

## CARLOW COUNTY COUNCIL

**Minutes of the November Monthly Meeting of Carlow County Council,  
held in The Council Chamber, County Offices, Athy Road, Carlow, on  
Monday 9<sup>th</sup> November 2015 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 J. Pender,  
Councillor F. Phelan  
Councillor W. Quinn.

Apologies: Councillor W. Paton,

In attendance: Ms. Kathleen Holohan, Chief Executive  
Mr. D. McInerney, Director of Service – Transportation,  
Environment and Water Services  
Ms. B. O'Brien, Director of Service – Corporate, Planning,  
Economic Development, Health and Safety  
Ms. Arlene O'Connor, A/Senior Executive Planner  
Ms. Fiona O'Neill, Senior Executive Officer  
Mr. Jerry Crowley, A/Senior Executive Officer, Water Services  
Mr. T. Butler, Senior Executive Officer, Housing  
Mr. E. Brophy, Senior Executive Officer, Corporate Services.

### **OPENING PRAYER**

The opening prayer was recited in Irish by the Members.

**VOTES OF SYMPATHY**

- Siobhan Nolan, School Warden, Tullow on the death of her father Eamonn Nolan, 65, Hillbrook Estate, Tullow
- Gearoid Grant, Library Assistant, on the death of his mother Norah Grant, Clonegal
- Family of the late Edward Moran, Newtown, Nurney, former employee of Carlow County Council
- Margaret McHugh and Family on the death of her husband Barry McHugh, Mountain View, Green Road, Carlow.
- John Lawlor, Ballygowan, Milford on the death of his sister Margaret Miley.
- The Kennedy Family on the death of Pat Kennedy, Oak Grove, Bagenalstown
- The Redmond Family on the death of Mary Redmond, Clashganny, Borris
- The Doyle family on the death of Hannah Doyle, 3 Roncalli Place, Carlow
- Helen Heffernan and Family, Rossmore, Bilboa on the death of her husband Michael.
- The Connolly Family on the death of Loretto Connolly, 10 Pinewood Ave., Rathnapish
- Alice Bradley and Family on the death of her husband Gerard Bradley, 3, Maryboro Street, Graiguecullen
- The Mullarkey Family, Braganza, Athy Road on the death of their son-in-law Michael Heffernan, Bilboa.
- Mary Whelan and Family on the death of her husband Michael Whelan, 59, Beechwood Drive, Rathnapish
- The Ready Family on the death of Margaret Ready, 4, Nurney Village, Nurney, Co. Carlow
- Alice Cullen and Family on the death of her husband Matthew Cullen, Coolmanagh, Hacketstown.

## **VOTES OF CONGRATULATIONS**

- Arboretum Garden Centre on receipt of Irish Restaurant Association Best Casual Dining in Carlow 2015 and Retail Excellence Ireland National Store of the year 2015.
- Gaelcholáiste, Cheatharlach on celebrating their silver jubilee
- Minister for Education Jan O’Sullivan on turning the sod on new school at Kilkenny Road, Carlow.
- St. Mullins on winning the Carlow Senior Hurling Championship
- Mount Leinster Rangers on winning the Carlow Minor Hurling Championship
- Ballinkillen U/16 Hurling on winning the U/16 County Hurling Championship
- Myshall Camogie on reaching the Leinster Intermediate Club Camogie Final
- Monsignor Caoimhín O’Neill on his retirement as President of St. Patrick’s College, Carlow
- Fr Conn Ó Maoldhomhnaigh on taking up office as Carlow College President.
- Larry Brennan’s Carlow Kickboxing Team on their success in the World Championships with two gold and one silver medal.
- Carlow/Ballon Karate Clubs on their success in the International Karate Union World Cup and World Championships in Slovenia. To Eve Sinnott and Danielle O’Neill on their success in the competition. A night of recognition was proposed for the Karate Clubs.
- Kylie Murphy from Graiguecullen captain of the Wexford Youths on winning the FAI Womens Senior Cup Final.
- Barrow Awards Scheme 2015 with St Mullins Amenity & Recreational Tourism Group being named ‘Best in Carlow’. Members praised Arthur Keppel and Eileen O’Rourke for their contribution to the success of the Awards.
- To the recipients and all involved with the success of Carlow Chamber of Commerce Business Awards 2015
- Gavin Healy, a member of Palatine GFC on winning both the Under 16 and Minor Football County Finals Man of Match Awards.

