

## **Minutes of Council Meeting held on 20<sup>th</sup> January, 2014 at 3.00p.m.**

**Chair:** Cllr. P. Dunphy

**Cllrs:** M H. Cavanagh, P. Millea, M. Shortall, J. Brennan, C. Connery, J. Coonan, M. Noonan, D. Fitzgerald, M. Doran, T. Maher, P. Crowley, J. Moran, T. Prendergast, M. O' Brien, S. Treacy, C. Long, T. Breathnach, E. Aylward, F. Doherty, P. Cuddihy, M. Brett, P. Crowley.

**Officials:** J. Crockett, J. Mulholland, J. McCormack, P. O' Neill, C. McCarthy, D. Lawlor, B. Moloney, D. Smyth, M. Nugent and A.M. Walsh.

**Apologies:** Cllr. W. Ireland and A.M Irish

Cllr. P. Dunphy opened the monthly meeting at 3.00p.m. and requested member's approval to an adjournment until 3.30p.m. This was agreed.

Meeting resumed at 3.30p.m.

### **1. Confirmation of Minutes - Dearbhú Miontuairiscí:**

- (a) Minutes of Ordinary Meeting of Kilkenny County Council held on Monday 16<sup>th</sup> December, 2013.** Proposed by Cllr. C. Connery, Seconded by Cllr. M. O' Brien and agreed:- "That the minutes of the Ordinary Meeting of Kilkenny County Council held on the 16<sup>th</sup> December, 2013 as circulated with the agenda be and are hereby approved."
- (b) Minutes of Ballyragget Electoral Area Meeting held on Monday 18<sup>th</sup> November, 2013.** Proposed by Cllr. J. Brennan, Seconded by Cllr. M. H. Cavanagh and agreed:- "That the minutes of the Ballyragget Electoral Area Meeting held on the 18<sup>th</sup> November, 2013 as circulated with the agenda be and are hereby approved."
- (c) Minutes of SPC 4 Housing & Social Strategic Policy Committee Workshop held on 2<sup>nd</sup> December, 2013.** Proposed by Cllr. C. Connery, Seconded by Cllr. M. Noonan and agreed:- "That the minutes of the SPC 4 held on the 2<sup>nd</sup> December, 2013 as circulated with the agenda be and are hereby approved."
- (d) Minutes of SPC 2 Infrastructure, Transportation, Water Services & Other Policy Issues Meeting held on Monday 6<sup>th</sup> December, 2013.** Proposed by Cllr. M. Doran, Seconded by Cllr. J. Moran and agreed:- "That the minutes of the SPC 2 Infrastructure, Transportation, Water Services & Other Policy Issues Meeting held on the 6<sup>th</sup> December, 2013 as circulated with the agenda be and are hereby approved."

- (e) **Minutes of Rural Water County Kilkenny Rural Water Monitoring Committee Meeting held on Monday 13<sup>th</sup> December, 2013.** Proposed by Cllr. J. Brennan, Seconded by Cllr. M. Shortall and agreed:- “That the minutes of the Rural Water County Kilkenny Rural Water Monitoring Committee Meeting held on the 13<sup>th</sup> December, 2013 as circulated with the agenda be and are hereby approved.”
- (f) **Minutes of Ballyragget Electoral Area Meeting held on Monday 16<sup>th</sup> December, 2013.** Proposed by Cllr. C. Connery, Seconded by Cllr. M. H. Cavanagh and agreed:- “That the minutes of the Ballyragget Electoral Area Meeting held on the 16<sup>th</sup> December, 2013 as circulated with the agenda be and are hereby approved.”

Cllr. P. Dunphy congratulated the following:-

- Well done to all Kilkenny students who took part in the BT Young Scientist Competition.
- Congratulations to all involved in keeping Kilkenny City Litter free and winning the IBAL Clean City Crown. He urged everyone to keep up the good work in 2014

Cllr. P. Dunphy extended vote of sympathy to the following:-

- Family of Seamus Byrne, Thomastown – Former Technician in the Thomastown Area Office
- Michael, Tommy & Margaret O’ Neill, Castlecomer Area Office on the death of their father and father in law James O’ Neill, Donaguile, Castlecomer, Co. Kilkenny.
- Family of Winifred Farrell, Dean Kavanagh Place, Kilkenny – Pensioner
- Doyle Family, Luffany, on the death of Pete Doyle.
- Barry Ahearne and Family on the death of Nellie Barry (Mother)
- John Healy and Family, Brownstown, Tullogher, Co. Kilkenny on the death of Brigid Clancy.
- Ann Conway, Mount Jerome, Earlsrath, Mullinavat, Co. Kilkenny on the death of Brigid Clancy.
- John Furlong, Brownstown, Tullogher, Co. Kilkenny on the death of Cissie Furlong.
- Mary Irish & Family, Rathpatrick, Slieverue, Co. Kilkenny on the death of Andy Irish.

