

CARLOW COUNTY COUNCIL

**Minutes of the January Monthly Meeting of Carlow County Council,
held in The Council Chamber, County Offices, Athy Road, Carlow,
on Monday 8th January 2018 at 2.00 p.m.**

Present: Councillor W. Paton (Cathaoirleach)
Councillor F. Browne
Councillor J. Cassin
Councillor A. Dalton
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 J. Deane
Councillor A. Gladney

In attendance: Ms. K. Holohan, Chief Executive
Mr D. McInerney, Director of Services, Transportation,
Environment & Water Services
Mr S. O'Connor, Director of Services, Housing, Community,
Building Control & Emergency Services,
Ms. A. Sweeney, Senior Planner
Mr. E. Brophy, Acting Director of Service – Corporate,
Planning, Economic Development, Health and Safety,
Ms. A. Oakes, Acting 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.

- **VOTES OF SYMPATHY**

- Marie Murphy, Staff Officer on the death of her brother Con Murphy, Grange, Tullow and on the death of her brother in law Tom Molloy, Tullow.
- Betty Lawlor & Family, 3, Browneshill Court, Carlow on the death of her husband Laurence former pensioner with Carlow County Council.
- John Maher & Family, Finance Department, on the death of his brother Tim, former pensioner with Carlow County Council.
- Deirdre Smithers, Clerical Officer on the death of her mother Nora Fitzgerald, Coolane, Killeshin, Carlow.
- Grace Jeaney, Pensioner with Carlow County Council on the death of her mother Josie Brophy, The Bridge, Garrenleen, Fenagh, Co. Carlow.
- John O'Neill & Family, Clonagoose, Borris, Co. Carlow on the death of his brother Philip O'Neill.
- The Kehoe Family, Orchard, Leighlinbridge, Co. Carlow on the death of Blanch Kehoe.
- Maruja Sutherland & Family, Donnybrook, Dublin on the death of her husband Peter Sutherland, former Attorney General who served in a variety of international organisations, political and business roles and was associated with the Fine Gael Party.
- Oliver Weafer & Family, 14 St Oliver's Park, Myshall, Co. Carlow on the death of his wife Margaret.
- The Atkinson Family, Barker's Road, Bunclody, Co. Wexford on the death of their mother Mary-Ellen.
- Cynthia Ni Mhurchu & Family , Robin Hill, Oak Park, Carlow on the death of her mother Columba Murphy, Heatherfield Court, Carlow.
- Bridie Murphy & Family, Greystones, Co. Wicklow on the death of her husband Jack Murphy, formerly of Graiguecullen, Carlow.
- The Grey Family on the death of their father Tony Grey, Kilree, Bagenalstown, Co. Carlow.
- The Kearney Family, Lorum, Bagenalstown, Co. Carlow on the death of their father Francis.
- Breeda McDonald & Family, Graiguealug, Fighting Cocks, Nurney, Co. Carlow on the death of her husband John.

- The Kennedy Family, 7 Browneshill Court, Carlow on the death of their father Michael.

VOTES OF CONGRATULATIONS

- Saoirse Ronan on winning her first Golden Globe Award for her role in 'Ladybird' bringing prestige and honour to her Country.
- James McAssey, St. Laurence O'Toole Athletic Club on winning the Odlum's Cup and to the Club on winning the team event.
Geraldine Hendricken on winning the Lambert Cup and the Ladies Team on winning the Ladies team event.
- Borris Tidy Town on celebrating the New Year with an excellent Fireworks Display on New Year's Eve for the community of Borris.

1. CONFIRMATION OF MINUTES

The minutes of the December Council Meeting held on 11th December, 2017 were

Proposed by Councillor W. Lacey
Seconded by Councillor A. Dalton
AND

Following a show of hands it was unanimously resolved:-

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

The Cathaoirleach requested that item 5(a) be moved under item 3 on the Agenda Order of Business and that Councillor Phelan be afforded an opportunity to make a short presentation on Carlow Ireland 2016 Committee.

2. CIRCULARS

(a) Circular F. 14/17 Electoral Amendment (Dáil Constituencies) Act 2017. Revision of Dáil Constituencies.

Members noted Circular F. 14/17 and welcomed revision of Dáil Constituencies.