- Eric Molloy, The Moate, Rathvilly, and a member of the Wexford Youths Soccer Team on winning the league of Ireland 1<sup>st</sup> Division.
- Gerard Guerin, Chief Fire Officer on being selected by the United Nations Emergency Services Branch in Geneva to become a UN Disaster Assessment Co-ordinator (UNDAC)

## **CONFIRMATION OF MINUTES**

**Proposed by Councillor W. Lacey**

**Seconded by Councillor F. Browne**

**AND**

Following a showing of hands it was unanimously resolved:-

“That the Minutes of the October Monthly Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Monday, 12<sup>th</sup> October 2015, at 2.00p.m having been circulated to each Member be taken as read, confirmed as to accuracy and accordingly signed.

**Proposed by Councillor J. M. O’Connor**

**Seconded by Councillor M. Doran**

**AND**

Following a showing of hands it was unanimously resolved:-

“That the Minutes of the Special Pre Budget In Committee Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Monday 12<sup>th</sup> October, 2015 at 5.00p.m having been circulated to each Member be taken as read, confirmed as to accuracy and accordingly signed.

## **1. CIRCULARS**

### **(a) Circular Letter SG/01 Fire Safety in Traveller Accommodation**

Members noted Circular SG/01 Fire Safety in Traveller Accommodation. In response to Members queries T. Butler, Housing Officer advised in relation to draw down of funding for traveller accommodation and on inspections carried out to date on traveller accommodation sites. T. Butler also answered queries in relation to other specific housing issues.

**2. Gnó forordaithe do réir reachtaíochta, orduithe seasta, nó rúin an Chomhairle**

**Business prescribed by Statute, Standing Orders or Resolutions of the Council**

**(a) To approve in accordance with Road Traffic Act 2004 -Special Speed Limit Bye-Laws of 30 kph for housing estates**

Members welcomed the proposed special speed limit bye-laws and hoped motorists would slow down upon entering housing estates. D. McInerney answered various questions from members on issues including use of speed ramps, the need to request further funding from the DTTAS to fund the signposting of special speed limits in the remaining estates in the municipal districts, the design of housing estates and the issue of speed limits at Grange.

**Proposed by Councillor T. Kinsella  
Seconded by Councillor Murnane O'Connor  
AND**

Following a showing of hands it was unanimously resolved:-

*“That we, the Members of Carlow County Council, hereby approve the adoption of Special Speed Limit Bye-Laws of 30 Kph for Housing Estates, as set out in schedule, in accordance with Section 9 of the Road Traffic Act 2004”*

**(b) Local Government Act 2001, Renewal of Section 85 Agreement with Kilkenny County Council Dog Pound/Dog Warden Services**

E. Brophy advised the meeting of proposal for renewal of Section 85 Agreement with Kilkenny County Council for the Carlow/Kilkenny Dog Pound/Dog Warden Service.

Members' approval was sought to the Section 85 Agreement being renewed for a further period of three years.

**Proposed by Councillor M. Doran  
Seconded by Councillor A. Ahern  
AND**

Following a showing of hands it was unanimously resolved:-

*“That we, the Members of Carlow County Council, hereby resolve that Carlow County Council enter into a Section 85 Agreement with Kilkenny County Council for the operation of the Carlow/Kilkenny Dog Pound/Dog Warden Service for a further period of three years.”*

- (c) To approve in accordance with Local Government Act 2001 – Section 183(1), Planning & Development Act 2000 – Section 211, the disposal of Council’s Rented Equity in dwelling situated at 6, Friarswood, Pollerton, Carlow, to Ms. Geraldine Murray, in accordance with the terms of the statutory notice already circulated.**

