

KILKENNY COUNTY COUNCIL - COMHAIRLE CHONTAE CHILL CHAINNIGH
Agenda for the Ordinary Meeting of Kilkenny County Council to be held on
Monday 19th of September, 2016 at 3.00 p.m. in Council Chamber, County Hall,
John Street, Kilkenny.

Clár do Ghnáth-Chruinniú Chomhairle Chontae Chill Chainnigh le reachtáil ar de
Luan 19th Meán Fómhair of 2016 ar a 3.00 i.n. i Seomra na Comhairle, Halla an
Chontae, Sráid Eoin, Cill Chainnigh.

1. Confirmation of Minutes - Dearbhú Miontuairiscí:

- (a)** Minutes of Ordinary Meeting of Kilkenny County Council held on Monday 18th July, 2016 (copy of minutes attached)
- (b)** Minutes of Special Meeting held on 25th July, 2016 (copy of minutes attached)
- (c)** Minutes of SPC 4, Housing Policy Meeting held on 9th June, 2016 (copy of minutes attached)
- (d)** Minutes of Strategic Policy Committee No. 2 – Infrastructure Policy, Transportation, Fire and Emergency Services Meeting held on 2nd September, 2016 (copy of minutes attached)

2. Business prescribed by Statute, Standing Orders or Resolutions of the Council. -Gnó forordaithe do réir Reachtaíochta, Orduithe Seasta, nó Rúin an Chomhairle.

(a) Housing & Other Disposal - Tithíocht & Díuscairt Eile

- (i)** “That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of its interest in plot of ground measuring approx 0.04 acre at Waterford Road, Kilkenny to Thomas Brett, Waterford Road, Kilkenny, for the sum of €5,000 with the Purchaser being responsible for all legal costs associated with the sale.”(Notification issued on 31st August, 2016)
- (ii)** “That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of its interest in plot of ground measuring approx 20m² at Kiltown, Castlecomer, Co. Kilkenny to Eoin O’Shea, Clohogue House, Kiltown, Castlecomer, Co. Kilkenny, for the nominal sum of €10.00 with Mr. O’Shea being responsible for all legal costs associated with the sale.”(Notification issued on 31st August, 2016)

- (iii) "That, in accordance with Section 183 of the Local Government Act, 2001, to dispose of its interest in a plot of ground at Carriganurra, Slieverue, Co. Kilkenny, which measures approx. 0.05 acre, as identified on the attached map, to Margaret and Francis Phelan, Carriganurra, Slieverue, Co. Kilkenny, for the nominal sum of €100 (one hundred euro) with the Purchasers being responsible for all legal costs associated with the sale." (Notification issued on 31st August, 2016)
- (iv) "That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of its interest in a Plot of Ground at Ross Road, Ferrybank, Co. Kilkenny, as identified on the attached map, to Waterford City & County Council, for the sum of €32,000 and with Waterford City & County Council being responsible for all legal fees associated with the transfer." (Notification issued on 31st August, 2016)

(b) Finance – Airgeadais

- (i) Budget 2017
- (ii) Local Property Tax (report attached)
- (iii) Presentation Global Revaluation at Properties
- (iv) Loan Application for Capital Projects
- (v) Kilkenny County Council Audit Report 2015 (report attached)
- (vi) "That Kilkenny County Council hereby approves the raising of a loan of €4,000,000 (four million euro) from the Housing Finance Agency Plc for any purpose authorised under the Housing Acts".

(c) Corporate Affairs - Gnóthaí Corparáideacha

- (i) Chief Executives Report (report attached)
- (ii) Update on Abbey Creative Quarter
- (iii) Presentation on the new Butler Gallery at Evans Home. (report attached)
- (iv) Nomination of Elected Member to the Local Community Development Committee .(notification attached)
- (v) Nomination of Elected Members to the Board of Trail Kilkenny.

(d) Planning- Pleanail

- (i)** “We the members of Kilkenny County Council approve the initiation of proceedings for the taking in charge of the following development in accordance with Section 11 of the Roads Act, 1993 and in compliance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act 2010- Development at Berkeley Lawns, Phase 2, Thomastown, Co. Kilkenny. (Notification attached)
- (ii)** “We the members of Kilkenny County Council approve the initiation of proceedings for the taking in charge of the following development in accordance with Section 11 of the Roads Act, 1993 and in compliance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act 2010- Development at Chapelgate, Kilmacow, Co. Kilkenny. (Notification attached)
- (iii)** “We the members of Kilkenny County Council approve the initiation of proceedings for the taking in charge of the following development in accordance with Section 11 of the Roads Act, 1993 and in compliance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act 2010- Development at Castlehill, Bennettsbridge Road, Kilkenny. (Notification attached)
- (iv)** Part 8 Construction of dwelling at Barna, Freshford. (report attached)
- (v)** Presentation on Town and Village Renewal

