

COMHAIRLE CHONTAE UÍBH FHAILÍ

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

**HELD IN ÁRAS AN CHONTAE, CHARLEVILLE ROAD, TULLAMORE
ON MONDAY, 20TH JULY 2020 AT 2.00 P.M.**

PRESENT:	Cllr. J. Carroll, Cathaoirleach, Cllrs. C. Claffey, J. Clendennen, 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, L. Quinn (R) and K. Smollen.
IN ATTENDANCE:	Ms. A. Delaney, Chief Executive; Mr. T. Shanahan, D.O.S. (R); Ms. S. Kennedy, D.O.S.; Mr. M. Connolly, H.O.F.; Ms. A. Dillon, A/D.O.S.(R); Mr. G. Bruton, Meetings Administrator; Mr. R. Bell, H.I.S.; Ms. J. Ryan A/S.E.; Mr. Joe Lavin, Chief Commercial Officer, NBI(R); and Ms. L. Carbery, C.O. <i>[(R) denotes remote access]</i>
VOTES OF SYMPATHY:	<p>Votes of sympathy were unanimously extended to the following: -</p> <p>The members joined Cllr. J. Clendennen in their sympathy to the family of Detective Garda Colm Horkan, who lost his life in the line of duty at Castlerea on the 17th June 2020.</p> <p>Mr. William Wall, Charleville Road, Tullamore on the death of his wife Nora Wall;</p> <p>Ms. Bernadette Sweeney and Ms. Teresa Boland, Offaly County Council on the death of their father Charles Boland;</p> <p>Mrs Josie Dempsey, Claire Dempsey and family, Rathangan Road, Clonbullogue on the death of her husband Seamie Dempsey;</p> <p>Mrs Orla Fogarty, Ballyboy, Kilcormac on the death of her father Thomas Scully;</p> <p>Mrs. Maelissa O'Donoghue Holohan, Whitehall, Tullamore on the death of her mother Sarah O'Donoghue;</p> <p>Mrs. Eileen O'Meara, Offaly County Council on the death of her father Kevin Hayes;</p> <p>Mrs. Bridgie Cornally and Family, Lahinch, Clara on the death of her husband Thomas Cornally;</p>

	<p>Mrs. Ann McGuinness, Oratory Row, Clara on the death of her husband PJ McGuinness;</p> <p>Mrs. Ann Murphy & Family, 3 St. Josephs Terrace, Portarlinton on the death of her husband Tommy Murphy;</p> <p>Mr. Seamus Keogh, Ballymacrossan, Cloneygowan on the death of his father Mick Keogh.</p> <p>Mrs. Margaret Sherlock-Boland & Family, Dromakeenan, Roscrea, County Offaly, on the death of her husband Kieran Boland.</p> <p>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.</p>
CONFIRMATION OF MINUTES:	<p>On the proposal of Cllr. N. Feighery, seconded by Cllr. N. Cribbin the members resolved to adopt the minutes of the Ordinary Meeting of Offaly County Council held in Áras an Chontae, Charleville Road, Tullamore, Co. Offaly on Monday 15th June 2020.</p> <p>On the proposal of Cllr. K. Smollen, seconded by Cllr. E. Dooley the members resolved to adopt the minutes of the Annual Meeting of Offaly County Council held in Áras and Chontae, Charleville Road, Tullamore, Co. Offaly on Monday 15th June 2020.</p>
MINUTES FOR NOTING:	<p>The members noted the:</p> <ul style="list-style-type: none"> - Minutes of Corporate Policy Group Meeting held in Áras an Chontae, Charleville Road, Tullamore, Co. Offaly on Friday 15th May 2020
SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001, OFFALY COUNTY COUNCIL PROPOSES TO DISPOSE OF 2.02 ACRES OF LAND AT THE TULLAMORE ROAD N52, WOODFIELD BIRR TO HUGO LOONAM MOTORS LTD, FERBANE STREET, CLOGHAN, CO. OFFALY	<p>On the proposal of Cllr. J. Clendennen, seconded by Cllr. C. Claffey the members resolved to the disposal of 2.02 acres of land at the Tullamore Road N52, Woodfield Birr to Hugo Loonam Motors Ltd, Ferbane Street, Cloghan, Co. Offaly in the sum of €90,000 as per the Section 183 of the Local Government Act, 2001 Notice, as circulated on 3rd July 2020.</p>
SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001, OFFALY COUNTY COUNCIL PROPOSES TO DISPOSE OF 0.21 HECTARESS OF LAND IN THE TOWNLAND OF BALLYCOLLIN LOWER, KILCORMAC TO	<p>Mr. T. Shanahan, D.O.S. recommended the disposal of the lands to Frankford Soccer Club in the interests of providing an amenity for the Local Community. Cllr. J. Leahy welcomed the formalisation of this leased land citing it as an asset to the community. On the proposal of Cllr. J. Leahy, seconded by Cllr. E. Dooley the members resolved to the disposal of 0.21 hectares of land in the townland of Ballycollin Lower, Kilcormac to Frankford Football Club, Kilcormac, in the sum of €1,000 as per the Section 183 of</p>