**Proposed by Councillor J. Murnane – O’Connor**

**Seconded by Councillor F. Browne**

**AND**

Following a showing of hands it was unanimously resolved:-

*“That we, the Members of Carlow County Council, hereby resolve the disposal of Council’s Rented Equity in dwelling situated at 6, Friarswood, Pollerton, Carlow, to Ms Geraldine Murray, in accordance with Local Government Act 2001-Section 183(1), Planning & Development Act 2000-Section 211, in accordance with the terms of the statutory notice already circulated and that the consent of the Minister of the Environment is not necessary.”*

- (d) To approve in accordance with Local Government Act 2001 – Section 183 (1), Planning & Development Act 2000 – Section 211, the disposal of section of laneway at the rear of No. 77 St. Mary’s Park, Carlow (23.80 (Area m<sup>2</sup>) to Elizabeth Morris and Colin Nolan, in accordance with the terms of the statutory notice already circulated.**

**Proposed by Councillor F. Browne**

**Seconded by Councillor J. Murnane – O’Connor**

**AND**

Following a showing of hands it was unanimously resolved:-

*“That we, the Members of Carlow County Council, hereby resolve the disposal of section of laneway at the rear of No. 77 St. Mary’s Park, Carlow (23.80 (Area m<sup>2</sup>) to Elizabeth Morris and Colin Nolan, in accordance with Local Government Act 2001-Section 183(1), Planning & Development Act 2000-Section 211, in accordance with*

*the terms of the statutory notice already circulated and that the consent of the Minister of the Environment is not necessary.”*

- (e) Planning & Development Acts, 2000 – 2013, Planning & Development Regulations 2001 – 2013, Part VIII, Proposed Construction of Rural Dwelling at Paulville, Tullow, Co. Carlow.**

Members welcomed report from S. O’Connor on proposed construction of rural dwelling, Paulville, Tullow, Co. Carlow. Following the public consultation period no submissions were received.

Members’ approval was sought that the proposed dwelling is progressed on the basis of Senior Executive Engineer’s report.

**Proposed by Councillor J. Pender**

**Seconded by Councillor J. Deane**

Following a showing of hands it was unanimously resolved:-

*“That we, the Members of Carlow County Council, hereby approve the proposed construction of Rural Dwelling, Paulville, Tullow, Co. Carlow in accordance with the Planning & Development Acts, 2000 – 2013, Planning & Development Regulations 2001 – 2013, Part VIII and on the basis of Senior Executive Engineer’s report.”*

- (f) To consider in accordance with Section 55 of the Planning & Development Act 2000 (as amended) the proposed delisting of Protected Structure CT14 ‘Pembroke House, Pembroke road, Carlow’ included in the Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area incorporating the Carlow Town Development Plan 2012-2018.**

Members had report from B. O’Bnen on proposed deletion from the Record of Protected Structures for Carlow Town (Joint Spatial Plan 2012-2018) ‘Pembroke House’, Pembroke Road, Carlow.

Members also had report from the Acting Senior Executive Planner together with copies of two no. submissions received from the Department of Arts, Heritage and the Gaeltacht and An Taisce following the public consultation period. Both submissions concluded that the property should remain on the Record of Protected Structures.

Members approval was sought to 'Pembroke House' (Reference CT14) being retained on the Record of Protected Structures in the Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area 2012-2018.

A discussion took place on the subject and queries raised by the Members were addressed by B. O'Brien and A. O'Connor.

On the proposition of Councillor J. Murnane O'Connor and seconded by Councillor A. McDonald a vote was taken to **delist** 'Pembroke House' from the Record of Protected Structures.

The vote was taken as follows:

<i>Member of Carlow County Council</i>	<i>For</i>	<i>Against</i>	<i>Abstain</i>	<i>Absent</i>
Ann Ahern nee Long	√			
Fergal Browne	√			
John Cassin	√			
Jim Deane	√			
Michael Doran	√			
Denis Foley	√			
Andy Gladney	√			
Thomas Kinsella		√		
Walter Lacey	√			
Arthur McDonald	√			
Jennifer Murnane O'Connor	√			
Charlie Murphy	√			
John Murphy		√		
Brian O'Donoghue	√			
William Paton				√



John Pender	√			
Fintan Phelan	√			
William Quinn	√			

The vote resulted in: 15 for, 2 against and 1 absent.  
The motion was carried.

