

CARLOW COUNTY COUNCIL

Minutes of the January Monthly Meeting of Carlow County Council, held in The Council Chamber, County Offices, Athy Road, Carlow, on Monday 13th January 2014 at 2.00 p.m

Present: Councillor D Hurley, Cathaoirleach
Councillor A. Ahern (Nee Long)
Councillor F. Browne
Councillor M. Doran
Councillor W. Fennell,
Councillor D. Foley,
Councillor F. Hunter
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,

Apologies: Councillor J. Townsend.

In attendance: Mr. T. Barry, County Manager
Mr. J. Carley, Director of Service - Environment, Water Services & Health and Safety.
Mr. D. McInerney, Director of Services Transportation & Safety & Emergency Services.
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 Projects.
Mr. T. Butler, Housing Officer

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:-

- Kathleen Kenny & Family, 12 Mountain View, Hacketstown on the death of Eoin Kenny, former employee of Carlow County Council.
- The Family of the late Thomas Kealy, Clish, Kilbride former general operative of Carlow County Council.
- Marian Morgan, Corporate Services on the death of her mother Kathleen Costello, Rathcrogue, Carlow.
- The Family of the late Betty O'Neill, Tullow, Co. Carlow.
- Annie O'Neill and Family, Slyguff, Bagenalstown on the death of her daughter Mary O'Neill, U.S.A.
- Edward Maher, Slyguff, Bagenalstown on the death of his sister Ann Maher, Slyguff, Bagenalstown.
- Betty Agar and Family, Ballyryan, Nurney on the death of her husband Cecil.
- Mary McDonagh and Family, Highfield House, Slyguff, Bagenalstown on the death of her husband Michael.
- The Family of the late Willie White, 1, St. Brigid's Terrace, Clonegal, Co. Carlow.
- Tom Farrell and Family, Carhill, Bunclody on the death of his brother Oliver Farrell, Craanmore, Kildavin.
- Tom Walsh and Family, Ballytarsna, Nurney on the death of his father Paddy Walsh, Ballytarsna.
- Pat Deering, T.D and Family on the death of his father Michéal Deering former member of Carlow County Council.

The Members paid tribute to the late Mr. Deering who served the people of Carlow for over 40 years as a public representative. They said the late Mr. Deering was a tireless worker and his commitment to local politics was second to none. He was held in high esteem by all who knew him. He will be remembered for his advice and mentoring of people entering politics and for his direct approach which will be missed in today's political correctness. Members also spoke of his immense pride when his son Pat was elected T.D.

The County Manager also paid tribute to the late Mr. Deering and acknowledged the working relationship he had with staff, his passion and commitment to his county and his pride when son Pat was elected T.D.

Councillor Paton raised issue of establishment of efficient archive records in respect of Carlow Local Authorities Members for ease of reference.

The Members wished Councillor Jim Townsend a speedy recovery to full health.

VOTES OF CONGRATULATIONS

The Members expressed votes of congratulations to:-

- All involved with the forthcoming hand over of keys of Altamont House to the state on Friday 17th January with particular mention of Minister of State Brian Hayes TD, Pat Deering TD, County Manager, Seamus O'Connor, Director of Services, Heritage Council of Ireland and Robin Harvey.
- Kieran Comerford, Carlow Enterprise Board on hosting Bizfest in Mount Wolseley Hotel, Tullow, Co. Carlow.
- All involved with securing €60,000 funding towards skateboard facilities at Tullow Town Park with particular mention of Minister for State Michael Ring TD, Pat Deering TD and Seamus O'Connor.
- All County Carlow students who participated in the BT Young Scientists Exhibition 2014.

1. CONFIRMATION OF MINUTES

Proposed by Councillor C. Murphy

Seconded by Councillor M. Doran

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 9th Decmeber 2013, at 2.00p.m having been circulated to each Member, be taken as read, confirmed as to accuracy and accordingly signed.

