

CARLOW COUNTY COUNCIL

Minutes of the June Monthly Meeting of Carlow County Council, held in The Council Chamber, County Offices, Athy Road, Carlow, on Monday 10th June 2013 at 2.15 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
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. S. O'Connor, Director of Services, Housing, Recreation & Amenity & Special Projects.
Mr. T. Butler, Senior Executive Officer, Housing
Ms. F. O'Neill, Senior Executive Officer, Planning
Mr. D. Walsh, Senior Planner

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:

- Terri O’Riordan, Hillside, Browneshill, Carlow on the death of husband Dermot O’Riordan, former County Engineer
- Ray Wickham, Senior Executive Engineer on the death of his father Jim Wickham, Enniscorthy, Co. Wexford
- Kitty Byrne, Courtnellan, Borris on the death of her brother Martin Doyle.
- Raymond Dalton, Ballinvalley, Borris on the death of his brother Paddy Dalton.

Councillor Browne paid tribute to the late Dermot O’Riordan, former County Engineer.

VOTES OF CONGRATULATIONS

The Members expressed votes of congratulations to:-

- Hugo Jellett, Staff of Eigse, Carlow Town Council and volunteers on the huge success of Eigse Arts Festival 2013.
- Turlough O’Brien CEO of Carlow Chamber of Commerce on Carlow being chosen as a pilot town in ‘Revival Town’ initiative.
- Marcus Lawler on winning the Senior100m/200m sprint at the All-Ireland Schools Track & Field Championships in Tullamore showing great promise for a bright future and urged support.
- Thomas Daly, Ballon on his outstanding performance in the All Ireland U/20 Rugby team
- Edward and Bryan Byrne on their participation in the All Ireland U/20 Rugby team.
- Success of Barrowfest Leighlinbridge 2013 as part of ‘The Gathering’ 2013.
- Borris House as a venue for Eigse 2013 Festival.
- Eist on the official opening of its dedicated care centre for people with cancer and their families

- St Mary's National School, Bagenalstown on notification of new school on a greenfield site.
- Clonegal on being a popular place to visit and on representing Ireland in the European Entente Florale Competition 2013 for towns and villages.
- Carlow Town on representing Carlow in Co-operation Ireland Pride of Place 2013.
- Killeshin National School on the official opening of its new school.
- Grange National School on the official opening of its new extension
- All involved with the success of Carlow Regatta 2013
- Bagenalstown Festival Committee on the organising of Bagenalstown Returning Emigrants Dinner Dance.

Councillor Murnane-O'Connor raised issue of anti-social behaviour in Carlow Town Park.

The County Manager spoke of the success of the Eigse Festival over the previous weekend with record numbers attending various events. He said the festival is now recognised nationally. The support from Carlow Local Authorities, Carlow Enterprise Board and other agencies is also recognised. He also complimented other festivals taking place around the county.

1. CONFIRMATION OF MINUTES

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

Following a showing of hands it was unanimously resolved:-

"That the Minutes of the May Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Monday 13th May at 2.00 p.m having been circulated to each Member, be taken as read, confirmed as to accuracy and accordingly signed.

2. CIRCULARS

Members noted correspondence from Department of Transport, Tourism and Sport on Community Involvement Schemes.

Carlow County Council's allocation under this grant category in 2013 amounts to €191,930. Members noted list of roads to be funded under the scheme.

Members requested update of laneways in local electoral areas. Mr. D. McInerney advised that the Area Engineers will meet with applicants to discuss scheme and also local electoral area meetings will be called for Members.

Members also raised issue of LIS Scheme where 7% of local roads funding may be provided for LIS works in budget.

Queries raised by Members were addressed by Mr. McInerney.

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

(a) Adoption of South East Homelessness Action Plan

Members had report from Mr S. O'Connor on South East Homelessness Action Plan 2013-2016.

Mr. T. Butler, Housing Officer gave an overview of the Plan. The main emphasis of this Strategy is preventing people from becoming homeless, or, to assist the homeless to sustain long-term move-on standard accommodation with appropriate supports where necessary.

