

**Minutes of September Meeting of Carlow County Council held in
the Council Chamber, County Offices, Athy Road, Carlow
on Monday 9th September, 2024 at 2:00 p.m.**

Present: Councillor F. Browne
Councillor J. Cassin
Councillor A. Dalton
Councillor J. Deane
Councillor P. Doogue,
Councillor M. Doran
Councillor A. Gladney
Councillor T. Kinsella
Councillor K. Murnane
Councillor C. Murphy
Councillor B. O'Donoghue *Remotely*
Councillor W. Paton
Councillor D. Pender
Councillor J. Pender
Councillor F. Phelan
Councillor W. Quinn
Councillor A. Wallace
Councillor B. Ward

In attendance: Mr. C. O'Reilly, Chief Executive
Mr. P. O'Gorman, Director of Transportation, Environment,
Climate Action, Building Control & Emergency Services.
Mr. M. Rainey, Director of Corporate, Planning, Economic
Development, Information Technology and Health & Safety
Mr. M. Brennan, Director of Community, Recreation, Amenity, Sports,
Arts, Culture, Libraries, Museum & Heritage Services
Ms. F. O'Neill, Acting Director of Service – Housing, Ukrainian
Humanitarian Response and Refugee Resettlement Programme
Mr. P. J. Leonard, Acting Director of Finance
Mr. L. Carroll, Senior Executive Officer
Ms. S. Dowling, Arts Officer
Mr. J. Shorthall, County Librarian
Mr. B. Knowles, Senior Executive Officer
Mr. J. Woods, A/Senior Executive Officer
Ms. C. Healy, Staff Officer
Ms. S. Corrigan, Staff Officer
Ms. Anita Sweeney, Senior Planner *Remotely*
Ms. N Lawler, Senior Executive Officer *Remotely*
Mr. K. Comerford, Head of Economic Development *Remotely*
Mr. B. O'Donovan, Senior Executive Officer *Remotely*
Ms. O. Barrett, Senior Engineer *Remotely*
Mr. T. Madden, Acting Senior Executive Officer *Remotely*

The Cathaoirleach welcomed everyone to the meeting.

Votes of Sympathy

Chris Coughlan and family on the death of Eamonn Coughlan, Bawnree.

Helena McDonagh on the death of Patrick McDonagh, Ballon.

Theresa Tierney and Family on the death of P. J. Tierney, Tullow.

Byrne Family on the death of Margaret Byrne, Tullow.

Votes of Congratulations

The Members of Carlow County Council at their meeting held on Monday 9th September 2024, unanimously resolved that a vote of congratulations be extended to the Community Section, Municipal District of Carlow, Tidy Towns Groups and all organisations both statutory, voluntary and community involved in the Entente Florale Europe 2024 competition in which Carlow won (i) Gold Award, (ii) Special Characteristic Award -Delta Sensory Gardens and (iii) the President Prize for the Rain Gardens.

Members congratulated Cllr. A. Dalton on being elected Chair of Kilkenny & Carlow Education Training Board and wished her well.

Members congratulated the National Community Games Committee and all involved in the successful running of the national community games competition in Carlow over the last two weekends.

Members congratulated Cllr. B. O'Donoghue and Miriam on the birth of their daughter Eila.

Members congratulated Eoin Sullivan, Heritage Officer and the community groups on the successful running of events for Heritage Week.

Members congratulated Tinryland Heritage Group on the successful holding of "Tinryland Past and Present" Photographic Exhibition for National Heritage Week.

Members congratulated St. Mullins Heritage & Tourism group on holding a very successful "From Wilderness to Wonderment on Wild Child Day" in St. Mullins for National Heritage week.

Members congratulated Finn Lynch on finishing tenth place overall in the Mens Dinghy ILC 7 class for Team Ireland at the Paris 2024 Olympics.

Members congratulated Carlow Under 16 girls camogie team on winning the Under 16 B All Ireland Championship Camogie final.

Members congratulated Eamonn Tracey on being crowned Supreme World Ploughing Champion at the 69th World Ploughing Contest which took place in Estonia, which marks his third successive victory in the Conventional Class.

