

CARLOW COUNTY COUNCIL

Minutes of the May Remote Meeting of Carlow County Council, held on Monday 10th May 2021 at 2.00 p.m.

Remote: Councillor T. O'Neill (Cathaoirleach)
Councillor F. Browne
Councillor J. Cassin
Councillor A. Dalton
Councillor M. Doran
Councillor T. Kinsella
Councillor A. McDonald
Councillor C. Murphy
Councillor J. McDonald
Councillor K. Murnane
Councillor W. Paton
Councillor J. Pender
Councillor F. Phelan
Councillor W. Quinn
Councillor J. Murphy
Councillor A. Wallace
Councillor B. O'Donoghue
Councillor A. Gladney

Guests Remote: Ms. Anne Graham, Chief Executive, National Transport Authority
Mr. Tim Gaston, Director of Public Transport Services

Executive Remote: 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, Building Control & Emergency Services
Mr. M. Brennan, Director of Services, Housing, Community, Recreation & Amenity
Mr. P. Delaney, Head of Finance
Mr. J. Shortall, County Librarian
Mr. K. Comerford, Head of Local Enterprise Office
Mr. B. O'Donovan, Senior Executive Officer, Community
Ms. F. O'Neill, Senior Executive Officer, Planning
Mr. K. Cullinane, Senior Engineer, Transportation
Mr. R. Wickham, A/Senior Engineer, Transportation
Mr. E. Brophy, Senior Executive Officer, Corporate Services
Mr. P.J. Leonard, Financial Accountant
Ms. L. O'Callaghan, Administrative Officer, Corporate Services
Ms. M. Hand, Staff Officer, Human Resources
Ms. T. Hickson, Clerical Officer, Local Enterprise Office

OPENING PRAYER

The opening prayer was recited in Irish by the Members.

VOTES OF SYMPATHY

- Death of Barbara Grant (née Carley), sister of John Carley former Director of Service, Carlow County Council

VOTES OF CONGRATULATIONS

- Members expressed a vote of congratulations to Councillor William Paton on his recent marriage.

The Cathaoirleach with approval from members welcomed Ms. Anne Graham, Chief Executive, National Transport Authority and Mr. Tim Gaston, Director of Public Transport Services to the May remote meeting of Carlow County Council and invited them to address the members on item 4.1 on the Agenda – Carlow Town Bus Service.

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

4.1 Carlow Town Bus Service - Address by National Transport Authority at 2.00p.m.

Anne Graham, Chief Executive, National Transport Authority, advised members of a reduction in revenue to the National Transport Authority which resulted in no funding available for new services. The Tender documents for the proposed Carlow Town Bus Service are prepared and if provisional funding is received in 2021, the Carlow Town Bus Service is first on the priority list for the National Transport Authority.

Questions raised by members included

- Demand for need of a Carlow Town Bus Service – huge benefits for young and old
- Members shared frustration of misleading information given in 2017 from the NTA of funding available for the Carlow Town Bus Service – to being told now that there is no funding currently available
- Timeline when funding will become available
- How long before project will commence
- Members requested more stops to be facilitated on the Tullow Road, Carlow Town for this bus service
- Will the bus service extend beyond Carlow Town – Anne Graham advised that the main service will not extend beyond Carlow Town and that they would look at options to interlink services from the rural towns & villages to the main service
- Rural Bus Service – New Ross to Carlow

- Rural Bus Shelters/Bus Stops - Cllr M. Doran to forward his query with any requests for shelters directly to Anne Graham, Chief Executive, National Transport Authority
- Fleet for Carlow Town Bus Service – single deck, fully electric, estimated five buses initially

Anne Graham, Chief Executive, National Transport Authority, responded to questions raised by members.

