

KILKENNY COUNTY COUNCIL - COMHAIRLE CHONTAE CHILL CHAINNIGH
Agenda for the Ordinary Meeting of Kilkenny County Council to be held on Monday 17th
July, 2017 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 17th Iúil, 2017 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 19th June, 2017 [*copy of Minutes attached*].
 - (b) Minutes of Annual Meeting held on Friday, 9th June, 2017 [*copy of Minutes attached*].
 - (c) Minutes of SPC 1 – Economic Development, Enterprise Support & Tourism held on Thursday, 16th March, 2017 [*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 land at Coolkip, Moycarky, Co. Tipperary to Michael Bourke, Maxfort, Horse & Jockey, Thurles, Co. Tipperary for the following consideration: - Plots A & B for Nil consideration and Plot C for Nominal sum of €100 - with Kilkenny County Council being responsible for all legal costs associated with the sale.”
[Notice sent to members on the 4th July, 2017].

 - (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 Property at Ballykeeffe Quarry (Amphitheatre), Ballykeeffe, Kilmanagh, Co. Kilkenny - which measures approx 1.21 ha and as outlined on the attached map - to Kilmanagh Ballycallan Killaloe Community Enterprise Group Ltd, The Old School House, Kilmanagh, Co. Kilkenny by way of long term lease for a term of 10 years at an annual rent of €52. Kilmanagh Ballycallan Killaloe Community Enterprise Group Ltd to be responsible for all legal costs associated with the lease.”
[Notice sent to members on the 3rd July, 2017].

 - (iii) “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 as identified on the enclosed map, at Waterford Road, Kilkenny to Joseph Hennessy and Breda Hennessy, Waterford Road, Kilkenny for the nominal sum of €10.00 with the Board of Management of Presentation Secondary School being responsible for Kilkenny County Council’s legal costs associated with the sale.”
[Notice sent to members on the 3rd July, 2017].

(b) **Planning – Pleanail**

(i) **Taking in Charge of Estate:**
98 House Development at Mallfield, Thomastown, Co. Kilkenny

“That the County Council of the County of Kilkenny, in exercise of the powers conferred on them by 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 Public Notice and listed below, to be a Public Road”. Estate:- 98 House Development at Mallfield, Thomastown, Co. Kilkenny [Notification attached].

(ii) **Taking in Charge of Estate:**
22 House Development at Springmount, Waterford Road, Kilkenny

“That the County Council of the County of Kilkenny, in exercise of the powers conferred on them by 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 Public Notice and listed below, to be a Public Road”. Estate:- 22 House Development at Springmount, Waterford Road, Kilkenny [Notification attached].

(iii) **Taking in Charge of Estate:**
Lintown Hall, Johnswell Road, Kilkenny

“We, the Members of Kilkenny County Council, approve the initiation of proceedings for the taking in charge of TC44 – Lintown Hall, Johnswell Road, Kilkenny, in accordance with Section 11 of the Roads Act 1993, and in compliance with Section 180 of the Planning and Development Act 2000, as amended by Section 59 of the Planning and Development Act 2010.” [Notification attached].

(iv) **Meadow Way, Newpark Lower, Kilkenny – Declaration of Public Road.**

“We, the Members of Kilkenny County Council, approve the initiation of proceedings to declare the entire road within MeadowWay, Newpark Lower, Kilkenny, to be a Public Road in accordance with Section 11 of the Roads Act 1993.” [Notification attached]

(v) Proposed Variation 3 to the City & Environs Development Plan 2014-2020 [Report attached].

(vi) Part 8 Process – Circular PL3/2017 (copy attached).

(c) **Environment – Comhshaol**

(i) Veterinary Services – Section 85 Agreement with Carlow County Council to enable Kilkenny County Council to carry out food safety inspections and implement food safety legislation in Co. Carlow.

(ii) Graveyard Grants 2017. (Report Attached).

(d) **Community & Culture – Pobol Cultúr**

(i) Community & Cultural Facilities Capital Scheme [Report to Follow].

(ii) Fire Safety [Presentation].

- (e) **Corporate Affairs - Gnóthaí Corparáideacha**
 - (i) Chief Executives Report [Report Attached]
 - (ii) Appointment of Chairman for SPC 1 Economic Development, Enterprise Support and Tourism.
 - (iii) Appointment of Chairman for SPC 3 Planning & Development, Heritage, Community, Arts & Culture.
 - (iv) St. Patrick's Day Parade Committee [Terms of Reference 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 July to September 2017 [Attached]
 - (ii) Agree date of Workshop in Committee on Budget 2018.

- 6. **Consideration of Reports and Recommendations of Committees of the Council - Plé ar Thuairiscí agus Moltaí ó Choistí an Comhairle:**
 - (i) Chairman's Report of SPC 2 Infrastructure Policy, Transportation, Fire & Emergency Services held on Friday, 3rd March, 2017 [copy of Report attached].
 - (ii) Chairman's Report of SPC 1 Economic Development, Enterprise Support & Tourism on Thursday, 16th March, 2017 [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].

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

- 10. **Any Other Business - Aon Ghnó Eile**
 - (i) Invitation to visit Kilkenny, Minnesota, USA - September 2017.

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

22 (17) Cllr. Mary Hilda Cavanagh

“That Kilkenny County Council would take an active approach in progressing the Repair and Leasing Scheme throughout the County to alleviate homelessness and in doing so revitalise rural areas especially our towns and villages”.

