

## **CARLOW COUNTY COUNCIL**

### **Minutes of the March Monthly Meeting of Carlow County Council, held in The Council Chamber, County Offices, Athy Road, Carlow, on Monday, 12th March 2012 at 2.00 p.m**

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- 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 W. Paton  
Councillor J. Pender,  
Councillor W. Quinn.  
Councillor C. Townsend,  
Councillor J. Townsend,
- Apologies: Councillor P. O'Toole
- In attendance: Mr. J. Carley, Deputy County Manager,  
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. 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:-

- Gertrude Connolly and family, 2 Oak Park Rd., Carlow on the death of her husband Tony.
- Margaret Salter and family, 5 Greenhills, Browneshill Road, Carlow on the death of her husband Jim.
- The Family of Dr. Eamon Gavin, West House, Bagenalstown
- James Ramsbottom and family, 40 Dereen Heights, Carlow on the death of his wife Ann
- Hilda Jordan, Glenaharry, Bagenalstown, Co. Carlow on the death of her husband Michael and brother George Rothwell.

## **VOTES OF CONGRATULATIONS**

The Members expressed votes of congratulations to:

- Siobhra O'Flaherty, on winning the school's cross country national title.
- All involved with the Diocesan Eucharistic Congress held in Carlow on 9th/10th March.
- The Minister for Housing and Planning on recent announcement of funding to improve and adapt private homes of older people and people with disabilities in 2012.
- Minister for Education on the announcement of major school building projects as part of capital investment programme over the next number of years.
- Jimmy Reidy, Environmental Health Officer on his recent retirement.
- Margaret Ellis, Clerical Officer/Receptionist on her recent retirement.

Members also expressed good wishes to all staff who recently retired from the service of Carlow Local Authorities.

## **CONFIRMATION OF MINUTES**

- (c) Proposed by Councillor W. Quinn  
Seconded by Councillor M. Abbey  
AND RESOLVED:**

*“That the Minutes of the Monthly Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Monday, 13th February 2012, at 2.00p.m having been circulated to each Member, be taken as read, confirmed as to accuracy and accordingly signed.*

In response to a query Members requested that Carlow County Council again write to Ms Ann Marie Lanigan, HSE Carlow/Kilkenny inviting her to address Members at a suitable date in relation to health issues in Carlow. This letter is to be given to the Members of the Health Service Executive Forum who are attending an upcoming meeting of HSE South.

## **2. CIRCULARS**

There were no circulars

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

- (a) Proposed by Councillor M. Doran  
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 disposal of 0.13 Hectares at Leighlinbridge, Co Carlow, to Mrs. Therese Lennon, Glen Lodge, Leighlinbridge, Co. Carlow, in consideration of the sum of €1.00 in accordance with the terms of statutory notice already circulated”.*

- (b) Proposed taking in charge of Slaney Meadows Housing Estate, Rathvilly.**

Mr. McInerney advised that following the public consultation process no submissions were received.

Members approval was sought to the taking-in-charge of Slaney Meadows Housing Estate, Rathvilly

**Proposed by Councillor F. Hunter**  
**Seconded by Councillor W. Paton**  
**AND**

Following a showing of hands it was unanimously resolved:-

*“That we, the Members of Carlow County Council hereby approve the taking in charge of Slaney Meadows Housing Estate, Rathvilly in accordance with S11 of the Roads Act, 1993, and S180 of the Planning and Development Act, 2000-2010”.*

Members were advised by Mr. D. McInerney of the South East Region Public Lighting Maintenance Services Contract.

Airtricity Utility Solutions Ltd. has been awarded the contract which has been signed into place on behalf of the Local Authorities in the South-East region by the County Manager, Waterford County Council.

In response to Members queries Mr. McInerney advised that there are extensive terms of reference attached to the contract and they will be brought to area meetings for Members consideration. The contract is performance based. Contact numbers will be made available.

Members queried if all poles will be numbered for easy reference.

Queries raised by Members were answered by McInerney.