1.0 Confirmation of Minutes/Dearbhú Miontuairiscí

1.1 Approval of Minutes of monthly meeting of Carlow County Council held on Monday 1st July 2024

Proposed by Cllr. A. Dalton

Seconded by Cllr. B. Ward

Following a show of hands, it was agreed:-

“That the Minutes of the July Monthly Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow on Monday, 1st July 2024 at 2.00 pm having been circulated to each Member be taken as read, confirmed as to accuracy and accordingly signed”

1.2 Approval of Minutes of Special Meeting of Carlow County Council held on Tuesday 30th July 2024

Proposed by Cllr. W. Paton

Seconded by Cllr. M. Doran

Following a show of hands, it was agreed:-

“That the Minutes of the Special Meeting of Carlow County Council held in the Council Chamber, County Offices, Athy Road, Carlow on Tuesday 30th July 2024 at 2.00 pm 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 Part XI of the Planning and Development Act 2000 (as amended) Part VIII of the Planning and Development Regulations 2001 (as amended) and Section 138 of the Local Government Act 2001 (as amended) – Proposed development at Presentation Convent, Bagenalstown.

Proposed by Cllr. M. Doran
Seconded by Cllr. A. Gladney

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

“That we the Members of Carlow County Council approve in accordance with Part XI of the Planning and Development Act 2000 (as amended) Part VIII of the Planning and Development Regulations 2001 (as amended) and Section 138 of the Local Government Act 2001 (as amended) – the proposed development at Presentation Convent, Bagenalstown be proceeded with in accordance with the plans and particulars placed on public display and to any such minor and immaterial alterations to these plans and particulars and subject to the conditions as set out.

2.2 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 – Taking in charge of roads and services at Cois Dara, Tullow Road, Carlow (Phase 1) (Units 1 – 93)

Proposed by Cllr. P. Doogue
Seconded by Cllr. J. Cassin

And agreed following a show of hands

“That we the members of Carlow County Council hereby approve in accordance with 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, the taking in charge of roads and services at Cois Dara, Tullow Road, Carlow (Phase 1) (Units 1 – 93).

2.3 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 Slaney Bank, Rathvilly, Co. Carlow.

Proposed by Cllr. J. Pender
Seconded by Cllr. J. Deane

And following a show of hands agreed:-

“That we the members of Carlow County Council hereby approve in accordance with Section 11 of the Roads Act 1993, Section 180 of Planning & Development Act 2000 as amended and Section 59 of the Planning & Development Act 2010 – the commencement of the public consultation process for taking in charge of roads and services at Slaney Bank, Rathvilly, Co. Carlow.

2.4 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 roads and services on lands at Potato Market, Carlow – Area at “B” as highlighted in red on attached map.

Proposed by Cllr. P. Doogue

Seconded by Cllr. A. Wallace

And following a show of hands agreed:-

“That we the members of Carlow County Council hereby approve in accordance with Section 11 of the Roads Act 1993, Section 180 of the Planning & Development Act 2000 as amended and Section 59 of the Planning and Development Act 2010 – the commencement of the public consultation process for taking in charge of roads and services on lands at Potato Market Carlow – Area at “B” as highlighted in red on attached map.”

2.5 Planning & Development Act 2000 – Section 211, Planning & Development Regulations 2001, Local Government Act 2001 Section 183 (1) – Disposal of plot of ground at 37 Pacelli Avenue, Graiguecullen, Carlow (Folio No. CW8750F 0.045 acres)

Proposed by Cllr. J. Cassin

Seconded by Cllr. P. Doogue

And following a show of hands agreed:-

“To approve in accordance with Planning & Development Act 2000 – Section 211, Planning & Development Regulations 2001, Local Government Act 2001 Section 183 (1) - Disposal of plot of ground at 37 Pacelli Avenue, Graiguecullen, Carlow (Folio No. CW8750F 0.045 acres) to Martha Ralph, 37 Pacelli Avenue, Graiguecullen in consideration of the sum of €100.00 in accordance with the statutory notice as circulated. The consent of the Minister for Housing, Local Government and Heritage is not necessary in this disposal.”