**(g) To consider the adoption of the Material Alteration to the proposed Amendment No. 1 of the Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area incorporating the Carlow Town Environs Local Area Plan 2012-2018**

Members had report from Chief Executive on Material Alteration to Proposed Amendment No. 1 to the Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area 2012-2018, incorporating the Carlow Town Environs Local Area Plan 2012-2018.

The proposed Material Alteration increasing in area of Land Parcel No.1 for zoning from 'Amenity and Open Space' to 'Residential 1' from 0.23 hectares to 0.47 hectares.

Following the submission period, issues raised and Chief Executive's responses it was recommended to Members that the site containing the existing house remain zoned as Amenity and Open Space (0.21 hectares). In relation to the portion of Greenfield land adjacent to the existing house the proposal to rezone from 'Amenity and Open Space' to 'Residential 1' was recommended. No further land at the northern section of Land Parcel no. 1 should be rezoned residential. The area of land being proposed for Residential 1 is being increased from 0.23 hectares to 0.26 hectares.

Members' approval was sought to adopt a modified Land Parcel 1 as shown in Map no 5 of report showing the area recommended to be rezoned from 'Amenity and Open Space' to 'Residential 1'.

Queries raised by the Members were addressed by B. O'Brien and A. O'Connor.

On the proposition of Councillor A. Ahern and seconded by Councillor F. Browne a vote was taken on proposal to adopt a modified Land Parcel No1 as shown on Map 5 of report, which outlines a proposed increase in the area recommended for zoning from 'Amenity and Open Space' to 'Residential 1' from 0.23 hectares to 0.26 hectares and proceed to amend the Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area

2012-2018, incorporating the Carlow Town Environs Local Area Plan 2012-2018.

The vote was taken as follows:

<i>Member of Carlow County Council</i>	<i>For</i>	<i>Against</i>	<i>Abstain</i>	<i>Absent</i>
Ann Ahern nee Long	√			
Fergal Browne	√			
John Cassin	√			
Jim Deane	√			
Michael Doran	√			
Denis Foley	√			
Andy Gladney	√			
Thomas Kinsella				√
Walter Lacey	√			
Arthur McDonald	√			
Jennifer Murnane O'Connor	√			
Charlie Murphy	√			
John Murphy	√			
Brian O'Donoghue		√		
William Paton				√
John Pender	√			
Fintan Phelan	√			
William Quinn	√			

The vote resulted in: 15 for, 1 against and 2 absent.

The motion was carried.

### **Presentation by PPN Secretariat.**

The Cathaoirleach welcomed Grainne O'Neill, Joanne Donoghue and Regina Duane to the meeting.

Grainne O'Neill gave a presentation to the Members on behalf of the PPN Secretariat.

Following the presentation queries raised by Members were answered by Ms. O'Neill, Ms. Donoghue and Ms. Duane.

The Cathaoirleach thanked Ms O'Neill for her presentation.

#### **4. Departmental Progress Reports Tuarascálacha ar Dhul Chun Cinn na Roinne**

##### **(a) Transportation, Environment & Water Services Progress Report**

Members welcomed Transportation, Environment, and Water Services Progress Report from D. McInerney, Director of Service. The following issues were raised by the Members:-.

- Parking in Borris,
- Pedestrian crossing at Dr. Cullen Park,
- New Road at Fruithill,
- Powerstown Landfill site, post closure costs for street sweeping and loss of income from Powerstown. Opening hours at Powerstown during Christmas period.
- Bathing water testing,
- Toilets in St. Mary's Cemetery,
- Burial ground capacity,
- Public lighting repairs, Airtricity,
- Pedestrian crossing at Royal Oak Road
- Christmas lighting

All queries raised were addressed by D. McInerney and J. Crowley.

