

Minutes of Council Meeting held on Monday 20th October, 2014.

Chair: Cllr. P. Millea

Cllrs: M.H. Cavanagh, M. Shortall, J. Brennan, P. Fitzpatrick, M. McCarthy, M. Doyle, B. Gardner, D. Kennedy, A. McGuinness, M. Doran, D. Fitzgerald, K. Funchion, J. Malone, P. McKee, M. Noonan, E. Aylward, T. Breathnach, F. Doherty, P. Dunphy, G. Frisby, P. Cleere, P. O'Neill, M. O'Neill

Officials: J. Mulholland, J. McCormack, M. Prendiville, P. O'Neill, M. Delahunty, M. Mullally, K. Hanley, B. Tyrrell, B. Moloney, T. Lauhoff and A.M Walsh.

1. Confirmation of Minutes - Dearbhú Miontuairiscí:

(a) Minutes of Ordinary Meeting of Kilkenny County Council held on Monday, 22nd September, 2014. Proposed by Cllr. M. Doran, Seconded by Cllr. M.H Cavanagh and agreed "That the minutes of the Ordinary Meeting of Kilkenny County Council held on the 22nd September, 2014 as circulated with the agenda be and are hereby approved."

(b) Minutes of Special Meeting of Kilkenny County Council held on 29th September, 2014. Proposed by Cllr. M. Doran, Seconded by Cllr. P. Cleere and agreed "That the minutes of the Ordinary Meeting of Kilkenny County Council held on the 29th September, 2014 as circulated with the agenda be and are hereby approved."

Cllr. P. Millea, Cathaoirleach extended special congratulations to staff of the Dunmore Recycling Centre on winning the Repak Recycling Centre of the Year which was announced last week. He paid tribute to the staff and management on their success. The centre had been shortlisted for a number of years and 2014 was their year to achieve the top prize.

Cllr. P. Millea also **congratulated** the following:-

- The Kilkenny Senior Hurlers on winning the All-Ireland Hurling Championship.
- The Savour Kilkenny Festival and wished them every success during the Bank Holiday weekend.

Cllr. P. Millea extended **votes of sympathy** to the following:-

- To Ian Gardner, Ferrybank Area Office on the death of his mother, Ms. Joan Gardner.
- To Mary Rowan, Callan Area Office on the death of her mother Mrs. Mary Rowan.

- To Sean Treacy (former Councillor) on the death of his brother, Fr. Denis Treacy.
- To the family of the late Pat Kirwan (Pensioner), Edmund Rice Estate, Callan, Co. Kilkenny.
- To the family of the late Eamon Byrne (Pensioner), Newpark Villas, Kilkenny City.
- To the family of the late Colm O'Farrell (Pensioner), Talbots Place, Kilkenny City.
- To Bridget Walsh and Family, Cloncunny, Mooncoin, Co. Kilkenny on the death of Tom Walsh.
- To Bernie and Leo Butler, Dangan, Kilmacow, Co. Kilkenny on the death of Paddy Wallace.
- To John Vereker, Bigwood, Mullinavat, Co. Kilkenny on the death of his brother George Vereker.
- To Kathleen Phelan, Curraghmore, Slieverue, Co. Kilkenny on the death of her husband Tommy Phelan.
- To Bernadette Wallace Butler and Family, Dangan, Kilmacow, Co. Kilkenny on the death of her father Paddy Wallace.
- To Bridie Kavanagh, Ballycurran, Tullogher, Co. Kilkenny on the death of her brother George Vereker.
- To Jenny Walsh, Ballyreddin West, Bennettsbridge, Co. Kilkenny on the death of her husband Tom Walsh.
- To Michael Walsh and Family on the death of Maggie Butler.

