

## CARLOW COUNTY COUNCIL

**Minutes of the December Meeting of Carlow County Council, held in The Council Chamber, County Offices, Athy Road, Carlow, on Monday 10<sup>th</sup> December 2018 at 2.00 p.m.**

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**Present:** Councillor B. O'Donoghue (Cathaoirleach)  
Councillor F. Browne  
Councillor J. Cassin  
Councillor A. Dalton  
Councillor J. Deane  
Councillor M. Doran  
Councillor A. Gladney  
Councillor T. Kinsella  
Councillor W. Lacey  
Councillor A. McDonald  
Councillor K. Murnane  
Councillor C. Murphy  
Councillor J. Murphy  
Councillor J. Pender  
Councillor F. Phelan  
Councillor W. Quinn

**Apologies:** Councillor D. Foley  
Councillor W. Paton

**In attendance:** Ms. K. Holohan, Chief Executive  
Ms. B. O'Brien, Director of Service – Corporate, Planning, Economic Development, Health and Safety,  
Mr D. McInerney, Director of Services, Transportation, Environment & Water Services  
Mr. M. Brennan, Acting Director of Services, Housing,  
Mr. B. O'Donovan, Senior Engineer, Environment/Procurement  
Mr. K. Cullinane, Senior Engineer, Water Services  
Mr. R. Wickham, Acting Senior Engineer, Transportation  
Mr. K. Comerford, Head of LEO  
Mr. E. Brophy, Senior Executive Officer, Corporate Services  
Ms. B. Whelan, Assistant Staff Officer, Corporate Services.

## **OPENING PRAYER**

The Cathaoirleach welcomed Rev David White, Rector to the meeting and invited him to give a blessing and the opening prayer.

## **VOTES OF SYMPATHY**

- Madeline Conlon, Carlow Association New York on the death of her husband Jim.
- Kevin Brennan & Family on the death of his father Eamonn Brennan, 69, Pearse Road, Graiguecullen, Carlow
- Mary Cowman & Family, 5 McDonnell Park, Ballinkillen, Bagenalstown, Co. Carlow on the death of her husband Michael.
- Peter Murphy & Family on the death of his brother Michael Murphy Coonogue, Ballymurphy, Borris, Carlow

## **VOTES OF CONGRATULATIONS**

- Members welcomed €654,820 funding under the Rural Regeneration Development Funds for Borris Viaduct Project. Members complimented all involved in securing the funding for the project.
- Mount Leinster Rangers on retaining the Carlow County Hurling Championship.
- Stephen Lennon on reaching the second round of the World Darts Championship Finals.

## **1(a) CONFIRMATION OF MINUTES**

**Proposed by Councillor T. Kinsella**  
**Seconded by Councillor J. Pender**

Following a show of hands it was unanimously resolved:-  
*‘That the Minutes of the November Monthly Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Monday 12<sup>th</sup> November, 2018 at 2.00 p.m. having been circulated to each Member be taken as read, confirmed as to accuracy and accordingly signed.*

## **(b) Confirmation of Minutes of Statutory Budget Meeting 2019**

**Proposed by Councillor J. Murphy**  
**Seconded by Councillor K. Murnane**

## **AND**

Following a show of hands it was unanimously resolved:-

*That the Minutes of the Statutory Budget Meeting 2019 of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Tuesday 20<sup>th</sup> November, 2018 at 2.00 p.m. having been circulated to each Member be taken as read, confirmed as to accuracy and accordingly signed.*

Arising from Budget 2019 meeting Councillor Cassin sought detailed information on funding of loan for Carlow Eastern Relief Road.

The Chief Executive advised that she will revert to Council with the information requested.

## **2. CIRCULARS**

- (a) Circular Letter PL 11/2018 – Waiving of fee for the making of observations or submissions on planning applications by elected members**

Members noted Circular on waiving of fee for the making of observations or submissions on planning applications by elected members.

