

## CARLOW COUNTY COUNCIL

**Minutes of the May Meeting of Carlow County Council, held in The Council Chamber, County Offices, Athy Road, Carlow, on Monday 13<sup>th</sup> May 2019 at 2.00 p.m.**

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**Present:** Councillor B. O'Donoghue (Cathaoirleach)  
Councillor F. Browne  
Councillor J. Cassin  
Councillor A. Dalton  
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 J. Murphy  
Councillor W. Paton  
Councillor J. Pender  
Councillor F. Phelan  
Councillor W. Quinn

**In attendance:** Ms. K. Holohan, Chief Executive  
Mr D. McInerney, Director of Services, Transportation, Environment & Water Services  
P. Delaney, Head of Finance  
P.J. Leonard Financial Accountant  
Mr. M. Brennan, Acting Director of Services, Housing  
Ms. F. O'Neill, Acting Director of Service – Corporate, Planning, Economic Development, Health and Safety  
Mr. R. Wickham, Acting Senior Engineer, Transportation  
Mr. K. Comerford, Head of LEO  
Mr. J. Shorthall, County Librarian  
Ms. J. Kavanagh, Senior Executive Officer, Housing  
Mr. P. Curran, Administrative Officer, Health and Safety  
Ms Maria Ahearne, Senior Staff Officer, Environment  
Mr. E. Brophy, Senior Executive Officer, Corporate Services.

## **THE NATIONAL ANTHEM**

The National Anthem was played before commencement of business.

## **OPENING PRAYER**

The opening prayer was recited in Irish by the Members.

## **VOTES OF SYMPATHY**

- Cora Healy & Family on the death of her husband Pat Healy, Pollerton Castle, Carlow.
- The Lennon Family, 30 Fr Cummins Park, Bagenalstown, Co. Carlow on the death of their father John.
- Anne O'Neill & Family, Oak House, Dunleckney, Bagenalstown, Co. Carlow on the death of her husband Hughie.
- Denis Flood & Family, Staplestown, Carlow on the death of his wife Lila.
- The Family of the late Elizabeth Murphy, 2 Henry Street, Graiguecullen, Carlow.
- The Lennon Family, Courtnellan, Borris, Co. Carlow on the death of their brother Joe.
- The Barron Family, Barronville, Bagenalstown, Co. Carlow on the death of their father Paddy.
- Councillor Tommy Kinsella and the Kinsella Family on the death of his mother Kitty.
- Ken Dunne & Family, Pentagon House, Mount Wolseley, Tullow, Co. Carlow on the death of his wife Helen.

## **VOTES OF CONGRATULATIONS**

- Hanover Harps on winning the U/15 SFAI Skechers Cup final.
- New Oak Boys on winning The Nationalist Premier Division title in the Carlow and District League.
- Carlow native Padraig Amond on his success with Newport County finishing a historic season at Wembley winning the league 2 play-off semi-final.
- Carlow Gardai on their fast action response to a supposedly missing child.
- Borris Vocational School Equestrian Team on winning the All Ireland TRI EII (Equestrian Interschool Ireland) Championship and

wished them well as they represent Ireland in Hickstead, England. Also, the team competing in the novice competition and on their success qualifying to compete in the junior school's competition at Hickstead.

- Parkville Soccer second team on winning the White's Total Health Pharmacy Division.
- Geraldine Strahan Byrne on her appointment as first female firefighter in County Carlow.

## **1(a) CONFIRMATION OF MINUTES**

**Proposed by Councillor W. Quinn**

**Seconded by Councillor A. Dalton**

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 8<sup>th</sup> April 2019 at 2.00 p.m. having been circulated to each Member be taken as read, confirmed as to accuracy and accordingly signed.*

## **2. Circular Letter PL 03/2019: Establishment of the Office of the Planning Regulator**

Members had for consideration Circular PL03-2019 providing for the establishment of the Office of the Planning Regulator with effect from 3<sup>rd</sup> April 2019. The circular set out the main function of the office of the Planning Regulator.

