

**Minutes of Meeting of Municipal District of Carlow
held in Tullow Civic Offices
on Thursday, 3rd July, 2014 at 6.30 p.m.**

Present: Councillor A. Ahern (Nee Long)
Councillor F. Browne
Councillor J. Cassin
Councillor J. Deane
Councillor W. Lacey
Councillor J. Murnane-O'Connor
Councillor B. O'Donoghue
Councillor W. Paton
Councillor J. Pender
Councillor F. Phelan

In attendance: Ms. B. O'Brien, Director of Service
Mr. P. Harrington, Senior Executive Engineer
Ms. A. Oakes, A/Senior Executive Officer/Meetings Administrator
Mr. D. Walsh, Senior Executive Planner
Mr. D. Whyte, Planner, Carlow Age Friendly Town

Apologies: Mr. E. Brophy, Senior Executive Officer/Meetings Administrator

1. Confirmation of Minutes:

Proposed by Councillor A. Ahern nee Long

Seconded by Councillor F. Browne

And

Following a show of hands unanimously resolved:-

"That the Minutes of Inaugural Meeting of Municipal District of Carlow held in the Council Chamber, Town Hall, Carlow on Wednesday 11th June, 2014 at 4.00 p.m., having been circulated to each Member, be taken as read, confirmed as to accuracy and accordingly signed".

2. Statutory Business:

(a) To consider Draft Standing Orders for the Municipal District of Carlow

B. O'Brien referred to Draft Standing Orders as circulated. Cllr Paton requested that there be two types of Notice of Motion included in the Standing Orders as agreed for the County Council Meetings - a Notice of Motion which requires a response from the Chief Executive to be delivered to the Meetings Administrator at least ten clear days before the date of such meeting and a Notice of Motion that does not require a response from the Chief Executive, to be delivered to the Meetings Administrator prior to issue of Agenda. Cllr. Browne queried the number of meetings required per annum and Cllr .Lacey suggested that meeting be held bi-monthly or 6 weekly. It was agreed that the Municipal Meetings would be held monthly until the end of the year, with the exception of August and reviewed at that time in line with the review of the number of Council Meetings. It was agreed the meetings will be held at 4.30pm on the last Thursday of each month., with the next meeting to be held on 25th September 2014.

Proposed by Councillor Paton

Seconded by Councillor Ahern

And

Following a showing of hands it was unanimously resolved:-

“That we, the Members of the Municipal District of Carlow, hereby approve the Draft Standing Orders 2014 with amendments as set out, in accordance with Local Government Act 2001 as amended by the Local Government Reform Act, 2014”.

3. Planning:

(a) Carlow Age Friendly Town – Update by Derek Whyte, Planner

B. O’Brien, Director of Services, referred to the Carlow Age Friendly County Strategy and Action Plan which had been launched in 2013 and advised that Carlow had been successful in being allocated a Planner, Mr. Derek Whyte, through the national process, for a ten month period. D. Whyte has been tasked with producing a plan to progress Carlow Town as an Age Friendly town. D. Whyte circulated his presentation and outlined details of his work to date. Members thanked him for his presentation and wished him well with his task. Queries were raised by members on cost implications which may result in implementation of the plan. The Director advised that it was important first to determine what actions are required and thereafter implementation would be phased over a short, medium and long-term period having regard to available resources.

(b) Update on Proposed Amendment No. 1 to the Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area 2012 – 2018 incorporating the Carlow Town Environs Local Area Plan 2012 - 2018

Members considered reports circulated by the Director of Services and were advised that the rationale for the proposed amendment was to rezone four parcels of land to reflect their current status as existing residential use. Mr. D. Walsh, Senior Executive Planner, outlined the background to the Proposed Amendment and referred to the details as outlined in the Consultant’s planning/environmental reports in relation to the lands and also referred to the Natura Impact Report, Strategic Environmental Assessment Scoping Report and Stage 2 Strategic Flood Risk Assessment. It was noted that the report from the Director of Service included an amendment to the CAAS Environmental Report relating to Land Parcel No. 1, whereby an area of 0.22HA within this existing residential holding is located outside the area of the cSAC and accordingly it is proposed to amend the zoning of this area to Residential 1 to reflect its status and the remainder of land parcel No. 1 remain zoned for Amenity and Open Space purposes as recommended by CAAS. It was recommended that this matter now proceed to further stage of public consultation, subject to incorporation of recommendations as outlined in the CAAS reports as amended in report dated 26th June, 2014 from the Director of Services.

Proposed by Councillor A. Ahern

Seconded by Councillor F. Browne

And

Following a showing of hands it was unanimously resolved:-

“That the proposed Amendment No. 1 to the Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area 2012 – 2018, incorporating the Carlow Town Environs Local Area Plan 2012 – 2018, subject to incorporation of recommendations as outlined in the planning and environmental reports prepared by CAAS Planning & Environmental Consultants, as amended in report of the Director of Services, dated 26th June, 2014, proceed to a further stage of public consultation and be placed on public display in accordance with Section 20 of the Planning and Development Acts 2000 - 2013”.

