

CARLOW COUNTY COUNCIL

**Minutes of the April Monthly Meeting of Carlow County Council,
held in The Council Chamber, County Offices, Athy Road,
Carlow, on Monday,
16th April 2012 at 2.00 p.m**

Present: Councillor T. Kinsella, Cathaoirleach
Councillor M. Abbey,
Councillor A. Ahern (Nee Long)
Councillor F. Browne
Councillor M. Doran
Councillor W. Fennell,
Councillor D. Foley,
Councillor F. Hunter
Councillor D. Hurley
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. D. McInerney, Director of Services
Transportation & Safety & Emergency Services.

Mr. S. O'Connor, Director of Services - Housing,
Recreation & Amenity & Special Project
Mr. T. Butler, Senior Executive Officer, Housing
Mr. E. Brophy, Senior Executive Officer, Corporate
Services.
Ms. B. Whelan, Assistant Staff Officer, Corporate
Services.

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 Mary Ellen Carey, Old Leighlin, Carlow
- The Family of the late Jack Carroll, Killedmond, Borris
- Tom Dooley, Raheendoran on the death of his brother Michael
- The Family of the late Bobby Kearns, 24 McGamhna Road, Carlow
- The Family of the late Jim Nolan(storyteller), Ballinrush, Myshall
- The Family of the late Eddie Kennedy, Kyle Park, Tinryland
- The Family of Alan Cahill (nephew of Pdraig Cahill, Senior Executive Technician) missing following the fatal yacht race in San Francisco

VOTES OF CONGRATULATIONS

The Members expressed votes of congratulations to:-

- All involved with the official opening of the Museum. Dermot Mulligan, Curator and his staff, Michael Brennan, Town Clerk and Father Cummins, Parish Administrator for allowing formalities take place in Carlow Cathedral.
- Seamus O'Connor and all involved with the launch of 'Industrial Excellence' Celebrating 200 years at McGrath Hall, Muinebheag.
- Brid de Róiste and all involved with the success of the Pan Celtic Festival held in Carlow from 10th to 15th April 2012.

- St Laurence O'Toole athletes on their recent success. Clare Murphy, Grace Lawler and Bobby Crowley at the National Indoor Athletic Championships and Siobhra O'Flaherty and Chloe Nolan at the Phoenix Park Great Ireland Juvenile Run.
- Paddy Looney, Graiguecullen on his excellent work keeping Graiguecullen and environs litter free.
- All involved with the Chairman's reception for the Poor Clare Order on celebrating 800 years
- Carlow Senior Hurlers on their success in the National Hurling League Division 2A Final.
- Rathanna Community Group on their litter picking initiative
- The Cathaoirleach of Carlow Town Council Tom O'Neill for the manner in which he carried out his duties at recent functions.
- Tullow Rugby Club on reaching the Provincial Towns Cup final and wished them well in the Provincial Towns Seconds and Thirds Cup and at u/17 level.

Councillor Quinn thanked the Members and staff for the wonderful reception afforded to Mount Leinster Rangers Hurling Club.

Members expressed disappointment that the official opening of the Museum by Minister Hogan was blighted by anti- household tax protesters. Members also expressed regret that as a result of the protest Scoil Mhuire Gan Smál band could not perform at the opening ceremony.

The County Manager congratulated Members and staff on their excellent work and commitment to Carlow Local Authorities at the various functions held during the previous week.

Councillor Browne proposed the suspension of standing orders to discuss planning issues in Carlow. The proposal was seconded by Councillor Hunter. E. Brophy advised that to suspend standing orders it will be necessary for two-thirds majority to vote in favour of the proposal.

A vote was taken as follows:-

To Suspend Standing Orders

<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 Ahern(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

The motion was defeated

In response to this issue the County Manager advised Members that Carlow is one of 6 Planning Authorities under review. One complaint was made to the Minister in relation to planning matters in Carlow. An independent review and report on Corporate Governance issues within the Planning Department had taken place. In June 2010 The Minister requested report on issues raised and in July 2010 a comprehensive reply was issued.

Councillor Paton requested that the Draft Carlow Town Environs Local Area Plan be circulated to all Members.

CONFIRMATION OF MINUTES

- (c) Proposed by Councillor D. Foley
Seconded by Councillor J. Murnane-O'Connor
AND**

Following a showing of hands it was unanimously resolved:-

“That the Minutes of the Monthly Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Monday, 12th March 2012, at 2.00p.m having been circulated to each Member, be taken as read, confirmed as to accuracy and accordingly signed.

2. CIRCULARS

Members noted Circular Letter F 03/12 from Department of Environment, Community and Local Government on the European Union (Citizen’s Initiative) Regulations 2012. This Initiative comes into operation in the European Union on 1st April 2012.