The Plan has been considered at the SPC Meeting of 30th May 2013. Members' approval was sought to the adoption of the Plan. The recommendation will be advised to the lead Authority, Waterford City, who will formally adopt the plan for the South East.

Queries raised by Members were addressed by Mr. Butler.

Proposed by Councillor W. Quinn

Seconded by Councillor W. Fennell

AND

Following a showing of hands it was unanimously resolved:-

"That we, the Members of Carlow County Council, hereby approve in accordance with Section 40(3) of the Housing (Miscellaneous Provisions) Act 2009 the adoption of the South East Homelessness Action Plan 2013-2016.

4. COMMUNITY & ENTERPRISE & ECONOMIC DEVELOPMENT & CORPORATE SERVICES

(a) Local Electoral Area Boundary Committee Report 2013

Members had report from Ms. B. O'Brien on Local Electoral Area Boundary Committee Report 2013.

County Carlow will have two Local Electoral Areas (LEAs).

- (i) Carlow with ten elected members – replacing current Carlow East, Carlow West and Tullow LEAs and Carlow Urban.
- (ii) Muinebheag with eight elected members replacing current Muinebheag and Borris LEAs and Muinebheag Urban.

Members expressed major disappointment at the configuration of the Local Electoral Areas with Tullow LEA now coming under Carlow LEA and also with the imbalance of Carlow LEA with 10 elected members and Bagenalstown LEA 8 members.

Members expressed the view that Tullow, Hacketstown, Rathvilly, Clonmore and such areas now in Carlow LEA will not receive equal representation as Carlow Urban/Rural.

Members also regretted that part of the electoral of Graiguecullen Rural (county Laois), which was included in County Carlow for electoral purposes, will no longer be included in County Carlow.

Members requested that these issues be brought to the Minister's attention.

(b) Establishment of 'Local Enterprise Office' (LEO)

Members had for their consideration report from Ms. B. O'Brien on the establishment of Local Enterprise Office (LEO) together with press release of 20th May 2013 showcasing Local Enterprise Offices and announcing details of improved new service for micro and small enterprises.

Ms O'Brien said the establishment of LEO's allows local supports to be delivered to micro-enterprises in a more coherent and joined-up way. The integration of key enterprise supports via local authorities is crucial to promoting local businesses and entrepreneurship and is very much part of the overall reform of local government.

The Carlow Local Enterprise Office will be located at Enterprise House, O'Brien Road.

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

(c) Establishment of Socio Economic Committees (SEC) (Putting People First)

Members noted circular from Department of the Environment, Community and Local Government updating on recent progress concerning the Alignment of Local Government and Local Development and the establishment of Socio-Economics Committees.

(d) “Pathways to Work”- Local Authority Social Employment Schemes

Members noted correspondence from Ms O’Brien in relation to Government’s Labour Market Activation Strategy – Local Authority Social Employment Scheme.

Ms O’Brien advised that Carlow Local Authorities will take 70 people under the scheme.

(e) Agriculture

Councillor Browne raised issue of end of sugar beet quota in 2017 opening an opportunity to re-establish sugar beet processing in Ireland. Councillor Browne said Carlow needs to examine a number of potential sites in Carlow in preparation for the revival of the industry. He requested an update report from the expert group on the revival of the industry. The County Manager advised that he will carry out a review of potential strategic sites and revert back to Members.

Councillor C. Murphy raised issue of financial problems for farmers following bad weather leading to fodder crisis.

He requested that Carlow County Council write to the Minister to bring forward ‘Disadvantaged Area Payments’.

(f) Health

Councillor W. Fennell advised of upcoming HSE Forum meeting where Members will be briefed on new hospital configurations. There will also be a local meeting arranged.

Councillor Hunter raised issue of Primary Care Centres in County Carlow and requested that the matter be raised at the HSE Forum meeting.

