CARLOW COUNTY COUNCIL

Minutes of the March Monthly Meeting of Carlow County Council, held in The Council Chamber, County Offices, Athy Road, Carlow, on Monday 13th March 2017 at 2.00 p.m.

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Present:	Councillor J. Murphy (Cathaoirleach) Councillor A. Ahern (Nee Long) Councillor F. Browne Councillor J. Cassin Councillor M. Doran Councillor D. Foley Councillor A. Gladney Councillor T. Kinsella Councillor T. Kinsella Councillor W. Lacey Councillor A. McDonald Councillor K. Murnane Councillor K. Murnane Councillor C. Murphy Councillor B. O'Donoghue Councillor W. Paton Councillor J. Pender Councillor W. Quinn.
Apologies:	Councillor J. Deane Councillor F. Phelan
In attendance:	Mr. D. McInerney, Deputy Chief Executive Ms. B. O'Brien, Director of Service – Corporate, Planning, Economic Development, Health and Safety Mr. P Delaney, Head of Finance Mr. Liam Fitzgerald, Acting Director of Services, Transportation, Environment & Water Services Mr. D. Mulligan, Museum Curator Mr. E. Brophy, Senior Executive Officer, Corporate Services Ms. B. Whelan, Assistant Staff Officer, Corporate Services

In commemorating the 1916 Rising the National Anthem was played.

OPENING PRAYER

The opening prayer was recited in Irish by the Members.

- VOTES OF SYMPATHY
- Councillor Andy Gladney on the death of his mother Ann Gladney, Kernanstown, Bennekerry, Carlow
- Mattie Caulfield, General Operative on the death of his father Tommy Caulfield, Pound Lane, Borris, Co. Carlow.
- Jane Flynn, Planning Department on the death of her father Tommy Nolan, Main Street, Ballon, Co. Carlow.
- The Foley Family, Townaslough, Leighlinbridge, Co. Carlow on the death of their brother Michael Foley.
- Rody Kelly, former member of Carlow County Council on the death of his mother, Ann Kelly, Kyledelligh, Borris-in-Ossory, Co. Laois.
- The Maye Family, Pairc Mhuire, Bagenalstown, Co. Carlow on the death of their mother Margaret.
- The Looney Family, 106 Church Street, Graiguecullen, Carlow on the death of their mother Eileen.
- Christine Thompson and Family, 6 Askea Lawns, Tullow Road, Carlow on the death of her husband Ned.
- Ned Byrne and Family 5 St. Brigids Terrace, Clonegal, Co. Carlow on the death of his wife Mary.

VOTES OF CONGRATULATIONS

- The Principal, Staff and Musicians of Borris Vocational School on staging and supporting Music Generation Carlow Third Annual Music Mount Leinster 2017.
- Myshall Camogie Club on winning the AIB All Ireland Camogie Intermediate Club title.

1. CONFIRMATION OF MINUTES

The minutes of the February Council Meeting held on 13th February 2017 were

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

Following a show of hands it was unanimously resolved:-

'That the Minutes of the February Monthly Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow, on Monday 13th February at 2.00 p.m. having been circulated to each Member be taken as read, confirmed as to accuracy and accordingly signed.'

2. BUSINESS PRESCRIBED BY STATUE, STANDING ORDERS OR RESOLUTIONS OF THE COUNCIL

(a) Adoption of Audit Committee Charter

P. Delaney advised of Audit Committee Charter. The purpose of the Audit Committee Charter is to advise 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 Charter is subject to annual review.

Members' approval was sought to the Annual Review of the Audit Committee Charter.

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

Following a show of hands it was unanimously resolved:-

'That we, the Members of Carlow County Council approve the adoption of the Audit Committee Charter 2017in accordance with Section 59 of the Local Government Reform Act 2014: Local Government (Audit Committee Regulations) 2014.

(b) Adoption of Audit Committee – Draft Work Programme 2017

Members had the Draft Work Programme 2017 for consideration and approval.

