

KILKENNY COUNTY COUNCIL
- COMHAIRLE CHONTAE CHILL CHAINNIGH -

**AGENDA FOR THE ORDINARY MEETING
OF KILKENNY COUNTY COUNCIL**

MONDAY 17TH SEPTEMBER, 2018 AT 3.00 P.M.

Council Chamber, County Hall, John Street, Kilkenny.

Clár do Ghláth-Chruinniú Chomhairle Chontae Chill Chainnigh le reachtáil ar deLuan 17 Meán Fómhair, 2018 ar a 3.00 i.n. i Seomra na Comhairle, Halla an Chontae, Sráid Eoin, Cill Chainnigh.

1. **Confirmation of Minutes - Dearblú Miontuairiscí:**
 - (a) Minutes of Ordinary Meeting of Kilkenny County Council held on Monday 16th July, 2018 *[copy of Minutes attached]*.
 - (b) Minutes of Special Meeting of Kilkenny County Council held on Friday, 31st August, 2018 *[copy of Minutes attached]*.
 - (c) Minutes of In Committee Strategic Policy Committee 4 - Housing Meeting held on Thursday, 29th March, 2018 *[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) (i) **Housing & Other Disposal – Tithíocht & Díuscairt Eile**

“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 Hebron Industrial Estate, Kilkenny, as identified on the attached map, by way of Lease to Trustees of Kilkenny Racing Pigeon Club for a term of 5 years at a rent of €300 per annum.”
[Notice sent to members on the 3rd September, 2018]
 - (ii) “That, in accordance with Section 183 of the Local Government Act, 2001, Kilkenny County Council approves of the disposal of its interest in a plot of ground at Viper, Kells, Co. Kilkenny, which measures approx. 0.27 ha., as identified on the attached map, to Ann O'Mahony, Viper, Kells, Co. Kilkenny, for the sum of €1,000 (one thousand euro) with each party being responsible for their own legal costs associated with the sale.”
[Notice sent to members on the 3rd September, 2018]
 - (iii) “That, in accordance with Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves to dispose of its interest in a plot of ground at Ballyouskill, Attanagh, Co. Kilkenny, which measures approx. 0.2 acre, as identified on the attached map, to John Cahill, Ballyouskill, Attanagh, Co. Kilkenny, for the sum of €2,500 (two thousand five hundred euro) with the Purchaser being responsible for all legal costs associated with the sale.”
[Notice sent to members on the 3rd September, 2018]

- (iv) "That, in accordance with Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves to dispose of its interest in 2 No. plots of ground at Rathduff, Kells, Co. Kilkenny, which measures approx. 0.33 acres, as identified on the attached map, to Seamus Martin, Rathduff, Kells, Co. Kilkenny, for the sum of €500 (five hundred euro) with the Purchaser being responsible for all legal costs associated with the sale."
[Notice sent to members on the 3rd September, 2018]
- (v) "That, in accordance with Section 183 of the Local Government Act, 2001, Kilkenny County Council approves to dispose of its interest in a plot of ground at Altamount, Dublin Road, Kilkenny, which measures approx. 66 sqm, as identified on the attached map, to Fran Grincell, 24 Altamount, Dublin Road, Kilkenny, for the nominal sum of €200 (two hundred euro) with each party being responsible for their own legal costs associated with the sale."
[Notice sent to members on the 3rd September, 2018]
- (vi) "That, in accordance with Section 183 of the Local Government Act, 2001, Kilkenny County Council approves of the disposal of its interest in a plot of ground at Clomantagh Lower, Urlingford, Co. Kilkenny, which measures approx. 0.04 ha., as identified on the attached map, to the Personal Representatives of Louise Kenny, Deceased, of Clomantagh Lower, Urlingford, Co. Kilkenny, for the sum of €1,000 (one thousand euro) with the Purchaser being responsible for all legal costs associated with the sale."
[Notice sent to members on the 3rd September, 2018]
- (vii) "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 Premises at Old James Stephens Swimming Pool, Michael Street, Kilkenny, as identified on the attached map, by way of Long Term Lease to Trustees of Marble City Boxing Club for a term of 15 years at a rent of €2,000 per annum with each party to be responsible for their own legal costs."
[Notice sent to members on the 3rd September, 2018]
- (viii) "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 195 sqm at Waterford Road, Kilkenny to to dispose of its interest in plot of ground measuring approx 195 sqm as identified on the enclosed map, at Waterford Road, Kilkenny to Eithne Manning and Seamus Manning, Personal Representatives of Laurence Manning, Deceased for the sum of €3,500 with each party being responsible for their own legal costs associated with the sale."
[Notice sent to members on the 3rd September, 2018]
- (ix) "Notice is hereby given, that at a meeting of the Council to be held after the expiration of 10 days from the date of this notice, it is the intention of Kilkenny County Council, in accordance with Section 183 of the Local Government Act, 2001, to dispose of its interest in the property at 12 Chatsworth, Clogh, Co. Kilkenny to Marie Fleming (entitled party) in order to rectify title of the property."

