

## CARLOW COUNTY COUNCIL

**Minutes of the September Meeting of Carlow County Council,  
held in G.B. Shaw Theatre, Visual, Old Dublin Road, Carlow on  
Monday 07<sup>th</sup> September 2020 at 2.00 p.m.**

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

**In Attendance:** Ms. K. Holohan, Chief Executive  
Mr. M. Rainey, Director of Service, Corporate, HR, Planning,  
Health & Safety, Security & Economic Development  
Mr. P. O'Gorman, Director of Service, Transportation,  
Environment & Water Services  
Mr. M. Brennan, Director of Services, Housing, Community,  
Recreation & Amenity, Building Control & Emergency Services.  
Mr. Kieran Comerford, Head of Local Enterprise Office  
Ms. Lorna O'Callaghan, Administrative Officer, Corporate  
Services/Human Resources  
Ms. Anita Sweeney, Senior Planner Planning  
Ms. Marian Hand, Assistant Staff Officer, Human Resources

### **OPENING PRAYER**

The opening prayer was recited in Irish by the Members.

### **VOTES OF SYMPATHY**

- Death of Peter Minchin, Hazel Grove, Kilkenny City, Kilkenny, father of Hilda Minchin, Community Department.

- Death of Eileen Maher (née Pender), 10 Cedar Park, Leixlip, Kildare, sister of Collette Harper, Finance Department.
- Death of Teresa Kelly (née Kealy), Tankardstown, Tullow, Co. Carlow, mother of T.J. Kelly, Housing Department.
- Eva Kennedy & Family, Link Road, Brownshill, Carlow, on the death of her husband Christy.
- Betty Brennan & Family, Millview, Paupish, Carlow Town, Carlow, on the death of her husband Jack.
- Chris O'Neill & Family, Orchard View, Leighlinbridge, Carlow, on the death of his wife Jennifer (Jenny).
- Albert Glynn & Family, Kilcoole, Rathoe, Co. Carlow on the death of his wife Ruby (Margaret).
- Mary Walsh & Family, 7 Oliver Plunkett Park, Carrigduff, Bunclody, Wexford, on the death of her husband Charlie.
- Frank Kelly & Family, Graiguenaspidogue, Nurney, Carlow, on the death of his wife Ann.
- Death of Rev. Fr. Edward Whelan, retired Parish Priest of Ballon/Rathoe and late of Holdenstown, Baltinglass, Co. Wicklow.

## **VOTES OF CONGRATULATIONS**

- Clíodhna Nolan, Rathelin, Leighlinbridge, Co. Carlow, gold medal winner European Championship U23.
- County Carlow Chamber - awarded the title of 'Local Authority Collaboration' for their project, "Chamber Trade Connections Export to Netherlands Programme" at the Chambers Ireland annual Chamber Awards.
- Marcus Lawlor, gold medal winner in the men's national senior 200m final
- Kate McDonald, on her recent signing for Wexford Youths Football Club.
- Ballinkillin Hurling Club, Ballinkillin, Muine Bheag, Co. Carlow, on winning the Junior County Final.

- Naomh Eoin Hurling Club, Kyleballyhugh, Myshall, Carlow, on winning the Intermediate County Final.
- Mount Leinster Rangers Hurling Club, Borris, Carlow, on winning the Senior County Final.

## **Note**

Michael Rainey, Director of Service, advised members that a report on “Gort Na Gréine” housing development would be presented to the October monthly meeting of Carlow County Council.

## **1.0 Confirmation of Minutes /Dearbhú Miontuairiscí**

### **1.1 ‘Approval of Minutes of Monthly Meeting of Carlow County Council held on Monday 13<sup>th</sup> July 2020 at 2pm.’**

Cllr. W. Paton asked for an amendment on item 2.1 of the July Monthly Meeting minutes of Carlow County Council, held on 13<sup>th</sup> July 2020 at 2pm as follows;

“A proposal to adopt the Corporate Plan 2020 -2024 with amendments, **subject to review in 12 months’ time through the Municipal Districts.**”