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

(a) Filling of Casual Vacancy by Co-Option

Members had notification from Eamonn Brophy regarding the filling of Casual Vacancy by Co-Option in the membership of Carlow County Council due to the retirement of Michael Abbey on 12th December 2013.

Proposed by Councillor T. O’Neill

Seconded by Councillor F. Browne

And

It was unanimously resolved:-

“That we, the Members of Carlow County Council hereby approve the appointment of Eileen Brophy to the casual vacancy of Carlow County Council following the retirement of Michael Abbey in accordance with the Local Government Act 2001(as amended) Section 19 (3) (a).

Members congratulated Councillor Brophy on her appointment and welcomed her to the chamber.

Members, on behalf of their fellow political party members, paid tribute to Councillor Brophy. They described her role as a difficult role filling the vacancy created by Michael Abbey’s retirement but said she also possessed a wealth of political experience and with her work at the Delta Centre and other agencies she will be a great asset to the chamber. Members described Councillor Brophy as an outstanding talent with integrity, an innovator and hard worker.

The Chairman also welcomed Councillor Brophy saying her appointment is a great asset to the Chamber.

Councillor Brophy thanked the Cathaoirleach, County Manager and fellow Members for their good wishes. She said it was a great honour to fill the vacancy created by Michael Abbey who represented everything that is good in politics, was a great mentor with a passion for politics and for his county. She spoke of the determination and community spirit that exists in Carlow despite the recessionary times and looked forward to working with the people of Carlow in bringing Carlow to the fore.

She thanked her Fine Gael colleagues for their support and Michael Abbey for his mentoring. She said she will give of her best for the betterment of County Carlow and regretted the demise of Carlow Town Council.

**(b) Agree date between 27th January, 2014 and 31st January, 2014
Workshop Review of County Development Plan**

A discussion took place in relation to date for Workshop Review of County Development Plan with Members raising the following issues.

- Draft Landscape Character Assessment. Members queried if Draft report will be prepared by 31st January as previously advised and the opportunity for Members to engage with consultants prior to workshop. The County Manager advised it is hoped the Draft will be prepared by 31st January or soon after this date. The consultants are CAAS-Ltd.
- Eirgrid submission. Members requested the submission, approved by Members, be circulated for their consideration. The County Manager advised that the closing date for submission was 8th January and as one submission was made representing a number of groups in County Carlow there was difficulty downloading large volumes of documentation. Access to the documentation is to be arranged for Members.
- Wind Turbines. Members discussed proposal for notice of motion to be submitted in relation to Wind Turbines at Workshop Review of County Development Plan. Members requested copy of Draft Wind Energy Guidelines published by the Department and copy of An Bord Pleanála Report refusing permission for wind turbines in County Offaly. The

County Manager advised that Wind Turbines can not be banned from the County Development Plan.

Members said people power can effect change but acknowledged that any proposed submission in relation to Wind Turbines must have regard to National Guidelines.

In response to Members query the County Manager advised that Local Area Plans will also be considered and brought back to Council.

It was agreed that two or three representatives from each party group meet with Mr. Conor Skeahan of CAAS Ltd to discuss Members issues and proposals.

The agreed date for Workshop Review of County Development Plan is Monday 3rd February, 2014 at 2.00p.m

3. CIRCULARS

(a) Circular Letter PS 21/2013 Transfer of Water Services Functions to Irish Water: Planning issues

Members noted Circular Letter PS 21/2013 addressing a number of planning issues relating to the transfer of these functions to Irish Water from 1st January 2014.

(i) Water Services (No. 2) Act 2013 (No. 50 f 2013)

Members noted Water Services (No.2) Act 2013 (No.50 f 2013)

(ii) Planning and Development (Amendment) No. 2) Regulations 2013 (SI 520 of 2013)

Members noted Statutory Instruments 520 of 2013 Planning and Development (Amendment) No. 2) Regulations 2013.