In the case of Ireland if organisers select Ireland as one of the states to fulfill requirement of 1 million statements of support it would mean 9,000 signatories.

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

- (a) Approval of Draft Annual Report 2011**

The Members had for their consideration 2011 Draft Annual Report of the Carlow Local Authorities, in accordance with Section 221 (1) (a) of the Local Government Act, 2001. E. Brophy advised that observations or comments relating thereto must be submitted to him by 30th April, 2012.

- Proposed by Councillor A. Ahern-Nee Long
Seconded by Councillor T. O’Neill
AND**

Following a showing of hands it was unanimously resolved:-

“that we, the Members of Carlow County Council hereby approve the adoption of the Draft Annual Report 2011 in accordance with Section 221 (1) (a) of the Local Government Act 2001.”

**(b) Proposed by Councillor J. Townsend
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 lease of 23, Gort na Greine, Ballinabrannagh, to Cluid Housing Association, 37 Killarney Street, Dublin 1, in consideration of the sum of €10.00 per annum in accordance with the terms of statutory notice already circulated”.

(c) Proposed taking in charge of Forge Meadows, Carlow Road, Ballon, Co. Carlow

Mr. McInerney advised of the proposal to advertise the Council’s intention to take in charge Forge Meadows Housing Development, Carlow Road, Ballon.

Members’ approval was sought to the advertisement to enable the taking- in- charge procedure commence. The advertisement will be placed in the Nationalist and Leinster Times on the 24th April, 2012.

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

Following a showing of hands it was unanimously resolved:-
“That we, the Members of Carlow County Council hereby approve the proposed advertisement to enable the taking-in-charge procedure commence of Forge Meadows Housing Development, Carlow Road, Ballon in accordance with S11 of the Roads Act, 1993, and S180 of the Planning and Development Act, 2000-2010”.

A discussion took place in relation to housing estates where Developer is no longer involved and where bonds have expired. The County Manager advised there are fourteen unfinished estates in County Carlow. The unfinished estates have been classified into categories by the Department and funding for Health and Safety works have been made available to Local Authorities. He advised that Carlow Local Authorities is active in this area and working through issues with unfinished estates.

4. ENVIRONMENT, WATER SERVICES & HEALTH & SAFETY

(a) Rural Water Programme – Block Grant Allocations 2012

Members noted Rural Block Grant Allocations for 2012. The allocation for 2012 is €544,000 compared to €1,404,000 in 2011. The South Leinster DBO Project is now complete resulting in a reduction in funding €545,000 from 2011.

Members raised the following issues:-

- Sewerage Scheme Ballinabranna
- Clonmore - no allocation included for Sewerage Scheme in 2012 Rural Water Programme
- Installation of water meters and costs involved
- Group Sewerage Schemes – grant aid from Department needs to be increased
- Drinking water compliance – level of fluoride in water
- Bagenalstown Sewerage Network Improvement

Queries raised by Members were answered by Mr. Carley.

Members requested that Carlow County Council write to the Minister for the Environment, Community and Local Government requesting information on when and how water metering project and water charges are going to be implemented.

Members also requested that Carlow County Council write to the Minister in relation to increased grant aid for Group Sewerage Schemes.

6. COMMUNITY & ENTERPRISE & ECONOMIC DEVELOPMENT & CORPORATE SERVICES

(a) Community Environmental Grants

Members had for consideration schedule of grants under the Community Environmental Grant Scheme 2012. A total of 83 applications were received from Community/Residents Associations and 13 applications between schools and burial grounds throughout the county.

Proposed by Councillor M. Abbey
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 approve the Schedule of Community Environmental Grants Scheme 2012 as set out”.

(b) Carlow’s Pride of Place Update

Members had report from Ms. B. O’Brien on Carlow Local Authorities Pride of Place 2012.

Three new categories have been introduced this year- Colour me Beautiful, Operation Transformation and Penny Pinchers. There is also a new litter competition “Aunty Litter” is on the march in 2012 to stamp out litter on our streets and towns.

The closing date for receipt of entries is Friday 25th May 2012 with the competition running from June to August.

(c) Sports Capital Fund 2012

Members had for their information details of Sports Capital Fund 2012. The funding is for developing sports facilities and purchasing sports equipment.

Applications made on line and those made in Irish must reach the Department by 5pm Friday 1st June and paper based applications by Friday 11th May 2012.

(d) ConnectIreland – succeed in Ireland

Members had report from Ms. B. O’Brien on the Government’s 2012 Action Plan for jobs. The initiative is designed to attract more foreign direct investment to Ireland using world wide connections and the Irish community living abroad. Ireland is capitalizing on its worldwide network and strong Diaspora. The initiative is being delivered by Connect Ireland who gave a briefing to Members.

(e) Agriculture

There were no matters arising.

