

CARLOW COUNTY COUNCIL

Minutes of the June Monthly Meeting of Carlow County Council, held in The Council Chamber, County Offices, Athy Road, Carlow, on Thursday 9th June 2016 at 2.00 p.m.

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. Murphy
Councillor B. O'Donoghue
Councillor W. Paton
Councillor J. Pender
Councillor F. Phelan
Councillor W. Quinn,

In attendance: Ms. B. O'Brien, Deputy Chief Executive
Mr. Dan McInerney, Director of Services, Transportation, Environment and Water Services
Mr Seamus O'Connor, Director of Services, Housing, Community, Recreation & Amenity, Building Control & Emergency Services
Mr. P. Delaney, Head of Finance
Mr. J. Shorthall, Acting County Librarian
Mr. E. Brophy, Senior Executive 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 Patrick Curran, Conaberry, Ballon, former pensioner with Carlow County Council

- The family of the late Jim Byrne, Newtown, Carlow former pensioner with Carlow County Council.
- Martin Keane & Family 10, Oakley Park, Tullow Road on the death of his wife Deirdre
- Angela Amond & Family, 46 Riverside Carlow on the death of her husband Patrick
- Sarah & John Sutton & Family, Linkardstown, Carlow on the death of their son Barry.
- Emma Burroughs and David Doyle, 23, Rathglen, Killeshin on the death of their daughter Chloe
- Kathleen O'Toole & Family, Tomduff, Borris on the death of her husband Pat
- The O'Neill Family, Ratheenkyle, Rathanna, Borris on the death of their brother Patrick
- Patrick Deane, Rathellin, Leighlinbridge on the death of his uncle Brian Cullen, Station Road, Bagenalstown
- Veronica Duffy, An Close, Bagenalstown on the death of her brother Dermot Duffy, Bohermore, Bagenalstown
- John Nolan, Fair Green, Bagenalstown on the death of his mother Mary.
- The Hughes Family, Conway Park, Bagenalstown on the death of their mother Rita
- The Family of the late Pat O'Mahony, Aclare, Myshall, Co. Carlow

VOTES OF CONGRATULATIONS

- Actress Saoirse Ronan on making the cover of the International edition of Time Magazine.
- Simon Lewis on his poetry collection and debut collection 'Jewtown'.
- Lucy Ni Dhuiginn, Gael Cholaiste, Cheatharlach on winning 3rd prize in the National Competition of 'A Poem for Ireland.'
- The Roads Department on securing €600,000 in extra funding for road maintenance and repair.
- All involved with the success of Grange 1916 Commemoration.
- Carlow Regatta Club on the success of Carlow Regatta 2016 held on the River Barrow, Carlow Town.

- To all involved in lobbying to keep Muinebheag ETB School opened.
- Richard Lally, Carlow IT doctoral research student on winning the world's largest agriscience competition 'The Alltech Young Scientist Graduate Award 2016'. Members also congratulated Dr. David Ryan of IT Carlow academic research staff as the supervisor of Mr. Lally's research.

1. CONFIRMATION OF MINUTES

The minutes of the Council Meeting held on 9th May, 2016 was:-

Proposed by Councillor W. Lacey
Seconded by Councillor T. Kinsella
AND

Following a showing of hands it was unanimously resolved:-

'That the Minutes of the May Monthly Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Monday, 9th May, 2016, at 2.00 p.m. having been circulated to each Member be taken as read, confirmed as to accuracy and accordingly signed.'

The Chairman welcomed Mr. Adrian Hogan to the meeting. Mr. Hogan is visiting the 32 counties of Ireland attending Council Meetings as part of the 1916 Commemoration Events.

2. CIRCULARS

(a) Circular L3/16 Recoupment of Grants paid to Local Authorities towards Remediation of Domestic Lead Piping

Members noted Circular L3/16 in relation to Recoupment of Grants paid by Local Authorities towards the Remediation of Domestic Lead Piping. Queries raised by the Members were addressed by Mr. D. McInerney.

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

(a) Filling of Casual Vacancy due to election to Seanad Éireann of Councillor Jennifer Murnane O'Connor.

E. Brophy, Meetings Administrator advised of casual vacancy in the membership of Carlow County Council, with effect from 27th April, 2016, as a result of the election to Seanad Éireann of Councillor Jennifer Murnane O'Connor.

Ken Murnane, Kellistown West, Carlow was nominated by the Fianna Fáil Party to fill the vacancy.

Proposed by Councillor J. Pender
Seconded by Councillor A. McDonald
AND

Following a showing of hands it was resolved:-

'that we, the Members of Carlow County Council approve the appointment of Ken Murnane, Kellistown West, Carlow to the Membership of Carlow County Council, to fill the casual vacancy created by the resignation of Councillor Jennifer Murnane O'Connor, following her election to Seanad Éireann, in accordance with the provisions of Section 19 of the Local Government Act, 2001(as amended), S.19 (3) (a) and S 19 (5).'

