

**KILKENNY COUNTY COUNCIL - COMHAIRLE CHONTAE CHILL CHAINNIGH**

**Agenda for the Ordinary Meeting of Kilkenny County Council to be held on Monday 20<sup>th</sup> October, 2014 at 3.00 p.m. in Council Chamber, County Hall, John Street, Kilkenny. Clár do Ghnáth-Chruinniú Chomhairle Chontae Chill Chainnigh le reachtáil ar de Luan 20<sup>th</sup> Deireadh Fomhair 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, 22<sup>nd</sup> September, 2014 (copy of minutes attached)
- (b)** Minutes of Special Meeting of Kilkenny County Council held on 29<sup>th</sup> September, 2014 (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) Housing & Other Disposal - Tithíocht & Díuscairt Eile**

- (i)** “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.” (Notification issued to Members on 16<sup>th</sup> September, 2014).
- (ii)** “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.” (Notification issued to Members on the 16<sup>th</sup> September, 2014).
- (iii)** “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.” (Notification issued to Members on the 16<sup>th</sup> September, 2014).
- (iv)** “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.” (Notification issued to Members on the 16<sup>th</sup> September, 2014).

- (v) “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.” (Notification issued to Members on the 16<sup>th</sup> September, 2014).
- (vi) “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.” (Notification issued to Members on the 16<sup>th</sup> September, 2014).

**(b) Finance - Airgeadais**

**(c) Roads - Bóithre**

- (i) Taking in charge – The Meadows, Piltown, Co. Kilkenny (report to follow)
- (ii) Taking in charge – Clover Meadows, Ferrybank, Co. Kilkenny (report to follow)
- (iii) Report on Winter Maintenance Programme (report to follow)
- (iv) Update on Flood Relief Measures (report to follow)
- (v) Update on N77 Ballynaslee Road re-alignment (report to follow)

**(d) Environment - Timpeallacht**

**(e) Housing - Tithíocht**

**(f) Community – Pobail**

**(g) Planning – Pleanail**

**(h) Corporate Affairs - Gnóthaí Corparáideacha**

- (i) Draft Corporate Plan 2014-2019 (attached)
- (ii) Presentation by Sean McKeown, Local Enterprise Office.
- (iii) Part 8 Development at Mayfair (report previously issued)

**(i) Water Services – Seirbhísí Uisce**

- (i) Part 8 – Public Toilet Facility at Thomastown. (report previously issued)
- (ii) Irish Water – Information to Elected Members – Upcoming Regional Events

**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) Schedule of meetings from October - November 2014 (attached)
- (ii) Fix dates for Budget 2015 Meetings
- (iii) Fix date for Joint Policing Committee Meeting

**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 16<sup>th</sup> May, 2014 (report as circulated with Agenda for June Monthly Meeting).
- (ii) Chairpersons Report of Strategic Policy Committee 3 – Environmental Policy, Fire Services and Emergency Planning Meeting held on Wednesday, 30<sup>th</sup> April, 2014 (report as circulated with July Monthly Meeting).
- (iii) Chairpersons Report of Thomastown Electoral Area Committee Meeting held on 29<sup>th</sup> April, 2014 (report as circulated at July Monthly Meeting).

**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)
- (ii) Summary proceedings at Conferences –

<b>Councillor</b>	<b>Date of Conference</b>	<b>Title of Conference</b>
M. Noonan	3 <sup>rd</sup> April	Local Gov & Participation
E. Aylward	4-6 <sup>th</sup> April	Tourism Seminar on Internet Marketing.
M. Doyle	26 <sup>th</sup> September	The Public Healthcare System

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

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

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

**9(14) Cllrs. Maurice Shortall & Tomas Breathnach -16<sup>th</sup> June, 2014**

“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”.

**10(14) Cllrs. David Kennedy, Melissa O’Neill and Kathleen Funchion – 11<sup>th</sup> July, 2014.**

“That Kilkenny County Council calls on the Minister to introduce legislation to ensure that speed ramps and children at play signs are provided in all housing estates as a planning condition.”

**11(14) Cllrs. Michael McCarthy, Patrick McKee, Pat Fitzpatrick, – 29<sup>th</sup> July, 2014**

That Kilkenny County Council supports the call from the Restaurants Association of Ireland for the ongoing retention of the 9% VAT rate for the food, tourism and hospitality sector that has helped create a significant number of jobs in the economy. And given the hugely positive impact the 9% VAT rate has had on the food, tourism and hospitality sector this Council calls on the Minister for Finance to maintain the 9% VAT rate for 2015.”

