

CARLOW COUNTY COUNCIL

**Minutes of the December Monthly Meeting of Carlow County Council,
held in The Council Chamber, County Offices, Athy Road, Carlow, on
Monday 12th December 2016 at 2.00 p.m.**

Present: Councillor J. Murphy (Cathaoirleach)
Councillor A. Ahern (Nee Long)
Councillor F. Browne
Councillor J. Cassin
Councillor J. Deane
Councillor M. Doran
Councillor D. Foley
Councillor A. Gladney
Councillor T. Kinsella
Councillor W. Lacey
Councillor A. McDonald
Councillor K. Murnane
Councillor C. Murphy
Councillor B. O'Donoghue
Councillor W. Paton
Councillor J. Pender
Councillor F. Phelan

Apologies: Councillor W. Quinn.

In attendance: Mr. D. McInerney, Deputy Chief Executive
Ms. B. O'Brien, Director of Service – Corporate, Planning,
Economic Development, Health and Safety
Mr S. O'Connor, Director of Services, Housing, Community,
Recreation & Amenity, Building Control & Emergency Services
Mr. Liam Fitzgerald, Acting Director of Services,
Transportation, Environment & Water Services
Mr. P. Grassick, IS Project Leader
Mr. E. Brophy, Senior Executive Officer, Corporate Services
Ms. B. Whelan, Assistant Staff Officer, Corporate Services
Mr. D. Flynn, Clerical Officer, Corporate Services

In commemorating the 1916 Rising the National Anthem was played.

OPENING PRAYER

The opening prayer was recited in Irish by the Members.

VOTES OF SYMPATHY

- The Family of the late Breda Nolan, Station Road, Bagenalstown, Co. Carlow
- Michael Roche and Family, 58, Carrig Bán, Bunclody, Co. Wexford on the death of his wife Patricia.
- John Timmons & Family, 2, Bestfield, Athy Road, Carlow on the death of his wife Eileen.
- Betty Byrne & Family, Sue Ryder Apartments, Dublin Road, Carlow on the death of her husband T.J.
- Eileen Gavin & Family, Manor Close, Kingston, Galway on the death of her husband Liam.
- Pat Harrington, Senior Executive Engineer on the death of his mother in law Kathy Bourke, Enniscorthy, Co. Wexford.

A vote of sympathy was proposed to the Cuban Embassy on the death of Fidel Castro. Following a show of hands 3 in favour, 5 against, 6 abstentions and 4 absent the proposal was rejected.

VOTES OF CONGRATULATIONS

- Ethel Blair, 3 New Road, Ballyknockan, Leighlinbridge, Co. Carlow on celebrating her centenary.
- All involved with the 1916-2016 commemoration events during 2016. It was proposed by Councillor Phelan and seconded by Councillor C Murphy that the National Anthem continue to be played at the statutory monthly meetings of Carlow County Council.
- Scoil Mhuire Gan Smál on their musical success in partnership with Music Generation Carlow which was show-cased recently in Irish Times article.
- To the successful participants in Carlow Best Young Entrepreneurs Competition.
- Local Enterprise Office on Food Tourism Projects.
- Martin Nevin, noted historian, Jimmy O'Toole, author and Charlie Keegan, freelance journalist on the launch of book called County Carlow – a who's who with subtitle '*Our local and global footprint.*'

- Dermot O'Brien on the launch of Old Carlow Photos Book 2 and exhibition.
- Borris on winning 2016 Pride of Place Award in the category for communities with a population of between 1,000 and 2,000 people.

Councillor Browne queried if letter of congratulations had issued to Donald Trump from the Members of Carlow County Council following a proposal from the floor at the October meeting of Council. Councillor Browne and Ahern said the proposal was made in jest and was not resolved by Council. E. Brophy advised that a letter did not issue as he had been unable to determine the sentiment of the meeting. It was agreed that going forward such proposals will need to be resolved by Council. Councillor Ahern said that Carlow Nationalist should clarify the Members' position on the vote of congratulation to Donald Trump.

1. CONFIRMATION OF MINUTES

The minutes of the November Council Meeting held on 14th November, 2016 were:-

Proposed by Councillor J. Pender
Seconded by Councillor W. Lacey
AND

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 14th November, at 2.00 p.m. having been circulated to each Member be taken as read, confirmed as to accuracy and accordingly signed.'

The Minutes of the Statutory Budget Meeting 2017 held on 28th November, 2016

Proposed by Councillor J. Pender
Seconded by Councillor W. Lacey
AND

Following a show of hands it was unanimously resolved:-

'That the Minutes of the Statutory Budget Meeting 2017 of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Monday 28th November, 2016, at 2.00 p.m. having been circulated to each Member be taken as read, confirmed as to accuracy and accordingly signed subject to the following amendment to the Statutory Budget Meeting Minutes:-

'P Delaney, Head of Finance confirmed that the economic funding of €105,000 included in the 2017 Adopted Budget which is ring fenced for the Business Districts outside the functional area of the former Carlow Town Council includes the old Carlow East and Carlow West.'