#### **4. TRANSPORTATION & EMERGENCY SERVICES**

##### **(a) Road Works Programme 2012**

Members had for their consideration and approval Draft Roadworks Scheme for 2012. The total allocation available to Carlow County Council for 2012 is €6,564,163 of which €1,211,193 is allocated from the NRA for National Roads, €4,566,970 is allocated from the Department of Transport for Non-National Roads and the balance of €786,000 is allocated from local funding.

Members raised the following issues:

- Carlow Southern Relief Road between proposed roundabout at Ballinacarrig and the termination of Carlow Inner Relief Road and from the Eire Og roundabout towards the Blackbog roundabout. Mr. McNerney advised that allocation of €700,000 will facilitate the design, land acquisition and commencement of works on the section of the Carlow Southern Relief Road.
- Pothole repairs. Members requested a listing of repairs carried out on a monthly basis. Issue regarding Pot hole at Lawler's, Corries Cross was also raised. Mr. McNerney advised that these issues be best dealt with at local area meetings.
- Dangerous junction Link Road, Chapelstown.
- Class (iii) roads – the need to readdress funding issue. Mr. McNerney advised that an extensive survey has been carried out in relation to Class (iii) roads and specific roads have been identified for surface dressing. Members also raised the issue of Class (iii) road at Kellistown where ESB sub-station is located with a view to requesting the ESB to contribute towards repairs to this road.
- The need for footpaths and public lighting between Tullow Town and Mount Wolsley.
- Clashganny Road, Borris in need of urgent repair with the hosting of the National Country Fair in Borris in August.
- No speed ramps through Palatine village a cause for concern.
- Footpaths along canal in Bagenalstown in need of repair and entrance to Family Resource Centre.

Queries raised by Members were answered by Mr. McNerney.

Members' approval was sought to the Draft Roadworks Scheme 2012 as set out in schedule.

**Proposed by Councillor M. Abbey**

**Seconded by Councillor W. Lacey**

**AND**

Following a showing of hands it was unanimously resolved:-

*“That we, the Members of Carlow County Council hereby approve the Draft Roadworks Scheme for 2012.”*

## **(b) Road Traffic Act 2004, Part 2 – Review of Speed Limits**

Members welcomed report from Mr. D. McInerney on Review of Speed Limits. The Review of Speed Limits was brought to the January meeting of Council. Following consideration Members indicated that they wished to have the matter of the Speed Limits Review brought back to Electoral Area Committee meetings. Electoral Area Committee meetings subsequently took place. The Review was also on the agenda for consideration at the Transportation and Emergency Services SPC meeting. Members' approval was sought to commence the prescribed consultation phase. The period for consultation must not be less than one month from the date that the notice issues to An Garda Síochána and the Town Council.

Members raised the following issues:

- Speed limits on the Link Road and at Rathcroogue/Ballycroogue. Write to the Superintendent of An Garda Síochána requesting that these areas are monitored for correct compliance of speed limits.
- The insertion of word max on speed limit signs to indicate the speed limit shown is the maximum speed limit permitted.
- Signs at Ballynaboley, Leighlinbridge.
- Members expressed dissatisfaction with the introduction of a 30 km/hr zone in Carlow town centre but welcomed retained speed limit at Grange.

Queries raised by Members were answered by Mr. McInerney.  
It was

**Proposed by Councillor W. Lacey**

**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 Review of Speed Limits under the Road Traffic Act 2004, Part 2.”*

**(c) Major Emergency Management South East Region – Exercise Railroad**

Members were advised by Mr. D. McInerney of the Exercise Programme in accordance with the Framework for Major Emergency Management South East Region and in particular Section 4 Planning and Preparedness.

Carlow Local Authorities have been tasked to lead the next Inter-Agency Exercise.

A rail incident scenario is proposed following consultation with Iarnród Éireann and the full scale field exercise will be held on 29th March 2012.

Members expressed concern that the exercise may lack element of surprise and will turn into a spectator sport.

