

Minutes of Monthly Meeting of Offaly County Council
Held on 15 April 2024 at 2.00pm, 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. C. Claffey	Cllr. T. McCormack
Cllr. John Clendennen	Cllr. R. McDermott
Cllr. Noel Cribbin	Cllr. F. Moran
Cllr. Eamon Dooley	Cllr. S. O'Brien
Cllr. S. Feehan Smollen	Cllr. Peter Ormond
Cllr. N. Feighery	Cllr. D. Owens
Cllr. Mark Hackett	Cllr. L. Quinn
Cllr. Declan Harvey	

Apologies

Cllr. J. Foley

Officials in Attendance

Ms. A. Delaney, Chief Executive; Mr. T. Shanahan, D.O.S.; Ms. A. Dillon, D.O.S.; Mr. T. Mawe, A/H.O.F.; Ms. J. Ryan, A/D.O.S.; Mr. A. Murray, A/D.O.S.; Ms. O. Connaughton, Archivist, Offaly Archive Service, Mr. Conor Brady, Chairperson and Mr. Sean Walsh, Artistic Director, Esker Arts Ltd.; Mr. E. Kelly, A/S.E.P.; Ms. O. Cummins, Town First Manager; Ms. L. Giles, A/S.E.O.; Mr. G. Bruton, Meetings Administrator, Ms. L. Carbery, C.O.

Votes of Sympathy

Votes of Sympathy were unanimously extended to the following:

Nancy Neary and the Neary Family, 22 Dillon Street, Tullamore on the death of her husband Joe;

The Mitchell Family, Ballyglass, Ballinagare, Co. Roscommon, on the death of their father, John;

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. L. Quinn, seconded by Cllr. E. Dooley, the members resolved to adopt the Minutes of the Ordinary meeting of Offaly County Council held on Monday 25 March 2024.

Matters arising:

On the proposal of Cllr. J. Clendennen, seconded by Cllr. N. Feighery, the members resolved to seek further funding for the roads programme in County Offaly.

2. Minutes for Noting

The members noted the minutes of the meeting of the Corporate Policy Group held on Monday 12 February 2024.

3. Commemoration of 125 years in Local Government

Ms. A. Dillon thanked the members for their attendance at photo shoot to commemorate 125 years in Local Government. She advised that following 10 years of collaboration with the Offaly Historical Society, Offaly Archives was officially opened by Malcolm Noonan, Minister of State at the Department of Housing, Local Government and Heritage in 2021. Offaly County Council continue to support the Archives and have a Service Level Agreement with the Offaly Historical Society to provide €25k per year towards its operation.

She acknowledged the work of Ms. A. Pedlow, Heritage Officer and Ms. E McGinn County Librarian as representatives for the Council on the board. She highlighted that in the first quarter of this year 16k people have engaged the service through in person visits. She thanked Ms. O. Connaughton for providing the minute books and articles for this commemoration and Mr. Michael Byrne Offaly Historical Society for the years of work in the collecting and conserving of historical records for Offaly.

On the commemoration of 125 years in Local Government, Ms. Orla Connaughton, Offaly Archivist read an extract from the Kings County Chronicle documenting the first meeting of Offaly County Council (Kings County) from 1899.

The members thanked Ms. O. Connaughton and they noted the importance of maintaining the records for future generations. They acknowledged the work that has gone into developing an excellent Archives Service and its benefit for the community.

Cllr. L. Quinn suggested the digitisation of council minute books and to make them available online.

Ms. A. Delaney thanked Ms. O. Connaughton for marking the anniversary and her work in the archives. She commended the Archive facility and the great collaboration between the Heritage and Library services, Offaly Historical Society and the Archives. She acknowledged the support of the members, the Heritage Council and the Department in providing funding for the service.

4. Esker Arts Ltd – A Year in Review Presentation

Ms. A. Delaney welcomed Mr. Conor Brady, Chairperson and Mr. Sean Walsh, Artistic Director of Esker Arts Ltd to the meeting and she acknowledged the support of members county wide for the Centre. She noted the broad range of events and programmes that have taken place and she thanked the staff, the Board and the fundraisers for all their hard work.

Mr. Conor Brady noted that Esker Arts has been in operation for almost a year and it is timely to reflect on its considerable success over the past year. He highlighted the excellent programming and commitment to the Centre and his pride to be involved. He thanked the staff for their commitment and effort and the community for supporting it.