(e) Environment - Timpeallacht

- (i)** Anti Litter & Anti Graffiti Awareness Grant Scheme 2016 (report attached)

3. Urgent Correspondence - Comhfhreagras Práinneach

4. Business adjourned from a previous Meeting - Gnó ar athló ó chruinniú roimhe seo

5. Fix Dates and Times of Meetings - Dátaí agus Amanta do chruinnithe a shocrú:

- (i) Schedule of meetings from September - November 2016 (attached)

6. Consideration of Reports and Recommendations of Committees of the Council - Plé ar Thuairiscí agus Moltaí ó Choistí an Comhairle:

- (i) Report of SPC 1 – Economic Development, Enterprise Support and Tourism Meeting held on 23rd March, 2016 (previously circulated)
- (ii) Report of SPC 3 – Planning & Development, Heritage, Community, Arts & Culture Meeting held on 13th April, 2016. (previously circulated)
- (iii) Report of SPC 2 – Infrastructure Policy, Transportation, Fire and Emergency Services meeting held on 10th June, 2016 (previously circulated)
- (iv) Report of SPC 4- Housing Policy Meeting held on 9th June, 2016 (copy of report attached)
- (v) Report of SPC 2 – Infrastructure Policy, Transportation, Fire and Emergency Services meeting held on 2nd September, 2016 (copy of report attached)

7. Other Business set forth in the Notice convening the Meeting – Gnó Eile romhainn i bhFógra reachtála an Chruinnithe

8. Education & Training – Oideachas agus Oiliúint

- (i) Conferences – Request for approval to attend as per circulated list. (attached)

| Councillor | Date of Conference | Title of Conference |
|-------------------|--|--|
| M. Noonan | 26 th April, 2016 | The Wheel National Conference |
| B. Gardner | 13 th -15 th May | Registration and Inspection of Septic Tanks |
| M. O' Neill | 20 th -22 nd May, 2016 | Domestic Water Saving and Conservation Techniques. |
| P. Cleere | 9 th -12 th June | Sean MacDiarmada Summer School |
| J. Brennan | 24 th -26 th June | Housing Grants & Schemes |
| M. O' Neill | 8 th -10 th July | Entitlement to Health Care |
| M. Shortall | 16 th -22 nd July | MacGill Summer School and Arts Week |
| M.H.Cavanagh | 22 nd -24 th July | Domestic Water- Saving and |

| | | |
|--------------|---|-----------------------------------|
| | | Conservation |
| M.H.Cavanagh | 5 th -7 th August | Brexit- The Economic Consequences |
| M. Doyle | 26 th -28 August | Local Economic & Community Plans |

9. **Matters Arising from Minutes - Gnótha ag éirí as Miontuairiscí**

10. **Any Other Business - Aon Ghnó Eile**

11. **Notices of Motion - Fógraí Rúin:**

17(16) **Cllr. Andrew McGuinness – 22nd June, 2016**

“That Kilkenny County Council would write to Simon Coveney, Minister for the Environment, Community and Local Government, requesting an immediate review of our electoral areas, with a view to reinstating Kilkenny’s Borough/City Council”.

18(16) **Cllr. Andrew McGuinness – 23rd June, 2016**

"That Kilkenny County Council would address the issue of collapsed roads in Bishop Birch Place, Kilkenny. I have raised this issue many times and I understand that substantial monitoring has taken place over a number of years. The road is collapsing in parts and as a result there is extensive damage to a number of properties including collapsed walls and structural damage to houses alongside extensive flooding during heavy rainfall. This needs to be addressed as a matter of urgency."

19(16) **Cllr. Malcolm Noonan – 27th June, 2016**

“That Kilkenny County Council acknowledges the immense contribution of the late John Bradley to the City and County of Kilkenny through a lifetime of academic study and writings on the archaeological and historic origins of the City and the use of Kilkenny as a template in developing our understanding of the origins of Irish towns. In doing so we dedicate the Kilkenny Room of The St. Marys Medieval Mile Museum to the memory of John Bradley and will recognise same by the installation of a memorial plaque in his honour. Furthermore we will endeavour to include a selection of John’s writings and books in our branch libraries as a resource for the whole community”.

20(16) Cllr. Patrick McKee – 28th June, 2016

“That Kilkenny County Council investigates the possibility of establishing motor-home friendly parking bays at locations across Kilkenny City and County. Cities and towns in France, Spain, Portugal, Italy, Germany, Benelux and Scandinavia all have forms of motor-home stopovers which have proven extremely successful. These motor-home stopovers, known as Aires, are car parks that allow campervans to stop overnight either for free or for a small charge. The development of such facilities would have two objectives. Firstly, it would broaden the attractiveness of existing tourist locations in Kilkenny City and County and secondly, it has the potential to attract tourists to areas that currently do not benefit from tourism. The development of such facilities would be done in collaboration with local communities and could complement Irelands Ancient East”

21(16) Cllr. Pat O’ Neill – 4th July, 2016

“That Kilkenny County Council request the Minister for Transport, Tourism and Sport, Shane Ross to retain the Sports Capital Scheme for 2016”.

