

CARLOW COUNTY COUNCIL

**Minutes of the January Meeting of Carlow County Council, held in
The Council Chamber, County Offices, Athy Road, Carlow, on
Monday 13th January 2020 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 W. Paton
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: Kieran Comerford – Head of Local Enterprise Office

In attendance: Ms. K. Holohan, Chief Executive.
Mr. M. Rainey, Director of Service, Corporate, HR, Planning,
Health & Safety, Security & Economic Development.
Mr. P. O'Gorman, Director of Service, Transportation,
Environment & Water Services.
Mr. M. Brennan, Director of Services, Housing, Community,
Recreation & Amenity, Building Control & Emergency
Services.
Mr. John Shorthall, County Librarian.
Ms. Fiona O'Neill, Senior Executive Officer, Planning.
Mr. E. Brophy, Senior Executive Officer, Corporate
Services/Human Resources
Mr. K. Cullinane, Senior Engineer, Transportation,
Environment & Water Services.
Mr. P.J. Leonard, Financial Accountant.

Ms. Margaret Moore, Acting, Senior Executive Officer,
Community.
Mr. Ray Wickham, Senior Executive Engineer,
Transportation, Environment & Water Services.
Ms. Grainne O'Neill, PPN Co-Ordinator.
Ms. Helen Ryan, Economic Development Officer, LEO
Ms. Gabrielle Carroll, Business Advisor, LEO
Mr. Brendan O'Keeffe, Guest Speaker.
Ms. Marian Hand, Assistant Staff Officer, Corporate
Services/Human Resources

OPENING PRAYER

The opening prayer was recited in Irish by the Members.

VOTES OF SYMPATHY

- Kieran Comerford & Family, Head of Local Enterprise Office, on the death of his Aunt Joan.
- Dermot Mulligan & Family, Carlow County Museum Curator, on the death of his father Patrick.
- Teresa English & Family, 'Mount St. Jude', Mortarstown, Kilkenny Road, Carlow Town, Carlow on the death of her husband John.
- Maria Kiely & Family, Tomard, Leighlinbridge, Carlow on the death of her father Liam.
- The Dowling Family, No. 6 Radharc Oisin, Graiguecullen, Carlow on the death of their father Michael.
- Joan Hynes & Family, Conway Park, Bagenalstown, Carlow on the death of her husband Denis (Dinny Dinner).
- Mary Mulholland & Family, Ringwood, The Rower, Co. Kilkenny on the death of her father Joseph.
- Lily Byrne & Family, 114 St. Clare's Road, Graiguecullen, Carlow on the death of her husband Thomas (Tommy).
- The O'Neill Family, Cloneen, Nurney, Carlow on the death of their mother Margaret (Maggie).
- Bridie Farrell & Family, Grange, Tullow, Co. Carlow on the death of her husband Gerry.
- Mary Jordan & Family, 9 Roncalli Place, Carlow Town, Carlow on the death of her husband Michael.

- The Stronge Family, 11 Silverpines, Tullow Road, Carlow Town, Carlow on the death of their father Pascal.
- Tina Brennan & Family, 116 J.K.L Avenue, Carlow Town, Carlow on the death of her husband Ger (Slaw).
- John Cummins, Pound Lane, Borris, Co. Carlow on the death of his brother Jimmy.
- The Chatten Family, 2 Green Road, Carlow Town, Carlow on the death of their father Jack.
- Bernard & Kate Jordan, Everton House, Old Derrig, Carlow on the death of their daughter Sarah Kate.
- Esther Smithers & Family, 6 St. Patrick's Park, Tullow, Co. Carlow on the death of her husband James (Jimmy).
- Ed Brennan & Family, The Square, Rathvilly, Carlow on the death of his mother Una.
- Jimmy & Brigid Dermody, Old Leighlin Road, Leighlinbridge, Carlow on the death of their daughter Marian.
- Mary Schwer & Family, Brannockstown, Kilcullen, Co. Kildare on the death of her mother Eileen Foley.