(c) Protected Structure No. CT14, “Pembroke House”, Pembroke Road, Carlow

Members considered report as circulated by the Director of Services and were advised by Mr. D. Walsh, Senior Executive Planner, that a report had been commissioned from Carrig Building Fabric Consultants which recommended that Pembroke House be retained on the Record of Protected Structures. Members noted the report of the Executive Planner, which also recommended that the property be retained on the Register of Protected Structures. Members were advised that in accordance with Section 54(2) of the Planning and Development Act 2000 As Amended “*The making of an addition to, or a deletion from, a record of protected structures shall be a reserved function*”. Under Section 21(4) of the Local Government Reform Act 2014 – Schedule 3 (“Schedule 14A – Section 131 and 131A) Part 2, Reference 13, the right under Section 54 of the Act of 2000 is conferred as follows – a decision in relation to “the making of an addition to, or a deletion from, a record of protected structures to which Part IV of the Act of 2000 relates”, may be performed in respect of a Municipal District by Municipal District Members or the Local Authority (Reference No. 13 relates). Article 5(2) (page 3 & Schedule to Regulations page 6) of Statutory Instrument S.I. No. 231 of 2014 also relates “Local Government (Performance of Reserved Functions In Respect of Municipal District Members) Regulations 2014 (copy attached).

Members discussed costs involved in maintaining a protected structure and queried whether grants were available to owners. Having regard to Article 5(2) of Statutory Instrument No. 231, the members unanimously agreed to refer this matter to the members of Carlow County Council for decision, as the exercise of this reserved function, relating to possible delisting of a Protected Structure in the Municipal District of Carlow, could have significant implications for the administrative area of Carlow County Council or a municipal district other than the district in respect of which the function is to be exercised & performed

(d) Update on Unfinished Estates in Municipal District of Carlow

The Director of Services circulated a report which detailed the current status in respect of a number of unfinished developments and also a schedule of developments for Taking In Charge. The members welcomed the report, however, it was noted that the report did not include a breakdown of the bond figures, cost involved in completing the estates or the number of uncompleted houses. Members raised queries regarding individual estates. The Director of Service assured the Members that a lot of work was taking place and personnel in the Planning Department were liaising with property developers, banks, NAMA and insurance companies. It was agreed that a further report will issue for the next meeting of the Municipal District, incorporating details of bonds and other data requested.

(e) Graigowen Estate Tullow

Members raised the issue of non compliance of the developer in relation to grass cutting in the estate and requested that the developer be contacted in this regard.

(f) Derelict Sites / Dangerous Structures

The Director of Services circulated a report in relation to Derelict Sites/Dangerous Structures. Members noted Notice of Intention to make entry has been served/issued on the owners of 82 properties in Carlow Town; 52 properties have been rendered Non Derelict and 16 have been entered on the Derelict Sites Register and are the subject of levies. Members also welcomed the Compulsory Acquisition under the Derelict Sites Act 1990 of properties at Barrack Street, Carlow. Members referred to tree growing through roof of derelict dwelling in College Street and queried if arrangements could be made to have same removed.

3. Community, Housing, Recreation & Amenity:

(a) Housing Update

The Director of Service circulated report from the Housing Officer. Members raised concerns in relation to the operation of the Rental Accommodation Scheme and inspections of properties accepted on the scheme. The lack of a Tenant Purchase Scheme, the issue of people not being accepted onto the Housing List and the lack of transfers occurring were also discussed. Members also requested that the Housing Department be represented at the next meeting and that they be circulated with updated details of grants available to persons and the criteria relating thereto.

(b) Carlow Town Park

The issue of antisocial behaviour at Carlow Town Park was discussed by the Members, who requested that security arrangements for the park be improved. Members stated there is also an issue with the emptying of bins. The Director of Services and the Area Engineer both responded and advised of the limited resources available and stated that it was hoped to arrange maintenance and caretaking with the introduction of the Gateway Scheme.

(c) Carlow Courthouse Railings

Members queried who had responsibility for maintenance of the Courthouse railings and highlighted the need for urgent improvement works to be carried out on the railings and walls. The Director of Services advised that the Council has previously been in contact with the Courts Service and the OPW in this regard, but unfortunately no progress had been achieved to date. The Director agreed to explore the avenues open to the Council under the protected structures legislation as set down in the Planning and Development Act 2000 as amended..

(d) Tullow Street Signage

Cllr. J. Murnane O'Connor requested that directional signage for Tullow Street be erected and that additional litter bins be provided on the street.

(e) Tullow Tidy Towns Committee

Cllr. Paton updated on the ongoing work of Tullow Tidy Towns, advising that plants were currently being watered by a number of residents/volunteers and referred to the cost implications of same in the future when water charges are introduced. The Area Engineer praised the efforts of the Committee and advised that arrangements would be put in place to facilitate this community service. Cllr. Browne praised the work being carried out by the residents in Kernanstown and requested that a letter issue to them complimenting their hard work and civic pride. Members also requested that the Council write to the Commissioner for Energy Regulation, requesting that consideration be given to Tidy Towns Committees, Residents Associations and Community/Voluntary Groups, in the context of future charges to be applied by Irish Water.

