

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 11th March 2013 at 2.00 p.m**

Present: Councillor M. Abbey, Cathaoirleach
Councillor A. Ahern (Nee Long)
Councillor F. Browne
Councillor M. Doran
Councillor W. Fennell
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 W. Paton
Councillor J. Pender
Councillor W. Quinn
Councillor C. Townsend
Councillor J. Townsend

Apologies: Councillor D. Foley
Councillor P. O'Toole

In attendance: Mr. P. Delaney, Deputy County Manager
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. J. Carley, Director of Service - Environment, Water Services
& Health and Safety.
Mr. G. Guerin, Chief Fire Officer
Mr. E. Brophy, Senior Executive Officer, Corporate Services
Ms. B. Whelan, Assistant Staff Officer, Corporate Services

The Chairman thanked Vice Chairman Councillor C. Townsend for chairing February monthly meeting in his absence and to the Members for their good wishes.

OPENING PRAYER

The opening prayer was recited in Irish by the Members.

VOTES OF SYMPATHY

The Members expressed votes of sympathy to:

- Jeannette Lakes, Clerical Officer, on the death of her mother, Elizabeth DeLacey, Conway Park, Bagenalstown.
- Ned Burke, 'Ard Aoibhinn', Browneshills Ave. on the death of his brother James
- The Family of the late Carmel O' Donohue, former teacher Borris Vocational School
- Noreen Whelan, 17 Sycamore Road, Rathnapish on the death of her brother Gerard Galvin, Galway.
- The Family of the late Eileen Quinn, Pembroke, Carlow

VOTES OF CONGRATULATIONS

The Members expressed votes of congratulations to:-

- Carlow Special Olympics on their success hosting Regional Sporting events in the Dome and Carlow IT.
- Carlow Credit Union on celebrating their 50th Anniversary
- All involved with Carlow Fit4Life raising funds for Special Olympics Carlow Group and St. Laurence O'Tooles AC.
- All involved with the launch of International Pan Celtic Festival which runs from 2nd to 7th April.
- Ballymurphy Macra na Feirme Group for their efforts in purchasing a defibrillator for their centre.

1. CONFIRMATION OF MINUTES

- (a) Proposed by Councillor F. Browne
Seconded by Councillor W. Fennell
AND**

Following a showing of hands it was unanimously resolved:-

“That the Minutes of the February Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Monday 11th February at 2.00 p.m having been circulated to each Member, be taken as read, confirmed as to accuracy and accordingly signed.

Councillor Ahern raised issue discussed at February monthly meeting in relation to Wicklow County Council seeking payment of outstanding development charges from householders in respect of housing estate in County Wicklow. Councillor Ahern expressed satisfaction with the outcome as Wicklow County Council has now compelled the developer to satisfactorily complete the development and discharge all outstanding development contributions relating to the estate.

Councillor C. Townsend sought clarification on difference between a notice of motion and resolution.

The Cathaoirleach advised that a Notice of Motion shall not be set down on the Agenda for any meeting unless such Notice of Motion has been delivered to the meeting’s administrator at least ten clear days before the date of such meeting.

Mr. Brophy advised of Standing Order number 22 as follows:-

‘The proposer of a motion not listed in the Agenda or an amendment, and not in common form, shall upon moving same deliver a copy to the Chair.’ This was the procedure followed in relation to February resolution.

2. CIRCULARS

There were no circulars.

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

(a) Ballylennon Lane- process to declare as a public roadway

Members had report from D. McInerney on the proposal to advertise the Council’s intention to declare Ballylennon Lane as a public roadway. Members’ approval was sought to the necessary advertisement in the Nationalist and Leinster Times on the 19th March, 2013.

**Proposed by Councillor F. Browne
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 11 of the Roads Act, 1993; and Part 11 of the Roads Regulations 1994, the commencement of the process to declare as a public road, the laneway known as ‘Ballylennon Lane’ at Burton Hall/Ballylennon, Co. Carlow.”

(b) Taking-in-charge roads and services at The Paddocks, Browneshill Road.

Members had report from D. McInerney on the proposed taking-in-charge of roads and services at The Paddocks, Browneshill Road, Carlow. Members’ approval was sought to advertise the Council’s intention to take the development in charge. The necessary advertisement will be in the Nationalist on the 19th March 2013.