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

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

- (i) Proposed by Cllr. M. Doran, Seconded by Cllr P. McKee and Agreed "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 at Fairgreen, Callan, Co. Kilkenny, measuring approx. 33.37 square metres, to Liam and Lisa Egan, Little Sunflower Creche, Callan, Co. Kilkenny for the sum of €4,000 with each party being responsible for their own legal costs associated with the sale."
- (ii) Proposed by Cllr. Ml. McCarthy, Seconded by Cllr. P. Fitzpatrick and Agreed "That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, notice is hereby given that after the expiration of 10 days from the date of this Notice, it is the intention of Kilkenny County Council to dispose of its interest in property at Tubrid, Woodsgift, Co. Kilkenny to Mary and Francis Cleere to rectify title to the property at Tubrid in accordance with the Housing Acts 1966 to 2002."

- (iii) Proposed by Cllr. M. Shortall, Seconded by Cllr. J. Brennan and Agreed “That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, notice is hereby given that after the expiration of 10 days from the date of this Notice, it is the intention of Kilkenny County Council to dispose of its interest in a plot measuring 0.198 hectares at Byrnesgrove, Ballyragget, Co. Kilkenny to Mary Ryan to rectify title to property at Byrnesgrove. This disposal to be carried out in accordance with the terms of the Housing Acts 1966 to 2002.”
- (iv) Proposed by Cllr. D. Fitzgerald, Seconded by Cllr. J. Malone and Agreed “That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, notice is hereby given that after the expiration of 10 days from the date of this Notice, it is the intention of Kilkenny County Council to dispose of its interest in property at 15 Archerstreet Lot, Ardmore, Kilkenny to Michael and Mary Cody in accordance with the terms of the Housing Acts 1966 to 2002.”
- (v) Proposed by Cllr. M. Noonan, Seconded by Cllr. A. McGuinness and Agreed “That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, notice is hereby given that after the expiration of 10 days from the date of this Notice, it is the intention of Kilkenny County Council to dispose of its interest in property at, 44 Fatima Place to Kevin Bruce in accordance with the terms of the Housing Acts 1966 to 2002”.
- (vi) Proposed by Cllr. A. McGuinness, Seconded by Cllr. Ml. McCarthy and Agreed “That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, notice is hereby given that after the expiration of 10 days from the date of this Notice, it is the intention of Kilkenny County Council to dispose of its interest in property at, the Bungalow, Newpark Lower, Kilkenny to the representatives of the Late Catherine Sheridan to rectify title to property at Newpark Lower, Kilkenny in accordance with the terms of the Housing Acts 1966 to 2002.”

(b) Finance - Airgeadais

Cllr. P. Millea asked Mr. J. Mulholland to advise the members on proposals to consider Budget 2015 proposals.

Mr. Mulholland advised the members that the C.P.G discussed the expansion of the CPG to deal with the forthcoming Budget. It was

agreed at CPG that in addition to the CPG members, an additional five elected members would be appointed to a budget sub-committee.

Following discussions with the relevant parties it is proposed that Cllr's P. Cleere, P. Dunphy, K. Funchion, B. Gardner and M. Noonan would be invited to the CPG sub-committee on the budget.

It was proposed by Cllr. M. Shortall, seconded by Cllr. M.H Cavanagh and agreed

Local Enterprise Office

Cllr. P. Millea welcomed Mr. S. McKeown to the meeting and invited him to give his presentation.

Mr. McKeown gave a PowerPoint presentation to the members. Copy of his presentation was circulated for members information. In his presentation he outlined the main functions of the Local Enterprise Office (formerly County Enterprise Board).

- Promote entrepreneurship
- Provide business information and advice
- Deliver training and management development support
- Provide financial assistance
- Develop partnerships

He outlined the various events undertaken by the office – Student Enterprise Awards, Start your own Business, Ireland Best Young Entrepreneurs and other national events.

Mr. McKeown outlined in detail the services provided under their main functions. He advised that 315 companies have been grant aided by the office. They have developed partnerships with St. Canice's Credit Union and Microfinance Ireland to enable small businesses to access loans. Affordable work space has also been provided in partnership with Community Enterprise Centres. Annual allocation for financial support is approx. €300,000. Cllr. P. Millea thanked Mr. McKeown for his presentation.

Contributions were received from Cllr's T. Breathnach, M. Doran, M. Shortall, P. Fitzpatrick, P. McKee, M. Noonan, K. Funchion, E. Aylward, J. Brennan, P. Cleere, B. Gardner and G. Frisby.