Councilor Browne referred to LGiU Ireland briefing on Local Government Funding and noted that in the context of Local Property Tax allocations Carlow appears to be disadvantaged by comparison to some Local Authorities of similar standing. P. Delaney advised that the issue has been raised with and submissions made to the Dept of Housing, Planning & Local Government on numerous occasions and that the Cathaoirleach, Chief Executive (Acting) and Head of Finance had met with Minister Coveney in August 2016 in this regard. The history of the current funding model spans at least twenty years and in the intervening period there have been many and varied contributing factors. It appears that unless the overall funding envelope for Local Authorities is increased the perceived funding shortfall in Carlow cannot be addressed in isolation. Members called on our elected representatives in Dáil Éireann to make representation to the Minister for increased funding for Carlow. Members requested the Councils Audit Committee to review this matter as part of its 2017 Work Programme and report back to Council.

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

Following a show of hands it was unanimously resolved:-

'That we, the Members of Carlow County Council approve the Draft Work Programme 2017 in accordance with Section 59 of the Local Government Reform Act 2014: Local Government (Audit Committee Regulations) 2014.

(e) Disposal of Council's Rented Equity portion of Shared Ownership Loan in dwelling at 24, Brooklawns, Pollerton, Carlow

Proposed by Councillor J. Cassin Seconded by Councillor K. Murnane AND

Following a show of hands it was unanimously resolved:-

'That we, the Members of Carlow County Council approve the disposal of Council's Rented Equity portion of Shared Ownership Loan (Freehold Interest) in dwelling situated at 24, Brooklawns, Pollerton, Carlow, to Ms. Sinead O'Keeffe in consideration of the sum of €35,203.02 in accordance with the Local Government Act 2001 – Section183(1), Planning & Development Act 2000 – Section 211 and that the consent of the Minister for Housing, Planning and Local Government is not required.

(f) Disposal of Council's Rented Equity portion of Shared Ownership Loan in dwelling at 19, Eastwood, Bagenalstown, Co. Carlow

Proposed by Councillor F. Browne Seconded by Councillor J. Cassin AND

Following a show of hands it was unanimously resolved:-

'That we, the Members of Carlow County Council approve the disposal of Council's Rented Equity portion of Shared Ownership Loan (Freehold Interest) in dwelling situated at 19, Eastwood, Bagenalstown, Co. Carlow, to Karl Maher and Sharon Maher (Nee McDonald) in consideration of the sum of €30,838.39 in accordance with the Local Government Act 2001 – Section183(1), Planning & Development Act 2000 – Section 211 and that the consent of the Minister for Housing, Planning and Local Government is not required. (g) Disposal of Council's Rented Equity portion of Shared Ownership Loan in dwelling at 21, The Laurels, Tullow Road, Carlow

Proposed by Councillor B. O'Donoghue Seconded by Councillor F. Browne AND

Following a show of hands it was unanimously resolved:-

'That we, the Members of Carlow County Council approve the disposal of Council's Rented Equity portion of Shared Ownership Loan (Freehold Interest) in dwelling situated at 21, The Laurels, Tullow Road, Carlow, to Barry and Julie O'Driscoll in consideration of the sum of €33,778.05 in accordance with the Local Government Act 2001 – Section183(1), Planning & Development Act 2000 – Section 211 and that the consent of the Minister for Housing, Planning and Local Government is not required.

(h) Disposal of Council's Rented Equity portion of Shared Ownership Loan in dwelling situated at Kilcarrig Street, Bagenalstown, Co. Carlow

Proposed by Councillor A. McDonald Seconded by Councillor D. Foley AND

Following a show of hands it was unanimously resolved:-

'That we, the Members of Carlow County Council approve the disposal of Council's Rented Equity portion of Shared Ownership Loan (Freehold Interest) in dwelling situated at Kilcarrig Street, Bagenalstown, Co.Carlow, to Sandra Walsh in consideration of the sum of €29,364.67 in accordance with the Local Government Act 2001 – Section183(1), Planning & Development Act 2000 – Section 211 and that the consent of the Minister for Housing, Planning and Local Government is not required.

(i) Part V111 Housing Developments

S. O'Connor, Director of Services advised of Carlow County Council's proposals to carry out Housing Developments at the following locations.

