

CARLOW COUNTY COUNCIL

Minutes of the December Monthly Meeting of Carlow County Council, held in The Council Chamber, County Offices, Athy Road, Carlow, on Monday 11th December 2017 at 2.00 p.m.

Present: Councillor W. Paton (Cathaoirleach)
Councillor F. Browne
Councillor J. Cassin
Councillor A. Dalton
Councillor J. Deane
Councillor M. Doran
Councillor D. Foley
Councillor T. Kinsella
Councillor W. Lacey
Councillor A. McDonald
Councillor K. Murnane
Councillor C. Murphy
Councillor J. Murphy
Councillor B. O'Donoghue
Councillor J. Pender
Councillor F. Phelan
Councillor W. Quinn

Apologies: Councillor A. Gladney

In attendance: Ms. K. Holohan, Chief Executive
Ms. B. O'Brien, Director of Service – Corporate, Planning, Economic Development, Health and Safety,
Mr D. McInerney, Director of Services, Transportation, Environment & Water Services
Mr S. O'Connor, Director of Services, Housing, Community, Building Control & Emergency Services,
Mr. P. Delaney, Head of Finance
Mr. M. Brennan, Administrative Officer, Community
Ms. A. Sweeney, Senior Planner
Mr. E. Brophy, Senior Executive Officer, Corporate Services,
Ms. B. Whelan, Assistant Staff Officer, Corporate Services

In commemorating the 1916 Rising the National Anthem was played.

OPENING PRAYER

The opening prayer was recited in Irish by the Members.

Severe Weather Conditions

The Cathaoirleach invited Dan McInerney, Director of Services, Transportation to give an overview on recent severe weather conditions. D. McInerney advised of steps taken to treat priority one and two roads. He advised of preparations made to deal with adverse weather conditions under Carlow County Council's Winter Maintenance Plan.

Members raised issue of clearing icy footpaths at key access points in Carlow Town as part of the Winter Maintenance Plan.

Members complimented D. McInerney and the Roads staff for their excellent work in keeping priority one and two roads clear.

Car Park Tullow

In response to Members' query D. McInerney advised that the lease on the car park expired at the end of August with a two-month extension. He advised of substantial increase in figure to renew lease and of ongoing negotiations to come to a satisfactory arrangement.

VOTES OF SYMPATHY

- The Family of the late Stephen Donohue, retired overseer with Carlow County Council.
- Donnacha Lynch, Senior Resident Engineer on the death of his father Christy Lynch, Kilkenny Road, Castlecomer, Co. Kilkenny.
- Brigid Keppel, Rathrush, Rathoe, Carlow on the death of her husband William.
- The Morrissey Family, Castlekelly, Gowran, Co. Kilkenny on the death of their father Edward.
- The Drea Family, Wells, Bagenalstown, Co. Carlow on the death of their brother Percy.
- The Lennon Family, 23, Idrone Park, Tullow Road, Carlow on the death of their mother Sadie.
- The Murphy Family, 4, Oak Park Road, Carlow on the death of their father Roderick.
- The Courtney Family, 53, Oakley Park, Graiguecullen, Carlow on the death of their mother Kitty.
- The O'Brien Family, Knockbarragh, Kildavin, Co. Carlow on the death of their father Christy O'Brien.

- John and Una McNally, Carlow Road, Leighlinbridge, Co. Carlow on the death of their son Sean.
- The Kiernan Family, Main Street, Borris, Co. Carlow on the death of their mother Mary.
- **VOTES OF CONGRATULATIONS**
- Carlow College on hosting Carlow County Council's Remembrance Service and Paul Curran for organising the event.
- Tinryland on winning the Junior Handball 40x20 Interclub Championship.
- Eamonn Tracey, Garryhill, Carlow on coming 2nd in the World Ploughing Championship.
- Mohammed Rafique on his 2017 Volunteering Award in the 'Campaigning and Awareness' category.
- Clonmore Hall Committee on renovating the old school into a Community Hall and to Clonmore Parish on celebrating 150 years of the Parish Church.
- Carlow Local Enterprise Office and Carlow Tourism on Carlow's Culinary Christmas at Visual and on the launch of Carlow Cook Book.
- Tracy Nugent, Regional Resource Officer for suicide prevention in the South-East Community Healthcare Region on the launch of 'Connect for Life Carlow'.

