

KILKENNY COUNTY COUNCIL - COMHAIRLE CHONTAE CHILL CHAINNIGH
Agenda for the Ordinary Meeting of Kilkenny County Council to be held on
Tuesday 20th of March 2012 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
Márta 20th Feabhra 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 20th of February, 2012. (copy of minutes attached).
- (b)** Minutes of Thomastown Electoral Area Committee Meeting held on Monday 13th February, 2012. (copy of minutes attached).
- (c)** Minutes of Strategic Policy Committee 2 – Infrastructure, Transportation, Water Services and Other Policy Issues held on Friday 17th February, 2012. (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 Shankill, Paulstown, Co. Kilkenny to Thomas Joseph Roche, Moanmore, Bagenalstown, Co. Carlow for the sum of €1.00 with each party being responsible for their own legal costs in accordance with the terms specified in the notice.” (Notification issued to members on the 1st March, 2012.)
- (ii)** “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 Ballynolan, Leighlinbridge, Co. Carlow to John Daniel Phelan, Ballynolan, Leighlinbridge, Co. Carlow for the sum of €1.00 with each party being responsible for their own legal costs in accordance with the terms specified in the notice.” (Notification issued to members on the 1st March, 2012.)
- (iii)** 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 Moanmore, Bagenalstown, Co. Carlow to Martin Meaney, Moanmore, Bagenalstown, Co. Carlow for the sum of €1.00 with each party being responsible for their own legal costs in

accordance with the terms specified in the notice.” (Notification issued to members on the 5th March, 2012.)

(b) Housing Disposal – Díuscairt Tithíocht

(c) Corporate – Gnóthaí Corparáideacha

- (i) Briefing by Terry Clune, CEO of Taxback on the Succeed in Ireland Initiative

(d) Roads – Boithre

- (i) Roads Works Scheme 2012 (report to follow)
- (ii) Regional Motorway Maintenance Depot – Part 8 Report and Recommendation. (report to follow).
- (iii) Extinguishment of public right of way at Simonsland, Freshford Road, Kilkenny. (report attached)
- (iv) Declaration of a public road at Simonsland, Freshford Road, Kilkenny. (report attached)
- (v) N24 Tower Road Overbridge – Part 8 Report and Recommendation. (report to follow).
- (vi) Approval to take the Fair Green Estate, Fiddown, Co. Kilkenny estate in charge and recommendation that the roads be declared public roads and entered into the roads schedule of Kilkenny County Council. (report attached)
- (vii) Approval to take road constructed at Kellymount, Paulstown, Co. Kilkenny in charge, recommendation that road be declared public road and entered into the roads schedule of Kilkenny County Council. (report attached)

(e) Finance – Airgeadais

- (i) Draft 2011 Annual Financial Statements. (report attached)
- (ii) Update on Household Charge
- (iii) Approval for Excess Expenditure for year ending 31st December, 2011.
- (iv) Procurement Update - Powerpoint Presentation by John Dempsey, Head of Finance

(f) Planning - Pléanail

- (i) Managers Report on Submissions to Proposed Amendments 1 to the Callan, Castlecomer and Graiguenamanagh Local Area Plans and Proposed Amendment 2 to the Thomastown Local Area Plan. (report attached).

(g) Community and Enterprise - Fiontar agus Pobail

- (i) Adoption of the Community and Cultural Facilities Grants Scheme 2012 – 2014 (report attached)

(h) Environment - Timpeallacht

- (i) Adoption of the Litter Management Plan 2012 – 2014. (report attached)
- (ii) Update on litter activities and upcoming anti-litter activities for 2012 – Briefing by Bernadette Moloney, Environmental Awareness Officer

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) Joint Meeting of Kilkenny County Council and Kilkenny Borough Council is scheduled to take place on the 10th April 2012 at 3.30pm in the Council Chamber re: City Library
- (ii) Schedule of meetings from March – May 2012 (attached)