1.0 Confirmation of Minutes/Dearbhú Miontuairiscí

1.1 Approval of Minutes of Remote Meeting of Carlow County Council held on Monday 12th April 2021.

Proposed by Councillor A. Dalton
Seconded by Councillor F. Phelan
And

Following a show of hands, it was resolved: -

‘That the Minutes of the Monthly Meeting of Carlow County Council held remotely on Monday 12th April 2021 at 2.00 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/Gnó forordaithe do réir reachtaíochta, orduithe seasta, nó rúin an Chomhairle

2.1 Approval of Draft Annual Report 2020 - In accordance with Section 221 (a) Local Government Act 2001

E. Brophy, Senior Executive Officer, presented this report and advised members that the comprehensive user-friendly report is now available on Carlow County Council’s website. Members welcomed this transparent report and called for the report to be shared on Carlow County Council’s “Social Media Platforms.” E. Brophy responded to questions raised by members and recommended the Draft Annual Report 2020 to members for adoption.

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

Following a show of hands, it was resolved: -

‘That we, the Members of Carlow County Council approve Carlow County Council’s Draft Annual Report 2020 – in accordance with Section 221 (a) Local Government Act 2001.’

2.2 Planning & Development Act 2000 Section 211, Local Government Act 2001 Section 183 (1) - granting of wayleave/right of way over land at Tullowbeg, Tullow, Co. Carlow.

To approve in accordance with Planning & Development Act 2000 Section 211, Local Government Act 2001 Section 183 (1) the granting of wayleave/right of way over land at Tullowbeg, Tullow, Co. Carlow to Irish Water in consideration of the sum of €500.00 plus all associated costs in accordance with the terms of the statutory notice already circulated.

Proposed by Councillor J. Pender
Seconded by Councillor W. Paton
And

Following a show of hands, it was resolved: -

‘That we, the Members of Carlow County Council approve in accordance with Planning & Development Act 2000 Section 211, Local Government Act 2001 Section 183 (1) the granting of wayleave/right of way over land at Tullowbeg, Tullow, Co. Carlow to Irish Water in consideration of the sum of €500.00 plus all associated costs in accordance with the terms of the statutory notice already circulated.’

2.3 Carlow Community Enterprise Centres CLG - Loan Application to Carlow County Council

“Pursuant to section 66 (1) (a) of the Local Government Act 2001, a loan in the sum of € 475,000 to Carlow Community Enterprise Centres CLG repayable over 20 years at € 23,750 per annum with no interest charge for the purposes of refinancing the company’s capital debt, was recommended to members for approval. The loan will be secured as a charge on Enterprise House, O Brien Road Carlow.”

Proposed by Councillor F. Browne
Seconded by Councillor A. McDonald
And

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 eighteen Councillors voting for and the loan approval was unanimously passed.

2.4 Approval of Annual Financial Statement 2020 - Financial Review (as circulated)

Annual Financial Statement 2020 – to approve expenditure pursuant to Section 104 of the Local Government Act 2001 and the Local Government (Reform) Act 2014.

SERV	SERVICE	BUDGET 2020	OUTTURN 2020	BUDGET V OUTTURN 2020	DETAILS
A01	MAINTENANCE & IMPROV OF LA HOUSING	2,393,319.35	3,038,923.95	- 645,604.60	ADDITIONAL FUNDING / OFFSET
A02	HOUSING ASSESSMENT	268,127.00	281,277.10	- 13,150.10	OFFSET - SAVINGS IN OTHER SERVS
A04	HOUSING COMMUNITY DEVELOPMENT	208,051.24	235,724.88	- 27,673.64	OFFSET - SAVINGS IN OTHER SERVS
A05	ADMINISTRATION OF HOMELESS SERVICE	724,331.62	870,131.64	- 145,800.02	ADDITIONAL FUNDING / OFFSET
A06	SUPPORT TO HOUSING CAPITAL PROG.	1,631,991.87	1,634,373.19	- 2,381.32	ADDITIONAL FUNDING / OFFSET
A11	AGENCY & RECOUPABLE SERVICES	-	23,034.04	- 23,034.04	ADDITIONAL FUNDING / OFFSET
B04	LOCAL ROAD - MAINTENANCE AND IMP.	6,690,182.27	7,785,401.19	- 1,095,218.92	ADDITIONAL FUNDING / OFFSET
B07	ROAD SAFETY ENGINEERING IMP	164,717.32	206,026.53	- 41,309.21	ADDITIONAL FUNDING / OFFSET
B11	AGENCY & RECOUPABLE SERVICES	-	193,528.54	- 193,528.54	ADDITIONAL FUNDING / OFFSET
D01	FORWARD PLANNING	193,097.00	203,427.59	- 10,330.59	OFFSET - SAVINGS IN OTHER SERVS
D09	ECONOMIC DEVELOPMENT	2,256,126.09	11,046,691.44	- 8,790,565.35	ADDITIONAL FUNDING / OFFSET
D10	PROPERTY MANAGEMENT	86,902.28	89,068.95	- 2,166.67	OFFSET - SAVINGS IN OTHER SERVS
E02	RECOVERY & RECYCLING FACILITIES	821,801.86	881,818.26	- 60,016.40	ADDITIONAL FUNDING / OFFSET
E11	OPERATION OF FIRE SERVICE	2,980,328.68	3,123,185.10	- 142,856.42	ADDITIONAL FUNDING / OFFSET
E12	FIRE PREVENTION	71,906.83	74,787.72	- 2,880.89	ADDITIONAL FUNDING / OFFSET
E14	AGENCY & RECOUPABLE SERVICES	-	28,970.57	- 28,970.57	ADDITIONAL FUNDING / OFFSET
F06	AGENCY & RECOUPABLE SERVICES	-	280,998.99	- 280,998.99	ADDITIONAL FUNDING / OFFSET
H03	ADMINISTRATION OF RATES	3,736,333.06	11,340,299.34	- 7,603,966.28	ADDITIONAL FUNDING / OFFSET
H11	AGENCY & RECOUPABLE SERVICES	586,900.07	1,091,513.17	- 504,613.10	ADDITIONAL FUNDING / OFFSET

