

Minutes of Council Meeting held on Monday 15th December, 2014 at 2.30pm

Chair: Cllr. P. Millea

Cllrs: M.H. Cavanagh, M. Shortall, J. Brennan, P. Fitzpatrick, M. McCarthy, M. Doyle, M. Doran, K. Funchion, P. McKee, M. Noonan, E. Aylward, T. Breathnach, F. Doherty, P. Dunphy, G. Frisby, P. Cleere, P. O'Neill, M. O'Neill, B. Gardner, D. Kennedy, J. Malone

Officials: J. Mulholland, J. McCormack, M. Prendiville, P. O'Neill, S. Walton, M. Delahunty, M. Mullally, K. Hanley, B. Tyrrell, D. Malone and A.M Walsh.

Apologies: Cllr's D. Fitzgerald and A. McGuinness

1. Confirmation of Minutes - Dearbhú Miontuairiscí:

- (a) Minutes of Special Budget Meeting in Committee of Kilkenny County Council held on Monday 17th November, 2014.** Proposed by Cllr. M.H. Cavanagh, Seconded by Cllr. D. Kennedy and agreed "That the minutes of the Special Budget Meeting in Committee of Kilkenny County Council held on the 17th November, 2014 as circulated with the agenda be and are hereby approved."
- (b) Minutes of Ordinary Meeting of Kilkenny County Council held on Monday 17th November, 2014.** Proposed by Cllr. P. Dunphy, Seconded by Cllr. M.H. Cavanagh and agreed "That the minutes of the Ordinary Meeting of Kilkenny County Council held on the 17th November, 2014 as circulated with the agenda be and are hereby approved."
- (c) Minutes of Adjourned Special Budget Meeting in Committee of Kilkenny County Council held on Friday 21st November, 2014.** Proposed by Cllr. F. Doherty, Seconded by Cllr. M. Doran and agreed "That the minutes of the Adjourned Special Budget Meeting of Kilkenny County Council held on the 21st November, 2014 as circulated with the agenda be and are hereby approved."
- (d) Minutes of Statutory Budget Meeting of Kilkenny County Council held on Friday 21st November, 2014.** Proposed by Cllr. P. Cleere, Seconded by Cllr. M. Shortall and agreed "That the minutes of the Statutory Budget Meeting of Kilkenny County Council held on the 21st November, 2014 as circulated with the agenda be and are hereby approved."

The members were advised that a correction is required to the minutes of monthly meeting held on the 17th November, 2014, Item 2 (c) – proposal to vary Development Plan was made by Cllr. Melissa O'Neill and not by Cllr. Pat O'Neill. Members agreed to the correction of the minutes.

Cllr. P. Millea extended best wishes to members, staff and all citizens of Kilkenny and wished them a happy Christmas.

He extended a special welcome to those coming home for Christmas and appealed to all people travelling over the Christmas to take care on the roads.

Cllr. P. Millea extended congratulations to Mr. Jim Kavanagh on his National Volunteer Award.

Cllr. M. Shortall extended an invitation to all to attend the Wellie Race in Castlecomer on the 1st January, 2015.

Cllr. P. Millea extended **votes of sympathy** to the following:-

- To Jane O'Reilly, Planning Department on the death of her mother Catherine O'Reilly.
- To Martin Kelly, Finance Department on the death of his mother Philomena Kelly.
- To Jimmy Conway, Library Services on the death of his brother Michael Conway.
- To Dorothy Rice, Conahy, Co. Kilkenny on the death of her father Paddy Kennedy.
- To Adrian Byrne, The Square, Freshford, Co. Kilkenny on the death of his father Seamus Byrne.
- To Jimmy Kavanagh, Byrnesgrove, Ballyragget, Co. Kilkenny on the death of his son Noel Kavanagh.
- To the Mahon Family, Ballybrazil, Mooncoin, Co. Kilkenny on the death of John Mahon.
- To Mick Kelly, Ballincur, Mooncoin, Co. Kilkenny on the death of his daughter Tracey Kelly Ryan.
- To Johnny Vereker, Carraigawurra, Slieverue, Via Waterford on the death of his brother Dick Vereker.
- To the Durney Family, Bigwood, Co. Kilkenny on the death of Statsia Durney.
- To John Durney, Bigwood, Mullinavat, Co. Kilkenny on the death of his mother Statsia Durney.
- To Mary Costelloe and Family on the death of her husband Bill Costelloe.
- To Eily Conway and Family, Garrandarragh, Mullinavat, Co. Kilkenny on the death of her son Michael Conway.
- To Mickie Murphy (father) and Michael Murphy (son), Ballyfacey, Glenmore, Co. Kilkenny on the death of Richard Murphy.
- To Breda Phelan, Ballyfoyle, Tullogher, Co. Kilkenny on the death of her brother Richard Murphy.
- To Tom Walsh and Family, Rosbercon, Tullogher, Co. Kilkenny on the death of his mother Betty Walsh.
- To Ann Marie Fitzgerald, Weatherstown, Glenmore, Co. Kilkenny on the death of her father Maurice Kehoe.
- To. Mary Walsh, Ballybrahee, Glenmore, Co. Kilkenny on the death of her father Maurice Kehoe.
- To Martina Cummins, Tullogher, Co. Kilkenny on the death of her father Maurice Kehoe.
- To Joe Lawlor, Mount Loftus, Skeoughvosteen, Co. Kilkenny on the death of his wife Tina Lawlor.
- To Felicity Ryan, Coolnabrone, Skeoughvosteen, Co. Kilkenny on the death of her husband Oliver Ryan.

