

CARLOW COUNTY COUNCIL

**Minutes of the October Monthly Meeting of Carlow County Council,
held in The Council Chamber, County Offices, Athy Road, Carlow, on
Monday 8th October 2012 at 2.00 p.m**

Present: Councillor M. Abbey, Cathaoirleach
Councillor A. Ahern (Nee Long)
Councillor F. Browne
Councillor M. Doran
Councillor W. Fennell,
Councillor D. Foley,
Councillor F. Hunter
Councillor D. Hurley
Councillor T. Kinsella
Councillor W. Lacey
Councillor A. McDonald,
Councillor J. Murnane-O'Connor,
Councillor C. Murphy,
Councillor J. Murphy,
Councillor T. O'Neill
Councillor P. O'Toole
Councillor W. Paton
Councillor J. Pender,
Councillor W. Quinn.
Councillor C. Townsend,
Councillor J. Townsend,

In attendance: Mr. T. Barry, County Manager
Mr. J. Carley, Director of Service - Environment, Water Services
& Health and Safety.
Ms. B. O'Brien, Director of Service - Community and Enterprise,
Economic Development & Corporate Services.
Mr. S. O'Connor, Director of Services - Housing,
Recreation & Amenity & Special Project
Mr. P. Delaney, Head of Finance
Mr. R. Fitzgerald, Financial Accountant
Mr. G. Guerin, Acting Director of Services - Transportation &
Safety and Emergency Services
Mr. D. Walsh, Senior Planner

Ms Mary Mulholland, Senior Executive Officer,
Environment

Mr. E. Brophy, Senior Executive Officer,
Corporate Services.

Ms. B. Whelan, Assistant Staff Officer, Corporate
Services.

Ms. Gormla O'Corrain, Executive Planner,
Laois County Council.

OPENING PRAYER

The opening prayer was recited by the Members.

VOTES OF SYMPATHY

The Members expressed votes of sympathy to:

- The Family of the late Jim Cummins, Shillelagh Grove, Tullow former Clerical Officer with Carlow County Council.
- Martina Scallan and Family, 15 Mountain View, Myshall, on the death of her husband Sean.
- Nancy Dowling and Family, Tomard, Leighlinbridge, on the death of her husband Patrick.
- Mary Murphy and Family, Shillelagh Grove, Tullow on the death of her husband Peter, former Member of Carlow County Council.
- The Osborne Family on the death of Marie Osborne, Rathanna, Borris.
- The Family of Sister Augustine (Mary O'Neill) who died in the USA.

VOTES OF CONGRATULATIONS

The Members expressed votes of congratulations to:-

- Erin's Own on reaching the County Senior Hurling Championship Final
- St. Andrew's on reaching the County Minor Football Championship Final
- All involved with the success of the annual fun run in aid of the County Carlow Hospice.
- Pauric Ahern, son of Councillor Ann Ahern, on joining the Cadets
- Mount Leinster Rangers on reaching the Senior, Intermediate and Minor Hurling Championship Finals.

- Leighlinbridge Improvement Group on their success in Carlow Tidy Towns 2012 Competition
- All involved with the success of Carlow African Film Festival with 'White Wedding'.
- Clonegal on their success in Carlow Tidy Town 2012 Competition
- Eire Óg on winning the Junior A County Football Championship and to team members father and son Willie and Niall Quinlan.
- Marc-Ivan O'Gorman on the success of Taylorfest
- Eric Butler pianist on live music accompaniment for Taylorfest.
- Lions Club on their new initiative 'Message in a bottle'
- Carlow Karate Club on their success at the Carlow International Karate Tournament held in the Dolmen Hotel 6th and 7th October.

1. CONFIRMATION OF MINUTES

- (a) Proposed by Councillor D. Foley
Seconded by Councillor J. Pender
AND**

Following a showing of hands it was unanimously resolved:-

"That the Minutes of the September Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Monday 10th September at 2.00 p.m having been circulated to each Member, be taken as read, confirmed as to accuracy and accordingly signed.

2. CIRCULARS

There were no circulars

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

(a) Taking -in-charge part of Rathsillan Housing Development

Mr. McInerney in his report dated 5th September 2012 advised that following the public consultation process two submissions were received.

The report set out the issues and responses to these submissions.

Members' approval was sought to the taking in charge of part of Rathsillan Housing Development.

Councillor Paton queried the taking-in-charge until Phase 3 is satisfactorily completed. The County Manager advised there was justification for taking-in-charge phase 1 and 2 at this time as it would benefit both the residents and developer.