Arising from November minutes Councillor Phelan requested update on proposed works for Tullow Street. The Deputy Chief Executive advised of expert enquiries made in relation to the project and that a meeting with the Members is scheduled to take place in early January that will kick start the process for works. He advised that funding is being urgently sought from the Department to finance works.

2. CIRCULARS

(a) Circular Letter EM 02-16 Severe Weather and Emergency Management for Winter 2016/2017.

Members noted Circular Letter EM 02-16.

The Deputy Chief Executive advised that the Circular gives clarity as to the Defence Forces capacity to assist Local Authorities during severe weather emergencies. L. Fitzgerald, Acting Director of Services advised on the gritting of class 1 and 2 roads during severe weather conditions.

(b) Hacketstown Fire Station – New Training Centre – Notification of Grant Aid.

Members welcomed approval from the National Directorate for Fire and Emergency Management to accept tender for construction work at Hacketstown Training and Development Centre with total grant aid of €442,355 including VAT.

Queries raised by Members were addressed by S. O'Connor, Director of Services.

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

(a) Taking in Charge – Granite Court, Fenagh

Members had report from L. Fitzgerald, Acting Director of Services on proposals to commence the process to take in charge Granite Court, Fenagh, Co. Carlow Housing Estate.

It was

Proposed by Councillor C. Murphy

Seconded by Councillor A. McDonald

AND

Following a show of hands it was unanimously resolved:-

“That we, the Members of Carlow County Council hereby approve the advertisement, to enable the taking in charge procedure commence, of Granite Court, Fenagh, Co. Carlow Housing Estate 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’.

(b) Approval for Additional CCTV Cameras in Carlow Town

E Brophy advised of Garda application for additional CCTV cameras in Carlow Town. Members welcomed this application and, if approved, welcomed extra CCTV for Carlow Town Park due to antisocial behaviour at this location. It is a requirement that the proposed scheme be approved by both the Joint Policing Committee (JPC) and by the Council. The JPC has already approved the scheme and Members approval is now sought to the scheme.

It was

Proposed by Councillor W. Lacey

Seconded by Councillor A. Ahern

AND

Following a show of hands it was unanimously resolved:-

‘That we, the Members of Carlow County Council, hereby approve that the Garda Application for Additional CCTV Cameras in Carlow Town be progressed and that the scheme be operated by the Gardai as an extension of the current Garda CCTV Schemes.’

Councillor Doran raised issue of CCTV St Mullins Group. E. Brophy advised of Part VIII issue and certificate of exemption requirement in relation to CCTV St. Mullins.

Councillor Browne raised issue of damage to playground equipment in Carlow Town Park and requested repairs to swings and pirouette equipment.

(c) Filling of Vacancy on the Public Art Working Group Committee.

It was

Proposed by Councillor A. McDonald

Seconded by Councillor F. Browne

AND

Following a show of hands it was unanimously resolved:-

‘That we, the Members of Carlow County Council, hereby approve the appointment of Councillor Ken Murnane to the vacancy of the Public Art

Working Group Committee following the resignation of Councillor Quinn from the Public Art Working Group Committee.

- (c) Disposal of Unregistered Part of the property at 11, Pollerton Road, Carlow - 0.016 Acs (0.0066 Ha) .**

It was

Proposed by Councillor F. Browne

Seconded by Councillor A. Ahern (Nee Long)

AND

Following a show of hands it was unanimously resolved:-

‘That we, the Members of Carlow County Council, hereby approve in accordance with Local Government Act 2001 – Section 183(1), Planning & Development Act 2000 – Section 211, the disposal of Unregistered Part of the property at 11, Pollerton Road, Carlow – 0.016 Acs (0.0066 Ha) to Mr. Aidan Kearns in consideration of the nominal sum of €1.00 in accordance with the terms of the statutory notice already circulated.

The Consent of the Minister for the Housing, Planning, Community & Local Government is not necessary for disposal of the said freehold interest’.

- (e) Disposal of freehold interest in Site No.8 (0.363 acres) and Site No. 9 (0.378 acres) on the Tullow Industrial Estate to Flogas Ireland Ltd**

Proposed by Councillor J. Pender

Seconded by Councillor W. Paton

AND RESOLVED

“That we, the members of Carlow County Council, approve in accordance with Section 211 of the Planning and Development Act, 2000 (as amended) and Section 183(1) of the Local Government Act, 2001 (as amended), the disposal of freehold interest on Site No. 8 (0.363 acres) and Site No. 9 (0.378 acres) – total 0.741 acres on the Tullow Industrial Estate, Tullow, Co. Carlow, to Flogas Ireland Limited, North Quay, Drogheda, Co. Louth, for the sum of €317. The Consent of the Minister for the Housing, Planning, Community & Local Government is not necessary for disposal of the said freehold interest’.

