

CARLOW COUNTY COUNCIL

Minutes of the May Monthly Meeting of Carlow County Council, held in The Council Chamber, County Offices, Athy Road, Carlow, on Monday 8th May 2017 at 3.00 p.m.

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

In attendance: Mr. D. McInerney, Deputy Chief Executive
Ms. B. O'Brien, Director of Service – Corporate, Planning, Economic Development, Health and Safety
Mr S. O'Connor, Director of Services, Housing, Community, Building Control & Emergency Services
Mr. P Delaney, Head of Finance
Ms. F. O'Neill, Senior Executive Officer, Planning
Ms A. Sweeney, Senior Planner
Ms J. Kavanagh, Senior Executive Officer, Housing
Ms S. Dowling, Arts Officer
Mr. K. Comerford, Head of LEO
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.

VOTES OF SYMPATHY

- Marie Murphy, Corporate Services on the death of her mother Peg Murphy, Grange, Tullow, Co. Carlow.
- The Family of the late Matthew O'Connor, Birr, Co. Offaly former County Manager with Carlow County Council.
- Margaret Kenny and Family, 38, Heatherfield, Bog Hall Road, Bray, Co. Wicklow on the death of her brother John Byrne, Coolnakisha, Leighlinbridge, Carlow, former pensioner with Carlow County Council.
- Aileen Nolan, Arts Office on the death of her father in law Benny Gould, Seskinrea, Old Leighlin, Co. Carlow.
- The Kidd Family, Slyguff, Bagenalstown, on the death of their mother Phyllis.
- Ann Murphy and Family, Augha, Bagenalstown on the death of her husband Ned.
- The Murphy Family, 13, Barrett Street, Bagenalstown on the death of Tony Murphy.
- Breda Galbally and Family, 65, Dereen Heights, Tullow Road, Carlow on the death of her son Paul.
- The Kielthy Family, Oliver Plunkett Ave., Graiguenamanagh, Carlow on the death of their mother Mary.

VOTES OF CONGRATULATIONS

- Carlow Hurling Team on reaching the semi-final of the Christy Ring Cup.
- Carlow Minors on progressing in the Leinster Minor Football Championship
- All teams competing in Féile 2017 and Rathvilly on winning the U/14 Football Féile Championship.
- All involved with the success of Pan Celtic 2017
- All involved with the Carlow leg of the 'Cycle against Suicide'
- All involved with 'Darkness into Light' in aid of Pieta House.
- Willie Mullins, Horse Trainer on winning the Irish Champion Trainer 2017.
- Tullow Rugby Club on their historic victory winning the Towns Cup for the first time, the Tullow Ladies on winning the Ladies Cup Final and Séan O'Brien on being selected for the Lions Team.

- Mary Boylan and Sarah Baldwin on winning the European Karate Championship 2017.
- Councillor Ann Ahern on her appointment as Principal of Carlow Christian Brothers School.
- Myshall on winning the National Badminton Community Games Championship 2017.

1. CONFIRMATION OF MINUTES

The minutes of the April Council Meeting held on 10th April 2017 were

Proposed by Councillor F. Browne

Seconded by Councillor W. Lacey

AND

Following a show of hands it was unanimously resolved:-

'That the Minutes of the April Monthly Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Monday 10th April at 2.00p.m. having been circulated to each Member be taken as read, confirmed as to accuracy and accordingly signed.'

2. CIRCULARS

(a) Circular LLS1/2017 Implementation of the Right to Read Programme for the Support of Literacy across Local Authorities

Members noted Right to Read Programme for the Support of Literacy across Local Authorities.

(b) Buy and Renew Scheme

Members noted Buy and Renew Scheme.

Councillor Browne suggested a leaflet drop and advertising in local papers outlining the Buy and Renew Scheme and Repair and Lease Scheme.

Queries raised by Members were addressed by S. O'Connor.

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

(a) Fix date for the Annual General Meeting

Proposed by Councillor F. Browne

Seconded by Councillor M. Doran

AND

Following a show of hands it was unanimously resolved:-

'That we, the Members of Carlow County Council approve the holding of the Annual General Meeting on Monday 12th June 2016 at 2.30p.m

(b) Taking in Charge of the The Granary, Grange, Co. Carlow

Members' approval was sought to the taking in charge of The Granary, Housing Estate, Grange, Co. Carlow. Following the public consultation period no submissions were received.

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 taking in charge of The Grannary, Housing Estate in Grange, 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) Taking in charge of Granite Court, Fenagh, Co. Carlow

Members' approval was sought to the taking in charge of Granite Court, Fenagh, Co. Carlow. Following the public consultation period no submissions were received.