Mr. Sean Walsh provided the members with a presentation on Esker Arts, highlighting that galleries are open 5 days a week free of charge to the public. The Centre has hosted over 20,000 visitors and over 170 large and small events. The current exhibition hosts Artist Rita Duffy's Midland Mother Myth Memory series of paintings. The Croghan Galleries provide space for many artists to display their work and gives the public opportunities to view it. The Offaly Artists Show 2023 was a great success, enjoyed by many visitors to the Centre.

The Ailiun Theatre is a wonderful space that has seen many great nights with artists including Donal Lunny and Sharon Shannon and various plays and musicals. The programme includes a mixture of local non-professional arts and touring professional arts. There is a healthy vibrant local arts scene with groups like Tullamore Musical Society and Tullamore Amateur Dramatic Society. Esker Arts hosted its first National Culture night with a number of events including a film made by a youth group from Edenderry, a dance presentation from a number of dance groups, an exhibition by Offaly Down Syndrome group, children's art workshops and an onstage interview with Offaly film maker Paddy Slattery. The outdoor facility provides a beautiful area that has hosted successful events over the year.

The Official opening took place in June by President Michael D. Higgins. He spoke passionately about the Arts and it was a proud day enjoyed by all who attended. The Centre is for the community and will continue to provide engagement and community outreach projects. He congratulated the members and the executive on their magnificent achievement in realising the opening of Esker Arts.

Cllr. D. Harvey thanked the Tullamore Arts committee, the Chief Executive and the members for their work and support over the years to bring Esker Arts Centre to Tullamore. He commended the fund raisers and in particular the late Paddy Fenning for their huge efforts in raising the extra funding needed to get Esker Arts up and running and the Centre is now going from strength to strength. Cllr. D. Owens noted that Esker Arts has grown from small germination to huge building catering to the Arts. Cllr. S. O'Brien commended Mr. Conor Brady and Mr. Sean Walsh for their knowledge and experience they bring to the Centre. The members welcomed the success of the Centre and they acknowledged the support of former Director Sharon Kennedy and the work of Tullamore MD Engineer Mr. Joe Dooley, Dr. Sally O'Leary, the Arts Department and the Former Board had put in to bring Esker Arts to fruition.

Mr. S. Walsh thanked the members for their support and he noted that the attendance levels are large in numbers and the ticketing system will provide data that will be analysed going forward.

Ms. A. Delaney acknowledged that it was a very challenging project and its success is due to like minded people coming together, the support of members and team that were involved. The project was many years in making and she acknowledged the previous committee, Des Doyle former chairperson and the fund raising committee. She noted the operational costs are essential to making it work and ongoing fund raising will be needed. She further acknowledged the support of the general public and encouraged them to continue to use the Centre. She noted there is collaboration with Birr Arts and support will be provided to Edenderry Arts when it is launched. She thanked Mr. Conor Brady and Mr. Sean Walsh for their presentation.

5. Strategic Infrastructure Development (SID) - Section 37E(4) of the Planning and Development Act 2000 (as amended)

Mr. A. Murray advised the members that as per the Strategic Infrastructure Development (SID) - Section 37E(4) of the Planning and Development Act 2000 (as amended) - Proposed Combined Cycle Gas Turbine and Open Cycle Gas Turbine Thermal Power Plant – Bord na Móna Powergen Ltd application, it is a requirement to present and seek views of the members to submit to An Bord Pleanála, as recorded in the minutes of the meeting.

He informed the members that the application is for 10-year planning permission for Combined Cycle Gas Turbine and Open Cycle Gas Turbine Thermal Power Plant, Electricity Grid Connection including 2 no. substations, and associated buildings, plant, site works, service and ancillary development.

Cllr. L. Quinn outlined the submission he has made in regard to the application and requested that it is recorded as part of this process. He noted that this is a substantial application, one of the biggest infrastructure projects ever in the county and acknowledged that gas supply is in line with the national drive for clean fuel. He outlined the 10 key points in his submission, some of which have been dealt with in the Chief Executives report.

Key Points of Cllr. L. Quinn Submission:

1. The cabling connecting this development to the substation be located **entirely underground** with **no overhead wires/pylons permitted**.
2. A **pavement/structural survey of the R400 and L1010** be carried out and works completed in advance of any construction taking place.
3. The R400 at Derrygreenagh Hill be widened and upgraded.
4. The L1010 (Rhode Village – Taylors Cross) be widened where feasible and **overlaid with a new road surface in advance of construction works**.
5. A condition be placed on the applicant to construct a **Footpath from Priory Lawns to the Football Field** before construction commences.
6. The proposed **Community Benefit Fund be index linked** to output as is currently best practice for Wind/Solar developments under the current RESS Guidelines. (Currently €2/MWh)
7. Houses **located within 1km of the development boundary**, and not just the Power Plant site be included in a “Near Neighbour” Scheme.
8. The **Greenway** joining the Grand Canal to Croghan Hill and linking onto Westmeath be constructed along the route of the old Light Rail Network.
9. That the historic lake, “**Lough na Shade**” be reinstated

10. That An Board Pleanala allow an **Oral Hearing** as part of this development to allow local residents an opportunity to discuss their concerns.