**Proposed by Councillor J. Pender
Seconded by Councillor P. O'Toole**

AND

Following a showing of hands it was unanimously resolved:-

“That we, the Members of Carlow County Council hereby approve the taking in charge of Phase 1 & 2 of Rathsillan Housing Development in accordance with Section 11 of the Roads Act, 1993, and Section 180 of the Planning and Development Act, 2000 as amended; and Section 59 of the Planning and Development Act, 2010”.

(b) Lease of 19 and 20 Abbey Close, Tullow, Co. Carlow

**Proposed by Councillor P. O'Toole
Seconded by Councillor J. Pender**

AND

Following a showing of hands it was unanimously resolved:-

“That we, the Members of Carlow County Council hereby approve in accordance with Planning and Development Act 2000 – Section 211, Local Government Act 2001 Section 183, the lease of 19 and 20 Abbey Close, Tullow, Co. Carlow to Cluid Housing Association, 63 – 66 Amiens Street, Dublin 1, for period up to 16 July, 2015, in the sum of €10.00 per annum, in accordance with the terms of the statutory notice already circulated”.

(c) Lease of 36 Gort na Greine, Ballinabrannagh, Co. Carlow

**Proposed by Councillor J. Townsend
Seconded by Councillor M. Doran**

AND

Following a showing of hands it was unanimously resolved:-

“That we, the Members of Carlow County Council hereby approve in accordance with Planning and Development Act 2000 – Section 211, Local Government Act 2001 Section 183, the lease of 36 Gort na Greine, Ballinabrannagh, Co. Carlow to Cluid Housing Association, 63 – 66 Amiens

Street, Dublin 1, for period up to 16 July, 2015, in the sum of €10.00 per annum, in accordance with the terms of the statutory notice already circulated”.

Queries raised by Members were addressed by S. O’Connor.

(d) Lease of 10,757 m² at Ardattin, Co. Carlow, to Ardattin Tidy Town Committee

Proposed by Councillor T. Kinsella

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 in accordance with Planning and Development Act 2000 – Section 211, Local Government Act 2001 Section 183, the lease of 10,757 m at Ardattin, Co. Carlow, to Ardattin Tidy Town Committee, for a period of ten years in the sum of €10.00 per annum, in accordance with the terms of the statutory notice already circulated”.

(e) Disposal of 2.28 Hectares at Royal Oak Road, Bagenalstown to Housing Sustainable Communities Limited

Proposed by Councillor D. Foley

Seconded by Councillor M. Doran

AND

Following a showing of hands it was unanimously resolved:-

“That we, the Members of Carlow County Council hereby approve in accordance with Planning and Development Act 2000 – Section 211, Local Government Act 2001 Section 183, the disposal of 2.28 Hectares at Royal Oak Road, Bagenalstown to Housing Sustainable Communities Limited, Floor 2, Cumberland House, Fenian Street, Dublin 2, in the sum of €1.00 in accordance with the terms of the statutory notice already circulated”.

(f) Disposal of 0.11 Hectares at Royal Oak Road, Bagenalstown to Housing Sustainable Communities Limited

Proposed by Councillor D. Foley

Seconded by Councillor A. McDonald

AND

Following a showing of hands it was unanimously resolved:-

“That we, the Members of Carlow County Council hereby approve in accordance with Planning and Development Act 2000 – Section 211, Local Government Act 2001 Section 183, the disposal of 0.11 Hectares at Royal Oak Road, Bagenalstown to Housing Sustainable Communities Limited, Floor 2, Cumberland House, Fenian Street, Dublin 2, in the sum of €1.00 in accordance with the terms of the statutory notice already circulated”.

(g) Disposal of 1.49 Hectares at Royal Oak Road, Bagenalstown to Housing Sustainable Communities Limited

Proposed by Councillor A. McDonald

Seconded by Councillor D. Foley

AND

Following a showing of hands it was unanimously resolved:-

“That we, the Members of Carlow County Council hereby approve in accordance with Planning and Development Act 2000 – Section 211, Local Government Act 2001 Section 183, the disposal of 1.49 Hectares at Royal Oak Road, Bagenalstown to Housing Sustainable Communities Limited, Floor 2, Cumberland House, Fenian Street, Dublin 2, in the sum of €1.00 in accordance with the terms of the statutory notice already circulated”.

