

CARLOW COUNTY COUNCIL

**Minutes of the February Monthly Meeting of Carlow County Council,
held in The Council Chamber, County Offices, Athy Road, Carlow, on
Monday 11th February 2013 at 2.00 p.m**

Present: Councillor C. Townsend, Leas 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 P. O'Toole
Councillor W. Paton
Councillor J. Pender,
Councillor W. Quinn.
Councillor J. Townsend,

Apologies: Councillor M. Abbey
Councillor T. O'Neill

In attendance: Mr. T. Barry, County Manager
Ms. B. O'Brien, Director of Service - Community and Enterprise,
Economic Development & Corporate Services.
Mr. J. Carley, Director of Service - Environment, Water Services
& Health and Safety.
Mr. D. McInerney, Director of Services
Transportation & Safety & Emergency Services.
Mr. P. Delaney, Head of Finance

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:

- Michael Byrne, Administrative Officer, Carlow Town Council, on the death of his mother, Winifred Byrne.
- The Family of the late Mary (Poll) Maher, Killane, Ballon, Co. Carlow, wife of late Jim Maher, former employee.
- Odran Seeley, Tullow Road, Carlow on the death of Clare Seeley.
- Family of the late Josie McEvoy, The Paddocks, Carlow, former Burial Ground Caretaker.
- Family of the late Kathleen Brady O'Neill, Nurney, Co. Carlow, former Member of Carlow County Council.
- Beatrice Byrne and Family, Dublin Street, Carlow on death of her husband John.
- The Family and An Garda Síochána on the death of Detective Garda Adrian Donohue shot dead while on escort duty.
- The Family of the late George Hawkins, Ballyhackett, Tullow, Co. Carlow.
- The Family of the late Jack Brennan, Clochristic, Milford, Co. Carlow.
- Eamonn Brophy, Senior Executive Officer, on the death of his aunt Noeleen O'Connor, Palatine, Carlow.

VOTES OF CONGRATULATIONS

The Members expressed votes of congratulations to:-

- Lauren Dwyer on receiving the Irish U/17 Women's International Player of the Year Award at the FAI International Football Awards.
- The Minister for Finance and officials on securing a deal on the promissory notes to finance the former Anglo Irish Bank. Members

- called for constitutional referendum dealing with banking crisis to prevent future issues. Members also raised issue of honouring agreement to separate Banking Debt from Sovereign Debt.
- Marcus Lawlor, St Laurence O'Toole Athletic Club, on setting two new National Indoor Junior Records in the 60m and 200m.

Councillor Murnane O'Connor raised issue in relation to procedure followed with resolution adopted at the January meeting of Council. Mr. Brophy advised that he will discuss this issue with the Cathaoirleach and will revert back to Councillor Murnane.

1. CONFIRMATION OF MINUTES

- (a) Proposed by Councillor W. Lacey
Seconded by Councillor J. Murnane-O'Connor
AND**

"That the Minutes of the Pre Budget Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Monday 14th January at 11.00 a.m having been circulated to each Member, be taken as read, confirmed as to accuracy and accordingly signed.

- (b) Proposed by Councillor J. Pender
Seconded by Councillor F. Browne
AND**

"That the Minutes of the Budget Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Monday 14th January at 2.00 p.m having been circulated to each Member, be taken as read, confirmed as to accuracy and accordingly signed.

- (c) Proposed by Councillor J. Pender
Seconded by Councillor W. Quinn
AND**

Following a showing of hands it was unanimously resolved:-

“That the Minutes of the January Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Monday 14th January at 2.00 p.m having been circulated to each Member, be taken as read, confirmed as to accuracy and accordingly signed.

2. CIRCULARS

(a) Circular LG 5/12 Action Programme for Effective Local Government – Implementation.

Members had circular LG5/12 Action Programme for Effective Local Government for their consideration.

Members raised the following issues:-

- Abolition of Town Councils and proposed reduction in Members for Carlow County Council from 21 to 18. Some Members expressed reservations in relation to these reforms and also with the establishment of Irish Water.
- Establishment of Local Enterprise Offices – Members welcomed this reform which will see L.E.O’s integrated with Local authority business support units to create a one-stop-shop for business support.
Members expressed concern in relation to the South East Region in terms of unemployment, economic activity and university status.
- Members raised issue in relation to Wicklow County Council seeking payment of outstanding development charges from householders where developer has gone out of business. Members sought reassurance from the County Manager that this issue would not arise in Carlow. The County Manager advised that house buyers should seek legal advice and obtain certificate that all charges and taxes on a property have been cleared before they enter into a purchase agreement.

