

Minutes of Meeting of Kilkenny County Council held on Monday 21st of June, 2010 at 3.00p.m. in the Council Chamber, County Hall, John Street, Kilkenny.

Cathaoirleach: Cllr. Michael O' Brien

Present: Cllrs. M. H. Cavanagh, P. Millea, M. Shortall, J. Brennan, C. Connery, M. Fitzpatrick, J. Coonan, A. McGuinness, M. Brett, B. Manning, P. Cuddihy, M. Noonan, M. Doran, W. Ireland, P. Crowley, T. Maher, S. Treacy, P. O' Neill, A. Phelan, E. Aylward, A.M. Irish, F. Doherty, T. Breathnach, P. Dunphy.

Apologies: Cllr. Cora Long

Also Present: J. Crockett County Manager, P. O' Neill, J. McCormack, and J. Mulholland Director of Services, D. Mc Donnell Management Accountant, J. Scully Executive Planner and A. Waldron Meetings Administrator.

A presentation was made at 2.30 by Anna O' Sullivan from the Butler Gallery.

A vote of sympathy was passed to the family of the late Nora Dunphy, Ballygorey, Mooncoin mother of Cllr. Pat Dunphy. Cllr. Dunphy thanked members for their support and their words of condolence and the support around the time of his mother's funeral.

A vote of sympathy was passed to the family of the late Senator Kieran Phelan of Donoughmore, Rathdowney who died suddenly in the past few weeks.

A vote of sympathy was passed to the family of the late Catherine McLoughlin Vice Chair Tipperary South Riding and member of the South East Regional Authority who passed away suddenly. On behalf of the staff and management the County Manager joined with the sentiments expressed by the Cathaoirleach and the members who contributed.

Contributions Cllr. M. H. Cavanagh, P. Millea and A. Phelan

Votes of Sympathy:-

A vote of sympathy was passed to the following:-

- Julie Hoynes, Ballybrahee, Glenmore, Co. Kilkenny on the death of Jim Prendergast.
- Margaret Wallis & Family, Dangan, Kilmacow, Co. Kilkenny on the death of Sean Duggan.
- Anna Phelan & Family, Mullinahone, Glenmore, Co. Kilkenny on the death of Nora Dunphy.
- Annette Comiskey, Robinstown, Glenmore, Co. Kilkenny on the death of Thomas Chapman.
- Ann Mooney, Curraghmore, Slieverue, Co. Kilkenny on the death of Mr. Crean.
- Danny & Christine Conway & Family, Ashgrove, Mooncoin, Co. Kilkenny.
- Bidy Moore & Family, Ballygriffin, Carrigeen, Via Waterford, Co. Kilkenny.
- The Maher Family, Ballygriffin, Carrigeen, Via Waterford, Co. Kilkenny.
- Mary Fahy & Family, Cashel, Piltown, Co. Kilkenny on the death of Dick Fahy.
- Nellie & The Duggan Family, Hugginstown, Co. Kilkenny on the death of Sean Duggan.
- Carmel Lacey, Loon, Castlecomer, Co. Kilkenny on the death of Billy Lacey.
- Brid White & Family, Kilmackshane, Inistioge, Co. Kilkenny on the death of Danny White.
- Brid Murphy, Clonassy, Mullinavat, Co. Kilkenny on the death of Thomas Hannifin.

At this juncture the Cathaoirleach noted for the meeting events which had taken place since May.