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 and Other Disposal - Tithíocht & Díuscairt Eile

- (i) It was proposed by Cllr. M. Doran, Seconded by Cllr. P. McKee and agreed "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, if any, in a plot of ground at Castletobin, Callan, Co. Kilkenny measuring approx 613 square metres to Brett Brothers Limited, Head Office, Callan, Co. Kilkenny for the sum of €1,500 with Brett Brothers Limited being responsible for all legal costs associated with the sale."
- (ii) It was proposed by Cllr. M. Shortall, Seconded by Cllr. P. Fitzpatrick and agreed "That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the lease of the property known as the former Castlecomer Courthouse, Kilkenny Street, Castlecomer, Co. Kilkenny to Foroige National Youth Development Organisation, Block 12D, Joyce Way, Park West, Dublin 12, for a period of 5 years, with the option to renew, at a rent of €1.00 per week, for use at a 'Youth Café' and with each party to be responsible for their own legal costs."

(b) Roads - Bóithre

(i) **Taking in Charge**

- *17 Residential Units at 'Belline Vale', Piltown, Co. Kilkenny*

It was proposed by Cllr. T. Breathnach, seconded by Cllr. F. Doherty and agreed that:-

"We the members of Kilkenny County Council approve the initiation of proceedings for the taking in charge of Approval for the initiation of proceedings for the taking in charge of 17 Residential Units at 'Belline Vale', Piltown, Co. Kilkenny in accordance with Section 180 of the Planning and Development Act 2000 - 2013 and under Section 11 of the Roads Act 1993".

- *23 Residential Units at Togher Crescent, Urlingford, Co. Kilkenny*

It was proposed by Cllr. M.H. Cavanagh, seconded by Cllr. M. Shortall and agreed that:-

“We the members of Kilkenny County Council approve the initiation of proceedings for the taking in charge of 23 Residential Units at Togher Crescent, Urlingford, Co. Kilkenny in accordance with Section 180 of the Planning and Development Act 2000 - 2013 and under Section 11 of the Roads Act 1993”.

- *16 Residential Units at Togher Way, Urlingford, Co. Kilkenny*

It was proposed by Cllr. M.H. Cavanagh, seconded by Cllr. M. Shortall and agreed that:-

“We the members of Kilkenny County Council approve the initiation of proceedings for the taking in charge of 16 Residential Units at Togher Way, Urlingford, Co. Kilkenny in accordance with Section 180 of the Planning and Development Act 2000 - 2013 and under Section 11 of the Roads Act 1993”.

Queries were raised by Cllr M.H. Cavanagh in relation to site resolution fund and anti-social behaviour at unfinished development in Togher Way, Urlingford. A.M Walsh responded to the queries.

(ii) Taking in Charge – Declaration of Public Roads

- *16 houses at Avonree Court, Callan, Co. Kilkenny*

It was proposed by Cllr. M. Doran, seconded by Cllr. P. McKee and agreed that:-

“We the members of Kilkenny County Council approve the taking in charge of 16 houses at Avonree Court, Callan, Co. Kilkenny in accordance with Section 11 of the Roads Act 1993 and in compliance with Section 180 of the Planning and Development Act 2000, as amended by Section 59 of the Planning and Development Act 2010.

