

CARLOW COUNTY COUNCIL

Minutes of the November Monthly Meeting of Carlow County Council, held in The Council Chamber, County Offices, Athy Road, Carlow, on Monday 12th November 2012 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 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. S. O'Connor, Director of Services - Housing,
Recreation & Amenity & Special Project
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 in Irish by the Members.

VOTES OF SYMPATHY

The Members expressed votes of sympathy to:

- The Dowling Family on the tragic death of Sean Dowling, Spahill, Borris
Members paid tribute to Pauric Cahill, Civil Defence and Gardai for their assistance in relation to this tragedy.
- Bea Flynn & Family, Killenane, Bagenalstown, Co. Carlow on the death of her husband James.
- Joe Roberts and Family, Lackabeg, Kildavin on the death of his wife Kathleen.
- Eddie Corcoran & Family, 2 Pairc Mhuire, Bagenalstown on the death of his sister Kathleen Lill, Cheshire, England.
- Eddie Townsend, Craftsman, Housing Department on the death of his mother Mrs. Anastasia Townsend, St. Martin's, Linkardstown, Carlow.

VOTES OF CONGRATULATIONS

The Members expressed votes of congratulations to:-

- Bagenalstown on winning Co-Operation Pride of Place Award 2012.
Members paid tribute to local agencies, local businesses and local voluntary organisations for their commitment to showcasing all that is good about Bagenalstown culminating in the National Award.
Members also paid tribute to Bernie O'Brien, Margaret Moore, Jeanette O'Brien and staff in Community and Enterprise Department for their work with Bagenalstown Pride of Place.
- Ballon community on winning Carlow Pride of Place 2012.
- Mount Leinster Rangers on winning the Senior and Minor County Championship.
- All involved with Mental Health Week in Carlow and with Éist Cancer Support Centre, Carlow
- Leighlinbridge Improvement Group for their commitment to Carlow Pride of Place 2012.
- Liam Fitzgerald, Senior Engineer, Pierre Lewis and staff involved with the excellent job on construction of roundabout at Wall's Forge.
- Ballinkillen Juniors and U/21's on winning County Hurling Championship.

- Myshall Camogie on reaching the All Ireland Junior Camogie Club Final.
- Éire Óg Football Club on winning Senior, Junior, Minor and U/21 County Championships.
- Father and Son Willie and Niall Quinlan, Members of Éire Óg Junior A Team, on receiving Sporting Hero Award for September 2012.
- Chambers of Commerce of Ireland Excellence in Local Government Awards:-
Rohingya Resettlement Programme -Overall Award County/City Development Board of the year.
Supporting Tourism - Carlow County Museum
Sports Development - Tone Zone Outdoor Gym at Éire Óg CLG.
Members complimented staff in the Carlow Local Authorities for their work on the above projects.
- 2012 Retail Excellence Ireland Awards:-
Rathwood on winning Retail Store of the Year greater than 10,000sq. ft.
Aboretum Lifestyle and Garden Centre a finalist in the 2012 REI Company of the Year Awards.
Louise Amond employee of Sam McCauley Chemist in Carlow Shopping Centre on being awarded the Rising Star of the Year award by Retail Excellence Ireland in recognition of employees in the retail sector.

1. CONFIRMATION OF MINUTES

- (a) **Proposed by Councillor W. Lacey**
Seconded by Councillor A. Ahern
AND

Following a showing of hands it was unanimously resolved:-

“That the Minutes of the October Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Monday 8th October at 2.00 p.m having been circulated to each Member, be taken as read, confirmed as to accuracy and accordingly signed.

2. CIRCULARS

There were no circulars

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

(a) Carlow Arts Centre Ltd.- Request to convert €1.5m Shareholder Loans to Share Capital.

Members had report from Mr. P. Delaney, Head of Finance requesting Members' approval to convert €1.5 million from the current €4,492,118 shareholders loans to share capital. The remaining €2,992,118 will be registered as a charge on the property.

Queries raised by Members were addressed by the County Manager.

Councillor Paton withdrew from the meeting for this item due to potential conflict of interest.