Councillor K. Murnane addressed the meeting and referred to the service given to the public, over the years, by his family. He thanked the Members for their support and said he looked forward to working with the people of County Carlow. He wished Senator Murnane- O'Connor well in her new role.

The Cathaoirleach invited Senator Murnane O'Connor to address the meeting. She welcomed Councillor Murnane to the Council Chamber and wished him well in his role as an elected member. She thanked the Members of the Council and officials for their support and assistance during her term as an elected member with the Council

.

The Members welcomed Councillor Murnane to the Chamber and wished him well in his new role.

The Cathaoirleach adjourned the meeting at 2.30p.m to facilitate the holding of the Annual Meeting. The order of business resumed at 3.15 p.m.

The newly elected Cathaoirleach Councillor John Murphy presided in the Chair.

(b) Filling of Vacancy on Joint Policing Committee

Proposed by Councillor J. Pender
Seconded by Councillor A. McDonald
AND

Following a showing of hands it was resolved:-

that we, the Members of Carlow County Council, approve the appointment of Councillor K. Murnane to the Joint Policing Committee to fill the vacancy created by the resignation of Councillor J. Murnane-O'Connor.

(c) Filling of Vacancy on the Transportation, Environmental & Infrastructural Strategic Policy Committee

Proposed by Councillor J. Pender

Seconded by Councillor A. McDonald

AND

Following a showing of hands it was resolved:-

that we, the Members of Carlow County Council, approve the appointment of Councillor K. Murnane to the Transportation, Environmental & Infrastructure Strategic Policy Committee to fill the vacancy created by the resignation of Councillor J. Murnane- O'Connor.

(d) Filling of vacancy on the Carlow Rural Water Monitoring Committee

Proposed by Councillor J. Pender

Seconded by Councillor A. McDonald

AND

Following a showing of hands it was resolved:-

that we, the Members of Carlow County Council, approve the appointment of Councillor K. Murnane to the Carlow Rural Water Monitoring Committee to fill the vacancy created by the resignation of Councillor J. Murnane- O'Connor.

(e) Filling of vacancy on the 1916 Commemoration Committee

Proposed by Councillor J. Pender

Seconded by Councillor A. McDonald

AND

Following a showing of hands it was resolved:-

that we, the Members of Carlow County Council, approve the appointment of Councillor K. Murnane to the 1916 Commemoration Committee to fill the vacancy created by the resignation of Councillor J. Murnane- O'Connor.

(f) Filling of vacancy on the Cultural, Health and Agriculture Strategic Policy Committee

Proposed by Councillor J. Pender
Seconded by Councillor F. Phelan
AND

Following a showing of hands it was resolved:-

‘that we, the Members of Carlow County Council, approve the appointment of Councillor A. McDonald to the Cultural, Health and Agriculture Strategic Policy Committee to fill the vacancy created by the resignation of Councillor J. Pender..

(g) Filling of vacancy on the Regional Health Forum South

Proposed by Councillor J. Pender
Seconded by Councillor F. Phelan
AND

Following a showing of hands it was resolved:-

‘that we, the Members of Carlow County Council, approve the appointment of Councillor A. McDonald to the Regional Health Forum South to fill the vacancy created by the resignation of Councillor J. Pender, with effect from Councillor Pender’s date of resignation 24th June 2016.

(h) Muinebheag/Royal Oak Proposed Draft Local Area Plan 2016-2022

Members discussed report dated 31st May, 2016, as circulated, from Ms. B. O’Brien, Director of Services. Ms. Anita Sweeney, Senior Planner addressed the meeting and outlined the process pursued in the preparation of the Muine Bheag / Royal Oak Draft Local Area Plan 2016-2022. Ms. Sweeney informed the members that the Draft Local Area Plan provides the framework for the future development of the town and includes detailed planning policies for the area, to ensure that the vibrancy, character and heritage of the settlement is enhanced over the plan period.

Issues raised by the Elected Members were addressed by A. Sweeney, B. O’Brien and D. McInerney.

It was recommended to Council that the Planning Authority now proceed with the statutory process for publication of the Draft Muine Bheag/Royal Oak Local Area Plan 2016-2022.

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

Following a showing of hands it was resolved:-

‘that we, the Members of Carlow County Council, hereby agree that the Planning Authority proceed with the statutory process for the publication of the Draft Muine Bheag / Royal Oak Local Area Plan 2016-2022, in accordance with Section 20 of the Planning and Development Act 2000-2015.’

It was further agreed by the Members that Mr. D. McInerney would write to the Office of Public Works regarding members concerns on flood areas.

