

## **CARLOW COUNTY COUNCIL**

**Minutes of the December Monthly Meeting of Carlow County Council, held in The Council Chamber, County Offices, Athy Road, Carlow, on Monday 10th December 2012 at 2.00 p.m**

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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  
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. J. Carley, Director of Service - Environment, Water Services & Health and Safety.  
Mr. D. McInerney, Director of Services Transportation & Safety & Emergency Services.  
Mr. D. Walsh, Senior Planner  
Ms. F. O'Neill, Senior Executive Officer, Planning.

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

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

### **OPENING PRAYER**

The opening prayer was recited in Irish by the Members.

### **VOTES OF SYMPATHY**

The Members expressed votes of sympathy to:

- Thomasina Hickson, Corporate Services, on the death of her mother Delma Byrne, St. Killian's Crescent.
- Tom Byrne, Bagenalstown Area Office, on the death of his mother Elizabeth Byrne, Coolnakisha, Leighlinbridge.
- Mary Treacy & Family, Knocklonegad, Garryhill, Fenagh on the death of her husband Michael.
- Irene Treacy & Family, Pairc Mhuire, Bagenalstown on the death of her husband William.
- John Lohan & Family, 52, Pairc Mhuire, Bagenalstown on the death of his sister Margaret Lohan, Ballinasloe.
- Peg Furey & Family, 22, Hillview Drive, Rathnapish on the death of her husband P.J. (Pat).
- Micheál and Pat Deering on the death of wife and mother Elizabeth Deering, Ballybit, Rathvilly.

### **VOTES OF CONGRATULATIONS**

The Members expressed votes of congratulations to:-

- Myshall Camogie on winning the All Ireland Camogie Junior Club Final. Members made special reference to the Quirke family on their wonderful contribution to Myshall camogie over the years.
- St. Laurence O'Toole Athletic Club on winning Development Club of the Year 2012.
- 'Talk it Over' Family Support Agency on the opening of their new offices at Castlehill, Carlow.
- Éist Carlow Cancer Support Services winners of Carlow Person of the Year Award 2012.
- Fionnuala Britton on winning the European Cross Country Championship.

- All involved with the success of Christmas Fair at Duckett's Grove, Carlow.
- Councillor Charlie Murphy on the birth of his baby daughter Claire.
- Pat Deering T.D on recent announcement by Minister Ring of €372k Sports Capital Grant for Carlow.
- Suzanne Pender, Carlow Nationalist on the birth of her daughter Cliodhna.

Councillor Browne advised of Carlow Cross Country event on 6th January 2013.

## 1. CONFIRMATION OF MINUTES

- (a) Proposed by Councillor A. Ahern  
Seconded by Councillor W. Quinn  
AND**

Following a showing of hands it was unanimously resolved:-

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

- (b) Proposed by Councillor F. Browne  
Seconded by Councillor J. Murnane-O’Connor  
AND**

Following a showing of hands it was unanimously resolved:-

*“That the Minutes of the Special November Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Monday 26th November at 5.00 p.m having been circulated to each Member, be taken as read, confirmed as to accuracy and accordingly signed.*

- (c) Proposed by Councillor M. Doran  
Seconded by Councillor A. Ahern  
AND**

Following a showing of hands it was unanimously resolved:-

*“That the Minutes of the Adjourned Special Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow,*

*on Monday 3rd December at 7.00p.m having been circulated to each Member, be taken as read, confirmed as to accuracy and accordingly signed.*

## **2. CIRCULARS**

### **(a) Circular F 10/12 – Electoral (Amendment) (Political Funding) Act 2012.**

Members noted Circular F 10/12 outlining the changes affecting local authority members, political parties, third parties and local election candidates as a result of amendments introduced by the Electoral (Amendment) (Political Funding) Act 2012 and the implications for Local Authorities.

### **(b) Circular 5/12 Wind down of CDBs**

Members had Circular 5/12 regarding the wind-down of City/County Development Boards.

The County Manager advised of further communication from Department proposing that CDBs continue to operate until SECs are introduced in local authority areas in 2013.

