

CARLOW COUNTY COUNCIL

**Minutes of the December Meeting of Carlow County Council, held in
The Council Chamber, County Offices, Athy Road, Carlow, on
Monday 9th December 2019 at 2.00 p.m.**

Present: Councillor J. Pender (Cathaoirleach)
Councillor F. Browne
Councillor J. Cassin
Councillor A. Dalton
Councillor M. Doran
Councillor A. Gladney
Councillor T. Kinsella
Councillor A. McDonald
Councillor J. McDonald
Councillor K. Murnane
Councillor C. Murphy
Councillor J. Murphy
Councillor B. O'Donoghue
Councillor T. O'Neill
Councillor F. Phelan
Councillor A. Wallace
Councillor W. Quinn

Apologies: Councillor W. Paton
Kieran Comerford, Head of Local Enterprise Office

In attendance: Ms. K. Holohan, Chief Executive.
Mr. M. Rainey, Director of Service.
Mr. P. O'Gorman, Director of Service.
Mr. M. Brennan, Acting Director of Services, Housing and
Community.
Mr K. Cullinane, Acting Director of Services,
Transportation, Environment & Water Services.
Ms. Fiona O'Neill, Acting Director of Service, Human
Resources and Corporate Services.
P. Delaney, Head of Finance.
Mr. E. Lyng, Head of Information Systems.
Mr. J. Shorthall, County Librarian.
Ms. Martina Loughnane, I.S. Project Leader.
Mr. P. Scully, Audit Committee.
Mr. P.J. Leonard, Financial Accountant, Finance.

Mr. E. Brophy, Senior Executive Officer, Corporate Services.

Mr B. O'Donovan, Acting Senior Engineer, Environment.

Mr. Ray Wickham, Acting Senior Engineer, Roads.

Ms. Collette Harper, Senior Staff Officer, Finance.

Ms. Marian Hand, Assistant Staff Officer, Corporate Services.

OPENING PRAYER

The opening prayer was recited in Irish by the Members.

VOTES OF SYMPATHY

- Joe Murdock & Family, Caretaker Grade 3, Water Services, on the death of his mother Sheila.
- Bernard Duff & Family, Administrative Officer, Finance Department on the death of his mother Margaret (Maggie).
- Kathleen Horan & Family, Rutland, Palatine, Co. Carlow on the death of her husband Patrick (Paddy).
- Danny and Bridie Dempsey, The Hare and Hounds, 325 Purley Way, Croydon, London on the death of their son John.
- Mary Brophy & Family, 153 Duggan Avenue, Graiguecullen, Co. Carlow on the death of her husband John Joe.
- The Flood Family, Staplestown, Carlow Town, Co. Carlow on the death of their father Denis (Dinny).
- Mary Jordan & Family, Ballaghmore, Ballon, Co. Carlow on the death of her husband Dan.
- The Walsh Family, Eastwood, Bagenalstown, Co. Carlow on the death of their brother Michael (Mick).
- Gertrude McCann & Family, Pollerton Big, Carlow Town, Co. Carlow on the death of her brother Michael.
- Michael Byrne & Family, 6 Dolmen Heights, Pollerton Big, Carlow Town, Co. Carlow on the death of his father James (Jimmy).
- Jim Shaw & Family, 4 Brownhill Court, Brownhill Road, Carlow Town, Co. Carlow on the death of his wife Mary.
- The Lambert Family, Sharon Avenue, Brownhill Road, Carlow Town, Co. Carlow on the death of their mother Bridie.
- Lena Smith & Family, Haroldstown, Tullow, Co. Carlow on the death of her mother Mary.

VOTES OF CONGRATULATIONS

- St. Mullins Senior Hurling Team on reaching the AIB Leinster Club Senior Hurling Championship Final 2019.
- Eire Óg Senior Football Team on reaching the AIB Leinster Club Senior Football Championship Final 2019.
- Niall Harvey, Askea Community Games (Area 5), Youth Award winner at the National Community Games Awards.
- Stephanie O'Brien, Bennekerry/Tinryland Community Games, Adult Volunteer winner at the National Community Games Awards.
- Mairead Breen, National PRO Award winner at the National Community Games Awards.
- Carlow Nationalist, National Media Award winner at the National Community Games Awards.
- Ballon/Rathoe Community Games and Athletic Club, Leinster Area Award winner at the National Community Games Awards.
- Minister Ring and Deputy Deering on the welcomed Sports Capital Funding to Co. Carlow.
- Borris - Award Winner in the Leinster Bank Of Ireland Enterprise Town Award – Category population 1,200 to 2,000.
- Bagenalstown – Award Winner in the Leinster Bank Of Ireland Enterprise Town Award – Category population 2,000 to 5,000.
- Carlow Town –2nd place Award Winner in the Leinster Bank Of Ireland Enterprise Town Award

1.0 CONFIRMATION OF MINUTES

Proposed by Councillor

J. Murphy

Seconded by Councillor

W. Quinn

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 11th November 2019 at 2.00 p.m. having been circulated to each Member be taken as read, confirmed as to accuracy and accordingly signed.'