- (i) Disposal of Part of former N80 National Secondary Road contiguous to Tinryland GAA playing fields of area 0.073 Ha to Tinryland GAA Club.**

Proposed by Councillor J. Deane

Seconded by Councillor J. Pender

AND

Following a showing of hands it was resolved:-

‘that we, the Members of Carlow County Council, approve the disposal of Part of former N80 National Secondary Road contiguous to Tinryland GAA playing fields of area 0.073 Ha to Tinryland GAA Club, Rathcrogue in consideration of the sum of €100.00 in accordance with the terms of the statutory notice already circulated, in accordance with Local Government Act 2001-Section 183 (1), Planning & Development Act 2000-Section 211 and that the consent of the Minister of the Environment is not necessary.’

The Cathaoirleach wished the Chief Executive well through her current indisposition.

4. DEPARTMENTAL PROGRESS REPORTS

(a) Library Progress Report

Mr. J. Shorthall presented the Library Progress Report through powerpoint. Members expressed concern and opposition to the proposed shared service model for the Library Service between Carlow and Kilkenny. It was agreed to write to the Minister stating the Councils opposition to any shared service for Carlow County Library Service.

Queries raised by the Members were addressed by P. Delaney and J. Shorthall.

(b) Arts Progress Report

P. Delaney presented the County Arts Progress Report.

Following discussion Councillor Quinn proposed that the Council write to the Minister for Arts and the Arts Council advising of the level of operational subvention required annually from Carlow County Council for the VISUAL Centre for Contemporary Art and the George Bernard Shaw Theatre. Members requested financial assistance towards the operation of the Centre as the current level of subvention is unsustainable for a small county with limited resources.

Queries raised by the Members were addressed by P. Delaney.

5. COMMUNITY, HOUSING, RECREATION AND AMENITY, BUILDING CONTROL AND EMERGENCY SERVICES

(a) IPB Pride of Place Competition

Members noted that Borris and the Carlow Older Person's Forum will represent County Carlow in this year's IPB Pride of Place Competition in association with Co-operation Ireland.

(b) Carlow's Pride of Place

M. Brennan in his report dated 1st June advised that the closing date for entries into Carlow's 2016 Pride of Place was Wednesday 8th June.

The Members raised the issue of anti-social behaviour in Carlow Town Park and requirement for additional security and CCTV.

Councillor Gladney raised issues in relation to Muinebheag Town Park.

Councillor Paton raised issue of CCTV and lighting in Tullow Town Park.

Councillor McDonald raised issue regarding a wall along River Barrow adjoining road and BEAMS sensory garden in Bagenalstown and also raised issue of litter and used drink cans at Bagenalstown House.

Councillor Quinn raised issue of anti-social behaviour at St. Mullins/Tinnahinch.

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

(a) Performance Indicators – NOAC (The National Oversight and Audit Committee)

The report, as circulated and position on Performance Indicators was noted.

(b) Agriculture

Members expressed concerns in relation to milk prices and it was agreed that the Council would write to the Minister for Agriculture on the issue. Members expressed concerns as to the consequences of the Brexit vote for farmers. Concerns were also raised in relation to the delay in the payment of construction grants for farm improvement works. .

(c) Health

Councillor Ahern enquired on letter from Carlow Municipal District to the Health Service Executive regarding the provision of a second psychologist for Carlow. E. Brophy confirmed that correspondence has issued to the Health Service Executive in this regard. It was agreed to enquire of the Health Service Executive in relation to a mental health programme in Cavan/Monaghan which enables mental health users avoid having to attend Accident and Emergency Departments.

Councillor Cassin enquired about a suitable premises for the 'Talk it Over' service as they have to vacate their current premises.

Members also expressed concerns in relation to the non- approval of cystic fibrosis drug Orkambi in Ireland due to financial costs.

(d) Tenders for opening, if any

Members noted tenders opened since the last Council Meeting.

(e) Conference Attendance Approvals

Forthcoming Conferences:

The forthcoming conferences were unanimously approved by the Members following a showing of hands

The Councillor & Local Development/Enterprise,
The Silver Tassie Hotel,
Letterkenny,
Co. Donegal.

10th to 12th June 2016

Fee: €145

Oireachtas Reform & the Councillor,
Park House Hotel,
Edgworthstown,
Co. Longford.

24th to 25th June 2016

Fee: € 70

Entitlement to Health Services,
The Clonakilty Hotel,
Clonakilty,

Co. Cork.
8th, 9th, 10th June 2016

Fee: €100

Domestic Water Saving & Conservation Techniques,
The Clonakilty Hotel,
Clonakilty,
Co. Cork.
8th, 9th, 10th June 2016

Fee: €100

(f) Conference Attendance Reports

There were no Conference Attendance Reports.