<p>FRANKFORD FOOTBALL CLUB, KILCORMAC</p>	<p>the Local Government Act 2001 Notice as circulated on 3rd July 2020.</p>
<p>PLANNING AND DEVELOPMENT ACT, 2000 AS AMENDED, PART 8 OF THE PLANNING AND DEVELOPMENT REGULATIONS, 2001 AS AMENDED, FOR THE PROPOSED DEVELOPMENT OF TULLAMORE RIVER</p>	<p>Mr. T. Shanahan, D.O.S. advised the members on the Tullamore Living River Project, to improve and enhance water quality, wildlife and develop an amenity for the community. He informed the members on the proposal for a wetland area at Srah and Kilcrutin, riparian widening at Marian Place, wetland creation at Old Mill pond, tree trimming, river enhancement at Tullamore Library and ancillary works. He confirmed that Appropriate Assessment and Environmental Impact Assessment have been carried out and there will be no likely significant effects. He informed the members of the public consultation process which has taken place with one submission received from Office of Public Works, that Offaly County Council have responded to their satisfaction.</p> <p>In response the members welcomed the proposal as a great initiative citing its advantages for community use, tourism and quality of life. They raised queries with regard to the funding, timing, maintenance and requested that a clean-up of the river further downstream at Charleville should be included.</p> <p>Mr. T. Shanahan confirmed that subject to procurement the project should start towards the end of the year, with LEADER funding, some maintenance and clean-up will be required.</p> <p>On the proposal of Cllr. N. Feighery, seconded by Cllr. D. Harvey 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 Tullamore River.</p>
<p>ROADS UPDATE</p>	<p>Ms. J. Ryan provided the members with a detailed presentation on the Pilot Scheme Testing on Regional Roads over Peat. She informed the members that the National Soil Survey 1968 identified 32% of peat soils in Offaly resulting in extra maintenance and improvements required within 2-5 years instead of the usual 10-20 years. She highlighted the effects of the climate conditions on the roads.</p> <p>She updated the members on the N62 Cush East to Noggusboy Pavement Reconstruction Schemes where the TII funded a peat replacement scheme on between Cloghan & Ferbane. Up to 6m depth of peat (35,000m³) was replaced over 750m with suitable granular fill at a cost €1,500,000. She outlined the details of the pilot scheme noting funding of €175,000 was provided for traffic surveys, dynamic probes and window sampling around the county and 400 site investigation reports. She presented details of the findings on various roads, including R444 Shannonbridge to Clonmacnoise and Doon, the R402 Ballina Cross to Edenderry and the R436 Ferbane to Clara.</p>

She highlighted the benefits of the Scheme providing data to assist with decisions on future roads improvement schemes with informed cost estimates and gave examples such as the Birr Distributor Road Specific Improvement Grant and the R444 Shannonbridge to Clonmacnoise Specific Improvement.