(h) Approve overdraft accommodation of €4 million for year ending 31st December 2013

Proposed by Councillor T. O’Neill

Seconded by Councillor D. Foley

AND

Following a showing of hands it was unanimously resolved:-

“That we, the Members of Carlow County Council, hereby approve overdraft accommodation in the sum of €4 million for year ending 31st December 2013 in accordance with Section 106 of the Local Government Act 2001.

Councillor McDonald raised issue of Council owned sites available for development. The County Manager is to revert to Members with details of landbank.

(i) Adoption of Carlow Town Environs Local Area Plan 2012-2018

The County Manager introduced the agenda item and Mr. Eamonn Brophy, Senior Executive Officer, advised Members of the requirement of Part 15 of

the Local Government Act 2001, in relation to Disclosure of Interest namely that any member or any connected person who has a pecuniary or other beneficial interest on any item in the subject matter before the members must disclose the nature of that interest and then withdraw fully from the meeting for as long as the matter is being discussed or considered.

Mr. Dominic Walsh, Senior Executive Planner then gave an overview of the process including -

- (i) Plan-making Process to Date
- (ii) Role of the Elected Members
- (iii) Scope for making modifications to the Proposed Amendments

It was noted that the members had considered the Manager's Report prepared on the submissions received in respect of the Draft Carlow Town Environs Local Area Plan (LAP) 2012-2018 on 27th June 2012 and resolved to amend the Draft Local Area Plan. The Proposed Amendments (also known as Material Alterations) were placed on public display from 10th July 2012 to 8th August 2012 and 21 submissions were received.

Members were advised that decisions to include, omit or modify any of the Proposed Amendments in making the Local Area Plan is a function reserved for the Elected Members of Carlow County Council under section 20(3) of the Planning and Development Act 2000 as amended. The members were advised that the Manager's Report has recommended the inclusion, omission or modification of a number of the Proposed Amendments in response to submissions received during the public consultation period.

In making their decisions the Members were advised that they are restricted to considering the proper planning and sustainable development of the area, the statutory obligations of the local authority and relevant policies or objectives for the time being of the Government or any Minister of the Government. The Members were advised of the scope for making modifications to the proposed amendments in accordance with Section 20 of the Planning and Development Amendment Act 2000 as amended.

It was noted that the Joint Manager's Report also related to Carlow Town and Graiguecullen County Laois. However the Members were only

required to consider the Manager's Report insofar as it related to their functional area. Members considered some key items in the Manager's Report individually as set out below, other items in the Manager's report were considered as part of the motion to make the Carlow Town Environs Local Area Plan 2012-2018.

Mapped Amendment 27: Lands on the Kilkenny Road

County Manager's Recommendation:

Mapped Amendment 27 be omitted

Following a discussion on the recommendation proposed in the Manager's Report the following was

Proposed by Cllr. Hurley

Seconded by Cllr. Ahern

That mapped amendment 27 be included

A vote was taken as follows:-

<i>Members of Carlow County Council</i>	<i>For</i>	<i>Against</i>	<i>Abstain</i>	<i>Absent</i>
<i>Cllr. Michael Abbey</i>		✓		
<i>Cllr. Anne Aherne(Nee Long)</i>	✓			
<i>Cllr. Fergal Browne</i>		✓		
<i>Cllr. Michael Doran</i>		✓		
<i>Cllr. Wayne Fennell</i>		✓		
<i>Cllr. Denis Foley</i>		✓		
<i>Cllr. Fred Hunter</i>		✓		
<i>Cllr. Des Hurley</i>	✓			
<i>Cllr. Thomas Kinsella</i>		✓		
<i>Cllr. Walter Lacey</i>	✓			
<i>Cllr. Arthur McDonald</i>	✓			
<i>Cllr. Jennifer Murnane-O'Connor</i>	✓			
<i>Cllr. Charlie Murphy</i>		✓		
<i>Cllr. John Murphy</i>		✓		
<i>Cllr. Tom O'Neill</i>		✓		
<i>Cllr. Pat O'Toole</i>		✓		
<i>Cllr. William Paton</i>		✓		
<i>Cllr. John Pender</i>	✓			

<i>Cllr. William Quinn</i>		✓		
<i>Cllr. Caroline Townsend</i>	✓			
<i>Cllr. Jim Townsend</i>	✓			

