

# KILKENNY COUNTY COUNCIL

## - COMHAIRLE CHONTAE CHILL CHAINNIGH -

### AGENDA FOR THE ORDINARY MEETING OF KILKENNY COUNTY COUNCIL

Monday 19<sup>th</sup> February, 2018 at 3.00 p.m.  
Council Chamber, County Hall, John Street, Kilkenny.

*Clár do Ghlánth-Chruinniú Chomhairle Chontae Chill Chainnigh le reachtáil ar deLuan 19 Feabhra, 2018 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 15<sup>th</sup> January, 2018 [*copy of Minutes attached*].
- (b) Minutes of Special Meeting of Kilkenny County Council held on Monday 5<sup>th</sup> February, 2018 [*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**

"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 property at 82 Maudlin Court, Thomastown, Co. Kilkenny to Edward Long & Thomas Hickey. this house is the subject of a Shared Ownership arrangement with Kilkenny County Council. Consent of the Minister is not required."

**[Notice sent to members on the 9<sup>th</sup> February, 2018].**

(b) **Planning – Pleanail**

- (i) Taking in charge of Estates: 35 House Development at Burgess Court, Kells, Co. Kilkenny [*Report Attached*].
- (ii) Taking in Charge: TC 81: Glenbawn, Castlecomer Road, Kilkenny; Glendine Woods, Ballyfoyle Road, Kilkenny [*Report Attached*].
- (iii) Amendment to Record of Protected Structures [*Report Attached*].

(c) **Economic Development – Forbairt Eacnamaíoch**

- (i) Update on LEO Enterprise Activity in 2017 [*Presentation*].
- (ii) LCDC Annual Report 2017 [*Report Attached*]

(d) **Community & Culture – Pobol Cultúr**

- (i) Arts Act Grants [*Report Attached*].

(e) **Environment – Timpeallacht**

- (i) Litter Management Plan 2018-2020 [*Report Attached*]

- (f) **Corporate Affairs - Gnóthúí Corparáideacha**
  - (i) Chief Executives Monthly Report [Report To Follow].
  - (ii) Appointment of Chairperson for SPC 5: Environmental Protection, Water Services & Energy.
  - (iii) Civic Honours.
  - (iv) St. Patrick's Day Festivities Presentation
- 3. **Urgent Correspondence - Comhfhreagras Práinneach**
- 4. **Business adjourned from a previous Meeting- Gnó ar athló ó chruinniúirí seo**
- 5. **Fix Dates and Times of Meetings - Dátaí agus Amanta do chruinnithe a shocrú:**
  - (i) Schedule of Meetings from February, 2018 to May, 2018 [Attached].
  - (ii) Agree date for Ordinary Monthly Meeting March.
- 6. **Consideration of Reports and Recommendations of Committees of the Council-Plé ar Thuariscí agus Moltaí ó Choistí an Chomhairle:**
  - (i) Chairman's Report of SPC 1: Economic Development, Enterprise Support & Tourism held on Friday, 15<sup>th</sup> December, 2017 [copy of 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].
- 9. **Matters Arising from Minutes - Gnótha ag éirí as Miontuairiscí**
- 10. **Any Other Business - Aon Ghló Eile**

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

**35 (17) Cllr. Andrew McGuinness**

"That Kilkenny County Council liaise with the Gardai to explore the idea of creating Horse Free Zones in the City & County and introduce a system of exemptions for special occasions such as funerals and weddings and necessary uses such as Garda Horse Patrols etc. This can be done within our existing bye laws."

**36 (17) Cllr. Melissa O'Neill**

Withdrawn

**38 (17) Cllr. Breda Gardner & Cllr. Joe Malone**

"That elected members are privy to the same confidential and commercial sensitive information as the unelected Council Executives"

**40 (17) Cllr. Maurice Shortall & Cllr. Tomás Breathnach**

"That Kilkenny County Council would engage with Community Alert Schemes across the county with a view to include their data bases in the Register for Kilkenny Alerts."

**41 (17) Cllrs. Eamon Aylward, Tomás Breathnach, Fidelis Doherty, Pat Dunphy & Ger Frisby**

"That Kilkenny County Council writes to the Minister for Housing, Planning and Local Government to seek the setting up, within the context of the National Planning Framework, a Regional Forum for Carlow, Kilkenny, South Tipperary, Waterford, and Wexford to promote the South East as a distinctive NUTS III region, which can facilitate the development and oversight of proposals for the South East under the Regional Spatial & Economic Strategy and thus to enable the local authorities of the South East to work jointly on issues of common interest in a cooperative and collaborative manner.

**42 (17) Cllr. Andrew McGuinness**

"That the Elected Members of Kilkenny County Council be presented with a Progress Report with their Agendas and Minutes of each Council Meeting. The Progress Report would outline steps taken and progress made on each Notice of Motion passed by Council Members. The same should apply to motions passed at Municipal level also."

