

Minutes of Monthly Meeting of Offaly County Council
Held on 15 July 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. Tony McCormack, Cathaoirleach

Bryant, Ollie	Maher, Sean
Clendennen, John	Masterson, Aoife
Cribbin, Noel	McDonnell, Fergus
Egan, Hugh	Moran, Frank
Feighery, Neil	Murray, Claire (SF)
Fitzpatrick, Eddie	Murray-Smale, Claire (FF)
Harvey, Declan	O'Brien, Sean
Hennessy-Kennedy, Audrey	Ormond, Peter
Leahy, John	Quinn, Liam

Apologies

None

Officials in Attendance

Ms. A. Delaney, Chief Executive; Ms. A. Dillon, D.O.S.; Mr. T. Shanahan, D.O.S.; Ms. F. Millane, D.O.F.; Ms. J. Ryan, A/D.O.S.; Mr. A. Murray, A/D.O.S.; Ms. L. Giles, A/S.E.O. Meetings Administrator; Mr. G. Bruton, A.O; Ms. L. Carbery, C.O.

Suspension of Standing Orders

On the proposal of Cllr. F. Moran, seconded by Cllr. N. Feighery, the Members resolved to suspend standing orders as a mark of respect on the passing of former Cllr. Ken Smollen and the meeting be adjourned for a period of fifteen minutes, with a minutes silence observed prior to the meeting being adjourned.

The Members joined with Cllr. T. McCormack, Cathaoirleach in expressing their condolences to the Smollen family. They paid tribute to Cllr. Smollen, former Member of Offaly Council and Tullamore Municipal District Council and retired Garda. They commended his work on founding and running the Ken Smollen Food Appeal and he helped many people struggling in the community. He was a dedicated family man and he adored his grandchildren.

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 to the Smollen family.

Votes of Sympathy

Votes of sympathy were unanimously extended to the following:

Sandy Feehan Smollen and the Smollen Family, New Road, Clara, on death of her husband Ken Smollen;

Trush Bracken and the Bracken Family, 22 The Green, Clara, on death of her husband Ger Bracken;

Ms. Sharon Kennedy, Bridge House, Ballinderry, Nenagh, Co. Tipperary, on death of her sister Judge Elizabeth MacGrath Stanley-Smith;

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

Cllr. T. McCormack welcomed Ms. Fiona Millane to Offaly County Council and wished her well in her role as Director of Finance.

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 20 May 2024.

On the proposal of Cllr. J. Leahy, seconded by Cllr. E. Fitzpatrick, the Members resolved to adopt the Minutes of the Annual meeting of Offaly County Council held on Friday 21 June 2024.

2. Minutes for Noting

The Members noted the minutes of the meetings listed below:

- Minutes of the Land Use, Planning and Economic Development Strategic Policy Committee meeting held on 5 March 2024
- Minutes of the Corporate Policy Group meeting held on 8 April 2024

3. Section 183 of the Local Government Act 2001

On the proposal of Cllr. F. Moran, seconded by Cllr. A. Masterson, the Members resolved to adopt Section 183, Local Government Act 2001, to dispose of a plot of land measuring 0.0085Ha (85m²) in the Townland of Erry (Armstrong), Clara to William Buckley and Amanda Buckley of No.1 Esker Court, Clara for the sum of €1,000.00 plus our legal costs.

4. Chief Executives Report on requests for zoning variations in respect of the Residential Zoned Land Tax - Finance Act 2021, Section 80

Mr. A. Murray, A/D.O.S. outlined the Chief Executives Report on requests for zoning variations in respect of the Residential Zoned Land Tax - Finance Act 2021, Section 80. He noted the collection of the Residential Zoned Land Tax has been deferred by Government until January 2025. Offaly County Council have prepared an annual draft map that has been on public display from February to April. Submissions received consisted of five proposals for the removal of land from the draft map and one requesting a variation. The submission concerning the variation is the subject of this Chief Executive report. The piece of land is located at Kilcoursey, Clara and the proposal is to rezone the land from residential back to agricultural use.

He advised that the site satisfies the relevant criteria for residential zoning, having regard to the core allocation and sequential development. The site also satisfies town centre first principles, proximity to services and the need to reduce carbon emissions. The Chief Executive does not recommend varying the Offaly County Development Plan 2021-2027 as it would be contrary to proper planning and sustainable development.

In response the Members acknowledged that following public consultation there were only a small number of submissions. They raised concerns that farmers and landowners may not have been aware of the public consultation and that the tax is unfair in cases where farmers or landowners do not want to develop their land for residential use. They highlighted that there is a serious lack of land available for residential zoning due to the town centre first restrictions.