Mr. McInerney advised that these issues will be addressed and the exercise is designed to test individuals and teams and to identify advancements that can be made to increase efficiency and overall coordination.

**5. ENVIRONMENT, WATER SERVICES & HEALTH & SAFETY**

**(a) Environment/Water Services Progress Report**

Members welcomed Environment, Water Services & Health & Safety progress report 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 regulatory function for local authorities has seen an increase in environmental inspection and monitoring requirements. During 2011 an increased emphasis on enforcement will be reflected through the Recommended Minimum Criteria for Environmental Inspections (RMCEI) Plan.

Drinking Water Regulations 2007, Wastewater Discharge Licences Regulations 2007, Water Services Act 2007 and the Food Waste Management (2009) Regulations are currently being implemented and are having a major impact on Water and Environmental Services. The report covered detailed summary of Major Water and Waste Water Schemes currently underway, together with Small Schemes,

Serviced Land Initiatives, Rural Water Programme and Flood Relief Works.

The report detailed the current position relating to Powerstown Landfill. Planning approval for continued operation was submitted to An Bord Pleanála on February 20th 2012. Current arrangements at the facility are ensuring continued service provision.

Community Fund – The operation of the fund will be advertised before the end of March.

Bottle and Paper Recycling Bank Network – 27 bring centres and one civic amenity site in the county. 7 paper collection facilities were provided for up to February 2012 but 3 were subsequently removed. Greenstar Ltd and Glassco Ireland Ltd have the regional contract for servicing recycle centres and bring site facilities in the county.

Members noted the objectives of the River Basin Management Plan which was adopted in the South East in July 2010.

The report also covered Water Metering Project- 1,850 non domestic consumers have been metered. The Environmental Protection Agency has initiated Remedial Action Lists for 6 water treatment plants where exceedances of the water regulations have been identified. Four have now been upgraded.

The report also included the following :- EPA Quality Drinking Water in Ireland Report 2008-2009, Individual Well Grants, Water Conservation Project, Licencing of Waste Water Treatment Plants, Waste Management and Water Quality Regulatory Activity, Food Waste Regulations, Waste Enforcement checkpoints, Enforcement action taken on Waste Management Inspection and Litter Fines.

Other areas covered in the report included Public Consultation – Waste with the Draft Framework for Sustainable Development in Ireland and the South East Regional Management Plan.

The report included Health and Safety, Promotion of Environmental Awareness, and Veterinary Service.

Members raised the following issues:-

- Carlow Main Drainage – replacement of trees and landscaping issue. Mr. Carley advised that the Town Engineer will deal with these issues.
- Litter control – need for public participation in litter management.
- Powerstown Landfill – Clarification for the public that Powerstown is open for business.



- Veterinary Officer – shared Service with Kilkenny. Mr. Carley advised that he will inform the SPC when the process is complete.
- Irish Water – Members expressed reservations about Government plans to set up ‘Irish Water’ which will take over responsibility for the country’s public water supplies. Members requested that Carlow County Council write to the Minister in relation to the future role of Irish Water. Mr. Carley advised that a report will be brought to the SPC at a later date.
- Rathvilly and Hacketstown Waste Water Schemes – funding for projects. Mr. Carley advised that Carlow County Council is still awaiting response from the Department with regard to funding for the projects and in relation to Hacketstown to progress the project Part 8 planning will be initiated.
- South East Regional Waste Management Plan – Mr. Carley advised that an evaluation of the Plan has commenced and must be completed by 31st December 2012. Consequent on this evaluation the Plan will be revised or replaced as necessary.
- Septic Tanks – the need to increase grant aid for group sewerage schemes. Members requested that Carlow County Council write to the Minister seeking clarification on grant aid and guidelines in relation to septic tanks.

**(b) Rathvilly Waste Water Treatment Works**

Members had report from Mr. J. Carley on the construction of a new Waste Water Treatment Works at Rathvilly adjacent to the existing plant on the same site. The construction of a new Waste Water Treatment Works would constitute development in accordance with Part 8 Section 80 (1) (d) of the Planning and Development Regulations 2001.