(b) Change in Disclosure and Acceptance limits for Donations

Members had press release on changes in Disclosure and Acceptance limits for Donations.

The Electoral (Amendment) (Political Funding) Act 2012 introduced additional requirements and restrictions on the acceptance of political donations. These provisions came into effect on 1st January 2013.

- An elected representative or candidate a reduction of maximum donation from €2,539.47 to €1,000 and by a political party, accounting unit or third party from €6,348.69 to €2,500.

- Ban on acceptance of corporate donations in excess of €200 from a corporate donor unless the donor has registered with the Standards in Public Office Commission and statement of approval is furnished to the recipient.
- Reduction in the maximum that can be accepted as an anonymous donation to €100. A 'third party' and 'accounting unit' will now be recognized as such upon receipt of a donation that exceeds €100.
- Ban on acceptance of any cash donation over €200.
- Where a donation is given through an intermediary, the identity of the person on whose behalf the donation is made will have to be provided to the recipient.

From 1st February 2013 reduction in threshold to €600 at which donations must be declared on a donation statement submitted to the Standards Commission for calendar year 2013. A reduction in threshold to €1,500 the aggregate amount that a donor can give to multiple candidates of the same party before being required to submit donation statement to the Standards in Public Office Commission.

From 1st April 2013 reduction in threshold for the declaration of donations received by political parties to €1,500. Donation statement must be submitted.

From 7th November 2013 reduction in threshold to €200 at which donations must be reported by a company, trade union, society or building society in its annual report or returns.

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

(a) Approval to attendance of Cathaoirleach at St. Patrick's Day Parade in New York.

**Proposed by Councillor T. Kinsella
Seconded by Councillor F. Browne
AND**

Following a showing of hands it was unanimously resolved:-

"That we, the Members of Carlow County Council hereby approve the attendance of the Cathaoirleach at the St. Patrick's Day Parade in New York.

(b) Proposal to modify and upgrade Hacketstown Waste Water Treatment Works

Members had report from County Manager on the proposed construction of the Hacketstown Waste Water Treatment Plant.

Following the public consultation process which was advertised in The Nationalist on 16th October 2012 and went on display from 16th October to 27th November 2012 one submission was received. The report set out the issues raised in the submission and response.

Members approval was sought to the works as proposed.

Proposed by Councillor W. Paton

Seconded by Councillor J. Murnane-O'Connor

AND

“That we, the Members of Carlow County Council, hereby approve the construction of new waste water treatment plant at Hacketstown as proposed in accordance with Part X1 Planning and Development Acts 2000-2010 Part 8 (Planning and Development) Regulations 2001-2011 as amended.

4 ENVIRONMENT, WATER SERVICES & HEALTH & SAFETY

(a) Update on Irish Water

Members had report from J. Carley on the establishment of ‘Irish Water’. The following issues were raised by Members.

- Lime in water
- Collection and treatment of waste water, water conservation and sludge disposal. Water metering - metering water in and out.
- Staff - Waste Water Treatment Plants post 2017. Issue of staff pensions for staff who move to Irish Water.

Mr. Carley advised of the appointment of John Tierney, Dublin City Manager as Managing Director of ‘Irish Water’.

Councillor O’Toole raised issue of recent flooding in car park at Supervalu, Tullow where water is pumped from east side of river but surface water is going back into river under wall in car park.

County Manager advised that Sean Laffey, Senior Engineer will be moving to 'Irish Water' based at the Transition Office in Waterford. Members wished Mr. Laffey well in his new role. Queries raised by Members were addressed by County Manager and Mr. Carley.

(b) Grant Scheme for Septic Tanks

Members had report from J. Carley on Registration and Inspection of Domestic Waste Water Treatment Systems.

Members welcomed the grant assistance scheme which will be available to householders that have registered their system by February 1st, 2013.

Members welcomed the increase in grant for group water schemes to €6,000.

Mr. Carley advised that a National Inspection Plan has yet to be announced. Inspections will be based on risk management. Local authority staff will be trained to carry out inspections. Inspections will not take place before July 2013. 80% have registered in County Carlow.

PRESENTATION PUBLIC ART WORKING GROUP

The Leas Cathaoirleach welcomed Curator Denis Roche and artists Emma Finucane and Brian Maguire to the Chamber to make a presentation to Members on Carlow commission 'Panchaea' project.