## **Extension of Time**

It was proposed by Councillor Foley and seconded by Councillor Ahern and following a showing of hands it was agreed to suspend that part of Standing Orders to facilitate the continuation of the business of the meeting to 6p.m

### **5. Corporate, Planning, Economic Development & Health & Safety Seirbhísí Corparáideacha, Pleanáil, Forbairt Eacnamaíoch, Sláinte agus Sábháilteacht**

#### **(a) Health**

E. Brophy advised the members of correspondence received from the General Manager of the HSE South East Mental Health Services advising they did not feel it appropriate to attend a council meeting. Councillors expressed dissatisfaction with this. It was agreed to meet with Senior HSE officials as outlined in Ms. Hendrick's letter. Cllr. Pender advised that the Carlow representatives are always highlighting Carlow issues.

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

Members noted tenders opened since the last council meeting

#### **(c) Agriculture**

Cllr. T. Kinsella advised that Anna May McHugh, National Ploughing Association (NPA) had advised that if there was a suitable site in Carlow, the NPA would be interested in holding the National Ploughing Championships in Carlow. The executive was encouraged to pursue this issue.

#### **(d) Conference Attendance Approvals**

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

Local Authority Budgets 2016

White's Hotel

Wexford

20<sup>th</sup> – 22<sup>nd</sup> November 2015

**Fee: €145**

A Practical Guide to Budget 2016

The Clonakilty Hotel

Clonakilty, Co Cork.

4<sup>th</sup> – 6<sup>th</sup> December 2015

**Fee: €100**

EU Cohesion Policy 2014 - 2020

Four Seasons Hotel

Carlingford, Co Louth

11<sup>th</sup> - 13<sup>th</sup> December 2015 **Fee: €100**

Mobile Marketing & Tourism Destinations  
The Clonakilty Hotel  
Clonakilty, Co Cork.

18<sup>th</sup> – 19<sup>th</sup> December 2015 **Fee: €100**

Northern & Western Regional Assembly  
New Regions, New Roles, New Responsibilities”  
Meadow Court Hotel  
Loughrea, Co Galway  
20<sup>th</sup> November 2015

**Fee: €100**

Local Government: Environment Policy:  
Opportunities for Local Communities  
Seven Oaks Hotel  
Athy Road, Carlow  
4<sup>th</sup> – 5<sup>th</sup> December 2015

**Fee: €70**

Housing Public Policy & Local Government  
Park House Hotel  
Edgeworthstown  
Co Longford  
11th – 12th December 2015

**Fee: €70**

## 6. **Chief Executive’s Report** **Tuarascáil an Phríomhfheidhmeannaigh**

Members had for their consideration Chief Executive’s Monthly Management Report for period 1st to 31st October 2015.

Councillor Pender raised issue of Solar Array Farming and advised there is no policy in the Carlow County Development Plan for Solar Array Farming. Councillor Pender requested that a policy be formulated for the County Development Plan as the issue was now topical.

Councillor McDonald raised the issue of imbalance of staff from the Muinebheag and Carlow Municipal District and requested information on where staff are from.

Councillor Murnane-O’Connor requested a report on how many houses were allocated this year and the progress on the sixty two houses listed in the report.

Councillor Doran welcomed the Sports Capital Grant, the data gathering on defibrillators and the CFRAM maps

The Chief Executive replied advising that an introductory report on solar arrays can be prepared. She also advised in relation to where staff are from, and amending the Chief Executive Report to include progress report on housing.

## 7. Comhfhreagras/Correspondence

**Members had correspondence by email from the Older Persons Forum** requesting an opportunity to address the Members.

This item was deferred at the October meeting of Council. The item was discussed under Any Other Business.

**Members had correspondence from Carlow Pipe Band** formally requesting the attendance of 2 members at the October monthly meeting.

This item was deferred at the October meeting of Council. The item was discussed under Any Other Business.

**Members had correspondence from the Irish Congress of Trade Unions**

formally requesting the Council to facilitate an address by the Congress Representatives to a meeting of Carlow County Council.

This item was deferred at the October meeting of Council. The item was discussed under Any Other Business.

**Members noted correspondence from Laois County Council** on the Pre-Draft Public Consultation on the preparation of Laois County Development Plan 2017-2023.