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

(a) Taking in Charge of Meadowbank Housing Development, Palatine, Co. Carlow

Mr. D. McInerney, in his report dated 14th December, 2017 advised that following the public consultation period no submissions were received. Mr. McInerney sought Members' approval to take-in-charge Meadowbank, Palatine, Carlow

Proposed by Councillor F. Browne
Seconded by Councillor K. Murnane
AND

Following a show of hands it was unanimously resolved:-

'That we, the Members of Carlow County Council, approve the taking in charge of roads and services in the Housing Development, Meadowbank, Palatine, 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'.

Members raised issue of access into the estate from the Palatine end and the need for works to be undertaken to include completion of section of footpath.

D. McInerney advised of potential costs to link the estate to Palatine Village and advised issue will be examined. D. McInerney further advised that the issue of public lighting would have to be addressed.

(b) Declaration of Public Roads and Taking-in-Charge of Housing Estates-Moyacomb Meadows, Clonegal, Carlow

Mr. D. McInerney, in his report dated 5th January, 2018 advised that following the public consultation period no submissions were received. Mr. McInerney sought Members' approval to take-in-charge Moyacomb Meadows, Housing Development, Clonegal, Co. Carlow

Proposed by Councillor C. Murphy
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 taking in charge of roads and services in the Housing Development, Moyacomb Meadows, Housing Development, Clonegal, 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’.

(c) Disposal of 0.001 Ha (10 sq. metres) (freehold interest) at Carpenter Way, Carlow Inner Relief Road, Carlow

Members’ approval was sought to the Disposal of 0.001 Ha (10 sq. metres) (freehold interest) at Carpenter Way, Carlow Inner Relief Road, Carlow.

Proposed by Councillor K. Murnane

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 disposal of 0.001 HA (10 sq metres) (Freehold Interest) at Carpenter Way, Carlow Inner Relief Road, Carlow to Paddy Raggett Homes Ltd., Kilkenny, in consideration of the sum of €100 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 the said lands.

(d) Disposal of Site No. 3 Kernanstown (freehold interest) at Kernanstown Industrial Estate

Members’ approval was sought to the disposal of Site No. 3 Kernanstown (Freehold Interest) at Kernanstown Industrial Estate, Carlow.

Proposed by Councillor W. Lacey

Seconded by Councillor K. Murnane

AND

Following a show of hands it was unanimously resolved:-

‘That we, the Members of Carlow County Council, approve the disposal of Site No.3 Kernanstown (freehold interest) at Kernanstown Industrial Estate, to Matthew J. Kearney & Son Limited and Matthew Kearney and Paul Kearney, in the sum of €2,000.00 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 the said site.’

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

- (a) To consider Chief Executive’s Report on submissions to Proposed Amendment No. 2 to the Joint Spatial Plan for the Greater Carlow and Graiguecullen Urban Area incorporating the Carlow Town Environs Local Area Plan 2012 -2018.**

Members had for consideration the Chief Executive’s Report on submissions to Proposed Amendment No. 2 to the Joint Spatial Plan for the Greater Carlow and Graiguecullen Urban Area incorporating the Carlow Town Environs Local Area Plan 2012-2018.

Ms A. Sweeney, Senior Planner circulated a briefing note for the Members consideration. Ms Sweeney advised that 6 Submissions were received during the public display period. A submission from the Department of Housing, Planning and Local Government and the EPA requested alterations to the Proposed Amendment. The alterations required were reflected in the Chief Executive’s recommendation.

Issues raised by the Members included:-

- A wider category of people, subject to requirements, may be considered, not just single dwelling house to reside on family landholding.
- Implication of having to seek connection to public mains where available subject to agreement with Irish Water.
- Implication of having to protect non-designated biodiversity including trees, hedgegrows etc.

Ms Sweeney advised of standard provisions of policy and addressed queries raised by the members.

It was

**Proposed by Councillor F. Browne
Seconded by Councillor K. Murnane
And following a roll call vote**

<i>Member of Carlow County Council</i>	<i>For</i>	<i>Against</i>	<i>Abstain</i>	<i>Absent</i>
Fergal Browne	√			

John Cassin	√			
Andrea Dalton	√			
Jim Deane				√
Michael Doran	√			
Denis Foley	√			
Andy Gladney				√
Thomas Kinsella	√			
Walter Lacey	√			
Arthur McDonald	√			
Ken Murnane	√			
Charlie Murphy	√			
John Murphy	√			
Brian O'Donoghue	√			
William Paton	√			
John Pender	√			
Fintan Phelan	√			
William Quinn	√			

The vote resulted in: 16 for and 2 absent and accordingly the motion was carried.