- *23 houses at Beechgrove, New Ross, Co. Kilkenny*

It was proposed by Cllr. P. Cleere, seconded by Cllr. F. Doherty and agreed that:-

“We the members of Kilkenny County Council approve the taking in charge of 23 houses at Beechgrove, New Ross, Co. Kilkenny in accordance with Section 11 of the Roads Act 1993 and in compliance with Section 180 of the Planning and Development Act 2000, as amended by Section 59 of the Planning and Development Act 2010.

- *59 houses at The Beeches, Ballytobin, Ferrybank, Co. Kilkenny*

It was proposed by Cllr. G. Frisby, seconded by Cllr. E. Aylward and agreed that:-

“We the members of Kilkenny County Council approve the taking in charge of 59 houses at The Beeches, Ballytobin, Ferrybank, Co. Kilkenny in accordance with Section 11 of the Roads Act 1993 and in compliance with Section 180 of the Planning and Development Act 2000, as amended by Section 59 of the Planning and Development Act 2010.

- *Legacy Housing Development*
 - o *Plás Dhónaill Mhic Amhlaigh, Old Callan Road, Kilkenny.*
 - o *Francis MacManus Square, Michael Street, Kilkenny.*
 - o *Haughney Green, Fair Green Road, Kilkenny.*
 - o *Plás Uí Dhúshláine, O’Loughlin Road, Kilkenny.*
 - o *Fr. Albert Square (off Fr. Albert Place), Kilkenny.*
 - o *Tommy Martin Place (off Fr. Albert Place), Kilkenny.*
 - o *The Old School Yard, Patrick Street, Kilkenny.*

It was proposed by Cllr. P. McKee, seconded by Cllr. D. Kennedy and agreed that:-

“We the members of Kilkenny County Council approve the taking in charge of legacy housing developments as listed above in accordance with Section 11 of the Roads Act 1993 and in compliance with Section 180 of the Planning and Development Act 2000, as amended by Section 59 of the Planning and Development Act 2010.

(iii) N24 Mooncoin Pavement Rehabilitation and Traffic Management Scheme

Mr. S. Walton gave an overview of the Pavement Rehabilitation and Traffic Management Scheme for N24 Mooncoin Scheme. He advised that tenders have been received and Kilkenny County Council is now in a position to appoint a contractor for the completion of the approved works. The scheme will cost €2m and

NRA has approved funding for it. Works will commence in February 2015.

Contributions were received from Cllr's P. Dunphy, E. Aylward and F. Doherty. Members welcomed these works as the traffic management in this village will be of huge benefit to Mooncoin.

It was proposed by Cllr. P. Dunphy, seconded by Cllr. M. O'Neill and agreed that the works proceed.

(iv) Update on Kilkenny Central Access Scheme

Mr. Walton referred to his report dated 4th November, 2014 which had been circulated with the agenda for the November meeting.

He advised the following and outlined the additional costs incurred:-

- CPO – Various lands have been acquired, negotiations are ongoing on some parcels of land and arbitration date has been set for March 2015 in relation to lands required at Padmore and Barnes.
- Vicar Street Houses – No national monument exists at No. 20-22 Vicar Street. No. 20 is being retained; southern gable wall of No. 22 is being retained. Deconstruction of houses will commence early in 2015.
- High Court/Supreme Court cases – High Court case pending, awaiting statement of claim to be lodged by Christopher O'Keeffe. High Court has granted a final extension to 12th January, 2015. A court date will then be set for sometime in 2015.
- Bridge contract – works ongoing, required to re-enter river in 2015 as all works could not be completed in 2014 due to the disruptive protests. Conciliator has been appointed to facilitate agreement on a final contract sum. Bridge not due to be completed until August 2016 now. Reasonable to conclude that the additional costs on the bridge contract will be in the order of 50% of original contract value.
- Economic Assessment – despite additional costs having a negative impact on the cost/benefit ratio, it still represents a very strong economic rate of return on investment. The reduced cost/benefit ratio is now about 5.0 compared to 7.16 before the project commenced.

- Additional costs paid to date –
- Archaeological investigation costs - €152,000
- Legal and additional contract costs - €714,092
- It is estimated that the additional contract costs will be approx. €2.1m and additional legal costs will also be incurred due to ongoing High Court case.
- A provision of €300,000 has been made in Budget 2015 to fund these additional costs and this provision will have to remain in place for a number of years.

