

**CARLOW COUNTY COUNCIL**

**Minutes of the June Monthly Meeting of Carlow County Council, held  
in The Council Chamber, County Offices, Athy Road, Carlow, on  
Monday 8<sup>th</sup> June 2015 at 2.00 p.m.**

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Present: Councillor F. Browne, Cathaoirleach  
Councillor A. Ahern (Nee Long),  
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 J. Murnane-O'Connor  
Councillor C. Murphy,  
Councillor J. Murphy,  
Councillor B. O'Donoghue,  
Councillor W. Paton,  
Councillor J. Pender,  
Councillor F. Phelan  
Councillor W. Quinn.

In attendance: Mr. D. McInerney, Acting Chief Executive  
Ms. B. O'Brien, Director of Service – Corporate, Planning,  
Economic Development, Health and Safety  
Mr. Liam Fitzgerald Acting Director of Services  
Transportation, Environment & Water Services  
Ms. F O'Neill, Senior Executive Officer, Planning  
Mr. Kieran Comerford, Chief Executive Carlow Local  
Enterprise Office  
Michael Brennan, Chief Executive, Community  
Mr. E. Brophy, Senior Executive Officer, Corporate Services.  
Ms. B. Whelan, Assistant Staff Officer, Corporate Services.

**OPENING PRAYER**

The opening prayer was recited in Irish by the Members.

## **VOTES OF SYMPATHY**

- Padraig Cahill, Senior Executive Technician on the death of his brother Mike in England.
- Siobhan Connolly, Clerical Officer on the death of her mother Marie Connolly, Rosslare Harbour, Co. Wexford.
- The Clarke Family, The Ridge, Old Leighlin on the death of their mother Lena former pensioner with Carlow County Council.
- The Family of the late Frank Holden, 16 Upper Cottages, Borris
- Jim Kehoe, Bermingham Association on the death of his grandson Logan Kehoe.
- The Family of the late Aidan McGee, Ballybrack House, Ballymurphy, Borris
- The Family of the late Jim Monaghan, Kilree Cottages, Bagenalstown
- The Nolan Family on the death of their father Liam (Pert) Nolan 31, Pacelli Ave., Graiguecullen and Councillor Murnane –O’Connor on the death of her uncle.
- Kathleen Gaule and Family on the death of her husband Jim Gaule, Coolnacuppogue, Corries, Bagenalstown.

## **VOTES OF CONGRATULATIONS**

- Nancy Hughes, Finance Officer Carlow/Kilkenny Education and Training Board on her recent retirement.
- All involved with the success of Eigse 2015
- Carlow Camogie Team on winning the Leinster Junior Final.
- The Cathaoirleach for his nice gesture, on behalf of Carlow County Council, on paying a visit to Mary Nolan of Bagenalstown on the occasion of her 100<sup>th</sup> Birthday.
- All involved with the enjoyable Civic Reception for John Tracey which was much appreciated by the Tracey Family.
- Borris House on the success of its 2015 Festival of Writing and Ideas.
- Ann Dermody originally from Fenniscourt, Co. Carlow on receiving special praise from President Obama during his address to the

people of America on emigration after she received American citizenship.

## **1. CONFIRMATION OF MINUTES**

**Proposed by Councillor W. Lacey**  
**Seconded by Councillor D. Foley**  
**AND**

Following a showing of hands it was unanimously resolved:-

“That the Minutes of the May Monthly Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on 11<sup>th</sup> May 2015, at 2.00p.m having been circulated to each Member be taken as read, confirmed as to accuracy and accordingly signed.

## **2. CIRCULARS**

**There were no Circulars**

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

### **(a) Raising of loan of €5 million for housing loan purposes**

Members’ approval was sought to the raising of €5 million for Housing Loan Purposes.

**Proposed by Councillor W. Quinn**  
**Seconded by Councillor J. Murnane-O’Connor**  
**AND**

Following a showing of hands it was unanimously resolved:-

*“That we, the Members of Carlow County Council hereby approve the raising of loan of €5 million from the Housing Finance Agency for Housing Loan Purposes as set out in the Housing Acts 1966 to 2014.”*

Members queried the breakdown of loan and proportion applicable to housing construction and house purchase. The Chief Executive advised that that the loan will be drawn down as required.

**(b) Proposed by Councillor B. O’Donohue**  
**Seconded by Councillor J. Cassin**  
**AND**

Following a showing of hands it was unanimously 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 disposal of Property at 16 Rathpelim, Tullow, Co. Carlow, (rectification of mapping error) to Ms. Susan Tracey, in accordance with the terms of the statutory notice already circulated. The Consent of the Minister for the Environment, Community & Local Government is not necessary for disposal of the said property”.*

### **(c) Regulations of Lobbying Act 2015**

Members had for their consideration Regulation of Lobbying Act 2015. The Act provides that the Standards in Public Office Commission will establish and maintain an online Register of Lobbying and oversee compliance with the legislative provisions. The purpose of the Register is to make information available to the public on the identity of those communicating with designated public officials on specific policy, legislative matters or prospective decisions. Such persons will have to register and will be required to submit returns of their lobbying activities three times a year. Its operation is scheduled to commence 1<sup>st</sup> September 2015.