She updated the members on current capital projects including the N52 Tullamore to Kilbeggan Link Public Consultation, the Edenderry Inner Relief Road and Granary Court, Birr Distributor Road, N62 Minor Works Scheme, N62 Boveen to Drumakeenan and the Offaly Grand Canal Greenway Digby Bridge to Ballycommon Bridge. She updated the members on potential capital projects.

Ms. J. Ryan brought the members attention to the Traffic Calming Policy to be considered for their adoption.

The members thanked Ms. Ryan for her comprehensive report. Cllr. J. Leahy thanked his Strategic Policy Committee members for their input in the traffic calming policy and noted that the widening of footpaths is a good measure to slow down traffic and although speed ramps are not the preferred option, the members can consult with the Area Engineers if necessary. Cllr. E. Dooley queried if Bord na Mona programme of works could be utilised as part of the rehabilitation. The members highlighted issues with various roads in the county. They queried if there is a budget for retro fit of traffic calming and if the Traffic Calming Assessment Form focuses solely on accident prone roads. Cllr. M. Hackett queried if more routes could be classified as national to relieve the pressure on the Roads Programme. Cllr. E. Fitzpatrick highlighted the success of the pilot scheme for pedestrian crossings in St. Josephs Portarlington.

In responding to the members queries Ms. J. Ryan highlighted that it is a requirement that all residential/commercial developments comply with the recommendations contained in the Traffic Management Guidelines and the Design Manual for Urban Roads and Streets. The best way to deal with speed control on new roads is at the design stage when the layout and geometric design can be prepared so as to limit excessive speed levels. All planning applications for new residential and commercial developments are examined by the Road Design Section and assessed from a speed control and safety perspective. In addition, where the proposed development has a major impact on existing roads, the developer is requested to submit a Traffic Impact Assessment (TIA) Report. The developer may also be requested to carry out a road safety audit (RSA) on certain elements of the road design proposed.

Ms. J. Ryan noted that although there is no budget for retro fit, the roads engineers will assess individual cases. She confirmed that the assessment form does not necessarily

	<p>only apply to accident prone roads. She informed the members that some work was carried out with Bord na Mona and preliminary talks are on-going. She noted the success of the Tullamore Enhancement Scheme and advised the members that applications for specific improvement grants for the three municipal districts will be sought from the Department. She advised that each year further funds would be sought for regional and country roads.</p> <p>Mr. T. Shanahan confirmed that speed ramps are of lower priority and other solutions may be more suitable for urban areas. He advised that with the position of the motorway, it may be difficult to get further national roads classification but it could be investigated.</p> <p>On the proposal of Cllr. J. Leahy, seconded by Cllr. D. Harvey the members resolved to adopt the Offaly County Council Traffic Calming Policy.</p>
<p>NATIONAL BROADBAND IRELAND PRESENTATION</p>	<p>Mr. M Connolly, H.O.F. welcomed Mr. Joe Lavin, National Broadband Plan Project (NBI) to remotely to provide the members with an overview of the National Broadband Plan.</p> <p>Mr. Joe Lavin thanked the members for their time and updated them on the plan. He advised that the aim of the programme is to ensure every premises has access to high speed broadband and premises that don't currently have access are known as the Intervention Area or Amber Area. He advised that NBI have been contracted to build a full fibre network to connect the 536,000+ premises ensuring no one is left behind.</p> <p>He highlighted the benefits of high speed broadband including Health, Environment, Education, Enterprise and jobs, noting that the Covid 19 pandemic has made it clear how vital this is. He informed the members that future proofing is essential and that NBI have a 25-year contract to build an extensive network and that NBI will be a wholesale open access service provider.</p> <p>He updated the members on their general progress, noting that surveying has continued with some adjustments due to Covid 19 and that the NBI team has grown to 110 full time employees. He outlined the national network and gave an overview of Offaly with 12,108 premises without access to high speed broadband representing 33% of the county. He advised the members that the government will invest €48m as part of the programme in Offaly. He informed the members that two regional exchanges currently being developed in Roscrea and Athlone will provide high speed broadband for parts of Offaly within a 20km radius of these exchanges. Additional regional exchanges will be developed over the course of the plan. He informed the members that in 2020 NBI will connect up to 300 broadband connection points in the country including sites in Offaly such as the Ballycommon Telework & Training</p>