**Proposed by Councillor T. O’Neill
Seconded by Councillor A. Ahern
AND**

Following a showing of hands it was unanimously resolved:-

“That we, the Members of Carlow County Council hereby approve the advertising of the Council’s intention to take-in-charge roads and services at The Paddocks, Browneshill Road, Carlow in accordance with Section 11 of the Roads Act, 1993; Section 180 of the Planning and Development Act, 2000 as amended; and Section 59 of the Planning and Development Act, 2010.

(c) Extinguish public right- of- way Class 111 Local Road L2002-0 at Raheendaw, Rathvilly.

Members had report from Mr. D. McInerney on the Council’s intention to extinguish the public right-of-way of local road L2002-0 off the R726 at Raheendaw, Rathvilly and declare the laneway as a private roadway. Members’ approval was sought to commence the process by placing the necessary advertisement in the Nationalist and Leinster Times on the 19th March, 2013.

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 advertising of the Council’s intention to extinguish the public right-of-way and declare the laneway L2002-0 off the R726 at Raheendaw, Rathvilly as a private roadway in accordance with Section 11 of the Roads Act, 1993; and Part 11 of the Roads Regulations 1994.

Councillor Paton raised issue in relation to taking-in-charge of The Granary Housing Estate, Grange.

Mr. McInerney advised that issues in relation to this estate were being addressed.

4 TRANSPORTATION & EMERGENCY SERVICES

(a) Transportation Progress Report

Members welcomed Transportation Progress Report for the period September 2012 to February 2013.

The report covered the following:-

- 2012 Funding €6.564m
- National Road Surfacing Works 2012
- National Road Safety Remedial Measures
- Non-National Road Restoration Improvement Works and Surface Dressing
- Smarter Travel Policy - National Cycle Network Funding Scheme and Active Travel Towns Funding Scheme
- Road Grant Allocations 2013
- Community Involvement Schemes

Members raised the following issues:-

- National Cycle Network Funding Scheme
- Reduction in allocation of funding for the maintenance of M9 Motorway
- Community Involvement Schemes 2013

- Funding under Local Improvement Schemes. Mr. McInerney advised that 7.5% of allocation can be used for L.I.S. resulting in less funding for public roads.
- Funding for Drainage Works
- Poor condition of laneways where new houses have been built. P. Delaney advised that as a condition of planning development contribution can be ring fenced for roadway improvements.
- Flooding Fenagh along River Burrin
- Quinnagh Road improvement works

Queries raised by Members were addressed by Mr. McInerney.

(b) Emergency Services Progress Report

Members welcomed Progress Report on Emergency Services from June to December 2012.

Members praised Carlow County Fire Service for their excellent achievements and commitment to Emergency Services in County Carlow.

Members raised the following issues:-

- Call out charges
- Old HSE dispensary, Tullow purchased by the Fire Service. Concerns regarding parking facilities.
- Inspection of pubs and clubs during high activity nights
- Hacketstown Fire Station and services going forward. G. Guerin advised that Hacketstown is the Training and Development Centre for the Fire Service and also to fire service personnel from across the country. D. McInerney advised of the strong commitment to Hacketstown Fire Service.
- Proposed shared service arrangements for Carlow/Kilkenny Fire Service.
- Educational awareness regarding smoke/fire alarms/Fire blankets and carbon monoxide awareness.
- Inspection of apartment blocks
- Refurbishment of Bagenalstown Fire Station
- Bonfires – council being involved in a controlled environment setting.

Queries raised by Members were addressed by D. McInerney and G. Guerin.

Presentation Glór Cheatharlach

The Cathaoirleach issued a Céad Míle Fáilte to Bríd de Róiste and Emma Uí Bhroin of Glór Cheatharlach.

Also in attendance was Séan Mac Diarmada, Carlow Local Authorities. Bríd de Róiste spoke of the endeavours to promote the Irish language in Carlow since the establishment of Glór na nGael in 1970.

During the late seventies a group was formed with a vision to build respect for the Irish language, art and culture among the local people. As a result Éigse Cheatharlach was founded in 1979. Ms. De Róiste spoke of the support given to Éigse by Carlow Local Authorities through the years. In 1980 the first Naoinra pre-school was established in Carlow and Gaelscoil Eoghain Uí Thuairisc primary school was established in 1982 with help from Carlow County Council. Gaelcholáiste Cheatharlach was established in 1990 ensuring fluent speakers for the next generation. The appointment of Emma Uí Bhroin as a full time Irish Development Officer in 2008 has proved a huge success.