Members paid tribute to the excellent work and achievements of Carlow County Development Board, comprising of representatives of Local Government, Local Development Agencies and Social Partners since its establishment in 2000.

Members raised issue in relation to the role of elected Members on Carlow County Development Board. Members also raised issue of extension of accommodation and parking facilities at County Buildings to accommodate future merger of service delivery.

County Manager also praised the work of Carlow County Development Board and Ms Bernie O'Brien, Director of Services, Community and Enterprise for her role.

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

### **(a) Agree dates for (i) Annual Budget 2013 Meeting**

**Proposed by Councillor W. Lacey  
Seconded by Councillor J. Murphy  
AND**

Following a showing of hands it was unanimously resolved:-

*“that the 2013 Budget Meeting be held on 11th January 2013 at 2p.m with the Pre Budget Meeting at 11.00a.m”*

## **(ii) Annual Budget 2013 Meeting of Burrin Joint Drainage Committee**

Following discussion it was unanimously agreed that the Annual Budget 2013 Meeting of Burrin Joint Drainage Committee be held on 14th December 2012 at 4.30pm.

The County Manager also advised of Corporate Policy Group meeting on Wednesday 19th December 2012 at 4.00pm.

### **(b) Transfer of dwelling at Tomard Upper, Milford Carlow.**

**Proposed by Councillor M. Doran**

**Seconded by Councillor M. Abbey**

**AND**

Following a showing of hands it was unanimously resolved:-

*“That we, the Members of Carlow County Council hereby approve in accordance with Local Government Act 2001 Section 183 (1), Planning & Development Act, 2000 Section 211, the transfer of dwelling at Tomard Upper, Milford, Carlow, to John Maher & Marie Maher, Tomard Upper, Milford, Carlow, in consideration of a nominal sum of €100 in accordance with the terms of the statutory notice already circulated.”*

### **(c) Traffic Bye Laws, Muinebheag Town**

Members welcomed Bye Laws relating to parking in Muinebheag. The Bye Laws restrict parking to a max of 2 hours in the central shopping areas of the Town.

Mr. O' Connor, Director of Services emphasised that parking is free in the Town but requested the co-operation of the public and those working in the Town centre business to adhere to Bye Laws to help shoppers visiting the Town. The Bye Laws will be in operation from Monday to Saturday 8.30am to 6.00pm Mr. O'Connor advised that Gardai will be co-operative with this new arrangement for the Town Centre.

Members raised issue of parking Bye Laws Tullow not working satisfactorily and the need for ticket or warden system to be introduced.

Following discussion it was agreed to monitor the Bye Laws in Bagenalstown for a period of six months. If issues arise within this period the Bye Laws for Tullow and Bagenalstown will be reassessed.

**Proposed by Councillor W. Paton**

**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 Traffic Bye Laws Muinebheag relating to;-*

- *Kilree Street – From the roundabout to the square.*
- *The Market Square – From the church to the credit union.*
- *Main Street*
- *High Street*

*in accordance with Section 36 of the Road Traffic Act 1994.*

*The Bye Laws to be monitored for a period of six months.”*

## **(5) HOUSING, RECREATION & AMENITY & SPECIAL PROJECTS**

### **(a) Oakpark Forest Park – NeighbourWood Scheme**

Members welcomed report from Mr. S. O’Connor on NeighbourWood Scheme, Oakpark Forest Park.

The Grant Scheme designed for forests at urban hinterlands allocated €58,340 for forest renewal works and €69,350 for the provision of a universally accessible playground. Works have been satisfactorily completed. Members complimented Mr. O’Connor on this wonderful initiative. Mr. O’Connor also gave credit to Park Superintendent, Billy Doyle.

The new facilities will be officially opened to the public on Tuesday 18th December, 2012 at 12 noon by Mr. Shane McEntee, Minister for Agriculture, Food and Marine and the Cathaoirleach of Carlow County Council, Councillor Michael Abbey.

Members raised issue of the provision of footpaths and cycle lanes from town out to Oakpark Forest Park.