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

(2.1) ‘To approve an extension to the period specified under Section 134 of the Local Government Act 2001, until the 9th March 2020, to provide for the completion of the Corporate Plan 2019 – 2024’.

Proposed by Councillor K. Murnane
Seconded by Councillor T. O’Neill
AND

Following a show of hands, it was resolved: -
‘That we, the Members of Carlow County Council approve an extension to the period specified under Section 134 of the Local Government Act 2001, until 9th March 2020, to provide for the completion of the Corporate Plan 2019 – 2024’

(2.2) Planning and Development Act 2000, Planning and Development Regulations 2001 – 2018, Notice of Proposed Development – Part 8, Proposed development of 12 Housing units at Ardattin, Carlow.

Proposed by Councillor J. Murphy
Seconded by Councillor J. McDonald
AND

Following a show of hands, it was resolved: -
‘That we, the Members of Carlow County Council approve the commencement of the proposed Part 8 development, of 12 Housing Units at Ardattin, Carlow.’

3.0 CORPORATE, PLANNING, ECONOMIC DEVELOPMENT AND HEALTH AND SAFETY

(3.1) Conference Attendance Approvals

Proposed by Councillor T. O’Neill
Seconded by Councillor A. McDonald
And

Following a show of hands, it was resolved: -
‘That we, the Members of Carlow County Council, hereby approve the following Conference Attendance.’

JANUARY 2020

Title: - The Finance Act 2019

Dates: - 10th to 12th January 2020

Venue: - Four Seasons Hotel, Carlingford, Co. Louth,

No meals provided

Bookings to: - info@celticconferences.com

FEE: 100.00 Euro

Title: - Tackling Carbon Emissions & Fuel Poverty

Dates: - 24th to 26th January 2020

Venue: - O'Donovan's Hotel, Main Street, Clonakilty, Co. Cork,

No meals provided

Bookings to: - info@celticconferences.com

FEE: 100 Euro

4.0 COMMUNITY, HOUSING, RECREATION & AMENITY

(4.1) LEADER Programme 2014 - 2020 - report noted.

5.0 FINANCE, INFORMATION TECHNOLOGY & CULTURE (LIBRARIES, ARTS & COUNTY MUSEUM)

(5.1) Audit Committee Section 60 Report to Council on 2018 Audit Report

Peter Scully, Audit Committee Member presented report. Any questions raised by members were answered by P. Delaney and B. O'Donovan. Report was then noted.

6.0 CHIEF EXECUTIVE'S REPORT

Members discussed Chief Executive's Monthly Management Report for the period to 30th November 2019.

Issues raised by the Members included: -

- Urban Regeneration Development Fund – Category A Funding and Application. K. Holohan explained that the anticipated date for application is April 2020 and it is the Executive's intention to have application ready.
- Homeless Emergency Accommodation – queries were raised regarding the cost of running this service and complaints from

residents in this accommodation. M. Brennan highlighted that the safety of families is taken very seriously. He will meet with the service providers to highlight concerns and will provide a cost analysis report.

- Housing Report for Carlow Town – request for an extensive report to highlight new builds and future plans for housing development in Carlow Town.
- Thresholds for Council list and mortgages – members of the public are falling in between the bracket of not qualifying for council housing list and not getting a mortgage which is sufficient to purchase a house. K. Holohan advised that Carlow County Council has one of the lowest bands in the country for a housing application. This has been highlighted to the Minister.
- TUSLA - K. Holohan will write to TUSLA requesting their report on Carlow Women's Refuge.
- JPC Reformation – E. Brophy reported we are currently awaiting nominees from the PPN and hope to have meeting mid-January 2020.
- Preplanning – Timeframes to be addressed.
- Central Bank – Rent history, can this be considered as part of a housing application process.
- County Development Plan – K. Holohan advised that the Council is working in line with National, European Policies along with our own Development & Local Plans. Review of the County Development Plan will commence in 2020.
- Small Capital Grants Scheme – did Carlow County Council make an application. M. Brennan to seek clarity from Local Enterprise Office.
- Compliment Housing Staff on their timely reaction to a recent emergency.
- Roads Funding – Funding received is welcomed.
- Tourism Grant - €500,000 grant for Carlow is welcomed.

7.0 Correspondence

Members noted resolution from Dun Laoghaire-Rathdown County Council – that the Chief Executive, writes again to the Minister for Housing, Planning and Local Government and the Minister for Finance, Public Expenditure and Reform, to express complete dissatisfaction with the requirement for all Councils to decide on the variation of the Local Property

Tax (LPT) basic rate in the absence of comprehensive budgetary information which is impossible to achieve within the existing timescale and request to move the date required for all local authorities to inform the Revenue Commissioners of the basic rate of LPT to no earlier than the end of October.

Members noted resolution from Roscommon County Council -

requesting the Joint Oireachtas Committee on Health to meet and discuss the proposed closure of Cuisle Centre in Donamon, Co. Roscommon as a National Holiday Centre and that the Irish Wheelchair Association be invited to this meeting to explain their decision.