Members thanked Mr. McKeown for his presentation and the detailed information on supports for small businesses. Mr. McKeown was welcomed back to the local authority. Main issues arising from the members contributions are as follows:-

- Ongoing funding for small enterprises – allocation from Central Government
- Contribution from the local authority to supplement national funding
- Restrictions – if there is job displacement
- L.E.O – must be driving force for recovery of the local economy
- Lack of job creation from IDA
- Involve Enterprise Ireland
- Explore potential of Irish people working abroad
- Create database for companies abroad to provide mentoring services
- Availability of affordable work space – vacant properties in the County – access to space in Ferrybank Shopping Centre
- Availability of courses for small businesses
- Challenges to access credit/finance/loans
- Clarify the Refundable Aid
- Need to regenerate rural areas
- Need to develop training similar to ANCO and trades
- Training programmes for school leavers

Mr. McKeown responded to all the queries raised by the members.

Mr. J. Mulholland advised that the Local Enterprise Office is now under the auspices of Kilkenny County Council. An economic plan is being currently drafted. Kilkenny will have to rely on its strengths and skill sets to attract companies into the County – such as agri/food, tourism and crafts. The IDA focuses on foreign investment.

Cllr. P. Fitzpatrick proposed that Kilkenny County Council write to IDA to invite them to make a presentation to the members at a monthly meeting. This was seconded by Cllr. P. McKee and agreed by all members.

Cllr. P. Millea allowed leave to Cllr. T. Breathnach to move notice of motion no. 16 (14) at this stage. It was proposed by Cllr. T. Breathnach, seconded by Cllr. M. Shortall and agreed “That Kilkenny County Council should write to the Minister for Jobs, Enterprise and Innovation to seek additional funding for Local Enterprise Offices to increase their ability to assist in job creation.”

2 (c) Roads - Bóithre

(i) Taking in Charge – The Meadows, Piltown, Co. Kilkenny

Proposed by Cllr. P. Dunphy, Seconded by Cllr. T. Breathnach and agreed that “We the members of Kilkenny County Council approve the initiation of proceedings for the taking in charge of 32 houses that The Meadows, Piltown, Co. Kilkenny in accordance with Section 11 of the Roads Act 1993 and in compliance with Section 180 of the Planning and Development Act 2000 – 2013 as amended by Section 59 of the Planning and Development Act 2010.”

(ii) Taking in Charge – Clover Meadows, Ferrybank, Co. Kilkenny

Proposed by Cllr. E. Aylward, Seconded by Cllr. F. Doherty and agreed that “We the members of Kilkenny County Council approve the initiation of proceedings for the taking in charge of 88 residential units at ‘Clover Meadows’, Abbeylands, Ferrybank, Co. Kilkenny in accordance with Section 180 of the Planning and Development Act 2000 – 2013 and under Section 11 of the Roads Act 1993.”

(iii) Report on Winter Maintenance

Mr. S. Walton, Acting Director of Services referred to report dated 17th October, 2014 circulated to members. He advised that the total cost for the provision of winter maintenance service is €350,000 per annum of which 50% is grant aided. The road network is divided into three categories and the attached appendices outline the various routes in each category. A copy of the NRA’s ‘Safe Winter Driving’ leaflet has also been included – All the details in relation to the winter maintenance routes will be available on our website.

The motorway network and the Waterford City By-Pass will be maintained under separate contract and is not the responsibility of the local authority.

Queries were raised by Cllr’s M. Shortall, T. Breathnach, P. Millea, P. Dunphy and J. Brennan in relation to the following:-

- Provision of winter maintenance service to regional roads in Category 3 – can it be provided on a more frequent basis
- Is there any discretion for local roads which cater for a lot of traffic
- Is there equipment allocated to each Municipal District
- Availability of salt and storage of salt

- Consultation with IFA
- Active engagement with schools and other areas of population

Mr. Walton responded to the queries raised and advised that the allocation of funds comes from the Discretionary grant allocation. This allocation is also used to fund drainage works, footpaths, repairs etc. It is not possible to have an extended programme and service all routes due to capacity issues and also financial restraints. It is a matter for the members at Municipal District level if they want to provide additional funds to winter maintenance.