(f) Health

Members raised the following issues:-

- Management structure within the HSE totally unsatisfactory
- Centralisation of medical cards – causing problems with backlog of applications.
- The Department of Health's proposal to weigh children may cause complex issues for children. Carlow County Council to write to Department expressing Members concerns.
- Dog fouling. Dog fouling programme being prepared for Carlow Town needs to be extended to County.
- Members requested that Carlow County Council send letter of support to South Tipperary County Council in relation to resolution on underage drinking. Members also expressed their anger at behaviour of some people during St. Patrick's Day festivities in Carlow Town with foam spraying on walls and streets.

(g) Tenders for opening, if any

Members noted tenders opened since last meeting.

5. HOUSING, RECREATION & AMENITY & SPECIAL PROJECTS

(a) Update on Duckett's Grove

Members had report from Mr. S. O'Connor, Director of Services on Duckett's Grove.

The gardens are being maintained under the stewardship of James Grogan, Horticulturist and overseer. Carlow County Development Partnership has invested substantially in the provision of craft workshops, exhibition and catering areas. Mr. O'Connor advised that their participation represents an excellent opportunity for the future of the Castle and its grounds.

(b) Housing Progress Report

Members welcomed Housing Progress Report to 31st March 2012. The Report highlighted activities in the following areas.

- Housing Capital Programme

- IWILS and Extensions and Re-lets
- Part V
- Housing Needs Assessment
- Notice to Quit
- Affordable Housing
- Housing Grants
- Housing Loans and Tenant Purchase
- RAS (Rental Accommodation Scheme)
- Homelessness
- Traveller Accommodation
- Strategic Policy Committee

The 2012 Capital Allocation of €2,365,849 represents a 20% reduction on 2011 allocation.

There are currently 3 proposed schemes in the County;-
13 units Muinebheag, 8 units Borris and 5 apartments Maryborough Street.

An amount of €1.4m has been allocated in respect of CAS schemes.

New proposed projects include;-

Leighlinbridge voluntary housing scheme for the elderly - 15 units Tintean, Blackbog Road – design and costs awaited from Tintean.

Respond are proposing to lease 55 homes in Tullow for social housing – negotiations are ongoing with the Department.

Carlow Local Authorities are currently awaiting local allocation for 2012 in respect of Traveller Accommodation.

Members raised issue in relation to horses and poultry in housing estates.

There has been little taken up by private landlords in the social leasing programme. RAS remains a viable option for long-term rent supplement recipients. The transfer of the administration of the rent supplement function to Local Authorities is expected to be implemented by 1st January 2013.

An allocation of €110,000 for Improvement Works in lieu, extensions and disability works on Local Authority stock will be insufficient to cater for demand and additional funds have been sought from Department.

An amount of €155,000 has been allocated for energy efficiency works to improve social housing stock in 2012. A grant of up to 90% of cost to a maximum of €15,000 is available for vacant properties prior to re-letting.

A review of Part V agreements is underway by the Department.

Carlow Local Authorities are currently undertaking a complete Housing Needs Assessment. The current numbers on the list is 835. It is expected that this will rise to in the region of 1,400 once all those on rent supplement re-apply for housing.

Members noted legal implications in relation to Notice to Quit. In cases where there is a factual dispute the issue of the notice to quit is not appropriate.

There is one affordable housing on hand and it is proposed to lease the dwelling. Members' approval was sought to the leasing of this property at Ballinabrannagh.

Proposed by Councillor A. McDonald

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 the leasing of affordable house at Ballinabrannagh, Carlow”

It is proposed to purchase a further 6 included in Part V agreements and these will be similarly leased.

Housing Grant allocation of €1,349,000 was received for 2012. Members expressed concern that the Council will not be in a position to approve Priority 2 and 3 Housing Aid for Older People Grants in 2012. This matter will be reviewed in early 2013.

A new fixed term Tenant Purchase Scheme was adopted in April 2011 and eight sales have been completed to 31st December 2011.

The report also covered the position with regard to RAS to 31st December 2011.

Homelessness – St Vincent de Paul, Carlow will continue as the existing service provider.

Traveller Accommodation – The review of the Traveller Accommodation Programme 2009-2013 is complete and does not recommend amendments to the programme. There has been an increase in traveller numbers from 1998-2011.

The report covered issues discussed at the Housing and Social Strategic Policy Committee meetings in 2011.

Members also raised the following issues:-

- Affordable housing Limegrove
- Storage heating causing condensation in Local Authority housing
- The need for annual rent reviews
- Insurance on Local Authority Housing stock
- Notice to Quit, anti social behaviour and vetting of tenants
- Apartments Bagenalstown
- Points system for housing applicants and waiting time for interviews.

Queries raised were answered in detail by Mr O'Connor and Mr. Butler.

