

CARLOW COUNTY COUNCIL

**Minutes of the March Meeting of Carlow County Council, held in
The Council Chamber, County Offices, Athy Road, Carlow, on
Monday 09th March 2020 at 2.00 p.m.**

Present: Councillor J. Pender (Cathaoirleach)
Councillor F. Browne
Councillor J. Cassin
Councillor A. Dalton
Councillor M. Doran
Councillor A. Gladney
Councillor W. Paton
Councillor T. Kinsella
Councillor A. McDonald
Councillor J. McDonald
Councillor K. Murnane
Councillor C. Murphy
Councillor J. Murphy
Councillor B. O'Donoghue
Councillor T. O'Neill
Councillor F. Phelan
Councillor A. Wallace
Councillor W. Quinn

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.
Mr. M. Brennan, Director of Services, Housing, Community,
Recreation & Amenity, Building Control & Emergency
Services.
Mr. Pat Delaney, Head of Finance.
Mr. Kieran Comerford, Head of Local Enterprise Office.
Mr. E. Brophy, Senior Executive Officer, Corporate
Services/Human Resources.
Ms. Fiona O'Neill, Senior Executive Officer, Planning.
Ms. Anita Sweeney, Senior Planner, Planning.
Mr. P.J. Leonard, Financial Accountant.
Ms. Kathleen Farrell, Internal Auditor.
Mr. Kieran Cullinane, Senior Engineer, Transportation,
Environment & Water Services.

Ms. Margaret Moore, A/Senior Executive Officer,
Community.
Ms. Collette Harper, Senior Staff Officer, Finance.
Mr. Peter Scully, Audit Committee Chairperson.
Ms. Helen Ryan, Economic Development Officer.
Ms. Marian Hand, Assistant Staff Officer, Corporate
Services/Human Resources

OPENING PRAYER

The opening prayer was recited in Irish by the Members.

VOTES OF SYMPATHY

- Hughie Walker, Driver/Plant Operator A, Tullow Municipal District on the death of his sister Sheila.
- Carol Travers, Staff Officer, Finance Department, on the death of her mother Moira.
- Ewen Barry, Caretaker Grade III, Water Services on the death of his mother Mary.
- John Maher, Kilnock, Ballon, Co. Carlow on the death of his brother Patrick (Patsy).
- The Smithers Family, Ballinacrea, Myshall, Carlow on the death of their mother Johanna (Joan).
- Anne & Paul Doyle, St. Fiacc's Terrace, Graiguecullen, Carlow on the death of their son Alan.
- Karyn Ingram, 4 Talbot Terrace, Brownshill Road, Carlow Town, Carlow on the death of her mother Veronica.
- Noel Geoghegan, Pairc Mhuire, Bagenalstown, Carlow on the death of his wife Margaret (Peggy).
- Vicky Clarke, Bennekerry, Carlow on the death of her husband William.

VOTES OF CONGRATULATIONS

- Ciara McNally for winning second place in the Pan Celtic National Song Contest 2020.
- Fr Paul Dempsey on his appointment as Bishop of Achonry.

1.0 CONFIRMATION OF MINUTES

(1.1) 'Approval of Minutes of Monthly Meeting of Carlow County Council held on Monday 10th February 2020 at 2pm.

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

Following a show of hands, it was 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 10th February 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 STATUE, STANDING ORDERS OR RESOLUTIONS OF COUNCIL

(2.1) Audit Committee Charter 2020

Report presented by P. Delaney, Head of Finance. 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 2020 outlines the functions, policies and role of the Audit Committee. P. Delaney responded to all questions raised.

The Audit Committee Charter 2020 was

Proposed by Councillor **W. Paton**
Seconded by Councillor **T. O'Neill**
And

Following a show of hands, it was resolved: -

'That we, the Members of Carlow County Council approve the Audit Committee Charter 2020.'

(2.2) Audit Committee Work Programme 2020

P. Delaney, Head of Finance presented report. The 2020 audit committee draft work programme has been prepared in accordance with Carlow County Council's Audit Committee Charter. P. Delaney responded to all questions raised.