22(16) Cllrs. T. Breathnach, E. Aylward, F. Doherty, P. Dunphy and G. Frisby – 8th July, 2016

“That Kilkenny County Council write to the Department of Transport and Transport Infrastructure Ireland to seek the prioritisation of the upgrade of the N24 as recommended by the South East Regional Authority’s N24 Prioritisation Study”.

23(16) Cllr. Peter Cleere – 9th July, 2016

“Taking cognisance of (i) the recent majority vote of the United Kingdom to leave the European Union; (ii) the recent majority vote of the Northern Irish electorate to remain in the European Union; And (iii) Relevant sections of the 1998 Good Friday Agreement this Council calls on the British Government to facilitate a border poll and the Irish Government to make the necessary provisions for the holding of a referendum on Irish unification”.

24(16) Cllr. Malcolm Noonan – 10th July, 2016

“That Kilkenny County Council will initiate a process of engagement with relevant agencies and stakeholders to develop a three bus electric or gas vehicle service for Kilkenny City and Environs.

Such a service will be linked to rural public transport via park and ride facilities any may be subvented through a number of public and private sources. Such a service could become a model for other regional towns and is set out as an objective in successive smarter travel proposals and in keeping with our transport objectives under the Covenant of Mayors”.

25(16) Cllr. Melissa O’ Neill – 7th September, 2016

“ That Kilkenny County Council recognizes the fact that the Municipal District of Piltown is in serious need of funding for parks /amenity related activities with no specific budget .When compared to Kilkenny City which has a budget of €700,000 for parks crew and Nursery operation . I am calling on Kilkenny council to provide at least 15% of this funding to the second largest urban area in the county to enhance on approach roads ,green areas ,urban tree management and estate enhancement” .

12. Notices of Motion from other local authorities seeking support of Kilkenny County Council - Fógraí i dtaobh Rúin ó Údaráis Áitiúla eile ag lorg tacaíochta ó Chomhairle Chontae Chill Chainnigh:

17(16) Cork County Council – 6th July, 2016

“That Cork County Council acknowledges the ongoing shortage of places in special education classes for students with an autism spectrum disorder diagnosis at secondary level.
That if the National Council for Special Education (NCSE) identifies a need for additional special education classes at either primary or secondary level in a defined geographical area, the Department of Education and Skills would require schools in the geographical area to respond to this identified need by establishing an adequate number of such special education classes to match that need.
That the necessary funding for both the set-up and running of these special education classes would be provided by the Department.
That this need is not unique to Cork and consequently that this motion is circulated to all other local authorities in Ireland for their consideration and support.”

18(16) Dublin City Council – 11th July, 2016

“That this Council, recognising the need for safety for children at play in the housing estates in which they live, calls on the Minister for Transport to pass the Road Traffic Amendment Bill 2015 commonly known as Jake’s Law, in memory of Jake Brennan, in order to introduce a new mandatory speed limit of 20km specifically for housing estates.

The council further commits to writing to the Minister on this issue and circulating this letter to all other local authorities in the state for their consideration”.

19(16) Limerick City & County Council – 18th July, 2016

“At a meeting of the Municipal District of Adare-Rathkeale held on 12th July, 2016 Members discussed the under funding of Local Authorities by the Government and the range of works not being carried out due to lack of funding. Members noted the inability of struggling businesses and households to withstand increases in rates or household charges and called on all Councils to lobby the Government to recognise and address the financial plight of Local Authorities”.

20(16) Donegal County Council – 21st July, 2016

“That this Council call on the Taoiseach and the Government to clarify with the British Government that the essential North West Radiotherapy Unit will be available to all, and that the vote on Brexit will not have any derailing effects on this service”.

21(16) Limerick City & County Council – 22nd July, 2016

“I will move at the next meeting that Limerick City and County Council calls on the Minister for Justice and Equality, Frances Fitzgerald T.D. to limit the amount of free legal aid available to offenders who repeatedly offend; and that this motion be circulated to other local authorities for support”.

22(16) Cork County Council – 27th July, 2016

“The matter of the global valuations of utility companies undertaken by the Valuations Office in 2015 was discussed by members of Cork County Council at their meeting on the 25th July, 2016. Members noted that Cork County Council received funding from the Department to offset part of the 2016 loss on a once off basis.

Members requested that a letter be sent expressing their concern at the impact these revaluations will have on the Council's Finances in 2017 and subsequent years, and requested that the Department Funding should be phased out over a number of years”.

23(16) Leitrim County Council – 29th July, 2016

“That Leitrim County Council call on the Minister for the Environment to bring all future afforestation under the planning regulations, regardless of the size of the proposed plantation or its location”.