- 42 Houses and 3 Private Sites at Bagenalstown
- 1 House at Drummin
- 2 Houses at Bilboa
- 63 Houses and 4 Private Sites at Rathvilly
- 4 Houses at Slate Row, Hacketstown
- 2 Houses St. Patrick's Park, Tullow
- 21 Houses at Dublin Road, Tullow

S. O'Connor advised that following the public consultation process for receipt of submissions two number submissions were received. The report set out the issues raised in the submissions and responses.

Members were advised that the Schemes included for Bagenalstown, Rathvilly and Dublin Road, Tullow are deferred for consideration to progress the Schemes until final consideration is made by the Department of Housing, Planning, Community and Local Government.

Members welcomed the proposed Housing Schemes and complimented Mr. O'Connor on his forward planning and proactive approach. S. O'Connor complimented Ms Lilly Slye, Senior Executive Engineer and the technical staff for their work on the Schemes.

Queries raised by the Members were addressed by S. O'Connor.

Members' approval was sought to progress the following Schemes as advertised.

- (a) 1 House at Drummin
- (b) 2 Houses at Bilboa
- (c) 4 Houses at Slate Row, Hacketstown
- (d) 2 Houses at St. Patrick's Park, Tullow

Proposed by Councillor B. O'Donoghue Seconded by Councillor W. Paton AND

Following a show of hands it was unanimously resolved:-'That we, the Members of Carlow County Council approve the Housing Development Schemes at the following locations

- (a) 1 House at Drummin
- (b) 2 Houses at Bilboa
- (c) 4 Houses at Slate Row, Hacketstown
- (d) 2 Houses at St. Patrick's Park, Tullow

be progressed as advertised in accordance with the Planning and Development Act 2000 (as amended); Planning and Development Regulations 2001-2016; Planning and Development Acts, 2000-2013; Planning and Development Regulations 2001-2013 Part VIII.'

(j) Speed Limit Bye-Laws (amendments) 2016

Members had Draft Speed Limit Bye Laws from L. Fitzgerald, Acting Director of Services for consideration and approval.

Councillor Paton said the local community are still concerned in relation to traffic measures at Grange and around the school. The current Speed Limit sign needs to be examined to reflect school hours and outside school times. Following discussion L. Fitzgerald advised that he will examine the issue at Grange again and revert to the Members at the April meeting of Council.

Following a detailed discussion the speed limit review was adopted.

Proposed by Councillor W. Paton Seconded by Councillor M. Doran AND

Following a show of hands it was resolved:-'That we, the Members of Carlow County Council approve the adoption of the speed limit review as set out.'

Councillor Quinn raised issue of parking measures at Newtown School, Borris. E. Brophy advised of discussions at Joint Policing Committee meeting in relation to this issue.

(k) Fill vacancy on the Cultural, Health & Agriculture Strategic Policy

Members were advised of vacancy on the Cultural, Health and Agriculture Strategic Policy Committee following the resignation of Councillor Pender from the SPC in June 2016. Councillor McDonald was subsequently elected to the committee but Councillor McDonald is already a member by virtue that he is nominated by Council to the Regional Health Forum.

Proposed by Councillor A. McDonald Seconded by Councillor W. Paton AND

Following a show of hands it was unanimously resolved:-'That we, the Members of Carlow County Council approve the appointment of Councillor Ken Murnane to the Cultural, Health and Agriculture Strategic Policy Committee following the resignation of Councillor J. Pender.

Councillor Pender advised of Councillor Murnane's wish to sit on the Housing, Recreation & Amenity and Community SPC. E. Brophy to clarify if a Member can sit on more than two Strategic Policy Committees.

2(c) Audit Committee – Annual Report 2016

Peter Scully, Audit Committee Chairperson joined the Meeting to present the Audit Committee Annual Report 2016.

Mr Scully set out the role of the Audit Committee in promoting value for money throughout the organisation. It supports the work of the Internal Auditor and advises the Chief Executive in relation to the operation and development of same.

Mr. Scully advised that there were no major concerns in relation to the finances of Carlow County Council in 2016 and responded to queries raised by the Members.