- Congratulations were forwarded to Darren O' Neill of Paulstown on his fantastic achievement of winning a silver medal in the European Boxing Championships.
- Congratulations were sent to the Kilkenny Special Olympics team on their success at the national games in Mosney. A special mention was made of Brian Manning, son of Cllr. Betty Manning who won the gold medal for golf skills.
- Congratulations were forwarded to St. Leonards National School Dunnamaggin winners of the All Ireland Fit Factor competition for primary schools.
- Congratulations were offered to the following schools on achieving Green School status, St. Beacons School Mullinavat, Gael Scoil Osrai, Conahy National School, Coon National School and Loreto Secondary School.
- Particular note was taken of Kilkenny Project School who achieved Green School status for the 5th year in a row.
- Congratulations were sent to Donal Carroll and Marie Louisa Power who are based in St. Luke's Hospital who won the top award at the national conference of hospital pharmacists.
- Congratulations were forwarded to Mary Dowling Kilkenny Golf Club who won the Irish Women's
- Congratulations to William Love of Clogh, and Keith Burke of the O' Loughlins Club who won the Junior Handball Championships.

1. Confirmation of Minutes - Dearbhú Miontuairiscí:

- (a) Minutes of Ordinary Meeting of Kilkenny County Council held on Monday 17th of May 2010. Proposed by Cllr. M. Brett, Seconded by Cllr. S. Treacy and resolved:- "That the minutes of the Ordinary Meeting of Kilkenny County Council held on Monday 17th of May, 2010 copy of which had been circulated be and are hereby approved".
- (b) Minutes of Kilkenny Electoral Area Meeting held on 29th March, 2010. Proposed by Cllr. J. Coonan, Seconded by Cllr. A. McGuinness and resolved:- "That the minutes of Kilkenny Electoral Area Meeting held on 29th March, 2010 copy of which had been circulated be and are hereby approved".
- (c) Minutes of Thomastown Electoral Area Meeting held on 17th May, 2010. Proposed by Cllr. P. O' Neill, Seconded by Cllr. S. Treacy and resolved:- "That the minutes of Thomastown Electoral Area Meeting held on 17th May, 2010 copy of which had been circulated be and are hereby approved".
- (d) Minutes of Piltown Electoral Area Meeting held on Friday 21st May, 2010. Proposed by Cllr. F. Doherty, Seconded by Cllr. A.M. Irish and resolved:- "That the minutes of Piltown Electoral Area Meeting held on Friday 21st of May, 2010 copy of which had been circulated be and are hereby approved".
- (e) Minutes of Forward Planning & Development SPC 1 Meeting held on 27th of May, 2010. Proposed by Cllr. M. Shortall, Seconded by Cllr. P. O' Neill and resolved:- "That the minutes of Forward Planning & Development SPC 1 Meeting held on 27th of May, 2010 copy of which had been circulated be and are hereby approved".
- (f) Minutes of SPC 2 Infrastructure, Transportation, Water Services and other Policy Issues Meeting held on 28th May, 2010. Proposed by Cllr. P. Millea, Seconded by Cllr. M. Noonan and resolved:- "That the minutes of SPC 2 Infrastructure, Transportation, Water

Services and Other Policy Issues Meeting held on 28th May, 2010 copy of which had been circulated be and are hereby approved”.

- (g) Minutes of Strategic Policy Committee 3 – Environmental Policy, Fire Services and Emergency Planning Meeting held on 2nd June, 2010. Proposed by Cllr. T. Maher, Seconded by Cllr. E. Aylward and resolved:- “That the minutes of SPC 3 Environmental Policy, Fire Services and Emergency Planning Meeting held on 2nd June, 2010 copy of which had been circulated be and are hereby approved”.

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 – Tithíocht

Proposed by Cllr. A. McGuinness, Seconded by Cllr. A. Phelan “That Kilkenny county Council hereby approves of the disposal of its interest in property at No. 51 Glenbawn to Alexandra and Dritan Uruci in accordance with the terms of the Housing Acts 1966 to 2002”.

Proposed by Cllr. M. Fitzpatrick, Seconded by Cllr. J. Coonan “That Kilkenny County Council hereby approves of the disposal of its interest in property at No. 10 Altamount Park, Kilkenny to Ms. Alice Holden in accordance with the terms of the Housing Acts 1966 to 2002”.