23 (17) Cllr. Breda Gardner

“That the Council provide full answers on the following:

- (a) The original estimate of costs for the Central Access Scheme
- (b) Total monies spent thus far on the Scheme and associated works
- (c) Apart from potential lawsuits, details of anticipated additional costs (e.g. CPO's, additional traffic management works etc).
- (d) The number of lawsuits around the CAS served on the Council, and the category of people serving them (contractors, residents, businesses etc).”

24 (17) Cllr. Melissa O'Neill

“That Kilkenny County Council ban the use of Glyphosate in public areas, Ireland has the second highest levels of Glyphosate in surface water as new report shows, A report for research against cancer (IARC) in 2015 concluded Glyphosate to be probably carcinogenic to humans. Glyphosate also known as roundup blocks proteins essential to plant growth. Our health and environment must be protected.”

25 (17) Cllr. David Kennedy

That Kilkenny County Council looks into the possibility of hiring a full time employee to deal solely with the amount of empty/ vacant house's in Kilkenny, this job will entail working with the relevant people/ company's to get these house's into the local authorities.”

26 (17) Cllr. Patrick Dunphy & Cllr. Matt Doran

“That Kilkenny County Council write to the Department of Agriculture and the Minister for Agriculture, Fisheries, Food and the Marine to support the retention of the Department of Agriculture Veterinary Lab in Kilkenny City where it has been for many years. If this Lab is closed it will mean farmers taking their samples to North Kildare. This is very unfair as the lab is a service for the South East. Services should be maintained and enhanced.

Given that money has already been invested in the Regional Veterinary Laboratory and with an increase in animal numbers expected (recent Glanbia Survey), it is essential that the Kilkenny Laboratory is not only retained but also upgraded. The service from the Kilkenny Regional Laboratory has been to the highest standard to its farmers in this region, and it is essential that this service continues for many years into the future”.

27 (17) Cllr. Sean Tyrell & Cllr. David Kennedy

“That Kilkenny County Council carry out an investigation in the County to ensure that any residential apartment blocks or commercial units with residential use above or adjacent to them are not using the same or similarly dangerous cladding as was used in the London, Grenfell Tower Block. It also needs to be assured that the same or similarly dangerous cladding will not be used for future builds either in residential or commercial units going forward”.

28 (17) Cllr. Tomas Breathnach & Cllr. Maurice Shortall

“Kilkenny County Council should write to the Minister for Communications, Climate Change and Natural Resources to seek the postponement of the introduction of changes in the refuse charges regime until the following requirements have been fulfilled.

- 1 The appointment of a strong and independent national waste regulator under the aegis of the Environment Protection Agency with power to impose effective competition, to set fair and transparent pricing by requiring tenders for the collection of all waste in an area without either cherry-picking the most lucrative areas for collection or nuisance caused by different collectors in the same areas.
- 2 The completion of a thorough public awareness and information campaign.
- 3 The introduction of a public service obligation on any waste collection tender to provide a waiver scheme for low income households and for those with certain specific needs.
- 4 Waste collection companies should be obliged to engage in collective bargaining with employees.
- 5 Recognition that responsibility for waste collection should be transferred to local authorities and the setting out of a clear framework to bring the provision for these services within local authority control.”

29 (17) Cllr. Tomas Breathnach & Cllr. Maurice Shortall

“Kilkenny County Council should write to the Minister for Children and Youth Affairs to increase investment in Early Childhood Care and Education to ensure that children have access to quality, sustainable and affordable childcare with decent pay and conditions for professionals in the sector.”

30 (17) Cllr. Sean Tyrrell

"Kilkenny County Council is deeply concerned with the Government's new waste management proposals. Council will write to Minister Naughten asking that he stops these new charges, establishes a national regulator, introduces more measures to reduce, reuse and recycle waste, introduce supports for low income families and those with medical conditions."

31 (17) Cllr. Melissa O'Neill

“That Kilkenny Council calls on Minister for Education and Science as well as Minister for Children and Youth Affairs to allow for a standard regulated system which must be implemented on weight guidelines on school bags for the 920,281 children attending both primary and secondary school. We have had no evaluations of measures taken by schools in 17 years. Children are carrying over 50% of their body weight although health and safety weight guidelines are 3.5 for up to 12 and 6.3 for up to 17 years of age. Many children at risk of long term permanent damage.”

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

23 (17) Tipperary County Council

“That Tipperary County Council calls on the Minister for Health to take the necessary measures to make Regional Health Forum committees relevant”.

24 (17) Tipperary County Council

“That Tipperary County Council calls on the government to extend children’s allowance for parents who have children in third Level Education but have no access

to grants due to their before tax earnings. The extended children's allowance could be capped at a level which will not be extended to those with very high earnings".

25 (17) Sligo County Council

"Noting that the Local Government Management Agency (LGMA) is primarily funded by county and city councils, who contribute in excess of €10 million per year to the agency, and noting that the Board of the agency is composed of 11 members (8 Chief Executives of County and City Councils, 3 Officials from the Department of Housing, Planning, Community and Local Government and no elected representative), and further noting the significant role of the agency in terms of influencing government policy on local government and noting that Council's and Elected Councillors are not provided with any information as to the activities of the LGMA, this Council requests the Association of Irish Local Government (AILG) to provide a briefing for elected members module on "The role, funding and activities of the Local Government Management Agency" as part of its annual Training Programme and further we request the AILG to ensure that an elected Councillor will be included as a speaker at the said briefing".