2.6 Carlow County Council Noise Action Plan Review

P. O’Gorman briefed on the Carlow County Council Noise Action Plan Review and answered questions raised by the members.

2.7 Audit Committee 2024 – 2029 Membership – Recommendation from the Corporate Policy Group

Members had for consideration and approval, nominations by the Corporate Policy Group to the Audit Committee 2024 – 2029.

Proposed by Cllr. W. Paton

Seconded by Cllr. A. Dalton

Following a show of hands it was unanimously resolved:-

“That we, the Members of Carlow County Council, hereby approve the appointment of

Mr. Arthur McDonald to the Audit Committee 2024 - 2029

Mr. John Murphy to the Audit Committee 2024 - 2029

Ms. Susan Kearney to the Audit Committee 2024 - 2029

Ms. Linda O’Brien to the Audit Committee 2024 - 2029

Mr. Peter Scully to the Audit Committee 2024 - 2029

as per recommendation of the Corporate Policy Group and in accordance with the Local Government (Audit Committee) Regulations 2014.’

2.8 To approve Overdraft Accommodation for the year ended 31st December 2025

Proposed by Cllr. K. Murnane

Seconded by Cllr. P. Doogue

And following a show of hands it was resolved:-

“That we, the elected members of the Council hereby approve an Overdraft Accommodation in the sum of €7 million for the year ended 31st December 2025 in accordance with Section 106 of the Local Government Act 2001.

That we, the members of Carlow County Council do hereby approve the terms and conditions applicable to overdraft facility in the amount of €7 million (together the “Facility”) made available by Allied Irish Banks, p.l.c. (the “Bank”) to the Council under the Offer Letter dated 27th August 2024 and that each of Coilín O’Reilly being the Chief Executive of the Council and P. J. Leonard being the Acting Director of Finance of the Council, are hereby authorised to sign the Offer Letter jointly on behalf of the Council and such other authorities, documents and instructions that the Bank may require to be signed by the Council in connection with the Facilities.”

2.9 Agreed dates for the 2025 Budget Meetings

Proposed by Cllr. A. Dalton

Seconded by Cllr. F. Phelan

And following a show of hands agreed:-

“That we the members of Carlow County Council, in accordance with Circular Fin 11/2024, agree the Budget Briefing/Workshop be held at 11.30 a.m. on Friday 29th November 2024 and the Statutory Budget 2025 Meeting be held at 2.00 p.m. on Friday 29th November 2024.”

**2.10 Local Property Tax – Setting of a Local Adjustment Factor 2025 in accordance with the Finance (Local Property Tax) Act 2012 (as amended)
Proposed by Cllr. F. Phelan
Seconded by Cllr. M. Doran**

“That we the members of Carlow County Council hereby resolve that the Local Property Tax, (Local Adjustment Factor) for 2025 will remain unchanged from the +5% Local Property Tax (Local Adjustment Factor) for 2024 and that the resulting income will be ringfenced for community services and supports.”

The following amendment was
**Proposed by Cllr. A. Wallace,
Seconded by Cllr. J. Cassin**

and agreed following a show of hands.

“That we the members of Carlow County Council hereby resolve to vary the Local Property Tax (Local Adjustment Factor) for 2025 downwards by 15% for the year 2025 in respect of relevant residential properties situated in the administrative area of Carlow County Council and that the variation in the Local Property Tax rate applies for a one year period.”

A roll call was taken on the amended Proposal by Cllr. Wallace

<i>Member of Carlow County Council</i>	<i>For</i>	<i>Against</i>	<i>Abstain</i>	<i>Absent</i>
Fergal Browne		√		
John Cassin	√			
Andrea Dalton		√		
Jim Deane	√			
Paul Doogue		√		
Michael Doran		√		
Andy Gladney	√			
Thomas Kinsella		√		
Ken Murnane		√		
Charlie Murphy				√
Brian O'Donoghue		√		
William Paton			√	
Daniel Pender		√		
John Pender		√		
Fintan Phelan		√		
William Quinn			√	
Adrienne Wallace	√			
Ben Ward		√		

The result was 4 For, 11 Against, 2 Abstained and 1 Absent. The motion was defeated.