Approval of Minutes of Monthly Meeting of Carlow County Council held on Monday 13<sup>th</sup> July 2020 at 2pm including amendment was;

**Proposed by Councillor** J. Pender

**Seconded by Councillor** A. Dalton

**And**

Following a show of hands, it was resolved: -

*‘That the Minutes of the Monthly Meeting of Carlow County Council held in The George Bernard Shaw Theatre, Old Dublin Road, Carlow, on Monday 13<sup>th</sup> July 2020 at 2.00 p.m. including amendment, having been circulated to each Member be taken as read, confirmed as to accuracy and accordingly signed.’*

## **2.0 Circulars/Ciorcláin**

No Circulars.

### **3.0 Business prescribed by Statute, Standing Orders or Resolutions of Council/Gnó forordaithe do réir reachtaíochta, orduithe seasta, nó ruin an Chomhairle**

#### **3.1 Material Contravention File Ref: 19/437: Advanced Technology Building, IDA Site, Dublin Road, Rathnapish, Co. Carlow**

M. Rainey, Director of Service, presented this item, to consider the Chief Executive's Report prepared under Section 34(6)(a)(iii) of the Planning and Development Act 2000 (as amended) which recommends the proposed Material Contravention of the Carlow County Development Plan 2015-2021 and the Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area 2012 – 2018 containing the Carlow Town Development Plan 2012 – 2018 as extended.

M. Rainey and A. Sweeney answered questions raised by members.

**Proposed by Councillor** F. Browne  
**Seconded by Councillor** J. Cassin  
**And**

Following a show of hands, it was unanimously resolved: -

*'That we, the Members of Carlow County Council approve the Chief Executive's Report prepared under Section 34(6)(a)(iii) of the Planning and Development Act 2000 (as amended) which recommended the proposed Material Contravention of the Carlow County Development Plan 2015-2021 and the Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area 2012 – 2018 containing the Carlow Town Development Plan 2012 – 2018 as extended.'*

#### **3.2 Control of Horses Draft Byelaws 2020**

After lengthy discussions, a decision was made by the Cathaoirleach to defer this report.

#### **3.3 Part XI of the Planning and Development Act 2000 (as amended) – Part VIII Planning and Development Regulations 2001 (As amended) - Proposed Development of 4 No Houses at St Mary's Court, Carlow**

Following consideration of the Chief Executives Report it was:

**Proposed by Councillor** J. Cassin  
**Seconded by Councillor** F. Browne  
**And**

Following a show of hands, it was resolved: -

*'That we, the Members of Carlow County Council approve the proposed development of four houses at St. Mary's Court, Carlow.'*

### **3.4 Joint Policing Committee Membership (increasing elected representative members from 13 to 14)**

Cllr. T. Kinsella withdrew request.

### **3.5 Fix date for 2021 Annual Budget Meetings**

Proposed dates as follows: -

- Statutory Budget Meeting 2.00 p.m. on 27th November
- Budget Briefing /Workshop at 11.30 a.m. on 27th November
- Local Property Tax (LPT) Meeting at 11.30 a.m. on 28th September
- Budget Briefing/Workshop including Carlow/Muinebheag/Tullow Municipal Districts at 10.30 a.m. on 28th September.

Cllr. J. Cassin requested a financial report outlining the impact of Covid 19 on Carlow County Council's finances and the report to be circulate before the Statutory Budget Meeting.

A request by members to change the time of the Local Property Tax (LPT) Meeting on 28<sup>th</sup> September from 11.30am to 2.00pm with a briefing at 10.30am that morning.

The dates for the 2021 Annual Budget meetings including the rescheduled time of the Local Property Tax meeting on 28<sup>th</sup> September from 11.30am to 2.00pm with a briefing at 10.30am that morning was;

**Proposed by Councillor** F. Phelan

**Seconded by Councillor** J. Cassin

**And**

Following a show of hands, it was resolved: -

*'That we, the Members of Carlow County Council approve the proposed dates for the 2021 Annual Budget Meetings including amendments.'*

### **4.0 Corporate, Planning, Economic Development/Seirbhísí Corporáideachta, Pleanáil, Forbairt Eacnamaíocht**

#### 4.1 Conference Approvals

**Proposed by Councillor** A. Dalton

**Seconded by Councillor** F. Phelan

**And**

Following a show of hands, it was resolved: -

*'That we, the Members of Carlow County Council, hereby approve the following Conference Attendance.'*

#### **CONFERENCES JULY / AUGUST (NOTE)**

Carlow County Council were notified of July and August events after the last Council meeting on Monday the 13<sup>th</sup> of July 2020. No Meeting took place in August. Due to attendance of a small number of councillors, Listed July / August Conferences.

