

CARLOW COUNTY COUNCIL

**Minutes of the October Meeting of Carlow County Council,
held in G.B. Shaw Theatre, Visual, Old Dublin Road, Carlow on
Monday 12th October 2020 at 2.00 p.m.**

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, Building Control & Emergency Services
Mr. M. Brennan, Director of Services, Housing, Community, Recreation & Amenity
Mr. P. Delaney, Head of Finance
Mr. E. Brophy, Senior Executive Officer, Corporate Services
Mr. P. Curran, Administrative Officer, Corporate Services
Ms. Lorna O'Callaghan, Administrative Officer, Corporate Services
Ms. Marian Hand, Assistant Staff Officer, Human Resources

OPENING PRAYER

The opening prayer was recited in Irish by the Members.

VOTES OF SYMPATHY

- Death of Kathleen Doyle, Castledermot Road, Tullow, Co. Carlow, mother of Nicola O'Neill (née Doyle) Finance Department.
- Death of Pensioner, Peter Gahan, 15 Kevin Barry Road, Rathvilly, Co. Carlow.

- Death of Loretta McVeigh (née O'Hanlon), Strawhall Villas, Athy Road, Carlow Town, Carlow, mother in law of Maura McVeigh, Finance Department.
- Death of Pensioner, Kathleen Doyle, 18 Granby Row, Carlow Town, Carlow.

1.0 Confirmation of Minutes /Dearbhú Miontuairiscí

1.1 'Approval of Minutes of Monthly Meeting of Carlow County Council held on Monday 07th September 2020 at 2pm.'

Proposed by Councillor A. Dalton
Seconded by Councillor J. Murphy
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, Visual, Old Dublin Road, Carlow, on Monday 07th September 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 the Special Meeting of Carlow County Council held on Monday 28th September 2020 at 2pm.'

Proposed by Councillor F. Browne
Seconded by Councillor J. Murphy
And

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

'That the Minutes of the Special Meeting of Carlow County Council held in the George Bernard Shaw Theatre, Visual, Old Dublin Road, Carlow on Monday 28th September 2020 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 Filling of Vacancy on Carlow Tourism CLG

E. Brophy, Senior Executive Officer, advised members, of a vacancy on the Board of Carlow Tourism Committee due to the resignation of Councillor John Murphy from the Board. Members paid tribute to Councillor J. Murphy for the tremendous work and commitment he gave, while on the Board of Carlow Tourism Committee. Councillor M. Doran proposed Councillor F. Browne for the filling of the vacancy.

Proposed by Councillor **M. Doran**
Seconded by Councillor **B. O'Donoghue**
And

Following a show of hands, it was resolved: -

'That we, the Members of Carlow County Council approve Councillor F. Browne to fill the vacancy on the board of the Carlow Tourism Committee due to the resignation of Councillor John Murphy.'

2.2 Taking in Charge of Tanner Hall, Athy Road, Carlow

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 – commencement of the public consultation process, for taking-in-charge of roads and services at Tanner Hall, Athy Road, Carlow.

Proposed by Councillor **F. Browne**
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 public consultation process, for taking-in-charge of roads and services at Tanner Hall, Athy Road, Carlow.'

2.3 To approve Overdraft Accommodation year ended 31/12/2021

P. Delaney, Head of Finance presented this report. In view of forecasted cashflow demands associated with increased capital expenditure and the timing of recoupments from central government, approval was sought from members, to retain the current overdraft limit of €7million, to ensure capital commitments and projects are processed in a timely manner. Members called for a pre-budget meeting with the Chief Executive and Head of Finance to discuss the large deficit in the council's finances for 2021. P. Delaney stated that the corporate policy group acting as the budget committee had held two meetings and agreed a strategy for the budget.

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

Following a show of hands, it was resolved: -

'That we, the Members of Carlow County Council hereby approve Overdraft Accommodation in the sum of €7 million for the year ended 31st December 2021 in accordance with Section 106 of the Local Government Act 2001.'

2.4 Control of Dogs – Kilkenny and Carlow Council Councils – Section 85 agreement

E. Brophy, Senior Executive Officer, presented this report. The Control of Dogs service includes the provision of a dog pound, the dog warden service and the operation of the Dog Breeding Establishment Act of 2012. The service is run jointly with Kilkenny County Council for several years with Kilkenny being the Lead Authority. The service is provided on a contract basis by Midland Animal Care. It is proposed to enter into a new Section 85 agreement with Kilkenny County Council from 23rd October 2020 to 30th June 2022. E. Brophy responded to questions raised by members.

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

Following a show of hands, it was resolved: -

‘That we, the Members of Carlow County Council hereby approve the proposal to enter into a new Section 85 agreement with Kilkenny County Council from 23rd October 2020 to 30th June 2022.’

