

**Minutes of March Meeting of Carlow County Council held in the
Council Chamber, County Offices, Athy Road, Carlow
on Monday 10th March 2025 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
Councillor W. Paton
Councillor D. Pender
Councillor J. Pender
Councillor F. Phelan
Councillor W. Quinn
Councillor A. Wallace
Councillor B. Ward

In attendance: Mr. P. O'Gorman, Deputy Chief Executive
Mr. K. Cullinane, A/Director of Services
Mr. M. Brennan, Director of Services
Ms. F. O'Neill, Acting Director of Services
Mr. P. J. Leonard, A/Director of Finance
Ms. O. Barrett, Senior Engineer
Ms. A. Nolan, Acting Arts Officer
Ms. Aine Donohue, Assistant Arts Officer
Ms. Deborah Foley, Community Sports Development Officer
Laura Kelly, Community Development Officer
Ms. Victoria Kavanagh, Community Development Officer
Ms. J. O'Brien, Climate Officer
Ms. F. Byrne, Senior Executive Officer
Ms. M. Griffin, Administrative Officer
Ms. C. Healy, Staff Officer
Mr. L. Carroll, Senior Executive Officer
Ms. A. Sweeney, Senior Planner
Mr. B. Knowles, Senior Executive Officer
Mr. K. Comerford, Head of Economic Development & Enterprise *Remotely*
Ms. S. O'Neill, Administrative Officer *Remotely*
Ms. N. Lawler, Senior Executive Officer *Remotely*
Mr. T. Madden, Acting Senior Executive Officer *Remotely*
Mr. C. Madden, A/Senior Executive Engineer *Remotely*
Ms. L. Slye, Senior Executive Engineer *Remotely*

Apologies: Mr. C. O'Reilly, Chief Executive

The Cathaoirleach welcomed Senator Patricia Stephenson to the meeting.

Votes of Sympathy

Rasmussen Family on the death of Christian Rasmussen, Kilmeaney, Carlow.
Pat Farrell & Family on the death of his father, Patrick, Burrin Road, Carlow.

Votes of Congratulations

Michael Byrne on the recent launch of his book celebrating the 50th anniversary of the Michael Davitt's Club – "Michael Davitt's GAA Club 50 years 1971 – 2020."
Local Enterprise Office on the successful holding of events during Local Enterprise week.

Community Section for their work on the Carlow Farmer Wellbeing Initiative which has been named the overall winner in the Best Community Wellbeing Initiative in Ireland at the Local Authority Members Association (LAMA) Community and Council Awards.

Carlow Youth Darts team on securing their third consecutive INDO Inter-Counties Championship.

Sue Faulkner on recently winning the 'Best Short Film Screenplay' gong at the prestigious Febrique du Cinema awards in Rome.

1.0 Confirmation of Minutes/Dearbhú Miontuairiscí

Approval of Minutes of monthly meeting of Carlow County Council held on Monday, 10th February 2025

Proposed by Cllr. B. O'Donoghue

Seconded by Cllr. B. Ward

Following a show of hands, it was agreed:-

"That the Minutes of the February monthly meeting of Carlow County Council held in the Council Chamber on Monday 10th February 2025 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 Filling of vacancy on Carlow Local Community Development Committee

Proposed by Cllr. F. Phelan

Seconded by Cllr. A. Dalton

Following a show of hands, it was agreed:-

“That we the members of Carlow County Council hereby approve the appointment of Ms. Lisa Brooks, Take A Part Carlow Arts Action Group, to fill the vacancy on the Carlow Local Community Development Committee.”

2.2 To consider the Proposed Variation No. 1 of the Carlow County Development Plan 2022-2028 and the Chief Executive’s Report on submissions received pursuant to Section 13(5) Planning and Development Act 2000 (as amended)

Summary

- i. In accordance with Section 13(2) of the Planning and Development Act 2000 (as amended), Carlow County Council initiated a proposed variation of the Carlow County Development Plan 2022-2028.
- ii. The Proposed Variation arose from receipt of submissions relating to the Residential Zoned Land Tax published in 2023 and 2024.
- iii. The Proposed Variation relates primarily to land use zoning changes in the Borris Small Town Plan (1ha at Scorteen rezoned from residential to agriculture and 1.7ha at Bog Lane from Strategic Reserve to Residential) and in the Kildavin Village Plan (0.63ha from existing residential / infill to agriculture and an uplift in units deliverable on a new residential site from 15-18).
- iv. The Proposed Variation was subject to public consultation from the 8th January to 5th Feb 2025.
- v. 8 Submissions were received. No issues of concern were raised in the submission received and have been responded to in the Chief Executives Report.
- vi. The Chief Executive’s Report on the submissions received issued to the Elected Members on the 24th February 2025. No modifications to the Proposed Variation are recommended on foot of the submissions received. The Chief Executive recommends the Proposed Variation be made by the members as published.