VOTES OF CONGRATULATIONS

- Saoirse Ronan for her Oscar nomination shortlisted in the Best Actress category for Little Women.
- To everyone involved in getting Stormont back up and running.
- All involved in organising the fireworks display in Borris on New Year's Eve.
- Edith Delaney of Highfield in Carlow who was appointed Deputy Ambassador for Ireland in Indonesia.

1.0 CONFIRMATION OF MINUTES

(1.1) 'Approval of Minutes of Statutory Budget Meeting 2020 of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow on Friday 29th November 2019.'

Proposed by Councillor M. Doran
Seconded by Councillor A. Dalton

Following a show of hands, it was unanimously resolved: -
'That the Minutes of the Statutory Budget Meeting 2020 of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Friday 29th November 2019 at 2.00 p.m. having been circulated to each Member be taken as read, confirmed as to accuracy and accordingly signed.'

(1.2) 'Approval of Minutes of Monthly Meeting of Carlow County Council held on Monday 9th December 2019 at 2pm.

Proposed by Councillor M. Doran
Seconded by Councillor A. Dalton

Following a show of hands, it was 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 09th December 2019 at 2.00 p.m. having been circulated to each Member be taken as read, confirmed as to accuracy and accordingly signed.'

Councillor A. Wallace asked, if a request had gone out to TUSLA for the report on Carlow Women's Refuge. K. Holohan CEO advised that she met with officials from TUSLA the week previous (6th to 10th January 2020) and they confirmed they would attend a Council Meeting

The Cathaoirleach advised members that an Emergency Team was in place for Storm Brendan and Pdraig O'Gorman, Director of Service gave an update report.

2.0 CIRCULARS

(2.1) 'Circular F.01/20 – Reporting of political donations by elected members'

E. Brophy advised members of deadline 31st January 2020, for the reporting of political donations by elected members and asked that forms be returned to him.

'Members noted Circular Letter F.01/20 advising of deadline 31st January 2020 for the reporting of political donations by elected members. Members also noted Circular F. 10/13 Guidelines in

connection with annual reporting requirements on political donations for elected members of local authorities and third parties.'

3.0 COMMUNITY, HOUSING, RECREATION & AMENITY/POBAL

(3.1) Carlow Migrant Strategy – Presentation by Brendan O’Keeffe & Associates

'Members noted report on Carlow Migrant Strategy presented by Brendan O’Keeffe. B O’Keeffe responded to all questions raised. M. Moore welcomed members to the launch of the Carlow Migrant Integration and Intercultural Strategy, in An Gairdín Beo on Tuesday 28th January 2020 at 5.30pm.'

(3.2) Carlow Public Participation Network

'Members noted report on Carlow Public Participation Network, presented by Gráinne O’Neill (Public Participation Network Co-Ordinator). G. O’Neill answered all questions raised by members.'

(3.3) Entente Florale

'Members noted letter dated 6th January 2020 from Michael Brennan, Director of Services, Housing, Community, Recreation & Amenity re Entente Florale 2020 – Carlow Town Chosen to Represent Ireland. M. Brennan responded to all questions raised. M. Brennan to circulate the route for judging to members.'

4.0 CORPORATE, PLANNING, ECONOMIC DEVELOPMENT, HEALTH & SAFETY

(4.1) Presentation on Economic Development and LEO Programme 2019

'Members noted report presented by M. Rainey, Director of Service. M. Rainey answered all questions raised. M. Rainey to look at Commuter Study report and report back to members. M. Rainey to contact ESB regarding electricity issues at a commercial premises in Bagenalstown.'

(4.2) Conference Attendance Approvals

Proposed by Councillor

F. Browne

Seconded by Councillor

T. O'Neill

And

Following a show of hands, it was resolved: -

'That we, the Members of Carlow County Council, hereby approve the following Conference Attendance.'