On the proposal of Cllr. N. Feighery, seconded by Cllr. N. Cribbin, the Members resolved to write to the Office of the Planning Regulator to highlight the unfairness of the Residential Zoned Land Tax for farmers/landowners who do not want to develop their land for residential use and the restrictiveness of the Town Centre First principle impedes Local Authority's scope to zone residential land.

Mr. A. Murray agreed the balance for zoning residential land under the current core strategy is tight and is tough to work out, however he noted the lack of engagement from landowners following public consultation. He advised that expressions of interest are advertised at the start of every review of the County Development Plan and unfortunately there have been very few submissions for land near town centres.

5. Draft Traveller Accommodation Programme 2024 - 2029 - Housing Traveller Accommodation Act 1998

Ms. J. Ryan brought the Members attention to the Draft Traveller Accommodation Programme 2024 – 2029, required under the Housing (Traveller Accommodation) Act 1998. This item is for noting and will be on public consultation from 17-July to 17 September and is due to be adopted by 31 December 2024. In response to Members queries, she confirmed that housing is now the preferred option, and any submissions received will be reviewed and taken into account in the making of the Traveller Accommodation Programme.

6. Road Traffic Speed Limit Review - Revised Speed Limit Defaults; Road Traffic Act 2024. (Road Traffic Acts 1961 to 2023 as amended)

Mr. T. Shanahan advised the Members the Department of Transport have conducted a review of the framework for setting Speed Limits on Irish Roads in accordance with Action 6 of Ireland's Government Road Safety Strategy (2021 - 2030) - ***Our Journey Towards Vision Zero*** and this has resulted in a change to the statutory default Speed Limits. The legislation has to be commenced before November and the new local road defaults will apply from late November, subject to commencement of the Road traffic Act 2024.

The most immediate impact will be that all Local roads will default to 60Km/hr and he highlighted that the changes to default speed limits does not directly change the current Bye Laws, as Bye Laws will continue to stand as exceptions to default limits. It may be desirable to review Bye Laws following the implementation of default speed limits. Each Municipal District is currently investigating if the changes to defaults will result in a requirement to amend Bye-Laws. This will be discussed at the September Municipal District Meetings.

Publicity campaigns will commence within the next few weeks and the National Roads implementation will be in 2025, as well as new Urban Limits. Changes will be subject to more detailed screening of new guidelines and the Department of Transport will fund the cost of the new signage required to implement the new defaults.

In response the Members welcomed the initiative to increase road safety and they acknowledged speed is just one element in saving lives on roads. They called for improvement of road quality and more resources for Gardai. They sought clarity on the default speed limits and called for more traffic calming measures on the approach to towns and villages in the county and for increased ramps in estates and built up areas. They queried if the recently adopted speed limit review will need to be updated.

On the proposal of Cllr. J. Clendennen seconded by Cllr. N. Cribbin the Members sought that the Transport SPC is to revise and look at other traffic calming measures that could be introduced in line with reducing speed throughout the County.

Mr. T. Shanahan clarified that the national imposed speed limits are defaults set by Department of Transport and the Offaly County Council bye laws are to amend limits in certain areas of road safety concern. The national speed limit review may require a review of Bye Laws in certain locations. He confirmed that the traffic calming policy was reviewed in 2020/2021 and speed ramps are permitted in the county based on analysis of each location. Ramps are one measure under traffic calming and all measures require funding, some of which is provided through Active Travel and other road safety schemes. General roads funding is provided through central government and the Roads section continuously make submissions for additional funding.

7. Planning and Development Act, 2000 as amended, Part 8 of the Planning and Development Regulations, 2001 as Amended, Birr Courthouse – Howley Hayes Cooney Architects

Ms. A. Dillon, D.O.S. advised the Members that Offaly County Council obtained ownership of Birr Courthouse in 2021. Howley Hayes Cooney Architects were appointed to devise a conservation masterplan and subsequently to prepare the planning application. The plan is to provide small changes to facilitate access and energy improvements. The objectives are to provide space for flexible uses, while retaining the historic fabric of the Courthouse. She welcomed the Historic Towns Initiative funding for the employment of the consultants for the plan. The planning application will be lodged in August and following public consultation the Part 8 will be brought to the Members in October for approval.

8. Draft SPC Scheme 2024 - 2029 - Section 48 of the Local Government Act 2001, as amended by Section 41 of the Local Government Reform Act 2014

Ms. A. Dillon, D.O.S. informed the Members that in accordance with the provisions of Section 48 of the Local Government Act 2001, as amended by Section 41 of the Local Government Reform Act 2014, the Council shall establish by resolution committees to be known as Strategic Policy Committees (SPCs) to consider matters connected with the formulation, development, monitoring and review of policy which relate to the functions of the local authority and to advise the Council on those matters. The CPG links the work of the different SPC's and provides a forum where policy positions affecting the whole Council can be agreed for submission to the full Council.