Resolution

"We the Members of Carlow County Council having considered the Proposed Variation to the Carlow County Development Plan 2022-2028, the Chief Executive Reports on Consultations; and

- The Strategic Environmental Assessment (SEA) Screening Report*
 - The Appropriate Assessment (AA) Screening Report*
 - Screening for SEA and AA determinations*
 - Written submissions relating to SEA, AA made during the variation process*
 - Ongoing advice on SEA and AA from the Council's agents*
- in accordance with the provisions of Section 13 of the Planning and Development Act 2000 (as amended), the members agree, by resolution, to make the Variation, as recommended by the Chief Executive at the Council Meeting on 10th March 2025.*

Proposed by Cllr. W. Quinn

Seconded by Cllr. C. Murphy

A roll call was taken as follows:

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	√			

Decision/Resolution: 18 voted in favour

To proceed in accordance with Section 13 of the Planning and Development Act 2000 (as amended) to publish notice of the making of Variation No. 1 of the Carlow County Development Plan 2022-2028."

2.3 Planning & Development Act 2000 - Section 211, Local Government Act 2001 - Section 183 (1) - Disposal of land contained in Folio CW11257F (0.0120 Hectares) at 8 Castle Hill, Carlow.

Proposed by Cllr. K. Murnane

Seconded by Cllr. A. Wallace

Following a show of hands, it was agreed:-

“That we the members of Carlow County Council hereby approve in accordance with Planning & Development Act 2000 – Section 211, Local Government Act 2001 - Section 183 (1) – the disposal of site and premises at 8 Castle Hill, Carlow, R93 E521 registered under Folio CW11257F (0.0120 Hectares) to Al-Amin Bhuiyen, in consideration of the sum of €135,000 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.”

2.4 Approval of Local Sport and Physical Activity Plan for County Carlow 2025 - 2029

Deborah Foley gave a comprehensive presentation on the Local Sport and Physical Activity Plan for County Carlow 2025 – 2029 and answered questions raised by the members.

Proposed by Cllr. F. Phelan

Seconded by Cllr. B. Ward

Following a show of hands, it was agreed:-

“That we the members of Carlow County Council approve the Local Sport and Physical Activity Plan 2025 - 2029 for County Carlow.”

2.5 Approval of Community Gardens & Allotments Policy

Laura Kelly gave a comprehensive presentation on the Community Gardens and Allotments Policy and answered questions raised by the elected members.

Proposed by Cllr. F. Phelan

Seconded by Cllr. A. Wallace

Following a show of hands, it was agreed:-

“That we the members of Carlow County Council hereby approve the Community Gardens and Allotments Policy.”

2.6 Approval of Arts Grants 2025

M. Brennan briefed on the Arts Grants 2025.

Proposed by Cllr. J. Cassin

Seconded by Cllr. D. Pender

Following a show of hands, it was agreed:-

“That we the members of Carlow County Council hereby approve the Arts Act Grants 2025 for Individual Artists.”

Proposed by Cllr. W. Quinn

Seconded by Cllr. B. O’Donoghue

Following a show of hands, it was agreed:-

“That we the members of Carlow County Council hereby approve the Arts Act Grants 2025 for Arts Organisations/Community Groups.”

2.7 Approval of Appointment of Sectoral Interests to Strategic Policy Committee

F. Byrne briefed on the appointment of sectoral interest to the Strategic Policy Committee.

Proposed by Cllr. J. Cassin

Seconded by Cllr. J. Pender

Following a show of hands, it was agreed:-

“That we the members of Carlow County Council hereby approve the appointment of John McHugh to the Transportation, Environment, Emergency Services and Capital Projects Strategic Policy Committee.”

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

3.1 2025 Regional and Local Road Grant Allocations

O. Barrett, Senior Engineer, briefed on the 2025 Regional and Local Road Grant Allocations and answered questions raised by the members.

3.2 LA Climate Action Plan Progress Report

Ms. Jannette O’Brien gave a presentation on the Local Authority Climate Action Plan progress report and answered questions raised.

3.3 Training & Conference Approvals

Training and Conferences as circulated were agreed as

Proposed by Cllr. J. Pender

Seconded by Cllr. A. Dalton

And agreed following a show of hands.