Members’ approval was sought to commence the Part 8 process.

**Proposed by Councillor F. Hunter**

**Seconded by Councillor J. Pender**

**AND**

Following a showing of hands it was unanimously resolved:-

*“That we, the Members of Carlow County Council hereby approve the commencement of the Part 8 process for the construction of a new Waste Water Treatment Works at Rathvilly adjacent to the existing*

*plant on the same site, in accordance with the Planning & Development Act 2000 (S.4 & 179), Planning and Development Regulations 2001-2010 (Part 8).*

The Cathaoirleach departed the meeting at this point. The Leas Cathaoirleach Councillor Fennell took the chair.

## **6. COMMUNITY & ENTERPRISE & ECONOMIC DEVELOPMENT & CORPORATE SERVICES**

### **(a) Agriculture**

Councillor Foley raised the issue of deadly virus confirmed in the U.K which affects sheep and lambs.

Mr. Carley advised that the Regional Veterinary Office monitor such issues on an ongoing basis.

### **(b) Health**

Members raised issues in relation to mental health services in Carlow and the absence of support on the ground due to staffing issues.

These issues are to be raised at the meeting of the HSE South by the Members of the Health Services Executive Forum.

### **(c) Tenders for opening, if any**

Members noted tenders opened since the last Council meeting. Members raised issue regarding Salt Barn at Powerstown and the tendering process.

Mr. McInerney advised that the correct tendering procedure was adhered to. Thirteen tenders were received and the contractor awarded the contract was fully compliant. The cost of build was €220,000.

Councillor Foley requested if up to date figures are available on the number of people leaving Carlow for employment and moving to Carlow for employment. Ms. O'Brien is to investigate and revert to Members.

**(d) Carlow Age Friendly County Initiative**

Ms O'Brien advised Members of the Carlow Age Friendly County. This new initiative has been driven by The Aging Well Network right across the country. The announcement of the consultation process and Age Friendly Initiative is taking place on Thursday 15th March in Council Chamber. All Members are invited to attend.

**(e) County Arts Programme 2012**

Members had report from Ms. B. O'Brien, Director of Services and Ms. Sinead Dowling, Arts Officer on the Arts Programme 2012.

Ms. O'Brien in her report stated that confirmation of the Arts Council allocation of annual funding for 2012 in the sum of €80,000 has been received – a reduction of €4,000 on 2011. A further €69,000 was allocated by Carlow Local Authorities for 2012. The combined funding from The Arts Council of Ireland for County Carlow for 2012 is €258,000, which includes Carlow Local Authorities Arts Office, VISUAL and GBShaw, Aspiro Choir and Éigse Carlow Arts Festival. The report set out the countywide arts projects and proposed spends.

**(f) Arts Act Grant Scheme for Individual Artists and Groups**

Members had report from Ms. O'Brien and Ms Dowling, Arts Officer on the Arts Act Grant Scheme for Individual Artists and Groups.

Independent recommendations were sought in relation to these awards and only artists for whom awards had been recommended were listed.

Members' approval was sought to the Schedule of Arts Grants 2012.

**Proposed by Councillor A. McDonald**

**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 Arts Grants 2012 as set out.*

**(g) “Industrial Excellence” McGrath Hall, Muinebheag**

Ms O’Brien advised Members of the official launch of ‘Industrial Excellence’ celebrating 200 years at McGrath Hall, Bagenalstown on 12th April at 3.45p.m. The Exhibition is promoted by Muinebheag Town Council and will highlight the achievements of Carlow’s mechanical engineering industries. All Members are invited to attend.

**(h) International Pan Celtic Festival**

Ms B. O’Brien advised Members of the International Pan Celtic Festival 2012 which is taking place in Carlow from 10th to 15th April 2012. Members pledged their support for the Festival and paid tribute to Bríd De Róiste of Glór Cheatharlach for her work and commitment organising and promoting the event.

