

**Minutes of February Meeting of Carlow County Council, held in the  
Council Chamber, County Offices, Athy Road, Carlow,  
on Monday 13<sup>th</sup> February 2023 at 2.00 p.m.**

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- Present:** Councillor B. O'Donoghue (Cathaoirleach)  
Councillor F. Browne (Remotely)  
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 T. O'Neill (Remotely)  
Councillor W. Paton  
Councillor J. Pender  
Councillor F. Phelan  
Councillor W. Quinn  
Councillor A. Wallace
- In attendance:** Mr. M. Rainey, Interim Chief Executive  
Mr. P. Delaney, Head of Finance  
Mr. K. Cullinane, Acting Director of Service  
Mr. P. O'Gorman, Director of Services  
Mr. M. Brennan, Director of Services  
Ms. F. O'Neill, Acting Director of Services  
Mr. P. J. Leonard, Financial Accountant  
Ms. K. Farrell, Internal Auditor  
Ms. Susan Kearney, Audit Committee Chairperson  
Mr. Seamus Loughlin, Senior Executive Engineer  
Ms. Deborah Foley, Sports Partnership Coordinator  
Mr. E. Brophy, Senior Executive Officer,  
Ms. L. O'Callaghan, Administrative Officer  
Ms. C. Healy, Staff Officer
- Remotely:** B. O'Donovan, Senior Executive Officer  
Anita Sweeney, Senior Planner  
N. Lawler, Senior Executive Officer  
K. Comerford, Head of Economic Development & Enterprise

### **Votes of Sympathy**

Carter family on the death of Padraic Carter, Rochford Manor, Graiguecullen, Carlow.

Seamus Doyle on the death of his sister Maureen Doyle, Graigowen, Tullow, Co. Carlow.

Claire Erak on the death of her father, Tommy O'Sullivan, Enniscorthy, Co. Wexford.

### **Votes of Congratulations**

Vote of congratulations to Cllr. Adrienne Wallace on the news of her pregnancy.

Vote of congratulations and best wishes to the U-15 Hanover Harps Soccer Team on the upcoming trip to Barcelona to represent Carlow on the soccer field.

## **1.0 Confirmation of Minutes/Dearbhú Miontuairiscí**

**Proposed by Councillor J. Murphy**

**Seconded by Councillor W. Quinn**

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

‘That the Minutes of the January Monthly Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Monday 16<sup>th</sup> January 2023 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 Audit Committee Charter 2023**

P. Delaney presented the Audit Committee Charter 2023. The Audit Committee has an independent role in advising the Council on financial reporting processes, internal control, risk management and audit matters, as part of the governance arrangements that operate within a local authority. The Audit Committee is established by resolution of the Council upon nomination by the Corporate Policy Group who will consult with the Chief Executive. The Audit Committee Charter 2023 outlines the purpose, functions, policies and role of the Audit Committee.

Questions raised by the members were answered by P. Delaney

The Audit Committee Charter 2023 was:-

**Proposed by Councillor K. Murnane**

**Seconded by Councillor W. Paton**

**And following a show of hands it was resolved:-**

*“That we the Members of Carlow County Council approve the Audit Committee Charter 2023.”*

## **2.2 Audit Committee Annual Report 2022**

The Cathaoirleach invited Ms. Susan Kearney, Audit Committee Chairperson to the present the Audit Committee Annual Report 2022.

Ms. Susan Kearney presented the Audit Committee Annual Report 2022. Section 122 of the Local Government Act 2001 provided a legal basis for the existence of Audit Committees. The Audit Committee plays a crucial role in the governance framework of Carlow County Council, particularly in the context of increased accountability. The Audit Committee met six times during 2022. Ms. Kearney thanked the members of the audit Committee for their co-operation and assistance.

Questions raised by the members were answered by Susan Kearney and P. Delaney.

The Audit Committee Annual Report 2022 was:-

**Proposed by Councillor A. Dalton**

**Seconded by Councillor W. Paton**

And following a show of hands, it was resolved:-

*“That we the Members of Carlow County Council approve the Audit Committee Annual Report 2022”.*

## **2.3 Audit Committee Work Program 2023**

P. Delaney, Head of Finance, presented the Audit Committee Work Program. The 2023 Audit Committee Work Programme has been prepared in accordance with Carlow County Council’s Audit Committee Charter.

Questions raised by the members were answered by P. Delaney and Susan Kearney. The members requested that an analysis of legal costs be included as an item in the 2023 work programme.

The Audit committee Work Program 2023 was:-

**Proposed by Councillor J. McDonald**

**Seconded by Councillor M. Doran**

**And following a show of hands, it was resolved:-**

*“That we the Members of Carlow County Council approved the Audit Committee Work Programme 2023.”*

#### **2.4 Planning & Development Act 2000 – Section 211, Local Government Act 2001 – Section 183 (1) – disposal of freehold on land at Dolmen Hall, Pollerton, Carlow.**

**Proposed by Councillor T. O’Neill,**

**Seconded by Councillor J. Cassin**

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 disposal of freehold on land at Dolmen Hall, Pollerton, Carlow, to Helen Toner, Dolmen Hall, Pollerton, Carlow, in consideration of the sum of €1 plus all associated costs in accordance with the terms of the statutory notice already circulated. The consent of the Minister for Housing, Local Government and Heritage is not required.