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

### **(a) Approval of Annual Financial Statement 2019**

P. Delaney, Head of Finance presented the Annual Financial Statement for year ending 31<sup>st</sup> December 2018.

P. Delaney advised that in 2018 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.

***Members approval was sought to approve expenditure pursuant to Section 104 of the Local Government Act 2001 and the Local Government (Reform) Act 2014.***

SERV	SERVICE	BUDGET 2018	OUTTURN 2018	BUDGET V OUTTURN 2018	DETAILS
A01	MTCE. & IMP OF LA HOUSING UNITS	1,821,808.31	2,192,727.28	370,918.97	ADDITIONAL FUNDING / OFFSET
A04	HOUSING TENANCY SUPPORT	184,451.46	210,791.64	26,340.18	ADDITIONAL FUNDING / OFFSET
A05	ADMIN. OF HOMELESS SERVICE	335,193.23	480,874.40	145,681.17	ADDITIONAL FUNDING / OFFSET
A06	SUPPORT TO HOUSING CAPITAL	1,634,600.90	1,669,459.23	34,858.33	ADDITIONAL FUNDING / OFFSET
A07	RAS & LEASING	5,812,845.72	6,069,682.88	256,837.16	ADDITIONAL FUNDING / OFFSET
A08	HOUSING LOANS	405,639.49	413,744.50	8,105.01	ADDITIONAL FUNDING / OFFSET
A09	HOUSING GRANTS	450,833.43	646,796.95	195,963.52	ADDITIONAL 20% LOCAL CONTRIB.
B04	LOCAL ROAD - MTCE. AND IMP.	5,199,662.02	7,057,259.79	1,857,597.77	ADDITIONAL FUNDING / OFFSET
B05	PUBLIC LIGHTING	898,421.62	970,140.62	71,719.00	ADDITIONAL FUNDING / OFFSET
B08	ROAD SAFETY & EDUCATION	223,500.10	228,130.84	4,630.74	OFFSET - SAVINGS IN OTHER SERVS
B10	SUPPORT TO ROADS CAPITAL	98,293.20	98,537.56	244.36	OFFSET - SAVINGS IN OTHER SERVS
D09	ECONOMIC DEV. AND PROMOTION	2,016,039.94	2,297,236.31	281,196.37	ADDITIONAL FUNDING / OFFSET
E01	LANDFILL OPERATIONS & AFTERCARE	835,733.12	1,546,775.84	711,042.72	ADDITIONAL FUNDING / OFFSET
E08	WASTE MANAGEMENT PLANNING	115,130.07	124,655.88	9,525.81	OFFSET - SAVINGS IN OTHER SERVS
E09	MTCE. OF BURIAL GROUNDS	249,190.71	297,116.18	47,925.47	OFFSET - SAVINGS IN OTHER SERVS
E11	OPERATION OF FIRE SERVICE	2,775,229.67	2,991,700.37	216,470.70	OFFSET - SAVINGS IN OTHER SERVS
F01	LEISURE FACILITIES OPERATIONS	79,050.00	79,107.68	57.68	OFFSET - SAVINGS IN OTHER SERVS
F03	OUTDOOR LEISURE AREAS	922,752.94	930,878.88	8,125.94	OFFSET - SAVINGS IN OTHER SERVS
H07	MARKETS AND CASUAL TRADING	17,958.25	22,499.70	4,541.45	OFFSET - SAVINGS IN OTHER SERVS

**Proposed by Councillor W. Paton  
Seconded by Councillor W. Lacey  
AND**

Following a show of hands it was 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 2018 Budget per the schedule and note that the expenditure was funded by additional receipts, grants/recoupments or savings in other services.*

### **(b) Polling Cards – European/Local Elections 24<sup>th</sup> May 2019**

E. Brophy, Local Returning Officer sought Members’ approval to issue polling cards to electors.

**Proposed by Councillor F. Browne  
Seconded by Councillor J. Pender**

Following a show of hands it was unanimously resolved:-

*‘That we, the Members of Carlow County Council approve the issuing of polling cards to electors’.*

**(c) Affordable Draft Scheme of Priority for Affordable Dwelling Purchase Arrangements**

Members had for consideration and approval Draft Scheme of Priority for Affordable Dwelling Purchase Arrangements.

M. Brennan, Acting Director of Housing advised that in accordance with the Housing (Miscellaneous Provisions) Act 2019 all housing authorities must make a Scheme of Priority and have it approved by 18<sup>th</sup> June 2019.