Councillor McDonald raised issue in relation to length of time patients must wait in Accident and Emergency Department at St. Luke’s Hospital, Kilkenny before being seen to and the proposed closure of the A & E department at St. Luke’s for certain periods.

(g) Tenders for opening, if any

Members noted tenders opened since last Council meeting.

5. PLANNING

(a) Planning Progress Report

Members welcomed Planning Progress Report for the period 1st January 2013 to 31st May 2013.

The report covered the following areas of responsibility.

- (a) Development Management*
- (b) Enforcement Activities under the Planning and Development Act*
- (c) Taking of Estates In Charge*
- (d) Unfinished Estates*
- (e) Economic Development, Planning and Cultural Strategic Policy Committee*
- (f) Review of Development Contribution Scheme*
- (g) Forward Planning*

Members raised the following issues:-

- Derelict sites Carlow Town and Pollerton area.
- Increase in anti social behaviour Browneshill Wood with the provision of walkway between Sandhills Estate and Browneshill Wood.
- Unfinished estates. In response to Members queries Ms. O'Neill outlined current position on unfinished estates.
- Extension duration of Planning Permission. Ms. O'Neill advised that effectively the application is treated as a new application as in order for the Planning Authority to grant permission for an extension of duration it must satisfy itself that certain criteria are met.

Mr. D. Walsh, Senior Planner advised Members of Review of County Development Plan. The statutory process to review the County Development Plan will commence in August 2013.

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.

6. ENVIRONMENT, WATER SERVICES & HEALTH & SAFETY

(a) Carlow County Council Draft Noise Action Plan

Members had report from D. McInerney on Carlow County Council Draft Noise Action Plan.

Mr. McInerney advised that any sections of roads with more than 3 million vehicle passages per year were required to be mapped.

The Draft Plan has been considered by the Transportation and Emergency SPC and has been submitted to the Environmental Protection Agency for assessment.

The public consultation period will end on the 28th June 2013. It is intended that the Plan will be finalised and published by the EPA in January 2014.

Councillor C. Murphy raised issue of noise sound barrier on N80 under motorway at Kildavin.

Altamont House - Mediation Costs

The County Manager advised Members of mediation costs in relation to the transfer of Altamont House to the Office of Public Works. Members' approval was sought to the expenditure of €30,000.

Proposed by Councillor A. McDonald

Seconded by Councillor P. O'Toole

And

Following a showing of hands it was unanimously resolved;-

"That we, the Members of Carlow County Council, pursuant to Section 66 and 67 of the Local Government Act 2001 hereby approve expenditure in the sum of €30,000 in relation to Altamont House in the interests of the promotion of economic development and heritage of County Carlow.

7. CORRESPONDENCE

Members noted correspondence from the Office of the Minister for Education and Skills in response to Members' resolution on 3rd December 2012 in relation to increase in student contribution charge for the academic year 2013/2014.

Members noted resolutions from Down District Council

"That Down District Council asks our Government to allow citizens of the Irish Republic who perceive themselves to be British to be entitled to obtain a British passport."

Members noted resolutions from Leitrim County Council

"That Leitrim County Council call on the Minister for Arts, Heritage and Gaeltacht Affairs, Mr. Jimmy Deenihan, TD, whose Department has responsibility for the National Heritage Areas (N.H.A. areas), to visit the issue of blanket ban on turf cutting in those effected areas with a view to amending legalizing so as to allow bog owners and turf cutters the right to continue to harvest turf as their main source of fuel. There are 4 NHAs in Leitrim which will be directly affected by the ban- the areas are Cashel Bog, Corracramph Bog, Cloonageeher Bog and the bogs along the Rinn River – there are further 2 NHAs which straddle the Leitrim/Longford border – Aghnamona Bog and Wooddown Bog – which will also be affected by the ban. The ban, which is due to come into effect at the end of 2013, would result in an almost total cessation of turf cutting in the South Leitrim area and will cause a lot of anger within communities who have been harvesting turf on their bogs for generations."