(b) Corporate - Gnóthaí Corparáideacha

Annual Report 2009

Proposed by Cllr. P. Cuddihy, Seconded by Cllr. Connery “That the Draft Annual Report which was originally put before the Council in May 2010 be and is hereby approved”.

Local Government Act, 2001 – Section 32(4) Schedule 8 Alternative titles to Cathaoirleach and Leas Cathaoirleach.

The Cathaoirleach introduced this item as it had been raised a number of months ago.

Following debate on this item it was agreed that the matter be deferred to the July meeting. Contributions Cllrs. M. H. Cavanagh, P. Cuddihy, M. Noonan, P. Millea, P. Dunphy, A. Phelan, T. Breathnach, T. Maher and C. Connery.

(c) Finance – Airgeadas

Nominee to Board of Kilkenny Local Authorities Leisure Complex Ltd (Watershed)

This item had come up for discussion in 2009, where it was agreed that Cllr. Michael O’ Brien as Cathaoirleach would be the nomination for the forthcoming 12 month period. During discussions at a board meeting of the limited company it had been agreed that a nomination would be sought covering the period of this Council 2009 up to the local elections in 2014. It was proposed by Cllr. A. Phelan, Seconded by Cllr. M. Shortall and resolved:- “That Cllr. Michael O’ Brien be the nomination of Kilkenny County Council on the board of Kilkenny Local Authorities Leisure Complex Ltd (Watershed) for the period of this Council”.

Draft Kilkenny Economic Development Policy

A detailed presentation was made by the County Manager Joe Crockett. This was a follow up to the initial presentation made to the members at the March 2010 meeting. The County Manager expressed the wish that this document would now be put on public display with the intention of it being formally launched in September.

Following the Managers presentation there was a full debate to which members made contributions and suggestions. Amongst the points made were as follows:-

- The importance of having university status within the region
- The importance of promoting medical sciences and research
- The need for further assistance from the IDA
- The need to utilise and develop the South East Regional Airport
- Deficiencies that still exist in broadband services
- The need to maintain promotion of tourism within the County
- An emphasis on developing the agrifood and bioenergy industries
- The requirement that having formulated this policy that this Council move on to the next phase i.e. driving the process.

Concern was expressed regarding the downsizing of Kilcreene Hospital and the threats to down size St. Luke's Hospital given the sectors importance in promoting employment and economic development within the County. The County Manager confirmed that Ms. Aisling Hayes has been appointed as Economic Development Officer within Kilkenny County Council. It was confirmed that formal suggestions could be made by the members as part of the public display process.

It was proposed by Cllr. T. Maher, Seconded by Cllr. J. Coonan "That the Draft Economic Plan be put on public display for a period of one month and formally launched in September, 2010".

The Cathaoirleach noted that it had taken longer than the Council had initially wished to get to this stage due to the constantly shifting economic circumstances. However, he expressed satisfaction as to the content of the plan and that it was now available to go on public display.

Contributions Cllrs. P. O' Neill, P. Crowley, M. Shortall, T. Breathnach, T. Maher, J. Brennan, P. Cuddihy, A. Phelan, S. Treacy, M. Brett, B. Manning, P. Dunphy, J. Coonan.

(d) Water Services - Seirbhísí Slánteáochta

Report under Section 179 of the Planning & Development Act, 2000- Gowran, Goresbridge, Paulstown Water Supply Scheme, Access Road and Advanced Treatment System

Proposed by Cllr. P. O' Neill, Seconded by Cllr. S. Treacy and resolved:- "That in accordance with Section 179 of the Planning & Development Act 2000, Kilkenny County Council proceed with the proposed development in respect of Gowran, Goresbridge, Paulstown Water Supply Scheme, Access road and Advanced Treatment System in accordance with the report submitted and forwarded to each member"

(e) Roads - Bóithre

Matters additional and supplementary to the 2010 Roadwork's Scheme.

John Mulholland Director of Services updated the meeting regarding this report which highlighted various infrastructural works following on from the adoption of the 2010

Roadwork's Scheme. Following the presentation of the report a number of clarifications were sought and queries put by members.