- (x) "Notice is hereby given, that at a meeting of the Council to be held after the expiration of 10 days from the date of this notice, it is the intention of Kilkenny County Council, in accordance with Section 183 of the Local Government Act, 2001, to dispose of its interest in the property at Shanbogh, New Ross, Co. Kilkenny to Edward Doolan (entitled party) in order to rectify title of the property."

(b) **Planning – Pleannail**

- (i) Proposed Variation No. 6 to Kilkenny City & Environs Development Plan. [Report Attached].
- (ii) Part 8 for Construction of House at Cloughabrody, Thomastown [Report Attached].
- (iii) CE Report on Pre Draft of County Development Plan 2020 - 2026 [Report Attached].
- (iv) Taking in Charge [Report Attached].
- TC67: Lios na Si, Johnstown, Co. Kilkenny
 - TC73: The Weir View, Castlecomer Road, Kilkenny
 - TC83: Bradóg Way, Gowran, Co. Kilkenny
 - TC128: Nore Terrace, Units 3a to 12a, Maudlin Street, Kilkenny
 - TC142: Cois na Bearú, Graiguenamanagh, Co. Kilkenny
 - TC157: Baronscourt, Bennettsbridge, Co. Kilkenny

(c) **Environment – Timpeallacht**

- (i) Section 85 Agreement on Kilkenny Greenway with Wexford County Council [Report Attached].
- (ii) Update on Climate Adaptation Plans [Presentation].

(d) **Finance – Airgeadas**

- (i) Local Property Tax.

(e) **Corporate Affairs – Gnóthaí Corparáideacha**

- (i) Chief Executives Monthly Report [Report To Follow].
- (ii) Nomination of Person to be a Candidate at a Presidential Election [Report To Follow].

(f) **Economic Development – Forbairt Eacnamaíoch**

- (i) Presentation from IDA at 5.00 p.m.

3. **Correspondence – Comhfhreagras**

4. **Business adjourned from a previous Meeting- Gnó ar athló ó chruinniúroimhe seo**

5. **Fix Dates & Times of Meetings - Dátaí agus Amanta do chruinnithe a shocrú:**
 - (i) Schedule of Meetings from September 2018 to December 2018 [Attached].
 - (ii) Approval - Civic Reception.

6. **Consideration of Reports & Recommendations of Committees of the Council-Plé ar Thuairiscí agus Moltaí ó Choistí an Comhairle:**
 - (i) Report of In Committee SPC 4: Housing Meeting held on Thursday, 29th March, 2018 [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 Ghló Eile**

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

15 (18) Cllr. Melissa O'Neill
"That Kilkenny County Council calls on Minister for Health Simon Harris and the HSE to carry out a review audit on Breast check for the last 5 years in light of the increasing concern for woman's health in Ireland after the revelations in the Vicky Phelan and cervical cancer cases. Many woman in Ireland have lost faith in our standard of care in the cancer screening department and must have their fears addressed."

16 (18) Cllr. Mary Hilda Cavanagh
"That a request be sent to the Department of the Environment to introduce a 100% grant scheme for the construction of underground tanks for harvesting rain water for all new houses/ buildings and where feasible for all existing buildings."

18(18) Cllr. Malcolm Noonan
"That Kilkenny County Council would work with potential partners; National Crafts Council of Ireland, Kilkenny LEADER Partnership, the Education and Training Board of Carlow and Kilkenny, The Irish Georgian Society, Kilkenny Civic Trust, The Heritage Council and relevant Government Departments to advance the development of a National Centre for Traditional Building Skills, Decorative Arts and Heritage Led Urban Regeneration in County Kilkenny. Such a centre would become a training ground and centre of excellence for traditional skills and be linked to a possible National Design Centre. This motion recognises Kilkenny's reputation as a centre of design and craft excellence for many decades and the untapped potential in heritage led regeneration of Irish Cities, towns and villages and building traditions."

19(18) Cllrs. Tomás Breathnach & Maurice Shortall

"That Kilkenny County Council write to the Department, Housing & Local Government to seek the extension of grant assistance for all upgrades/replacements of old septic tanks and not only those where upgrades/replacements are required on foot of a septic tank inspection."

20(18) Cllr. Melissa O'Neill

"That Kilkenny County Council recognises that this Council:

- (i) Is deeply concerned of the imminent threat of closure of up to 390 Post Offices throughout the country and the threat to the long-term future of the remaining 690 Post Offices.
- (ii) Believes the decision as to whether a community has a Post Office or not, should not hinge on a Postmaster wishing to retire.
- (iii) Recognises there is an alternative and superior solution to the Post Office issue available to An Post and to Government in the form of the Kiwi (Post) Bank model that was established in New Zealand in 2002, and now has 20% of the banking market and 25% of all banking customers in New Zealand. It has been described as a phenomenal success having made over \$7m profit in its third year of operation and nowadays posts annual profits of circa \$100m.
- (iv) Supports the Dáil Private Members Motion of 11th November, 2016 - The Dáil Motion of the 11th November, 2016, passed by the Dáil - 158 Votes (no amendments) "Calls on the Government to: - implement a new community banking service operated by An Post to be made available in all post offices throughout the country; this post community bank could be based on either the New Zealand Kiwibank model or the German Sparkassen model, both of which have been found to be valid models;"

Therefore, this Council calls on Government to:

- (i) Enact 'Private Members Dáil Motion of the 11th November, 2016.'
- (ii) Postpone the closure of Post Offices while the Kiwi Post Bank model is considered for Ireland."