2(d) Audit Committee – Report to Council on 2015 Annual Financial Statement & Local Government Auditors Report

Mr. Peter Scully, Audit Committee Chairperson presented the Local Government Audit Service Statutory Audit Report to the Members for the year ended 31st December, 2015.

In response to query from Councillor Paton Mr. Scully advised of traffic lights system to highlight any items of concern and advised that in 2016 no serious items of concern were found. He complimented P. Delaney, Head of Finance and staff on managing the efficient use of resources to deliver quality services.

Proposed by Councillor F. Browne Seconded by Councillor W. Paton AND

Following a show of hands it was unanimously resolved:-

'That we, the Members of Carlow County Council approve the 2015 Annual Financial Statement and Local Government Auditors Report prepared in accordance with Section 121 of the Local Government Act 2001 as amended by section 60 of the Local Government Reform Act 2014).'

The Deputy Chief Executive complimented Mr. Scully and the audit committee for their support and guidance promoting value for money throughout the organisation.

3. FINANCE, INFORMATION TECHNOLOGY & CULTURE (LIBRARIES, ARTS AND COUNTY MUSEUM

(a) St. Willibrord – 'Carlow Pilgrimage to Luxembourg'

Mr Dermot Mulligan, Museum Curator presented a report to Council on St. Willibrord, Patron Saint of Luxembourg and his County Carlow connection. A Joint Diocesan Pilgrimage from County Carlow to Echternach in Luxembourg will take place from 4th to 7th June. Members approval was sought to the attendance of the Cathaoirleach and Councillor Fergal Browne on this pilgrimage.

Proposed by Councillor W. Lacey Seconded by Councillor M. Doran

AND

Following a show of hands it was unanimously resolved:-'That we, the Members of Carlow County Council approve the attendance of the Cathaoirleach and Councillor Browne on the Carlow Pilgrimage to Luxembourg celebrating St. Willibrord, Patron Saint of Luxembourg and his County Carlow connection.'

In response to Councillor Browne's query re access to archaeological site, an Anglo -Saxon ecclesiastical settlement, at Clonmelsh Graveyard Mr. Mulligan advised that the landowner has no issue granting access to the site.

Councillor Quinn queried if D. Mulligan had any information in relation to the burial of a monk in the walls of Borris Church. Mr Mulligan said he was not aware of any history or documentation to verify this.

(b) Arts Act Grants – Individual Artists

Members approval was sought to Arts Act Grants – Individual Artists 2017 as set out in report of 3rd March, 2017.

Proposed by Councillor W. Lacey Seconded by Councillor J. Cassin AND

Following a show of hands it was unanimously resolved:-

'That we, the members of Carlow County Council, approve Arts Act Grant – Individual Artists Grants Scheme 2017 as set out in schedule of grants listed for approval.'

(c) Board of County Museum Annual Report 2015

Members had for consideration and noting Board of County Museum Annual Report 2015.

4. DEPARTMENTAL PROGRESS REPORTS

(a) Transportation, Environment & Water Services Progress Report

Mr. L. Fitzgerald presented the Transportation, Environment and Water Services Progress Report to 28th February, 2017.

The following issues were raised by the Members;

- Role of Irish Water in relation to water and sewerage lines that pass through backyards and gardens. The cost of fixing leaks and water disruption greater now under Irish Water.
- Works on bridges on the N80 and particularly issue with bridge between Myshall and Fenagh
- Improvement works Royal Oak Roundabout
- Powerstown Landfill provision of transfer station following closure of landfill.
- Bridge at Rathanna, Borris drainage issue due to silt not being cleared
- Speed Review at various locations in Rathvilly De Lacey Abbey, Meadow Park, GAA Grounds and Church of Ireland.
- Low cost remediation work at Tobinstown junction and Acaun Bridge.
- 3 Bridges Milford danger due to heavy vehicular traffic crossing the bridges and the importance that such traffic is directed by sat nav to an alternate route. This is also an issue in Bagenalstown with sav nav directing heavy traffic to turn right at Church where there should be no access to heavy vehicular traffic.
- Lead Remediation Scheme and the means level to qualify for grant aid.
- Provision of extra waste receptacles in Carlow Town
- Provision of Yellow lines Bagenalstown
- Permanent bollard outside residential home in Bagenalstown
- Proposed works for Tullow Street.