Proposed by Councillor
Seconded by Councillor
AND

M. Doran
F. Browne

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 2020 Budget per the schedule and note that the expenditure was funded by additional receipts, grants/recoupments or savings in other services.

2.5 Fix date for Annual General Meeting

E. Brophy, Senior Executive Officer, called on members to agree a fixed date for the Annual General Meeting 2021.

The Annual General Meeting of Carlow County Council to be held on Monday 14th June 2021 was

Proposed by Councillor
Seconded by Councillor
And

J. Murphy
A. McDonald

Following a show of hands, it was resolved: -

‘That we, the members of Carlow County Council approve the Annual General Meeting 2021 to be held on Monday 14th June 2021.’

2.6 Approval of Control of Horses Draft Bye Laws 2021

Councillor Arthur McDonald, presented this report. The draft Control of Horses Bye-Laws 2021, went on public display on 9th February 2021 for a period of four weeks. Submissions were invited to be made on or before 12.00 noon on 26th March 2021. The Housing, Community and Wellbeing Strategic Policy Committee considered the draft Bye-Laws at its meeting held on 30th July 2020. They also considered the submissions in relation to same at their meeting held on 27th April 2021 and recommended the draft Control of Horses Bye-Laws 2021 to Council, for consideration and approval. M. Brennan responded to questions raised by members.

Proposed by Councillor
Seconded by Councillor
And

F. Browne
J. Murphy

A roll call vote was taken

Member of Carlow County Council	For	Against	Abstain	Absent
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 eighteen Councillors voting for and the draft Control of Horses Bye-Laws 2021 were unanimously passed.

2.7 Approval of Festival & Event Scheme Grants

M. Rainey, Director of Service, presented this report. Carlow County Council Festival & Event Fund aims to assist with the creation of community-based tourism events for County Carlow. The fund is a combination of Carlow Council Councils own events, events in partnership with other bodies that have similar objectives, and events run by external organisers who receive direct funding contributions from Carlow County Council via an application process for the Festival & Events Fund.

A call for applications was published in March 2021 and an information briefing held for potential applications. Applications were presented to the members for approval.

Proposed by Councillor
Seconded by Councillor

F. Browne
F. Phelan

And

Following a show of hands, it was resolved: -

'That we, the members of Carlow County Council approve the applications presented for the Festival & Events Fund.

2.8 Filling of Vacancy on the Transportation & Infrastructure Strategic Policy Committee

E. Brophy, Senior Executive Officer, presented this report. A vacancy occurred on the Transportation & Infrastructure Strategic Policy Committee, due to the resignation of Cllr. John Cassin.