7. Chief Executive's Report

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

8. Comhfhreagras/Correspondence

Members noted Notice of Motion from Waterford City and County Council

'That this Council calls on the Department of Social Protection to increase its range of interaction with the Post Office Network instead of decreasing it to ensure its survival, especially in rural areas.'

Members noted correspondence from Navan Municipal District and Meath County Council advising of letter being issued to the Department of the Environment regarding sewerage issues affecting householders in locations in County Meath.

Members noted Notice of Motion from Mayo County Council

'That Ballina Municipal District calls on the new government to introduce legislation to give to Municipal Districts the same powers as were held by former town councils including the power to strike a rate for each district; that this motion is circulated to all County Councils for their support.'

Members noted Notice of Motion from Leitrim County Council

'I am calling on all Local Authority Members here and across Ireland to contact their relatives and friends in the U.K, to urge the Electorate there to vote that the U.K remain part of the European Union, as a Brexit would have a detrimental effect on the Irish Economy and in particular the Agricultural Industry.'

Members noted Notice of Motion from Offaly County Council

‘That Offaly County Council calls on the Minister for Justice to review the whole area of the Free Legal Aid System, i.e. persons income and how many times a person avails of the service and if found guilty to pay back the state part or all of the expenses incurred from their income.’

Members noted correspondence from the Minister for Environment, Community and Local Government in relation to members’ correspondence in connection with town council block grant payments.

Members noted correspondence from the Office of the Taoiseach and the Minister for Foreign Affairs regarding Ibrahim Halawa.

Members noted correspondence by email from HSE in relation to the future use of Cheshire Home, Tullow

Councillor Paton requested that this issue be raised by the members represented on the HSE South Forum at the next regional meeting.

9. Notices of Motion.

Standing in the names of Cllr. Andy Gladney (deferred from May Agenda)

“That Carlow County Council address the rates issue in relation to the Saint Vincent De Paul shop's, which is a non-profitable organisation where the money made goes back into helping the community overall. This money that they make helps people in need and in unfortunate circumstances.”

This Notice of Motion was noted by the Members.

Standing in the name of Cllr. Denis Foley

“Carlow County Council recognises the important role in combatting poverty and disadvantage the Society of Saint Vincent De Paul and the Family Resource Centres play in our county. These organisations rely on volunteerism from within the local community to staff and address the issues they face. This council believes that it must work with these organisations in order to create a meaningful partnership for social change.

Carlow County Council believes that the imposition of rates on properties used by Society of Saint Vincent De Paul and the Family Resource Centres places an unnecessary burden on the their limited funds and here by undertakes to exempt both organisations from the payment of rates.”

P. Delaney advised there are twelve charity shops in Carlow. In 2016 the Council advised that they were rateable and were liable to pay 50% of rates due. The current situation is if a shop is a charity shop and is rent free the

rates will be waived. If the charity shop pays rent, the first €1000 of rates liability will be waived and they will be liable to pay 50% of the balance. P. Delaney noted that businesses have complained regarding unfair competition. The total rates for these premises are €62,000. Councillor Gladney thanked the finance department for their initiative.

Standing in the name of Cllr. William Paton

"That Carlow County Council condemns the rise in car insurance premiums and calls on the government to bring in urgent legislation to curb these totally outrageous increases in premia."

This Notice of Motion was withdrawn.

Standing in the name of Cllrs. Thomas Kinsella and Charlie Murphy

"That Carlow County Council calls on the Minister for Justice to resist calls to abolish the Special Criminal Court."

On the proposition of Councillor Kinsella and seconded by Councillor Murphy a vote was taken as follows.

| Member of Carlow County Council | For | Against | Abstain | Absent |
|--|------------|----------------|----------------|---------------|
| Ann Ahern nee Long | √ | | | |
| Fergal Browne | | | | √ |
| John Cassin | | √ | | |
| Jim Deane | | √ | | |
| Michael Doran | | | | √ |
| Denis Foley | √ | | | |
| Andy Gladney | | √ | | |
| Thomas Kinsella | √ | | | |
| Walter Lacey | | | | √ |

| | | | | |
|------------------|---|--|---|--|
| Arthur McDonald | | | √ | |
| Ken Murnane | √ | | | |
| Charlie Murphy | √ | | | |
| John Murphy | √ | | | |
| Brian O'Donoghue | √ | | | |
| William Paton | √ | | | |
| John Pender | | | √ | |
| Fintan Phelan | √ | | | |
| William Quinn | √ | | | |

The vote resulted in: 10 for, 3 against, 2 abstentions and 3 absent
The motion was passed.

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

Councillor Cassin suggested that the Council write to the Department requesting that social welfare recipients and also persons who have received lump sums .e.g redundancy payments be allowed participate in the Tenant Purchase Scheme.

This concluded the business of the meeting.