## **3. BUSINESS PRESCRIBED BY STATUE, STANDING ORDERS OR RESOLUTIONS OF THE COUNCIL.**

- (a) Approval to attendance of Elected Members at St. Patrick's Day Parades New York**

**Proposed by Councillor J. Pender**

**Seconded by Councillor M. Doran**

## **AND**

Following a show of hands it was unanimously resolved:-

*'That we, the Members of Carlow County Council approve the attendance of the Cathaoirleach of Carlow County Council, The Mayor of Municipal District of Carlow or their nominees to attend the St. Patrick's Day Parade New York and the Cathaoirleach of Municipal District of Muinebheag or his nominee to attend Davenport, if an invitation was extended.*

- (b) Taking in Charge of Brownhill Crescent, Chapelstown, Carlow**

Member's approval was sought to the necessary advertising of the Council's intentions to the taking in charge of Browneshill Crescent, Housing Development, Chapelstown, Carlow.

**Proposed by Councillor J. Cassin**  
**Seconded by Councillor A. McDonald**  
**AND**

Following a show of hands it was unanimously resolved:-

*'That we, the Members of Carlow County Council approve the advertising of the Council's intentions to the taking in charge of Browneshill Crescent, Housing Development, Chapelstown, Carlow in accordance with Section 11 of the Roads Act, 1993, Section 180 of the Planning and Development Act 2000, as amended and Section 59 of the Planning and Development Act 2010.'*

The advertisement will appear in the Nationalist of week ending 21<sup>st</sup> December, 2018.

**(c) Taking in Charge of Presentation Place, Housing Development, Barrett Street, Bagenalstown, Co. Carlow**

Member's approval was sought to the necessary advertising of the Council's intentions to the taking in charge of Presentation Place, Housing Development, Barrett Street, Bagenalstown, Co. Carlow.

**Proposed by Councillor A. McDonald**  
**Seconded by Councillor A. Gladney**  
**AND**

Following a show of hands it was unanimously resolved:-

*'That we, the Members of Carlow County Council approve the advertising of the Council's intentions to the taking in charge of Presentation Place, Housing Development, Barrett Street, Bagenalstown, Co. Carlow in accordance with Section 11 of the Roads Act, 1993, Section 180 of the Planning and Development Act 2000, as amended and Section 59 of the Planning and Development Act 2010.'*

The advertisement will appear in the Nationalist of week ending 21<sup>st</sup> December, 2018.

**(d) Taking in Charge of Castlerock, Housing Development, Carrigduff, Co. Carlow**

D. McInerney advised in his report dated 26<sup>th</sup> November, 2018 that following the required advertisement no submissions were received in response to the public notice.

D. McInerney sought Members' approval to formally resolve the taking in charge of Phase 1 – Castlerock, Housing Development, Carrigduff, Bunclody, Co. Carlow.

**Proposed by Councillor C. Murphy**  
**Seconded by Councillor J. Murphy**  
**AND**

Following a show of hands it was unanimously resolved:-

*'That we, the Members of Carlow County Council, approve the taking in charge of roads and services in the Housing Development, Castlerock, Carrigduff, Co. Carlow in accordance with Section 11 of the Roads Act 1993, Section 180 of the Planning and Development Act 2000 as amended and Section 59 of the Planning and Development Act 2010'.*

**(e) Taking in Charge of Phelim Wood, Dublin Road, Tullow, Co. Carlow**

D. McInerney advised in his report dated 4<sup>th</sup> December, 2018 that following the required advertisement no submissions were received in response to the public notice.

D. McInerney sought Members' approval to formally resolve the taking in charge of Phelim Wood, Housing Development, Dublin Road, Tullow, Co. Carlow.

**Proposed by Councillor B. O'Donoghoe**  
**Seconded by Councillor J. Pender**  
**AND**

*'That we, the Members of Carlow County Council, approve the taking in charge of roads and services in the Housing Development, Phelim Wood, Dublin Road, Tullow, Co. Carlow in accordance with Section 11 of the Roads Act 1993, Section 180 of the Planning and Development Act 2000 as amended and Section 59 of the Planning and Development Act 2010'.*

**(f) Right of access across the front of Leighlinbridge Wastewater Pump station to The Garrison Waterside Holiday Homes.**

On the proposition of Councillor Doran, seconded by Councillor McDonald and following a show of hands it was agreed to defer this item to the January meeting of Council.