A nomination for Cllr. A. Gladney to fill the vacancy on the Transportation & Infrastructure Strategic Policy Committee was

Proposed by Councillor **W. Paton**

Seconded by Councillor **J. Cassin**

And

Following a show of hands, it was resolved: -

'That we, the members of Carlow County Council approve Councillor Andy Gladney, to fill the vacancy on the Transportation & Infrastructure Strategic Policy Committee.'

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

3.1 Vacant Site Levy Report

M. Rainey, Director of Service, presented this report and advised that the Planning Department has progressed the establishment of a Vacant Site Register pursuant to the requirements of the Urban Regeneration and Housing Act 2015, as amended by the Planning and Development (Amendment) Act 2018. The Vacant Site Register is available to view online at www.carlow.ie

A total of six properties were appealed by the landowners to An Bord Pleanála following the issue of Section 7 (3) Notices. Following a review by An Bord Pleanála a total of six proposed entries on the register were cancelled by An Bord Pleanála. There are currently four sites entered on the Vacant Site Levy Register. To date the Vacant Site Levy (7% per annum) has not been applied in County Carlow. M. Rainey responded to questions raised by members. Report noted.

Cllr. B. O'Donoghue raised queries on planning and on enforcement procedures. M. Rainey, Director of Service asked Cllr O'Donoghue to send details of this query directly to him.

3.2 Report on Residential Developments not in the Charge of Carlow County Council

M. Rainey, Director of Service, presented a detailed report on Residential Developments not in the Charge of Carlow County Council. Sixty-seven developments were identified as not being taken in charge. Of the sixty-seven not taken in charge, there was no request from forty-five of these developments to take in charge and twenty-two had submitted a request to take in charge. M. Rainey responded to questions raised by members and report noted.

With the approval of the Cathaoirleach and members, item 4 on the Agenda was presented at the start of the meeting.

5.0. Chief Executives Report/Tuarascáil an Phríomhfheidhmeannaigh

Members discussed the Chief Executive's Monthly Management Report for the period to 1st April to 30th April 2021.

Issues raised by members included

- Litter – Cleaning Services – Parks & Public Amenity Sites – Anti Dumping and Anti-Litter Initiatives
- Acknowledgement to the Mount Leinster Group – for the work they do
- Waste Enforcement – level of activity
- Tullow Road Community Centre
- Infrastructure – Electric supply/power to businesses
- Rising cost of Construction – recouped under Housing Capital Programme
- Irish Water – upgrade to water supply Bagenalstown
- Eirgrid – “Shaping on our electricity future” – M. Rainey reminded members that a consultation portal is currently open to 12 o'clock on 14th June 2021 on the Eirgrid website
- Local Improvement Scheme

The Directors answered questions raised by members.

6.0 Correspondence/Comhfhreagras

Members noted correspondence from the Minister for Health – regarding student nurses, supernumerary clinical placements.

Members noted resolution from Donegal County Council – regarding a campaign by Rosses Community School to address period poverty.

Members noted resolution from Limerick City & County Council – rejecting the provisions contained in the Land Development Agency Bill, 2021, published by the Government, removing the role of the Elected Members of Local Authorities in approving the transfer or sale of lands to the Land Development Agency.

Members noted resolution from Limerick City & County Council – regarding one-off rural housing.

Members noted resolution from Clare County Council – requesting that the carers allowance is no longer means tested after the 2021 budget.

Members noted resolution from Clare County Council – asking the HSE and the “Connecting for Life” initiative to pilot a Community Psychiatric Car service in the County.

Members noted resolution from Clare County Council – requesting free psychological support and counselling for Victims of Domestic, sexual and gender-based violence, during and after the legal process as required.

7.0 Notices of Motion/Fógraí Rúin

7.1 Standing in the name of Cllr. Adrienne Wallace

"In recognition of the International Day of the Elimination of Racial Discrimination this council should write to anti-racist organisations to arrange a presentation for the next council meeting, or for a special meeting dedicated to this issue. Namely this council should contact United Against Racism, Le Chéile, the Movement Asylum Seekers Ireland (MASI), the Irish Traveller Movement and Rohingya Action Ireland to invite them to each prepare a 5-minute presentation for council members."