**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**

Proposed by Cllr. M. Brett, Seconded by Cllr. P. Millea and agreed: - "It is the intention of Kilkenny County Council, in accordance with Section 183 of the Local Government Act, 2001 to dispose of property at 16 Pocke Valley, Johnswell Road, Kilkenny to Ms. Mary Maher, Rathmacan, Kilmanagh, Co. Kilkenny for the sum of €100,000 with each party being responsible for their own legal costs associated with the sale".

**(b) Roads - Bóithre**  
**(i) Notification of Allocations for National Roads 2014**

Mr. J. Mulholland referred to his report on the NRA Grant allocation for National Roads for 2014 circulated with the agenda. He advised that the allocation for regional and local roads would be received at a later date. There will also be further announcements in relation to Ballinaslee. A number of projects are currently being designed – Mooncoin and Hennebry Cross to Dinan Bridge. The allocation for 2014 is €1.561m compared to €1,638m in 2013. This is a reduction of €127,000 and this is accounted for by the transfer of maintenance and winter gritting of the M8 & M9 motorways to private contractors. Details of the current position on road projects in Kilkenny were circulated for member's information.

Contributions were received from Cllrs. M.H. Cavanagh, M. O' Brien, P. Dunphy, S. Treacy, M. Shortall, J. Coonan, C. Connery, J. Brennan, T. Breathnach, M. Brett, T. Prendergast, T. Maher, M. Noonan, F. Doherty, C. Long and E. Aylward.

The main issues raised by members are as follows:-

- General welcome to the allocation for further works at Ballinaslee and request current status.
- Request to have R700 Thomastown By Pass expedited.
- Village Renewal Scheme – Ballyragget
- Current status on Tower Road Junction – existing barrier is obstructing driver's vision.
- Clarify proposed expenditure on N76Tennypark to Cuffesgrange realignment.
- N76 at Tullamaine- Surface needs to be re-constructed.
- Proposals for low cost safety measures schemes.
- Footpath – Knocktopher to Ballyhale
- Update on archaeology work on Central Access Scheme and proposed date to commence construction
- Current status on proposals to upgrade Bohernatounish Road and timeframe.

- Northern Ring Road Extension – Any proposals to complete the rest of the Ring Road.
- HGV Study- Kennyswell Road

Mr. Mulholland replied to all issues raised by the members. Provision of footpath on Regional roads is a matter for Kilkenny County Council to allocate funds to this. The Capital Budget approved by the Council for 2013-2015 lists the projects that have been approved for funding.

Cllr. M. O' Brien proposed that Kilkenny County Council write to NRA inviting them to attend the Council Meeting to enable members to discuss their concerns on the various roads projects and prioritise projects. Cllr. S. Treacy seconded this and it was agreed by all members.

**(ii) Programme for Review of Speed Limits**

Mr. J. Mulholland referred members to his report circulated with the agenda on the programme for review of speed limits. He advised that a works group has been set up by the Minister for Transport, Tourism and Sport to review all speed limits. A 2 year action programme has been set out for a comprehensive review of existing speed limits. Kilkenny County Council has undertaken a series of reviews to special speed limits over the last few years. In parallel with the national speed limit review Kilkenny County Council will develop its second county based Road Safety Plan during 2014 to cover the period up to 2020.

Contributions were received from Cllr. M. Doran, S. Treacy, M. Shortall and T. Breathnach. The issues raised by members were as follows:-

- Removal of 85km for minor roads/laneways
- Provision of signage and type of signage
- Use of electronic signs – seems to have greater impact.

Cllr. M. Doran referred to report for SPC 2 on meeting held on 6<sup>th</sup> December, 2013. He advised that the committee has recommended to the full Council that 3 resolutions be considered.

Cllr. Doran proposed that:-

“That SPC2 recommends to Kilkenny County Council that the Road Authority is given an input, in consultation with An Garda Siochana, into the sites chosen for the deployment of speed detection vehicles in County Kilkenny. Such input will reflect the expertise and knowledge of the Road Authority towards the efficient deployment of the speed detection vehicles and will complement the aspirations of the Road Safety Plan.”