Councillor W. Paton proposed an amendment to this report as follows: -

Amendment

'To review and report to the Plenary Council at the July Plenary meeting regarding Recreation and Amenity Levies collected by Carlow County Council over the lifetime of the last Council 2014-2019.

The report will show the opening balance in each of the five former Electoral Areas and the transfer of those balances into the Carlow and Mhuine Beag Municipal Districts.

The report will give detailed information on amounts added to the opening balances (per former Electoral Area) and a detailed report on the expenditure from the amounts collected (per former Electoral Area).

The report will show the closing balances mid May 2019 and demonstrate how those closing balances were distributed to the Carlow, Tullow and Mhuine Beag Municipal Districts.

The report should be clear and transparent and err on the side of full disclosure at all times.'

Proposed by Councillor **W. Paton**

Seconded by Councillor **J. Cassin**

And

Following a show of hands, it was resolved: -

'That we, the Members of Carlow County Council approve with amendment, the Audit Committee Work Programme 2020.'

(2.3) Audit Committee Annual Report 2019 (Part 1 & Part 2)

This report was presented by Peter Scully Audit Committee Member. Section 122 of the Local Government Act 2001 provided a legal basis for the existence of Audit Committees. The Audit Committee met on two occasions between January and May 2019. Twenty-eight risks were identified 12 medium risks and 16 low risks. A tracking system exists in Carlow to check on implementations. 93 % recommendations were implemented. The Audit Committee again met on three occasions between July and December 2019. Seventeen risks were identified. Ten medium risks and seven low risks. 92% recommendations were implemented. P. Scully & P. O’Gorman responded to questions raised.

Councillor A. Wallace asked that the Fraud & Corruption Policy & Peter Scully’s Report be circulated to members.

The Audit Committee Annual Report 2019 (Part 1 & Part2) was

Proposed by Councillor A. McDonald

Seconded by Councillor F. Browne

And

Following a show of hands, it was resolved: -

‘That we, the Members of Carlow County Council approve the Audit Committee Annual Report 2019.’

(2.4) Public Lighting Energy Enhancement Project – Section 85 Agreement

Report presented by P. O’Gorman, Director of Services. It is proposed that Kilkenny County Council will act as the lead authority for the Eastern Region to undertake the required contract management responsibilities for the proposed scheme. Carlow County Council propose to enter into an agreement under Section 85 of the Local Government Act 2001 with Kilkenny County Council to give Kilkenny County Council all the powers, duties and functions of Carlow County Council in relation to the Public Lighting Energy Efficiency Project. The project includes an energy efficiency upgrade of 4,966 public lights at a projected cost of €2.8million. It is estimated that the implementation phase will take two years. Ken Boland, A/Senior Executive Engineer, Kilkenny County Council responded to questions raised. Each individual light will have its own controller. The works will take place County by County – Municipal District by Municipal District. There is a tender process and the

contractor will propose a works programme. The billing will be a metered system and the bills will be calculated, based on usage.

Proposed Public Lighting Energy Enhancement Project – Section 85 Agreement was: -

Proposed by Councillor **K. Murnane**
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 Proposed Public Lighting Energy Enhancement Project – Section 85 Agreement.’

Before item 2.5 on the agenda M. Rainey, Director of Services gave a briefing on the Coronavirus to members as follows;

- All aspects of services are being reviewed with regard to how to deliver those services as efficiently and effectively as possible with the reduced staff resources which may be available.
- Hand gels are provided in public spaces.
- The Council is reviewing the Council’s Business Continuity Plan.
- The Management Team are in contact with the Regional Group – HSE and heeding advice.

(2.5) Local Government Act 2001 – Approval of Corporate Plan 2020 - 2024

Report presented by M. Rainey, Director of Service. The Corporate Plan serves as the Council’s strategic framework for action during the lifetime of the Council. It outlines Carlow County Council’s Strategic Objectives and supporting strategies for the period 2020 – 2024, in relation to the Council’s Mission and Core Values. The Corporate Plan was prepared following a consultation process and review by the Corporate Policy Group. The plan is prepared following guidelines issued by the Department of Housing, Planning & Local Government. All Local Authority Corporate Plans are subject to review by the National Oversight and Audit Commission. The Local Authority are obliged to bring a Draft Corporate Plan within six months of the local elections. M. Rainey responded to questions raised. Councillor F. Browne requested a report be brought to the April Council meeting, showing current staff and staffing vacancies due to retirements and resignations.