1. CONFIRMATION OF MINUTES

The minutes of the November Council Meeting held on 13th November, 2017 were

Proposed by Councillor J. Pender

Seconded by Councillor W. Lacey

AND

Following a show of hands it was unanimously resolved:-

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

The minutes of the Statutory Budget Meeting 2018 held on 24th November 2017 were

Proposed by Councillor J. Deane
Seconded by Councillor B. O'Donoghue
AND

Following a show of hands it was unanimously resolved:-

'That the Minutes of the Statutory Budget Meeting 2018 of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Friday 24th November at 2.00 p.m. having been circulated to each Member be taken as read, confirmed as to accuracy and accordingly signed.'

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

(a) Taking in Charge of Phelim Wood Housing Development, Tullow

Mr. L. Fitzgerald, Senior Engineer, Roads, in his report dated 15th November, 2017 sought Members' approval to advertise the Council's intentions to take the Housing Development, Phelim Wood, Tullow, Co. Carlow in charge.

Proposed by Councillor J. Pender
Seconded by Councillor W. Paton
AND

Following a show of hands it was unanimously resolved:-

'That we, the Members of Carlow County Council approve the advertising of the Council's intentions to take in charge Housing Development, Phelim Wood, Tullow, Co. 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'.

The necessary advertisement will appear in the Nationalist and Leinster Times of the week ending 19th December, 2017.

(b) Taking in Charge of the following Housing Developments:-

- Loch Abhainn, Carlow Town
- Ballydarton Mews, Fenagh
- The Meadows, Myshall
- Academy Court, Carlow Town
- Rathsillan (Phase 3)

- Rathfelim, Tullow

L. Fitzgerald advised, in his report dated 21st November 2017, that following the advertising of the Council's intentions to take in charge the Housing Developments listed no submissions were received in response to the public notice.

Members' approval was sought to take in charge the Housing Developments.

Proposed by Councillor A. McDonald

Seconded by Councillor C. Murphy

AND

Following a show of hands it was unanimously resolved:-

'that we, the Members of Carlow County Council approve the taking in charge of Housing Developments - Loch Abhainn, Carlow Town Ballydarton Mews, Fenagh and The Meadows, Myshall 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'.

Proposed by Councillor B. O'Donoghue

Seconded by Councillor J. Cassin

AND

Following a show of hands it was unanimously resolved:-

'that we, the Members of Carlow County Council approve the taking in charge of Housing Developments- Academy Court, Carlow Town and Rathsillen, (Phase 3), Tullow 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'.

Proposed by Councillor J. Pender

Seconded by Councillor B. O'Donoghue

AND

Following a show of hands it was unanimously resolved:-

'that we, the Members of Carlow County Council approve the taking in charge of Housing Development- Rathfelim, Tullow 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) Approval to Attendance of Cathaoirleach at St. Patrick's Day Parade

Proposed by Councillor J. Pender

Seconded by Councillor F. Browne

AND

Following a show of hands it was unanimously resolved:-

'That we, the Members of Carlow County Council approve the attendance of the Cathaoirleach or his nominee at the St. Patrick's Day Parade in New York, 2018.

(d) Membership of Carlow Local Community Development Committee (LCDC)

Members approval was sought to the membership of the Carlow Local Community Development Committee (LCDC), as detailed in report of 24th November, 2017 from Michael Brennan, Administrative Officer, Community.

Proposed by Councillor J. Pender

Seconded by Councillor A. Dalton

AND

Following a show of hands it was unanimously resolved:-

That we, the Members of Carlow County Council approve the membership of the Carlow Local Community Development Committee (LCDC) as set out in report of 24th November, 2017 in accordance with Section 128C (3) (b) of the Local Government Act, 2001 as inserted by section 36 of the Local Government Reform Act 2014.

(e) Disposal of freehold on Site No's 8, 9 and 10 Strawhall Industrial Estate, Carlow

Proposed by Councillor M. Doran

Seconded by Councillor J. Murphy

AND

Following a show of hands it was unanimously resolved:-

That we, the Members of Carlow County Council approve the disposal of freehold on Site No's 8, 9 and 10 Strawhall Industrial Estate Carlow to Baker Tilley Hughes Blake, Joyce House, 22/23 Holles Street, Dublin 2, in consideration of the sum of €2,000 plus all associated costs in accordance with the terms of the statutory notice already circulated and in accordance with Local Government Act 2001, Section 183 (1), Planning & Development Act 2000, Section 211. The consent of the Minister for Housing, Planning and Local Government is not necessary for the disposal of said sites.

(f) Record of Protected Structures – 2 No. Properties at St. Mullins

Mr. S. O'Connor advised of proposals to commence the process to add 2 no. properties at St. Mullins to the Record of Protected Structures, because

of their special archaeological, architectural, historical, cultural and social interest.