**43 (17) Cllr. Melissa O'Neill**

That Kilkenny Council write to those mentioned below on behalf of the 35, ISPCC Volunteer Workers in the Southeast we are calling on Government Bodies and Ministers i.e. HSE, Tulsa, Minister for Justice & Equality, Charlie Flanagan and Minister for Children & Youth Affairs to intervene on the disappointing news that has unfolded, that ISPCC Facility and service which mentor up to 20 families a year, receive up to 30.000 calls a year through Childline in the only premises in the Southeast region will be closed down fully by 1<sup>st</sup> of December due to lack of Government funding and new regulations been brought in by Government on voluntary organisations. Governance is needed but at what cost and to whom? As Kilkenny, Tipperary, Wexford and now Waterford will not have this vital service the region and our children are again been left behind.

**01 (18) Cllr. Sean Tyrrell**

"I propose that this Council write to the Department of Justice calling on Minister Charlie Flanagan to commence with the commission of investigation to examine claims sex abuse crimes by paedophile Bill Kenneally were covered up."

**02 (18) Cllr. Mary Hilda Cavanagh**

"That Kilkenny County Council request funds from TII to complete the Kilkenny Ring Road especially the stretch from the Castlecomer Road to the Freshford Road to alleviate the serious traffic congestion and delays to road users at morning "rush hour" on the Freshford Road area where two hospitals and several schools are located."

**03 (18) Cllr. Melissa O'Neill**

"That Kilkenny County Council ban the use of Glyphosate in public areas, Ireland has the second highest levels of Glyphosate in surfacewater as new report shows. A report for research against cancer [IARC] in 2015 concluded Glyphosate to be probably carcinogenic to humans. Glyphosate also known as roundup blocks proteins essential to plant growth. Our health and environment must be protected."

**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 Chiontae Chill Chainnigh:**

**27 (17) Monaghan County Council**

"That Monaghan County Council calls on the Government, in conjunction with all relevant stakeholders, to re-assess current legislation regarding school transport with a view to ensuring that the maximum level of primary and secondary students are facilitated."

**28 (17) Leitrim County Council**

"That Leitrim County Council call on the Department and Minister Mr. Eoghan Murphy, T.D., to review the terms and conditions of the Housing Grant Scheme to allow Local Authorities to use discretion in the awarding of housing repair grants for older people. In the case where an applicant has transferred ownership of their home over to one of their children, but they still continue to live in their home for the rest of their days, that they would be entitled to apply for and receive grant approval for works on the merits of their own income."

**29 (17) Mayo County Council**

"That Mayo County Council (Ballina Municipal District) calls on the Minister for Agriculture, Food and the Marine and the Department of Agriculture to take immediate action to deal with the problems caused by the spread of ragwort and to implement the existing laws to deal with the problem and call on the Minister to put in place an incentive scheme to encourage farmers and other landowners to take action to deal with this very serious problem. Ballina Municipal District further calls on Mayo County Council who are in serious breach of the Noxious Weeds Act to take action to contain the prevent the spread of ragwort and other noxious weeds. The Council also calls on the Minister to update the Noxious Weeds Act 1936 to make it relevant in the present time. That this Motion is circulated to all local authorities for their support and also to the IFA and Irish Creamery Milk Association"

**30 (17) Limerick City and County Council**

"That the Government put in place one Agency with full responsibility for maintenance/repair/upkeep of all our rivers and streams."

**31 (17) Offaly County Council**

"That this Council calls for a complete overhaul of how our Social Housing Programme is administered by Department. We suggest that a Capital Housing Allocation (possible multi annual) be made available to each Council each year for the provision of suitable accommodation either to new build or purchase to meet the needs of our every growing waiting lists. The present system has failed as is evidence by the length of waiting lists in every Council area. We have successive Ministers blaming Councils for failing to provide houses, while their Department exert unbelievable bureaucratic control at every stage of building process from land purchase to approval of Tenders."

**32 (17) Wexford County Council**

"Wexford County Council calls on the government to immediately implement the Private Members Motion which was unanimously passed in November 2016 regarding rural post offices that will ensure a financially stable Post Office network and the protection of this vital service in our communities".

**33 (17) Tipperary County Council**

"I am calling on the Department of Transport, Tourism & Sport to reintroduce the Urban Road Minor Improvement Grant as the loss of same has caused significant deterioration to the urban roads in towns in the County of Tipperary".

**34 (17) Tipperary County Council**

"That Monaghan County Council fully supports and endorses the SIPTU Big Start/Early Years Campaign objectives of adequate investment in the early years sector to deliver quality and affordable childcare with decent pay for highly qualified early years professionals, to secure quality early years care and education services for children 6 months - 5 years that are accessible, affordable and support parents/families to promote children's health, well being, learning and development in line with national quality standards."