Proposal to defer approval of the Corporate Plan 2020 – 2024, by one month to the April County Council Meeting was

Proposed by Councillor **W. Paton**
Seconded by Councillor **B. O’Donoghue**

And

Following a show of hands, it was resolved: -

‘That we, the Members of Carlow County Council approve the proposal to defer the approval of the Corporate Plan 2020 – 2024, by one month to the April County Council Meeting.’

(2.6) Local Government Act 2001 – Section 183 (1) Planning & Development Act 2000 – Section 211

Proposed approval in accordance with Local Government Act 2001 – Section 183 (1) Planning & Development Act 2000 – Section 211, the disposal of Council’s Rented Equity portion of Shared Ownership Load (Freehold Interest) in dwelling situated at 153 The Laurels, Tullow Road, Carlow to Bernard Weir & Carmel Weir, in consideration of the sum of €1.00 in accordance with the terms of the statutory notice already circulated was

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 Local Government Act 2001 – Section 183 (1) Planning & Development Act 2000 – Section 211, the disposal of Council’s Rented Equity portion of Shared Ownership Load (Freehold Interest) in dwelling situated at 153 The Laurels, Tullow Road, Carlow to Bernard Weir & Carmel Weir, in consideration of the sum of €1.00 in accordance with the terms of the statutory notice already circulated.’

(2.7) Planning & Development Act 2000 – 2018 Planning & Development Regulations 2001 – 2018 – Proposed Development of 2 houses at Main Street, Borris, Co. Carlow – Part 8

Approval of the Part 8 proposed development of two houses at Main Street, Borris, Co. Carlow was

Proposed by Councillor **W. Quinn**

Seconded by Councillor **M. Doran**

And

Following a show of hands, it was resolved: -

‘That we the Members of Carlow County Council approve the Part 8 proposed development of two houses at Main Street, Borris, Co. Carlow’

(2.8) To consider the Chief Executive’s Report on the Proposed Material Contravention of the Carlow County Development Plan 2015 – 2021 and the Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area 2012 – 2018, containing the Carlow Town Environs Local Area Plan 2012 – 2018 (as extended).

Proposed by Councillor

F. Phelan

Seconded by Councillor

F. Browne

And

Following a show of hands, it was resolved: -

‘That we the Members of Carlow County Council approve the Chief Executive’s Report on the Proposed Material Contravention of the Carlow County Development Plan 2015 – 2021 and the Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area 2012 – 2018, containing the Carlow Town Environs Local Area Plan 2012 – 2018 (as extended).’

(2.9) Twinning & Diaspora – approval of members to travel to Fourchambault France and Echternach Luxembourg

The Twinning & Diaspora Committee met on the 27th February 2020 to consider Twinning and Diaspora matters. The committee recommended that Councillor Brian O’Donoghue attend Fourchambault, France from 27th March to 29th March 2020. The committee also recommended that Councillors Fintan Phelan and Fergal Brown travel to Echternach in Luxembourg from 31st May to 4th June 2020.

Approval of members to travel to Fourchambault France and Echternach Luxembourg was

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 approve nominated members to travel to Fourchambault, France and Echternach, Luxembourg.

(2.10) 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 the following housing developments:

(1) Grinawn Court, Station Road, Bagenalstown

(2) Kilree Street, Bagenalstown

(3) Maple Court, Carlow Town

(4) The Fairways, Carlow Town

Proposed by Councillor F. Phelan

Seconded by Councillor F. Browne

And

Following a show of hands, it was resolved: -

‘That we the Members of Carlow County Council approve of Carlow County Council commencing the public consultation process for taking-in-charge of roads and services at Grinawn Court, Station Road, Bagenalstown, Kilree Street, Bagenalstown, Maple Court, Carlow Town and The Fairways, Carlow Town.’