#### **2.5 Strategic Infrastructure Development Application - Views of the Elected Members on the Application to An Bord Pleanála under Section 37E of the Planning and Development Act, 2000, as amended - Ref: ABP-315365-22 - Permission for Wind energy development consisting of 7 no. turbines and all associated works at Ridge, Knocknabranagh, Knockbaun, Baunreagh and Agharue, Co. Carlow and Coolcullen, Cloneen and Coan East, Co. Kilkenny. Applicant - White Hill Wind. The Elected Members may, by resolution, decide to attach recommendations to the Chief Executive’s Report**

M. Rainey briefed the meeting on the Chief Executives Report for the Strategic Infrastructure Development Application Ref: ABP-315365-22 Wind Energy Development – White Hill Wind.

Questions raised by the members were answered by M. Rainey and A. Sweeney.

Cllr. M. Doran thanked M. Rainey and staff involved in preparing the comprehensive report.

Cllr Doran proposed one composite resolution to this application.

**Proposed by Councillor M. Doran**  
**Seconded by Councillor A. Wallace**

And following a show of hands, it was unanimously agreed

“That we the members of Carlow County Council submit one composite resolution on the Application to An Bord Pleanála under Section 37E of the Planning and Development Act, 2000, as amended - Ref: ABP-315365-22 - Permission for Wind energy development consisting of 7 no. turbines and all associated works at Ridge, Knocknabranagh, Knockbaun, Baunreagh and Agharue, Co. Carlow and Coolcullen, Cloneen and Coan East, Co. Kilkenny. Applicant - White Hill Wind, as follows:-

1. That, An Bord Pleanála consider the pre and post noise studies, reports and findings prepared for Offaly County Council regarding Meenwaun Wind Farm Co. Offaly. This development was granted by ABP following an appeal in 2015. Turbines size 2.75MW.
2. Further investigations need to be carried out regarding the protection and monitoring of private and co-operative water schemes. Waste water wash areas and drainage systems for machinery and lorries is not clearly identified in the proposal. The proposed development is close to two SACs, Rivers Barrow and Nore.
3. To fully consider conservation and habitat of rare species, including Harriers, Falcons, Kingfisher and Corncrake in the county. The deforestation of the county is noted when Carlow’s County Development Plan encourages more forestation. Forestation should not be removed from the county to another county.
4. Inclusive public participation has not been successful with this planning application, with only a small percentage of residents in the area, taking part in workshops provided by the applicant.
5. No proper consideration given to property devaluations, considering other applications in the area.

### **3.0 Consideration of Reports and Recommendations/Breithniú ar Thuarascálacha agus ar Mholtaí**

#### **3.1 Leader Programme**

M. Brennan advised that the Leader Programme is administered at local level by the Local Action Groups (LAGs) made up of local representatives from the community, public and private sector. Carlow LCDC is the LAG with Carlow County Development Partnership being the Implementing Partner and Carlow County Council as the Financial Partner. The Carlow LEADER Programme for 2014 – 2020 was awarded €6.4 m. Each project considered must be aligned with the priorities of the Local Development Strategy (LDS) which is a five-year plan developed by the LAG, in conjunction with the rural community to support the sustainable development of the area. The Transitional LEADER Programme which came into effect on 1<sup>st</sup> April 2021 bridged the gap between the wind up of the current 2014 - 2020 LEADER Programme and the start of the next EU programme 2023 – 2027. Carlow received €1,895,874 under this programme. A wide range of projects were supported by the programme to the value of €6.3 million across the County. In all 77 projects were funded.

Carlow has been allocated €4,968,715 for the LEADER Programme 2023 – 2027 when combined with the Transitional LEADER Programme equates to €6,864,589 which is an increase of 6.98% on the 2014 – 2020 Programme. The new programme will commence in 2023. Carlow LAG has been approved to prepare the Local Development Strategy for the next LEADER Programme in collaboration with the Carlow Local Development Company, the Implementing Partner which has to be submitted to the Department of Rural and Community Development before the 14<sup>th</sup> July 2023.

Questions raised by the members were answered by M. Brennan.

The members thanked M. Brennan, Staff and Carlow County Development Partnership for their work.

#### **3.2 Active Travel Allocations 2023**

P. O’Gorman briefed the members on Active Travel Grants 2023 Allocations to the value of €2.7 m. P. O’Gorman and S. Loughlin answered questions raised by the elected members.

### **3.3 Training & Conference Approvals**

**Proposed by Councillor W. Quinn**

**Seconded by Councillor A. McDonald**

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

“That we the members of Carlow County Council approve the following training/conferences.