John Mulholland confirmed that the allocation of the M9 residual road network had been decided from prioritisation with the national roads authority. Contributions Cllrs. E. Aylward, M. Doran, F. Doherty, T. Maher, P. O' Neill, A. Phelan, A. M. Irish, T. Breathnach, S. Treacy, P. Dunphy.

(f) Community & Enterprise - Pobal agus Fiontar

Draft Bye Laws for Prohibiting the Consumption of Intoxicating Liquor

This report was presented by John McCormack Director of Services. The Draft Bye laws followed on from discussions at the Joint Policy Committee, input from the area committees and from SPC 5. It was proposed by Cllr. Pat O' Neill, Seconded by Cllr. Tom Maher and resolved: - "That the Draft Bye Laws for Prohibiting the Consumption of Intoxicating Liquor as presented at this meeting and in accordance with the report attached be put forward for public display with a view to returning to the September Meeting.

It was agreed that this item be placed on the agenda for the next meeting of the Joint Policing Committee. It was agreed that the document on public display would be amended to leave part 9 blank i.e. a date stating that the law would come into force. Members expressed satisfaction that progress was being made on this issue. It was noted that exceptions could be specified for particular events and it was agreed that the final bye laws should reflect same. Contributions Cllrs. T. Breathnach, A. Phelan and M. Shortall.

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:

Schedule of meetings from June - August 2010

Proposed by Cllr. P. O' Neill, Seconded by Cllr. B. Ireland "That the schedule of meetings as circulated be and is hereby approved".

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

(a) Report on Kilkenny Electoral Area Meeting held on 29th March, 2010

As the report could not be seconded as Cllr. John Coonan was the only member of the Electoral Area in the chamber at this time it was agreed that this report would be deferred until the July Meeting.

(b) Report on Thomastown Electoral Area Meeting held on 17th May, 2010

Proposed by Cllr. Pat O' Neill, Seconded by Cllr. S. Treacy. Issues raised at the meeting:-

- Update on flood relief schemes – Graignamanagh
- Bye Laws prohibiting consumption of alcohol in public places
- Swimming areas – Thomastown and Griagnamanagh

Philip O' Neill Director of Services confirmed that as yet Kilkenny County Council had been unsuccessful in obtaining a swimming area for Thomastown.

(c) Report on Piltown Electoral Area Meeting held on Friday 21st of May, 2010

The report was proposed by area chair Cllr. Pat Dunphy and seconded by Cllr. Tomas Breathnach. Issues discussed during the course of the meeting:-

- Unfinished Estates.
- Byelaws on the consumption of alcohol in public places
- It was agreed that a meeting would be requested with Mr. T Hartery and J. Gannon to discuss any outstanding issues regarding the Waterford bypass and the M9 on the M9 motorway project.
- It was agreed that a further request would be issued to Waterford City Council to convene a meeting of the Gateway Implementation Committee.

It was agreed by the Chairman that in view of the discussions at this meeting regarding Kilkenny County Council Economic Development Plan, that Kilkenny County Council would write to Waterford City & County Councils to reconvene this committee as a matter of urgency.

(d) Report on Forward Planning & Development Strategic Policy Committee 1 Meeting held on 27th of May, 2010

Proposed by Cllr. M. Shortall and Seconded by Cllr. M. O' Brien. Issues discussed at the meeting:-

- The committee was updated on the current status of the local area plans, the draft regional planning guidelines and the regional strategy.
- Report was presented by Martin Mullally outlining the details on "Unfinished Housing Estates".

(e) Report SPC 2 Infrastructure, Transportation, Water Services and other Policy Issues Meeting held on 28th May, 2010

This report was presented by Cllr. P. Millea area chair and seconded by Cllr. M. Doran.

The main issues address during the course of the meeting were:-

- Winter road maintenance policy
- Road development projects update
- Bus shelters

Cllr. Millea read extracts from the report to clarify issues raised by Cllr. Maurice Shortall earlier in the meeting.