5. (b) Update of Irish Water

Mr. J. Carley gave an update on Irish Water. Mr. Carley advised that Carlow County Council signed a service level agreement with Irish

Water at the end of 2013. Carlow County Council will provide water services including water and waste water on behalf of Irish Water on an agency basis with effect from 1st January 2014.

Irish Water has commenced a water metering programme across the Country. Metering will commence in Carlow in mid March.

Members raised the following issues:-

- €50m in consultancy fees. Members requested that Carlow County Council write to Irish Water for clarification on spending. The County Manager said the targets achieved by Irish Water in a demanding time frame was significant and could not have been achieved in any other country.
- Free water allocation per household and costs per household. Members requested that this Council write to Irish Water for information and clarification on these issues. Mr. Carley advised that water charges will be set by the Commission for Energy Regulation (CER) and will be guided by Government decision on how much free water will be allowed per house and on how much income Irish Water will need to operate the network.
- Installation of water meters, leak detection and maintenance. Mr. Carley advised that Irish Water have set up a public helpline for any issues people may have. The County Manager advised of Irish Water first fix leak policy.
- Grants for upgrade of Septic Tanks. Mr. Carley advised of low failure rate under the National Inspection Plan. To qualify for grant you must be registered and satisfy certain income limits. There are no proposals to inspect septic tanks on demand. Members also queried if grants are available for those with septic tank systems to tap into public sewerage systems. Mr. Carley advised that Planning Authorities have to comply with EPA Code of Practice for septic tanks and have due regard to Guidelines.

- Group Sewerage Schemes. Mr Carley advised that the 2014 allocation has not yet been received.
- Vesting date for transferring of assets. Mr. Carley advised of varying vesting dates for particular assets.

5.(a) Amendment to Waste Management (Prohibition of Waste Disposal by Burning) Regulations 2009 Extension of farming exemption to January 1st 2016

Members had report from J. Carley on Amendment to Waste Management (Prohibition of Waste Disposal by Burning) Regulations 2009. The 2009 Regulations have been extended until 1st January 2016.

Queries raised by Members were addressed by Mr. Carley.

In response to Members query in relation to burial grounds Mr Carley advised there are no proposals to change current bye-laws.

4. COMMUNITY & ENTERPRISE & ECONOMIC DEVELOPMENT & CORPORATE SERVICES

(a) Progress Reports

(i) Corporate Services and Human Resources

Members welcomed progressed report to 31st December 2013 from Ms B. O'Brien.

The report covered the following areas of responsibilities.

Corporate Services

Management of Council and Corporate Policy Meetings, Attendance of Councillors at Conferences, Payment of Councillors Allowances and Expenses, Civic Receptions, Twinning, Linkage with National Bodies such as LAMA and ACCC, Burrin Drainage Committee, Joint Policing Committees

Register of Electors

Local Elections

Higher Education Grants

Customer Service

Co-Ordination of Customer Service Performance Indicators

Control of Dogs
Coroners Court
Management of Council Property
Preparation of Annual Report
Preparation of Corporate Plans
Ethics Register
Freedom of Information
Ombudsman
Data Protection
Public Relations
Irish Language Scheme
Disability Plan – Towards Universal Access for All 2008 – 2015
Schools Business Programme Partnership
Service Indicators co-ordination

Members raised the following issues:

- Labour Activation Scheme- Gateway
- Local Enterprise Office to be based at Enterprise House
- Town Hall Building going forward and expansion of site at County Buildings. Use of prefabs at County Buildings for educational requirements.
- Disability Plan and Universal Access Plan going forward.
- Lack of facilities to attract people to work and live in Bagenalstown.

Ms. O' Brien advised of Transition/Unification Plan which is currently being prepared and of Workforce Plan which has been submitted to the Department.

Human Resources

Members raised issue in relation to moratorium on recruitment and age profile of staff and the adverse effects on young people seeking employment.