CONFERENCES

CELTIC CONFERENCES – Elected Members

Regional Development and EU Cohesion Policy beyond

Dates: 7th to 9th February 2020

Venue: Four Seasons Hotel, Carlingford, Co. Louth

No meals provided

Bookings to: info@celticconferences.com

FEE: 100.00 Euro

CELTIC CONFERENCE

Health & Safety in the Workplace

Dates: 21st to 23rd February 2020

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

No meals provided

Bookings to: Info@celticconferences.com

FEE: 100.00 Euro

TRAINING SEMINARS

ASSOCIATION OF IRISH LOCAL GOVERNMENT – Elected Members Training Programme Module 1, 2

The primary rules relating to attendance at the seminars are the same as has applied to AILG training over the past five years:

- Where a Councillor attends a training event other than that designated for her or his parent Council, travelling expenses will be paid at the shorter of the two distances;
- Councillors may attend a training seminar on a Saturday which is not in their designated area but only to a maximum of two such attendances in the calendar year. This applies to both newly elected and re-elected candidates: a maximum of two out of area Saturdays in the calendar year.
- Given the tight timeframes involved in sanctioning attendance retrospective sanction can be assumed on an exceptional basis.

AILG Module 1 “GDPR – An updated briefing for Elected Members on the operation and implications of GDPR”

Date: Thursday, **23rd January 2020 (Southern Regional Assembly)**

Venue: Hotel Kilkenny, College Road, Kilkenny

Date: 25th January 2020 (Northern & Western and Eastern Regional Assemblies)

Venue: Mullingar Park Hotel, Mullingar, Co Westmeath.

FEE: 55.00 Euro

AILG MODULE 2, “The Development Plan Making Process – A briefing for Elected Members”

Date: **Saturday, 15th February 2020: (Southern Regional Assembly)**

Venue: Dooley’s Hotel, The Quay, Waterford

Date: Thursday, 13th February 2020 – Hotel Kilmore, Dublin Road, Cavan
(Northern & Western and Eastern Regional Assemblies)

FEE: 55.00 Euro

5.0 CHIEF EXECUTIVE’S REPORT

Members discussed Chief Executive’s Monthly Management Report for the period to 31st December 2019.

Issues raised by the Members included: -

- Homeless Emergency Accommodation – M. Brenan advised that an inspection of this premises took place on 17th December 2019 at 11am, and everything was found to be in order. He agreed that regular inspections would take place.
- Rebuilding of Murray’s shop on Dublin Street – F. O’Neill advised that a High Court Judgement is in place. A three-year permission was granted to get development built. The local authority will monitor. F. O’Neill to provide date of permission granted on this premises to Cllr Cashin.
- Resurfacing of Dublin Street – P. O’Gorman advised expected commencement of resurfacing works to take place in Quarter 2 of 2020. Will update at March Council Meeting.
- Signage Oak Park – M. Brennan advised that works are been carried out on the woodland walking trail at Oak Park and that the woodland walking trail is closed. Arrangements were put in place Monday morning 13th January 2020 to erect signage at the entrance to Oak Park and in the car park to notify visitors of same.
- Bus Service Carlow Town - P. O’Gorman to follow up.
- Link Road from Eire Óg to Wexford Road and also the link road by Numbers in Graiguecullen to the Kilkenny Road. – P O’Gorman

advised there are 3 phases to the Southern Relief Road and will bring a detailed report at a later stage to the Council Meeting.