Denis Roche outlined the project on which the Carlow commission is based. Two artists, Emma Finucane and Brian Maguire were commissioned to work in the county over a period of a year that involved art and mental health service users.

The aim of the project was to reduce the sense of isolation and provide a sense of connection with the outside world through art. Brian Maguire worked with the patients at St. Dymphna's hospital and Emma Finucane worked with Leighlinbridge Parish Centre patients.

Mr. Roche advised of work that will be happening in the Studio gallery of VISUAL over the next four months building a boat. This vessel will then be exhibited along with the work that the patients have done to date with a public opening and exhibition from 26th April to 24th May.

Members thanked Mr. Roche for his presentation on an excellent project engaging people with enduring mental illness that may feel isolated in the community.

(c) Water and Environment Progress Report

Members welcomed progress report for the period to the end of January 2013 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 – Regulations and Enforcements, River Basin Management Plan, Water Metering Project, Remedial Action Lists, EPA Quality of Drinking Water in Ireland Report 2011, Individual Well Grants, Water Conservation -Regulations and Enforcements.

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

Members raised the following issues:-

- Ballinkillen Nitrates Removal Plant and Raheenleigh Water Treatment Plant
- Leighlinbridge Flood Relief Scheme
- Bilboa Waste Water Treatment Plant

Queries raised by Members were addressed by J. Carley

5. FINANCE & INFORMATION TECHNOLOGY

(a) Household Charge

Members noted update report from P. Delaney on Household Charge 2012.

6. TRANSPORTATION & EMERGENCY SERVICES

(a) Road Grant Allocation 2013

Members had for their consideration Road Grant Allocations 2013.

National Roads

	2012 €final alloc.	2013 €
Improvement Works	816,740	66,000
Pavement and minor works	138,134	0
M9 Motorway maintenance	233,863	95,176
NS Maintenance	198,530	154,457
Engineering Support	0	16,749
Total	1,387,267	332,283

Non National Roads

	2012 €	2013 €
Discretionary Maintenance	714,700	714,700
Restoration Maintenance	777,000	660,450
Restoration Improvement	2,068,822	1,755,364
Low Cost Safety	175,000	142,000
Specific Improvement	550,000	650,000
Roads Training Grant	34,800	36,000
Winter Maintenance	95,648	152,143
Totals	4,415,970	4,110,657

Members raised the following issues:-

- Review of speed limits. Speed limit on the old N9 Kilkenny Road. Mr. McInerney advised that he has written to Gardai in relation to this matter but has not received a reply. Mr. McInerney further advised of delay in public consultation process due to old bye-laws being examined for inaccuracies. Public Notice will be in newspaper on Tuesday 26th February.
- Issue with road side drainage/side cuttings in the south of County. Mr. McInerney advised that every effort is being made to address drainage problems on road sides but lack of resources was an issue.
- Speed limit at Gorteengrove. Members requested that the Council write to Gardai for clarification on whether its 80km or 100km limit in operation at Gorteengrove.
- Filling of pot holes on class 3 roads.
- Upgrading of road to Teagasc Headquarters.

- Write to Road Safety Authority requesting the insertion of the word 'max' on speed limit signs indicating to drivers that the speed limit shown is the max limit and not the required limit.
- Lack of directional signs for Carlow town in south of county.
- Bridge on Borris/New Ross Road. Capacity of bridge reduced resulting in land being water logged and causing serious concern for landowners.
- Ramps or other safety measures in housing estates
- Flooding of land Fenagh area
- Replacement for retired general operative in Bagenalstown. Members paid tribute to Pat Randall on his retirement and for his commitment to his job. Members also raised issue of street cleaning in Leighlinbridge. The County Manager advised of renewal of sanction for two general operatives for a further year but staff reductions are having an impact on service delivery. In response to Members query regarding staff on the Burrin Drainage Mr. Brophy advised that the budget mainly covers the wages for eight or nine months of the year and the remainder of the year the staff are assigned to other duties.

Queries raised by Members were addressed by the County Manager and Mr. McInerney.

7. COMMUNITY & ENTERPRISE & ECONOMIC DEVELOPMENT & CORPORATE SERVICES

(a) Update – Performing Arts Working Group

Members noted report from J. Carley, Deputy Chair Public Art Working Group, in relation to Per Cent for Art Commission 'Panchaea'.

This report followed on from the presentation given to Members by the Public Art Working Group.

Extension of time

Suspension of Standing Orders

It was unanimously agreed to suspend that part of Standing Orders of Carlow County Council to facilitate the Meeting to 6.00pm.