Members noted resolution from Clare County Council – calling on the Minister for Health, and the HSE to support a call for the introduction of a National Screening Protocol of all neonates (newborn infants) to effectively screen for immune compromise, in advance of the commencement of the administration of Live Virus Vaccines under the State Vaccination Programme, in line with HSE National Immunization Advisory Committee guidelines as revised February 2019.

Members noted correspondence from Lá Nua Community Employment Scheme – respectfully requesting an opportunity to give a presentation on Lá Nua to Carlow County Council and seek their assistance to secure local and sustainable funding for the continuation of their highly successful rehabilitation training and development programme.

Proposed by Councillor

T. O’Neill

Seconded by Councillor

J. Cassin

Following a show of hands, it was unanimously resolved: -

‘That we, the Members of Carlow County Council approve the request from Lá Nua to give a presentation to Carlow County Council and seek their assistance to secure local and sustainable funding for the continuation of their highly successful rehabilitation training and development programme.’

Members noted resolution from Donegal County Council – calling on the Irish Government Departments of Health, Justice and Equality and Children and Youth Affairs to recognise that Parental Alienation is “Substantial and sustained dissatisfaction within a caregiver – child relationship associated

with significant disturbance in functioning” as coded by the World Health Organisation in the latest International Classification of Diseases version 11 and to implement recommendation 36 of the Report of the Reform of the Family Law System October 2019.

Members noted correspondence from Senator Robbie Gallagher – asking the Minister for Housing, Planning and Local Government the status of the progress of the working group, established to review sustainable rural housing guidelines following the Flemish Decree, if the reports prepared by it will be published, and if he will make a statement on the matter.

Members noted correspondence from TUSLA – a briefing to Carlow County Council November 2019 re Domestic Sexual and Gender Based Violence Services.

8.0 Notices of Motion

(8.1) Standing in the name of Councillor Ken Murnane

Proposed by Councillor Ken Murnane

Seconded by Councillor J. McDonald

And

Following a show of hands, it was unanimously resolved: -

‘That Carlow County Council calls on the Minister for Communications, Climate Action and the Environment to publish as a matter of urgency the cross-governmental Clean Air Strategy and introduce a prohibition on the sale, distribution and burning of smoky coal all across County Carlow and the remaining 25 counties.

(8.2) Standing in the name of Councillor Andrea Dalton

Proposed by Councillor A. Dalton

Seconded by Councillor F. Phelan

And

Following a show of hands, it was resolved: -

‘On behalf of Aitheantas, I am calling on Carlow County Council to write to Minister Zappone's Department requesting that her Department

acknowledges Adoptee Identity Rights and immediately allows Adoptees access to their own information on Health, History and Heritage in line with the equality and personal autonomy rights of other citizens and as voted for in two of our recent referenda.'

(8.3) Standing in the name of Councillor Adrienne Wallace

Cathaoirleach Councillor J. Pender removed himself from the Chair for this Motion as he declared a conflict of interest. Leas Cathaoirleach A. McDonald took the chair for this Motion.

A roll call vote was taken

Member of Carlow County Council	For	Against	Abstain	Absent
Fergal Browne		√		
John Cassin	√			
Andrea Dalton		√		
Michael Doran		√		
Andy Gladney	√			
Thomas Kinsella		√		
Arthur McDonald		√		
John McDonald		√		
Ken Murnane		√		
Charlie Murphy				√
John Murphy		√		
Brian O' Donoghue		√		
Tom O'Neill		√		
William Paton				√
John Pender				√
Fintan Phelan		√		
William Quinn			√	
Adrienne Wallace	√			

The vote resulted in: 3 for, 11 against, 1 abstain, 3 absent and accordingly this motion was defeated.

‘That this Council write to the Minister of Finance, to demand the government take the €14 billion Apple owe to the people in Ireland in back taxes as per the landmark 2016 ruling by the European Commission.’

(8.4) Standing in the name of Councillor Adrienne Wallace

Proposed by Councillor A. Wallace

Seconded by Councillor J. Cassin

And

Following a show of hands, it was unanimously resolved: -

‘That this Council clearly designate specific areas for the development of wild meadows that can act as a source of pollination for bees and other wildlife to act as a measure to tackle climate change.’

(8.5) Standing in the name of Councillor Adrienne Wallace

This Motion was not on the Agenda and was brought to the meeting as an Urgent Motion, which the Cathaoirleach allowed with the consent of Members present.

Proposed by Councillor A. Wallace

Seconded by Councillor J. Cassin

And

Following a show of hands, it was unanimously resolved: -

‘That this Council write to Justice Minister, Charlie Flanagan, to call for an immediate reversal of the Deportation Order of Mr. Michael Chruchton Usiku.’

9.0 ANY OTHER BUSINESS WITH THE CONSENT OF THE CATHAOIRLEACH

- Ambulance Service in County Carlow – to follow up with the Minister on Carlow County Council letter dated 22nd November 2019.
- Parental Alienation – a call to support a motion passed by Laois County Council.

This concluded the business of the meeting.