The following queries were raised by members

- Payment of development levies for housing developments
- Legislations in place to ensure works complete
- Expired Bonds – unfinished housing estates

- School house – Ballinkillen, Carlow
- Cash bonds acceptable for future development
- Apply for funding for unfinished estates

M. Rainey, Director of Service and F. O'Neill, Senior Executive Officer responded to questions raised.

3.0 CORPORATE, PLANNING, ECONOMIC DEVELOPMENT, HEALTH & SAFETY

(3.1) Community Tourism Festival & Event Grant Scheme 2020 & Community Tourism Venue Funding 2020

Proposed by Councillor F. Phelan

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 Community Tourism Festival & Event Grant Scheme 2020 & Community Tourism Venue Funding 2020.'

K. Comerford responded to all questions raised. K. Comerford to circulate one page from the report which was missing to members.

(3.2) Conference Attendance Approvals

Proposed by Councillor B. O'Donoghue

Seconded by Councillor W. Paton

And

Following a show of hands, it was resolved: -

'That we, the Members of Carlow County Council, hereby approve the following Conference Attendance.'

CONFERENCES

Irelands Buzzing: International Conference on Pollinator Conservation

Dates: 4TH & 5TH March 2020

Venue: The Strand Hotel, Ennis Road, Limerick, Ireland

Evening Dinner Optional Extra 25 P/P

FEE: 60.00

Bright Light Summit

Dates: - 27th & 28th March 2020

Venue: - Breaffy House Resort, Castlebar, Ireland

FEE: FOC

Property Management Companies in 2020 (MUD's)

Housing Agency - Outreach events, Spring 2020

Venue & Dates

Clayton Hotel Silver Springs, Cork

Wednesday 19 February 2020

Castle troy Park Hotel, Limerick

Wednesday 26 February 2020

Talbot Hotel, Stillorgan, Dublin

Wednesday 4 March 202

CLAYTON HOTEL SLIGO

Wednesday 25 March 2020

Chartered Accountants House, Pearse Street, Dublin 2

Wednesday 1 April

Glen royal Hotel & Leisure Club, Maynooth

Tuesday, 21 April

Boyne Valley Hotel & Country Club, Drogheda

Tuesday 28 April

Hodson Bay Hotel, Athlone

Tuesday 5 May

Registration via Eventbrite.

Eventbrite, or by email to MUD@housingagency.ie.

FEE: FOC

4.0 Community, Housing, Recreations & Amenity

(4.1) Carlow Local Community Development Committee Annual Report 2019

Report presented by M. Moore, A/Senior Executive Officer, Community. Members of Carlow LCDC approved the LCDC Annual Report for 2019 at their meeting held on 25th February 2020. The Carlow Local

Community Development Committee are required under the Local Government Act 2001 Section 128 (1) (i), to prepare, adopt and submit an Annual Report to the Local Authority in respect of the performance of its function in the previous calendar year.

Approval of the Carlow Local Community Development Committee Annual Report 2019 was

Proposed by Councillor

W. Paton

Seconded by Councillor

K. Murnane

And

Following a show of hands, it was resolved: -

‘That we, the Members of Carlow County Council, hereby approve the Carlow Local Community Development Committee Annual Report 2019.’

Members raised queries as follows

- Community Enhancement Programme – breakdown of funding provided.
- Dates for Programmes – brief description of programmes, grants available, open and close date.
- Leader Funding – can local authority staff educate/train groups on the application process for Leader Funding.

Councillor A. Dalton advised members that the Carlow Public Participation Network Website has a “Social and Communities Funding Opportunity” on their home page which provides a listing of grants available including opening and closing date. Link to website <https://www.carlowppn.ie/funding/> M. Moore responded to all questions.

5.0 CHIEF EXECUTIVE’S REPORT

Members discussed Chief Executive’s Monthly Management Report for the period to 29th February 2020.