#### **AILG Training Module 3 – The Moorhead Report**

#### **FEE**

Thursday 25<sup>th</sup> July 2020

Venue: Clayton Whites Hotel, Abbey Street, Wexford

€55.00

Thursday 6<sup>th</sup> August 2020

Venue: Horse & Jockey Hotel, Thurles, Co Tipperary

€55.00

Saturday 8<sup>th</sup> August 2020

Venue: Sligo Park Hotel, Pearse Road, Sligo

€55.00

Tuesday 11<sup>th</sup> August 2020

Venue: Midlands Park Hotel, Jessop Street, Portlaoise, Co. Laois

€55.00

Thursday 13<sup>th</sup> August 2020

Venue: Rochestown, Douglas, Co Cork

€55.00

#### **AILG Training Free Webinar**

Guidance for Councillors on Initial Stages of Preparing Development Plans and

The primary rules relating to attendance at the seminars

- **Where a Councillor attends a training event other than that designated for her or his parent Council, travelling expenses will be paid at the shorter of the two distances;**
- **Councillors may attend a training seminar on a Saturday which is not in their designated area but only to a maximum of two such attendances in the calendar year. This applies to both newly elected and re-elected candidates: a maximum of two out of area Saturdays in the calendar year.**
- **Given the tight timeframes involved in sanctioning attendance retrospective sanction can be assumed on an exceptional basis.**

## **4.2 Graiguenamanagh-Tinnahinch Draft Joint Local Area Plan 2020-2026**

### **Graiguenamanagh-Tinnahinch Joint Local Area Plan 2020-2026 - Update**

Carlow County Council in conjunction with Kilkenny County Council have prepared a Draft Joint Local Area Plan in respect of the combined functional area of Tinnahinch (Co. Carlow) and Graiguenamanagh (Co.Kilkenny).

A briefing on the Draft Joint LAP was presented informally to the members of the Muine Bheag Municipal District on the 2<sup>nd</sup> September 2020. The Draft has been informed by Environmental Studies including a Strategic Environmental Assessment, Appropriate Assessment and Strategic Flood Risk Assessment.

Public consultation on the content of the draft Joint LAP will commence in September 2020 for a period not less than six weeks. Thereafter a Chief Executive's report on the submissions received will be prepared and presented with the Draft Joint LAP and accompanying reports to the Elected Members of Carlow County Council for consideration. Any material amendments following consideration by the Elected Members on the draft joint LAP at that stage will be subject to a further public consultation stage.

**Proposed by Councillor**                    A. McDonald  
**Seconded by Councillor**                W. Quinn  
**And**

Following a show of hands, it was resolved: -

*‘That we, the Members of Carlow County Council, hereby approve the commencement of the Public Consultation process for a period not less than six weeks, on the content of the draft joint LAP in September 2020.’*

## **5.0 Transportation, Environment, Water Services, Building Control & Emergency Services/Iompar, Impeallacht agus Seirbhísí Uisce, Rialaithe Tógála agus Seirbhísí Éigeandála**

### **5.1 Active Travel Grant Allocation**

P. O’Gorman, Director of Service presented this report. Twelve projects submitted by Carlow County Council for funding under the Active Travel Measures Allocations 2020, have been approved with works to be undertaken and completion date November 2020.

### **5.2 Climate Change Grant Allocations**

P. O Gorman advised members that ten proposals were put forward by Carlow County Council for funding under the Climate Change Grant Allocation. Three of these proposals have been approved to the value of €165,000 with works to be undertaken and completion date November 2020.