21(18) Cllr. Breda Gardner

"That Kilkenny County Council fully supports the immediate implementation of 24/7 Cardiac Care in UHW and will encourage fellow Councillors in neighbouring counties of Carlow Tipperary Wexford and Waterford."

22(18) Cllr. Breda Gardner

"That Kilkenny County Council supports the proposal from historian Catherine Corless for a full DNA analysis of the children found in the septic tanks in Tuam and that they be given a proper dignified and Christian burial."

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:

18 (18) Kerry County Council

"That this Council opposes efforts to require people to work until they are 68"

19 (18) Kerry County Council

"Whilst welcoming the new proposal from An Post to the Post Office Network, I ask that this Council calls on An Post and the Government to seek a new international partner to allow the Post Offices to offer full Banking Services including Current Accounts, Loans and Mortgages."

20 (18) Wexford County Council

"Given the continued efforts of the Department of Local Government to undermine local authorities and the increase centralisation of power in Ireland, this Council calls on the Government to establish an independent convention on the future of local government, that will examine powers, autonomy and funding. In the event of the failure of government to act, this Council calls on LAMA and the AILG to establish such a convention and to seek cross party support"

21(18) Carlow County Council

"That we, the Members of Carlow County Council call on Carlow County Council to start the process of engagement with Kilkenny County Council to install a pedestrian bridge across the River Barrow at Tinnahinch in south Carlow as the existing bridge has no footpath on either side due to the bridge being so narrow"

22(18) Longford County Council

"That an interim payment of €50,000 be made to the women and families affected by the cervical cancer misdiagnosis."

23(18) Kildare County Council

"That the Council write to the insurance regulator and all home insurance providers who offer policies within County Kildare, voicing our concern, disappointment and opposition to the apparent misinterpretation of the current Catchment Flood Risk Assessment and management Studies [CFRAMS] maps by the insurance industry and the fact that this misinterpretation is now affecting house sales within County Kildare."

24(18) Leitrim County Council

"That Leitrim County Council call on the Department of Education and Skills and/or Department of Health to introduce a scheme to provide all teachers and Special Needs Assistants with Occupational First Aid training, encompassing CPR."

25(18) Donegal County Council

"That Donegal County Council would ask all relevant Government Ministers to reconsider the current government policy regarding the bundling of public contracts."

26(18) Donegal County Council

"That this Council calls on the Minister for Education to address the discrepancies which exist in the rates of pay and benefits paid to ancillary staff in our schools and calls for an end to the precarious employment conditions imposed on these valuable staff members. in addition, this Council calls on the Minister to increase the capitation grant paid to schools as outlined in the 'Action Plan for Education'."

27(18) Limerick City & County Council

"That the Minister for Health, Mr. Simon Harris, TD, and the Minister of State with Special Responsibility for Disabilities, Mr. Finian McGrath, TD, bring forward legislation that all Government Grants, Social Welfare Payments and all other State Supports be categorised as non-means tested Universal Payments for people with Disabilities."

28(18) Limerick City & County Council

That, this Council would call on the Taoiseach and his Government to legislate to ensure that employees who have a recognised degree would be legally entitled to be paid a liveable wage and that their employers would not obstruct these graduates from being in pensionable and unionised jobs and this resolution would be circulated to each Local Authority in the country and to the Local Authority Members' Association [LAMA] and the Association of Irish Local Government [AILG]."

29(18) West Clare Municipal District

"We the West Clare Municipal District Councillors Ian Lynch, Gabriel Keating, Christy Curtin, Richard Nagle, Bill Slattery, Bill Chambers, PJ Kelly and Michael Hillery unanimously agreed at a Special Meeting of the Municipal District Council held on 27th August, 2018 to call on the Government to enact the Dáil motion passed in November 2016 in support of protecting and developing the Post Office network and its services.

In doing so we ask that they:

- (i) postpone the closures of Post Offices for a 3 year period, to facilitate a restructure of the post office services.
- (ii) ensure that the necessary budget provision is included in Budget 2019 and thereafter to subsidise the Post Office network while it is being developed.

30(18) Waterford City & County Council

"That Waterford City and County Council calls on the Government, in line with a recent motion, unanimously adopted in the Dáil, to immediately abolish the 'Loco Parentis' clause in homecare nursing contracts for sick children."