Councillor McDonald expressed reservations regarding the regulations and the implications they may have. Councillor Phelan queried Trade Unions being exempted as lobbying activities. B.O’Brien advised that the Act does not aim to prevent or inhibit lobbying but it does aim to make the process more transparent. Members welcomed the process of transparency but queried other elements of the Act. Further clarification is to be sought from the Minister.

### **(d) The Covenant of Mayors**

Members had report from J. Crowley Acting Senior Executive Officer, Environment & Water Services on the **Covenant of Mayors**. The Covenant of Mayors is a European wide movement of Local Authorities and Regional Authorities joining forces in an effort to promote energy efficiency and the use of renewable energy sources, as part of the E.U commitment to achieve a 20% CO2 reduction by 2020.

By Carlow County Council joining the Covenant of Mayors it will place Carlow as a leader in the National drive to take measures to counter the adverse effects of Greenhouse gases and climate change.

Members queried availability of funding to achieve a 20% target by 2020.

L. Fitzgerald advised that Public Lighting is a major issue for County Carlow and of the requirement to commit to short term investment in order to achieve long term gain. Currently data is being collected, strategy is being worked on and advice is being sought from the Energy Agency on achieving 20% target by 2020.

The Chief Executive advised that Carlow County Council works closely with Carlow/Kilkenny Energy Agency who has the opportunity to engage in similar projects across Europe. This practice recognises that countries getting together to share advice and best practice is a more efficient approach.

The matter will be discussed further when data collection is complete and further information is available.

**(e) Bye-Laws for St. Mullins Tinnahinch**

Members welcomed report from Jerry Crowley, Acting Senior Executive Officer, Environment and Water Services on proposed Bye-Laws for St Mullins and Tinnahinch. The proposed bye-laws are being introduced to curb anti social behavior and to prevent the consumption of alcoholic drinks in designated areas along the Quay at St. Mullins and also in Tinnahinch.

**Proposed by Councillor T. Kinsella**

**Seconded by Councillor W. Quinn**

**AND**

Following a showing of hands it was unanimously resolved:-

*“That we, the Members of Carlow County Council hereby approve that Carlow County Council proceed with the making of Bye-Laws along the Quay at St. Mullins and also in Tinnahinch as proposed.”*

Members said while they welcomed the proposals enforcement is an issue and stressed the need for the Gardai to be active in enforcing the bye-laws. Councillor Doran queried if consideration could be given to these worthwhile proposals along other areas of the river Barrow in County Carlow.

**The meeting was adjourned at 2.30p.m to facilitate the holding of the Annual General Meeting. The order of business resumed at 3.15 p.m.**

The newly elected Cathaoirleach Councillor Charlie Murphy presided in the Chair.

#### **4 (a) St Mullins Community Alert CCTV Proposal**

Members welcomed Community CCTV proposals for St. Mullins, Tinnahinch in seven number locations. Members praised Joanne Doyle and committee of St. Mullins Community Alert for bringing this initiative forward. Members' approval was sought to the application of St. Mullins Community Alert for authorisation.

**Proposed by Councillor W. Quinn**

**Seconded by Councillor M. Doran**

**AND**

Following a showing of hands it was unanimously resolved:-

*“That we, the Members of Carlow County Council hereby approve project to introduce community based CCTV at 7 number locations in the St. Mullins area as follows:-*

1. *Drummond*
2. *Goolin*
3. *The Bog Road, Newtown*
4. *Cross of Skeogh (Coolnamara)*
5. *Carrigleade*
6. *Glynn*
7. *The Green, St. Mullins*

*In accordance with Section 38 of the Garda Síochána Act, 2015.”*

### **3. DEPARTMENTAL PROGRESS REPORTS**

#### **(a) Corporate Services Progress Report**

Members had for consideration Corporate Services and Human Resources Progress Report to 31<sup>st</sup> May, 2015 from Ms B. O'Brien. The following issues were raised by Members;

- Disability Plan - review of current Disability Plan in 2015
- Requirement of extra engineering staff for Carlow Municipal District to ease workload. B. O'Brien advised that there is two engineering staff attached to Carlow MD.
- Housing grants for windows and doors exhausted and requirement to seek further funding.
- Freedom of Information and Ombudsman. E. Brophy advised of procedures.

