

## CARLOW COUNTY COUNCIL

### **Minutes of the February Monthly Meeting of Carlow County Council, held in The Council Chamber, County Offices, Athy Road, Carlow, on Monday 8<sup>th</sup> February 2016 at 2.00 p.m.**

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Present: Councillor C. 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 J. Murnane-O'Connor  
Councillor J. Murphy,  
Councillor B. O'Donoghue,  
Councillor W. Paton,  
Councillor F. Phelan  
Councillor W. Quinn.

Apologies: Councillor F. Phelan

In attendance: Ms. Kathleen Holohan, 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. P Delaney, Head of Finance  
Mr. D. McInerney, Director of Service-Transportation, Environment and Water Services  
Mr. M. Brennan, Senior Executive Officer, Community  
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 opening prayer was recited in Irish by the Members.

## **VOTES OF SYMPATHY**

- Jane Flynn, Planning Department on the death of her sister Eileen Nolan.
- The Moore Family, Tomduff, Borris on the death of their mother Ann Moore, Pensioner Carlow County Council
- The Jordan Family, Ballyshancarragh, Kildavin on the death of their mother Elizabeth, Pensioner Carlow County Council
- Grainne Haughney, 67, St Fiac's Terrace, Graiguecullen on the death of her husband Con.
- The Brennan Family, Roncalli Place on the death of Murt Brennan
- Josephine Nolan, 3, Idrone Park, Tullow Road on the death of her husband Jim
- Margaret Kenny, 64, John Sweeney Park, Tullow Road on the death of her son Paddy McAndrew-Kenny.
- Patsy Murphy, Wells, Royal Oak, Bagenalstown on the death of his wife Marie
- Claire Hutton, Motor Taxation Section on the death of her mother Dot Hutton, 4, The Poplars, Graiguecullen
- Phil Kehoe, 39 Avondale Drive, on the death of his wife Alice.
- The Byrne Family, Tinryland on the death of their brother Rev. Fr. P.J. Byrne, Parish Priest of Kilcock.

## **CONFIRMATION OF MINUTES**

**Proposed by Councillor D. Foley**

**Seconded by Councillor A. Ahern**

**AND**

Following a showing of hands it was unanimously resolved:-

*'That the Minutes of the January Monthly Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Monday, 11<sup>th</sup> January, 2016, at 1.30 p.m having been circulated to each Member be taken as read, confirmed as to accuracy and accordingly signed.'*

## **2. CIRCULARS**

- (a) Circular Letter PL 1/2016 Planning and Development (Amendment) Act 2015**

Members noted Planning and Development (Amendment) Act 2015. The main provisions of the Act relate to:

- (i) ensuring that planning authorities do not seek requirements above the national standards set out in Ministerial planning guidelines, for example in relation to apartment standards and
- (ii) streamlining the arrangements in relation to the making of modifications and amendments to Strategic Development Zone planning schemes.

**(b) Circular Letter PL 2/2016 Unauthorised use of electronic display panels and other signs/notices on or adjacent to public roads for general advertisement purposes**

Members noted Circular Letter PL 2/2016 in relation to Electronic display panels.

**(c) Circular WP 01/16 Amendment to Waste Collection Permit Regulations 2007**

Members expressed reservations in relation to the introduction of pay by weight charging for household waste collection from 1<sup>st</sup> July 2016 and to its implementation.

D. McInerney advised that Offaly County Council was designated as the Nominated Authority for the processing of all new waste collection permit applications.

Members raised issue of odour in the general area of Powerstown from gas emissions from Powerstown Landfill. D. McInerney advised in relation to this matter.

Members requested names of committee members dealing with environmental community grants for the Powerstown area. D. McInerney to furnish names and he also advised that the grant scheme will be reviewed after 2016.

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

**(a) Approval to Attendance of Cathaoirleach at St. Patrick's Day Parade in New York**

It was

**Proposed by Councillor W. Paton**

**Seconded by Councillor A. Ahern**

**AND**

Following a showing of hands it was unanimously resolved:-

*'That we, the Members of Carlow County Council hereby approve the attendance of the Cathaoirleach or his nominated representative at the St Patrick's Day Parade in New York.'*

Councillor Browne queried the current position in relation to the Carlow Bermingham Association and requested that the Council write to the Association to re-establish links.