He advised that the winter maintenance on the National roads is fully funded by the NRA. In areas where roads are not salted, there are alternative routes treated which should be used by motorists.

Mr. Mulholland stated that the 'Winter Ready' campaign will be launched at the end of the month. The local authority work in co-operation with the Garda Síochána, IFA, Teachers and other relevant bodies. Stock piles of salt will be allocated to local areas as has been done in previous years.

(iv) Update on Flood Relief Measures

Mr. S. Walton referred to report issued to members with the agenda. He advised members that the current status on each scheme is included in the report. There are two schemes – Thomastown and Graiguenamanagh that are no longer classified as minor Flood Mitigation work schemes as they are beyond the qualifying threshold. These will have to be considered in the context of the OPW Major Flood Relief Scheme programme. Kilkenny County Council has made application to OPW for funds for improvement for local resilience to flood events. He outlined that the schemes at Fahee, Mullinavat, Radestown, Gowran and Clogh have all being completed. Funding is to be provided for the Seskin Flood Relief Scheme.

There is on-going consultation with the Office of Public Works with regard to flooding issues at Ballinaboley, Dungooley and Portnascully. Proposed works for Crutt and Mooncoin were not approved by the OPW. Works to the Pill River are also outside the scope of minor works and will be considered under the CFRAM Study.

Funding was received for the installation of an automatic river gauge and flood alert system for the River Nore at John's Bridge.

Contributions were received from Cllr's F. Doherty, P. Dunphy, P. Cleere, K. Funchion, M. Doyle, P. Fitzpatrick and J. Brennan.

Issues raised by members related to the following:-

- Cleaning gullies etc. for preventative measures
- Works required to relieve local roads from flooding
- Dredging in local streams
- Urgency in getting works done at Ballinaboley
- Timeframe for major works in Thomastown and Graiguenamanagh and also for pilot Flood Relief scheme – these works are urgently required
- Consultation with residents in Thomastown and Graiguenamanagh
- Option of text alert system for other towns
- Recoupment of costs on storm damage
- Impact on people's lives must get priority

Mr. Walton responded to the members queries. It was proposed by Cllr. F. Doherty that "Kilkenny County Council should write to Minister Harris at the OPW requesting immediate funding for the Flood Relief schemes in Kilkenny", this was seconded by Cllr. P. Cleere and agreed.

(v) Update on N77 Ballynaslee Road re-alignment

Mr. S. Walton referred to report dated 17th October, 2014 circulated to members. He advised members that the re-alignment of the N77 at Ballynaslee has been an objective in Development Plans since the 1970's. Funding has been provided in recent years to progress this project. Since 2012, significant progress has been made in advancing planning and design proposals, purchase of land and advance work has been completed. In 2014, grant allocation of €3m was received. Tenders have now been received and a letter of intent has been issued to Building and Civil Engineering Ltd. On-site works will commence in mid November and the anticipated completion date is August 2015.

2 (d) Environment – Timpeallacht

Mr. P. O'Neill updated the members on the South East Regional Waste Plan. There will now be three Regional Waste plans for the Country

and Kilkenny will be in the Southern Region. It is proposed to have this item listed on the agenda in December in order to brief members on the progress being made on the Regional Plan.

Cllr. T. Breathnach requested that the document be discussed at SPC meetings first. Cllr. M. Noonan stated that the Municipal collection service in the City area is a very valuable social remit for the local authority and could compete with the private sector. He complemented the staff in the Dunmore Recycling Centre. Cllr. J. Brennan spoke about illegal dumping in rural areas and hoped that this would be included in the plan.

Cllr. M. Noonan urged the public to engage when the draft plan is available and to avail of the PPN structure to facilitate community engagement. Mr. O'Neill responded to the individual queries raised.

2 (e) Housing – Tithíocht

No items on Agenda

2 (f) Community – Pobail

No items on Agenda

2 (g) Planning – Pleanail

No items on Agenda

2 (h) Corporate Affairs – Gnóthaí Corparáideacha

(i) Draft Corporate Plan

Mr. Mulholland advised that the Draft Corporate Plan for 2014 – 2019 has been circulated for member's information. Approval of members is required to put it on public display. Any amendments to the plan will be brought back to the members for final approval.