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

(a) Report and recommendation of Strategic Policy Committee (1) – Forward Planning and Development Strategic Policy Committee Meeting held on the 22nd September, 2011. (report previously issued)

(b) Report and recommendation of Kilkenny Electoral Area Committee Meeting held on the 14th November, 2011. (report previously issued)

(c) Report and recommendation of Callan Electoral Area Committee Meeting held on the 14th December, 2011. (report previously issued)

(d) Report and recommendation of Ballyragget Electoral Area Committee Meeting held on the 19th December, 2011. (report previously issued)

(e) Report and recommendation of Piltown Electoral Area Committee Meeting held on the 12th January, 2012. (report previously issued)

(f) Report and recommendation of Kilkenny Electoral Area Special Meeting held on 30th January, 2012. (report previously issued)

(g) Report and recommendation of Strategic Policy Committee (3) – Environmental Policy, Fire Services and Emergency Planning held on Monday 6th February, 2012. (report previously issued)

(h) Report and recommendation of Thomastown Electoral Area Committee Meeting held on the 13th February, 2012. (report attached).

(i) Report and recommendation of Strategic Policy Committee 2 – Infrastructure, Transportation, Water Services & Other Policy Issues held on the 17th February, 2012. (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).

Summary of proceedings at Conferences have been received from

Councillor	Date of Conference	Title of Conference
Catherine Connery	20 th January, 2012	How to elect more women
Catherine Connery	17 th – 19 th February, 2012	Training Workshop for Councillors
Anne Maria Irish	17 th – 19 th February, 2012	80/20 Leadership
Fidelis Doherty	27 th – 28 th January, 2012	Local Govt. Seminar for Councillors
Fidelis Doherty	20 th & 21 st January, 2012	The rise of the creative individual
Maurice Shortall	27 th – 29 th January, 2012	Understanding EU Funding

		and Functions
Patrick Dunphy	27 th – 29 th January, 2012	National Disability Strategy
John Coonan	4 th December, 2011	Promoting Volunteerism
Matt Doran	18 th November, 2011	LA's role in preventing water pollution
Mary Hilda Cavanagh	10 th – 11 th February, 2012	First UCD Garret Fitzgerald Spring School

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

10. **Any Other Business - Aon Ghnó Eile**

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

1(12) – Cllr. Tomas Breathnach – Deferred from February Meeting

“That Kilkenny County Council includes insurance as an eligible expense the purpose of determining the amount paid to community groups under its grant scheme including Amenity, Conservation, and Graveyard.”

2(12) – Cllr Pat Dunphy – Deferred from February Meeting

“That Kilkenny County Council asks the Minister for Transport, Tourism and Sport to complete the Mooncoin By Pass scheme as a priority due to safety implications for residents trying to exit and access their premises on the Carrick Road out of Mooncoin.”

3(12) – Cllr Pat Dunphy – Deferred from February Meeting

“That Kilkenny County Council reduce the speed limit on the Carrick Road out of Mooncoin from 80kph to 60kph as residents along this stretch of road cannot exit or access their premises without the risk of an accident due to many bends on this narrow stretch of road, where sightlines are very, very short, approx. 30 metres in some cases.”

4(12) – Cllr. Pat Dunphy – Deferred from February Meeting

“That Kilkenny County Council take immediate remedial measures in Beline Vale in Piltown to;

- (1) Make the estate safe by filling the open holes and trenches, securing the fencing, levelling the manholes and fixing up the entrance
- (2) Requesting the bond immediately to finish off the estate,
- (3) To review the category the estate is placed in and

(4) To solve the sewerage problem as a matter of urgency as it may be injurious to public health.”

5 (11) – Cllr. Malcolm Noonan – Deferred from October 2011 meeting

“That Kilkenny County Council would call on Government to recognise Travellers as a distinct ethnic group as recommended by the UN Committee for the Elimination of Racial Discrimination, thereby bringing the traveller community into the ambit of various protections in international agreements and within the Irish state”.