It was resolved;-

'That we, the Members of Carlow County Council, approve the recommendations in the Chief Executive's Report and place the proposed alterations to the Proposed Amendment No. 2 to the Joint Spatial Plan for the Greater Carlow and Graiguecullen Urban Area incorporating the Carlow Town Environs Local Area Plan 2012 -2018 on public display for a period of 4 weeks following consideration of any further requirements regarding SEA and AA'.

4. DEPARTMENTAL PROGRESS REPORTS

(a) Housing, Recreation & Amenity and Emergency Services Progress Report

S. O'Connor, Director of Services presented the Housing Progress Report to 31st December, 2017.

Members complimented the Director of Services and Housing Staff on housing provision under various Local Authority Schemes.

The following issues were raised by the Members:-

- Concern that €300,000 of 2017 housing grants allocation may be lost as full allocation was not spent in 2017 and the effect it may have on 2018 grant allocation.
- Delay in letting of apartments in Maryborough Street.
- Housing Tullow Road and provision of second exit. Members were not in favour of entrance through the Orchards Housing Estate and suggested an exit on the Wexford Road be examined. The Director of Services advised of temporary road to facilitate construction traffic.
- Update on vacant properties, lack of houses for letting and landlords increasing rents.
- Issue of sufficient staff to deal with RAS applications.
- Provision of Women's Refuge in Carlow
- Update on Kelvin Grove and HSE proposals
- Provision of housing Tinnahinch, Graiguenamanagh.
- Members welcomed announcement from the Minister for Rural and Community Development, Michael Ring TD of €79,000 for upgrading walkways in South Carlow.
- As windows and doors applications ceased in February 2017 if funding can be diverted from local authority housing and put on reserve to deal with windows and doors applications.
- Onus on housing grant scheme applicants to pay contractors for works undertaken as grants are not paid out until completion of works.
- Transfer of tenancy in emergency situations.
- Members welcomed the opening of Hacketstown Training Centre and complimented the Director of Services on bringing the project to fruition. It was felt that the new centre will greatly strengthen the Fire Service nationally and boost the local economy and suggested that it be given international recognition.
- Members suggested that Carlow Community First Responder be operated by firefighters in Carlow Fire Service as they have the necessary training and are willing participants in the scheme.
- Members queried update on 5- bedroom house being sought as a Women's Refuge and if there is a process in train for dedicated premises in Carlow.

- Some RAS houses below standard and Council's approach to landlords to have the houses brought up to standard.

The business of the Housing Progress Report was adjourned to facilitate deputation from Carlow Womens Aid at 15.15pm.

The Cathaoirleach welcomed Anton Scheele, Honoria Gilchrist and Rev Paul Maxwell from Carlow Women's Aid to the meeting.

Anton Scheele outlined the services provided by Carlow Women's Aid and the difficulties encountered providing support and information for adult women who are experiencing or have experienced domestic violence in the home. The aim of Carlow Women's Aid is to provide a centre to accommodate a small number of families and to put in place the necessary supports to rebuild their lives.

Ms Honoria Gilchrist gave examples of 3 different domestic abuse situations that Carlow Womens Aid have provided support to in recent times.

Following discussion Anton Scheele put a proposal before Council that a committee be formed to include representatives from Carlow County Council with a view to discussing how services and funding arrangements may be improved.

The Chief Executive thanked Mr. Scheele and Ms Gilchrist for their presentation and said she looked forward to the opportunity to have discussions on the issue of Women's Aid and suggested that other key players and agencies be invited to form part of the committee.

The Cathaoirleach requested that proposals be brought to the February meeting of Council on how best to proceed with discussions and with representations from other agencies that may assist.

The business of the Housing Progress Report resumed at 15.50 with the Members raising the following issues:-

- Availability of serviced sites
- Continuation of Carlow Inner Relief Road to Ballinacarrig.
- Emergency accommodation required in Carlow
- Update on Blue Way proposals
- Issue of growing number of families over the income limit (€27,500 two adults and two children) to qualify for social housing and income too low to qualify for housing loan. Members said that ability to pay, credit history and inheritance should be taken into consideration when

processing housing loans. The issue of old age pensioners not being afforded the opportunity to buy out their homes was also raised.