Cllr. P. Millea thanked Mr. Walton for a very detailed report on the Central Access Scheme. He thanked the Management and staff for their ongoing work in dealing with the issues which have arisen. He expressed concerns at the amount of the additional costs and that the Council will have to fund this from the Revenue Account for a long number of years.

Contributions were also received from Cllr's M. Noonan, M.H. Cavanagh, M. Shortall, F. Doherty, T. Breathnach and P. Dunphy.

Members in general expressed their concerns in relation to the additional costs incurred and what services have been affected in the annual budget to pay for these additional costs. Other queries raised by members are as follows:-

- Consultation with residents in Wolfe Tone St. regarding closure of road
- Period required to fund the additional cost and can any of this money be recouped from any party
- Cost benefit analysis – clarify
- Timescale to complete contract – further in-river works
- Additional costs incurred due to design changes and archaeology, not all related to disruptive protests
- Date of deconstruction of houses to commence
- Diversion of services – was this included in the original contract
- Retention of gable wall – Vicar St.
- Any savings accrued due to reduced contract costs

Cllr. M. Noonan voiced his concerns/reservations in relation to re-alignment of road and temporary car park.

Mr. Mulholland advised that road closure had been advertised and notified to the residents. He noted that Kilkenny County Council always issues an apology for inconvenience caused to motorists and residents. He stated that the Council had complied with all legal requirements, carried out all environmental reports for the project.

The Re-alignment of road kerblines towards St. Canice's Place is immaterial and insignificant. Provision of temporary Coach park is included in the Capital Budget and will be very beneficial for that area of the City.

In relation to funding the additional cost, it will take at least 7 years to claw back and this will be considered during each annual budget deliberations. Members will have choices during annual budget to consider how best to fund the additional costs. It is essential that core services are maintained.

Mr. Walton advised that tenders for deconstruction of houses at Vicar Street will be received before the end of the year. The houses will be removed in early 2015. The re-diversion of services is included in the original contract sum. The bridge was due to be built by September 2015; this may now be revised to August 2016.

The estimated additional cost at this date is between €2.1m - €2.4m and will up to 8 years to fund provided the Council maintains a contribution of €300,000 in each annual budget.

(c) Corporate Affairs – Gnóthaí Corparáideacha

(i) Chief Executive Report

Mr. Mulholland presented his report to the members. He advised that details have been provided in his report in relation to the Council's finances and the percentage achieved in the area of Debt Collection. He further advised that he has met with the Chamber of Commerce in relation to harmonisation of the Rates. He was pleased to advise that €329,000 has been received from the Department in relation to costs incurred on the storm damage.

Irish Water has now provided a dedicated direct phone line for Councillors.

Mr. Mulholland advised that the European Capital of Culture will reside in Ireland in 2020. A number of cities in Ireland will be making a bid for the competition. It is proposed that three counties in the South East will make a joint bid. Waterford County Council will act as the lead authority for preparing a bid for Waterford, Wexford and Kilkenny. The bid office will be set up in the Municipal Office in Ferrybank. The cost of preparing the bid for Kilkenny County Council would be approx. €45,000 over the period to 2017. Joint staffing resources would also be assigned to this.

Contributions were received from Cllr's P. Fitzpatrick, T. Breathnach, P. Cleere, M. Shortall, P. McKee, M.H. Cavanagh and F. Doherty.

Members welcomed the recoupment of funds for the storm damage.

A discussion ensued in relation to the benefits of being involved in the bid for the European Capital of Culture. Members requested that all opportunities be explored to promote the County and also for economic development.

A request was made to write to the IDA requesting them to attend a council meeting. Other issues raised by members related to:

- use of Ferrybank Shopping Centre – request NAMA to promote it.
- update on re-establishing negotiations between WIT and CIT.
- engage with communities on the European Capital of Culture.

It was proposed by Cllr. T. Breathnach, seconded by Cllr. P. Cleere and agreed that “Kilkenny County Council join Wexford and Waterford in a bid for the European Capital of Culture in 2020.” All members were in agreement.

Mr. Mulholland responded to the queries raised by members. Cllr. M.H. Cavanagh gave an update on the situation with WIT and CIT.