Cllr. F. Browne requested a report be presented to the October meeting of Carlow County Council, on the estimated completion of the Outer Ring Road. P. O’Gorman advised that this report would be presented to the October Meeting of Carlow Municipal District that it was more suitable to the Municipal District.

Cllr. B. O’Donoghue referred to an email he submitted on 18<sup>th</sup> August and was awaiting reply. P. O’Gorman advised he was waiting on more information before a reply could be given and would revert to Cllr. O’Donoghue.

P. O’Gorman answered all questions raised from members.

### **5.3 Invasive Alien Species /Noxious Weeds Policy**

P. O’Gorman advised that a proposal went to the SPC and it is hoped that a policy will be developed in the next few months on Invasive Alien Species/Noxious Weeds Policy. Carlow County Council applied for funding for this policy with approval of €16,000 granted.



## 6.0 Chief Executives Report/Tuarascáil an Phríomhfheidhmeannaigh

Members discussed Chief Executive's Monthly Management Report for the period to 01<sup>st</sup> July to 31<sup>st</sup> August 2020.

Issues raised by members included;

- Tully's yard – site on potato market – members welcomed lease negotiations.
- Powerstown Tour – the Chief Executive advised that a tour of Powerstown would be facilitated at a later date when it is safe to do so.
- Carlow Rowing Club – Bikes to Africa Project – members welcomed this project.
- Websters lock – a new turnstile at this lock is preventing cyclists getting through.
- Housing on Staplestown Road – Cllr. F. Browne asked that this item be placed on the Carlow Municipal District Agenda. M. Brennan advised that houses have been identified for refurbishment.
- New Railway bridge – members welcomed the new railway bridge.
- Irish Water – delay in referrals from Irish Water to Carlow County Council – P. O'Gorman advised that he is meeting Irish Water on Tuesday 8<sup>th</sup> September and would raise this.
- Tullow Road Amenity Hub – a master plan is near completion and it is hoped to bring a report soon to the Council Meeting.
- Carlow Town Bus Service – P. O'Gorman advised that the National Transport Authority are currently doing road safety audits and this report would be back with Carlow Municipal District shortly for approval.
- Phenomenal work carried out by Carlow County Council throughout the county particularly at Ducketts Grove and Oak Park.
- Ardattin Housing Project – M. Brennan responded to questions raised by members.
- Delay in issuing of keys to council tenants on completion of housing project.
- "Meat Factory" site in Bagenalstown – Cllr. A. McDonald would like to see progression of this site. The Chief Executive advised that all areas of the county are treated fairly, and that Local Enterprise Office engage with all businesses.
- Maintenance of trees by landowners on the bus routes around the county.
- Waterways Ireland – Cllr. M. Doran asked that we write to Waterways Ireland invite them to a Council meeting to show their commitment to the maintenance of the barrow track.
- Felling licences – delay in granting of licences.

## 7.0 Correspondence/Comhfhreagras

**Members noted correspondence from Carlow County Chamber**– Winner in the category of Local Authority Collaboration, for the "Chamber Trade Connections – Export to the Netherlands Programme" at the National Annual Chamber Awards.

**Members noted resolution from Sligo County Council** – amending the legislation to permit the Property Registration Authority to include rights of way by necessity in their remit.

**Members noted resolution from Sligo County Council** – banning the use at official and unofficial Bathing places and sale at any location within the county of inflatable dinghies and all dangerous inflatable products.

**Members noted motion from Roscommon County Council** – calling on the incoming Government to financially support all Tidy Towns 7 Voluntary Groups in County Roscommon.

**Members noted motions from Derry City & Strabane District Council as follows** – that care homes and the organisation and operation of domiciliary care services across the North should be brought back into the public ownership as part of the National Health Service.

**Members noted resolution from Limerick City & County Council** – requesting an urgent meeting with the Minister with responsibility for Planning to outline the Council's opposition to the National Planning Framework on Rural Housing Policy.

**Members noted resolution from Kerry County Council** – calling on the Minister for Finance, requesting that a state pension public service fund be put in place for public service workers as a matter of urgency.