4.0 Chief Executives Report

Questions raised by the members included review of forms and delay in processing housing grants and housing applications, revised housing targets, queries in relation to housing at Ballyknockan Manor, Staplestown Road, Carlow Road Tullow, Cois Dara, Tanner Hall, Monastery Hostel, public lighting at Graigowen, delays with ESB connections, Update on Toghers, Dublin Road IDA premises, Local Area Plans for Tullow and Bagenalstown, Carlow Southern Relief Road, St. Mary's Cemetery, Part V Brigidine Convent, Wall at the Quay Bagenalstown, Women's Refuge, ORIS submission, Bagenalstown Fire Station, Ballymoon Castle, Dublin Street site update and The Laurels interagency meeting. Questions raised by members were answered by the Management Team.

5.0 Correspondence/Comhfhreagras

Members noted resolution passed by South Dublin County Council calling on Irish Government to support the call for a Fossil Fuel Non-Proliferation Treaty

Members noted resolution passed by Roscommon County Council requesting Minister for Education to give extra time for students with Dyslexia, Dyscalculia and other learning difficulties sitting second level examinations.

Members noted resolution passed by Roscommon County Council calling on ESB Networks and National Emergency Coordination Group to ensure compliance with wayleaves and exclusion zones near overhead powerlines, forestry owners to meet clearance standards and compliance with the DAFM Standards for felling and restoration near public roads.

Members noted resolution passed by Roscommon County Council asking the Minister for Communications to ensure that all emergency frontline services have access to the GOV NE system to use any network available in major emergency events.

Members noted resolution passed by Roscommon County Council calling on Department of Agriculture, Department of Transport and Department of Environment for an incentive to be put in place for landowners to move trees off the roadside.

Members noted resolution passed by Limerick City and County Council calling on Uisce Éireann to install generators at every pumping station in the country, ESB to cut back/cut down all trees/branches that are in danger of damaging the infrastructure and Government to set up a special emergency phone number which is activated prior to and manned during orange and red weather alerts.

Members noted resolution passed by Limerick City and County Council calling for the Government to put in place a financial support scheme within the grant aid for older people form to include people in medical need that they would be able to apply for financial aid to help purchase a generator to allow them to power electric medical devices where loss of power cuts.

Members noted resolution passed by Limerick City and County Council calling on Minister for Housing, Local Government and Heritage to immediately release funds to replenish local authority financial resources used to manage the emergency and provide additional adequate funds for local authorities impacted to arrange a local scheme to compensate homeowners and businesses for property damage, lost stock or foods or other reasonable uninsured damages caused by snowfall or electricity cuts.

Members noted resolution passed by Donegal County Council calling for action to be taken on dog owners who are not controlling their dogs properly in communities i.e. chasing sheep etc or are a danger to the public, children and bring back rule that all dogs must be on a lead while in public spaces such as towns, beaches, walks, trails etc.

Members noted resolution passed by Sligo County Council calling on Minister for Education and Youth and the Irish Government to bring in legislation to ensure that every child with additional needs has a place in their Primary and Secondary school.

Members noted resolution passed by Sligo County Council calling on Minister for Justice to immediately prohibit the use of counselling and therapy notes in all cases of gender-based violence. Survivors must be able to seek support without fear that their private records will be used against them. Protecting their confidentiality is essential for ensuring justice and safety.

6.0 Notices of Motion/Fógraí Rúin

6.1 Standing in the name of Cllr. Adrienne Wallace

"To ask the Chief Executive to prepare a report on the conversion of residential properties to short term lettings (airBnB etc). Report to include how many applications have been received in this local authority and how many of them have been granted permission."

Proposed by Cllr. A. Wallace

Seconded by Cllr. W. Quinn

And agreed following a show of hands.

The Chief Executive provided the following response:

Chief Executive's Response:

Legislative reforms to regulate the short-term letting sector were introduced in the Residential Tenancies (Amendment) Act 2019 and the Planning and Development Act 2000 (Exempted Development) (No. 2) Regulations 2019 (S.I. 235 of 2019) which came into effect on 1 July 2019. The primary objective of the legislation as introduced was to influence the bringing back of houses and apartments in designated "rent pressure zones" which were being used for short-term letting purposes to the traditional long-term rental market, thereby helping to ease the accommodation shortage pressures being experienced in this area. The Carlow Local Electoral Area was designated as a Rent Pressure Zone in County Carlow.

The requirement for planning permission to change the use of a property, so that it can be used for tourism and short-term letting only applies to homeowners in Rent Pressure Zones (RPZs) i.e. Carlow Local Electoral Area who:

- Let out their entire home (principal private residence) for short-term lets of more than 90 days in total while they are away.
- Let out a second property for short-term lets.