2.5 Disposal of land at Ballycormick, Bagenalstown

To approve in accordance with Local Government Act 2001 – Section 183(1), Planning & Development Act 2000 – Section 211, the disposal of Plot B (65 sq m) at Ballycormick, Bagenalstown to Mr. Stephen McDonnell in consideration of the sum of €100 in accordance with the terms of the statutory notice already circulated.

Proposed by Councillor **A. McDonald**
Seconded by Councillor **T. Kinsella**
And

Following a show of hands, it was resolved: -

‘That we, the Members of Carlow County Council, hereby approve in accordance with Local Government Act 2001 – Section 183(1), Planning & Development Act 2000 – Section 211, the disposal of Plot B (65 sq m) at Ballycormick, Bagenalstown to Mr. Stephen McDonnell in consideration of the sum of €100 in accordance with the terms of the statutory notice already circulated.’

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

3.1 Report on Gort na Gréine, Ballinabrannagh

M. Rainey, Director of Service presented this report. Planning permission (06/429) was granted on 2nd November 2006 for 84 dwelling units. The Gort Na Greine housing development is partially completed with 44 units constructed and 42 of which are occupied. Correspondence was received on 10th October 2016 requesting the taking in charge of the development. The report identifies works to be completed to bring the development to a taking in charge standard. In order to progress the completion of this

development, Carlow County Council has engaged with the original developer to discuss works outstanding. M. Rainey, Director of Service responded to questions raised by members.

3.2 Conference Attendance Approvals

Proposed by Councillor **J. Pender**
Seconded by Councillor **A. McDonald**
And

Following a show of hands, it was resolved: -

‘That we, the Members of Carlow County Council, herby approve the following Conference Attendance.’

Celtic Conferences:

Bookings to info@celticconferences.com

Dates:- 6th to 8th November 2020

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

Conference Title:- A Practical Guide to Budget 2021

No meals provided

FEE: 100.00

Dates:13th to 15th November 2020

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

Conference Title:- Health & Safety in the Workplace

No meals provided

FEE: 100.00

Webinars: ONLINE
IRISH PLANNING INSTITUTE
(Bookings to info@ipi.ie)

Date: Friday 9th October 2020

Session: 10am – 12 noon

Entitled: Autumn Law Briefing

Daylight, Sunlight and Wind

Shared Learning with An Bord Pleanála on Strategic Infrastructure

FEE: 50.00

Date: Friday 16th October 2020

Session: 10am – 12.00 noon

Entitled: Shared Learning – An Bord Pleanála - Housing Decisions

FEE: 50.00

Dates: 13th November 2020

Session: 10am – 12 noon

Entitled: Housing Need and Demand Assessment

10am – 12 noon

FEE: 50.00

Planning Week 2020

World Town Planning Day this year is on Sunday 8 November. Planning Week will run from 8 - 14 November 2020. The Institute will be delivering a number of CPD Sessions on Zoom during the week with details available next week on our website www.ipi.ie

AILG – ASSOCIATION OF IRISH LOCAL GOVERNMENT (Bookings to info@ailg.ie)

Online Webinar delivered with AILG in association with OPR

Dates: Friday 23rd October 2020

Session: 10am – 11.30am

Entitled: “Consideration and Finalisation of the Draft Development Plan” Covering two topics
Assessment of Submissions (following public consultation including the OPR submission and other statutory consultees submissions)

Making the Plan (including any modifications, material amendments and dealing with Ministerial Directions).

FEE: FOC

4.0 Chief Executives Report/Tuarascáil an Phríomhfheidhmeannaigh

Members discussed Chief Executive’s Monthly Management Report for the period to 01st September to 30th September 2020.

Issues raised by members included;

- Carlow Exchange Project – approval of funding from the Department in the sum of €40,000 – M. Rainey, Director of Service advised that design details would be brought to the Carlow Municipal District when the report is available.
- Biodiversity – plans for other wildflower areas.
- Safe Accommodation Units.
- Barrack Street Housing.
- Irish Business Against Litter – Carlow positioned 33rd and deemed moderately littered. Improvement at Mill Lane – received Grade A status in 2020 report.
- Homeless Hostels – demands on running the service.
- Anti-Social Behaviour.
- Dublin Street – business using site of demolished building – enforcement notice served Friday 9th October 2020.
- Ardattin Housing Project.
- Part 8 agreement – housing development in Rathvilly.
- Housing Staplestown Road.

- Town & Village Funding – members welcomed funding granted under the Town & Village Renewal Scheme as follows €21,330 to Carrigduff, €21,885 to Tullow, €32,660 to Ballinkillen, €24,120 to Rathanna and Newtown.
- Planning applications – further information requests.
- Apartment at Barrack Street Tullow.
- Housing – Inner Relief Road Tullow.
- Register of Electors – register of elector forms to be made available to all new tenants of Carlow County Council – to be included in pack for any tenants interested.
- Plot of land at Bagenalstown Resource Centre.
- Funding secured by Sports Partnership in the sum of €172,500 from Dormant Funds.
- HAP Accommodation – complaints re poor standard of living.