**Proposed by Councillor K. Murnane**

**Seconded by Councillor F. Browne**

Following a show of hands it was unanimously resolved:-

*‘That we, the Members of Carlow County Council approve the Draft Scheme of Priority for Affordable Dwelling Purchase Arrangements for Carlow County Council in accordance with the Housing (Miscellaneous Provisions Act, 2009 Affordable Housing (Part 5) Regulations 2019.*

M. Brennan answered questions from the members on the Draft Affordable Dwelling Purchase Arrangements.

**(d) Approval to raising of loan of €10 million for housing loan purposes**

M. Brennan Acting Director of Services sought members’ approval to the raising of loan of €10 million for Housing Loan Purposes. The loan is required to fund the Council’s Rebuilding Ireland Home Loan Scheme.

**Proposed by Councillor J. Deane**

**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 raising of €10 million for Housing Loan Purposes to fund the Council’s Rebuilding Home Loan Scheme.’*

M. Brennan answered questions from the members on aspects of the Housing Loan process.

**(e) Taking in Charge of Cuanahowan Housing Development, Rathtoe Road, Tullow, Co. Carlow**

D. McInerney advised in his report dated 3<sup>rd</sup> May 2019 that no submissions were received in response to the public notice.

D. McInerney recommended that the Council formally resolve the taking in charge of Cuanahowan Housing Development, Rathtoe Road, Co. Carlow.

**Proposed by Councillor W. Paton**

**Seconded by Councillor J. Pender**

Following a show of hands it was unanimously resolved:-

*“That we, the Members of Carlow County Council, hereby approve the taking in charge of Cuanahowan Housing Development , Rathtoe Road, 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’.*

**(f) Taking in Charge of Dun na Ri Housing Development, Carrigduff, Co. Carlow**

D. McInerney advised in his report dated 3<sup>rd</sup> May 2019 that no submissions were received in response to the public notice.

D. McInerney recommended that the Council formally resolve the taking in charge of Dun na Rí Housing Development, Carrigduff, Co. Carlow.

**Proposed by Councillor J. Deane**

**Seconded by Councillor J. murphy**

Following a show of hands it was unanimously resolved:-

*“That we, the Members of Carlow County Council, hereby approve the taking in charge of Dun na Rí Housing Development , Carrigduff, 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’.*

**(g) Taking in Charge of Potters Way Housing Development, Carrigduff, Co. Carlow**

D. McInerney advised in his report dated 3<sup>rd</sup> May 2019 that no submissions were received in response to the public notice.

D. McInerney recommended that the Council formally resolve the taking in charge of Pottersway Housing Development, Carrigduff, Co. Carlow.

**Proposed by Councillor C. Murphy**

**Seconded by Councillor D. Foley**

Following a show of hands it was unanimously resolved:-

*“That we, the Members of Carlow County Council, hereby approve the taking in charge of Pottersway Housing Development, Carrigduff, 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’.*

**(h) Taking in Charge of Inis Gardens Housing Development, Leighlinbridge, Co. Carlow**

D. McInerney advised in his report dated 3<sup>rd</sup> May 2019 that no submissions were received in response to the public notice. D. McInerney recommended that the Council formally resolve the taking in charge of Inis Gardens Housing Development, Leighlinbridge, Co. Carlow.

**Proposed by Councillor M. Doran**

**Seconded by Councillor D. Foley**

Following a show of hands it was unanimously resolved:-

*“That we, the Members of Carlow County Council, hereby approve the taking in charge of Inis Gardens Housing Development, Leighlinbridge, 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’.*

**(i) Section 85 Agreement between Carlow and Laois County Councils for the purpose of progressing the Carlow Relief Road Scheme.**

Members had report from R. Wickham, Acting Senior Engineer recommending approval to enter a Section 85 Agreement with Laois County Council for the purpose of progressing the Carlow Relief Road Scheme.

**Proposed by Councillor K. Murnane**

**Seconded by Councillor F. Browne**

Following a show of hands it was unanimously resolved:-

*“That we, the Members of Carlow County Council, hereby approve that Carlow County Council enter into an agreement with Laois County Council, whereby Carlow County Council would exercise the powers, duties and functions of Laois County Council in relation to achieving the design, construction and completion of the Carlow Relief Road Scheme, in accordance with the provisions of Section 85 of the Local Government Act 2001.*

Issues raised by the Members in relation to various aspects of the Carlow Relief Road Scheme and other road matters were addressed by D. McInerney.

