

KILKENNY COUNTY COUNCIL - COMHAIRLE CHONTAE CHILL CHAINNIGH
Agenda for the Ordinary Meeting of Kilkenny County Council to be held on
Monday 19th of December 2011 at 3.00 p.m. in Council Chamber, County Hall, John
Street, Kilkenny.

Clár do Ghnáth-Chruinniú Chomhairle Chontae Chill Chainnigh le reachtáil ar an
Luan 19th Mí na Nollaig 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 21st of November, 2011 (copy of minutes attached).
- (b)** Minutes of Piltown Electoral Area Committee Meeting held on the 17th of November, 2011 (copy of minutes attached).
- (c)** Minutes of Thomastown Electoral Area Committee held on the 28th November, 2011 (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) Other Disposal - Díuscairt Eile

- (i)** “That Kilkenny County Council, hereby approves in accordance with Section 183 of the Local Government Act, 2001, to dispose of lands, as indicated on the attached map, at Knockmoylan, Co. Kilkenny to Pat Gaule, Keatingstown, Knocktopher, Co. Kilkenny for the sum of €6,000 with each party being responsible for their own legal costs associated with the sale and in accordance with the terms specified in the notice. (Notification issued to members on the 9th November, 2011.)
- (ii)** “That Kilkenny County Council, hereby approves in accordance with Section 183 of the Local Government Act, 2001, to dispose of site measuring 0.23 acres at No. 35A Hebron Industrial Estate, Hebron Road, Kilkenny to Abbotsdale Limited for the sum of €5,000 with each party being responsible for their own legal costs associated with the sale and in accordance with the terms specified in the notice. (Notification issued to members on the 7th December, 2011.)

(b) Housing Disposal – Díuscairt Tithíocht

- (i)** “That Kilkenny County Council hereby approves of the disposal of its interest in property at Knockshanbally, Ballyfoyle, Co. Kilkenny to Dean Smith and Jeanette Smith in accordance with the terms of the Housing Acts 1966 to 2002”. (Notification issued to members on the 18th November, 2011).

(c) Corporate Affairs – Gnóthaí Corparáideacha

- (i) Library – South Kilkenny. Report by County Manager

(d) Roads – Bóithre

- (i) Draft Special Speed Limit Bye-Laws (report attached).
- (ii) Part VIII proposal for Regional Motorway Maintenance and Salt Storage Depot. (report attached).
- (iii) Gas Transmission Network – Gas Delivery line from Baunlusk to Great Island Power Station. (report attached).
- (iv) Approval sought to initiate proceedings for the formal taking in charge of the Fair Green, Fiddown, Co. Kilkenny (map and report attached).
- (v) Approval sought for the formal taking in charge of Cottage Gardens, Graiguenamanagh, Co. Kilkenny (map and report attached).

(e) Finance - Airgeadais

- (i) **Deferred from November meeting** - Audited Annual Financial Statement and Statutory Audit Report for year ending 31st December, 2010. (report attached).

(f) Planning – Pleanáil

- (i) **Deferred from November meeting** - Manager's Report on Submissions to Proposed Amendment 1 to Ferrybank/Belview Local Area Plan. (Report previously issued).

(g) Environment – Timpeallacht

- (i) Kilkenny County Council Section 85 Agreement with Carlow County Council to carry out statutory Food Safety Functions required under the First Schedule of the Food Safety Authority of Ireland Act 1998 and the European Communities (Food Hygiene) Regulations 2009 on behalf of Kilkenny County Council. (report attached).

(h) Water Services – Seirbhísí Uisce

- (i) Adoption of Kilkenny Water Conservation and Network Management Project Watermain Rehabilitation Strategy Report. (report attached). Presentation by Michael Murphy, S.E.E

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:

Deferred from November Meeting

- (i) Schedule of meetings for November 2011 – January 2012 (previously circulated at November meeting).

- (ii) Fix dates for Budget 2012 meetings.