**12(14) Cllrs. Fidelis Doherty and Pat Dunphy – 22<sup>nd</sup> August, 2014.**

“That Kilkenny County council ask Irish Water to provide funding in order to allow and facilitate the treatment, at source, of the hard water that currently supplies homes in areas of south Kilkenny and Ferrybank.”

**13(14) Cllrs. Maurice Shortall, David Fitzgerald, Kathleen Funchion, David Kennedy, Patrick McKee. – 31<sup>st</sup> August, 2014**

“That Kilkenny County Council endorses the principle of the right to water and sanitation as a fundamental core value within Irish Society and this should be reflected as a central pillar in national water policy. As citizens of the EU we believe in the right of all inhabitants to enjoy this right and that we oppose any attempt to include water in legislation aimed at market liberalisation. This Council supports the call for the full national political commitment to ensure that water and sanitation are publicly owned, democratically run and that all in the sector are fully accountable.”

**14 (14) Withdrawn**

**15 (14) Cllr. Fidelis Doherty – 14<sup>th</sup> August, 2014**

“That Kilkenny County Council apply to, and request of the NRA (National Roads Authority) for a ‘Welcome to Kilkenny’ boundary sign on the southbound aspect of the M9 Motorway.”

**16 (14) Cllr. Tomas Breathnach – 9<sup>th</sup> October, 2014**

“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.”

**17 (14) Cllr. Breda Gardner – 12<sup>th</sup> October, 2014**

“That this council, under Section 136 of the Local Government Act 2001, calls on the Chief Executive to disclose in detail to the members of this authority as a matter of urgency, all additional extra costs associated with the construction of the Central Access Scheme to date and in particular the additional costs associated with the following;

1. Detailed breakdown on Garda/Security Costs associated with deliveries were made to site to date, which the Chief Executive has stated has amounted to €57,000 to date.
2. Difference in design and cost for the redesign of sheet pile cofferdam and reasons for deviation from original plan.
3. Confirmation that the sheet piles for the Eastern bank have now been removed and explanation as to the reason for this and confirmation that as a result of them been removed by the end of September deadline that the original cost of €142,000 has now been saved.
4. Confirmation that as the sheet piles have now been removed there will be no need for a flood risk assessment or if this assessment has already been carried out, furnish details of report together its cost.
5. Detailed breakdown and costing for the site boundary extension, totaling €52,000. Can the Chief Executive confirm that no protester ever tried to breach the original site boundary and therefore this boundary extension was not appropriate and cannot be attributed to any protester.
6. Confirmation as to why it was necessary for the Local Authority to provide additional site security and not the responsibility of the contractor under the terms of his contract. Please also confirm the number of times that a protester tried to gain access to the site to warrant this additional security cost?
7. Please provide copies of all technical reports which address the above Programme/Contract delays, including Compliance with EIS, Consultations with KCC, Site Audits & Revised construction methodologies and all other reports as per the Local Authorities costing of €25,000.
8. Detailed breakdown and costings of legal costs incurred to date.

Finally can the Chief Executive confirm that the scale model should have been produced as part of the original public consultation and that it is inappropriate to attribute this cost to the protests.”

**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:**

**1 (14) Kerry County Council – 19<sup>th</sup> August, 2014.**

“I am calling on the elected members of Kerry County Council to bring an end to all Political Parties holding Church gate collections in Kerry as currently there are massive sums of money paid directly by the state towards the running of all political parties each and I object to the pressure and intimidation being put on Mass goers. Collections at Churches should be solely for charities, voluntary and sporting organisations who are financially struggling to survive and are far more deserving.”

**2 (14) Carlow County Council – 16<sup>th</sup> September, 2014**

“That the Council write again to the Minister for Public Expenditure & Reform requesting that he include childcare facilities in the list of exemptions in the Valuation (Amendment) (No. 2) Bill 2012 which is currently progressing through the Oireachtas. We are requesting that childcare facilities are included in the list of exemptions under Schedule 4 of the Act. It was further agreed that no new rates are introduced on childcare facilities until the Valuation (Amendment) (No. 2) Bill 2012 has passed all stages in the House of the Oireachtas.”

**3 (14) Monaghan County Council – 1<sup>st</sup> October, 2014**

“That this Municipal District Authority calls on the Minister for Arts, Heritage and the Gaeltacht, Ms. Heather Humphreys to examine the possibility of the introduction of an adequate high level grant aid scheme for buildings that are listed, both commercial and residential.”