	<p>Centre and the full list is available at www.broadband.gov.ie. He noted the various stakeholder's engagement and provided contact details for NBI.</p> <p>The members thanked him for his informative presentation and raised a number of queries in relation to the timeline for Offaly, blackspot areas, service provider's customer services and measures to prevent digging up towns and villages after renewal schemes have been completed.</p> <p>In response Mr. Joe Lavin advised the members that the plan will extend to all counties but does not take note of county boundaries. He informed the members that the plan must look at the most efficient way to build the network and will try to provide the high speed broadband as quick as possible, but noted there are planning and other constraints, but they are hopeful to have 60% completion by year four.</p> <p>He informed the members that in year 2, 115k premises in Offaly will be accessed, however some areas such as Edenderry is serviced by phone lines and as this is older technology it may be slower to update. He advised the members that a detailed contract was negotiated between the government and NBI and there are similar contracts with service providers providing strict customer service details. He informed the members that if suitable ducts are available they will utilise them and NBI have dedicated staff available to liaise with Local Authorities to ensure proper installation of services.</p> <p>Ms. A. Delaney, Chief Executive acknowledged the work of the NBI team and advised that Offaly County Council look forward to working with them in the future.</p>
<p>RESTART GRANT 2020</p>	<p>Mr. M. Connolly brought the members attention to the report on the Restart Grant as circulated with the agenda. He updated the members that to date 500 applications had been received, with 70 currently under review. He advised the members that this is in line with the national figures of approximately 33% uptake and the closing date is 31st August, however this may be extended.</p> <p>The members thanked him for his update and for the work of the Local Enterprise Office. They queried if multi business owners would qualify for a grant for each business, increasing the awareness campaign and if business that had remained open solely to provide a service could apply. They also queried if the funding has been drawn down from the department and if a register of all applications including refusals has been maintained.</p> <p>In responding to the members queries Mr. M. Connolly acknowledged the work of the Finance Section and advised the members on the on-going advertising campaign including social media, radio and newspapers. He invited the members to encourage their constituents to avail of the Restart Grant if applicable. He further advised that</p>

	<p>communication has issued to all rate payers, that approximately 50% has been drawn down in the amount of €3m and a full record of all applications is maintained. He advised the members that they can refer any issues with regard to individual cases to him.</p>
<p>JUST TRANSITION</p>	<p>Ms. A. Delaney provided the members with an update on the Just Transition advising them that the closing date for Stage 2 of the Just Transition fund was 17th July and evaluation panels are being established. She could not give a clear timetable for the decisions, but advised it may be September. She informed the members that the Start Programme workshops had been postponed due to Covid 19, but are now planned to commence on 7th September. The future employment and skills schemes are currently being devised.</p> <p>The members expressed their disappointment with the progress of the Just Transition, the plans for the Retrofit Programme, the spread of the funding between nine counties and the lack of funding from both the ESB and Bord na Mona. They criticised the complicated paperwork involved in the Stage 2 application process, citing that it was very difficult for community committees to complete the application in the tight timeline that was allowed. They agreed that Just Transition funding should be made available to the communities that are suffering the most job losses. They questioned the plans for the bog lands. On the proposal of Cllr. J. Leahy, seconded by Cllr. N. Cribbin the members resolved to write to the Just Transition Commissioner Ciaran Mulvey to clarify his role, to write to the ESB to request a contribution of €80m in line with their income from the PSO levy and to invite their Chief Executive, Mr. Pat Doherty to meet the members and also to write to Minister Hackett to facilitate a meeting with Minister for Climate Action, Communication Networks and Transport Eamon Ryan.</p> <p>In responding to the members Ms. A. Delaney re-iterated that a County team had been established to access the EU Start Programme and on the appointment of the Just Transition Commissioner they had been requested to expand to a Regional team in order to source EU funding. She advised the members that Mr. Ciaran Mulvey had proposed Offaly County Council to manage the funding but this would have required new legislation and therefore the Department were best placed to manage the funding.</p> <p>She noted that there was a good uptake for Stage 1 with 150 applications received. She advised the members that Bord na Mona and the ESB are independent entities who control their own land. She informed the members that the Housing are working towards implementing the Retrofit Programme. She agreed to write to the Just Transition Commissioner, to contact the ESB to discuss funding and to write to Minister Hackett.</p>