The meeting adjourned for a group photograph.

#### **4. CORPORATE, PLANNING, ECONOMIC DEVELOPMENT AND HEALTH AND SAFETY**

##### **(a) Health**

The issue of dog fouling and the risk to public health was raised by the Members. Members asked that additional bins be provided and that the frequency of emptying the bins be increased.

It was agreed that the Council write to TUSLA regarding report on Womens' Refuge for Carlow.

It was agreed that the Council write to the Minister for Education in relation to ASD Units to cater for the needs of children with Autism in Carlow schools.

##### **(b) Conference Attendance Approvals**

There was no conference attendance for approval for May

##### **(c) Update on External Funding Opportunities**

K. Comerford, Head of LEO updated Members on external funding opportunities.

Queries raised by the members were answered by K. Comerford.

#### **5. TRANSPORTATION, ENVIRONMENT & WATER SERVICES, BUILDING CONTROL & EMERGENCY SERVICES**

##### **(a) Climate Change Adaptation Strategy**

D. McInerney updated Members on Carlow County Council's Climate Change Adaptation Strategy. The Strategy has undergone a Strategic Environmental Assessment and subject to approval of Council it is proposed to commence Public Consultation for the Strategy on 21<sup>st</sup> May 2019 for a period of four weeks.

Following the Public Consultation it is proposed that the Strategy will then be returned and presented to Council in September for the consideration of Members with a view to have the Strategy in place by the 30<sup>th</sup> September, 2019.

D. McInerney advised that Carlow County Council's Climate Change Adaptation Strategy will be reviewed and updated every five years and a new Strategy developed every ten years.



**Proposed by Councillor W. Paton**

**Seconded by Councillor M. Doran**

Following a show of hands it was unanimously resolved:-

*“That we, the Members of Carlow County Council, hereby approve that Carlow County Council commence the Public Consultation process on Carlow County Council’s Climate Change Adaptation Strategy 2019-2024 in accordance with the National Adaptation Framework (NAF) 2018 and the Local Authority Adaptation Strategy Development Guidelines 2018.*

## **6. CHIEF EXECUTIVE REPORT**

Members noted Chief Executive Monthly Management Report for the period to 30<sup>th</sup> April 2019.

## **7. CORRESPONDENCE**

**Member noted correspondence from Donegal County Council** on the All-Ireland Pollinator Plan.

**Member noted correspondence from Galway County Council** calling on the Minister for Employment Affairs and Social Protection, Regina Doherty T.D to use all means available to her to uphold the 2008 Labour Court Ruling and to provide an agreed Pension Scheme for Community Employment Supervisors and Assistant Supervisors.

**Members noted correspondence from Irish Rural Link (IRL)** calling on the Government to deliver on its promise and push ahead with the provision of Fibre broadband to every home and business in the country.

## **8. NOTICES OF MOTION**

Standing in the name of Cllrs. Ken Murnane, Jim Deane and Fergal Browne

“That Carlow County Council put in place Bye-Laws to limit the number of posters used by candidates in local elections to a maximum of 100 posters per candidate”

A discussion took place on this motion. Members were advised that the legislation governing placement of posters at election time is The Litter Pollution Act 1997 as amended by the Electoral (Amendment)(No.2) Act 2009 and that the motion was therefore null and void.

## **9. ANY OTHER BUSINESS WITH THE CONSENT OF THE CATHAOIRLEACH**

Councillor J. Deane supported Notice of Motion from Galway County Council calling on the Minister for Employment Affairs and Social Protection to uphold the 2008 Labour Court Ruling and to provide an agreed Pension Scheme for Community Employment Supervisors and Assistant Supervisors.

As Councillor W. Lacey will not be contesting the Local Election 2019 he wished to record his thanks to officials, his fellow elected members, the press and all those he had the pleasure of working with over the previous 30 years.

Councillor Lacey wished the Cathaoirleach and his fellow members every success in the Local Elections.

The Cathaoirleach thanked the members and staff for their courtesy and help during his tenure as Cathaoirleach and wished everyone well in the Local Elections.

There was no further business to be transacted.

This concluded the business of the meeting