- Litter & Waste Management report in the Nationalist – P O’Gorman to liaise with Environment Department re Segregated bins and report back to members.
- Lime in Water – at a residential housing estate in Carlow Town. P O’Gorman to investigate.
- Christmas Markets – K. Holohan advised that in 2019 the Local Authority provided the Perry’s Site for the annual Christmas Market.
- Over hanging branches along the roadside – Cllr W. Quinn asked that the local authority write out to landowners requesting to cut back.
- Funding Roads Tullow – P O’Gorman advised that the local authority has moved from 2 to 3 Municipal Districts, and the allocations to each Municipal District must be fair. The Area Engineers are currently working on allocations.
- Eircodes – difficulty of residents getting codes in Father Flood Avenue Rathvilly.
- Hacketstown Athletics Club – M. Brennan will look at report and report back to Council.
- Operational Costs of 3 Public Toilets in the County – P O’Gorman advised that there was a recent report done. Currently looking if the service is cost effective and alternative solutions.
- Planning Applications – M. Rainey advised that the aim for 2020 is to meet with agents re planning application process and encourage people to use the pre-planning process.
- M9 Paulstown – poor lighting at junction. K. Cullinane reported that this possibly is a trial to reduce costs, but safety is priority and he will raise this matter with Transport Infrastructure Ireland.
- Litter Fines Prosecutions – call for successful prosecutions to be named and shamed – P. O’Gorman to check with GDPR Commissioner if name can be published.
- Hazardous Waste and Mattress Collection – successful in the past, are these collections scheduled in 2020.
- Scramblers in Urban Areas – do the local authority have any remit.
- Water – M. Rainey reported that the closing date for URDF funding is 31st March 2020.

- Carbon Footprint and Climate Change.
- College Street any plans to resurface – this should be brought up at the Municipal District meeting when planning for the year ahead.
- Old Bank of Ireland building – any plans – M. Rainey reported consultants are currently working on this.
- Begging Bye Laws – E. Brophy advised that the Bye Laws are in place. Fixed Penalty Notices have been printed and given to the Gardaí.
- Street lights in Bagenalstown constantly on and off – K. Cullinane will report to contractor.
- County Development Plan & Town Plans – M. Rainey advised that the timeframes for these local plans depends on the National Spatial Strategy timeframes.
- Signage for Mount Leinster – K. Cullinane to investigate re Illegal dumping signs for Mount Leinster and will also check the temperature of roads in the area.

Approval for the extension of time until 6pm for the continuation of this County Council Meeting on Monday 13th January 2020.

Proposed by Councillor
Seconded by Councillor

A. Dalton
K. Murnane

Members noted request from the Cathaoirleach, to raise local requests at the Municipal District Meeting for that area.

6.0 Correspondence

Members noted correspondence from Laois County Council –calling on the Minister for Communications Climate Action & Environment, Mr. Richard Burton, T.D. to stop the rollout of 5G Fifth Generation Cellular Technology across the Country.

Members noted resolution from Kerry County Council – to call on the Minister for Business, Enterprise and Innovation to remove the cap on County Enterprise Boards which prevents them from dealing with enterprise that have more than ten employees.

Members noted resolution from Westmeath County Council – requesting that in future the LPT basic rate would be discussed and fixed in conjunction with the full budget meeting with all the up to date comprehensive budgetary information available.

Members noted resolution from Westmeath County Council – calling on the Office of Public Works to carry out the necessary excavation works at the Invincibles Yard at Kilmainham Gaol to recover the remains of five members of the Irish National Invincibles.

Members noted resolution from Monaghan County Council – calling on the Minister for Communications Climate Action & Environment, Mr. Richard Burton TD and Minister for Finance, Paschal Donohoe TD, for a deposit return scheme to be introduced on recyclable packaging. Introduction of a carbon tax on aviation fuel and ensuring all local authorities in the state be funded to provide a climate action officer to incorporate energy efficiency in all aspects of Council work.

Members noted correspondence from Department of Justice and Equality – acknowledging receipt of letter from Carlow County Council dated 10th December 2019 re Mr. Michael Chruchton Usiku who is subject to a deportation order.

7.0 Notices of Motion

(7.1) Standing in the name of Councillor William Paton

The below Motion was not discussed and not passed as the Cllr who raised the Motion was not present at this time: -

‘That Carlow County Council calls on IPB Insurance in co-operation with local authorities to take all necessary steps, to ensure that public liability insurance is offered to not-for-profit organisations in this sector at the cheapest rates that are consistent with financial prudence and the avoidance of loss.’