Ms Uí Bhroin spoke of achievements to date with night classes organised in association with Gaelchultúr catering for all levels from beginners to advanced classes. She outlined Irish and cultural events happening throughout the year with particular mention of Pan Celtic Festival 2013.

Ms. De Róiste paid tribute to Séan Mac Diarmada of Carlow Local Authorities for his help and commitment to the Irish language.

Ms. De Róiste made a presentation to Séan on the history of the promotion of the Irish Language through the years for display in County Carlow Museum.

Members paid tribute to Ms De Róiste for her hard work and commitment to the Irish language and queries raised by Members were addressed by Ms. De Róiste.

(c) Roadworks Programme 2013

Members had for their consideration Draft Roadworks Scheme for 2013.

The total allocation available to Carlow County Council for 2013 is €5,228,940 of which €332,283 is allocated from the NRA for National Roads, €4,110,657 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:-

- Signage in County

- Community Employment Scheme. Mr. McInerney advised of submission made to the Department for 30 placements under the Labour Activation Scheme.
- Safety at Blackbog Road, temporary speed limit and signage required until work advances
- Speed limit Palatine Village
- Footpaths Borris
- Improvement works Ballinacarrig
- Lanes Tullow area with particular mention of Knockboy Lane.
- Muinebheag By-Pass
- Pot hole repairs.

Members approval was sought to the Draft Roadworks Scheme 2013.

Councillor Pender said he was not supporting the Scheme as there was no provision in the Scheme for the filling of pot holes on class 3 roads. Councillor Murnane O'Connor supported Councillor Pender.

It was

Proposed by Councillor W. Quinn

Seconded by Councillor M. Doran

AND

Following a showing of hands it was resolved:-

“That we, the Members of Carlow County Council hereby approve the Draft Roadworks Scheme 2013 as set out.”

5. COMMUNITY & ENTERPRISE & ECONOMIC DEVELOPMENT & CORPORATE SERVICES

(a) Agriculture

There were no issues arising.

(b) Health

Councillor Fennell advised of HSE South plans on the provision of services for older people. On a geographical basis it is proposed to organise management structures and operations of community hospitals into clusters to maximise efficiencies including flexibility of service delivery.

Councillor C. Townsend Leas Cathaoirleach took the Chair at 5.10p.m in the absence of the Cathaoirleach.

Members also raised the following issues:-

- Mental Health issues and the importance of promoting Mental Health in schools, workplaces and other agencies.
- Members expressed concern at cuts in HSE spending. Members also raised issue of closure of Accident and Emergency Services in Kilkenny General Hospital after 10.00p.m
- Lack of management coordination at evenings and weekends for psychological and counselling services.

On the proposal of Councillor McDonald, seconded by Councillor J. Murnane O'Connor a resolution, to retain transport service currently provided by the HSE from Carlow, was delivered to the Chair.

Following a showing of hands it was resolved

"That we, the members of Carlow County Council, call on the Minister for Health to retain the transport service currently provided by the HSE from Carlow to outpatient clinics in Dublin & Waterford "

(e) Tenders for opening, if any

Members noted tenders opened since last Council Meeting.

8. CORRESPONDENCE

E. Brophy advised Members of correspondence received from Special Olympics Leinster thanking Members for attending Regional Sporting events in the Dome and Carlow Institute of Technology and for their continued support.

Members noted correspondence from Department of Transport, Tourism and Sport in relation to Community Involvement Scheme 2013.

Members supported resolutions from Sligo Borough Council

1. *" That Sligo Borough Council calls upon the Government to allow a Moneylenders Bill be enacted that introduces a cap of 40% APR*

rather than the current legislation which allows licensed moneylenders to charge interest rates as they see fit.”

2. *“that conscious of the importance and significance of local democracy and local self government:
believing in the principle of subsidiarity;*

recognizing that the purpose of local government is to promote the well being and quality of life of citizens and communities, through effective, accountable and democratic representations and efficient performance and delivery of services at local level; further recognizing that the European Charter of Local Self Government, an international treaty of the Council of Europe which Ireland ratified in 2002 stresses the right of citizens to participate in the conduct of local affairs and that this right can be most directly exercised at local level;

this Council expresses its disappointment and concern at the failure of central government to devolve real power to local government;

in addition this Council expresses its dismay at the proposal of the government to abolish all borough and town councils in the state

And further this Council calls on the Government to adhere to the principle of subsidiarity and to rescind the decision to abolish all borough and town councils;

and further this Council calls on the government and the Minister for the Environment, Community and Local Government to enhance the effectiveness of local self government and of democratic representation by providing for the devolution of powers and the devolution of greater decision making to local government.”