4. Transportation & Environment:

(a) Proposed Amendment of Parking Bye Laws Carlow Town (Water Lane Mill Carpark)

Members discussed the imminent opening of the carpark and noted there are no requirements for the amendment of the existing bye laws relating to car parking in Carlow Town. Cllr. Murnane O'Connor complimented the Area Engineer and his staff on the works and queried the issue of a right turn at the bottom of Dublin Street. Cllr. Browne referred to the Asbestos roof on the building and the Area Engineer advised that there was no issue in relation to same.

(b) Traffic Management Plan/Parking Bye Laws for Tullow

The Area Engineer referred to survey carried out and it was agreed this item would be further discussed at a meeting of the Municipal District in the Autumn.

(c) Parking & Traffic Management on Maryborough Street, Carlow

Cllr. Ahern referred to the flow of traffic on Maryborough Street and queried if a traffic plan should be considered. It was agreed the Area Engineer will arrange to have a traffic count carried out at this location.

(d) Traffic Calming Brownseshill Cross

Members referred to recent accident which had occurred and the need for traffic to edge out onto the road due to the location of an Eircom box. It was agreed the Area Engineer will arrange to have a traffic count carried out at this location and to also contact Eircom relating to location of the box.

(e) Road Surfacing & Traffic Calming At Busherstown, Carlow.

Cllr. Lacey referred to bad bend at Busherstown and was advised work is currently in hand at this location.

(f) Resurfacing of Upper Tullow Street, Carlow

Cllrs. Ahern and Murnane O'Connor enquired if Government funding could be accessed for surface and footpath improvements in the Tullow Street area. Cllr. Deane referred to poor condition of footpath at Finnegan's corner. The Area Engineer advised there are no specific funds currently available for works required at Tullow Street, however, the project is high priority on the Council's work plan. Area Engineer agreed to check position relating to footpath at Finnegan's Corner.

(g) Footpath at Bestfield & Mortarstown – Provision of funding in 2015 Budget

Members discussed the need for extension of footpaths to Bestfield and Mortarstown and asked if funding could be sought from the Department of Education & Skills for extension to the new school. Agreed the Area Engineer will examine costs.

(h) CIS Community Involvement Scheme (Agreement with former Tullow Electoral Area Committee)

Cllr. Paton referred to allocation of funding of €40,000 as agreed at the last meeting of the Tullow Electoral Area Committee in May 2014. The Area Engineer advised that following the first round of offers under the CIS, a number of applicants did not take up the offer, accordingly, funding is now available for the Housing Estates as agreed with the former Tullow LEA members.

(i) Provision of designated area(s) in Carlow Town for parking bicycles

Cllrs. Ahern referred to correspondence together with plan that she had received from a constituent and advised that she would forward same to the Area Engineer for consideration.

(j) Arrangement for St. Mary's Cemetery Mass

The Director of Services circulated details of arrangements agreed and to be put in place for the annual cemetery mass due to take place on 14th July 2014. It was noted there will be no vehicular access from Green Lane on that date and the Members suggested that this should be considered as a permanent arrangement.

(k) Establishment of responsibility for Famine Plot / Workhouse Graveyard on Green Road

Cllr. Lacey queried the maintenance of the Famine Plot at Green Road, Carlow, stating that over 3000 persons were interred therein and a permanent maintenance plan should be arranged. The Area Engineer advised of constraints on resources but that the maintenance of this area would be included for consideration under the Gateway Scheme. It was requested by the Members that D Mulligan, Museum Curator, be requested to carry out some research in relation to the graveyard.

(l) Bunclody Triathlon – late June/early July 2015 (use of Carlow Town Hall Carpark & Road Closure Graiguecullen Bridge to The Grove Killeshin)

Cllr. Paton advised that a triathlon would take place between 20th June and 31st July, 2015, subject to approval from Triathlon Ireland and requested that agreement in principle be conveyed by the members to the use of the carpark and road closure. The request was supported by the Members.

Any Other Business with the consent of the Mayor:

Cllr Browne expressed concern regarding the condition of some of the windows in the theatre space in the Town Hall building in Carlow Town, He also queried the possibility of a roundabout at Ken Blacks and grass cutting at the front of the Big Blue Barn.

Cllr. Phelan referred to recent accident in John Sweeney Park when a young child was knocked down and queried the possibility of the provision of ramps at this location.

Cllr. Ahern outlined her concern regarding road markings around Carlow Town, in particular on pedestrian crossings and cycle lanes.

Cllr. Murnane O'Connor requested that a Traffic Management Plan be prepared for Carlow Town and also requested an update in relation to the Penny's site. She also requested that the Council write to the Department of Health to seek clarification on the process now in place for the issue of Medical Cards.

The Director of Services and Area Engineer committed to examining the matters raised.

This concluded the business of the meeting.