#### ***AILG -OPR Training Webinar 1***

- *Presentations: – Overview of the Local Area Plan Preparation Process and Developing a New Generation of Local Area Plans for Kildare”*
- *Turing Local Area Plans into Reality – Cork County Council’s Experience in Implementing Local Area Plans*
- *Linking Local Area Plans and National Programmes Supporting Town and Village Renewal.*

***FEE: 0.00***

#### ***AILG Elected Members February 2023 (In-Person) Module 1 Training***

##### ***“A BRIEFING ON THE ELECTORAL REFORM ACT”***

*Date: Saturday, 25<sup>th</sup> February 2023*

*Venue: The Radisson Blu Hotel, Limerick*

*Time: 9.30am – 1.00pm*

***Parent Region: Southern Region***

*Date: Thursday 23<sup>rd</sup> February 2023*

*Venue: The Tullamore Court Hotel, Co. Offaly*

*Time: 9.30am – 1.00pm*

*Lunch provided*

*Regions: Northern & Western, Eastern & Midland.*

***FEE: 75.00***

### **3.4 Presentation from Carlow Sports Partnership**

The Cathaoirleach welcomed Ms. Deborah Foley, Sports Partnership Co-Ordinator to the meeting who gave a detailed presentation on Carlow Sports Partnership.

Members were delighted to see the delivery of a sports for all programme which includes Unemployed, Disadvantaged Areas, Older Adults, Young People, People with Disabilities, Women & Girls and Ethnic Minority Groups on a wide range of activities.

The members thanked Deborah and Staff for the presentation and their work.

#### **4.0 Chief Executives Report/Tuarascáil an Phríomhfheidhmeannaigh**

The Chief Executives Report was discussed in detail. Questions raised by the members included casual trading draft bye-laws, implications of high insurance costs for festivals and events, filling of vacancies in fire service and outdoor staff, courthouse railings, watermain from Rathvilly to Carlow town, ESB connections for developments, Ballymoon Castle, requirement for Treatment Plant in Bagenalstown and rural broadband road repairs.

Members praised the works carried out to date on the Courthouse Railings. Cllr. Cassin & Cllr. Browne requested that the Council write to the Courts Service for update on the remaining works.

The Chief Executive and Directors of Services answered questions raised by the members.

#### **5.0 Correspondence/Comhfhreagras**

Members noted correspondence from Cork County Council calling on the Minister for Transport to consider allowing Uber to operate in this country, due to lack of taxi availability leading to isolation for members of rural communities.

Members noted correspondence from Leitrim County Council calling on the Government to hold, without any further delay, the long promised referendum on voting rights for Irish citizens abroad.

Members noted correspondence from Cavan County Council requesting that having regard to the thousands of people suffering with adverse effects from Covid-19 for long periods of time - provision of Long Covid Clinics be retained and expanded.

Members noted correspondence circulated from Waterways Ireland and welcomed the overall plan.

Cllr. Kinsella raised issue on condition of Barrow Track at St. Mullins and P. O’Gorman updated on this.



## **6.0 Notices of Motion/Fógraí Rúin**

### **6.1 Standing in the name of Cllr. John Cassin**

"Carlow County Council to engage with Kildare County Council to formulate a submission to the department of Transport to provide safe parking on the entrance and exit of the M9 motorway at junction 5. To ensure as part of the submission the lights are switched back on at the same junction on the motorway."

**Proposed by Cllr. J. Cassin,**

**Seconded by Cllr. W. Paton and**

Agreed following a show of hands.

### **6.2 Standing in the name of Cllr. Adrienne Wallace**

"This Council condemns the recent rise in intimidation and harassment of refugees and asylum seekers across this island organised by far right and fascist parties in Dublin and across the South of Ireland.

This Council rejects the scapegoating of refugees or new communities for what are the failures of the Fine Gael/Fianna Fáil led Government.

This Council acknowledges the health crisis, the cost of living crisis and the housing crisis have been caused by poor government policy and corporate profiteering and not migrants or refugees.

This Council commits to stamping out any far right, racist poison that could divide communities.

Irish people for centuries have been refugees and migrants in countries across the world, and have faced prejudice, thus Irish people should stand together and overcome the lies being spread about those seeking refuge here.

This Council stands in solidarity with anti-fascist and anti-racist campaigners.

This Council recommits its efforts to creating a welcoming and inclusive community for everyone."

**Proposed by Councillor A. Wallace**

**Seconded by Cllr. W. Paton**

Cllr. F. Phelan proposed an amendment to the motion

**Proposed by Cllr. F. Phelan**

**Seconded by Cllr. A. McDonald**

"This Council condemns the recent rise in intimidation and harassment of refugees and asylum seekers across this island organised by far right and fascist parties in Dublin and across the South of Ireland. This Council again unequivocally condemns Vladimir Putin and Russia for his

war in Ukraine which has caused such hardships in Ukraine and indeed further afield and calls upon all parties to stand united against Putin including People Before Profit who refused to stand up for President Zelenskyy and the Ukrainian people in Dáil Éireann.”

**A roll call vote was taken on the amended motion**

<b>Member of Carlow County Council</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>	<b>Absent</b>
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			√	

The vote resulted in 12 members voting for, 6 members abstaining. Accordingly, the amended motion was carried.

This concluded the business of the meeting.