**7. CORRESPONDENCE**

**Members noted correspondence from Cavan County Council** in relation to letter sent to An Taoiseach on the issue of the undocumented Irish in America.

**Member noted correspondence from the Department of Health** in response to correspondence sent by Members concerning retirements and staffing in the public health service.

**Members noted resolution from Shannon Town Council**

*“That this council call on the government through the Minister for the Environment, to remove the tax on households, known as, The Residential Household Charge”.*

*“That Shannon Town Council call on the government to reduce the excessive tax on fuel and introduce a refund scheme to assist people whose work situation is seriously affected by the increasing price of petrol and diesel.”*

**Members noted correspondence from Roscommon County Council** in relation to consultation by Roscommon County Council on

the establishment of a Public Water Utility and the submissions that were made to the Department.

**Members noted resolution from Sligo County Council**

*“That we the Members of Kerry County Council call on the Minister for Social Protection not to make any cuts on Community Employment Schemes in County Kerry and to reverse cuts already made.”*

**Members noted resolution from South Tipperary County Council**

*“We call on the Minister for Education not to downgrade Ballyneale, Burncourt, Clogheen and Newtown Upper National Schools.”*

**Members noted resolution from Limerick County Council**

*“That, Limerick County Council requests the Minister for the Environment, Community and Local Government to have all local authorities bring their sewerage treatment plants up to standards that comply with the Water Quality Directive in advance of enforcing the proposed septic tank legislation on Rural householders in our County, and that this Motion be circulated to our sister authorities nationwide for their support.”*

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

Councillor Quinn expressed his anger at the removal of buntings from Main Street, Borris by the ESB ahead of St. Patrick’s Day festivities.

Councillor Murnane O’Connor raised the issue regarding Bus Eireann Bus Stop, Leighlinbridge. The bus stop needs to be moved to accommodate older people and street lighting is required.

Members raised the issue of Household Charge due by 31st March and noted that 85% of eligible home owners have not paid the charge to date. Members felt that lack of information and clarification on the charge was confusing for people. The issue of not being able to pay the charge through the Post Office or Credit Union was also highlighted. Members requested that Carlow County Council write to the Minister expressing Members sentiments and requesting clarification on all issues pertaining to the charge.

Members had the following notice of motion from Councillor J. Murnane-O'Connor.

*'We, the Members of Carlow County Council, call on the Government and the relevant Ministers to introduce new legislation to regulate and limit the number of communication masts in urban areas. That clear guidelines be established for distances from educational, residential and health facilities. That ComReg provide a report on each and every application to the planning authority. We also call on the Government to legislate that potential health risks be taken into account as part of the planning process for communications masts.'*

The motion was seconded by Councillor Ahern-Nee Long.  
The motion is to be sent to the Minister for Environment, Community and Local Government.

Members attendance at the following conferences were approved:-

New York for the Carlow Association/  
Lacey  
St. Patrick's Day Parade

Cllr. Walter

Guide to Septic Systems,  
Murnane O'Connor  
Kingsvalley Hotel,  
Merlin Park,  
Dublin Road,  
Galway.  
9<sup>th</sup> to 10<sup>th</sup> March 2012

Cllr. Jennifer

Personal Injuries,  
Murnane O'Connor  
Manor West Hotel,  
Killarney Road,  
Tralee, Co. Kerry.  
30<sup>th</sup> to 31<sup>st</sup> March 2012

Cllr. Jennifer

Water Services Amendment Act 2012 (Proposed) Cllr. Michael  
Doran  
Carlton Atlantic Coast Hotel,  
Westport,  
Co. Mayo.  
23rd to 25th March 2012

Media/Social Media/Effective Time Management, Cllr. Fergal  
Browne  
Celtic Ross Hotel,  
Rosscarbery,  
West Cork. .  
23rd to 25th March 2012

LAMA Spring Seminar, Cllr. Michael  
Abbey  
The Tower Hotel,  
Waterford.  
Limerick.  
13<sup>th</sup> to 14th April 2012

This concluded the business of the meeting.