MONTHLY MANAGEMENT REPORT:

Ms. A. Delaney drew the members' attention to the monthly management report updating the members on the statistics from the Community Response Forum and advising them it is now integrated into the LCDC customer services and operating 5 days per week from 9 to 5pm. She thanked the members for the adoption of the Pre-Draft County Development Plan on 13th July 2020. She advised the members that the closing date for applications for Clár is the 7th August 2020. She noted the members have been updated on housing at their municipal districts meetings. She informed the members that the LCDC had met last week and approved a number of Leader schemes and a number of events have been streamed by the Arts, Sports and the Libraries. She advised the members that the tourism staff have been busy working with Fáilte Ireland and Offaly Tourism Marketing held their first virtual meeting on 18th June. She acknowledged the on-going work of the Local Enterprise Office providing supports to small businesses.

The members thanked the Chief Executive for her detailed report and responded with queries regarding available sites to avail of increased funding of up to €6m for housing and the development of pilgrim paths. Cllr. J. Clendennen raised concern with an incident in the Slieve Bloom mountains where a large volume of cars have been gathering at night time, causing concern locally about anti-social behaviour, vandalism and illegal dumping. Cllr. E. Fitzpatrick questioned when the next Rural Water Monitoring Committee meeting will be held and Cllr. D. Harvey queried if the Council are buying houses.

In responding to the members queries Ms. S. Kennedy updated the members that the capital programme for housing had maintained momentum and expressions of interest for Turnkey housing had resulted in 20 applications that are currently being assessed. She noted that a balanced social mix of housing is important and the department are moving towards increasing housing supply but with Covid 19 there may be potential to look at buying houses.

Ms. A. Delaney responded that the extra funding is in relation to fast track projects that are ready to go and no direction has yet been received from the Department of this and it will be reviewed by the Director of Services. She informed the members that the pilgrim paths in conjunction with greenways are being investigated and that the issues in the Slieve Bloom mountains will be referred to the Joint Policing Committee. She agreed the illegal dumping is a challenging issue and the community clean up weeks had been planned but were postponed due to Covid 19. She acknowledged the good network of community groups and stated that Offaly County Council have continued to support them. She will revert with a date for the Rural Water Monitoring Committee.

CORPORATE POLICY GROUP REPORT:

Cllr. J. Carroll, Cathaoirleach informed the members that the Corporate Policy Group met on Friday 17th July and discussed the Local Property Tax Projects, Just Transition

	<p>and Covid 19. He brought the members attention to the extension of the Employee Assistance Programme now available for members and to the upcoming AILG training circulated to the members by email on 20th July 2020.</p>
<p>NOTICES OF MOTION</p>	<p>Cllr. J. Carroll brought the members attention to the notice of motion from Cllr. K. Smollen and instructed that no housing estates were to be identified in the discussion.</p> <p>On the proposal of Cllr. K. Smollen, seconded by Cllr. S. O'Brien the members resolved that Offaly County Council strictly enforces the rules and regulations as are set out in the Social Housing Tenant handbook regarding anti-social behaviour.</p> <p>Cllr. K. Smollen addressed the members stating that because of open drug dealing, brothels, illegal dumping and other anti-social behaviour, some law abiding families need to be rescued immediately. He said that children aged 10 or younger are being intimidated or threatened and in one case a young man was seriously injured and almost all of those involved are living in social housing. He noted that the anti-social behaviour was not confined to Tullamore and he had received calls in relation to similar problems in Edenderry, Ferbane, Kilcormac and other areas. He called for an urgent meeting between council management, councillors and the Gardaí, that public representatives local knowledge be used before decisions are made, as the previous activities and behaviour of potential tenants should be taken into account and for a letter to be sent to all social housing tenants reminding them of their obligations. He stated that exclusion orders should be sought against the offenders.</p> <p>Cllr. S. O'Brien cautioned that the issue was complex and not solely for the council and the Gardaí, but involves a lot of agencies and all tenants. He stressed that underlying issues causing the problem would have to be examined on a broad scale.</p> <p>Cllr Declan Harvey, agreed there is a problem but he said the committee which had been set up should be given a chance to do its work.</p> <p>Ms. S. Kennedy, D.O.S. responded it is important to note that 1,900 homes are being leased out by the local authority in Offaly and the vast majority, from tenants to homeowners who had bought out the housing in council estates, took care and pride in their homes and neighbourhoods. She said that a small minority of tenants are creating difficulties for their own families and neighbours and they pose a significant challenge for the Council.</p> <p>She informed the members that the aim of the anti-social behaviour policy is to prevent and reduce the behaviour and promote and build sustainable communities. She noted that the policy has been reviewed and will be coming before the</p>