All issues raised were addressed by L. Fitzgerald.

AGE FRIENDLY PRESENTATION

The Cathaoirleach welcomed Ms Debra O'Neill to the Chamber. Ms O'Neill gave an informative presentation to the Members on a new strategy which commits to improving key areas of services to enhance the quality of life, quality of services and quality of environment for older people living in County Carlow. The Members thanked Ms. O'Neill for her presentation and queries raised were addressed by Ms. O'Neill.

4. TRANSPORTATION, ENVIRONMENT AND WATER SERVICES

(a) Draft River Basin Management Plans for Ireland 2018-2021

Members noted the Draft River Basin Management Plans for Ireland 2018-2021.

- 6. CORPORATE, PLANNING, ECOMOMIC DEVELOPMENT AND HEALTH AND SAFETY
- (a) Application to Garda Commissioner for CCTV Camera Project in Tullow Town

Members approval was sought to the making of an application to Garda Commissioner for CCTV Camera Project in Tullow Town – Develop Tullow Association. The Joint Policing Committee had unanimously recommended that the proposal be recommended for approval to the Garda Commissioner.

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

Following a show of hands it was unanimously resolved:-'That we, the Members of Carlow County Council approve the application to Garda Commissioner for CCTV Camera Project in Tullow Town – Develop Tullow Association as recommended by the Joint Policing Committee at their meeting on 27th February, 2017.

(b) Agriculture

Issues raised by the Members included the following;-

- Proposals by the Road Safety Authority to introduce NCT regulations on tractors from 2018 and the negative impact this will have on farmers.
- Single Farm Payment Scheme and the continuing effects on farmers who lost their entitlement to payment from the scheme following a review some years ago. Members requested that this Council write to the Minister for Agriculture to expedite the appeals process in relation to these payments.

 Natural Constraints Scheme for farmers and proposed review under the new system of designation which must be introduced in 2018. Members expressed concerns as eligible areas will be designated based on strict revised criteria as set out in legislation. Members requested that this Council write to the Minister for Agriculture and the Irish Farmers Association expressing concerns that disadvantaged areas on the Carlow Wicklow, Carlow Wexford, Carlow Laois borders will be removed from the Natural Constraints Scheme, under the new system of designation, resulting in major losses for farmers under the scheme.

(c) Health

Issues raised by the Members included the following;-

- Funding of drug Orkambi for Cystic Fibrosis sufferers.
- 'Treatment Abroad Scheme' be extended outside the EU. Members referred to Carlow girl Shantelle Tynan whose treatment for a rare form of cancer is only available in the United States. Members said the policy guidelines need to be modified to benefit cases where treatment is only available outside the EU.
- Funding drug medicinal cannabis with Members highlighting plight of mother on protest walk from Cork to Dublin for the granting of a licence to medical personnel for access to medicinal cannabis.

Members requested that Carlow County Council write to the Minister for Health on the above issues.

Councillor Paton requested that this Council write to the Health Services Executive on update for proposals for the future use of the Cheshire Home in Tullow. This issue was previously raised by the Members in March 2016.

Councillors Cassin and Browne requested that this Council write to the Health Services Executive on proposals for Kelvin Grove the former disability unit attached to the Health Service Executive's health services in Carlow. Members queried if proposals for the unit included The Holy Angels Day Care Centre availing of the unit. Members also queried if there are proposals for the removal of wall and provision of footpath.

Extension of time.