(ii) Capital Scheme Programme 2015 – 2017

Mr. Mulholland referred to the documents circulated to members as follows:-

- Report from Acting Chief Executive dated 10th December, 2014

- Details of Draft Capital Budget 2015 – 2017 per service area
- Explanatory note on projects included in the Capital Programme

He advised that the total expenditure required on all the projects included in the draft budget is €75.296m. In addition to this, Irish Water has plans to spend a further €24m on water services projects. The Council's share for funding the projects is €11.241m which will be sourced from revenue provision over the years and development charges. Kilkenny County Council will be relying on Government and EU funding for most of the projects. Projects will not proceed unless there is a commitment for the funding. He advised that tenders are being evaluated at the moment for the St. Mary's Project. Provision is also being made to commence the provision of infrastructure for the St. Francis Abbey Site. The provision of social housing in this site is also being considered.

He requested members approval to the capital budget and advised that the budget will be reviewed each year.

Contributions were received from Cllr's P. Fitzpatrick, M. Noonan, M. O'Neill, M. Shortall, T. Breathnach, F. Doherty, K. Funchion and B. Gardner. Queries were raised in relation to the following:-

- New City Library, John Street
- Improvement works in High Street, Kilkenny
- Welcomed progress on road improvement at Ballinaslee
- St. Mary's – Plans for future consultation with the public

Mr. Mulholland responded to the queries raised. Cllr's M. Noonan, B. Gardner, K. Funchion, M. O'Neill and D. Kennedy expressed their reservations in relation the inclusion of proposal for urban street and temporary coach park in the St. Francis Abbey site just north of the river Bregagh. They advised that they are not voting against the capital budget for 2015 – 2017 but wished to have their reservations noted in relation to these two projects.

It was proposed by Cllr. P. Cleere, seconded by Cllr. M. McCarthy and agreed that "the Capital Budget for 2015 - 2017 as presented is adopted in principal."

Mr. Mulholland advised that the members can at future meetings discuss the capital budget and if members wish to raise any further queries, it will be facilitated at the January meeting.

(d) Finance – Airgeadais

(i) Draft Development Contribution Scheme

The draft Development Contribution Scheme has been circulated to members with the agenda. It had been agreed to set aside time at the meeting to deal with the notices of motion listed on the agenda, therefore it was proposed by Cllr. M.H. Cavanagh, seconded by Cllr. P. Fitzpatrick and agreed “that this item be deferred to the January meeting in order for a more detailed discussion to be held.”

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 December 2014 – January 2015
Proposed by Cllr. P. Fitzpatrick, seconded by Cllr. G. Frisby and agreed.

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

None.

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. M. Shortall, seconded by Cllr. J. Brennan and agreed.
- (ii) Summary proceedings at Conferences –

Councillor	Date of Conference	Title of Conference
M.H. Cavanagh	29 th – 30 th October 2014	AILG Inaugural Annual Conference 2014
F. Doherty	6 th December 2014	Housing and Local Government

Proposed by Cllr. M. Shortall, seconded by Cllr. J. Brennan 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:

10(14) Cllr's. David Kennedy, Melissa O'Neill and Kathleen Funchion – 11th July, 2014.

Cllr. K. Funchion asked that the notice of motion “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” be noted. She stated that this matter had been dealt with at the last monthly meeting under the report on Traffic Calming received from Mr. S. Walton. Mr. Mulholland advised that the Minister has issued the circular in relation to traffic calming in Residential Developments. All members noted the notice of motion.

11(14) Cllr's. Michael McCarthy, Patrick McKee, Pat Fitzpatrick, – 29th July, 2014

Cllr. M. McCarthy requested that the notice of motion “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” be noted as read as the National Budget for 2015 has retained the 9% VAT for 2015. All members noted the motion.

12(14) Cllr's. Fidelis Doherty and Pat Dunphy – 22nd August, 2014.

It was proposed by Cllr. F. Doherty “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.”

Cllr. P. Millea and Cllr. M.H. Cavanagh requested that the notice of motion be amended to include all public supplies in the entire County. Contributions were received from Cllr's E. Aylward, M. O'Neill, T. Breathnach, M. Shortall and P. Dunphy in relation to lime in the water, cost on householders replacing dishwashers/washing machines and whether Irish Water have funds in place for a scheme to assist householders. Members acknowledged that the water is fit for drinking purposes. Following discussions it was proposed by Cllr. F. Doherty, seconded by Cllr. P. Dunphy and agreed that the motion be amended as follows:- “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 from a number of public water supplies in County Kilkenny including areas of South Kilkenny and Ferrybank.”