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:

1(12) – Clare County Council – Deferred from February Meeting

“That this Council call on the Minister for the Environment and Social Welfare for the option to transfer people on unemployment assistance to Local Authorities to enable them to work a 3 day week for their benefits plus possible incentives.”

2(12) – South Dublin County Council – Deferred from February Meeting

“That this Council, in the wake of recent commentary regarding the relationship between local elected representatives and our new communities, expresses its revulsion at any racist remarks or actions; that this Council recommits itself to the inclusive representation of all residents within this local authority; and that a copy of this motion be circulated to all local residents in Ireland.”

3(12) – Monaghan Town Council – Deferred from February Meeting

- (a) “That this Council deplores the withdrawal by this Government of the 6 week winter fuel allowance for those who most need it.”
- (b) “That this Council condemns the proposed cuts in funding for CE scheme participants.”
- (c) “That this Council, in the interests of members of the public who are finding it difficult to make ends meet at this time, would support and promote a move to accept payments by direct debit spread over 12 months for motor tax with no additional cost to the fixed annual fee.”

4(12) – Limerick County Council – Deferred from February Meeting

“That, Limerick County Council calls on the Minister for Foreign Affairs and the Government to restore the Irish Ambassador to the Holy See. Ireland has had an 80 year old diplomatic association with the Vatican.”

5 (12) – Fingal County Council – Deferred from February Meeting

“That this Council supports the Taoiseach’s call for clarity in relation to pensioner tax liability and calls on the Revenue Commissioners to be more considerate and respectful in communications with the public in future.”

6 (12) – Clare County Council – Deferred from February Meeting

“That this Council commence the process to amend or vary the current Clare County Development Plan in the interests of proper planning and sustainable development, that all intrusive Fracking/shale gas extraction related activity be halted pending introduction regulatory National and European oversight that does not contravene existing European directives.

7 (12) – Clare County Council – Deferred from February Meeting

“Based on the vast available evidence and the well documented international concerns on the detrimental effects of fracking on:-

- (i) The environment
- (ii) Its potential impacts on local communities
- (iii) The damage to all farming and tourism industries which are the backbone of the economy in County Clare with particular reference to the strong probability in the West Clare Area, of contamination to the ground water supply, due to the nature of the local geology. The Council calls on the Minister for Communications, Energy and Natural Resources to ban fracking.”

8 (12) – Monaghan Town Council – Deferred from February Meeting

“That this Council calls on the FG/Labour Government to reverse immediately the cuts in the Home Insulation Grants in the interests of homeowners and the retention of jobs in the construction industry.”

9 (12) – Clare County Council – Deferred from February Meeting

“This Council calls on the Government to rescind the jobs embargo in the public sector on front line staff as it is having a serious effect on the delivery of services to the general public at large.”

10 (12) – Wicklow County Council - Deferred from February Meeting

“The Housing SPC requests that the Members of Wicklow County Council write to the Minister for Environment, Community and Local Government seeking the provision of 100% funding to local authorities under the Housing Adaptation Grant Scheme. This is because local authorities are finding it increasingly difficult to provide matching funding from their own resources due to a serious reduction in income from ICRS (Internal Capital Receipts). Also should this resolution be passed by the Members of Wicklow County Council that it be circulated to all other local authorities seeking their support for this motion.”

11 (12) – Limerick County Council

“That, Limerick County Council requests the Minister for the Environment, Community and Local Government to have all local authorities bring their sewerage treatment plants up to standards that comply with the Water Quality Directive in advance of enforcing the proposed septic tank legislation on rural householders in our County, and that this motion be circulated to our sister authorities nationwide for their support.”

12 (12) – South Tipperary County Council

“We call on the Minister for Education not to downgrade Ballyneale, Burncourt, Clogheen and Newtown Upper National Schools.”

13(12) - Kerry County Council

“That we the members of Kerry County Council call on the Minister for Social Protection not to make any cuts on Community Employment Schemes in County Kerry and to reverse cuts already made.”