The Chief Executive and Directors answered questions raised by members.

5.0 Correspondence/Comhfhreagras

Members noted resolution from Kildare County Council – that the resolutions passed from Councillor Ide Cussen December 2018 (Féilecáin 26/1218) and February 2020 (Stillbirth Register 21/0220) be forwarded to all local authorities as motions passed by Kildare County Council.

Members noted resolution from Sligo County Council – for relevant Ministers to address the issue of extending the timescale and conditions of employment of Tús and CE participants on various employment schemes.

Members noted correspondence from office of Mr. Darragh O'Brien, T.D., Minister for Housing Planning and Local Government – acknowledging correspondence from Carlow County Council re income limits for social housing.

Members noted correspondence from Department of Finance – replying to correspondence from Carlow County Council dated 31st August 2020 re Insurance.

Members noted resolution from Kerry County Council – calling on the Minister for Defence and the Government, to award the medals which were recommended for those Irish Peacekeepers who participated in the Battle of Jadotville in 1961. To give due recognition and award the MMG to former Commandant Pat Quinlan of Caherdaniel, Co. Kerry.

Members noted correspondence from Office of the Taoiseach – acknowledging letter to the Taoiseach Micheál Martin dated 31st August 2020.

Members noted correspondence from Louth County Council – to Darragh O'Brien T.D. Housing Minister, to ensure supports are put in place to compensate Louth County Council and all local authorities for the negative financial impact of COVID-19 and ensure that there is no reduction in the essential services provided by the Council to the community as a result of the crisis.

6.0 Notices of Motion/Fógraí Rúin

6.1 Standing in the name of Cllr. Fergal Browne

"That Carlow County Council allocate funding for improvement works to existing local authority houses by redistributing the amount of funding currently available to private households via council grants."

Amendment

Councillor M. Doran proposed an amendment to the above motion.

Proposed by Councillor M. Doran
Seconded by Councillor F. Phelan

And

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

'That Carlow County Council seek additional funding from the Department, for improvement works to existing local authority houses'

6.2 Standing in the name of Cllr Adrienne Wallace

"That this council write to the Taoiseach with immediate effect to call for all employers to introduce mandatory sick pay for all workers. The rise of Covid-19 cases in meat factories can be directly linked to bad working conditions, including no sick pay. The Government must take direct action and bosses must put public health before profits."

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

Councillor A. Wallace requested a roll call vote on her motion.

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 6 Councillors voting in favour for, 11 Councillors voting against, and 1 abstain. This motion was defeated.

6.3 Standing in the name of Cllr. William Quinn

"I am calling on Carlow County Council to put in place a team of staff members to deal with the important issues of the Right of Ways of existing walkways, mass paths, entrance to green ways and cycle tracks, grave yards, parks and forest walks, all these issues need to be sorted as a matter of urgency, before October 2021, which is the closing date or our existing right of ways will lose their status."

Amendment

Councillor W. Quinn proposed an amendment to the above motion.

Proposed by Councillor W. Quinn
Seconded by Councillor F. Browne
And

Following a show of hands, it was resolved: -

'I am calling on Carlow County Council to write to government to postpone for five years, the Right of Ways legislation, which is due to come in October 2021, to give Local Authorities time to look at the legal aspects.'

6.4 Standing in the name of Cllr. William Quinn

Proposed by Councillor **W. Quinn**

Seconded by Councillor **W. Paton**

And

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

"I am calling on the Minister for Social Protection and the Minister for Finance to bring forward the Christmas Bonus a month earlier this year, this will give especially the elderly people a chance to do their shopping, due to Covid restrictions. I think this would make things a lot easier and will give people extra time."

6.5 Standing in the name of Cllr. William Quinn

Proposed by Councillor **W. Quinn**

Seconded by Councillor **A. McDonald**

And

Following a show of hands, it was resolved: -

"I am calling on Carlow County Council to write to the Minister of the Environment requesting him to review the recent legislation brought in regarding private house rural water grants and also waste water grants, that states that 3 quotations are required, I am asking the minister to change this back to 2 quotes for both grants, this is due to the fact that many registered contractors are charging between €100 and €200 just to give a quotation, and if they are successful in their quotation, they then waive this charge"

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

A motion was proposed by Councillor J. Cassin with the consent of the Cathaoirleach and members.

Proposed by Councillor **J. Cassin**

Seconded by Councillor **A. Wallace**

And

Following a show of hands, it was resolved: -

"To call on the Minister for Employment Affairs, Minister for Social Protection, Rural and Community Development, Minister for Finance and the Minister of State for the Department of Health with responsibility for Mental Health and Older People. Given the current circumstances with vulnerable and older members of society being asked

to cocoon to help protect their health and well-being, playing their part in stopping the spread of COVID-19, to increase the fuel allowance this year, as these members of society would normally be spending time outside of their home at day care centres and such services. This year it's not possible and an increase in the fuel allowance will support this."

This concluded the business of the meeting.