A roll call was taken on Proposal by Cllr. F. Phelan

Member of Carlow County Council	For	Against	Abstain	Absent
Fergal Browne	√			
John Cassin			√	
Andrea Dalton	√			
Jim Deane		√		
Paul Doogue	√			
Michael Doran	√			
Andy Gladney		√		
Thomas Kinsella	√			
Ken Murnane	√			
Charlie Murphy				√
Brian O'Donoghue	√			
William Paton			√	
Daniel Pender	√			
John Pender	√			
Fintan Phelan	√			
William Quinn			√	
Adrienne Wallace		√		
Ben Ward	√			

The result was 11 For, 3 Against, 3 Abstained and 1 Absent. The motion was passed.

2.11 Adoption of Strategic Policy Committee Scheme Corporate Policy Group Scheme 2024 – 2029

J. Woods briefed on the Strategic Policy Committee Scheme Corporate Policy Group Scheme 2024 – 2029 which was discussed.

Proposed by Cllr. K. Murnane

Seconded by Cllr B. Ward

And following a show of hands agreed:-

“That we the members of Carlow County Council adopt the Strategic Policy Committee Scheme Corporate Policy Group Scheme 2024 – 2029 in accordance with Section 48 of the Local Government Act 2001, as amended by Section 41 of the Local Government Reform Act 2014 with amendment to include Disability Policy on Planning, Economic Development, Regeneration, Finance and ICT Strategic Policy Committee.”

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

3.2 Commencement of Corporate Plan 2024 – 2029 Consultation

J. Woods presented on the Corporate Plan 2024 – 2029 on development timelines and process and answered queries raised.

3.3 Training & Conference Approvals

AILG	Radisson Blu Hotel Cork	For Councillors whose parent Councils are within the area of the <i>Southern Regional Assembly</i> Out of Option Region For Councillors whose parent Councils are within the Northern & Western and the Eastern & Midlands area All Elected Members can attend this venue	Saturday 13th July 2024	€85
AILG	Hillgrove Hotel, Monaghan	AILG Autumn Training Seminar 2024	Wednesday 11th & Thursday 12th September	€170
AILG	Horse & Jockey (Tipperary)	September Training Module “An Overview of the Planning System”	Thursday 26th September 9.30am – 1.00pm	€85
AILG	Bridge House Hotel (Tullamore)	September Training Module “An Overview of the Planning System” Out of Region option for Southern Region	28th Sep 2024	€85
Celtic Conferences	McKevitt’s Hotel, Carlingford, Co. Louth	“A Practical Guide to Budget 2025”	11th, 12th and 13th October 2024	€130

Training/Conferences noted.

4.0 Chief Executives Report/Tuarascáil an Phríomhfheidhmeannaigh

Questions raised on the Chief Executives Report for the months of June, July and August included dereliction, emergency accommodation, land at Goresbridge for carparking, housing grant applications and lack of funding and contractors, women’s refuge, St. Mary’s graveyard, public lighting, Southern Relief Road, hedge cutting, road conditions and improvement in Bagenalstown and Bagenalstown Swimming Pool.

C. O’Reilly and Management Team responded to questions raised.

3.1 Presentation by Visual

Emma Lucy O'Brien and Niall Scully gave a detailed presentation on Visual and answered questions raised.

5.0 Correspondence/Comhfhreagras

Members noted the first issue of the Local Authority Water Services Newsletter for Carlow County Council from Uisce Eireann.

Members noted response from the National Transport Authority in relation to request for a bus stop in Ardattin Village.

Members noted motion passed by Wexford Council requesting a zero tolerance approach towards gender based violence be adopted.