- Shared Services – Library service and Fire Service. B. O'Brien advised that shared service is on hold as discussions are on-going at National level.
- LCDC – Expressions of Interest submitted to the Department. A report is to be prepared by the Chief Officer of Community for July meeting of Council on on-going discussions with Carlow County Development Partnership on implementation of this programme.
- Irish Water – Members expressed dissatisfaction with representatives from Irish Water holding monthly clinics at County Buildings as they are unable to give satisfactory responses to Members queries, due to lack of expertise. Members reiterated their call for Irish Water to address the Members of Council at a meeting or special meeting of Council. It was proposed by Councillor Paton and seconded by Councillor Browne that Irish Water be refused the holding of clinics in County Buildings until such time as they address the Members of Carlow County Council and change clinic time to suit the elected members. Members requested that this Council again write to Irish Water on the issue and also to the Minister requesting that he instruct Irish Water to address the Members of Carlow County Council. Councillor Gladney raised issue of funding for the upgrade of Waste Water Treatment Plant, Muinebheag. The Chief Executive advised that Irish Water will assess impact in relation to services. For any upgrade a percentage of the cost will be borne by the Department and remainder from development levies as part of planning conditions. Irish Water is currently assessing development levies payable to Irish Water for water and waste water as a condition of planning permission.

### **(b) Economic Development Progress Report**

Members welcomed Economic Development Progress Report from B. O'Brien and K. Comerford, Head of Enterprise.

A discussion took place in relation to Carlow Town Centre. Members said that limited retail growth is adversely affecting footfall in the town centre with increasing competition from major supermarkets and internet

shopping. Vacant properties, derelict sites and lack of parking facilities are also having an adverse affect.

Members stressed the importance of keeping Tullow Street attractive by painting incentive schemes for vacant properties and continuing the comprehensive programme established by Carlow Town Council in relation to derelict sites. The poor standard of pavements on Tullow Street was also raised.

Councillors McDonald and Foley said similar issues existed in Bagenalstown and called for an initiative to make vacant properties more attractive. Members also queried if festival events are being initiated for Bagenalstown. Broadband and parking in Bagenalstown town centre are also issues. Councillor Quinn said South Carlow is experiencing a boost with increased tourism but lack of suitable accommodation is an issue. He said the provision of a Caravan Park site would be beneficial to the area. He stressed the need for a public bus service servicing south Carlow to Carlow town for shopping. Lack of directional signage is also an issue in South Carlow for tourism. Councillor Kinsella said parking facilities and rural transport were issues in Borris.

Councillor Phelan queried if there will be an increase in IDA site visits to Carlow. Members requested update on property solutions and Braun site.

K. Comerford responded to Members queries and said there was a balanced approach being taken for the whole of the County. Discussions are ongoing in relation to Derelict Sites and when solutions are finalised he will come back to Council. He stressed the importance of small businesses in need of financial support from Banks to engage with the Business Advisor in LEO for guidance. In relation to property solutions and the Braun Site negotiations are ongoing and are of a confidential nature.

B. O'Brien advised of challenges facing Carlow. She praised the work of Tullow Tidy Towns on derelict site properties in Tullow with funding coming from minimum grant aid.

The Chief Executive thanked K. Comerford for his report.

### **(c) Planning & Development Activity Report**

Members welcomed Planning and Development Activity Report to 31<sup>st</sup> May 2015 from Ms. B.O'Brien.

Councillor Paton requested that the housing developments listed in report be categorised into towns and villages for ease of reference.



Councillor Paton also said that every effort should be made to have estates listed taken in charge over the next four years. The Chief Executive advised that resources and staffing will be an issue to achieve this aim. Members queried up to date situation on various unfinished developments in relation to funding and other issues. Ms F. O'Neill advised in respect of same.

Ms. O'Neill also advised of protocol to be followed with Irish Water regarding the taking in charge of housing developments. An inspection of these developments will be carried out forthwith and on completion the developments will be categorised into category A and B. Category A will be recommended for taking in charge and B will be subject to negotiations with Irish Water. Councillor Phelan requested the agreed protocol with Irish Water for the taking in charge of housing developments.

Councillor Gladney raised issue of derelict site Fair Oaks Food, Bagenalstown, Carlow. F. O'Neill advised that the issue will be referred to the Environmental Department.

Councillor McDonald raised issue of bridge design for Link Road, Bagenalstown and queried if a planning application has been lodged by Waterways Ireland in relation to the Barrow amenity track.

Councillor Ahern expressed the view that public lighting should be addressed separately to the taking in charge process in housing developments for health and safety reasons. The Chief Executive advised that this issue was discussed at SPC and care is needed when dealing with bank owned developments.