The vote resulted as follows: 8 for, 13 against, 0 abstentions, 0 absent

The motion was defeated

A vote was then taken on the recommendation in the Manager's Report

Mapped Amendment 27 be omitted

Proposed by Cllr. W. Fennell

Seconded by Cllr. F. Browne

A vote was taken as follows:-

<i>Members of Carlow County Council</i>	<i>For</i>	<i>Against</i>	<i>Abstain</i>	<i>Absent</i>
<i>Cllr. Michael Abbey</i>	✓			
<i>Cllr. Anne Aherne(Nee Long)</i>	✓			
<i>Cllr. Fergal Browne</i>	✓			
<i>Cllr. Michael Doran</i>	✓			
<i>Cllr. Wayne Fennell</i>	✓			
<i>Cllr. Denis Foley</i>	✓			
<i>Cllr. Fred Hunter</i>	✓			
<i>Cllr. Des Hurley</i>		✓		
<i>Cllr. Thomas Kinsella</i>	✓			
<i>Cllr. Walter Lacey</i>	✓			
<i>Cllr. Arthur McDonald</i>	✓			
<i>Cllr. Jennifer Murnane-O'Connor</i>	✓			
<i>Cllr. Charlie Murphy</i>	✓			
<i>Cllr. John Murphy</i>	✓			
<i>Cllr. Tom O'Neill</i>	✓			
<i>Cllr. Pat O'Toole</i>	✓			
<i>Cllr. William Paton</i>	✓			
<i>Cllr. John Pender</i>			✓	
<i>Cllr. William Quinn</i>	✓			
<i>Cllr. Caroline Townsend</i>		✓		
<i>Cllr. Jim Townsend</i>		✓		

The vote resulted as follows: 17 for, 3 against, 1 abstention, 0 absent

The motion was carried

Mapped Amendment 26: Lands on the Kilkenny Road, Carlow

County Manager's recommendation:

Mapped Amendment 26 is omitted

Following a discussion on the recommendation proposed in the Manager's Report the following was

Proposed by Cllr. W. Lacey

Seconded by Cllr. T. O'Neill:

That the lands remain zoned as Enterprise and Employment

A vote was taken as follows:-

<i>Members of Carlow County Council</i>	<i>For</i>	<i>Against</i>	<i>Abstain</i>	<i>Absent</i>
<i>Cllr. Michael Abbey</i>	✓			
<i>Cllr. Anne Aherne(Nee Long)</i>	✓			
<i>Cllr. Fergal Browne</i>	✓			
<i>Cllr. Michael Doran</i>	✓			
<i>Cllr. Wayne Fennell</i>	✓			
<i>Cllr. Denis Foley</i>	✓			
<i>Cllr. Fred Hunter</i>	✓			
<i>Cllr. Des Hurley</i>				✓
<i>Cllr. Thomas Kinsella</i>	✓			
<i>Cllr. Walter Lacey</i>	✓			
<i>Cllr. Arthur McDonald</i>	✓			
<i>Cllr. Jennifer Murnane-O'Connor</i>	✓			
<i>Cllr. Charlie Murphy</i>	✓			
<i>Cllr. John Murphy</i>	✓			
<i>Cllr. Tom O'Neill</i>	✓			
<i>Cllr. Pat O'Toole</i>	✓			
<i>Cllr. William Paton</i>	✓			
<i>Cllr. John Pender</i>	✓			
<i>Cllr. William Quinn</i>	✓			

<i>Cllr. Caroline Townsend</i>	✓			
<i>Cllr. Jim Townsend</i>	✓			

The vote resulted as follows: 20 for, 0 against, 0 abstention, 1 absent

The motion was carried

Mapped Amendment 23: Lands at Castle Oaks, Dublin Road, Carlow

County Manager's recommendation:

Mapped amendment 23 be included but modified to include a symbol on the zoning maps and related text to legend which requires a site specific Flood Risk Assessment to be undertaken and development may only take place on the site if the site specific FRA finds the site or relevant parts of the site thereof is not at risk of flooding and that flood zone A can be amended to exclude the site or parts thereof. And that the above requirements for site specific FRA on the site shall be written in to the text of the plan