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

Deferred from November Meeting

- (a) Report and recommendation of Piltown Electoral Area Committee Meeting held on the 30th September, 2011. (report attached)
- (b) Report and recommendation of Callan Electoral Area Committee Meeting held on the 5th October, 2011. (report attached).
- (c) Report and recommendation of Strategic Policy Committee (5) - (Arts, Culture, Heritage, Tourism and Education) Meeting held on the 6th October, 2011. (report attached).
- (d) Report and recommendation of Piltown Electoral Area Committee Meeting held on the 17th November, 2011 (report attached).
- (e) Report and recommendation of Thomastown Electoral Area Committee Meeting held on the 28th November, 2011 (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)Deferred from November Meeting - Conferences – Request for approval to attend as per circulated list. (list circulated at November meeting).

December Conference List (attached).

(ii)Deferred from November Meeting - Summary of proceedings at Conferences have been received from:

Councillor	Date of Conference	Title of Conference
T. Maher	8 th – 10 th September, 2011	AMAI Annual Conference
F. Doherty	9 th September, 2011	Developing Community Resilience and Understanding
Mr. O'Brien	9 th – 10 th September, 2011	Anthony Trollope Summer School
M. Doran	23 rd –25 th September, 2011	Effective Representation to your constituents.
T. Prendergast	23 rd –24 th September, 2011	LAMA Autumn – The role of tourism in economic recovery
C. Connery	28 th September, 2011	Ageing Well Network
J. Coonan	29 th September, 2011	TASC – Instruments of Recovery
F. Doherty	30 th September, 2011	National Enterprise Conference
C. Connery	3 rd October, 2011	Simon – Homelessness & Health – Making a Link
F. Doherty	7 th – 8 th October, 2011	Local Government and Planning Seminar
P. Dunphy	14 th – 16 th October, 2011	Local Authority Housing Affected by the Social Housing Assessment Regulations

- December - Summary of proceedings at Conferences have been received from:

Councillor	Date of Conference	Title of Conference
E. Aylward	21 st – 23 rd October, 2011	Celtic Conferences – Optimising Taxation Allowance and Revenue on line workshop
C. Connery	4 th November, 2011	BMW Assembly – Regional Innovation – catalyst for sustainable economic growth
T. Prendergast	4 th November, 2011	Local Govt. Powers to create/abolish rights of way
M. Doran	4 th – 6 th November, 2011	Local Govt. Powers to creat/abolish rights of way
C. Connery	5 th November, 2011	Conference on great war 1914-1918
F. Doherty	9 th November, 2011	'Back from the brink'
M. Fitzpatrick	11 th November, 2011	'Nuclear Free Local

		Authorities'
F. Doherty	12 th November, 2011	Strategic Planning for 2012
P. Dunphy	18 th – 20 th November, 2011	Institute of Professional Training – Local Authority Budgets 2012
C. Connery	24 th – 26 th November, 2011	Tourism – The potential for Economic Growth
E. Aylward	25 th November, 2011	Renewable Energy

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

10. Any Other Business - Aon Ghnó Eile

11. Notices of Motion - Fógraí Rúin:

13(11) – Cllr Mary Hilda Cavanagh

“That Kilkenny County Council in co-operation with the County Council’s of the sugarbeet growing counties would initiate the setting up of a steering committee to examine the possibility of restoring the sugar beet industry in the South/South East of Ireland.”

14(11) – Cllr Pat Dunphy

“That Kilkenny County Council includes Banagher Court and Clonmore Hall on the list of areas that can be serviced by Airtricity as far as repairing and replacing of lighting is concerned. The Meadows and other estates not yet taken over by the Council in Piltown are on this list and in the interest of fairness and equality Banagher Court and Clonmore Hall should be included also.”

15(11) – Cllr Jane Galway

“That the Thomastown Electoral Area Committee call upon Kilkenny County Council to seek funding for the Inistioge Water Supply Scheme as a major priority for 2012.”

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:

22(11) Clare County Council (Deferred from October meeting)

“That this Council call on the Minister for Sport and the Director General of the GAA to have an investigation carried out as to why there is a \$20 charge to be paid by patrons who want to watch GAA games live on TV in the various pubs throughout the U.S.A.”

23(11) Monaghan Town Council (Deferred from October meeting)

“Recognising that families in Monaghan are already struggling to make ends meet at present and further recognising that many local businesses have been devastated by the reduction of spending power of the people of the town through job losses, tax increases and austerity measures; Monaghan Town Council notes with concern the Governments proposals to introduce water charges and property taxes. That this Council recognises that such a move will deflate our local economy even further and prolong the current recession. We call on the Government to desist from introducing these additional taxes at this time.”