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

##### **Dog Breeding Establishment Myshall/Dog Pound at Paulstown**

This item was deferred to the July meeting of Council. Councillor McDonald requested breakdown of costs relating to recent Dog Breeding Establishment Operation at Myshall for the July meeting.

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

There was no matter arising.

##### **(d) Tenders for opening, if any**

Members noted tenders opened since last Council meeting.

**(e) Conference Attendance Approvals**

*Members unanimously agreed attendance at forthcoming conferences as set out hereunder’.*

- *Sean MacDiarmada Summer School, Kiltyclogher, Co. Leitrim  
12<sup>th</sup> – 13<sup>th</sup> June 2015*
- *Byrne Perry Summer School, Gorey Library & Adult Learning Centre,  
Civic Square, The Avenue, Gorey, Co. Wexford.  
26<sup>th</sup> – 28<sup>th</sup> June 2015.*

**5. COMMUNITY, HOUSING, RECREATION AND AMENITY,  
BUILDING CONTROL AND EMERGENCY SERVICE**

**(a) National Co-operation Ireland Pride of Place Competition 2015**

Members noted report from Michael Brennan, SEO Community on the National Co-operation Ireland Pride of Place Competition 2015. Tinryland has been selected to represent County Carlow in this year’s competition.

**(b) Carlow County Council Pride of Place 2015**

Members noted report from Michael Brennan, SEO Community on Carlow County Council Pride of Place 2015. The closing date for receipt of entries was Friday 5<sup>th</sup> June.

**6. Chief Executives Monthly Management Report.**

Members noted Chief Executive’s monthly management report for period to 31<sup>st</sup> May 2015.

Councillor Cassin raised issue of changes to Household Waste Collection. Household Waste Collectors are required to have installed Pay by Weight mechanisms on all vehicles used to collect Household Waste by July 2015 and must ensure separate receptacles for recyclables and compost waste. Domestic Food Waste Regulations currently apply to Carlow Town. The Chief Executive advised that Carlow County Council will be meeting with the Waste Collectors operating in Carlow to ensure compliance with these regulations.

## 7. CORRESPONDENCE

**Members noted correspondence from Department of Health** in response to Members correspondence concerning people with long term medical conditions and medical cards.

**Members noted correspondence from Department of Health** in response to Members correspondence concerning services at Kilcreene Regional Orthopaedic Hospital, Kilkenny.

**Members noted correspondence from Kerry County Council** in relation to the levying of rates on private childcare providers.

**Members noted correspondence from *Ronald J. Clery & Co. Solrs*** in response to Members correspondence seeking legal advice in connection with Irish Water request for information on Local Authority tenants.

### **Members noted Notice of Motion from Dublin City Council**

*“That this Council recognizes that Women and Children are made Homeless by Domestic Violence. In 2014 513 referrals were made from Women’s Aid to refuges with 137 refuges citing that they were full therefore no accommodation was available. Women cannot move on from refuges as there is no alternative accommodation available therefore creating a shortage of spaces in centres and in many cases forcing the victim to remain in the abusive home. This Council needs to ensure that suitable, safe and secure accommodation is available for victims of domestic violence and that they are rehoused as a matter of priority.”*

## 8. Notices of Motion.

Standing in the name of Cllr. Fintan Phelan

**Proposed by Councillor F. Phelan**

**Seconded by Councillor J. Murnane-O’Connor**

**AND**

Following a showing of hands it was unanimously resolved:-

*“That Carlow County Council expresses major concern at the delay in processing motor vehicles type approvals by the National Standards Authority of Ireland (NSAI). Carlow County Council note that trade is being lost by local companies to the UK as a result of a 4 to 6 week delay in processing type approvals by the NSAI. The elected members request that Carlow County Council write to the Minister of Jobs,*

*Enterprise and Innovation and the Minister of Transport, Tourism and Sport and urge them to act immediately on reducing the delay.”*

Councillor Browne requested that Carlow County Council write to the RSA in relation to requirement for drivers of commercial vehicles, which do not have a tachograph fitted, to submit a record each day of start of first journey and end of last journey.

Councillor Doran raised issue of revised NCT levy for commercial vehicles and the proportion of fee passed on to the Road Safety Authority.

## **9 Any other business with the consent of the Cathaoirleach.**

- Councillor Murnane-O'Connor raised issue of submissions, made by members of the Barrow Group, not included in Carlow County Draft Development Plan.
- Councillor Murnane O'Connor also raised issue of installation of defibrillator outside of County Buildings. Councillor Browne said it is important to know where defibrillators are located before a decision is made. The Chief Executive advised that the Chief Fire Officer in consultation with the Gardai and other relevant agencies would need to assess defibrillator requirements. Councillor Paton suggested that a webpage be created outlining location of defibrillators in Carlow for public information.

This concluded the business of the meeting.