

# **MINUTES OF ORDINARY COUNCIL MEETING HELD ON MONDAY, 25<sup>TH</sup> MARCH, 2019 AT 3.00 P.M.**

**Chair:** Eamon Aylward.

**Cllrs:** John Brennan, Tomás Breathnach, Mary Hilda Cavanagh, Peter Cleere, Fidelis Doherty, Matt Doran, Michael Doyle, Pat Dunphy, David Fitzgerald, Ger Frisby, Pat Fitzpatrick, David Kennedy, Joe Malone, Michael McCarthy, Patrick McKee, Pat Millea, Malcolm Noonan, Melissa O'Neill, Patrick O' Neill, Maurice Shortall & Sean Tyrrell.

**Officials:** Colette Byrne, Martin Prendiville, Tim Butler, Sean McKeown, Mary J. Mulholland, Denis Malone, Nicolaas Louw, Declan McDonnell, Tony Lauhoff, Josephine Coyne, Mary Butler, Bríd Hynes & