

CARLOW COUNTY COUNCIL

**Minutes of the July Meeting of Carlow County Council,
held in the Council Chamber, Carlow County Council, Athy Road, Carlow
on Monday 11th of July 2022 at 2.00 p.m.**

In Attendance: Councillor B. O' Donoghue (Cathaoirleach)
Councillor J. Cassin
Councillor A. Dalton (remote)
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
Councillor W. Paton
Councillor J. Pender
Councillor F. Phelan
Councillor W. Quinn
Councillor A. Wallace

Present: Ms. K. Holohan, Chief Executive
Mr. P. O'Gorman, Director of Service, Transportation,
Environment, Water Services, Building Control & Emergency
Services
Mr. M. Brennan, Director of Service, Housing, Community,
Recreation & Amenity
Ms. T. Hickson, Assistant Staff Officer, Local Enterprise Office
Mr. P.J. Leonard, Financial Accountant
Ms. N. Lawler, Senior Executive Officer, Planning
Mr. E. Brophy, Senior Executive Officer, Corporate & HR
Mr. Ken Boland, Senior Executive Engineer, Kilkenny County
Council
Ms. S. Byrne, Assistant Staff Officer (Acting), Corporate Services

Apologies; Cllr. Fergal Browne

OPENING PRAYER

The opening prayer was recited in Irish by the Members

VOTES OF SYMPATHY

- Noel Gorman, Ardattin, Carlow
- Tony Gough, 37 Mountain View Pollerton, Carlow

VOTES OF CONGRATULATIONS

- Carlow Pride Festival - Sincere congratulations to organizers of this years' festival
- Carlow Municipal District – Rainbow crossing, Barrack Street, Carlow
- Maisy Cronin, 19 Fair green, Bagenalstown, Co. Carlow - Decade of Centenaries commemorative medal.
- Bridie Fluskey, Ballinalour, St. Mullins, Co. Carlow - Decade of Centenaries commemorative medal.
- David Hayde, Bronze Medalist at World Masters Athletic Championships, Tampere, Finland.
- PJ O' Hare, "Glenamoy", Leighlinbridge, Co. Carlow – Decade of Centenaries commemorative medal.
- Elizabeth Kavanagh, Bough, Rathvilly, Co. Carlow - Decade of Centenaries commemorative medal.
- Carlow Community Games Committee – Successful Community Games 2022

1.0 Confirmation of Minutes/Dearbhú Miontuairiscí

1.1 Approval of Minutes of Special Carlow County Development Plan 2022 - 2028 Meeting held on Monday 23rd May 2022 at 2.00 p.m.

Proposed by Councillor J. Pender

Seconded by Councillor: F. Phelan

And agreed following a show of hands.

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

‘That the Minutes of the Special Carlow County Development Plan 2022 – 2028 meeting of Carlow County Council held on 23rd May 2022 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 Monthly Meeting of Carlow County Council held on Monday 13th June 2022 at 2.00 p.m.

Proposed by Councillor: T. Kinsella.

Seconded by Councillor: T. O’ Neill

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

‘That the Minutes of the Monthly Meeting of Carlow County Council held on Monday 13th June 2022 at 2.00 p.m., having been circulated to each Member, be taken as read, confirmed as to accuracy, and accordingly signed’.

1.3 Approval of Minutes of Annual Meeting of Carlow County Council held on Monday 13th June 2022 at 2.30 p.m.

Proposed by Councillor: A. McDonald

Seconded by Councillor: J. McDonald

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

‘That the Minutes of the Annual Meeting of Carlow County Council held on Monday 13th June 2022 at 2.30p.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 Local Government Act 2001 Section 183 (1), Planning & Development Act 2000 Section 211, the disposal of Council's Rented Equity (Freehold Interest) in the property situated at 41, Oakley Park, Graiguecullen.

Proposed by Councillor: Cllr. J. Cassin

Seconded by Councillor: Cllr. W. Quinn

And following a show of hands it was resolved that:

“That we, the Members of Carlow County Council formally resolve in accordance with Local Government Act 2001 Section 183 (1), Planning & Development Act 2000 Section 211, the disposal of the freehold Interest in the property Situated at 41, Oakley Park, Graiguecullen to Joe and Noreen Morgan. The consent of the Minister for Housing, Local Government and Heritage is not required”.

2.2 Local Government Act 2001 Section 183 (1), Planning & Development Act 2000 Section 211, the disposal of Council's Rented Equity (Freehold Interest) in the property situated at 17 Barrett Street, Bagenalstown, Co. Carlow.

Proposed by Councillor: Cllr. A. McDonald

Seconded by Councillor: Cllr. A. Gladney

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

“That we, the Members of Carlow County Council formally resolve in accordance with Local Government Act 2001 Section 183 (1), Planning & Development Act 2000 Section 211, the disposal of the freehold Interest in the property Situated at 17 Barrett Street, Bagenalstown, Co. Carlow to Sean and Teresa Dillon. The consent of the Minister for Housing, Local Government and Heritage is not required”.

2.3 Part 8 of the Planning & Development Regulations, 2001 (as amended), the Planning and Development Act, 2000 (as amended) and Section 138 of the Local Government Act, 2001 (as amended) – Proposed Tullow Orbital Pedestrian & Cycle Scheme Phase 2.

Following the conclusion of a Part VIII public consultation, it is recommended that the proposed development be proceeded with in accordance with the plans and particulars as placed on public display on date 10th May 2022, and to any such minor and immaterial alternations to these plans and particulars.

Proposed by Councillor: Cllr. J. Murphy

Seconded by Councillor: Cllr. W. Paton

And following a show of hands it was resolved: -

“That we the members formally resolved that in accordance with Part VIII of the Planning & Development Regulations, 2001 (as amended), the Planning and Development Act, 2000 (as amended) and Section 138 of the Local Government Act, 2001 (as amended) – the part VIII for the proposed Tullow Orbital Pedestrian and Cycle Scheme Phase 2 was approved”

2.4 Section 85 Agreement - Control of Dogs with Kilkenny County Council

Proposed by Councillor: Cllr. W. Quinn

Seconded by Councillor: Cllr. M. Doran

And following a show of hands it was resolved: -

"That Carlow County Council enters into an Agreement under Section 85 of the Local Government Act 2001, as amended, with Kilkenny County Council. Kilkenny County Council to continue

with the operational and maintenance works as required at the Carlow Kilkenny Dog Shelter at Paulstown, Co. Kilkenny. All costs are apportioned equally with Kilkenny County Council. It is recommended that a Section 85 Agreement with Kilkenny County Council be extended until 31st August 2025, so as to have this arrangement on a formal statutory basis."

2.5 Urbact Project - Split and Rome - Approval of Travel by elected members

Cathaoirleach B. O' Donoghue briefed the Members on a proposed trip in relation to Urbact Project as recommended by CPG in principle to send a delegation to Split and Rome. The Trip allows Members to develop pragmatic solutions that are new and sustainable and that integrate economic, social and environmental urban topics. It was agreed that the Members as agreed by the Corporate Policy Group could attend as follows:

Travel to Split, Croatia:

- *Cllr. Fintan Phelan, Mayor of Carlow Municipal District/ ULG Member*

Travel to Rome, Italy;

- *Cllr. Fintan Phelan, Mayor of Carlow Municipal District/ ULG Member*
- *Cllr. Brian O' Donoghue, Cathaoirleach, Carlow County Council.*

Proposed by Councillor: Cllr. A. McDonald

Seconded by Councillor: Cllr. J. McDonald

And agreed following a show of hands.

2.6 Nomination of Elected Members to the Board of Carlow Community Enterprise Centre's CLG Nomination:

Cathaoirleach B. O' Donoghue called on the Members to nominate a representative of Carlow County Council to

Carlow Community Enterprise Centres - Company Limited by Guarantee.

On the **Proposal of Cllr. T. Kinsella and Seconded by Cllr. A. McDonald**, it was proposed to nominate Cllr. Michael Doran.

This was followed by a nomination of Cllr. William Paton **proposed by Cllr. William Quinn and seconded by Cllr. J Cassin.**

As the Company were seeking one Member, it was agreed to take a vote.

The vote result was declared as follows:

<i>Member of Carlow County Council</i>	<i>For Cllr Michael Doran</i>	<i>For Cllr W. Paton</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		√		

1 Absent, 12 in favour of Cllr. M. Doran and 5 in favour of Cllr. W. Paton,

It was agreed that Cllr. Michael Doran would represent Carlow County Council on the Board of Carlow Community Enterprise Centres - Company Limited by Guarantee.

2.7 Approval of Presentation by Comhairle na nÓg at the September Council Meeting

Proposed by Councillor: Cllr. T. O' Neill

Seconded by Councillor: Cllr. J. Cassin

Agreed following a show of hands.

It was agreed to extend an invitation to Comhairle na nÓg to present at the Council Meeting on Monday 12th September 2022.

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

3.1 National Waste Management Plan for the Circular Economy

Mr. Pádraig O' Gorman, Director of Service advised the Members that the National Plan is expected to be published shortly and will be presented for consultation at the Strategic Policy Committee followed by a workshop for Members.

3.2 Public Lighting Energy Efficiency Project Update Presentation from Mr. Ken Boland, Acting Senior Engineer, Kilkenny County Council.

Mr. Ken Boland, Acting Senior Engineer, Kilkenny County Council gave an update on the public lighting project and answered queries from members.

3.3 Festival and Events Report

Carlow County Council Festival & Event Fund aims to assist with the creation of community-based tourism events in County Carlow. The fund is a combination of Carlow County Councils own events, events in partnership with other bodies, and events run by external organisers who receive direct funding contributions from Carlow County Council.

The scheme, as circulated, was;

Proposed by Councillor: Cllr. T. Kinsella

Seconded by Councillor: Cllr. J. Murphy

3.4 Performance Indicators 2021 Report

E. Brophy, Senior Executive Officer advised that the report was for noting. Michael Brennan Director of Services and Eamonn Brophy, Senior Executive Officer answered queries from members.

On the **proposal of Cllr. Arthur McDonald** and **Seconded by Cllr. F. Phelan** members were asked to include Cllr Tom O' Neill to the delegate list of Councillors attending both Tempe and Switzerland.

Following a show of hands, it was resolved that Cllr. Tom O' Neill be included in the delegation to both Tempe and Switzerland.

3.5 Zero Tolerance - Third National Strategy on Domestic, Sexual and Gender- Based Violence

E. Brophy, Senior Executive Officer advised that the report was for noting. Kathleen Holohan, Chief Executive answered queries from members

3.6 Training & Conference Approvals

AILG Webinar 5 Facebook & Instagram: Safety Tools & Amplifying Your Message”
hosted by AILG in conjunction with Meta

Date: Friday 8th July 2022
Time: 10.00am – 11.30am
Registration: info@ailg.ie
Fee: €0.00

AILG Webinar 6 - “Media and Social Media” – how to create and connect with your audience”

Date: 15th July 2022
Time: 10.00am – 11.30am
Registration: info@ailg.ie
Fee: €0.00

AILG Module 4 (In Person) - Government Legislation Policy Programme 2022 – A Briefing for Elected Members”

Date: 21st July Horse and Jockey Hotel, Thurles. (SE Region)
Venue: Horse and Jockey Hotel, Thurles.
Date: 23rd July (NEW & MRA Region)
Venue: Allingham Arms Hotel, Bundoran
Fee: €65.00

Derelict in Donegal Conference

Date: 21st – 22nd July 2022
Venue: Dillons Hotel, Letterkenny, Co. Donegal
Fee: €0.00

AILG Autumn Training Conference – Celebrating Local Government,

Date: 14th & 15th September 2022
Venue: Knightsbrook Hotel, Trim. Co. Meath.

Proposed by Councillor: Cllr. T. O’ Neill
Seconded by Councillor: Cllr. A. McDonald
And agreed following a show of hands.

4.0 Chief Executives Report/Tuarascáil an Phríomhfheidhmeannaigh

Members discussed the Chief Executives Management Report for the period 1st June – 30th June 2022

Issues raised by members include:

- Tidy Towns – Tus Workers availability

- Eireog to Wexford Road
- Traffic Calming System in the Royal Oak
- Ballymoon Castle
- St Mullins Well access
- Streetscape Scheme
- Muinebheag Enterprise Centre Tullow Relief Road
- Irish Water – Connection Costs

Housing Crisis Cllr. A. Wallace wished to hold an emergency motion as follows: "That Carlow County Council write to the Taoiseach and the Housing Minister to call for a ban on evictions into homelessness."

Proposed by Councillor: Cllr. A. Wallace

Seconded by Councillor: Cllr. J. Cassin.

E. Brophy, Senior Executive Officer and chairperson Brian O' Donoghue notified the members that an emergency "notice of motion could only be considered for the purpose of dealing with urgent business and related to a function of the Local authority, or a matter of urgent public interest, subject to the requirement that not less than nine members vote in favour of the matter being considered. It is also a requirement that when the motion is put that not less than nine members vote in favour and the motion must be passed.

The proposer of a motion not listed in the agenda and not in common form, shall, upon moving same, deliver a copy to the Chair and to each elected member"

Cllr A. Wallace delivered a copy of the motion to the chair and to each member and stated the matter was of urgent public interest. It was agreed to hold a vote to establish if nine members or more were in favour of the motion being proposed.

A vote took place and less than nine members voted in favour and emergency motion was defeated and accordingly was not permitted to be moved.

5.0 Correspondence/Comhfhreagras

Noted.

6.0 Notices of Motion/Fógraí Rúin

6.1 Standing in the name of Cllr. Adrienne Wallace

“This motion is to seek the introduction of a Domestic Violence Liaison Officer within Carlow Councils Housing Department. Women and children experiencing Domestic Violence are often left with no other option other than being forced into Homelessness to seek safety or to endure the suffering at home in order to prevent the family being homeless.

We need more support from Carlow Council to remove the alleged preparator from Carlow Council tenancies and to allow the victims to reside in their own home. This Council supports the review of current legislation to strengthen the powers of social landlords (LA or AHB) to remove tenancy rights from persons with a barring order to allow the safe enjoyment of the home by the victim of DV.

However, the core function and purpose of the DV liaison officer would be to:

Act as a direct link between all DV services in Carlow/Kilkenny and Carlow Council for any housing needs DV clients have in a case management model.

Have a knowledge of and be able to access and escalate emergency cases at the different areas of housing such as allocations, HAP, homeless etc.

Act of an advocate for DV victims/survivors within Carlow Council while having an awareness of places available in Refuges/Safe Accommodation/Emergency accommodation for DV clients in order to support a quicker accommodation response.

Understand the extensive Dynamics of Domestic Violence/Family Violence. Have an unbiased non-judgmental approach when working with clients who have experienced DV and to understand the complexities of DV and risk to children exposed to the same.

To write to the housing minister requesting that the Housing Legislation be amended to strengthen the removal of tenants convicted of Domestic Violence offenses.

To offer support and advice from key stakeholders such as Gardai, Tusla etc to support victims of domestic violence access immediate safe accommodation.

- Any staff of Carlow County Council who might have to work with victims of DV should also attend mandatory training on how best to support victims in the most appropriate manner”.

Cllr. A. Wallace withdrew the motion for discussion at the meeting due to updated information she received since submission.

6.2 **Standing in the name of Cllr. William Paton**

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

"That Carlow County Council take the single public light at Monastery Court, Tullow in charge and organise its repair as soon as possible."

Mr. E. Brophy and Mr. P. O' Gorman advised of the policy of not taking in charge public lights in estates in which the other services are not ready to be taken in charge. Members were advised that if the motion was passed, the light in question would not be repaired.

Proposed by Councillor: Cllr. W. Paton

Seconded by Councillor: Cllr. W. Quinn

And agreed following a show of hands.

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

None.

This Concluded the business of the meeting.