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 Granite Court, Fenagh, 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'.

**(d) Disposal of Freehold of Site No. 15 Strawhall Industrial Estate to
Derek Butler T/A Mediplast**

Members approval was sought to the disposal of freehold of Site No. 15 Strawhall Industrial Estate, Carlow, to Derek Butler T/A Mediplast, Site 15 Strawhall Industrial Estate, Carlow, in the sum of €2,000 plus all associated costs, in accordance with the terms of the statutory notice already circulated.

Proposed by Councillor M. Doran
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 disposal of freehold of Site No. 15 Strawhall Industrial Estate, Carlow, to Derek Butler T/A Mediplast, Site 15 Strawhall Industrial Estate, Carlow, in the sum of €2,000 plus all associated costs, in accordance with the terms of the statutory notice already circulated and in accordance with Planning & Development Act 2000 – Section 211, Local Government Act, 2001– Section 183 (1). The consent of the Minister for Housing, Planning, Community and Local Government is not required'.

(e) Provision of Skateboard Park at lands adjacent to the River Burrin, Paupish Lane, Carlow

Members welcomed report from Michael Brennan, Senior Executive Officer, Community, Recreation/ Amenity and Sports on the provision of a Skateboard Park in Carlow Town. Members were advised that it is proposed to provide the Skateboard Park at lands adjacent to the River Burrin Linear Park at Paupish Lane, Carlow.

Members' approval was sought to initiate the process required in accordance with the Planning & Development Act 2000 as amended and Part 8 of the Planning & Development Regulations 2001-2016 to progress this project.

Proposed by Councillor W. Lacey
Seconded by Councillor F. Phelan
AND

Following a show of hands it was unanimously resolved:-

'That we, the Members of Carlow County Council approve the commencement of the process for the provision of a Skateboard Park at lands adjacent to the River Burrin Linear Park at Paupish Lane, Carlow in accordance with the Planning & Development Act 2000 as amended and Part 8 of the Planning & Development Regulations 2001-2016.

Councillor Browne queried if there was scope for additional parking at the site.

(f) Part VIII Housing Developments
21 Houses Dublin Road, Tullow
42 Houses & 2 Private Sites, Bagenalstown
63 Houses & 4 Private Sites, Rathvilly

Members had report from the Deputy Chief Executive together with report from the Director of Services, Housing and the Senior Executive Engineer on proposals for housing developments at the following locations:

21 Houses Dublin Road, Tullow

42 Houses & 2 Private Sites, Bagenalstown

63 Houses & 4 Private Sites, Rathvilly

These schemes were presented to Council for consideration at the March meeting of Council and the decision to progress the schemes was deferred.

Members approval was now sought to progress the Schemes.

It was

Proposed by Councillor B. O'Donoghue

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 Proposed Housing Developments

21 Houses Dublin Road, Tullow

42 Houses & 2 Private Sites, Bagenalstown

63 Houses & 4 Private Sites, Rathvilly

be progressed, to include the proviso at the Rathvilly Scheme and amendment at the Bagenalstown development as set out in report of 2nd May, and in accordance with the Planning and Development Act 2000 (as amended) Planning and Development Regulations 2001-2016, Planning and Development Acts 2000-2013, Planning and Development Regulations 2001-2013 Part VIII:

Members welcomed the developments and commended S. O'Connor for his foresight in planning the developments but expressed concern at the shortage of housing in Carlow Town. S. O'Connor advised that it was important to get planning permission for the Rathvilly site but the development is a long-term project.

Councillor Browne requested that land banks in Carlow Town be identified for development and be brought to the next meeting of Carlow Municipal District meeting for discussion.

Councillor Browne suggested that land at Éire Óg be looked at for housing development. S. O'Connor advised that these lands have been de-zoned for housing.

Councillor McDonald raised issue of lands beside Resource Centre, Bagenalstown being leased to the Resource Centre. S. O'Connor advised that this issue was dealt with a year ago. The lands were secured and the

Resource Centre was advised that it had the use of the lands. Councillor McDonald requested a written agreement with conditions in relation to use of the lands by the Resource Centre.

Other issues raised by the Members included Turnkey Projects, Carlow Town, Housing development at Sleaty Road, playground for 21 Houses in Tullow, playground for Rathvilly and traffic calming measures, Rathvilly. All issues raised by the Members were addressed by S. O'Connor.