Proposed by Cllr. T. Kinsella

Seconded by Cllr. M. Doran

A vote was taken as follows:-

<i>Members of Carlow County Council</i>	<i>For</i>	<i>Against</i>	<i>Abstain</i>	<i>Absent</i>
<i>Cllr. Michael Abbey</i>	✓			
<i>Cllr. Anne Aherne(Nee Long)</i>	✓			
<i>Cllr. Fergal Browne</i>				✓
<i>Cllr. Michael Doran</i>	✓			
<i>Cllr. Wayne Fennell</i>	✓			
<i>Cllr. Denis Foley</i>	✓			
<i>Cllr. Fred Hunter</i>	✓			
<i>Cllr. Des Hurley</i>				✓
<i>Cllr. Thomas Kinsella</i>	✓			
<i>Cllr. Walter Lacey</i>	✓			
<i>Cllr. Arthur McDonald</i>	✓			
<i>Cllr. Jennifer Murnane-O'Connor</i>	✓			
<i>Cllr. Charlie Murphy</i>	✓			

<i>Cllr. John Murphy</i>	✓			
<i>Cllr. Tom O'Neill</i>	✓			
<i>Cllr. Pat O'Toole</i>	✓			
<i>Cllr. William Paton</i>	✓			
<i>Cllr. John Pender</i>	✓			
<i>Cllr. William Quinn</i>	✓			
<i>Cllr. Caroline Townsend</i>	✓			
<i>Cllr. Jim Townsend</i>	✓			

The vote resulted as follows: 19 for, 0 against, 0 abstention, 2 absent

The motion was carried

Amendment T: Neighbourhood Centre Zoning

County Manager's recommendation:

Recommends a provision for a 500 sq m cap on single retail units in the neighbourhood centre zoning

Following a discussion on the recommendation proposed in the Manager's Report the following was

Proposed by Cllr. W. Paton

Seconded by Cllr. W. Quinn:

Omission of Amendment T and reliance on the definition of a Neighbourhood Centre in the Retail Planning Guidelines 2012 only

A vote was taken as follows:-

<i>Members of Carlow County Council</i>	<i>For</i>	<i>Against</i>	<i>Abstain</i>	<i>Absent</i>
<i>Cllr. Michael Abbey</i>	✓			
<i>Cllr. Anne Aherne(Nee Long)</i>		✓		
<i>Cllr. Fergal Browne</i>			✓	
<i>Cllr. Michael Doran</i>	✓			
<i>Cllr. Wayne Fennell</i>			✓	
<i>Cllr. Denis Foley</i>	✓			
<i>Cllr. Fred Hunter</i>	✓			
<i>Cllr. Des Hurley</i>				✓
<i>Cllr. Thomas Kinsella</i>	✓			

<i>Cllr. Walter Lacey</i>		✓		
<i>Cllr. Arthur McDonald</i>	✓			
<i>Cllr. Jennifer Murnane-O'Connor</i>		✓		
<i>Cllr. Charlie Murphy</i>	✓			
<i>Cllr. John Murphy</i>	✓			
<i>Cllr. Tom O'Neill</i>	✓			
<i>Cllr. Pat O'Toole</i>	✓			
<i>Cllr. William Paton</i>	✓			
<i>Cllr. John Pender</i>	✓			
<i>Cllr. William Quinn</i>	✓			
<i>Cllr. Caroline Townsend</i>	✓			
<i>Cllr. Jim Townsend</i>	✓			

The vote resulted as follows: 15 for, 3 against, 2 abstentions, 1 absent

The motion was carried

Mapped Amendment 11: Lands at Kernanstown/Local Shop cap in Enterprise and Employment zoning category

County Manager's recommendation:

Recommend Mapped Amendment 11 be rezoned from Industrial to Enterprise and Employment and cap of 150sq m for local shop is included in this zoning category

**Proposed by Cllr. W. Lacey
Seconded by Cllr. M. Abbey**

A vote was taken as follows:-

Members of Carlow County Council	For	Against	Abstain	Absent
<i>Cllr. Michael Abbey</i>	✓			
<i>Cllr. Anne Aherne(Nee Long)</i>			✓	
<i>Cllr. Fergal Browne</i>			✓	
<i>Cllr. Michael Doran</i>	✓			
<i>Cllr. Wayne Fennell</i>			✓	
<i>Cllr. Denis Foley</i>	✓			
<i>Cllr. Fred Hunter</i>	✓			
<i>Cllr. Des Hurley</i>				✓

<i>Cllr. Thomas Kinsella</i>	✓			
<i>Cllr. Walter Lacey</i>	✓			
<i>Cllr. Arthur McDonald</i>	✓			
<i>Cllr. Jennifer Murnane-O'Connor</i>			✓	
<i>Cllr. Charlie Murphy</i>	✓			
<i>Cllr. John Murphy</i>	✓			
<i>Cllr. Tom O'Neill</i>	✓			
<i>Cllr. Pat O'Toole</i>	✓			
<i>Cllr. William Paton</i>				✓
<i>Cllr. John Pender</i>	✓			
<i>Cllr. William Quinn</i>	✓			
<i>Cllr. Caroline Townsend</i>	✓			
<i>Cllr. Jim Townsend</i>	✓			