Cllr. L. Quinn informed the members that the proposed cable way will have a major visual impact on the surrounding countryside. This imposition can be overcome by undergrounding the entire cable way from Derrygreenagh to Tubberdaly. The site is accessed via the R400 and this road is constructed on a peat foundation and is consistently in poor condition. The bridge over the Yellow River on the R400 failed in July 2023 and this regional road was closed for almost 5 months while a new bridge was installed. The closure of the R400 last Autumn caused significant damage to the local roads that were being used as diversion routes over this time. No upgrading works have been carried out on these roads to date.

He highlighted that there is no pedestrian access linking Rhode Village with the GAA Field at present. Each week, hundreds of people, especially children and teenagers attend training and matches in the GAA Field. Rhode has a deep-rooted association with the GAA and pedestrian access to club facilities located on the L1010 should be seen as a priority for the safety of people in the area. He highlighted that there are no houses located within 1km of the Power Station Building, but homes located next to cable routes and substations should qualify for a near neighbour payment as they are equally as affected.

He acknowledged that Bord Na Mona state that they intend to operate a Community Benefit Fund for 5 Years consisting of a contribution of €90,000 per year as a goodwill gesture, as it is not a requirement under the current RESS guidelines. He called on the fund to be larger, to run for the lifetime of the development and be index linked to output. Taken in context, County Offaly's largest Windfarm "Yellow River" is located adjacent to this site and has a Community benefit fund of Circa €595,000 per annum. This Proposed Power Station will generate 6 times more power than Yellow River Windfarm yet contribute 85% less in Community Funding Per Annum.

Cllr. N. Cribbin voiced his support for the submission and thanked Cllr. L. Quinn for his work on analysing this huge application. He welcomed the investment and jobs that the project may provide, however he expressed disappointment on the low level of funding for North Offaly promised by Bord na Mona.

On the proposal of Cllr. E. Dooley, seconded by Cllr. E. Fitzpatrick the members resolved to write to the newly appointed Minister Burke seeking an urgent meeting as a follow up to the meeting with Minister Simon Coveney in January 2024 regarding the future use of Bord na Mona lands, community benefits and dividends from renewable projects.

Cllr. R. McDermott queried the amount of €30k, recommended for a Special Contribution in respect of road strengthening and upgrading of the R400 and how much would the cash deposit or bond be for reinstatement of sections of the public road network that may be damaged as a result of the transportation of materials to the site.

In response Mr. E. Kelly advised that calculation of the bond was discussed at length with the Roads section and the Municipal District and it was decided that it would be best to specify the amount closer to construction time. He confirmed that following a lot of consultation, the three amounts of €30k contribution was agreed on, for immediate works for general maintenance. This condition is to repair roads due to increased traffic volumes as a result of the proposed development. Other conditions are suggested to the Board to require the developer to immediately repair the road network if a rapid road

failure takes place as a result of construction road traffic. He thanked Mr. M. Duffy, E.P. for compiling the report on the application which runs to 9 volumes.

Mr. A. Murray acknowledged there is a lot of correlation with Cllr. L. Quinns submission and the Chief Executives report and the submission can be attached as an addendum. He noted that the site boundary (including the cable route) coincides with approx. 6km of proposed greenway per the *Midlands Cycling Destination – Offaly*. He stated that the visual quality of the structure is very important because it is an open landscape and also as it may be the first element of a larger Green Energy Park and other investments. He advised that the timeline for planning would be 6 months minimum and as the creation of dispatchable power is a national priority, if the application is approved commencement of works could be relatively soon.

On proposal of Cllr. L. Quinn and seconded by Cllr. Eddie Fitzpatrick, the members resolved to adopt the Chief Executives Report for the Strategic Infrastructure Division application for a proposed Combined Cycle Gas Turbine and Open Cycle Gas Turbine Thermal Power Plant with ancillary developments, reference no PA19.319023, which will be submitted to An Bord Pleanala in compliance with section 37(E)(4) of the Planning and Development Act 2000, as amended.

On proposal of Cllr. L. Quinn and seconded by Cllr. Eddie Fitzpatrick the members resolved to attach recommendations in the form of Cllr. Liam Quinn’s submission (dated 2nd April 2024) as an addendum to the C.E.’s report as per Section 37(E) (6) of the Planning and Development Act 2000, as amended.