**35 (17) Clare County Council**

"That Clare County Council call on the Minister for Social Protection to reverse the unfair and discriminatory policy of penalising home makers that took some time out to care for their family prior to 1994 and to address the Austerity measure that penalised approximately 35,000 people, mainly women, that was brought in by the Government on 6<sup>th</sup> April, 2012 concerning Contributory Pension Entitlements and if the motion is agreed that the request be sent to the Minister and also circulated to all other Councils."

**36 (17) Clare County Council**

"In the backdrop of our national housing emergency and the stresses experienced by so many at risk of homelessness due to mortgage distress, that Clare County Council call on An Taoiseach to support enactment by the Oireachtas of the National Housing Co-op Bill 2017 to provide for the establishment of an Industrial & Provident Society to be called the National Housing co-operative Society with the mandate and powers to acquire, manage, rent or sell distressed mortgages so that the occupants of houses can move from the status of distressed mortgagor by means of "rent and mortgage" AND that this Clare County Council Motion once passed, be copied to all other local authorities encouraging their adoption of similar such motion."

**37 (17) Leitrim County Council**

"That Leitrim County Council write to the Minister for Justice Frances Fitzgerald asking that her Department review the criteria for Community Based CCTV System Installation in towns and that she and her Department agree to increase the grant level from 40% to 75% and raise the ceiling to €75,000. The ceiling is currently €40,000. This change would increase the uptake, which is the aim of the Scheme."



**38 (17) Carlow County Council**

"That Carlow County Council calls on the Minister for Agriculture, Food and the Marine to produce adequate information to ensure ease of access and understanding of complex requirements for persons with disabilities, who are required to comply with European and national certification and guidelines, particularly in the agricultural sector. The Minister is called upon to address and if need arise, legislate for the ongoing issues involving persons with disabilities in the interest of equality and paying particular attention to literacy issues among farmers, to also, put in place services and facilities in recognition of the many farmers and members of rural Ireland who have difficulty getting the appropriate certification to carry out day to day agricultural activity, in particular, the Council asks the Minister to consider the case concerning Edward "Ned" Deering who recently went before the European Parliaments Committee of petitions where the case remains open. Finally, This Council calls on the Minister to recognise that the role of "Access Officers" within the Department are not fit for purpose."

**39 (17) Galway City Council**

"That Galway City Council write to the Department of the Environment and request that they prepare legislation regarding the disposal of paint under the Producer Responsibility Initiative similar to the WEE Scheme where paint would be brought back to the suppliers and disposed of by the paint companies."

**40 (17) Clare County Council**

"That Clare County Council requests the Minister for Agriculture to put a plan in place to help Clare farmers through an imminent fodder crisis next year."

**41 (17) Sligo County Council**

"That Sligo County Council write to the Minister for Health, Simon Harris, T.D. seeking extra funding for the Alzheimer Society of Ireland in future health budgets, and that this proposal be circulated to all Local Authorities in Ireland".

**42 (17) Monaghan County Council**

"That Monaghan County Council fully supports and endorses the SIPTU Big Start/Early Years Campaign objectives of adequate investment in the early years sector to deliver quality and affordable childcare with decent pay for highly qualified early years professionals, to secure quality early years care and education services for children 6 months - 5 years that are accessible affordable and support parents/families to promote children's health, well being, learning and development in line with national quality standards".

**01 (18) Waterford City & County Council**

"That Waterford City & County Council calls on the Minister for Justice, Mr Charlie Flanagan, to commence without further delay the Commission of Investigation into the alleged cover up of sex crimes by paedophile Bill Kenneally"

**02 (18) Tipperary County Council**

"We call on the Minister for Environment to amend the legislation with regard to collection of waste so as to allow small operators to provide a service to those who live in remote areas, areas where large vehicles cannot access or where householders have very limited amounts of waste and lack storage space for bins. Such small operators should be permitted to meet requirements in relation to pay by weight, by weighing their loads at the point of disposal. This would facilitate householders, allow the small operators to continue in business and also reduce the likelihood of illegal dumping of waste."

#### **03 (18) Wexford County Council**

"That this Council resolves that the guidance issued by the Data Protection commissioners should not supercede the public interest role of Councillors both to oversee the allocation of houses and to provide input based on local knowledge to assist in the allocation of housing and that a draft protocol to balance these competing interests be brought forward."

#### **04 (18) Galway County Council**

"This Local Authority calls on the Minister for Transport [Minister Shane Ross, T.D.] and the Minister of Justice & Equality [Minister Charlie Flanagan TD] to provide each Local Authority with efficient laws [bye-laws] to deal with the illegal parking of caravans and camper vans on public and private roads, right of ways and non-designated camp sites. Sufficient powers should be given to each Authority to remove and impound illegally parked caravans and to confiscate unclaimed caravans in a timely fashion similar to unclaimed motor vehicles."