S. O'Connor advised that the particular properties are a key element of the entrance to the Holy Well and are within the general curtilage of the St. Mullins Monastic Site.

In response to Members' query S. O'Connor advised of grants scheme to assist owners with the cost of conserving protected structures.

Proposed by Councillor T. Kinsella

Seconded by Councillor D. Foley

AND

Following a show of hands it was unanimously resolved:-

That we, the Members of Carlow County Council, approve the commencement process to add 2 no. properties at St. Mullins to the Record of Protected Structures in accordance with the Planning & Development Act 2000 (as amended) Planning & Development Regulations 2001 (as amended) Part 4 – Architectural Heritage Section 54 and Section 55.

5. CORPORATE, PLANNING, ECONOMIC DEVELOPMENT AND HEALTH AND SAFETY

(a) Agriculture

Members raised issue in relation to trees overhanging at Moanmore, Bagenalstown. The issue to be raised at upcoming meeting with the IFA.

(b) Health

Issues raised by the Members included report on Mental Health Task Force and update on Kelvin Grove. Members welcomed the provision of hospice facilities in Carlow.

(c) Conference Attendance Approvals

Proposed by Councillor J. Pender

Seconded by Councillor D. Foley

AND

Following a show of hands it was unanimously resolved:-

'That we, the Members of Carlow County Council, approve the following forthcoming conferences 2017 – December.

Local Authorities & Regional Assemblies:
Managing Executive Governance,
The Connacht Hotel,

Dublin Road, Galway. 15th to 16th December 2017 The Big Picture Conference, Druids Glen, Newtownmountkennedy, Co. Wicklow. 17th November 2017	Fee: €100
The Finance Act 2017, The Four Seasons Hotel, Carlingford, Co. Louth. 5th to 7th January 2018	Fee: €100
Entitlement to Health Services, The Clonakilty Hotel, Clonakilty, Co. Cork. 19th to 21st January 2018	Fee: €100
Local Property Tax (LPT) Defining the Role of The Councillor, Silver Tassie Hotel, Letterkenny, Co. Donegal. 13th – 14th January 2018	Fee: €145
29th Colmcille Winter School, Letterkenny, Co. Donegal 23rd to 24th February 2017	Preliminary Notice

(d) Southern Regional Assembly (SRA) Regional Spatial and Economic Strategy (RSES) for the Southern Region Pre-Draft Public Consultation

Ms B. O'Brien advised of Pre-Draft Public Consultation for the Regional Spatial and Economic Strategy. The objective of the RSES shall be to support the implementation of the National Planning Framework.

Ms O'Brien advised of Issues Paper and that a submission will be prepared on behalf of the Council prior to closing date of 26th January, 2018.

Following discussion it was agreed that a separate work shop on Issues Paper be held on the 8th January at 11a.m.

Members raised issue of Carlow as a Leinster County in the Southern Assembly and not the Midland and Eastern Regional Assembly.

Members also queried if proposals for utility company facility at Kellistown have come before the Council. Ms. O'Brien advised that preliminary

discussions have taken place but no planning application has been submitted.

Retirement Liam Fitzgerald, Senior Engineer

The Chief Executive advised Members of the impending retirement of Liam Fitzgerald, Senior Engineer from the services of Carlow County Council. Due to circumstances Mr. Fitzgerald was unable to attend his last meeting of Carlow County Council.

The Chief Executive spoke of Liam's distinguished career with Carlow County Council. She said he was extremely professional, courteous and made significant valuable contributions to the Town and County. She said he would be missed as a colleague who had a kind word for everyone. She wished him and his family well in his retirement.

The Members paid warm tributes to Mr. Fitzgerald acknowledging the tremendous service he has given to Carlow County Council. They thanked him for his professionalism and courteousness in their dealings with him and wished him and his family well in retirement.

7. CHIEF EXECUTIVE REPORT

Issues raised by the Members included:-

- Fire Safety Inspections and requirement for businesses to comply with regulations at the busiest time of the year. S.O'Connor advised of importance of compliance and that re-inspections will be carried out, as quickly as possible, once improvement works are undertaken.
- Members queried delay in finalising housing development at Maryborough Street.
- Vacant Houses Action Plan
- Shop Local this Christmas
- Members welcomed funding under Leader Programme and complimented active communities on projects.
- Dangerous icy footpaths at IT Carlow
- Insurance claim. The Chief Executive advised that the Council will be reviewing the judgement.
- Faulty door locks in local authority housing estate, Hacketstown

All issues raised by the Members were addressed by S. O'Connor.