### **(g) Approval of Litter Management Plan**

Members welcomed Draft Litter Management Plan 2018-2020.

Members' approval was sought to the Draft Litter Management Plan.

**Proposed by Councillor F. Phelan**

**Seconded by Councillor J. Pender**

**AND**

Following a show of hands it was unanimously resolved:-

*'That we, the Members of Carlow County Council approve the Litter Management Plan 2018-2020 in accordance with the Litter Pollution Act 1997, as amended.'*

Issues raised by the members included the following:-

- Members welcomed the eco-bins that are currently being piloted across Carlow Town.
- Members called for more litter receptacles on Dublin Street, Kennedy Ave and Barrack Street and requested that the old receptacles removed in Tullow Street be placed in Dublin Street.
- Members called for more litter and dog fouling receptacles for Bagenalstown and along walking routes, Leighlinbridge.
- B. O'Donovan advised of a new more efficient contract for the emptying of bring centres/bottle banks.
- Members also raised issue of disposal of dog fouling and the requirement that receptacles be emptied regularly.

Issues raised by the Members were addressed by D. McInerney and B. O'Donovan.

### **(h) Approval of Minor Capital Works – Safety/Risk Improvement Scheme 2019**

Members approval was sought to the proposed allocation of €200,000 in 2019 for the purpose of undertaking a scheme of Minor Capital Works that are ineligible for funding under current programmes. The funding is to be divided equally between Carlow and Muinebheag Municipal Districts.

**Proposed by Councillor W. Quinn**

**Seconded by Councillor T. Kinsella**

**AND**

Following a show of hands it was unanimously resolved:-

*'That we, the Members of Carlow County Council approve the €200,000 allocation 2019 for Minor Capital Works – Safety/Risk Improvement*

*Scheme 2019. €100,000 to Carlow Municipal District and €100,000 to Muinebheag Municipal District'.*

Councillor McDonald queried how the distribution of funding will be determined.

**(i) Draft Policy on Anti-Social Behaviour for approval**

Members welcomed Draft Policy on Anti-Social Behaviour. M. Brennan, Acting Director of Services, Housing outlined the aim and objectives of the Anti-Social Behaviour Policy. He answered questions from Members on the Draft Policy.

**Proposed by Councillor K. Murnane**

**Seconded by Councillor J. Pender**

**AND**

Following a show of hands it was unanimously resolved:-

*That we, the Members of Carlow County Council hereby approve the Draft Policy on Anti-Social Behaviour.*

In response to Members' query M. Brennan advised that Control of Horses Policy will be on the January Agenda for discussion.

**(j) Approval of filling of 2 No. Vacancies on Carlow Local Community Development Committee**

Members were advised that two vacancies have arisen on Carlow Local Community Development Committee due to the retirement and resignation of Ms. Cynthia Deane, Kilkenny and Carlow Education and Training Board and Ms Anna Maria Lanigan, Health Service Executive. Approval of Ms Sarah Barron and Ms Joan Murphy to the membership of the Carlow Local Community Development Committee was sought.

**Proposed by Councillor J. Pender**

**Seconded by Councillor J. Murphy**

**AND**

Following a show of hands it was unanimously resolved:-

*'That we, the Members of Carlow County Council, approve Ms Sarah Barron and Ms Joan Murphy to the membership of the Carlow Local Community Development Committee in accordance with Section 128C (3) (b) of the Local Government Act 2001 as inserted by section 36 of the Local Government Reform Act 2014.*

#### **4. CORPORATE, PLANNING, ECONOMIC DEVELOPMENT AND HEALTH AND SAFETY**

##### **(a) Revision of Local Electoral Area Boundaries – 2019 Local Elections**

Members had for consideration Revision of Local Electoral Area Boundaries - 2019 Local Elections and Local Electoral Area Boundary Committee no.1 Report -2018.