(b) County Carlow Age Friendly Strategy

Members welcomed report from Ms. B. O'Brien on the launch of 'Carlow Age Friendly County' Strategy.

The Strategy has been developed as a result of consultation with the older people of Carlow and agencies and service providers involved in the delivery of services to older adults. The implementation of the Strategy will ensure that all citizens of County Carlow are valued, recognised, supported and enabled to live full independent lives.

Carlow Age Friendly County Strategy will be launched on Thursday 28th February in VISUAL at 12 noon.

Members welcomed the initiative and expressed concerns for the security of older people in the current climate with burglaries and the closure of Garda stations.

(c) Agriculture

Members raised issue in relation to recent findings by the Irish Food Safety Authority of horse meat in food products in Ireland and the need for a Statutory Code of Practice for the Meat Industry.

Members welcomed funding of over €1.5 billion per year for Ireland from the Common Agriculture Policy (CAP).

(d) Health

Members welcomed the Minister for Health's announcement on planned upgrade of St Luke's Hospital, Kilkenny and expressed their thanks to the public representatives and all who made representations to the Minister on this issue. In relation to realignment of hospital services Carlow/Kilkenny and pairing of hospitals with Dublin Councillor Fennell said it was important for the South East region that Waterford Regional hospital be also linked as part of this realignment.

(e) Tenders for opening, if any

Members noted tenders opened since last Council Meeting.

8. CORRESPONDENCE

Members noted correspondence from Nenagh Town Council

with regard to the possibility of rolling out nationwide, the Community Intervention Team.

Members noted resolution from Ennis Town Council

“ That this Council write to the TDs and Senators with constituency offices in the Ennis Town and request them to show solidarity with the hard pressed business community by paying the rates on their constituency offices.”

Members noted resolutions from Clare County Council

“That the view of the excessive burden placed on sporting, community and voluntary sectors in relation to the cost of water, that Clare County Council request the Minister for the Environment to allow Clare County Council to lessen the cost on these voluntary bodies by putting in place some legislative process at Government level.”

Members noted resolutions from Limerick County Council

“That, Limerick County Council calls on the Government to ensure, by the most appropriate means, that banks in which the state holds majority shareholding should be governed by State nominated directors with the power to direct decision-making in the working of the bank, including determining salaries and pensions for bank employees; and, furthermore, that this Motion would be sent to all Local Authorities.”

Members noted correspondence from the Commissioner of

Valuation of the proposal to make a valuation order, as provided for by section 19(1) of the Act for the Carlow County and Town Council rating authority areas in 2013.

Members expressed concern in relation to the effect this may have on businesses.

The County Manager advised that it is in effect a rebalancing of valuations across the various categories of commercial property to reflect assessed full property rental values. If certain sectors benefit from the process other sectors will as a consequence loose. The overall valuation in the County will not change.

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

Members attendance at the following conferences were approved:-

Civil Liability Legislation, Cllr. J. Murnane O'Connor
Westport Plaza Hotel,
Westport,
Co. Mayo.
11th to 12th January 2013

Clare Tourism Conference, Cllr. W. Fennell
Falls Hotel,
Ennistymon,
Co. Clare.
17th to 19th January 2013

Criminal Consequences of Breaching Cllr. J. Murnane O'Connor
L.A. Regs.,
Manor West Hotel,
Killarney Road, Tralee, Co. Kerry.
18th to 19th January 2013

Policy/Legal Issues-Developing Wind Energy, Cllr. J. Murnane O'Connor
Westport Plaza Hotel,
Westport, Co. Mayo.
25th to 26th January 2013

The Finance (Local Property Tax) Bill 2012 Cllr. J. Murnane O'Connor
Carlton Hotel,
Dublin Road, Galway
1st to 2nd February 2013

Merriman Winter School, Cllrs. A. McDonald,
Westport Hotel, & J. Townsend
Westport, Co. Mayo.
1st to 3rd February 2013

Tolerance/Diversity in Ireland–North&South, Cllr. J. Pender
UCD Research Boardroom,
Belfield, Dublin.
14th February 2013

Protect Individual/Freedom of Expression
Carlton Hotel,
Dublin Road, Galway.
15th to 16th February 2013

Cllrs. J. Murnane O'Connor
& D. Foley

Health Issues Pertaining to Local
Authority Housing,
Westport Plaza Hotel,
Westport, Co. Mayo.
22nd to 23rd February 2013

Cllrs. J Murnane O'Connor
& P. O'Toole

There was no further business to be transacted.

This concluded the business of the meeting.