The vote resulted as follows: 15 for, 0 against, 4 abstentions, 2 absent

The motion was carried

Mapped Amendment 21: Lands on Kilkenny Road, Carlow

County Manager's recommendation:

Amendment R is recommended for inclusion, including the term "ancillary only" in relation to residential uses within the resort zoning

Proposed by Cllr. W. Quinn

Seconded by Cllr. W. Paton

A vote was taken as follows:-

Members of Carlow County Council	For	Against	Abstain	Absent
<i>Cllr. Michael Abbey</i>	✓			
<i>Cllr. Anne Aherne(Nee Long)</i>	✓			
<i>Cllr. Fergal Browne</i>			✓	
<i>Cllr. Michael Doran</i>	✓			
<i>Cllr. Wayne Fennell</i>	✓			
<i>Cllr. Denis Foley</i>				✓
<i>Cllr. Fred Hunter</i>	✓			
<i>Cllr. Des Hurley</i>				✓

<i>Cllr. Thomas Kinsella</i>	✓			
<i>Cllr. Walter Lacey</i>	✓			
<i>Cllr. Arthur McDonald</i>	✓			
<i>Cllr. Jennifer Murnane-O'Connor</i>			✓	
<i>Cllr. Charlie Murphy</i>	✓			
<i>Cllr. John Murphy</i>	✓			
<i>Cllr. Tom O'Neill</i>	✓			
<i>Cllr. Pat O'Toole</i>	✓			
<i>Cllr. William Paton</i>	✓			
<i>Cllr. John Pender</i>		✓		
<i>Cllr. William Quinn</i>	✓			
<i>Cllr. Caroline Townsend</i>	✓			
<i>Cllr. Jim Townsend</i>			✓	

The vote resulted as follows: 15 for, 1 against, 3 abstentions, 2 absent

The motion was carried

Making the Carlow Town Environs Local Area Plan 2012-2018

Pursuant to section 20(3) of the Planning and Development Act 2000-2010, having considered the Proposed Amendments (also known as Material Alterations) to the Draft Carlow Town Environs Local Area Plan 2012-2018 (including the Draft Environmental Report, Appropriate Assessment and Strategic Flood Risk Assessment) and related Managers' Report, the members of Carlow County Council hereby resolve to make the Carlow Town Environs Local Area Plan 2012-2018, including all the Proposed Amendments that relate to their functional area, save where specific Amendments were omitted and/or modified by resolution.

Proposed by Cllr. F. Browne

Seconded by Cllr. A. Ahern

A vote was taken as follows:-

Members of Carlow County Council	For	Against	Abstain	Absent
<i>Cllr. Michael Abbey</i>	✓			
<i>Cllr. Anne Aherne(Nee Long)</i>	✓			
<i>Cllr. Fergal Browne</i>	✓			
<i>Cllr. Michael Doran</i>	✓			

<i>Cllr. Wayne Fennell</i>	✓			
<i>Cllr. Denis Foley</i>				✓
<i>Cllr. Fred Hunter</i>	✓			
<i>Cllr. Des Hurley</i>				✓
<i>Cllr. Thomas Kinsella</i>	✓			
<i>Cllr. Walter Lacey</i>	✓			
<i>Cllr. Arthur McDonald</i>	✓			
<i>Cllr. Jennifer Murnane-O'Connor</i>	✓			
<i>Cllr. Charlie Murphy</i>			✓	
<i>Cllr. John Murphy</i>	✓			
<i>Cllr. Tom O'Neill</i>	✓			
<i>Cllr. Pat O'Toole</i>	✓			
<i>Cllr. William Paton</i>	✓			
<i>Cllr. John Pender</i>	✓			
<i>Cllr. William Quinn</i>	✓			
<i>Cllr. Caroline Townsend</i>	✓			
<i>Cllr. Jim Townsend</i>	✓			

The vote resulted as follows: 18 for, 0 against, 1 abstention, 2 absent

The motion was carried

PRESENTATION - THE GATHERING

Ms Eileen O'Rourke, Chief Executive Officer of Carlow Tourism and County Gathering Coordinator gave a very informative presentation to Members on 'The Gathering' 2013.