(f) Report of Strategic Policy Committee 3 – Environmental Policy, Fire Services and Emergency Planning Meeting held on 2nd June, 2010. As Cllr. Paul Cuddihy the chair of SPC 3 was absent from the meeting at the time of this report being presented it, was proposed by Cllr. A.M. Irish, Seconded by Cllr. T. Maher and agreed that the report would be taken as read.

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

None

8. Education & Training

Conferences – Request for approval to attend as per circulated list.
Summary of Proceedings at Conferences have been received from

Councillor	Date of Conference	Title of Conference
Fidelis Doherty	29 th May 2010	Defamation Seminar for Councillors
Mary Hilda Cavanagh	23 rd April	“Transforming Ireland”
Pat Dunphy	11 th May	Business Investment District Scheme

Proposed by Cllr. P. O’ Neill, Seconded by Cllr. P. Millea and resolved.

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

None

10. Any Other Business - Aon Ghnó Eile

None

11. Notices of Motion - Fógraí Rúin:

1(10) Cllr. Catherine Connery – Deferred from February

Proposed by Cllr. C. Connery, Seconded by Cllr. J. Brennan and resolved:-

“That additional funds be made available by the Department of Transport to Kilkenny County Council to deal with the consequences of the damage done to roads arising from recent severe winter weather in North Kilkenny”.

2(10) Cllr. Catherine Connery – Deferred from February

Proposed by Cllr. C. Connery, Seconded by Cllr. J. Brennan and resolved:-

“That the National Roads Authority include road improvements between Durrow and Kilkenny as part of its road investment programme”.

3(10) Cllr. John Coonan – Deferred from February

Proposed by Cllr. J. Coonan, Seconded by Cllr. T. Maher and resolved: - “That Kilkenny County Council extend an invitation to Mr. Liam Keane National Planning Specialist for Addiction Services with the HSE to address the Local Authority”.

It was further agreed that Dr. Colm Quigley would be invited to a special joint meeting of Kilkenny County Council and Kilkenny Borough Council to present the plans for the development of the health services for the Southern Region.

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

32(10) Shannon Town Council – 6th May, 2010

“In light of the increasing mortgage payment crises, Shannon Town Council call on the Government to introduce a 24 month moratorium from the time mortgages first go into arrears before repossession proceedings can be taken”.

Noted

33(10) Wexford County Council – 12th May, 2010

“Wexford County Council calls on the Minister for Transport in response to “The Marine Pollution Prevention, Preparedness and Response Capabilities Study 2008” to immediately provide Emergency Towing Vessels (ETV) around the Irish coastline in order to protect Ireland’s coastline from Economic and Environmental damage”.

Noted

34(10) Castleblayney Town Council – 14th May, 2010

“That this Council demand that an An Taoiseach Brian Cowen, T.D., Brian Lenihan, T.D., Minister for Finance and the Government provide a financial aid package or relief’s for residential mortgages holders and S.M.E’s. (small and medium enterprises) who find themselves through no fault of their own, having great difficulty meeting their financial commitments at this time”.

Noted

35(10) Macroom Town Council – 17th May, 2010

“In light of the economic plight we now find ourselves in and the collapse of the building industry, Macroom Town Council call on all local authorities to review their Development Charges. We are no longer in the Celtic Tiger era and we need to make drastic changes to kick start our economy again. In all areas of business, costs are falling and local authorities need to drastically reduce Development Charges to adapt to changing times”.

Noted

36(10) Monaghan Town Council – 19th May, 2010

“At a recent meeting of Monaghan Town Council the Members called on Brian Lenihan, T.D., Minister for Finance to explore the possibility of re-examining the basis on which rates are levied by Local Authorities on commercial properties throughout the country”.

Noted

The meeting concluded at 6.00p.m.

CATHAOIRLEACH

DATE