Proposed by Councillor J. Pender

Seconded by Councillor A. McDonald

AND

Following a showing of hands it was unanimously resolved:-

“That we, the Members of Carlow County Council, having considered correspondence received from the Board of Carlow Arts Centre Ltd and report thereon dated 26th October, 2012 , hereby approve, pursuant to Section 66 of the Local Government Act 2001, the conversion of €1,500,000 from the current €4,492,118 loans advanced by Carlow County Council to Carlow Arts Centre Ltd to share capital. The remaining €2,992,118 to be registered as a charge on the VISUAL Centre for Contemporary Art & The George Bernard Shaw Theatre”.

(b) Taking -in-charge Phase 3 Rathsillan Housing Development

This item was deferred.

Councillor Browne raised issue of taking- in-charge of laneway at Ballylennon. Mr. McInerney to examine this issue.

(c) Agree dates for 2013 Budget Meetings

It was agreed that the 2013 Budget Meeting be held on 17th December at 2p.m with the Pre Budget Meeting at 11.00a.m unless advised otherwise.

Members raised issue of Corporate Policy Group Meetings not being held on a regular basis. The County Manager advised that this issue will be addressed.

4. COMMUNITY & ENTERPRISE & ECONOMIC DEVELOPMENT & CORPORATE SERVICES

(a) Local Government Reform – “Putting People First”

Members had report from Ms. B. O’Brien on Local Government Reform “Putting People First”.

Ms. O’Brien had in her report key points of the Action Programme on proposed Local Government Reform for implementation with effect from next Local Elections, June 2014.

A detailed discussion took place in relation to Local Government Reform with Members expressing dissatisfaction with certain aspects of Reform and welcoming other aspects.

Presentation to Carlow Fire and Rescue Service.

Carlow Fire and Rescue Service gave a very worthwhile demonstration to Members on an extrication scenario demonstrating the skills needed by Firefighters following road traffic collisions.

Following the demonstration skills Members welcomed the Fire and Rescue Team Members to the Chamber where a presentation was made by the Cathaoirleach in recognition of winning first place in the World Extrication Challenge 2012, held in London. The Team Members included John Comerford, Paul Curran, Alan Owens, Andrew Fisher, Anthony Kirwan and Darren Somers. Members also complimented Assistant Chief Fire Officer Michael Gahan who attended as World Extrication Assessor.

Presentation by Special Olympics Leinster.

The Cathaoirleach welcomed Annette Codd, Ann Hickey and Sandra Murnane of Leinster Special Olympics to the meeting.

Ms Ann Hickey outlined the role of Special Olympics Ireland whose mission is to provide year-round sports training and athletic competition in a variety of Olympic-type sports for children and adults with an intellectual disability.

Ms Annette Codd outlined facts and figures of Special Olympics Leinster and Special Olympics Carlow. She outlined 2013 Regional Events which will take place in Carlow and the benefits to Carlow as a host town. She urged Members for their support through marketing and PR of the event. Members thanked Ms Codd and Ms Hickey for their presentations and queries raised by Members were addressed by Ms Codd.

(b) Local Government Reform – Implications for County Development Boards

Members had report from Ms. B. O'Brien on implications for City & County Development Boards under Local Government Reform. Members noted Circular CD 4/12 which outlines details of the winding down of City & County Development Boards. Under the proposed introduction of Socio-Economic Committees (SEC) and Local Enterprise Offices (LEOs) many of the economic and social activities carried out by County Development Boards will transfer to mainstream elements of local government. Members had for their information a summary of the achievements of Carlow County Development Board since its establishment in 2000. Queries raised by Members were addressed by Ms O'Brien.

(c) “The Gathering” IPB Flagship Gathering Fund & Local/Community Fund

Members noted report on “The Gathering Ireland Fund” 2013. Ms O'Brien advised that in advance of submitting applications that Gathering events/activities need to be uploaded on the website www.thegatheringireland.com Members raised issue of no Local Authority Member representation on steering committee.