Under the Planning and Development Act 2000 (Exempted Development) (No. 2) Regulations 2019, an exemption has been made available since the 1st July 2019 to properties located within a Rent Pressure Zone; -

- Residents, including home-sharers, are allowed to let their entire principal private residence (house or apartment) on a short-term basis for a cumulative period of up to 90 days per calendar year where they are temporarily absent from their home (and do not require a change of use planning permission).
- Where the 90-day threshold is exceeded, change of use planning permission will be required.
- Where the house or apartment is not a 'principal private residence' (i.e. where it is not ordinarily lived in by the owner or leased as a long-term residential accommodation), the 90 day exemption does not apply and change of use planning permission will be required for all short-term letting.

- Home-sharing (the letting of a room or rooms in a person's principal private residence) will continue to be permissible on an unrestricted basis and be exempt from the requirements to apply for planning permission.

You do **not** have to apply for planning permission if:

- Your property is not in a Rent Pressure Zone (RPZ).
- Your property is in an RPZ, but you let rooms or the entire property out for 15 days or more at a time.
- Your property already has planning permission to be used for tourism or short-term letting purposes.
- Your property is used for corporate or executive lets. For example, lettings provided for people coming to Ireland under employment contracts.
- You rent your property out under the rent-a-room scheme.
- You are 'home-sharing'. Home-sharing is where a homeowner rents a room or rooms in their principal private residence for short-term lets while they are also occupying it. (In this situation you can offer unlimited short-term lettings for less than 14 days at a time.)
- You rent out your entire principal private residence for short-term visitors for less than 90 days a year while you are temporarily away. The 90 days do not have to be consecutive.
- The property is purpose-built student accommodation. (This accommodation generally has the required planning permission, which means accommodation is reserved for students during the academic year, but short-stays are allowed outside of term time.)

Those availing of the planning exemptions (i.e., part-taking in short-term letting and the property is located within a Rent Pressure Zone), are required to register with Carlow County Council and fulfil specified reporting obligations.

Statistics

No. of properties in Carlow Rent Pressure Zone availing of planning exemption (2020- to-date)	21
Total number of properties located within Carlow Town's Rent Pressure Zone and advertising on Air BnB on 25/02/25	7
Total number of properties which have applied for planning permission for the change of use from residential property to short-term letting within the Rent Pressure Zone	0
Total number of properties located within County Carlow and advertising on Air BnB on 25/02/25	c.140

The planning enforcement section have been monitoring websites such as Air BnB to establish whether advertised short term let properties comply with the planning exemption or whether planning permission is required for the change of use. Since 2019, 18 no. of properties have been subject to warning letters. In all cases the property owners indicated their intention to comply with the exemption provisions or cease the short-term letting use.

6.2 Standing in the name of Cllr. Will Paton

Noting that the last meeting of the County Carlow Joint Policing Committee took place on 25th March 2024 and noting that the interviews for the position of Chair of the new Local Community Safety Partnership took place in November 2024:

"That Carlow County Council calls upon the Minister for Justice, Home Affairs and Migration to establish the County Carlow Local Community Safety Partnership in the next 4 weeks."

Cllr. M. Doran briefed on Corporate Policy Group meeting discussion and suggested calling an interim meeting of elected members, the Gardai the Executive. This was agreed.

6.3 Standing in the name of Cllr. Will Paton

Noting the importance of the 17 United Nations Sustainable Development Goals (SDGs) and the fact that Carlow County Council is an Ambassador for the SDGs:

"That this Council place the relevant SDG Goal Number beside a relevant topic e.g. SDG 6 which relates to Water and Waste Water Infrastructure is placed beside any agenda item; or Council Report or any item in the Chief Executives Report relating to Water or Waste Water etc. (the only addition is "SDG 6"). In doing so the Council will highlight the importance of the Sustainable Development Goals and its commitment to championing the goals."

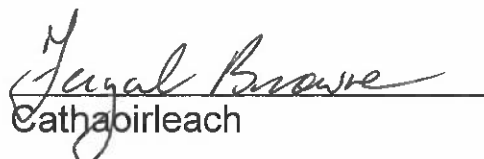
Proposed by Cllr. W. Paton

Seconded by Cllr. A, Wallace

And following a show of hands, the motion was defeated.

Any Other Business

Cllr. Browne advised of requests from Family Carers Ireland and St. Leo's Transition Year students to address a Council meeting which will be listed on next Corporate Policy Group agenda.


Cathaoirleach