Ms O'Brien acknowledged Members concerns and advised that the Local Authority is engaged with the Jobsbridge National Internship Scheme which provides valuable experience to graduates in a working environment.

(ii) Community & Enterprise & Economic Development

Members welcomed progress report for period July to December 2013 from Ms B. O'Brien.

The report covered the following areas of responsibilities;

1. Economic Development
2. SIM Social Inclusion Measures
3. Community Initiatives
4. Arts
5. County Carlow Sports Partnership
6. Other Initiatives / Areas of Responsibility

Members thanked Ms. O'Brien for her comprehensive report and complimented the Community and Enterprise Department for their excellent delivery of services with limited resources. Members thanked Jannette O'Brien for her work with Community Groups and wished her well with the Library Service.

Issues raised by Members were addressed by Ms O'Brien.

(iii) Carlow County Library Service

Members had progress report on Carlow County Library Service for period ending 31st December, 2013.

Members raised issue of proposal for shared services with Carlow - Kilkenny. Ms O'Brien said discussions are ongoing but services will not be diminished.

Members welcomed the provision of an enhanced genealogy service. Members also raised issue of provision of floodlighting at Bagenalstown Library to enhance the building.

(iii) Health

There were no matters arising

(iv) Agriculture

There were no matters arising

(v) Tenders for opening, if any

Members noted tenders opened since the last meeting.

6. HOUSING, RECREATION & AMENITY & SPECIAL PROJECTS

(a) Review of Housing Adaptation Schemes for older People and People with a Disability

Members had report from T. Butler on changes to housing grant schemes for the following;

- Housing Adaptation Grant for People with a Disability
- Mobility Aid Grant
- Housing Aid for Older People

Members expressed dissatisfaction with the following changes to the grants schemes;

- All household income is now to be included in assessment.
- Income bands are reduced with the maximum threshold of €60,000 and in the case of Mobility Aid Grants gross annual income of €30,000.
- Maximum grants payable have also been reduced.
- Housing Aid for Older People age limit increased from 60 to 66 years. Members requested that this Council write to the Minister Housing and Planning requesting that this increase be reversed.

Members complimented Mr. Butler and the Housing Staff for the compassion they show people when administering the Grant Schemes.

Members also raised issue of claw back in relation to grants, repairs to windows and doors and Tenant Purchase Scheme.

Issues raised by Members were addressed by Mr. Butler.

7. CORRESPONDENCE

Members noted correspondence from the Office of the Minister for Social Protection in response to Members letter regarding the proposed closure of the Community Welfare Offices in Tullow/Bagenalstown and the centralisation of Community Welfare Services in Carlow.

Members noted correspondence from the Office of the Minister for Social Protection in response to Members letter regarding the centralisation of Rent Supplement applications.

Members noted correspondence from the Office of the Minister for Health in response to Members letter concerning the X-ray Department at St. Dymphna's Hospital, Carlow.

Members noted notice of motion from Leitrim County Council
“That Leitrim County Council call on the Government and Minister Phil Hogan to withdraw their proposal to introduce a levy on all vacant commercial premises. The pending Local Government legislation, which is due to come into effect in 2014, refers to changing the current process of waiving 100% of the commercial rates on business properties that are vacant and proposes to introduce a levy of 50% of the full rates payable on all properties that are vacant. This new proposal is referred to in “Part 5, Section 31” of the pending legislation. This proposal, to bill all vacant commercial properties in Leitrim and all over the country at 50% of the full rates payable, is unacceptable and unthinkable.”

Member noted correspondence from Caroline Nolan, 210 Shore Road, Portaferry, Co. Down objecting to Eirgrid's proposals to erect pylons in the County Carlow area.

Members noted correspondence from the Office of the Minister for Health in response to Members letter concerning prescription charges and means testing of older people for medical cards.

