Department of Environment, Climate and Communication's public consultation to that effect.

## 8. Comhdhálacha /Conferences

No Conferences/Training

## 9. Comhfhreagras / Correspondence

Correspondence that issued with the agenda was noted.

## 10. Any Other Business

The members voiced their concerns about the recent differential rent review and the increases that some tenants had received.

In response to the members queries Ms. S. Kennedy advised that the Differential Rent Scheme is regulated by the Housing act 2009. It is subject to review and the previous review was undertaken in 2009. She informed the members the review was conducted in consultation with Housing SPC and is an executive function. The aim was to simplify the scheme to ensure low-income households are protected and the minimum rent was not changed. It also aimed to ensure higher earning households do not benefit from the artificially low cap therefore ensuring fair and reasonable rents for all tenants. There is also avenue for appeal and a hardship clause. The scheme now considers new social welfare supports. Tenants can avail of the mechanism available online to calculate their differential rent assessment.

She advised the members that the review has been highlighted since January and in each monthly Chief Executive report. Notification of the review was issued to all tenants and their queries are being reviewed by housing staff. To date seventy households have failed to return forms and in these cases their rents are increased to the maximum but will be reassessed when they engage with housing staff. She stressed that as part of each tenant's agreement, during any given year if their circumstances change, they are obligated to inform housing and their rent recalculated accordingly. She highlighted that some Local Authorities carry out a rent review every year and Offaly County Council last review was 2 years ago. She advised that while appeals/hardship cases are being assessed arrears or refunds will be dealt with as appropriate.

She confirmed that rent pressure zones only apply to the private landlords where market value sets rent. The Differential rent scheme is based on ability to pay, household income, allowances and income disregards are considered. In household that now have additional earners, €25 increase is the most that is applied. She informed the members that the income from the last rent review was re-invested into upkeep and maintenance of social housing stock. A large proportion of housing stock is in excellent condition and further programmes to improve Offaly County Council rental properties continue to roll

out. The new rent will be implemented this week, implications will be assessed, and any unintended consequences reviewed. She stressed that the scheme is similar to the previous scheme and housing staff continue to work with tenants. She called on those that have not sent in their forms to do so immediately and any concerns with calculation or hardship situations can be addressed.

Cllr. S. O'Brien congratulated the Irish 8 Ball Pool Women's team in their win in the World Championship in Mexico and in particular to the Tullamore team member Mary Duffy Lowbridge. He sought a civic recognition to acknowledge the win.

Cllr. E. Fitzpatrick highlighted Farm Safety Week and the need to be mindful of Health and Safety in the Agricultural Sector.

## MINUTES CONFIRMED

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18 September 2023