“That SPC2 recommends to Kilkenny County Council that the Road Safety Plan includes provision whereby speed limit repeater signs and /or speed display signs are introduced on the Regional Road Network taking account of the extent of that network, the volume of traffic utilising that portion of the road network together with the proportion of fatal and serious accidents on that section of the road network.’

“The SPC2 recommends to the Council the introduction of a policy which provides for road markings to the local primary road network subject to the local primary route having a minimum AADT threat of 800 vehicles and where the application of such road markings will enhance the road safety characteristics of the route”.

Cllr. T. Breathnach seconded the resolution and all members were in agreement.

Mr. Mulholland responded to the queries raised by the members.

- (iii) Proposed by Cllr. F. Doherty, Seconded by Cllr. E. Aylward and resolved: - That the County Council of the County of Kilkenny in exercise of the powers conferred on them by Section 11 of the Roads Act 1993 and in accordance and in compliance with Section 180 of the Planning & Development Act 2000, as amended by Section 59 of the Planning & Development Act, 2010 hereby declares the road at 5 Residential Units at O’Shea’s Green, Tinakilly Big, Rosbercon, Co. Kilkenny to be a public road”.
- (iv) Proposed by Cllr. C. Connery, Seconded by Cllr. M. Shortall and agreed: - “That the County Council of the County of Kilkenny in exercise of the powers conferred on them by Section 11 of the Roads Act 1993 and in accordance and in compliance with Section 180 of the Planning & Development Act 2000, as amended by Section 59 of the Planning & Development Act, 2010 hereby declares the road at Housing Development at Riverside, Ballyragget, Co. Kilkenny to be a public road”. (notification attached)

(c) **Corporate - Gnóthaí Corparáideacha**

**Special Projects Update – John Mulholland**

Mr. Mulholland referred to report circulated to members on the progress and current status of Special Projects included in the Council’s Capital Programme for 2014. Details on each project are set for member’s information. Contributions were received from Cllr. T. Prendergast, T. Maher, T. Breathnach, D. Fitzgerald, M. Noonan, P. Cuddihy, J. Brennan, C. Long, F. Doherty as follows:-

- Funding for Urban and Village Renewal was welcomed by all members – need to re-vitalise the smaller towns and villages, must re-focus our plans from the city to the county and seek funding for villages etc.
- Members welcomed the grant allocation secured for the various projects and staff were complimented on securing these capital grants in the economic times, this is a huge investment for the city and county.
- High Street, Kilkenny – any plans for cycling lanes and cycling bays
- Clarify if there is any updated information on the opening of the Ferrybank Shopping Centre.
- Clarify funds from Leader for the Graiguenamanagh Urban and Village Renewal.

Mr. Mulholland replied to specific queries raised by members.

Mr. Crockett advised that he will bring the issue of the Ferrybank Shopping Centre to the attention of the Developer/Receiver.

#### **Presentation by Rothe House – 4.30p.m.**

Rothe House requested that this be deferred to February Meeting.

#### **(d) Environment- Timpeallacht Launch of Anti Litter Initiative /Presentation by Environment Section - 5.00p.m.**

Mr. P. O' Neill, introduced Ms. Bernadette Moloney Environmental Awareness Officer who will give a presentation on a review of Anti Litter Initiatives for 2013 and announce the programme for 2014.

Ms. Moloney updated the Council in a powerpoint presentation on the activities that took place in 2013 and gave details on the number of litter fines issued and enforcement action taken.

She advised that the programme for 2014 would centre on the following:-

- Green Dog Walkers Programme
- Gum Litter Taskforce.
- IBAL and Tidy Towns.
- Annual National Spring Clean
- Spring Education Programme for both Primary and Secondary Schools
- Marketing Service in Recycling Centres

She reminded members on the complaints procedure and the various contact numbers.

During the year specific initiatives will be taken to promote “Cleanest County Campaign” some of these will include financial incentives during the month of February for community groups to report illegal dumping etc.

Contributions were received from Cllr. P. Dunphy, M. Doran, J. Moran, S. Treacy, M. Shortall, T. Breathnach, F. Doherty, D. Fitzgerald, J. Coonan, T. Maher, M. Noonan, C. Connery.

Issues raised by members included the following:-

- Need to continue education programmes.
- Illegal dumping at bring banks – side of the road littering is increasing.
- Ring fence litter fines income to purchase additional cameras.
- Use of cameras for detection of illegal dumping
- Re-align all application for litter grants, amenity grants for ease of submission of forms by communities.
- Co-operation with Keep Kilkenny Beautiful is very appreciated by all.
- Publicise court cases – incentive to reduce litter.
- Programme for WEE Collection for 2014.