(7.2) Standing in the name of Councillors William Paton, Fergal Browne, John Cassin, Andrea Dalton, Michael Doran, Arthur

McDonald, Brian O'Donoghue, Tom O'Neill, Fintan Phelan, William Quinn and Adrienne Wallace

Proposed by Councillor W. Paton
Seconded by Councillor T. O'Neill
And

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

*'In light of the recent theft of defibrillators in Counties Louth and Wicklow, that Carlow County Council supports the **Life Saving Equipment Bill 2017** as introduced by Senator Keith Swanick which is supported by CFR Ireland and calls upon the Government to bring about the speedy enactment of this bill.'*

Note – The Life Saving Equipment Bill was initiated in 2017 by Senator Keith Swanick. It proposes penalties of up to 5 years imprisonment and €50,000 fine for those convicted of theft or, or damage to, a defibrillator or life buoy. CFR Ireland was glad to support this bill when it was proposed. It is now stalled in the houses of the Oireachtas.'

This motion was discussed earlier in the meeting between 3.3 and 4.0. Cllr W. Paton welcomed John Fitzgerald Chairman CFR and Ciara Dowling CFR member to the public gallery of the meeting. Cllr J. Cassin raised a query regarding a motion that was passed in 2019 for 24/7 access to a defibrillator outside of County Buildings.

(7.3) Standing in the name of Councillor Adrienne Wallace

Proposed by Councillor A. Wallace
Seconded by Councillor J. Cassin
And

This Motion as it stands was not passed: -

'That this Council write to the Education Minister to call on him to enact the Traveller Culture and History in Education bill 2018 which seeks to introduce Traveller history and culture on the school curriculum to help stop discrimination.'

Proposed amendment to motion (7.3) as follows

Proposed by Councillor **B. O'Donoghue**
Seconded by Councillor **T. O'Neill**

And

Following a show of hands this amendment was carried: -

“That Carlow County Council, on the day the next government is formed, write to the next minister for Education and request that the Traveller Culture and History in Education Bill 2018, be made a priority in the next Dáil. The bill, which has reached second stage in the Dáil, seeks to introduce Traveller history and culture on the school curriculum to help increase awareness of, and prevent discrimination of minorities in Ireland.

(7.4) Standing in the name of Councillors John Cassin, William Paton and Willie Quinn

This Motion as it stands was not passed: -

‘Carlow County Council send no representative to the Royal Irish Constabulary commemoration ceremony being held in Dublin on the 17th January 2020.’

Cllr. J. Cassin proposed amendment to his Motion as follows; -

Proposed by Councillor **J. Cassin**
Seconded by Councillor **A. Wallace**

‘That Carlow County Council send no representative to any Royal Irish Constabulary commemoration ceremony being held in Ireland for the life time of this Council.’

A roll call vote was taken

<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	√			
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: 5 for, 11 against, and 2 absent and accordingly this motion was defeated.

(7.5) Standing in the name of Councillor Andy Gladney

Cllr A. Gladney withdrew this motion: -

‘This Council will not participate or have representation at the event to commemorate the Royal Irish Constabulary and the Dublin Metropolitan Police at a ceremony in Dublin Castle on the 17th January. The RIC and DMP had an intolerable record of barbarism in this country while carrying out British rule in Ireland.

This was the police force that brutalised and murdered workers in Dublin during the 1913 lockout. This was the force that identified those to be executed after the Easter Rising.

This was the force that supervised the eviction of thousands of impoverished people from their homes leaving them destitute on the roads or inside the workhouse.

That his obscene event is taking place is not only an affront to generations of patriots who struggled to end centuries of imperial tyranny but it seeks to question the very legitimacy of our battle for independence and sovereignty.

Only a subservient Government suffering from a post-colonial state of mind and ashamed of our revolutionary history would encourage this disgraceful event.'

8.0 ANY OTHER BUSINESS WITH THE CONSENT OF THE CATHAOIRLEACH

- Councillor J. McDonald outlined a case raised by a constituent where they had attended both Crumlin hospital and Naas hospital with their child and were refused medical care.

Proposed by Councillor J. McDonald

Seconded by Councillor F. Phelan

'That Carlow County Council write to the Department of Health highlighting the refusal of medical care by both Crumlin and Naas hospitals to a Carlow constituent.'

This concluded the business of the meeting.