6.0 Notices of Motion/Fógraí Rúin

6.1 Standing in the name of Cllr. Will Paton

"That this Council amend the Carlow County Development Plan 2022-2028 to include protection of good quality agricultural lands from large scale development, including from Solar PV developments, which could be accommodated elsewhere and that would undermine the future agricultural productivity of the land or irreversibly harm the commercial viability of existing or adjoining agricultural land."

Members noted response as circulated.

Proposed by Cllr. W. Paton

No Seconder

6.2 Standing in the name of Cllr. A. Dalton

"Carlow County Council calls for an immediate and permanent ceasefire in response to the indiscriminate bombing and destruction of Gaza."

Proposed by Cllr. A. Dalton

Seconded by Cllr. A. Wallace

And agreed following a show of hands.

6.3 Standing in the name of Cllr. A. Dalton

“Carlow County Council supports an individuals right to boycott Israel until it is in compliance with International law, without suffering local, state, European Union penalties or sanctions.”

Proposed by Cllr. A. Dalton

Seconded by Cllr. A. Wallace

And agreed following a show of hands.

6.4 Standing in the name of Cllr. B. Ward

That Carlow County Council upholds its policy of “mixed tenure communities” across the whole county by implementing affordable housing schemes in current and future housing developments.”

Proposed by Cllr. B. Ward

Seconded by Cllr. P. Doogue

And agreed following a show of hands

6.5 Standing in the name of Cllr. A Wallace

“This council regrettably notes that the numbers of families and individuals in homeless accommodation continues to rise each month and that the government is failing to reach its own targets for new social and affordable homes.

We therefore condemn the recent guidance note to councils from the Department of Housing, Local Government and Heritage (DoHLGH) limiting the numbers of homes that can be bought under Tenant in Situ and other programmes.

We call on the Minister to immediately rescind the recent guidance note and to ensure that all councils have the necessary funds and powers to purchase any and all homes to prevent evictions and to increase their stock of social and affordable homes.”

Proposed by Cllr. A. Wallace

Seconded by Cllr. J. Deane

And following a show of hands the motion was defeated.

6.6 Standing in the name of Cllr. A. Wallace

“Noting the record housing crisis, Carlow Council calls on the Department of Housing, Local Government & Heritage to apply the demands outlined below to alleviate the crisis for people in Carlow:-

- Increase the supply of social and affordable homes so that social and cost rental housing accounts for a minimum of 20% of the total housing stock per the Housing Commission Report.
- Reinstate a moratorium on evictions to stem the tide of private renters into homelessness.
- Direct local authorities to prioritise households in emergency accommodation for intensive case management to facilitate exits out of homelessness – this should include increased resourcing for case managers, local authority social work sections and appropriate support services.
- Direct local authorities to establish new allocation procedures to give fairer access to housing for those in long term homelessness – including schemes like Housing First.
- Draft legislation requiring local authorities to regard the best interests of children when responding to families presenting as homeless.”

Proposed by Cllr. A. Wallace

Seconded by Cllr. J. Deane

And following a show of hands the motion was defeated.

6.7 Standing in the name of Cllr. W. Paton

"That Carlow County Council calls on the Minister for Further and Higher Education, Innovation and Science, Patrick O' Donovan, to make a final determination on the new veterinary and pharmacy programmes for the South East Technological University before 1st October, 2024 - so that arrangements can be made to commence such student registration by 1st September, 2025."

Proposed by Cllr. W. Paton

Seconded by Cllr. A. Dalton

And agreed following a show of hands.

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

Cllr. W. Paton raises issue with lack of spaces on school bus from Rathvilly to Tullow.

Cllr. C. Murphy raised concern regarding drug use.

Cllr. Cassin raised issue with road condition of Tullow Street up to Shamrock Square.

Members expressed concern regarding a new road sign at the Junction 5 roundabout at Tinryland which is causing confusion for drivers using the roundabout.

Members expressed concern regarding closure of road at Mill Street Tullow.

Cllr. A. Wallace queried Carrigbrook housing estate and need to level open space area.

Cllr. J. Pender raised concern for road safety on the N80 Carlow to Bunclody and particularly at Cross Roads junctions and looked for update on Leagh Bends and possibility of a safety audit being carried out.