It was proposed by Cllr. M. Shortall, seconded by Cllr. J. Brennan and agreed “That Kilkenny County Council’s Draft Corporate Plan 2014 – 2019 be approved and go on public display.”

Cllr. M. Noonan requested that the Aalborg Charter, Arts Strategy and Play Policy be included in the plan.

Cllr. P. Fitzpatrick requested clarification on the sharing of the Fire Services with Carlow County Council. Cllr’s M. Shortall, J. Brennan, M.H Cavanagh and P. McKee also made contributions in relation to the Fire Services. Members stated that saving lives and keeping communities safe is paramount. There can be no reduction in the service currently available.

Mr. Mulholland advised that sharing services is part of Government Policy. There is a proposal to reduce the number of Fire Services from 31 to 24. Sharing of service with Carlow is still under consideration. There will be no change on the front line service. Kilkenny will still have seven fire stations operating. A review of management costs is to be considered.

(ii) Presentation by Mr. S. McKeown, Local Enterprise Office

This item has been taken under 2 (b) Finance

(iii) Part 8 Development at Mayfair

Mr. Mulholland advised members that following the September meeting, he agreed to provide more clarity on the proposed local authority development at the Diageo Site. He gave a PowerPoint presentation on the proposed refurbishment of the ‘Mayfair Building’. He outlined in detail the proposals for the refurbishment of the building, showed drawings of the treatment of the front facade and internal changes. The small carpark will be changed to incorporate the building into a small urban square. He advised members that the Council has previously agreed to remediate the ‘Mayfair’ building, the Brewhouse and the Maturation Buildings. The proposal to refurbish the Mayfair does not conflict with the draft masterplan for the St. Francis Abbey Creative Quarter. The refurbishment proposals envisage the delivery of 1500m² of modern office accommodation with street frontage to Parliament Street. The estimated cost of the project

including energy upgrading is €2.3m. There is no requirement to commit to funding this project for the time being unless there is a good economic reason to do so. Members approval is being requested to proceed to public consultation in accordance with the Planning Acts.

It was proposed by Cllr. P. Cleere, seconded by Cllr. D. Kennedy and agreed that “ We the members of Kilkenny County Council approve to proceed to public consultation in accordance with Section 179 of the Planning and Development Act (Part 8 of Planning Regulations) in respect of a proposed local authority refurbishment of ‘Mayfair’ Building on Diageo Site.”

Cllr’s M. Noonan, T. Breathnach and K. Funchion asked that the public be invited to get involved and to have a public meeting to enable the people to engage and give their views.

2 (i) Water Services – Seirbhísí Uisce

(i) Part 8 – Public Toilet Facility at Thomastown

Mr. P. O’Neill advised that report on the Part 8 for the provision of public toilets in Thomastown has been circulated since September 2014. Members are required to make a decision on the recommendation today in order to comply with the Planning Legislation.

Mr. T. Lauhoff outlined the background to the provision of new toilets in Thomastown and referred to the Part 8 Report circulated. He advised that the old toilets closed as they were not fit for purpose and did not meet modern standards for accessibility etc. Part 8 has been advertised and submissions received. Submissions have been considered and it is recommended that Part 8 is approved. The provision of the toilets will be subject to financial resources. It was proposed by Cllr. P. Cleere, seconded by Cllr. D. Kennedy and agreed “That we the members of Kilkenny County Council approve this report which has been prepared in accordance with Part 8 of the Local Government Planning and Development Act 2000 – 2013 and the provisions of Part 8 of the Planning and Development Regulations 2001 - 2013 and deals with the demolition of existing toilet building and the construction

of a standalone semi-automatic toilet building on the same site at Thomastown, Co. Kilkenny.”

Contributions were received from Cllr’s P. Cleere, B. Gardner, M. Doran and P. Dunphy. The issues raised by members related to:

- Availability of finances
- Are toilets anti-social proof
- Is there an amenity area around the toilets and
- Public consultation

Mr. O’Neill advised that the Part 8 has already been on public display and submissions were received. The financial package will be considered as part of the Budget 2015 process. This project is required to cater for the tourists and will be a modern complex with an amenity area.

