

## CARLOW COUNTY COUNCIL

### Minutes of the July Meeting of Carlow County Council, held in G.B. Shaw Theatre, Visual, Old Dublin Road, Carlow on Monday 13<sup>th</sup> July 2020 at 2.00 p.m.

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**Present:** Councillor T. O'Neill (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 W. Paton  
Councillor J. Pender  
Councillor F. Phelan  
Councillor W. Quinn  
Councillor A. Wallace

**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. Pat Delaney, Head of Finance  
Mr. E. Brophy, Senior Executive Officer, Corporate  
Services/Human Resources  
Ms. Lorna O'Callaghan, Administrative Officer,  
Corporate Services/Human Resources

#### **OPENING PRAYER**

The opening prayer was recited in Irish by the Members.

## **VOTES OF SYMPATHY**

- Marty Horkan & Family, C/O Dermot Horkan Funeral Home, Lowpark, Charlestown, Co. Mayo, Eircode F12D393, on the death of his son Detective Garda Colm Horkan.
- Michael and Bridget Tomlinson, 94a Knights Road, Tyseley, Birmingham, B11 3QB, England on the death of their son Mark.
- Pat Charlton & Family, Ashington, Northumberland, United Kingdom NE63 on the death of her husband Jack.
- The O'Sullivan Family, The Bird House, Green Road, Carlow Town, on the death of their mother Teresa (Resa).
- The Matthews Family, 49 Highfield, Dublin Road, Carlow Town, on the death of their father Joe.
- The Geoghegan Family, 106 New Oak Estate, Carlow Town on the death of their mother Margaret.
- Kathleen McGarry & Family, Ballyburn Upper, Castledermot, Co. Kildare on the death of her husband Frank.
- Mary Hopkins & Family, 8 Springfield Drive, Carlow Town, Carlow on the death of her husband Benny.
- Muriel Jones & Family, Ballnacree, Myshall, Co. Carlow on the death of her husband Edward (Ted) Jones.
- Clare Walsh & Family, Mayo, Crettyard, Co. Carlow on the death of her husband Jimmy.
- Mary Edwards & Family, St. Austin's Terrace, Tullow, Co. Carlow on the death of her husband Billy, also father of Ciara Edwards, Clerical Officer, Libraries, Carlow County Council.

## **VOTES OF CONGRATULATIONS**

- Cathal Purcell, Tinypark, Tinryland, Carlow for not missing a single day in primary school in his whole time in Father Cullen National School, Tinryland.
- Dominic Hayes, C/o Kilkenny Garda Station, Roseville, 1 Dominic St, Jamesgreen, Kilkenny, R95 XA9K, on his retirement.
- Senator Eileen Flynn, for her election to Seanad Eireann.

- Colin Duggan, C/o The Dolmen Hotel, Kilkenny Road, Carlow on his election as President of Carlow Chamber of Commerce.
- Sinead McAuliffe, Brownshill Road, Carlow on her election as president of Carlow Rotary Club.
- Fr MacNamara, Mountmellick, Laois on the Diamond Jubilee of his Ordination.
- Fr Brian Maguire, The Cathedral, College Street, Carlow, on the 40<sup>th</sup> Anniversary of his Ordination.

## **1.0 CONFIRMATION OF MINUTES**

### **1.1 ‘Approval of Minutes of Monthly Meeting of Carlow County Council held on Monday 08<sup>th</sup> June 2020 at 2pm.’**

**Proposed by Councillor                      F. Phelan**  
**Seconded by Councillor                  F. Browne**  
**And**

Following a show of hands, it was resolved: -

*‘That the Minutes of the Monthly Meeting of Carlow County Council held in The George Bernard Shaw Theatre, Old Dublin Road, Carlow, on Monday 08<sup>th</sup> June 2020 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 Annual General Meeting held on Monday 8th June 2020 at 3.30 p.m.**

**Proposed by Councillor                      F. Phelan**  
**Seconded by Councillor                  F. Browne**  
**And**

Following a show of hands, it was resolved: -

*‘That the Minutes of the Annual General Meeting of Carlow County Council held in The George Bernard Shaw Theatre, Old Dublin Road, Carlow, on Monday 08<sup>th</sup> June 2020 at 3.30 p.m. having been circulated to each Member be taken as read, confirmed as to accuracy and accordingly signed.’*