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

### **3 (d) Section 85 Agreement with Kilkenny County Council - Statutory Food Safety Functions**

Members had report from Mr. J. Carley on Section 85 Motion recommending that Carlow and Kilkenny enter a joint agreement for the provision of all food safety functions.

It is proposed that this agreement remain in place until the conclusion of the current service contract with the Food Safety Authority of Ireland in December 2015 at which time the matter will be reassessed within a shared service model.

**Proposed by Councillor J. Murphy**  
**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 that Carlow County Council enters into an agreement under Section 85 of the Local Government Act, 2001 with Kilkenny County Council to enable it to carry out statutory Food Safety functions on behalf of Carlow County Council in the County of Carlow on a shared service basis.”*

Queries raised by Members were addressed by Mr. Carley.

**4. COMMUNITY & ENTERPRISE & ECONOMIC DEVELOPMENT & CORPORATE SERVICES**

**(a) Entente Florale 2013**

In report from Ms. B. O'Brien Members welcomed the announcement that Clonegal has been nominated by the Department of the Environment, Community and Local Government to represent Ireland in the Village category of the 2013 European Entente Florale Competition. Members wished the community of Clonegal well in the competition and looked forward to them achieving 'gold' standard.

**(b) Agriculture**

Members expressed concern that in Budget 2013 the Suckler Cow Welfare Scheme has been discontinued and the effect budget cuts will have on small farmers.

**(c) Health**

Members raised the following issues:-

- The impact Food Safety Regulations have on clubs and venues with the requirement of a license for the consumption of food brought to venues.
- Realignment of hospital services Carlow/Kilkenny and pairing of hospitals with major Hospitals in Dublin. Members supported the pairing of Carlow/Kilkenny hospitals with major Hospitals in Dublin.

➤ Budget cuts to Home Help and knock on affect for various therapies such as physiotherapy and other peripheral issues.

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

Members noted tenders opened since last Council meeting.

**PRESENTATION BY MAPALERTER**

The Cathaoirleach welcomed Brendan Cunningham, Managing Director of PinPoint Alerts to the Chamber. Also in attendance was E. Lyng, Head of IT and W. Barry, IS Project Leader.

Mr. Cunningham gave a presentation to Members on The MapAlerter system. The system is a free service for people who want to receive important service alerts from their local authority by text message, email, landline and social media, including Facebook and Twitter.

MapAlerter.com is a free multi-channel alert service that allows people to receive alerts from their Local Authority when important events take place in their locality.

These events include major road accidents and incidents, floods, severe weather warnings, water service disruptions, boil water notices, road closures, planning lists, scheduled road works and closures, and community and sporting events.

Mr. Cunningham advised that MapAlerter.com is a very simple and useful communications tool and that the benefits of the system are wide-ranging. With MapAlerter.com you will only ever receive alerts for issues that affect you. You will be allowed to register two locations; Home and Work. When the Council issues an alert for a given location MapAlerter checks to see who is affected. If you live within an affected region then you will receive an alert from a range of channels such as SMS, Email, Landline and Social Media. If you are not within an alert zone then you receive nothing. Mr. Cunningham concluded that this is a free service that is provided by Carlow County Council and MapAlerter.com. This means that there are no registration costs and there are no charges to receive SMS or Emails. Following a question and answer session the Cathaoirleach officially launched the MapAlerter system for Carlow County Council and urged all members of the public to register for this free service.

The Cathaoirleach thanked Mr. Cunningham for his presentation and said it was great for Carlow to be supporting and working with local company PinPoint.



## **(6) PLANNING**

### **(a) Planning Progress Report**

Members had Planning Report for the period 1st January to 30th November 2012.

The report covered the following:-

- (a)** *Development Management*
- (b)** *Enforcement Activities under the Planning and Development Act*
- (c)** *Unfinished Estates*
- (d)** *Economic Development, Planning and Cultural Strategic Policy Committee*
- (e)** *Quarries*
- (f)** *Forward Planning*

Members raised the following issues:-

- Breach of Planning Regulations- the building of wall and walkway linking Sandhills to Browneshill Wood Estate. The County Manager advised that this issue will be examined and any breach of planning regulations will be investigated fully.
- Members raised issues in relation to the following unfinished estates Castlerock Bunclody, Inisgardens, Barrow Lough, LaraghBeg Ballon, Milford Park, Woodglade Fenagh, Slieve Baun Way Myshall, Ashfield Park, Bagenalstown.
- Disused quarry Ballinabranna
- Responsibility for water running off road into low lying houses.
- Protection of payments due to sub –contractors in unfinished estates.