- (b) Disposal of 0.418 acres (0.169ha) on Enterprise Park, O'Brien Road, Carlow to Irish Farm Accounts Cooperative Society Ltd (T/A IFAC), Irish Farm Centre, Bluebell, Dublin 12**

**Proposed by Councillor W. Paton**

**Seconded by Councillor F. Browne**

**AND**

Following a showing of hands it was unanimously 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 0.418 acres (0.1692 ha) on Enterprise Park, O'Brien Road, Carlow, to Irish Farm Accounts Cooperative Society Limited (T/A IFAC), Irish Farm Centre, Bluebell, Dublin 12, in the sum of €70,000 plus V.A.T. @ 13.5% (Total €79,450), in accordance with statutory notice already circulated. The Consent of the Minister for the Environment, Community & Local Government is not necessary for disposal of the said site''.*

- (c) Lease of plot of ground (0.45 acres) adjacent to Odlum's House, St Mullins to Martin and Emer O'Brien, Mullichain Café, The Quay, St. Mullins**

**Proposed by Councillor T. Kinsella**

**Seconded by Councillor W. Quinn**

**AND**

Following a showing of hands it was unanimously 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 lease of plot of ground (0.45 acres) adjacent to Odlum's House, St. Mullins to Martin and Emer O'Brien, Mullichain Café, The Quay, St. Mullins in the sum of €6.00 per annum in accordance with the terms of the statutory notice already circulated. The Consent of the Minister for the Environment, Community & Local Government is not necessary for disposal of the said site”.*

**(d) To approve Draft County Carlow 2021—Local Economic & Community Plan 2016-2021**

M. Brennan, Senior Executive Officer, Community gave a presentation to Members on the Draft County Carlow 2021- Local Economic & Community Plan 2016-2021.

Issues raised by the Members included the following;-

Fibre broadband, shop closures, and availability of funding for projects.

Issues raised were addressed by M. Brennan and K. Comerford.

**Proposed by Councillor M. Doran**

**Seconded by Councillor W. Quinn**

**AND**

Following a showing of hands it was unanimously resolved:-

*‘That we, the Members of Carlow County Council approve and adopt the Draft County Carlow 2021-Local Economic & Community Plan 2016-2021 in accordance with Section 66c (4) Local Government Reform Act 2014.’*

**(e) Consideration of Part V111 Borris Viaduct, Borris, Co. Carlow**

Members had Chief Executive's report together with Acting Director of Services/Senior Executive Engineer's report in relation to Part V111 Borris Viaduct, Borris.

**Proposed by Councillor W. Quinn**

**Seconded by Councillor T. Kinsella**

**AND**

Following a showing of hands it was unanimously resolved:-

*“That we, the members of Carlow County Council, approve in accordance with Sections 4 and 179 of the Planning and Development Act, 2000 as amended and Part 8 of the Planning & Development Regulations 2001 as amended, the carrying out of development at Borris Viaduct, comprising provision of walking track, safety railings, universal pedestrian access from Rathanna Road (Road Number L-3006-0) and car parking spaces, as detailed in reports of the Chief Executive dated*

*1<sup>st</sup> February, 2016 and 26<sup>th</sup> January, 2016, subject to one modification – that the distance of the rail from the parapet edges is increased on both sides by 150mm.”*

Councillor McDonald raised issue of preliminary design of bridge for Bagenalstown By-pass and engaging with Carlow Institute of Technology to advance the project.

D. McInerney advised there is no funding in place to commence this project but that he will engage with Carlow IT to advance the preliminary design of bridge.

#### **(f) Oakley Wood Housing Scheme, Tullow**

Members' approval was sought to the initiation of the process for taking in charge of Oakley Wood Housing Scheme, Tullow.

**Proposed by Councillor W. Paton**

**Seconded by Councillor J. Cassin**

**AND**

Following a showing of hands it was unanimously resolved:-

*‘That we, the Members of Carlow County Council, approve the initiation of the process for taking in charge of Oakley Wood Housing Scheme, Tullow in accordance with S11 of the Roads Act, 1993, and S180 of the Planning & Development Act, 2000.’*

#### **4. DEPARTMENTAL PROGRESS REPORTS**

##### **(a) Corporate Progress Report**

Members had for consideration Corporate Services progress report to January 2016.