- Self Help Scheme – when scheme would be reactivated
- Possible inclusion of drop off point for Schools at Respond Housing proposed for Shillelagh Road, Tullow.

Issues raised by the Members were addressed by the Chief Executive, S. O'Connor and D. McInerney.

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

(b) Agriculture

Members raised issue of proposals to redevelop the sugar beet industry in the Kildare/Carlow area.

(c) Health

There were no matters arising

1916 -2016 Committee.

Councillor Phelan advised that the final meeting of the current committee was held on 8th January and advised of a successful year with sixty events having taken place to August 2017. Councillor Phelan gave credit to the implementation team with particular mention to Dermot Mulligan, Pat Delaney, Josephine Coyne, John Shorthall, Sinead Dowling, Aileen Nolan and Kelly Mooney.

Councillor Phelan advised that going forward, the Commemoration Committee is to be established under the Cultural, Health and Agricultural Strategic Policy Committee of which Councillor Lacey is Chairman.

The Cathairleach and Members thanked the Committee for their work and thanked Councillor Phelan for his work as chairman of the Committee saying his youthful enthusiasm and dedication to duties were exceptional.

The Cathairleach raised, pursuant to letter received from the Irish Fire and Emergency Services Association, issue of retained Firefighters not receiving 1916 Centenary Commemorative Medal during the centenary celebrations. The Chief Executive to raise the issue with Joe McHugh

T.D, Minister for State at the Department of Culture, Heritage and the Gaeltacht.

Members also suggested that commemorative plaques and stones be cleaned regularly.

6. CHIEF EXECUTIVE REPORT

Members had Chief Executive Monthly Management Report for the period 1st to 31st December, 2017.

Issues raised by the Members included the following:-

- Water outage on Dublin Street at weekend. Council notification on email and MapAlert but no notification given by Irish Water and the issue of alternate supply for businesses. Members said businesses should be given a rate rebate where no notification has been issued. D. McInerney advised of urgency to carry out works and that the issue will be raised with Irish Water regarding enhanced system of notification.
- Shortage of bulbs for public lighting having an adverse effect across the county as public lights are out in various locations. D. McInerney advised of national issue. The Cathaoirleach requested that the Chief Executive raise the issue with the CCMA. The Chief Executive advised that the CCMA is examining the issue of Public Lighting nationally, funding needs to be addressed and the issue is ongoing.

7. CORRESPONDENCE

Members noted Email from Finian McGrath TD., Minister for State at the Department for Social Protection Justice E Equality regarding Members' correspondence on Convention of the Rights of Persons with Disabilities.

Members noted email from Music Generation Carlow requesting an opportunity to address the Members in early 2018.

Proposed by Councillor B O'Donoghoe

Seconded by Councillor F. Phelan

AND

Following a show of hands it was unanimously resolved:-

'That we, the Members of Carlow County Council, agree that Music Generation Carlow address the March Meeting of Council.'

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

Members noted correspondence from the Office of Minister for Agriculture, Food and Marine in response to Members' Notice of Motion regarding persons with disabilities, in particular persons with literacy issues in the farming sector and also in relation to petition lodged by Edward Deering.

Members noted Notice of Motion from Clare County Council regarding discriminatory policy brought in by Government in April 2012 penalising home makers that took time out from work prior to 1994 and their Contributory Pension Entitlements.

Members noted Notice of Motion from Clare County Council requesting the Minister for Agriculture to put a plan in place to help Clare farmers through an imminent fodder crisis next year.

Members noted Notice of Motion from Kildare County Council stating their opposition to the downgrading of Portlaoise Hospital.

Members noted Notice of Motion from Galway City Council calling on the Department of Environment to prepare legislation for the disposal of paint under the Producer Responsibility initiative.

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

8. ANY OTHER BUSINESS WITH THE CONSENT OF THE CATHAOIRLEACH

- Changes to Councillors expenses payments. Members expressed dissatisfaction with vouched system of payment. E. Brophy advised that a further circular is to issue.
- Update on CCTV. E. Brophy advised that quotations are being sought.
- Request by Comhairle na nÓg to address Members.

Proposed by Councillor F. Phelan
Seconded by Councillor B. O'Donoghue
AND

Following a show of hands it was unanimously resolved:-
'That we, the Members of Carlow County Council, agree that
Comhairle na nÓg, Carlow address the February Meeting of Council.'

This concluded the business of the meeting.