The draft scheme will go on public consultation and the scheme proposes the 4 following SPCs:

1. Housing & Integration Policy.
2. Economic Development Planning and Regeneration Policy.
3. Climate Action, Transport and Environment Policy.
4. Community, Cultural and Emergency Service Policy.

Each Member of Offaly County Council is required to be a Member of at least one SPC, the SPCs will meet at least once every quarter and each SPC must have at least one third of its Membership from sectors relevant to the committee's remit. The Members acknowledged the role of the Public Participation Network in their support of the sectoral SPC Members.

9. Corporate Plan 2024-2029 (S.134 Local Government Act 2001)

Ms. A. Dillon, D.O.S. informed the Members that as per Section 134 of the Local Government Act 2001, the Local Authority is required to prepare a Corporate Plan within six months of the Annual Meeting of the new council. This process will involve consultation with staff, Council Members, the Corporate Policy Group, Strategic Policy Committees and the Local Community Development Committee. The process will also involve consultation with external stakeholders, such as the Public Participation Network (PPN), representative groups and social partners at local level, community, voluntary and environmental interests.

The plan sets out the organisations mission, core principles and will provide an overarching strategic plan, that can be reviewed mid-term of the current Council. The plan will incorporate the 17 Sustainable Development Goals, and include climate action obligations, age friendly principles and guidelines and public sector human rights duty. She invited Members to engage with the Corporate Planning Team in the development of the new Corporate Plan.

10. Appointment and Membership of the Audit Committee - S.I. No. 244/2014 Local Government (Audit Committee) Regulations 2014

Ms. A. Delaney, Chief Executive informed Members that under S.I. No. 244/2014 Local Government (Audit Committee) Regulations 2014, nominations are made by the Corporate Policy Group for the appointment and Membership of the Audit Committee. It is proposed that Mr. Peter Scully, Mr. Frank Gunning, Ms. Constance Hanniffy and Mr. Michael Loughnane are appointed to the Audit Committee for this council's term. She advised the Members that Mr. Eugene Mulligan is not going forward for appointment and it is proposed that Mr. Pat O'Gorman is appointed to the Audit Committee. She thanked all the committee Members for their work and commitment over the last five years, and expressed her gratitude to Eugene Mulligan for his dedication to the Audit Committee during his term.

On the proposal of Cllr. L. Quinn, seconded by Cllr. J. Leahy, the Members resolved to appoint Mr. Peter Scully, Mr. Frank Gunning, Ms. Constance Hanniffy, Mr. Michael Loughnane and Mr. Pat O'Gorman to the Audit Committee.

11. Monthly Management Report

Ms. A. Delaney brought the Members attention to the monthly management report and she highlighted the recent launches of the Banagher Marina & Environs masterplan and the Derryounce 10 year plan. She welcomed the Just Transition funding for the Shannonbridge Plaza to Callows and the Birr Destination Town for paving at William Street. She noted the various projects on-going in heritage and conservation.

She welcomed funding of €12.2m for the Edenderry Regeneration Project – Phase 3. This grant, awarded under the Rural Regeneration Development Fund, will fund the redevelopment of 33/34 JKL Street, the former Tesco Supermarket site into a new Town Centre development consisting of a newly constructed Community Library and Arts Space. The library design incorporates two secure outdoor courtyards suitable for library events programming such as children's storytime, bookclubs and external exhibitions.

She outlined the Town and Village Renewal Schemes, highlighting the closing date for the community centre investment fund at the end of August and the public consultation for the Grand Canal Harbour masterplan. She acknowledged the role that Offaly Local Enterprise Office played in the recent jobs fair. She noted all the services are outlined including the financial report for the Members information.

12. Corporate Policy Group Report

Cllr. T. McCormack informed the Members that at the Corporate Policy Group meeting the Council meeting agenda was discussed and a subcommittee was formed to examine providing chains of office for the Cathaoirligh of each Municipal District.

13. Notices of Motion

No notices of motion.

14. Comhdhálacha / Conferences

The Members were advised on the AILG series of six weekly online webinars commencing on Friday, 28th June, and continuing every Friday until 2nd August 2024.

15. Comhfhreagras / Correspondence

The Members noted the correspondence that issued with the agenda.

16. Any Other Business

Cllr. T. McCormack advised the Members that the Appointment to the Local Traveller Accommodation Consultative Committee was adjourned until September and Cllr. C. Murray Smale will remain on the committee until then.

MINUTES CONFIRMED

CATHAOIRLEACH

RUNAÍ

16 September 2024