Issues raised by the Members included: -

- Litter fines – can offenders be named, and list of sanctions applied. K. Holohan advised the local authority are seeking advice if they can name and shame.
- Blackstairs Mountains Project
- Public Bins – the need for an increase in public bins
- Online Streaming of Council Meetings – E. Brophy agreed that a report would be brought to the April Council Meeting.
- Vacant Commerical Properties

- Oak Park – footpath disintegrating. M. Brennan advised this project needs capital funding.
- Lands at Eire Og football club that was given back to the Council. M. Brennan to send map to Cllr. Cassin.
- Derelict houses in Towns & Villages
- Collapse of ceiling in the Heritage Centre St. Mullins
- Assets transferred to Irish Water
- Pumping Station/Water Plants
- Kilbrannish Walking Loop – right of way. Cllr. C. Murphy to speak to P. O’Gorman re safety concerns.
- TUSLA – no further correspondence
- Dangerous Structures – report requested

6.0 Correspondence

Members noted resolution from Kerry County Council – regarding people objecting to planning who are not from the area. They should be 10km from the proposed development.

Members noted resolution from Donegal County Council – requesting a review from the Irish Water Regulator and reduction of costs involved for new water connections.

Members noted correspondence from Coillte – acknowledging receipt to Carlow County Council’s letter dated 13th February 2020 thanking the members for their invitation to attend the March Council Meeting. Coillte have made a proposal to attend the April Council Meeting.

Proposed by Councillor W. Quinn

Seconded by Councillor C. Murphy

AND

Following a show of hands, it was resolved: -

‘That we, the Members of Carlow County Council approve the proposal from Coillte to attend the April Council Meeting.’

Members noted correspondence from Foras na Gaeilge – thanking those on Carlow County Council’s team who met Éamonn ÓhArgáin, Foras na

Gaeilge’s Developmnet Services Director and Seán Ó Coinn last year in relation the Government’s policy in relation to Irish language planning. Foras na Gaeilge would welcome an opportunity to make a short presentation on this subject to the members in 2020.

Members noted correspondence from Department of Health – giving an update on progress made since the Sláintecare Integration Programme Implementation Office was established. Sláintecare is the ten-year programme to transform our health and social care services.

Councillor A. McDonald advised that a meeting is scheduled with the HSE for Wednesday 18th March 2020. Councillors A. McDonald, J. McDonald and B. O’Donoghue are part of the South Forum. If members would like any issues raised, please give it to them prior to the meeting.

7.0 Notices of Motion

(7.1) Standing in the name of Councillor W. Paton

Proposed by Councillor W. Paton
Seconded by Councillor W. Quinn
And

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

Recognising (a) that it can take several months to formulate and finalise a new Draft Strategic Policy Committee Scheme and (b) that it can take several months for the Public Participation Networks to complete a process to nominate members to the various proposed Strategic Policy Committees after the adaptation of the Draft strategic Policy Committee Scheme.

*That this Council calls on the Minister for the Environment, Community and Local Government to amend the guidelines “**Corporate Policy Groups and Strategic Policy Committees: Guidelines for establishment and operation**” to allow the Strategic Policy Committees of the previous Council to remain in place until such time as the new Council has adapted a Strategic Policy Committee Scheme.*

Furthermore, the guidelines should be amended to require the resignation of the Chairs of each of the Strategic Policy Committee from the previous Council and the appointment of the Chairs – designate to the existing Strategic Policy Committees until such time as the new Strategic Policy Committee Scheme is adopted.

(7.2) Standing in the name of Councillors C. Murphy & T. Kinsella

Proposed by Councillor C. Murphy
Seconded by Councillor T. Kinsella
And

Following a show of hands, it was resolved: -

“Carlow County Council are asking the Irish Government to demand the return of hundreds of Irish historical objects housed in the British museum. All of these objects are of historical importance to this country and have been taken from almost every county in Ireland. The objects are in the possession of the British museum for decades. Some of these articles from the Bronze and Iron Age and have significant cultural value to Ireland. We are requesting their immediate return.”

(7.3) Standing in the name of Councillor A. Wallace

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

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

“Following the recent strike action from members of the Teachers Union of Ireland this Council will write to the next Taoiseach and demand an end to the Pay Discrimination new entrant teachers face under the FEMPI Legislation.”

8.0 ANY OTHER BUSINESS WITH THE CONSENT OF THE CATHAOIRLEACH

No other business

This concluded the business of the meeting.