(ii) Irish Water

Deferred to later in the meeting.

3. Urgent Correspondence – Comhfhreagras Práinneach

None

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

None

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

(i) Schedule of Meetings from October – November 2014

Proposed by Cllr. M. H Cavanagh, Seconded by M. Shortall and approved

(ii) Fix dates for Budget 2015 Meetings

Mr. Prendiville suggested the following dates for consideration of Budget 2015:-

- 10th November 2014 – Corporate Policy Group
- 17th November 2014 – Budget in Consideration Committee
- 21st November 2014 – Statutory Budget Meeting

It was proposed by Cllr. M.H Cavanagh, seconded by Cllr. M. Doran and agreed “that the dates of meetings outlined by Mr. Prendiville for consideration of Budget 2015 be hereby approved.”

(iii) Fix date for Joint Policing Committee Meeting

Cllr. P. Millea advised the meeting that the CPG is recommending that the JPC meeting would be held on Monday 10th November, 2014 at 11.30am. It was proposed by Cllr. M. Doran, seconded by Cllr. M. Shortall and agreed “that the JPC meeting is to be held on Monday 10th November, 2014 at 11.30am.”

Cllr. P. Millea allowed Cllr. M. Shortall to move notice of motion no. 9 (14) at this stage. It was proposed by Cllr. M. Shortall, seconded by Cllr. T. Breathnach and agreed “That in the interest of public safety that the Cathaoirleach of Kilkenny County Council convene a meeting of interested parties including the Gardai, elected representatives and officials of the Council and representatives of the travelling community to agree, implement and enforce a position on the control of horses (including sulkies) on our road network and areas of public amenity.”

Cllr. M. Shortall requested that this matter be raised at the JPC meeting on the 10th November, 2014. Members agreed to this.

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

- (i) Chairpersons Report of SPC 2 – Infrastructure, Transportation, Water Services & Other Policy Issues Meeting held on 16th May, 2014. Proposed by Cllr. M. Doran, seconded by Cllr. J. Brennan and approved.
 - (ii) Chairpersons Report of Strategic Policy Committee 3 – Environmental Policy, Fire Services and Emergency Planning Meeting held on Wednesday, 30th April, 2014. Noted by all Members.
 - (iii) Chairpersons Report of Thomastown Electoral Area Committee Meeting held on 29th April, 2014. Noted by all Members
- 7. Other Business set forth in the Notice convening the Meeting – Gnó Eile romhann i bhfógra reachtála an Chruinnithe.**

None

8. Education and Training – Oideachas agus Oiliúint

Cllr. P. Millea agreed to include Item 2 (i) (ii) to be discussed at this stage. **Irish Water – Upcoming Regional Events**

Mr. P. O'Neill advised members that the Regional Events for members of Kilkenny County Council is clashing with the AILG Conference. He stated that he advised Irish Water and that members could attend alternative regional events if they so wish. The planned regional events will proceed and Irish Water may consider holding further regional information events.

At this stage, It was proposed by Cllr. P. Fitzpatrick, seconded by Cllr. G. Frisby to extend standing orders to finish Item no. 8. This was agreed by all members.

A number of members indicated that they would be attending the regional event. It was proposed by Cllr. P. Fitzpatrick, seconded by Cllr. T. Breathnach "That Irish Water be invited to attend a monthly meeting of Kilkenny County Council to discuss members concerns." This was agreed by all members.

Mr. O'Neill agreed to raise the request with Irish Water.

(i) Conferences – Request for approval

It was Proposed by Cllr M.H Cavanagh, seconded by Cllr. B. Gardner and agreed.

(ii) Summary of Proceedings at Conferences

It was Proposed by Cllr. M.H Cavanagh, seconded by Cllr. B. Gardner and agreed.

The meeting then concluded. Items 9, 10, 11, 12 were deferred to the November Monthly Meeting.

Signed: _____

Date: _____

Cathaoirleach