**Members noted resolution by email from Cork City Council**

*“That Cork City Council would request The Minister for Education and Science and the NCCA to review the downgrading of history as a mandatory core subject on the revised Junior Certificate Curriculum in second level school.”*

**Members noted resolution from Donegal County Council**

*“That I am calling on this Council to ask the Government to issue a bus pass to all cancer and all other patients travelling to Galway or Dublin during the period of their treatment regardless of their age.”*

**Members noted resolution from Ashbourne Municipal District**

*“That Meath County Council writes a letter to Alan Kelly, the Minister for Environment, Community and Local Government on behalf of all Ashbourne Municipal District Councillors requesting that Irish Water, or the local Authority, accepts responsibility for all sewerage mains and infrastructure maintenance, including those running through non-public property and that appropriate funding be made available and that this motion is shared with all local authorities if adopted.”*

**Members noted resolution from Galway City Council**

*“That this Council calls for the immediate review of the HAP system given that anyone receiving this payment is removed from the Housing Waiting List.”*

**Members noted resolution from Clare County Council**

*“That Clare County Council supports the call for the release of Ibrahim Halawa, an Irish citizen, and calls on the Taoiseach to personally intervene on his behalf.”*

**Members noted correspondence from the HSE South East Mental Health Services** advising that it would not be appropriate for a HSE representative to attend the proposed meeting of Carlow County Council.

**Members noted correspondence from Rachel Doyle, Arboretum Garden Centre** thanking the Members and staff for the honour bestowed on her at the September meeting of Council.

**Members noted correspondence from the office of the Minister for Social Protection** acknowledging Members correspondence in relation to Rent Supplement Payments.

**Members noted correspondence from the Association of Irish Local Government** advising of review of meetings structure in line with the re-configuration of Irish Local Government.

Clause 5 of Standing Policy Council Chapter be amended so that *the Standing Policy Council shall meet on a bi-monthly basis and the Executive Committee will be empowered to call an emergency meeting where such is warranted.*

8. **Fógraí Rúin/Notices of Motion.**

**Standing in the name of Cllr. Jennifer Murnane O'Connor**

“That Carlow County Council, in the interests of safety and security for the residents, especially the old people, approach the government with a view to having the street lighting in unfinished estates that are not in charge of the local authority, included in service agreements for public lighting.”

Councillor Doran advised that the SPC was looking at developing a policy in this area and it was agreed to refer this Notice of Motion to the SPC.

9. **Aon gnó eile le haontú an Chathaoirligh.**

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

Councillor Murnane-O'Connor advised that the HAP forms must be submitted in person to the Tullow Office and enquired if it is possible for the forms to be left in to County buildings.

Councillor Murnane-O'Connor also advised of person going on the HAP Scheme being removed from the Housing List. It was agreed to write to the Minister on this issue.

E. Brophy advised of three requests to make presentation to Council from Carlow Pipe Band, Older Persons Forum and The Irish Congress of Trade Unions. It was agreed that the Whips would deal with the timing of these presentations.

Members raised issue in relation to the provision of budget for Christmas Lights in Carlow Town and Muinebheag. B. O'Brien advised that funding was provided for Christmas Lights in each Municipal District Service Plan.

On the proposition of Councillor Pender and seconded by Councillor Ahern the meeting resolved to go into committee to consider a request for a Chairman's Reception.



It was proposed by Councillor Pender and seconded by Councillor Ahern and agreed following a showing of hands

*“That Carlow County Council hold a Chairman’s Reception to honour Orla Jackman on winning the Lions International Youth Award 2015”.*

Councillor Gladney requested a reception for Carlow/Ballon Karate Club in recognition of their success in the International Karate Union World Cup and World Championships in Slovenia.

It was proposed by Councillor Gladney and seconded by Councillor Phelan and agreed following a showing of hands

*“That Carlow County Council hold a Reception to honour Carlow/Ballon Karate Club in recognition of their success in the International Karate Union World Cup and World Championships in Slovenia.”*

This concluded the business of the meeting.