'The Gathering', an initiative launched by the Minister for Transport, Tourism and Sport aims to be the biggest tourism event held in Ireland, bringing in 325,000 new tourists to Ireland in 2013. The Gathering Ireland 2013 is about the people of Ireland inviting anyone with a connection to our country to come and visit in 2013. The planning of many local gatherings are being organised by schools and colleges, special interest clubs, groups of relatives and businesses. In addition to the local gatherings, these gatherings will be supported by festivals in 2013.

Members thanked Ms. O'Rourke for her excellent presentation and her work for Carlow Tourism.

Ms. O'Rourke thanked Management Team and Members for their support and commitment to Carlow Tourism.

Queries raised by Members were addressed by Ms. O'Rourke.

Councillor Paton raised issue of Carlow not being updated on the online 1911 census records genealogy website.

The County Manager advised in respect of same.

4. FINANCE & INFORMATION TECHNOLOGY

(a) Local Government Fund – General Purposes Allocations 2012 Household Charge 2012

Members had report from County Manager on Local Government Fund – General Purpose Allocations 2012 Household Charge 2012 and circular *Fin11/2012* which revises the position outlined in September *Circular Fin 09/2012*.

Under the new criteria the Council's 2012 Local Government Fund allocation has been reduced by € 246,235. In addition should the Council not reach a collection rate exceeding 65% of the Household Charge a further penalty will be applied. *(If the collection rate is less than 60% - 1% of the Local Government Fund and between 60% & 65% - 0.5% of the Local Government Fund)* The current collection rate in Carlow is € 61%. The following table sets out revised schedule of savings.

Savings in Service Costs					
SVC	DESCRIPTION	INITIAL SAVINGS IN SERVICE COSTS	REVISED SAVINGS IN SERVICE COSTS	SERVICE BUDGET 2012	%
A01	MAINTENANCE & IMPROVEMENT OF LA HOUSING UNITS	10,000	3,000	765,500	0%
A09	HOUSING GRANTS	15,000	4,500	382,200	1%
B04	LOCAL ROAD - MAINTENANCE AND IMPROVEMENT (local contribution)	82,000	24,600	786,000	3%
C02	WASTE WATER TREATMENT	23,000	17,250	2,970,480	1%
D04	INDUSTRIAL & COMMERCIAL FACILITIES	10,000	7,500	171,000	4%
D06	COMMUNITY AND ENTERPRISE FUNCTION	5,500	1,650	361,650	0%
E02	RECOVERY & RECYCLING FACILITIES OPERATIONS	30,000	22,500	332,700	7%
E06	STREET CLEANING	32,800	11,415	184,500	6%
E09	MAINTENANCE OF BURIAL GROUNDS	20,200	6,060	84,000	7%
E11	OPERATION OF FIRE SERVICE	58,500	43,875	2,250,900	2%
F01	LEISURE FACILITIES OPERATIONS	6,000	1,800	37,400	5%
F02	OPERATION OF LIBRARY AND ARCHIVAL SERVICE	18,700	14,025	971,050	1%
F03	OUTDOOR LEISURE AREAS OPERATIONS	25,000	12,000	362,950	3%
F05	OPERATION OF ARTS PROGRAMME	2,000	600	527,300	0%

H09	LOCAL REPRESENTATION & CIVIC LEADERSHIP	7,800	7,800	742,720	1%
H10	MOTOR TAXATION	4,300	4,300	399,100	1%
J02	GENERAL CORPORATE SERVICES	2,800	2,800	836,000	0%
J03	INFORMATION & COMMUNICATION TECHNOLOGY	7,000	7,000	921,900	1%
J04	PRINT & POST ROOM SERVICES	13,200	13,200	85,000	16%
J05	HUMAN RESOURCES FUNCTION	5,000	5,000	390,630	1%

Members queried if Carlow County Council would take the household charge payment, if outstanding, from people who are due grants or other payments from the Local Authority. The County Manager advised that no directive has been received on this matter but would examine the issue.

Issues raised by Members were addressed by County Manager and Mr. Delaney.

5. COMMUNITY & ENTERPRISE & ECONOMIC DEVELOPMENT & CORPORATE SERVICES

(a) Agriculture

Councillor McDonald advised of IFA protest in Dublin on 9th October over CAP reforms and budget cuts.

Councillor McDonald also raised issue of dogs attacking sheep and pleaded with pet owners to keep their dogs under control.