6. Section 183 of the Local Government Act 2001

On proposal of Cllr. J. Leahy, seconded by Cllr. J. Carroll, the members resolved to adopt the Section 183 of the Local Government Act 2001 to sell 0.457-acre site at Ballykealy, Fivealley, Birr, Co Offaly in the town land of Ballykealy to Krzysztof Radon & Elzbieta Radon, 2 Bridge Road, Portumna, Co. Galway H53 KY58, for €146,000.

7. Part 8 of the Planning and Development Act 2000, (as amended) Planning and Development Regulations 2001, (as amended)

On the proposal of Cllr. N. Feighery, seconded by Cllr. D. Harvey, the members resolved to adopt Part 8 of the Planning and Development Act 2000, (as amended) Planning and Development Regulations 2001, (as amended) for construction of a single storey extension to existing dwelling at Tinamuck West, Tubber.

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

On the proposal of Cllr. N. Cribbin, seconded by Cllr. L. Quinn, the members resolved to adopt Part 8 of the Planning and Development Act 2000, (as amended) Planning and Development Regulations 2001, (as amended) for Road Re-Alignment Works - Monasteroris- Edenderry.

9. Part 8 of the Planning and Development Act 2000, (as amended) Planning and Development Regulations 2001, (as amended)

On the proposal of Cllr. J. Leahy , seconded by Cllr. J. Clendennen, the members resolved to adopt Part 8 of the Planning and Development Act 2000, (as amended) Planning and Development Regulations 2001, (as amended) for Active Travel Scheme in Cloghan.

10. Draft Annual Report 2023

Ms. A. Dillon brought the members attention to the Draft Annual Report 2023 for their consideration and she advised the final draft will be brought back to the members for adoption before the end of June.

11. Draft Annual Financial Statement 2023/Over-Expenditure - Section 104 (7) of the Local Government Act, 2001

Mr. T. Mawe noted the Draft Annual Financial Statement 2023 and Over Expenditure have been circulated and the final documents will be presented to the members later in year. He advised that in 2023, there was an overall surplus of €421,630 (0.47% of total expenditure). The gross excess expenditure over budget was €22,552,257. However, as in previous years, recoups, contra income, additional unbudgeted income and cost savings, counterbalanced this excess expenditure to give a net surplus in 2023 of € 421,630.

He informed the members that for the eleventh consecutive year the consolidated accumulated deficit has been reduced, this year by €421,630 to €791,561. He requested approval of the excess expenditure in accordance with Section 104 (7) of the Local Government Act 2001.

On the proposal of Cllr. J. Leahy, seconded by Cllr. N. Cribbin, the members resolved to adopt the Draft Annual Financial Statement 2023.

On the proposal of Cllr. J. Leahy, seconded by Cllr. N. Cribbin, the members resolved to approve the Excess Expenditure for 2023.

12. Local Property Tax / Regeneration Presentation

Ms. O. Cummins provided the members with a presentation on the Offaly Local Property Tax supported projects. She noted that due to the members decision to increase the Local Property Tax by 15%, match funding has been provided for projects of scale since 2020. The match funding has the potential to leverage €30m worth of projects, many of which are multi annual.

She highlighted the Outdoor Recreation Infrastructure Scheme which included the Kinnitty Woods Novice-Grade Mountain Bike Trail Loop and the Castle Bernard's Historic steel suspension bridge.

She outlined the progress on the Rural Regeneration Development Fund, which included Edenderry Regeneration phase 2 and Part 8 planning secured. Ferbane project now in the design phase. The

architectural and Tourism Master Plan for Banagher Marina is complete and the conservation plan for the Royal Shannon Hotel has been re-tendered.

She provided an update on the on-going Tullamore Urban Regeneration Fund, Clara Town Centre First Plan and various opportunities of regeneration that may be availed of. She noted the success of the paint scheme in Clara. She advised the members on the projects under Just Transition funding and potential projects for match funding, including Moneygall Community Centre, Portarlington Regeneration and Daingean Town Hall.

She outlined the progress on the Town and Village Renewal schemes in each Municipal District area and she welcomed the recently announced funding for the next Town Centre First Plan in Ferbane. She noted there is ongoing consultation with all main stakeholders for Derrynuce Lakes and Trails 10 year plan, due to be launched in April.

In conclusion LPT has supported large scale transformative projects across the county and €3.5m of LPT match funding leverages potentially €13m additional funding, the total amounting to €16.5m funding for projects.