- (f) Disposal of 0.067 acres (0.027 hectares) at Hanover, Carlow to Donnybrook Property Investments Ltd.**

Proposed by Councillor Fintan Phelan

Seconded by Councillor Fergal Browne

AND RESOLVED

“That we, the members of Carlow County Council, approve in accordance with Section 211 of the Planning and Development Act, 2000 As Amended and Section 183(1) of the Local Government Act, 2001 As Amended, the disposal of 0.067acres (0.027 ha) at Hanover, Carlow, to Donnybrook Property Investments Ltd., Argyle Square, Morehampton Road, Donnybrook, Dublin 4, in the sum of €100 plus V.A.T., in accordance with statutory notice already circulated. The Consent of the Minister for Housing, Planning, Community & Local Government is not necessary for disposal of the said site”.

(g) Proposed Housing Developments

42 Houses and 3 Private Sites at Bagenalstown
1 House at Drummin
2 Houses at Bilboa
63 Houses and 4 Private Sites at Rathvilly
4 Houses at Slate Row, Hacketstown
2 Houses at St. Patrick Park, Tullow
21 Units at Dublin Road, Tullow

This item was deferred to the January 2017 Meeting of Council.

(h) To Approve the Road Safety Plan 2017-2020

It was

Proposed by Councillor T. Kinsella

Seconded by Councillor M. Doran

AND

Following a show of hands it was unanimously resolved:-

‘That we, the Members of Carlow County Council, hereby approve the Road Safety Plan 2017-2020 In accordance with the Road Traffic Acts 1961 to 2014 subject to the following amendments

- *That the Council would pursue the erection of school warning signs throughout the county.*
- *That cutting of verges/hedges would take place at important junctions in early summer’.*

Issues raised by the Members were addressed by L. Fitzgerald, Acting Director of Services.

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

(a) Agriculture

Councillor McDonald queried who is responsible for cutting verges/high grass at dangerous road bends/turns and where Landowners are unknown. Councillor Browne said this is also an issue at Burton Hall. The Deputy Chief Executive advised that the Council reserves the right to carry out such works where the landowner is unknown and where it poses a danger to the public.

Councillor C. Murphy raised issue of review of Rural Areas Scheme and the importance of continuation of payments under the Scheme to farmers in disadvantaged areas.

Councillor Deane raised issue of dogs worrying sheep and appealed to dog owners to keep their dogs under control at all times.

(b) Health

Councillor Cassin queried if further correspondence had been received from the Minister for Health in relation to Cystic Fibrosis sufferer Shantelle Tynan's medical treatment abroad. A further letter is to issue to the Minister on the matter.

Members also expressed concerns that a Government solution on the core issue of price and affordability of cystic fibrosis drug Orkambi has not been resolved with the manufacturer of the drug.

Members also raised issue of shortage of nursing staff in hospitals.

(c) Conference Attendance Approvals

**Proposed by Councillor A. Ahern
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 attendance of Members at the following forthcoming conferences.

Microsoft Excel Training
The Clonakilty Hotel,
Clonakilty.
Co. Cork.
14th & 15th December 2016

Fee: €150

Microsoft Intermediate Excel Training
The Clonakilty Hotel,
Clonakilty.
Co. Cork.
17th & 18th December 2016

Fee: €150

The Finance Act 2016,

Four Seasons Hotel,
Carlingford.

Co. Louth.

13th, 14th & 15th January 2017

Fee: €100

Tackling Japanese Knotweed &
Functions of Local Authorities & NRA,

The Clonakilty Hotel,
Clonakilty.

Co. Cork.

27th, 28th & 29th January 2017

Fee: €100

5. FINANCE, INFORMATION TECHNOLOGY & CULTURE (LIBRARIES, ARTS & COUNTY MUSEUM)

(a) Presentation on the National Rural Broadband Plan

Mr. Pat Grassick, IS Project Leader and Broadband officer for Carlow County Council gave a presentation to Members on the National Broadband Plan for Ireland (NBP). The NBP reflects the Government's objective to deliver high speed broadband to all citizens and businesses in Ireland.

P Grassick advised of mapping exercise conducted by the Department of Communications, Climate Action and Environment that has identified the areas of the country where high speed broadband is not available now or expected to be available in the near future. The area is known as 'Intervention Area' that will be targeted by the National Broadband Plan.