(c) Recreation & Amenity Progress Report

Members welcomed report on Recreation and Amenity for 2012 to date. Members noted the progress of the following projects.

1. Ducketts Grove Walled Gardens
2. Oak Park Forest Walk
3. Carlow Walkways
4. Sports Hall Muinebheag
5. Tullow Town Park
6. Muinebheag Town Park
7. River Barrow
10. Borris Country Fair

A discussion took place in relation to future plans for Ducketts Grove.

Mr. O'Connor advised that Carlow County Council supports the maintenance of the Castle with limited funding. Carlow County Development Partnership has invested substantially in the provision of craft workshops, exhibition and catering areas and their participation represents an excellent opportunity for the future of the castle and its grounds. Members raised the issue of special exhibition/historical room to commemorate the Duckett Family. Members also raised the issue of funding to preserve and safeguard the structure of The Towers. Mr. O'Connor advised that negotiations have taken place in relation to the purchase of the Towers but was unsuccessful. The County Manager advised that other sources of funding have also been examined. The issue of funding will continue to be addressed.

Councillor O'Toole raised the issue of funding for the annual Tullow Show and requested that other shows/fairs proposed for County Carlow during summer of 2012 do not coincide with the dates for the Tullow Show.

PRESENTATION CONNECTIRELAND

The Cathaoirleach welcomed Ms Orla Nolan from ConnectIreland to the chamber. Ms Nolan gave an informative presentation to Members on ConnectIreland initiative. The initiative is designed to create jobs by attracting more foreign direct investment to Ireland using world wide connections and the Irish community living abroad.

The Connector will receive a minimum of €1,500 per job (to a maximum of 100 jobs) subject to certain terms and conditions.

Members welcomed the initiative and pledged their support.

Members thanked Ms. Nolan for her presentation and queries raised by Members were answered by Ms. Nolan.

Suspension of Standing Orders

Proposed by Councillor M. Doran

Seconded by Councillor W. Lacey

To suspend that part of standing orders to facilitate the continuation of the meeting to 6.00p.m.

PRESENTATION BY JAMES GROGAN, HORTICULTURALIST DUCKETTS GROVE

The Cathaoirleach welcomed Mr James Grogan, Horticulturalist and General Services Supervisor to the meeting to address Members in relation to Duckett's Grove and the restoration of the gardens and the provision of amenities. Mr. Grogan advised that the maintenance of the gardens is possible through limited funding from Carlow County Council and assistance from County Carlow Development Partnership. Members had chart outlining visitor numbers to Ducketts Grove between March 2011 and April 2012. A cumulative total of 56,799 visitors were recorded.

Mr. Grogan outlined future plans with the provision of café facility, footpaths, lighting, playground area and exhibition space culminating in the opening of the area to guided tours.

Members welcomed the progress to date and thanked Mr. Grogan for his presentation.

Queries raised by Members were answered by Mr. Grogan.

PRESENTATION BY County Carlow Development Partnership (CCDP) – Ducketts Grove

The Cathaoirleach welcomed Ms. Edel Galvin from CCDP to the Chamber. Ms Galvin gave a presentation to Members on the investment CCDP have made in Ducketts Grove with the leasing of the courtyard area. The provision of craft workshops, exhibition and catering areas have proved worthwhile investments and will be open for business during 2012. Tendering for a café is at an advanced stage and will initially open at weekends.

Ms Galvin advised Members of further expansion plans to accommodate customers and visitors needs.

Members suggested opening Ducketts Grove to exclusive weddings a couple of times a year and a brochure linking Ducketts Grove with other noted landmarks in County Carlow.

Members thanked Ms Galvin for her presentation and queries raised by Members were address by Ms Galvin.

7. TRANSPORTATION & EMERGENCY SERVICES

- (a) Draft National Policy for an Integrated Approach to Efficient Fire Safety in Ireland – “Keeping Communities Safe.”**

This item was deferred to the May meeting of Council.

8. CORRESPONDENCE

Members noted resolution from South Tipperary County Council

“That South Tipperary County Council write to the Minister of State for primary care Roisín Shortall asking her to prioritise the government proposals to adopt a public health act that will end the scourge of underage drinking and that South Tipperary County Council would ask the government to impose a minimum cost price that alcohol can be sold for to aid attempts to stop the abuse of alcohol by certain sections of society.

Members noted resolution from North Tipperary County Council

“North Tipperary County Council calls on Minister Shatter to roll out a National Programme of Restorative Justice expanding the work currently taking place in the Nenagh and Tallaght projects. The existing adult projects provide an alternative method of dealing with certain categories of offences and offenders and have proven results in terms of cost effectiveness and rates of reoffending.”

Members noted Thank You card from Bridie Murphy

wife of the late Peter Murphy, formerly of Clonegal, Co. Carlow.

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

There was no further business arising.

This concluded the business of the meeting.