Queries raised by Members were address by County Manager, D. Walsh and F. O'Neill.

## **7. CORRESPONDENCE**

**Members noted email from Ms. B. O'Brien in relation to the establishment of Local Electoral Area Boundary Committee.**

This item to be put on agenda for discussion

**Members noted email from Annette Codd, Regional Director Special Olympics** thanking Members for affording them the opportunity to address Members on 12th November. Ms Codd requested in her email that Members note the dates February 21st and 22nd 2013 when events will be taking place and looking forward to Members attendance at events.

**Members noted resolutions from Donegal County Council.**

*"This this Council call on the Minister for Finance to put some measures in place in the 2013 Budget that will be delivered in early December to help the people in our community who are finding it extremely difficult to pay their mortgage."*

*"That this Council discuss and agree a response to the Government's decision to shut down County Enterprise Boards in every County at a time when there's never been more need for a locally based response to the job crisis in every County."*

**Members noted resolution from Kerry County Council.**

*"That Kerry County Council calls on the Government to amend the relevant legislation concerning Local Area Plans so that the review period would be extended to 10 year cycles as distinct to the current review period"*

**Members noted resolution from Ballinasloe Town Council.**

*"that this Council completely rejects the decision of the Minister for the Environment, Community and Local Government, Phil Hogan, T.D. to abolish all Town Councils. This Council is of the very firm view that abolishing the unit of local government closest to the people and indeed the most efficient unit of local government (Town Councils) certainly does not contribute in any way to bringing "local government" closer to the people. It is further proposed that this motion be circulated to all Local*

*Authorities, T.D.'s, Senators in this State, to the AMAI and the Minister for Local Government for their consideration.”*

**Members supported resolution from Monaghan County Council.**

*“that having regard to the fact that 90% of all chicken product used in restaurants and take-aways is imported, Monaghan County Council writes to the Minister for Agriculture, Mr. Simon Coveney T.D., requesting that legislation be introduced to ensure that all restaurants and takeaways must display, at the point of sale, details of the country of origin of their chicken product.”*

**Members noted resolution from Balbriggan Town Council.**

*“Balbriggan Town Council calls on the Minister for the Environment, The Taoiseach and the Tanaiste to meet Balbriggan Town Council to discuss the impact the proposed abolition of the Council will have on the Town.”*

**(8) NOTICES OF MOTION**

**Standing in the names of Councillor Wayne Fennell**

*“Carlow County Council calls on the Government and the Minister for Agriculture to take every step necessary to provide for the future health and protection of the Irish Native Ash Tree, which is under threat from the Ash Dieback Disease. This Disease could potentially wipe out all the ash trees not only in Co. Carlow but also in the whole of Ireland.”*

Members supported the motion and requested that it be forwarded to the Minister of State with responsibility for Forestry, Shane McEntee.

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

The Cathaoirleach requested that the final item of business be held in committee.

On the proposal of Councillor Charlie Murphy it was unanimously agreed that a Civic Function be held to honour the achievements of Myshall Camogie Club at a date yet to be decided.

Members attendance at the following conferences were approved:-

Rights of Way – Recent Changes in The Law, Kingsvalley Hotel, Merlin Park, Dublin Road, Galway. 7 <sup>th</sup> to 8 <sup>th</sup> December 2012	Cllrs. W. Fennell, C. Townsend, J. Townsend & A. McDonald
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Putting People First, Bunratty Castle Hotel, Bunratty, Co. Clare.	Cllr. C. Murphy
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Maximising Energy Resources in Local Authorities, Kingsvalley Hotel, Dublin Road, Galway. 14 <sup>th</sup> to 15 <sup>th</sup> December 2012	Cllr. W. Fennell
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This concluded the business of the meeting.