The members raised the following issues;-

- Postal votes – closing date 5<sup>th</sup> February not sufficient time for people to apply for postal votes
- Control of dogs, dog fouling, Dog Pound
- Lifting of embargo on recruitment
- CPG meetings
- Public Lighting in estates not taken in charge
- Wall – Ballygowan, Milford
- FOI requests
- Cannery site – sale of site
- Designated site Fire Service, Bagenalstown

- Junction Crosskeys Tullow

Queries raised were addressed by the Chief Executive, B. O'Brien, D. McInerney and E. Brophy.

### **(b) Planning Progress Report**

Members welcomed Planning Progress Report to 31<sup>st</sup> January 2016.

Issues raised included the following;-

- compulsory acquisition of properties,
- derelict properties,
- unfinished estates,
- capability of Sewerage Treatment Plant for the Ballinabranna area to serve housing development in the area. A report is to be prepared for Council.
- Local Authority Housing Construction Programme to 2017. Members expressed dissatisfaction with Carlow being approved just 4 units in Hacketstown.

Members welcomed Anita Sweeney, Senior Planner to Carlow County Council and wished her well in her new role.

### **Presentation from Older Persons Forum**

Members welcomed Shane Winters, Paul Maher and Joe Butler to the meeting.

Shane Winters, Regional Development Consultant outlined the development and implementation of the Older Persons Forum, Carlow. The Older Persons Forum works in partnership with service providers and other relevant stakeholders to deliver improvements in supports and services that benefit older people in the community. Paul Maher of Older Persons Forum, Carlow set out issues which matter most to older people and called on the Local Authority to take the lead on changing thinking about ageing and how services are planned and delivered.

Members thanked the Forum members for their presentation and offered their support to help improve delivery of services for the older people of County Carlow.

### **(c) Economic Development Progress Report**

Members noted Economic Development/Local Enterprise Office Progress Report to January 2016.

## **5 CORPORATE, PLANNING, ECONOMIC DEVELOPMENT AND HEALTH AND SAFETY**

### **(a) Festivals, events & Community Tourism Venue Funding 2016**

Members had report from B. O'Brien dated 2<sup>nd</sup> February 2016 in relation to Festivals, Events, & Community Tourism Venue Funding 2016. Members' approval was sought to Festivals and Events Grants and to Community led Tourism Venues Grants as set out in report.

**Proposed by Councillor W. Paton**

**Seconded by Councillor J. Deane**

**AND**

Following a showing of hands it was unanimously resolved:-

*'that we, the Members of Carlow County, approve funding for Festivals, events and Community Tourism Venue as set out in report of 2<sup>nd</sup> February 2016.'*

Members expressed regret that Aspiro Choir did not receive funding from the Arts Council this year and called on the Council to support the Choir in its efforts to have this funding restored.

### **(b) Agriculture**

Councillor Kinsella left the meeting at 17.45.

Councillor Doran raised issue of hedgecutting on roads, disposal of cuttings and hedgecutting dates.

## **10. Notices of Motion.**

Standing in the names of Cllr. Jennifer O'Connor

"That Carlow County Council, in order to make Carlow Town a positive and upbeat place to live, work and shop in, arrange a meeting between Council Officials, Carlow Town Shop Owners and Elected Members to discuss the regeneration of Carlow Town Centre with special emphasis on the appearance of the town centre, parking restrictions and rates in the town"

**Proposed by Councillor J. Murnane-O'Connor**

**Seconded by Councillor A. Ahern**



## **AND**

Following a showing of hands it was resolved:-

*“That Carlow County Council, in order to make Carlow Town a positive and upbeat place to live, work and shop in, arrange a meeting between Council Officials, Carlow Town Shop Owners and Elected Members to discuss the regeneration of Carlow Town Centre with special emphasis on the appearance of the town centre, parking restrictions and rates in the town”*

Councillor B. O’Donohoe left the meeting at 18.05.

### **(c) Health**

Councillor Gladney raised issue of out of order street light at O’Hanrahan Avenue resulting in an elderly lady falling and having to attend hospital. Councillor Gladney also highlighted the need for gateway on laneway at back of O’Hanrahan Avenue.

Councillor Paton raised issue of transport for hospital appointments for people of Tullow.

Councillor Paton thanked the HSE Mental Health Services for a constructive and informative meeting with members of the HSE South on mental issues. He stressed the importance of people with mental health issues being referred to a GP as a first point of contact.

### **(d) Tenders for opening, if any**

Members noted tenders opened since the last Council meeting.

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

Members unanimously agreed following a showing of hands to the following conferences.