(b) Health

The following issues were raised by Members

- Mental Health Week commencing 8th October
- Location of Primary Care Centres in County Carlow. Bagenalstown not included as a location.

(c) Tenders for opening, if any

Members noted tenders opened since last meeting.

Members queried the variable price range of tenders received.

Mr Brophy advised that all contractors receive the same tendering documentation.

6. ENVIRONMENT, WATER SERVICES & HEALTH & SAFETY

(a) Water and Environment Services Progress Report

Members welcomed progress report for the period to the end of October 2012 from Mr. J. Carley, Director of Services.

The report outlined the large scale investment in water and sewerage networks with funding provided under the Water Services Investment Programme 2010 to 2012, Rural Water Funding and Local Matching Funding.

The report also covered Waste Management Facilities, River Basin Management Plan, Water Metering Project, Remedial Action Lists, Water Conservation and Regulations and Enforcements.

Other activities covered included Health and Safety, Promotion of Environmental Awareness, Energy Management and Veterinary Service.

Members raised the following issues:-

- Members complimented the road reinstatement works and green areas following Carlow Main Drainage Works and sought update on flood relief works at Pembroke.
- Registration of septic tanks
- Flood relief Tullow
- Extension of Bilboa Waste Water Treatment Plant
- Reopening of Powerstown Landfill and removal of road signage re N9 at landfill.
- Members had for their consideration breakdown of expenditure on Borris Fair for 2012. Members raised issue of expenditure on Borris Fair much greater than monetary assistance given to Tullow Show.
- Members welcomed funding for leak detection under Water Conservation Project.
- Water supply Graiguecullen. New reservoir Graiguecullen –pump malfunction
- Scrap cars
- Energy Management Programme

Queries raised by Members were addressed by Mr. Carley.

Extension of time

Suspension of Standing Orders

**Proposed by Councillor W. Paton
Seconded by Councillor A. Ahern
And unanimously agreed**

“that we, the Members of Carlow County Council hereby agree to the suspension of that part of Standing Orders of Carlow County Council to facilitate the Meeting to 5.45p.m.

7. CORRESPONDENCE

Members noted resolution from Monaghan Town Council

(a) “That Monaghan Town Council calls for the immediate release of Gerry McGeogh, Marion Price and Martin Corey. Everyone is entitled to due process and these Irish citizens have been denied this. Their continued detention without trial is an infringement of their human rights and clearly undermines the justice system on this island. Their imprisonment is unjust and is in defiance of rulings by the Courts in both cases. Both have been granted bail by the Courts and yet remain in prison.”

(b) “This this Council call on the Minister for Finance to rescind his decision to withdraw tax relief for first time buyers from January 2013.”

(c) “Write to the Minister for the Environment regarding his proposal to change the rules that cars over 10 years old would have to be tested every year instead of the present 2 years.

Members noted Email from Paddy Phelan, Manager of Carlow Kilkenny Energy Agency, requesting opportunity to present to Councillors at the November meeting of Council.

Members noted Email from Fiona Cunnane of Carlow Volunteer Centre, requesting opportunity to present to Councillors at a upcoming meeting of Council.

Members noted resolution from Leitrim County Council

“that Leitrim County Council call on the Minister for Finance to consider meaningful changes to the car registration system for the 2013 year to ensure that the Motor Industry can avoid any further losses of jobs

through poor car sales. The current system requires change as the 13 County Plate will have negative implications for many potential buyers. Finally we call on the Minister to consider introducing a 'cherished number plate system' which has the potential to raise significant revenue without affecting ordinary motorists. I ask that this motion be circulated to all local authorities."

Members had for their consideration copy of letter from Dept of Agriculture, Food and the Marine to S. O'Connor, Director of Services in relation to application under the NeighbourWood Scheme in respect of a development at Oakpark, Carlow.

(8) Any other business with the consent of the Cathaoirleach.

The Chairman advised of three applications to address Council at upcoming Meetings.

Following discussion the following was unanimously agreed.

November 2012 - Special Olympics Leinster

December 2012 - Carlow Volunteer Centre

January 2013 - Carlow Kilkenny Energy Agency

It was agreed that going forward all presentations to Members will be at 3.45pm.

Councillor McDonald raised issue in relation to repairs to Local Authority Housing. The County Manager advised that the Tenancy Agreement sets out responsibilities for repairs and maintenance. A report will be prepared for next meeting of Council.

Councillor McDonald also raised issue of expenditure savings of €2,800 in relation to Muinebheag Town Council

This concluded the business of the meeting.