P. Grassick urged people to check if their house or business is mapped in the High Speed Broadband Services area or the Intervention Area. If the map indicates they are located in the High Speed Broadband Area but they cannot get a high speed broadband service they need to contact the Department at broadband@dccae.gov.ie.

Members thanked Mr Grassick for his excellent presentation and queries raised by the Members were addressed by Mr. Grassick.

The Deputy Chief Executive thanked P. Grassick for his presentation and stressed the importance of High Speed Broadband to foster economic development.

6. CHIEF EXECUTIVE REPORT

Members noted Chief Executive's Report to 31st November, 2016.

The following issues were raised by the Members.

- Councillor Phelan raised issue of condition of Eir Building, Kennedy Ave., Carlow. B. O'Brien advised that efforts had been made to contact the owner but that she had today received another contact address and would correspond to that address.

- Councillor Browne raised issue of Boundary Review with closing date for submissions 10th January, 2017. E. Brophy advised that Members can make online submissions or submissions can be given to him for Corporate submission. Councillor Cassin proposed that an in-committee meeting be arranged in early January to update Members. This was seconded by Councillor C. Murphy.
- Closure of Powerstown Landfill. Members expressed regret that they were not informed that a public communication strategy was being put in place on the exit arrangements for Powertown Landfill. L. Fitzgerald advised that due to budgetary constraints the Council could not operate a transfer station. However the Council will look at the feasibility of permitting a private operator providing a transfer station facility from Powerstown. He advised that he will report to the Members on this issue in advance of the January meeting of Council.
- Blueway Proposals. Councillor McDonald raised issue of Waterways Ireland's plan to submit a planning application to Carlow County Council on 14th January for upgrade of the Barrow Way. The Deputy Chief Executive advised that Waterways Ireland is hosting a Public Information Session on the 16th January in the Seven Oaks Hotel to allow everyone the opportunity to be fully aware of what is planned before submitting any comments to the planning authority.

7. Comhfhreagras/Correspondence

Members noted correspondence from Carlow College conveying the College's appreciation to Carlow County Council for their ongoing support for the annual Bursary Awards.

Members noted correspondence from the OPW to Councillor Fergal Browne in relation to Browneshill Dolmen.

Councillor Browne queried if the Council had initiated an archaeological survey. The Deputy Chief Executive advised of the importance of the land transfer.

It was proposed by Councillor Gladney and seconded by Councillor Cassin that a feasibility study be undertaken.

Members noted correspondence from Department of Health in response to Members letter concerning St. Luke's Hospital, Kilkenny.

8. Notices of Motion.

Standing in the name of Cllr. John Cassin

That we, the Members of Carlow County Council hereby approve that Carlow County Council calls on the Minister for Health and the HSE to give back Kelvin Grove on the Athy Road to Carlow County Council and provide funding to allow work to be carried out immediately to make the building safe and give a commitment to allocate further funding when Carlow County Council have done public consultation with the people to ensure the best use of the building.

A discussion took place in relation to this Motion. Councillor Browne said it was his understanding that another service user was earmarked for this building. Councillor Doran queried the liability for Carlow County Council if Kelvin Grove, a protected structure, was returned to the ownership of Carlow County Council. Following discussion it was agreed that the matter be deferred to the January Meeting of Council to allow for discussion with the HSE and to prepare a report on the matter.

Standing in the name of Cllr. John Cassin

Proposed by Councillor J. Cassin
Seconded by Councillor A. Gladney
AND

Following a showing of hands it was unanimously resolved:-

‘That we, the Members of Carlow County Council hereby approve that Carlow County Council calls on the Minister for Housing, Planning, Community and Local Government to immediately release funding to give Carlow County Council funds to purchase a building suitable for emergency accommodation to families who are currently homeless and family members who are made homeless due to breakdown in family relationships.’

S. O’Connor, Director of Services said the proposal is worth pursuing but the number of bed nights required is well served by local guest houses and hotels.

Standing in the name of Cllr. Michael Doran

Proposed by Councillor M. Doran
Seconded by Councillor C. Murphy
AND

Following a showing of hands it was unanimously resolved:-

‘That we, the Members of Carlow County Council hereby approve that Carlow County Council requires all new housing developments and infrastructure projects to install low energy lighting, in order to assist in the achievement of national energy reduction targets.’

Councillor Paton said the orange lighting is not effective and of the necessity to seek funding from the Department to replace the older yellow lighting.

9. Any other business with the consent of the Cathaoirleach.

- Councillor Gladney raised issue of no heating in McGrath Hall, Bagenalstown. E. Brophy advised that a new heating system has been installed and the contractor is due to return to commission the system.
- Councillor Ahern proposed that the Council write to Irish Rail and the National Transport Authority on the shortage of parking facilities at Carlow Railway Station. This proposal was seconded by Councillor Phelan.

This concluded the business of the meeting.