Boundaries/Changes “Urban & County”,  
Mount Errigal Hotel,  
Letterkenny,  
Co. Donegal.  
12<sup>th</sup> to 14<sup>th</sup> February 2016

**Fee: €145**

Microsoft Excel Workshop,  
Clonakilty Hotel,  
Clonakilty,  
Co. Cork.  
17<sup>th</sup> to 18<sup>th</sup> February 2016

**Fee: €100**

Mental Health Conference,  
Park Hotel,  
Dungarvan,  
Co. Waterford.  
19<sup>th</sup> to 20<sup>th</sup> February 2016 **Fee: €100**

Local Authorities Building Stronger Communities,  
*The Role of Philantrophy & Alternative Funding Initiatives*,  
Dublin Castle.  
25<sup>th</sup> February 2016 **Fee: €Nil**

27<sup>th</sup> Colmcille Winter School,  
Colmcille Heritage Centre,  
Church Hill, Gartan,  
Letterkenny,  
Co. Donegal.  
26<sup>th</sup> to 27<sup>th</sup> February 2016 **Fee: €150**

The Finance Act 2015,  
Clonakilty Hotel,  
Clonakilty,  
Co. Cork.  
4<sup>th</sup> to 6<sup>th</sup> March 2016 **Fee: €100**

The 1916 Annual Conference,  
Riverside Park Hotel,  
Enniscorthy,  
Co. Wexford.  
5<sup>th</sup> March 2016 **Fee: €30**

Housing Grants & Schemes,  
The Four Seasons Hotel,  
Carlingford,  
Co. Louth.  
18<sup>th</sup> to 20<sup>th</sup> March 2016 **Fee: €100**

In response to Councillor McDonalds query regarding foreign travel and attendance at conferences abroad the Chief Executive advised that prior approval of Council is required.

**(f) Conference Attendance Reports**

There were no reports.

**6. COMMUNITY, HOUSING, RECREATION AND AMENITY,  
BUILDING CONTROL AND EMERGENCY SERVICES**

**(a) Carlow Local Community Development Committee Annual Report 2015**

Members noted Carlow Local Community Development Committee Annual Report 2015.

**7. FINANCE, INFORMATION TECHNOLOGY & CULTURE (LIBRAIRES, ARTS & COUNTY MUSUEM**

**(a) Museum Annual Report 2015**

This item was deferred to the March meeting of Council.

**8. Chief Executive's Report**

Members had Chief Executive Monthly Report for January 2016. Issues raised included the restoration of Killogan Graveyard and Ancient Cross in Clonmelsh, which is also the site of the monastery of St Wilibrord.

S. O'Connor advised in respect of same.

Councillor McDonald requested meeting of Whips to discuss funding for Bagenalstown Improvement Group Scheme.

**9. Comhfhreagras/Correspondence**

**Members noted correspondence from the Ambassador of France** acknowledging Carlow County Council's support following the atrocities in Paris.

**Members noted resolution from Offaly County Council**

*' Offaly County Council calls on the Minister for Education to introduce as a matter of urgency, a module in National Schools throughout Ireland which would make it compulsory to teach mindfulness and coping mechanisms as part of the school curriculum for all Primary Children and that the necessary teacher training is provided.'*

**Members noted correspondence from the Minister for Health** in response to Members' letter concerning first time medical card applicants.

**Members noted correspondence from Heather Humphreys, T.D., Minister for Arts, Heritage and the Gaeltacht**, in connection with the Alfred Beit Foundation.

**Members noted correspondence from Alan Kelly, T.D., Minister for the Environment, Community and Local Government** in response to Members Notice of Motion concerning commercial rates.

**Members noted correspondence by email from the CEO Alfred Beit Foundation, Russborough** on the subject of the proposed paintings disposals by the Alfred Beit Foundation.

**Members noted correspondence from the Office of the Taoiseach** acknowledging receipt of letter in connection with official recognition status to ISL, Irish Sign Language.”

**Members noted correspondence from Paudie Coffey T.D., Minister for Housing, Planning & Co-Ordination of Construction 2020** acknowledging receipt of letter in connection with planning of licensed premises.

**11 Any other business with the consent of the Cathaoirleach.**

Councillor Paton advised that the Community First Responder Scheme (CFR) linked with the National Ambulance Service is now operating in five areas in County Carlow.

This concluded the business of the meeting.