**2.0 BUSINESS PRESCRIBED BY STATUTE, STANDING ORDERS OR RESOLUTIONS OF COUNCIL**

**2.1 Section 134 of the Local Government Act 2001 - Approval of the Corporate Plan 2020 – 2024**

M. Rainey, Director of Service, gave an update on the position of the Corporate Plan and answered questions on the extension of time for the adoption of the plan, and the plan, including the following matters raised by Members;

- Duckett’s Grove and Carlow Castle to be included into the tourism section on page 32.
- Twinning and Diaspora Strategy and committee to be mentioned on page 55.
- An amendment to be included to reference the Covid 19 pandemic.
- Reference to anti-social behaviour in the housing section.
- Request for a reference to be made to Muinebheag by-pass.

A proposal to adopt the Corporate Plan 2020 -2024 with amendments, subject to review in 12 months’ time through the Municipal Districts was;

**Proposed by Councillor**                      **J. Pender**  
**Seconded by Councillor**                **F. Phelan**  
**And**

Following a show of hands, it was resolved: -

*‘That we, the Members of Carlow County Council approve the adoption of the Corporate Plan 2020 – 2024, including the amendments.’*

**2.2 Filling of Vacancy of Chair of Transportation & Infrastructure Strategic Policy Committee**

E. Brophy, Senior Executive Officer, presented this report.

Cllr. J. Cassin nominated Cllr. W. Quinn for the filling of the vacancy of chair of Transportation & Infrastructure, Strategic Policy Committee. No further nominations were made.

**Proposed by Councillor**                      **J. Cassin**  
**Seconded by Councillor**                **W. Paton**  
**And**

Following a show of hands, it was resolved: -

*‘That we, the Members of Carlow County Council approve the election of Cllr. W. Quinn to Chair the Transportation & Infrastructure, Strategic Policy Committee.’*

### **2.3 Approval to change date of September Council Meeting**

A request to amend the date of the September Council Meeting from Monday 14<sup>th</sup> September to Monday 7<sup>th</sup> September was put to the members.

**Proposed by Councillor**                      **M. Doran**  
**Seconded by Councillor**                **J. Murphy**  
**And**

Following a show of hands, it was resolved: -

*‘That we, the Members of Carlow County Council approve the change of date of the September Council meeting from Monday 14<sup>th</sup> September 2020 to Monday 7<sup>th</sup> September 2020.’*

### **2.4 Carlow Arts Centre Ltd (Report circulated)**

The Chief Executive had a report in relation to a VAT issue at the Visual and a request from the board of the Visual for a loan of €281,000, to be repaid at €20,000 per annum. K. Holohan, Chief Executive advised that Revenue had to be paid before 31<sup>st</sup> July 2020. Members raised questions including how the figure was calculated. The Chief Executive responded to these questions. Pat Delaney, Head of Finance, clarified issues in relation to the calculation of VAT which was due to the level of commercial activity in the galleries compared with the original business plan. The Cathaoirleach advised that he and Cllr. Murnane were on the board of the Visual and had been kept informed since appointed. K. Holohan advised that the Local Government Auditor will be reporting to the elected members and that the advices received were correct at the time and that there was nothing negligent about the issue. Cllr. Doran enquired how the loan would be repaid and about the balance of €600,000. P. Delaney replied as to how the loan would be repaid and also in relation to the €600,000 which may need to be shown on the accounts for Carlow Arts Centre Limited.

Cllr B. O'Donoghue proposed granting the loan and requested the executive to advise of what the alternative would be. The proposal to grant the loan was seconded by Cllr. Fintan Phelan. The Chief Executive advised of the alternative which would involve the appointment of a liquidator. Cllr. Paton suggested the matter be referred to the audit committee. P. Delaney advised that the Local Government Auditor would be reviewing the matter.

### 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	√			

This resulted in 17 Councillors voting in favour of the loan of €281,000 being granted to Carlow Arts Centre Limited and 1 Councillor abstained. The decision was passed.

## **2.5 Approval to Carlow County Council becoming a partner to the “All Ireland Pollinator Plan”**

P. O’Gorman, Director of Service, advised and answered queries from members on the Pollinator Plan. Members welcomed the plan.