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

Members attendance at the following conferences were approved:-

Developing the Socio Economic Potential
of Waterway Corridors,
Hotel Minella,
Coleville Road, Clonmel, Co. Tipperary.
9th to 10th October 2013

Cllr. W. Quinn

Local Government/Enterprise Dev.,
The Holyrood Hotel,
Bundoran, Co. Donegal.
18th to 19th October 2013

Cllr. M. Doran

Community Living for Older People,
Connacht Hotel,
Dublin Road, Galway.
27th to 28th September 2013

Cllr. M. Doran

LAMA Autumn Seminar,
Hotel,
Ennistymon,
Co. Clare.

Cllrs M. Abbey, Falls
W Fennell & C Murphy

Insolvency Service of Ireland,
Carlton Shearwater Hotel,
Ballinasloe, Co. Galway.
11th to 13th October 2013

Cllrs D. Foley & F Hunter

Council Budgets,
Quality Hotel,
Killarney, Co. Kerry.
1st to 3rd November 2013

Cllr W. Fennell

Local Government Budgets 2014 Silver Tassie Hotel, Letterkenny, Co. Donegal. 15th to 17th November 2013	Cllr Michael Abbey
Local Authority Rates & Diminishing Returns, Connacht Hotel, Dublin Road, Galway. 8 th to 9 th November 2013	Cllrs. A. Ahern & T. O'Neill
Community Based CCTV Scheme, Westport Plaza Hotel, Castlebar Street, Westport, Co. Mayo. 22 nd to 23 rd November 2013	Cllrs. W. Fennell & M. Doran
Early Education/Childcare in Your Community, Manor West Hotel, Tralee, Co. Kerry. 29 th to 30 th November 2013	Cllrs. W. Fennell & A. McDonald
Preparing a Development Contribution Scheme, Connacht Hotel, Dublin Road, Galway. 6 th to 7 th December 2013	Cllr. A. Ahern
Microsoft Excel Training for Councillors, Fennell Celtic Ross Hotel, Rosscarbery, Co. Cork. 20th to 22 nd December 2013	Cllrs. W. Quinn, W.
Changing Trends/Approaches Drugs/Alcohol, Cahir House Hotel, Cahir, Co. Tipperary. 6 th to 8 th December 2013	Cllr. T. Kinsella
Housing Grants & Schemes, Connacht Hotel, Dublin Road, Galway. 13 th to 14 th December 2013	Councillors A Ahern, A. McDonald & C. Townsend,

Public Presentation & P.R. Management, Celtic Ross Hotel, Rosscarbery, Co. Cork. 3 rd to 5 th January 2014	Cllrs. W. Quinn,
Canvassing Tips 2014, Bewleys Hotel, Newlands Cross, Naas Rd., Dublin 22. 3 rd to 5 th January 2014	Cllrs. D. Hurley, D. Foley
Political Reform 2014, Bewleys Hotel, Newlands Cross, Naas Rd., Dublin 22. 10 th to 12 th January 2014	Cllrs. W. Quinn, D. Hurley D Foley & F. Hunter
Local Government Bill 2013, Carlton Shearwater Hotel, Ballinasloe, Co. Galway. 17 th to 18 th January 2014	Cllr. M. Doran
The Councillor & Irish Water, Mount Errigal Hotel, Letterkenny, Co. Donegal. 17 th to 19 th January 2014	Cllr. W. Quinn
Valuation Process for Rating, Scotts Limerick Hotel, Ashbourne Ave., South Circular Road, Limerick, 17 th to 19 th January 2014	Cllr. F. Browne
Local Authorities & Waste Management, Westport Plaza Hotel, Westport, Co. Mayo. 24 th to 25 th January 2014	Cllr J Murnane O'Connor

CAP Reform,
Bewleys Hotel,
Newlands Cross,
Naas Rd., Dublin 22.
24th to 26th January 2014

Cllr. M. Doran

LAMA Spring Seminar,
Four Seasons Hotel,
Monaghan.
31st January to 1st February 2014

Cllrs. D. Foley, D.
D. Hurley & F. Hunter

There was no further business to be transacted.