(d) Revision of the County Carlow Polling Scheme

Mr. E. Brophy advised that a review of the polling scheme for Carlow County is being deferred as under the Minister's Reform Document a Local Government Boundary Commission will be established, which will make changes that will supersede any polling scheme.

(e) Agriculture

Councillor Paton advised Members that the deadline for claiming existing Rights of Way with the Property Registration Authority (PRA) was

incorrectly advised in recent article as 30th November 2012. The deadline is 30th November 2021.

(f) Health

Councillor Fennell raised issue of configuration of hospitals in South East with particular concerns for Waterford General Hospital. He said patients from Carlow/Kilkenny should be linked to Dublin Hospitals for expert care as distance was of vital importance. Councillor Fennell also highlighted 'Movember' which funds the Irish Cancer Society men's health awareness.

Councillor Townsend raised issue of private home help agencies charging higher rates than HSE.

Members also raised issue of sewerage smell at Tullow Hill, Tullow which requires investigation.

Extension of time

Suspension of Standing Orders

**Proposed by Councillor M. Doran
Seconded by Councillor W. Paton
And unanimously agreed**

"that we, the Members of Carlow County Council hereby agree to the suspension of that part of Standing Orders of Carlow County Council to facilitate the Meeting to 6.00pm.

(g) Tenders for opening, if any

Members noted tenders opened since the last Council meeting and expressed confusion at variable price ranges listed for tendering contracts. Mr. Brophy advised that the variable pricing related to the number of jobs within the contract tendered for. Members requested that going forward this issue be noted when showing pricing.

Issues raised by Members were addressed by Mr. O'Connor and Mr. McInerney.

(5) TRANSPORTATION & EMERGENCY SERVICES

(a) Carlow Local Authorities Winter Services Plan 2012/2013

Members welcomed Carlow Local Authorities Winter Services Plan 2012/2013. The Plan is an update of the 2011/2012 Plan. Carlow Local Authorities will carry out winter maintenance based on priority rating of routes. The Priority rating system has resulted in routes throughout the county being designated as Priority 1, 2 and 3, and the Plan includes details of the routes under each Priority heading.

Members raised the following issues:-

- Clearing of snow/ice from footpaths and legal implications that may arise for members of the public. Members were advised that this issue was satisfactorily dealt with by the Attorney General.
- Grit storage at Grange, Tullow
- Flooding, Fenagh Road. Area Engineer to clear gullies in this area.
- Contact numbers for relevant personnel to be put in Plan
- Light and weeds at Powerstown a road hazard
- Clashganny Road. This issue is currently being monitored.
- Feasibility of Local Authority purchasing salt and selling to local communities at a cheaper rate.
- Leaves on footpaths not being cleared due to budgetary constraints.

Queries raised by Members were addressed by Mr. McInerney.

(6) HOUSING, RECREATION & AMENITY & SPECIAL PROJECTS

(a) Housing/Recreation Progress Report

Members welcomed Housing Progress Report to 31st October 2012.

The report covered the following:-

- 1. Housing Capital Programme**
- 2. IWILS and Extensions and Re-lets**
- 3. Part V**
- 4. Housing Needs Assessment**
- 5. Affordable Housing**
- 6. Housing Grants**
- 7. Housing Loans and Tenant Purchase**
- 8. RAS (Rental Accommodation Scheme)**
- 9. Traveller Accommodation**
- 10. Casual Vacancies**

- 11. Housing Maintenance**
- 12. Land Aggregation Scheme**
- 13. Strategic Policy Committee**

Members raised the following issues:-

- Radon testing Local Authority Housing.
- Max Rent payable by Carlow Town Council tenants greater than maximum rent payable by Carlow County Council tenants.
 - Heating efficiency works Town Council owned houses Riverview Close being completed. County Council owned houses Riverview Close not being catered for.
- Vacant house, Myshall
- Members welcomed Muinebheag Better Energy Communities Pilot Project 2012 and complimented Mr. O'Connor on the initiative.
- Tenant Purchase Scheme. A discussion took place in relation to Tenant Purchase Scheme with Members expressing some confusion at eligibility of tenants to purchase their homes on grounds of age and financial circumstances. The Tenant Purchase Scheme criteria are to be forwarded to Members.