**Members noted correspondence from Fermanagh & Omagh District Council** – in relation to the need for Care Homes to be brought into public ownership in the context of an all-island health care service, free at the point of entry.

**Members noted correspondence from the Department of Employment Affairs and Social Protection** – regarding Back to School Clothing and Footwear Allowance.

## **8.0 Notices of Motion/Fógraí Rúin**

### **8.1 Standing in the name of Cllr. Adrienne Wallace**

**Proposed by Councillor** A. Wallace

**Seconded by Councillor** J. Cassin

**And**

Following a show of hands, this resulted in four councillors voting in favour, thirteen councillors voting against and one councillor absent for this motion.

As the thirteen votes against this motion was greater than the four votes for this motion, this motion was defeated,

*"This Council agrees to sign the Open Letter of the Campaign for an All-Ireland National Health Service (see attached).*

*It agrees that Covid 19 crisis has shown that a coordinated all-Ireland single tier health service needs to be established as a matter of urgency, based on the principle that access to healthcare should be free at the point of delivery and paid*

*for out of general taxation. It further agrees that, as a first step towards delivering increased capacity, the private hospitals should be nationalised."*

## **8.2 Standing in the name of Cllr Andrea Dalton**

**Proposed by Councillor** A. Dalton  
**Seconded by Councillor** F. Browne  
**And**

Following a show of hands, it was resolved: -

*"Recognising the contribution of CE Supervisors for their years of dedication to their communities and the findings of the Labour Court rulings, this Council calls on the Government to engage, consult and honour the commitment of a fair gratuity scheme and resolve the pension entitlements for all the Supervisors and Assistants who are have put in the years of service and deserve their due recognition."*

## **8.3 Standing in the name of Cllr. Fintan Phelan**

**Proposed by Councillor** F. Phelan  
**Seconded by Councillor** A. Dalton  
**And**

Following a show of hands, it was unanimously resolved: -

*"Considering the success of the recent street furniture scheme that the council introduced for businesses, this Council will extend that scheme through to the end of October"*

## **8.4 Standing in the name of Cllr. William Quinn**

**Proposed by Councillor** W. Quinn  
**Seconded by Councillor** W. Paton  
**And**

Following a show of hands, it was resolved: -

*"I am calling on Carlow County Council to request an urgent meeting with the new Minister for Housing, with regard to the income limits for Social Housing in County Carlow, I am also calling on all Elected TDs for Carlow/Kilkenny to bring Carlow in line with other neighbouring counties with regard to income limits. This was to be done as part of the last Government and we were told that Carlow was one of the counties where the income limits were going to be changed. This has not happened and as 4 of the 5 TDs are members of the present Government, I am calling on this change to happen before Christmas 2020."*

## **8.5 Standing in the name of Cllr. William Quinn**

**Proposed by Councillor** W. Quinn  
**Seconded by Councillor** T. Kinsella

**And**

Following a show of hands, it was resolved: -

*"I am calling on Carlow County Council to write to the Minister of Transport and The Environment concerning the School Transport issue, that has been causing major concerns over the past number of years for rural parts of County Carlow. At a time when there is a lot of money being put into the protection of the Environment, parents are being forced to drive 10 and 12 kilometres return trips twice daily to take their children to school because they are only entitled to a discretionary ticket and if there is no room on the bus they do not qualify, I am calling on the Minister to change the rules back to pre-2011 as there is between 6 and 7 000 families affected by this nationally."*

## **8.6 Standing in the name of Cllr. Michael Doran**

**Proposed by Councillor** M. Doran  
**Seconded by Councillor** K. Murnane

**And**

Following a show of hands, a decision was made to refer this motion to the Housing Strategic Policy Committee.

*"That we the members of Carlow County Council instruct the housing department to refer the details of all potential social housing tenants to the local Garda Station for comment."*

*This motion will be put forward subject to compliance with the relevant Housing and Data Protection Acts and may be referred to councils Housing SPC for further discussion.*

## **9.0 Any other business with the consent of the Cathaoirleach/Aon gnó eile le haontú an Chathaoirligh**

This concluded the business of the meeting.