##### **(b) Funding Allocated to County Carlow under Phase 1 of the Rural Regeneration and Development Fund & Urban Regeneration and Development Fund**

Members welcomed report from the Chief Executive on funding allocated to County Carlow under Phase 1 of the Rural Regeneration and Development Fund and Urban Regeneration and Development Fund.

Members welcomed funding of €654,820 under the RRDF for the Borris Viaduct Project and complimented the former Director of Services, Seamus O'Connor on bringing the project forward. Members also thanked Councillor Quinn for his input to the project.

Members complimented B. O'Brien and M. Brennan for their input in actively pursuing projects. Members welcomed the announcement that Carlow Town is to receive a share in a fund of €881,000 for the development of Carlow Regeneration Vision and Implementation Strategy.

Issues raised by the members included the following:-

- Importance of having application ready projects and that the Town Realm Plan and Tullow Road Community Project be actively pursued. Members called for update on Tullow Road Community Project for next Carlow Municipal District meeting.
- K. Comerford advised that workshops can be organised for Members to assist in the effective delivery of projects.
- Ducketts Grove project. The Chief Executive advised that she is awaiting Fáilte Ireland's viewpoint in relation to Ducketts Grove before presenting report to Council.
- Councillor McDonald raised issue of design of bridge for By-Pass, Bagenalstown.

##### **(c) County Carlow Commuter Skills Study**



Members welcomed the County Carlow Commuter Skills Study and thanked Kieran Comerford, Head of LEO for presenting the results.

Issues raised by the Members included the following:-

- People commuting from Carlow to work only 4% using bus service and called for Bus Eireann and Irish Rail to improve services.
- Only 2% commuting from Carlow to Waterford. As Carlow is part of the south east region an Action Plan for jobs is required as Carlow and the South East Region have not been receiving a fair share of funding to enhance the region.
- The issues of works on the M9 at Naas and lights out at motorway junctions were raised. Members requested that a letter issue to TII to have the works done 24/7 to speed up the project and lights turned on at motorway junctions.
- No electric car facility in Borris for recharging batteries.
- Parking charges at Railway Station, Bagenalstown an issue resulting in illegal parking elsewhere.

Issues raised by the Members were addressed by K. Comerford.

#### **(d) Agriculture**

Councillor C. Murphy raised issue of recent announcement of 'Areas of National Constraints'. For the vast majority of farmers, the townlands they farm which have been eligible up to now will remain eligible under the new Scheme. Councillor Murphy advised that there will be an appeals process in place to deal with queries from farmers in the small number of townlands that are no longer eligible under the new Scheme in 2019.

Councillor McDonald raised issue of hedgecutting on rural roads not being followed up.

#### **(e) Conference Attendance Approvals**

**Proposed by Councillor J. Pender**

**Seconded by Councillor M. Doran**

**AND**

Following a show of hands it was unanimously resolved:-

*'That we, the Members of Carlow County Council approve the following conferences.*

Insolvency Services in Ireland,  
Gold Coast Hotel,

Ballinacourty,  
Dungarvan,  
Co Waterford.  
25<sup>th</sup> to 27<sup>th</sup> January 2019 **Fee: €145**

The Finance Act 2018  
The Four Seasons Hotel  
Carlingford  
Co Louth  
11<sup>th</sup> to 13<sup>th</sup> January 2019 **Fee: €100**

Understanding the Asylum Process  
O'Donovan's Hotel  
Clonakilty  
Co Cork  
18<sup>th</sup> to 20<sup>th</sup> January 2019 **Fee: €100**

Retirement Entitlements and  
Taxation Benefits for Councillors  
The Clonakilty Hotel  
Clonakilty  
Co Cork  
25<sup>th</sup> to 27<sup>th</sup> January 2019 **Fee: €100**

## **5. TRANSPORTATION, ENVIRONMENT & WATER SERVICES, BUILDING CONTROL & EMERGENCY SERVICES**

### **(a) Climate Adaptation Plan**

D. McInerney and Brian O'Donovan presented Climate Change Adaptation Strategy.

The Strategy will become the basis of identifying and prioritising risks in relation to climate change projections for County Carlow in the future. Public Consultation will take place during April and May 2019. The final Strategy will be presented to September 2019 meeting of the Council with a view to having the final Strategy published by the end of September 2019.