Amendment

"In recognition of the International Day of the Elimination of Racial Discrimination this Council in conjunction with the Carlow PPN should organise a meeting dedicated to this issue and invite relevant local and national organisations to present at it. Members of the public should be invited to attend"

**Proposed by Councillor
Seconded by Councillor**

And

A roll call vote was taken

A. Dalton

F. Browne

Member of Carlow County Council	For	Against	Abstain	Absent
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 sixteen Councillors voting for and two Councillors absent and the Amendment was carried.

As the Amendment effectively replaced the original motion, there was no need to take a vote on the motion as amended as it was self-explanatory.

7.2 Standing in the name of Cllr. John McDonald

Proposed by Councillor J. McDonald
Seconded by Councillor A. McDonald
AND

Following a show of hands it was resolved.

"That Carlow County Council write to the Minister for Agriculture calling for the establishment of an Independent Meat Regulator for this country in support of our beef farmers. Agriculture in Carlow supports thousands of jobs in the rural

economy both directly in the food and drink industry and also in the wider agriculture industry."

7.3 Standing in the name of Cllr. Tom O'Neill

Proposed by Councillor **T. O'Neill**
Seconded by Councillor **F. Browne**
AND

Following a show of hands it was resolved.

"That we the Members of Carlow County Council request that the Minister for the Environment, Climate and Communications and Transport, Mr. Eamon Ryan TD prioritises the planning, design and construction of the N24 Waterford to Limerick Corridor road project within the Review of the National Development Plan. This project is critical to the development of the South East region and to the achievement of national targets on addressing regional imbalance by connecting the cities of Waterford and Limerick, the South East, South West and Mid West Regions, Rosslare Europort, the Port of Waterford and existing strategic transport corridors including the M7 (Dublin - Limerick), M8 (Dublin-Cork) and M9 (Dublin-Carlow- Kilkenny-Waterford) motorways. It is further requested that this Notice of Motion be sent to the Minister for Finance, Mr. Paschal Donohue TD and Minister for Public Expenditure and Reform, Mr. Michael McGrath TD."

A request to extend the meeting was

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

Agreed, following a show of hands

7.4 Standing in the name of Cllr. Thomas Kinsella

Proposed by Councillor **T. Kinsella**
Seconded by Councillor **M. Doran**
AND

Following a show of hands it was resolved.

"That Carlow County Council progress the Village Led Design Statement for St. Mullins as funded under the 2020 Town and Village Scheme and provide an update on lands and property within its ownership in St. Mullins."

7.5 Standing in the name of Cllr. Charlie Murphy

Proposed by Councillor **C. Murphy**
Seconded by Councillor **T. Kinsella**
AND

Following a show of hands it was resolved.

"That Carlow County Council ask the Minister for Agriculture Food and the Marine to ensure that Carlow farmers (and rural Carlow) are not financially penalised as a result of the new Common Agricultural Policy involving convergence and Carlow should not be financially penalised. If full convergence is implemented this can cost farmers up to 3 million euro in CAP payments."

7.6 Standing in the name of Cllr. Fergal Browne

Proposed by Councillor **F. Browne**
Seconded by Councillor **T. O'Neill**
AND

Following a show of hands it was resolved.

'That this Council calls on the Government in the light of Brexit and other market influences to recognise the strategic value of the South-East Ports in Rosslare and Belview, Waterford through

- ♦ *Strategic investment in the Ports, in particular through the purchase of additional land for the expansion of Rosslare Europort and the advance construction of Rosslare Europort Harbour Access Road.*
- ♦ *Amalgamation of the ports structure and governance to create a Tier 1 port as a combined entity.*
- ♦ *Designation of the combined entity as the service port for off-shore renewables in The Irish and Celtic Seas.'*

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

- **Development Plan** – M. Rainey advised it is expected to have the Draft plan to members by the end of the month. The aim is to have workshops throughout the month of June. It is hoped that a Special Meeting will take place on Friday 2nd July 2021 to formally consider putting the plan on public display.

- Technical University South East – application gone to Minister
- Housing Relocation
- Members wished Josephine Kavanagh, Senior Executive Officer, well in her retirement and thanked her for her 38 years of service with Carlow County Council.
- Borris Fair

This concluded the business of the meeting.