24(11) Monaghan Town Council (Deferred from October meeting)

“That this Council seeks that the Government fast track the Criminal Justice Community Service Bill 2011 in order to further develop the community service provision as an alternative to offenders being a burden on the State and the taxpayer and in addition that recruitment of community service supervisors who will ensure that offenders have the opportunity to serve their full sentences in community service work quickly, appropriately and fully.”

25(11) Donegal County Council (Deferred from November meeting)

“That Donegal County Council calls on this Government to immediately amend the Redundancy Payment Acts 1967-2007 so as to ensure that an employer is legally obliged to sign the RP50 upon dismissal and if he/she fails to do so that an increased penalty should be enforced and also recognise that the current waiting time for the employment appeal tribunal is excessive and call for the hearings to be expedited.”

26(11) Donegal County Council (Deferred from November meeting)

“That this Council discuss the Family Home Bill on Families facing severe mortgage difficulties that was supported by all opposition parties and Independent Senators, and had the full backing of the Free Legal Aid Centre (FLAC) and the New Beginning Group, as there is widespread recognition from interest groups and politicians alike that this Bill would give strong legal protection to families facing the prospect of losing their homes because of mortgage difficulties.”

27(11) Clare County Council (Deferred from November meeting)

“That this Council calls on the Minister for Agriculture to fight to protect the Single Farm Payment to Irish Farmers in the negotiations on CAP reform.”

28(11) Donegal County Council (Deferred from November meeting)

“That Donegal County Council refrain from collecting any charge that may be imposed on owners of septic tanks that are working properly, as this is a discriminative form of collecting revenue.”

29(11) Donegal County Council (Deferred from November meeting)

“That this Council recognises the need to upgrade many septic tank systems in Ireland in order to meet the 1975 and 1991 European Directives on waste water but affirms that the Directives should not be used as a mechanism to raise revenue from struggling home owners in rural communities and calls for:

- The costs of works on septic tanks which need to be upgraded, to be grant aided from central government funds such as waste water capital programmes.
- A system, similar to that in the north of Ireland, where a desludging service is provided yearly, free of charge to homeowners financed by the Department of Environment.
- A programme to be put in place to protect our ground water and surface water, based on the information gathered in the recent River Basin Management Plans and that a hierarchy of threats to our ground water and surface water status be put in place, including threats posed by septic tanks.”

30(11) Donegal County Council (Deferred from November meeting)

“That Donegal County Council address the issue of EU regulations of septic tanks in our County, also all Sewage Treatment Plants and Waste disposal.”

31(11) Monaghan County Council (Deferred from November meeting)

“That in view of the failure of the Keane Report to adequately address the difficulties being experienced by distressed mortgage holders in a reasonable timeframe, that Monaghan County Council calls on the Government and the Minister for Finance to examine other solutions that would have a more immediate impact in helping resolve these distressed mortgage holders difficulties and furthermore to examine the solutions put forward by the New Beginnings Group.”

32(11) South Tipperary County Council

“That South Tipperary County Council, mindful of the effect which decreasing turnovers, in the current economic climate, are having on the ability of retailers to pay their rates, calls on the Minister for the Environment, Community and Local Government to amend the Valuation Act 2011, to permit the revision of a rateable valuation in respect of a retail outlet, to take cognisance of the profit of

that retail outlet, so that the ability of retail outlets to pay their rates would be more realistically reflected by their profit.”

33(11) Donegal County Council

“In acknowledging the increasing difficulties being faced by many people in this County, that Donegal County Council discuss the serious reduction in services and benefits for people with disabilities, and calls on the Government to immediately address the situation in Budget 2012.”

34(11) Monaghan Town Council

“That this Council write to the Minister for Finance, Michael Noonan asking him to think again about the proposed increase in VAT from 21% to 23% and also their plans to increase the duty on central heating fuels, petrol and diesel.”

35(11) Donegal County Council

“In advance of the publication of the Government’s Budget, this Council calls for the restoration of the 200 Special Needs Assistants that were cut in the last budget.”