S. O'Connor advised of official opening of Hacketstown Fire Training Centre on Monday at 14.30pm.

8. CORRESPONDENCE

Members noted email from Carlow Womens Aid requesting to make a presentation to Members.

It was agreed that the presentation be made at the January meeting of Council.

Members noted email from Carlow Fairtrade Group requesting to make a presentation to Members.

It was agreed that the presentation be made at the Carlow Municipal District meeting.

Members noted correspondence from the Office of the Minister for Education and Skills in response to Members letter regarding publicly funded higher education.

Members noted resolution from Kilkenny County Council calling for first aid training for all teachers and SNAs’.

Members noted correspondence from Department of Employment Affairs and Social Protection in response to Members’ Notice of Motion regarding the service provided by Turas Nua.

Members noted Notice of Motion from Clare County Council calling for a reversal of policy that penalises home makers that took time out to care for their families prior to 1994 and their Contributory Pension Entitlements.

Members noted Notice of Motion from Clare County Council calling An Taoiseach to support the National Housing Co-op Bill 2017 for the establishment of a National Housing Co-operative Society with the mandate and powers to acquire, manage, rent or sell distressed mortgages.

Members noted Notice of Motion from Leitrim County Council seeking review of criteria for Community based CCTV System Installation in towns and for increase in grant level from 40% to 75%.

Members noted correspondence from the Courts Service regarding the Railing at Carlow Courthouse.

Members noted correspondence from the Office of Public Works regarding Browneshill Dolmen.

Members said that correspondence received from the OPW in relation to maintenance was conflicting and unacceptable.

In response to Members' query regarding the Transfer of Ownership Ms B. O'Brien advised that the delay is with the Chief State Solicitors Office.

Members noted correspondence from Department of Finance in response to Members' letter regarding the retention of 9% vat rate for the hospitality sector.

Members noted correspondence from the Department of Health in response to Members' letter concerning Fibromyalgia.

Members noted correspondence from the Minister for Agriculture, Food and Marine in response to Members' letter regarding producing adequate information for Persons with Disabilities.

Members noted correspondence from the Department of Health in response to recent submission by E. Brophy regarding Private Health Insurance.

Members noted correspondence from the Minister for Agriculture, Food and Marine regarding Members' Notice of Motion on Glyphosate.

Members noted correspondence from the Minister for Agriculture, Food and Marine regarding Members' Notice of Motion on Glyphosate.

Members noted correspondence from the Office of Public Works in response to Members' Notice of Motion in relation to the car-park adjacent to Rathgall Hill Fort.

Members noted correspondence from An Post in response to Members' correspondence in relation to replacement of Post Boxes.

Fógraí Rúin/Notices of Motion.

Standing in the name of Cllr. Fergal Browne

Proposed by Councillor F. Browne

Seconded by Councillor J. Cassin

AND

Following a show of hands it was unanimously resolved:-

"That Carlow County Council severely criticises the courts services for their abject failure to maintain the railings at Carlow Court House and also

notes their failure to restore and maintain same and calls on the planning department of Carlow County Council to instigate legal proceedings against the Court services for their failure to maintain the railings owing to their obligation to do so as the railings are a protected structure and an intrinsic part of Carlow town's heritage."

A discussion took place on the issue of the Courthouse railings with Members expressing dissatisfaction at the lack of progress by the Court Services to restore the railings and called for a timescale to complete the work.

The Chief Executive advised of discussions with the Chief Executive of the Court Services and of conveying Members' concerns. She said the Court Service is fully committed to this project but is reliant on the OPW to undertake the work on their behalf. She said budgetary constraints have meant the work could only be undertaken in stages and the restoration of all section of railings will take a number of years.

Members said that as a protected structure the railings need to be maintained and a definite time line needs to be put in place.

Ms B. O'Brien said it is premature to instigate legal proceedings as planning in respect of this exploratory work has begun.

It was agreed that the Council again write to the Court Services requesting details of the costings and timeline for this project both in terms of the commencement and completion of Phase One.

Members said if there is no action on the site or no definite time line given for completion of works by the February meeting of Council that the Notice of Motion will stand requesting the Council to instigate legal proceedings to have the works commenced.

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

- CCTV Town Park. E. Brophy advised that the Council will go to tender for the provision of CCTV for the Town Park.
- Milford Road – Traffic Signal Signs. Sat Nav issue -traffic being sent wrong direction.

The Cathaoirleach wished all present a Happy Christmas.

This concluded the business of the meeting.