council in the autumn and its key objectives are improving estate management, engaging and fostering tenant participation, working with other agencies and stakeholders, developing a sense of ownership in estates and pride of place, and allowing all of the tenants to live without conduct that violates basic rights, or behaviour that's disruptive to others, or is illegal.

She advised the members that there are already pre-tenancy information sessions, estate management initiatives, pre-vetting of tenants and ensuring an acceptable social mix and they work with other agencies including the Garda Siochana, the HSE, Tusla and Offaly Local Development.

She highlighted that the policy also provides for a range of actions up to and including the repossession of houses and the securing of excluding orders against individuals. The use of CCTV is an option and complaints can be made to asb@offalycoco.ie. She stressed to the members that the council have internal procedures to ensure that when and if court action is instigated, evidence is required to meet the statutory standard of evidence.

She informed the members that the council are exploring two tenancy sustainability projects, one for Traveller families and another for vulnerable tenants and their children in partnership with Tusla and the sub-committee involves the Tullamore Municipal District, the housing section and other sections in the council. They will identify and implement a range of practical measures on estate management and following on from this will roll out to other estates in the county in due course.

She advised the members that a number of files on the behaviour of individuals have been reviewed and with the council advisor a series of actions including and up to seeking repossession orders for houses or securing excluding orders in relation to individuals will be put in place.

She noted that the council is working in a similar manner with estates run by approved housing bodies and are also looking at unauthorised dumping, littering and poor waste management practices.

She informed the members that the veterinary services are also addressing issues in relation to animal welfare and control, including horses and dogs and the council are investigating if vacant lands within and close to estates be reviewed to see if they can be used in a more productive manner.

She further noted that families and individuals are being supported through sports, arts and libraries to try and minimise the further development of anti-social behaviour among the younger tenants within our housing estates,

	<p>involving homework clubs, summer camps, equine projects and fitness camps.</p> <p>Ms Kennedy stated that the impact due to the actions of a few have been felt more keenly during the Covid emergency and a meeting with the Gardaí would be sought.</p> <p>She advised the members that the allocation of social housing requires Gardaí vetting. She cautioned that a letter to all tenants might annoy the vast majority who feel they are the ones that are behaving very well and trying to support us, noting that any communication would have to be very well judged in terms of its tone, its content and its applicability to those that might receive it and so requires further consideration.</p> <p>Ms. A. Delaney added that the Council liaise with the Gardaí and are progressing with enforcement in relation to a number of individuals who breach the terms of the tenancy agreements and this will progress through the legal route.</p> <p>The members joined with the Cathaoirleach, Cllr. J. Carroll in praising Ms Kennedy's report saying it showed the council took its responsibility to tenants very seriously and implements everything they can to make life bearable for everyone, and a good environment for every tenant.</p>
ANY OTHER BUSINESS:	None

This concluded the business of the meeting.

MINUTES CONFIRMED: _____
CATHAOIRLEACH **RUNAÍ**

21st September 2020