Members noted resolutions from Nenagh Town Council

"That Nenagh Town Council ask that any State board positions that come up and are advertised through Public Jobs.ie are assessed by an independent panel and the relevant Minister should be bound by the recommendations of the panel."

Members noted resolutions from Clare County Council

"That Clare County Council calls on the Minister for Justice, Mr. Alan Shatter TD, to undertake a review of accommodation arrangements for refugees and asylum seekers."

Members noted resolutions from Limerick County Council

“that, the Minister for Finance and the Government would be called upon to reimburse the Irish Credit Unions who lost their investments in the purchase of Investment Bonds from Anglo Irish Bank as a result of the recent liquidation of IRBC. We further propose that this Motion be circulated to all Local Authorities.”

Members noted resolutions from Offaly County Council

“that Offaly County Council write to the Minister for Justice & Equality and to the Garda Commissioner Martin Callinan requesting that Garda Recruitment be resumed as soon as possible.”

Members noted correspondence from Monsignor Brendan Byrne

thanking Members for their kind expression of thanks to him as Diocesan Administrator.

Members noted correspondence from Kerry County Council in

relation to the substantial monies paid out each year in administering the Coroners function.

8. Fógraí Rúin/Notices of Motion.

Notice of Motion standing in the name of Cllrs. William Paton, Jim Townsend, Caroline Townsend, Des Hurley and William Quinn

Mindful that 14 countries that have already legislated for Civil Marriage for same sex couples – New Zealand, The Netherlands, Belgium, Spain, Canada, South Africa, Norway, Sweden, Portugal, Iceland, Argentina, Denmark, Uruguay and France;

Mindful of the overwhelming vote by the Constitutional Convention in April in favour of a constitutional referendum proposal to allow for same sex Civil Marriage in Ireland and

Mindful of consistent research polls in Ireland which demonstrate widespread support for same sex Civil Marriage:

“That Carlow County Council supports full marriage equality for all citizens regardless of race, religion or sexuality.”

The motion was proposed by Councillor Paton and seconded by Councillor J. Townsend.

Following discussion 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 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: 7 for, 1 against, 8 abstentions, 5 absent

Notice of Motion standing in the name of Cllrs. William Paton, Jim Townsend, Caroline Townsend, Des Hurley and William Quinn

Proposed by Councillor W. Quinn

Seconded by Councillor D. Hurley

And

Following a showing of hands it was unanimously resolved;-

“That Carlow County Council calls on the Minister Justice, Equality and Defence to urgently introduce regulation for the “Cash for Gold” industry to include:-

- Compulsory registration for all business owner(s)
- That all sellers must produce photographic ID and evidence of home address, a copy of which must be retained by the business

- That all sellers must sign a declaration that he/she is the legal owner of the goods
- That all items are recorded photographically and that any inscriptions, dates or identifying marks are recorded
- That all items for sale are held for two weeks before disposal
- That it becomes a criminal offence for both the employee and owner of the business to buy items from any person without ID etc. or failing to record the item properly at the time of purchase.

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

Members attendance at the following conferences were approved:-

Prepare for New National/Regional Strategies, Cllrs. F. Browne, A. Ahern
Silver Tassie Hotel, & T. O'Neill
Letterkenny, Co. Donegal.
14th to 16th June 2013

Regional Assemblies Joint Conference 2013, Cllr. J. Pender
Royal Hospital,
Kilmainham, Co. Dublin.
19th June 2013

Standards for Rented Houses, Cllrs. W. Quinn, &
Westport Plaza Hotel, P. O'Toole
Westport, Co. Mayo.
7th to 8th June 2013

Renewable Energy & Energy Management, Cllr. T. O'Neill
Maldron Hotel, Galway.
26th to 28th April 2013

Supporting Enterprise, Local Development etc., Cllr. A. McDonald
Connacht Hotel,
Dublin Road, Galway.
14th to 15th June 2013

This concluded the business of the meeting.