**Proposed by Councillor**                      **W. Paton**  
**Seconded by Councillor**                **A. Dalton**  
**And**

Following a show of hands, it was resolved: -

*‘That we, the Members of Carlow County Council approve Carlow County Council becoming a partner to the “All Ireland Pollinator Plan”.*

## **2.6 Approval of Litter Management Plan Review**

P O’Gorman, Director of Service, advised members of the need to review the Litter Management Plan and the process including consultation phase and it is hoped to have a draft for September meeting aiming for a December approval.

It was agreed to write to the Minister and request increases in on the spot fines for littering.

## **3.0 Corporate, Planning, Economic Development/Seirbhísí Corporáideachta, Pleanáil, Forbairt Eacnamaíocht**

### **3.1 Report on Online Streaming of Council Meetings**

E. Brophy, Senior Executive Officer, advised of report in relation to streaming of Council meetings.

A discussion took place on this issue and it was agreed that given present financial circumstances this was not the most suitable time due to cost. It was suggested that the council executive examine options to determine if the matter can be progressed without a charge to the Council.

Cllr. A. Wallace proposed the online streaming of Council Meetings. The proposal was seconded by Cllr. John Cassin.

## 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	√			

This resulted in 6 Councillors voting in favour and 12 Councillors voting against the online streaming of Council Meetings. The motion was therefore defeated.

## **4.0 Transportation, Environment, Water Services, Building Control & Emergency Services/lompar, Impeallacht agus Seirbhísí Uisce, Rialaithe Tógála agus Seirbhísí Éigeandála**



#### **4.1 Analysis of Public Lighting 2009-2019**

P. O’Gorman, Director of Service, presented the report and advised of a 31% reduction currently in electricity charges due to the replacement of over 2,000 LED lamps. He noted that the Council will achieve its target of 33% reduction by the end of 2020. Members welcomed the report and P. O’Gorman answered question from members.

#### **5.0 CHIEF EXECUTIVE’S REPORT**

Members discussed Chief Executive’s Monthly Management Report for the period to 01<sup>st</sup> June to 30<sup>th</sup> June 2020.

The Chief Executive and Directors answered questions from members on matters including, community grants, restart grant, parking at Mount Leinster hindering agricultural contractors, update on Gort Na Greíne housing estate for next months meeting, footpaths at Fenagh and the outcome of meeting with Irish Ráil and National Transport Authority.

#### **6.0 CORRESPONDENCE**

**Members noted correspondence from Standards in Public Office Commission** – in relation to the retention of records of proceedings at Local Authority Meetings.

**Members noted resolution of Kerry County Council** – that Kerry County Council write to the Department of An Taoiseach and the Department of Tourism asking that the VAT rate in the tourism industry be reduced to 0% to try and alleviate the pressure on related businesses and attempt to avoid the complete decimation of this sector.

**Members noted resolution from Westmeath County Council** – that Westmeath County Council in recognising the stress, uncertainty and worry of the Leaving Certificate Class of 2020 discuss possible options of assisting these students pursue their chosen career this autumn, where some may want to attend Third Level Education and others follow the apprenticeship of their choice. The proposal of “First Choice for All” should be accommodated as much as possible.

**Members noted resolution from Limerick City & County Council** – that Limerick City and County Council support the National Small Business Recovery Plan in order to protect the thousands of jobs that SMEs provide throughout County Limerick and that Limerick City and County Council write

to the Government and, in particular, Mr. Leo Varadkar, TD the new Minister for Enterprise, Trade and Employment, to fund and immediately implement the findings and recommendations of the National Small Business Recovery Plan.

## 7.0 Notices of Motion/Fógraí Rúin

### 7.1 Standing in the name of Cllr. Adrienne Wallace

"That this Council writes to Taoiseach Micheál Martin to request that the widely supported Control of Economic Activity (Occupied Territories) Bill 2018 that would "ban trade between Ireland and Israel's illegal settlements in the West Bank", be reconsidered for inclusion in the programme for government."

#### 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	√			

This resulted in 9 Councillors voting in favour for, 7 Councillors voting against, 1 abstain and 1 absent. This motion was passed.

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

Following a show of hands, it was resolved: -

"That this Council writes to Taoiseach Micheál Martin to request that the widely supported Control of Economic Activity (Occupied Territories) Bill 2018 that would "ban trade between Ireland and Israel's illegal settlements in the West Bank", be reconsidered for inclusion in the programme for government."

## **8.0 Any other business with the consent of the Cathaoirleach/Aon gnó eile le haontú an Chathaoirligh**

This concluded the business of the meeting.