13(14) Cllr's. Maurice Shortall, David Fitzgerald, Kathleen Funchion, David Kennedy, Patrick McKee. – 31st August, 2014

It was proposed by Cllr. P. McKee, seconded by Cllr. M. Shortall and agreed “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 – 14th August, 2014

It was proposed by Cllr. F. Doherty, seconded by Cllr. D. Kennedy and agreed “That Kilkenny County Council apply to, and request the NRA (National Roads Authority) for a ‘Welcome to Kilkenny’ boundary signage on the southbound aspect of the M9 Motorway.”

Mr. S. Walton advised that the NRA have agreed to provide a boundary sign.

17 (14) Cllr. Breda Gardner – 12th October, 2014

Cllr. B. Gardner advised the meeting that the report given by Mr. S. Walton has provided the information she had requested in her notice of motion. Therefore, the notice of motion listed in the agenda will not be moved and is no longer required to be placed before the meeting.

18 (14) Cllr. Melissa O’Neill – 24th October, 2014

It was proposed by Cllr. M O’Neill “That Kilkenny Council calls on the Government to :

- Immediately reverse domestic water charges which are unfair and unjust double charge being forced on already struggling household.

- Stop the roll out metering and redirect the €539m loan finance from the National Pension Reserve Funds towards fixing the massive leakage problems and interruption to supply.

- Recognize that Irish Water is not fit for purpose since it is unaccountable to the Minister and therefore to the Oireachtas and citizens of this State.

- Prevent Irish Water from any further excessive spending of taxpayer's money, including the proposed further €35m on the use of external consultants in 2015.

- Oppose any duplication of services being delivered by Irish Water and Local authorities and retain these services within full public ownership now and in the future.

- Listen to the widespread public anger that exists towards this Government and Irish Water by the Irish people, who are now rightly organizing and mobilizing in the protest and opposition to these water

charges through the Right2Water public campaign which includes activists, citizens, community group, political parties and trade unions.”

Cllr. K. Funchion seconded the motion.

Cllr. M. O’Neill stated that Irish Water is not fit for purpose. The imposition of water charges will cause huge hardship to families who already have difficulties in surviving. The money spent to date is excessive. The health of people is also at risk with the levels of lime in the water and also the damage being caused to appliances.

Cllr. M.H. Cavanagh stated that a number of the elected members could not support the motion as it stood and proposed that Kilkenny County Council supports the domestic water charge.

Cllr. M. Noonan stated that he supported the domestic water charges but he asked the proposer to consider an amendment to the motion.

Cllr. J. Malone proposed an adjournment of five minutes for members to consider an amendment to the motion. Cllr. M. O’Neill seconded this and members agreed.

Meeting adjourned at 4.20pm.

Meeting resumed at 4.40pm.

Cllr. M.H. Cavanagh withdrew her proposal as it was invalid in accordance with standing orders.

Cllr. T. Breathnach stated that the Council showed support for improvement in the water quality, conservation of water and support repairs to leaks. He stated that he supported the concept of raising charges to provide investment for the improvement of water quality and supply.

Cllr. M. Shortall proposed an amendment that Kilkenny County Council support Irish Water in raising money to fund improvement works for investment in public infrastructure.

Following a discussion on proposed amendments, validity of amendments, it was agreed by Cllr. P. Millea to call for a vote on the motion proposed by Cllr. M. O’Neill and seconded by Cllr. K. Funchion.

A roll call was taken as follows:-

- 7 members voted **for** the motion – *Cllr’s P. Fitzpatrick, B. Gardner, D. Kennedy, K. Funchion, J. Malone and P. McKee, M. O’Neill*

- 11 members voted **against** the motion – *Cllr's J. Brennan, M.H. Cavanagh, M. McCarthy, P. Millea, M. Shortall, M. Doyle, P. O'Neill, M. Doran, T. Breathnach, F. Doherty and P. Dunphy*
- 4 members **abstained** – *P. Cleere, M. Noonan, E. Aylward and G. Frisby*

The motion was defeated by 11 to 7.

(19) 14 Cllr. Malcolm Noonan – 26th October, 2014

It was proposed by Cllr. M. Noonan, seconded by Cllr. D. Kennedy and agreed "That as the former provider of public water services in County Kilkenny, this Council calls for the amendment of the Constitution in order to prohibit the privatization of water provision and waste-water services."

Cllr. M. Noonan stated that the notice of motion is self explanatory and the constitution should be amended to protect our resources of water within the state. This resource should not be used for profit of private companies. Cllr. M. Noonan stated that he is not opposed to water conservation but is opposed to the principle of privatisation.