Members unanimously resolved following a show of hands' 'We, the Members of Carlow County Council revoke that part of Standing Orders to facilitate the continuation of the meeting to 6.00p.m'

(d) Conference Attendance Approvals

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

Following a show of hands it was unanimously resolved:-

Forthcoming Conferences 2017:

Social Care Education: An Emerging Profession, Carlow College: St. Patrick's College, College Street, Carlow. 1 st March 2017 Responding to Aggressive Behaviour in Care Setting Carlow College: St. Patrick's College, College Street, Carlow. 6th March 2017	Fee: Nil s, Fee:
Men and Masculinities, Carlow College: St. Patrick's College, College Street, Carlow. 7th March 2017	Fee:
What does a Hard BREXIT mean for Ireland, The Four Seasons Hotel, Carlingford, Co. Louth. 31 st March to 2 nd April 2017	Fee: €100
LGAS: An Overview of the Local Government Audit S The Clonakilty Hotel, Clonakilty, Co. Cork. 21 st to 23 rd April 2017	Service, Fee: €100
Cross Border Tourism Conference, The Four Seasons Hotel, Carlingford, Co. Louth. 5 th April 2017	Fee: €25
2 day Social Media Training for Councillors, The Clonakilty Hotel, Clonakilty, Co. Cork. 19 th & 20 th April 2017	Fee: €150

LAMA Spring Seminar City North Hotel, Gormanstown, Co. Meath. 28th & 29th April 2017

Preliminary Notice

7. CHIEF EXECUTIVE REPORT

Members noted Chief Executive Report for the period 1st to 28th February 2017.

8. CORRESPONDENCE

(a) Launch of Action Plan for Rural Development 'Realising Our Rural Potential'

This item was deferred to the April meeting of Council

(b) General Correspondence

Members noted Notice of Motion from Sligo County Council calling on the The Taoiseach and Minister for Finance to set out work programme on how it will implement its commitments to Credit Unions

Members noted Notice of Motion from Donegal County Council calling on the Council to back proposals to have the Irish Coast Guard recognised the same as the other emergency services in this country.

Members noted Notice of Motion from Clare County Council calling on the Minister for Health to fund the drug Orkambi to the sufferers of Cystic Fibrosis.

Members noted Notice of Motion from Clare County Council calling on the Minister with responsibility for farm safety to propose that new farm machinery implements be equipped with a hydraulically driven system as opposed to power take-off shafts in the interest of farm safety.

Members noted correspondence from Scoil Mhuire Gan Smál in response to Members correspondence complimenting the school on music generation programme in the school.

Members noted Notice of Motion from Tipperary County Council calling on the Minister for Transport and Bus Éireann to resolve the present uncertainty with a view to retaining the present services and making improvements where necessary.

Members noted correspondence from the Minister of State for Mental Health and Older People in response to Members correspondence regarding funding for Follaine Counselling Services.

Members noted Notice of Motion from South Dublin County Council

calling on the Taoiseach and Minister for Finance to enter discussions with EU partners to make Ireland a Pilot Country to explore moving from the current Social Welfare and Taxation Systems to Basic Income System.

Councillor Cassin expressed dissatisfaction with response from Waterways Ireland following Members correspondence on carrying out engineering review of the River Barrow Track and requested that Waterways Ireland be invited to attend meeting of Council to discuss the issue.

The Deputy Chief Executive advised that Waterways Ireland is the statutory body with responsibility for the Barrow Track and will be meeting with Carlow County Council engineering staff in relation to ongoing works.

9. Notices of Motion.

Standing in the name of Cllr. Fintan Phelan

Proposed by Councillor F. Browne Seconded by Councillor J. Cassin AND

Following a show of hands it was unanimously resolved:-

"That this Council writes to management of St. Luke's General Hospital, Kilkenny to ask that efforts are made to ensure free car parking for cancer patients or a designated family member or carer during their treatment."

10. Any other business with the consent of the Cathaoirleach.

The following issues were raised by the Members;-

- Members expressed concern at the proposed closure of rural Post Offices and the devastating effect such closures would have on rural Ireland. A letter is to issue to the Minister calling for Post Offices to be retained and to keep rural Ireland alive.
- Councillor Pender raised issue of Disability Federation Ireland Report on the number of people with a disability employed by Carlow County

Council. E. Brophy advised that for 2016 Carlow has reached its target with 3.7%.

- Establishment of new 1916 Commemorative Committee. The Deputy Chief Executive advised of County Carlow Creative Irish Public Workshop scheduled for 21st March and that the establishment of a new 1916 Commemorative Committee may come under Creative Ireland Programme going forward. Members requested clarification on the disbandment of the 1916 Commemorative Committee.
- This concluded the business of the meeting.