3. *“that Sligo Borough Council write to the Minister for Justice, Mr. Alan Shatter, in relation to illegal money lending. Illegal money lending is having a devastating effect on low income families and individuals in our towns/cities.
The members request the Dept. of Justice and Dept. of Social Protection conduct a review of the sanctions that exist against illegal money-lenders and issue guidance to senior Gardai to prioritise this issue for investigation and prosecution.”*

Members supported resolutions from Shannon Town Council

“Shannon Town Council condemn the proposed planned saving of €72.1 million by the HSE and the reduction of staff by 4,000 in 2013 because of the impact these measures will have on frontline services.”

“That Shannon Town Council debate recommending to the Minister for Transport to enact legislation making the wearing of high visibility vests or belts/bands by pedestrians compulsory at times of darkness or low visibility in all areas.”

Members noted resolution from Dún Laoghaire- Rathdown County Council

“That this Council welcomes the reduction in rates in Budget 2013 but also, in the interest of alleviating the continuing burden on struggling businesses, calls on the Minister for the Environment and Local Government to change the legislation with regard to commercial rates, allowing for a differential rating system to be implemented and further commits to write to other Councils looking for support for this call”.

Members noted resolution from Clones Town Council

“That this Council calls on the Minister for Communications, Energy and Natural Resources, Pat Rabbit and An Taoiseach, Enda Kenny to seek agreement during the period of our E.U. Presidency to expedite the abolition of roaming charges in Ireland and Europe. That this motion be circulated to all Local Authorities in Ireland.”

Members noted resolution from Limerick County Council

“That Limerick County Council ask the Minister for Finance to include licensed coach and bus operators in the excise rebate that was granted to road hauliers in the 2013 Budget.”

Members noted correspondence from An Garda Síochána in response to Members expression of sympathy on the murder of Detective Garda Adrian Donohoe.

Members noted correspondence from Iarnród Éireann in response to letter from Mr. D. McInerney, Director of Services in relation to the withdrawal of the 16.50hrs service from Waterford to Dublin.

Members expressed dissatisfaction with the withdrawal of this service and on the proposal of Councillor Hurley, seconded by Councillor O'Neill it was unanimously agreed that Carlow County Council write to the Minister for Transport to have this decision reversed and the 16.50hrs service reinstated.

Pádraig Pearse Award 2013(Gradam An Phiarsaigh 2013)

It was proposed by Councillor McDonald and seconded by Councillor Ahern and unanimously agreed that Bríd de Róiste, Glór Cheatharlach be nominated for Pádraig Pearse Award 2013.

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

Members attendance at the following conferences were approved:-

Water – our Greatest Natural Resource,
Radisson Blu Hotel,
Letterkenny,
Co. Donegal.
1st to 3rd March 2013

Cllrs. W. Lacey, T. O'Neill
D. Hurley & A. Ahern

Action Plan for Jobs,
Kingsvalley Hotel,
Dublin Road, Galway.
1st to 3rd March 2013

Cllrs. A. McDonald,
J. Townsend & W. Quinn

Promoting BioEnergy Regions,
Bloomfield House Hotel,
Mullingar,
Co. Westmeath.
7th March 2012

Cllrs. A. McDonald,
J. Townsend & J. Pender

ACCC Annual Conference 2013,
Tower Hotel,
Waterford City,
7th to 8th March 2013

Cllrs. W. Fennell, D. Hurley
& T. O'Neill

Local Government Supporting Volunteerism, Cllr. Pat O'Toole
Manor West Hotel, Killarney Road,
Tralee, Co. Kerry.
8th to 9th March, 2013.

Clare Roots,
Templegate Hotel,
Ennis,
Co. Clare.
2nd to 6th April 2013

Cllrs. W. Quinn & F. Browne

LAMA Spring Seminar,
Ashdown Park Hotel,
Gorey,
Co. Wexford.
5th to 6th April 2013

Cllr. M. Abbey

Carlow Tourism Conference,
Lord Bagenal Hotel,
Leighlinbridge,
Co. Carlow.
18th to 20th April 2013

Cllrs. M. Abbey
& W. Fennell

EURES Cross Border Conference,
Ballymascanlon House Hotel,
Dundalk,
Co. Louth.
24th April 2013

Cllrs. A. McDonald
& J. Townsend

There was no further business to be transacted.

This concluded the business of the meeting.