(20) 14 Cllr. Patrick McKee – 25th November, 2014

It was proposed by Cllr. P. McKee, seconded by Cllr. E. Aylward and agreed "That Kilkenny County Council supports the proposal to name the bridge forming part of the N25 Waterford Bypass spanning the River Suir the 'Thomas Francis Meagher Bridge' in honour of one of Ireland's greatest patriots and in recognition of his lifelong commitment to the cause of Irish Freedom."

Cllr. P. McKee spoke about Thomas Francis Meagher's contribution to politics in Ireland and America and he established the Irish Flag. Members of the Piltown Municipal District have already discussed this at Municipal District level and have agreed to the naming of this bridge.

(21) 14 Cllr. Pat Dunphy – 4th December, 2014

It was proposed by Cllr. P. Dunphy, seconded by Cllr. F. Doherty and agreed "That Kilkenny County Council call on the NRA to reinstate the arrow markings at junctions along national routes. These are an excellent guide for those turning off the main roads onto by roads."

Cllr. P. Dunphy stated the arrows were removed by the NRA without any consultation with the Council. The residents in this area have requested

that they be re-instated. Cllr. T. Breathnach asked that priority be given to right hand turns.

(22) 14 Piltown Municipal District Elected Representatives – 5th December, 2014

It was proposed by Cllr. E. Aylward, seconded by Cllr. P. Dunphy and agreed “That Kilkenny County Council undertake a speed limit review in January 2015 for all roads within the county and that the National Roads Authority are made aware of this. This review was indicated by the Department of Transport, Tourism and Sport over 12 months ago and has not yet come before a council meeting”.

Cllr. E Aylward stated that speed limit review is well overdue and there is an urgent need to commence the review. Cllr. P. Dunphy stated that there are a lot of anomalies in the current bye-laws and these need to be addressed.

(23) 14 Piltown Municipal District Elected Reps – 5th December, 2014

It was proposed by Cllr. P. Dunphy, seconded by Cllr. E. Aylward and agreed “That Kilkenny County Council immediately adopt a 60km per hour speed limit where 80 km per hour currently exists on the Carrick Road at Mooncoin from the 50km speed limit to road number LS7416 due to the poor residential sightlines along this road, the current speed of traffic and the many bends on this road along with numerous accidents that have taken place down through the years which resulted in loss of life on more than one occasion.”

Cllr’s P. Dunphy, E. Aylward, T. Breathnach, F. Doherty, P. O’Neill made contributions to this notice of motion. Members stated that this is a very treacherous spot and urgent action is needed. The visibility is non-existent for motorists accessing onto this road. The NRA needs to advise Kilkenny County Council why they will not facilitate a reduced speed limit at this location.

Mr. Mulholland advised that there are very difficult and physical circumstances at this location for traffic movements. This issue has been discussed on two occasions with the NRA. Warning signs will be provided as part of the Mooncoin Improvement Scheme.

Mr. S. Walton advised that Kilkenny County Council have no legal entitlement to reduce the speed limit on national primary roads. This is a matter for the NRA, however Kilkenny County Council is committed to

providing advance warning signs drawing drivers attention to the bends on the road.

Cllr. P. Dunphy asked if the NRA would visit this location and it was agreed to write to the NRA in relation to this.

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 – 19th 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 that are financially struggling to survive and are far more deserving.”

2 (14) Carlow County Council – 16th 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 – 1st 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.”

4 (14) Donegal County Council – 3rd December, 2014

“That under Section 140 of the Local Government Act, this Council resolved to direct Council Management, not to comply with a demand from Irish Water to pass over the personal information of Council Tenants held by Donegal County Council.”

It was proposed by Cllr. M.H. Cavanagh, seconded by Cllr. D. Kennedy and agreed "that all notice of motions from other local authorities listed on the agenda be noted and read."

Before the meeting concluded Cllr. P. Millea thanked members, management and staff for their commitment to the organisation and wished all a happy Christmas.

Cllr. M.H. Cavanagh thanked the Chairperson, Cllr. P. Millea for the conduct of the meetings and wished him a happy Christmas.

Mr. J. Mulholland on behalf of Management and staff wishes the Cathaoirleach and members a very happy Christmas.

That concluded the business of the meeting.

Signed: _____

Date: _____

Cathaoirleach