(g) To consider proposed Variation No. 1 (a) and 1 (b) of the County Development Plan 2015-2021.

Members approval was sought to the proposed Variation No. 1(a) and 1 (b) of the County Development Plan 2015-2021. The reason for the proposed Variation no. 1(a) and 1(b) is to give effect to the provisions of the Urban Regeneration and Housing Act 2015 regarding Vacant Site Levy and urban renewal and regeneration and the revised provisions for Part V (Social Housing).

**Proposed by Councillor F. Browne
Seconded by Councillor A. Ahern
AND**

Following a show of hands it was unanimously resolved:-

'That we, the Members of Carlow County Council approve the proposed Variation No 1(a) and 1 (b) of the County Development Plan 2015 -2021 to give effect to the provisions of the Urban Regeneration and Housing Act 2015 regarding Vacant Site Levy and urban renewal and regeneration and the revised provisions for Part V (Social Housing Strategy), pursuant to Section 13 of the Planning and Development Act 2000 as amended.'

(h) Fill vacancy on Cultural, Health and Agriculture Strategic Policy Committee

Members were advised that a casual vacancy has occurred on the Cultural, Health and Agriculture Strategic Policy Committee.

Following discussion, it was

**Proposed by Councillor B. Donohue
Seconded by Councillor W. Paton
AND**

Following a show of hands it was unanimously resolved:-

'That we, the Members of Carlow County Council agree that the casual vacancy on the Cultural, Health and Agriculture Strategic Policy Committee not be filled at this time.'

4. DEPARTMENTAL PROGRESS REPORTS

(a) Annual Financial Statement 2016

P Delaney presented a financial overview on the 2016 Annual Financial Statement and addressed queries raised by the members.

Annual Financial Statement 2016 – to approve expenditure pursuant to Section 104 of the Local Government Act 2001 and the Local Government (Reform) Act 2014.

P. Delaney advised that in 2016 expenditure in excess of the Annual Budget occurred on a number of individual services, which was offset by additional funding/income or savings in other areas. Members' approval was sought to this expenditure per the schedule set out below.

SERV	SERVICE	BUDGET 2016	OUTTURN 2016	BUDGET V OUTTURN 2016	DETAILS
A01	MAINTENANCE LA HOUSING UNITS	1,740,434.67	1,769,149.60	28,714.93	ADDITIONAL FUNDING / INCOME
A02	HOUSING ASSESSMENT	242,121.05	247,096.56	4,975.51	OFFSET - SAVINGS IN OTHER SERVS
A03	HOUSING RENT ADMIN	349,448.63	509,187.32	159,738.69	INC. PROVISION DOUBTFUL DEBTS.
A05	ADMIN OF HOMELESS SERVICE	214,365.61	222,532.62	8,167.01	ADDITIONAL FUNDING / INCOME
B02	NS ROAD - MTCE & IMP	540,984.68	575,935.57	34,950.89	ADDITIONAL FUNDING / INCOME
B03	REGIONAL ROAD - MTCE & IMP	1,643,743.66	1,699,382.63	55,638.97	ADDITIONAL FUNDING / INCOME
B04	LOCAL ROAD - MTCE & IMP	4,639,771.01	4,860,415.24	220,644.23	ADDITIONAL FUNDING / INCOME
B07	ROAD SAFETY ENG. IMP.	161,894.93	184,076.92	22,181.99	ADDITIONAL FUNDING / INCOME
C04	PUBLIC CONVENIENCES	90,166.97	96,383.03	6,216.06	OFFSET - SAVINGS IN OTHER SERVS
C08	LOCAL AUTHORITY WS ADMIN	-	3,633.91	3,633.91	ADDITIONAL FUNDING / INCOME
D01	FORWARD PLANNING	166,359.05	168,855.76	2,496.71	OFFSET - SAVINGS IN OTHER SERVS
D09	ECONOMIC DEV & PROMOTION	1,134,223.58	1,221,845.45	87,621.87	ADDITIONAL FUNDING / INCOME
E05	LITTER MANAGEMENT	206,284.55	225,879.23	19,594.68	OFFSET - SAVINGS IN OTHER SERVS
E09	MTCE. OF BURIAL GROUNDS	199,854.61	216,993.74	17,139.13	OFFSET - SAVINGS IN OTHER SERVS
E11	OPERATION OF FIRE SERVICE	2,633,545.01	2,704,342.67	70,797.66	ADDITIONAL FUNDING / INCOME
G04	VETERINARY SERVICE	179,727.06	191,284.65	11,557.59	OFFSET - SAVINGS IN OTHER SERVS
H05	MORGUE & CORONER EXP.	90,076.08	104,114.59	14,038.51	OFFSET - SAVINGS IN OTHER SERVS
H07	MARKETS & CASUAL TRADING	18,301.02	24,550.48	6,249.46	OFFSET - SAVINGS IN OTHER SERVS
H11	AGENCY & RECOUPABLE SERVS.	139,199.96	293,735.00	154,535.04	ADDITIONAL FUNDING / INCOME