Members welcomed the Dog Fouling initiatives and recommended that this initiative is publicised across the county and sent to all communities and complimented all the Environment staff.

Ms. Moloney and Mr. Denis Lawlor responded to specific queries raised by the members.

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:**

- (i) Schedule of meetings from February - April 2014 as amended. Proposed by Cllr. C. Connery, Seconded by Cllr. J. Moran and agreed.

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

- (a) Report and Recommendations of the Ballyragget Electoral Area Committee Meeting held on 18<sup>th</sup> November, 2013. Proposed by Cllr. J. Brennan, Seconded by Cllr. C. Connery and agreed.
- (b) Chairman's Report of SPC 4 – Housing and Social Strategic Policy Committee Meeting held on 2<sup>nd</sup> December, 2013. Proposed by Cllr. C. Connery, Seconded by Cllr. M. Shortall and agreed.
- (c) Report on Strategic Policy Committee No. 2 – Infrastructure, Transportation, Water Services and Other Policy Issues Meeting held on 6<sup>th</sup> December, 2013. Proposed by Cllr. M. Doran, Seconded by Cllr. J. Moran and agreed.
- (d) Chairpersons Report – County Kilkenny Rural Water Monitoring Committee Meeting held on 13<sup>th</sup> December, 2013. Proposed by Cllr. J. Brennan, Seconded by Cllr. S. Treacy and agreed.

Cllr. J. Brennan complimented water services staff on their work and the results achieved on 100% compliance on drinking water. He also welcomed the success of the 2 pilot group water scheme and hoped that money will be available for the future.

Contributions were also received from Cllr. T. Breathnach and M. Shortall. Requesting an increase in grants available. P. O' Neill responded to the issues raised.

- (e) Report and Recommendations of the Ballyragget Electoral Area Committee Meeting held on 16<sup>th</sup> of December, 2013. Proposed by Cllr. M. Shortall, Seconded by Cllr. J. Brennan and agreed.

7. **Other Business set forth in the Notice convening the Meeting -**

**Gnó Eile romhainn i bhFógra reachtála an Chruinnithe**

None

8. **Education & Training – Oideachas agus Oiliúint**

- (i) Conferences – Request for approval to attend as per circulated list. Proposed by Cllr. C. Connery, Seconded by Cllr. J. Moran and agreed.



**(ii)** Summary proceedings at Conferences have been received from:-

Councillor	Date of Conference	Title of Conference
C. Connery, C. Coonan & J. Moran	29 <sup>th</sup> -30 <sup>th</sup> November	Early Childhood Care
F. Doherty	6 <sup>th</sup> -8 <sup>th</sup> December	Local Authority Employment – Law, Practice & Procedure
C. Connery & C. Long	13 <sup>th</sup> -15 <sup>th</sup> December	Tourism, Technology & Competitive Strategies 2014
C. Connery	20 <sup>th</sup> -21 <sup>st</sup> December	Improving Road Safety

Proposed by Cllr. M. Shortall, Seconded by Cllr. M. Noonan and agreed.

**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:**

**Deferred to February Meeting. a**

**1(14) Cllr. Fidelis Doherty**

“ To seek of Kilkenny County Council to initiate the facility of acquiring the names of students who turn 18 while in secondary school to be included in the Register of Electors in order to facilitate their inclusion on the County’ Register of electors so that they can vote when the next opportunity occurs”.

## **2(14) Cllr. Malcolm Noonan**

“That Kilkenny County Council condemns the practice of below cost selling of vegetables; fruit, milk and other agricultural produce by retail multiples in Ireland where food is being sold below the cost of production and as a loss leader. We request that the Minister for Agriculture and Minister for Trade and Enterprise would bring to Government proposals to regulate the grocery retail sector in Ireland to protect Irish farm jobs and independent retailers from such distorting and unjust practices”.

## **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:**

### **Deferred to February Meeting**

#### **1(14) Leitrim County Council - 18<sup>th</sup> December, 2013**

“That Leitrim County Council calls on the Government and Minister Phil Hogan to withdraw their proposal to introduce a levy on all vacant commercial premises. The pending Local Government legislation, which is due to come into effect in 2014, refers to changing the current process of waiving 100% of the commercial rates on business properties that are vacant and proposes to introduce a levy of 50% of the full rates payable on all properties that are vacant. This new proposal is referred to in “Part 5, Section 31” of the pending legislation. This proposal, to bill all vacant commercial properties in Leitrim and all over the country at 50% of the full rates payable, is unacceptable and unthinkable”.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**Cathaoirleach**