Issues raised by the Members included the following:-

- Flood Defense on the Carlow side at Tinnahinch needs to be addressed.
- To keep pressure on the OPW to address flood defense wall at Leighlinbridge.

- Putting adaptation measures in place -reduce packaging, recycling, etc to reduce the build- up of greenhouse gasses in the atmosphere.
- The issue of additional costs of seeking planning permission in areas that appear on historical flood plain maps e.g near streams.

Issues raised by the Members were addressed by D. McInerney and B. O'Donovan.

### **(b) Irish Water Capital Investment**

Members had for consideration report from D. McInerney on Irish Water Capital Investment Programme.

Issues raised by the Members included the following:-

- Storm water in Bagenalstown entering wastewater system. The issue needs to be brought to the attention of Irish Water as the system, in operation for 20 years, is not up to standard.
- Members raised concerns that wastewater treatment plant upgrade projects in Tullow and Bagenalstown will not commence before 2022 and the effects this will have on future development.
- Back-up plan for adequate water supply for Borris during times of drought.
- Clonegal Waste Water Treatment Plant not adequate and the effects on the planning process.
- Grange waste water facility not up to standard and the need to have it incorporated into the Tullow facility. Serious issue with septic tank at Grange School.

Members requested meeting with Irish Water at Municipal District level and requested that Irish Water provide an update for Members on current status of report.

Issues raised by the Members were addressed by D. McInerney.

### **IDA PRESENTATION**

The Cathaoirleach welcomed

Denis Curran, Divisional Manager, Corporate Governance & Legal, EIT and Regional Business Development.

Anne Marie Tierney Le-Roux: Head of Regional Development.

Brendan McDonald: Manager, South East Regional Business Development.

Denis Curran gave an informative briefing to the Members on the role the IDA play in attracting high performing industries to Ireland through challenging times. Attracting investment into regional locations is a key focus for the IDA. Denis Curran spoke of how the IDA work closely with Carlow County Council, IT Carlow and County Carlow Chamber and the business community to showcase Carlow as a location for investment and to assist existing IDA supported companies to grow. Following the presentation there was a question and answer session. Members thanked the IDA members for their presentation.

**Extension of time.**

**Proposed by Councillor K. Murnane**

**Seconded by Councillor J. Cassin**

Following a show of hands it was resolved:-

*'We, the Members of Carlow County Council, in accordance with Standing Orders, approve the continuation of the meeting to 6.00 p.m.'*

**6. CHIEF EXECUTIVE REPORT**

Members had for consideration Chief Executive Monthly Management Report for the period 1<sup>st</sup> to 30<sup>th</sup> November, 2018.

Councillor Cassin queried works taking place at The Weir in Carlow.

**Notices of Motion**

**Standing in the name of Cllr. W. Paton**

"That Carlow County Council develop two roundabouts in Carlow town as follows:

- (i) at the junction of the Hanover Road meeting the Hanover Road and
- (ii) at the junction of the Hanover Road meeting the Kilkenny Road (per the attached map) to allow for the safe passage of traffic.

This Notice of Motion was deferred to the January meeting of Council.

**Standing in the name of Cllrs. J. Cassin, A. Gladney, J. Deane & F. Browne**

**Proposed by Councillor J. Cassin**

**Seconded by Councillor F. Browne**

**AND**

Following a show of hands it was unanimously resolved:-

*‘That we, the members of Carlow County Council, call on Carlow County Council to make all defibrillators in county buildings in County Carlow accessible 24/7 to the public through weather proof boxes’*

**8. ANY OTHER BUSINESS WITH THE CONSENT OF THE CATHAOIRLEACH**

There was no further business to be transacted.

This concluded the business of the meeting.