Proposed by Councillor F. Browne

Seconded by Councillor T. Kinsella

AND

Following a show of hands it was unanimously resolved:-

“That we, the Members of Carlow County Council, hereby approve in accordance with Section 104 of the Local Government Act 2001 and Local Government (Reform) Act 2014 expenditure in excess of the 2016 Budget per the schedule and note that the expenditure was funded by additional receipts, grants/recoupments or savings in other services.

P. Delaney advised of challenges facing the Council in relation to 2018 Budget and said the Council will aim to seek more funding from the national equalisation fund under the Local Property Tax.

In response to Members query in relation to revaluation of properties P. Delaney advised that the Council is not part of the process. The Valuation Office will be organising walk in clinics for property owners, details of which will be published on website and in the media.

Councillor Browne queried additional funding for Local Authorities from Irish Public Bodies Mutual Insurances. P. Delaney advised of upcoming meeting with IPB where the details will be clarified.

(b) Report on Collection of Commercial Rates Year Ended 31st December 2016

Members noted report on Collection of Commercial Rates Year Ended 31st December, 2016 and complimented P. Delaney and Staff on the reduction in arrears at 31st December, 2016.

(c) County Carlow – Culture and Creativity Plan 2017

Ms. Sinead Dowling, Arts Officer presented the County Carlow – Culture and Creativity Plan 2017 to the Members.

Ms. Dowling advised that the Creative Ireland Programme is a five year initiative which places creativity at the centre of public policy.

Carlow's Creative Ireland Programme will strive to be a dynamic process driven initiative where the public assist in creating a resource for the entire county and an accessible gateway to cultural activity for everyone.

Carlow Ireland Funding when allocated to Carlow County Council will assist in initiating and/or delivering 'Carlow Creative Ireland' Initiatives/Projects and Events. In addition it is anticipated that funding will be made available for Creative Communities led projects and initiatives via a 'Carlow Creative Ireland Community Grant Scheme.

Members thanked Ms. Dowling and the Creative Ireland Team in Carlow for their work on County Carlow – Culture and Creativity Plan 2017.

Issues raised by the Members were addressed by S. Dowling and P. Delaney.

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

(a) Town and Village Renewal Scheme 2017

Mr Kieran Comerford, Head of LEO presented a report to Council on the Town and Village Renewal Scheme 2017. The purpose of the Scheme is to start the process of rejuvenating Ireland's rural towns and villages to make them more attractive places in which to live and work.

There are two types of applications in the Scheme:

Category 1. Towns and villages with a population of less than 5,000

Category 2. Towns with a population of 5,001 to 10,000.

K. Comerford advised that the 2017 Scheme is a competitive process with no automatic allocation per county.

Councillor Phelan expressed disappointment that Carlow Town is not included in the Scheme and sought clarification that the areas formerly known as Carlow East /West which included areas Bennekerry, Palatine and Kernanstown will not be excluded from the Scheme.

Councillor Browne queried if the Browneshill Dolmen could be included in the Scheme. K. Comerford advised that the Dolmen would have to be linked to an area to be eligible under the Scheme. Members also raised issue of burden on communities and staff to compete for funding with no automatic entitlement and called for the Scheme to be delivered as per the 2016 process. This issue is to be raised with the Minister. K. Comerford advised that the issue of competitiveness has been raised at workshop and with the Department as has funding for larger towns been raised with the Department. Councillor Browne requested that Mary Walsh of Leader be invited to meeting of Council to address the issue of Leader Funding. The Cathaoirleach advised of workshops on the application process for Leader Funding. The Deputy Chief Executive advised of lengthy process to access Leader Funding and advised that he will raise this issue at upcoming meeting of LCDC.

Councillor Phelan referred to disadvantaged communities for the Town and Village Scheme. K. Comerford advised that the Project Team has engaged with various community groups in relation to the Scheme.

Members thanked K. Comerford for his report and all issues raised by the Members were addressed by K. Comerford.

(b) Agriculture

There were no matters arising.