Queries raised by Members were addressed by Mr. O'Connor.

(b) Introduction of a Smoke Free Policy in Playgrounds

Members had report from Mr. S. O'Connor regarding smoke-free policy in all playgrounds under County Council control. Mr. O'Connor advised of recommendation from ASH Ireland to initially erect 'No Smoking Signs' with the matter being reviewed thereafter. Members supported and approved this initiative.

Members raised issue of alcohol use and vandalism in playgrounds and recommended that these issues be also taken into account when erecting 'no smoking' signage.

7. CORRESPONDENCE

Members noted email from Ms. B. O'Brien relating to Press Release by Minister Fitzgerald announcing €2.25 million in capital funding for youth cafes, youth projects and play facilities.

Members noted resolution from Offaly County Council

“ That Offaly County Council call on the Minister for Justice to review government’s policy to reflect an adequately resourced policing force that has the capacity to serve, protect and safeguard all individuals and communities.”

Members noted resolution from Leitrim County Council

“ That Leitrim County Council call on the Ministers for Finance, Tourism and Arts to either extend the artists exemption guidelines to musicians to include the performance of traditional pieces or that publicans be allowed to make tax free payments of up to €25,000 per year for the provision of traditional sessions.”

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

There was no further business to be transacted.

Members attendance at the following conferences were approved:-

AMAI Centenary Conference 2012 Shearwater Hotel, Ballinasloe, Co. Galway. 13 th to 15 th September 2012	Cllrs. J. Townsend
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Protecting Public from Dishonest Traders, O’Toole, W. Quinn The Kingsvalley Hotel, Merlin Park Road, Galway. 5 th to 6 th October 2012	Cllrs. D. Foley, P. C. Townsend,
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Nuclear Free Local Authorities, O’Toole Civic Centre, Ardglass Road, Downpatrick, Co. Down. 12 th October 2012	Cllrs. J. Pender, P.
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Michael Collins & The Creation of
O'Neill,
Irish Democracy,
Celtic Ross Hotel,
Rosscarbery,
Co. Cork.
12th to 14th October 2012

Cllrs. F. Browne, T.
D. Hurley,

Renewable Energy & Green Technology,
The Convention Centre,
Dublin.
18th October 2012

Cllr. W. Fennell

Collecting Local Government Revenue,
Westport Plaza Hotel,
Westport,
Co. Mayo
12th to 13th October 2012

Cllr. W. Quinn

Septic Tank Case Studies,
Westport Plaza Hotel,
Westport,
Co. Mayo.
19th to 20th October 2012

Cllr. P. O'Toole

Dr Douglas Hyde Conference,
Townsend
BMW Regional Assembly,
The Square,
Ballaghaderreen,
Co. Roscommon.
26th October 2012

Cllrs. W. Quinn, J.
A. McDonald

Amendments to Social Welfare Acts,
Kingsvalley Hotel,
Merlin Park,
Dublin Road, Galway.
26th to 27th October 2012

Cllr. P. O'Toole

Debt Settlement,
Manor West Hotel,
Killarney Road,
Tralee, Co. Kerry.
2nd to 3rd November 2012

Cllr. Pat O'Toole

Education for Work Initiatives,
T. Kinsella
Westport Plaza Hotel,
Castlebar Street,
Westport,
Co. Mayo.
9th to 10th November 2012

Cllrs. D. Foley, C. Murphy,

J. Murnane O'Connor

IOSH/SERAC Seminar,
Townsend,
Genzyme Ireland Ltd.,
Old Kilmeaden Road,
Waterford.
16th November 2012

Cllrs. A. McDonald, C.

J. Townsend

Environment Implications, Wind Harvesting,
Townsend,
Westport Plaza Hotel,
Castlebar Street,
Westport,
Co. Mayo.
23rd to 24th November 2012

Cllrs. Wayne Fennell, J.

C. Townsend, A. McDonald

Grand Challenges, Global Agriculture/Food,
RDS,
Dublin.
27th November 2012

Cllr. J. Pender, C. Murphy

This concluded the business of the meeting.