The members thanked Ms. O. Cummins for her comprehensive update, the Regeneration team and the Municipal District staff, for their work on the ground across the county. They noted the benefits of the projects for the communities in those areas. They highlighted that their decision to raise the LPT to 15% had been very worth while and expressed their hope that the new council will continue to support the increase, to ensure that the potential projects as outlined in the presentation would be developed. They noted that for 80% of the population the increase amounts to €13 per year.

They queried if investment in Offaly County Council expertise and resources could reduce reliance on consultants for some projects. Cllr. S. Feehan Smollen suggested it would be beneficial to let the public know of the benefits the increase in LPT had brought. The members queried if it was feasible to borrow for some projects, while waiting for funding.

In response Ms. O. Cummins advised that a National Town Centre First Office has been established and this may change the approach to designing projects. The office will bring a coordinated approach to the delivery of Town Centre First across the country to support local town teams.

Mr. T. Mawe advised that there are new regulations in relation to Local Property Tax that may be available before the next decision point in September. In regard to borrowing he confirmed that some short-term bridging loans have been used to fund projects that are definitely going to happen and each project would be assessed separately. It would not be advisable to borrow for projects that are not guaranteed to go ahead.

On the proposal of Cllr. E. Dooley, seconded by Cllr. T. McCormack the members resolved to write to the Minister for Housing, Local Government and Heritage, to review the consideration of setting the local adjustment factor for Local Property Tax to a 5 year term.

13. Monthly Management Report

Ms. A. Delaney brought the members attention to the monthly management report. She commended the Local Enterprise Office on the success of the Enterprise Week. She congratulated Rahan based IT

Company - Network and Infrastructure (NIS Ltd) as Overall Winner of Offaly County Enterprise Awards for 2024 and Glenisk as the Overall Winner at Guaranteed Irish Business Awards 2024.

She expressed best wishes to the teenage entrepreneurs from Sacred Heart School, Tullamore, Oaklands Community College, Edenderry and Gallen Community School, Ferbane representing Offaly at this year's Student Enterprise Programme National Final in May.

She advised the members that the Draft Local Economic and Community Plan and the Draft County Library Plan will be presented at the May meeting.

14. Corporate Policy Group Report

Cllr. E. Fitzpatrick informed the members that at the Corporate Policy Group meeting the Council meeting agenda was discussed. He advised that the next Council meeting will be held in St. Brigids Community Centre, Cloneyhurke, on 20 May 2024.

15. Notices of Motion

On the proposal of Cllr. T. McCormack, seconded by Cllr. D. Harvey, the members resolved that Offaly County Council will look at modular housing as an option for some of the people on our housing list. That Offaly County Council write to the Minister to ask that legislation change to allow modular housing be built without planning permission for the people on housing waiting lists across the country. That the sites for this housing are to be picked by the local councils and that the projects are to be overseen and managed by the local council.

On the proposal of Cllr. S. O'Brien, seconded by Cllr. C. Claffey, the members resolved that Offaly County Council investigate the option of employing a full time dedicated Road Safety Officer. Cllr. S. Feehan Smollen suggested that members should be calling on the Minister for Justice and Gardai commissioner to provide more resources and in particular more squad cars on road.

Mr. T. Shanahan advised the members that since last October a full time engineer has been appointed to road safety and the Administrative Officer is involved in the promotion of road safety. He also noted that the RSA have very good road safety promotion programme.

On the proposal of Cllr. S. O'Brien, seconded by Cllr. C. Claffey, the members resolved that Offaly County Council changes its policy on ramps for speed control and allocate a budget for the installation of ramps in housing estates and on roads where residents have serious concerns about the danger caused by speeding.

In response Mr. T. Shanahan advised that speed ramps are allowable under the policy, however every situation is assessed on its own merits and in some cases emergency or large vehicles in built up areas may inhibit the use of ramps. He advised that Road Safety work is being carried out under TVR and Active Travel Schemes.

16. Comhdhálacha / Conferences

The conferences/Training were noted.

17. Comhfhreagras / Correspondence

The members noted the correspondence on the agenda. On the proposal of Cllr. Liam Quinn, seconded by Cllr. S. O'Brien the members resolved to support the resolution from Westmeath County Council in support of the IFA 'enough is enough' campaign.

18. Any Other Business

Cllr. J. Leahy expressed concerns that some Ukrainian Refugees that have fully integrated in Kilcormac have received notification that they are being moved to Banagher and this is very disruptive to families that are working or have children in schools and are now involved in the community.

Ms. J. Ryan agreed to check the situation and revert back to Cllr. Leahy.

MINUTES CONFIRMED

CATHAOIRLEACH

RUNAÍ

20 May 2024