(c) Health

The following issues were raised by the Members:-

- No HSE dental care for children in Bagenalstown. A letter is to issue to the HSE on the issue.
- No General Practitioner in Tullow accepting medical cards for the U/6.

- Councillor Cassin queried if response had been received from the Department of Health in relation to payment for Shauntelle Tynan's cancer treatment - Histiocytosis X. Councillor Cassin requested that a letter issue to the Minister for Health and Orkambi Group acknowledging the funding of Orkambi for Cystic Fibrosis sufferers.
- Members expressed concerns at the lack of overnight respite in Carlow for children with special needs and expressed anger at the HSE on proposed scrapping of respite house in Bagenaltown. Councillor Ahern suggested a long- term plan to build a respite house on a donated site. Members requested that the HSE be requested to address the Council directly and that a letter issue to the HSE through the Council's representatives on the Regional Health Forum.

(d) Conference Attendance Approvals

Proposed by Councillor W. Quinn

Seconded by Councillor A. Ahern

AND

Following a show of hands it was unanimously resolved:-

'That we, the Members of Carlow County Council approve the forthcoming Conferences 2017.

Energy Conference 2017,
Galway Bay Hotel,
Salthill,
Galway.
5th May 2017

Fee: €70

National Planning Framework &
The Councillor,
Silver Tassie Hotel,
Letterkenny,
Co. Donegal.
26th to 28th May 2017

Fee: €145

Parnell Summer School 2017,
Avondale House,
Rathdrum,
Co. Wicklow.
13th to 17th August 2017

Fee: €70 per day €275 for week

John Hewitt Society
Sectarianism – the Ghost of the Peace Process
The Canada Rooms,

Queens University,
Belfast.

26th April 2017

Fee: €Nil

The Local Authority Waters & Communities,

The Clonakilty Hotel,

Clonakilty,

Co. Cork.

16th to 18th June 2017

Fee: €100

What does a Hard Brexit mean for Ireland,

The Clonakilty Hotel,

Clonakilty,

Co. Cork.

23rd to 25th June 2017

Fee: €100

6. CHIEF EXECUTIVE REPORT

Members noted Chief Executive Report for the period 1st to 30th April, 2017. The Deputy Chief Executive brought to Members attention the Draft River Basin Management Plan, approved for publication by the Minister, is subject to a six month consultation period with the closing date for submissions 28th August 2017. He advised of series of public meetings to discuss local interests such as water quality, angling, heritage, biodiversity, or issues affecting the local water environment at three locations in Carlow in May/June and urged Members to attend a public meeting.

Councillor Phelan raised issue of danger in Ballon with traffic at school times.

7. CORRESPONDENCE

Members noted Notice of Motion from Donegal County Council calling on the Minister for Defence to formally award the military Medal for Gallantry to the Veterans of the siege of Jadotville.

Members noted Email from the Union of Students of Ireland requesting an opportunity to address the Members of Carlow County Council regarding publicly funded education.

It was agreed by the Members that the Union of Students of Ireland be invited to address the Members at the July meeting of Council.

Members noted Notice of Motion from Galway County Council strongly objecting to any downgrading of bus or rail services that will affect any town or village in County Galway.

Members noted Notices of Motion from Tipperary County Council requesting the Government to progress the Coroners's Bill as a matter of urgency, and that the Coroner's Bill will provide for an automatic inquest into every maternal death in the state.

Members noted Notices of Motion from Tipperary County Council calling on the Minister for Social Protection to allow those over 55 on Community Employment Schemes to continue to do so until they reach 65.

Members noted correspondence from St Lukes, General Hospital, Kilkenny in response to Members correspondence to ensure free car parking for cancer patients, and their drivers.

Members noted Notices of Motion from Waterford City and County Council supporting the legalisation of the use of cannabis for medicinal purposes with the scope of such use being left to the professional discretion of the medical practitioner involved and the consenting patient.

Members noted Notices of Motion from Waterford City and County Council calling for a change in current arrangements for Members attendance at meetings. Where a medical certificate is submitted, these meetings missed on certified medical grounds be deleted from the overall meeting total for the member when calculating the 80% rule.

8. Any other business with the consent of the Cathaoirleach

Councillor Pender proposed the holding of a Civic Reception to honour Tullow Rugby Club on their historic victory winning the Towns Cup for the first time, to the Tullow Ladies on winning the Ladies Cup Final and to Séan O'Brien on being selected for the Lions Tour.

Councillor Pender's proposal was seconded by Councillor W. Paton and unanimously agreed.

This concluded the business of the meeting.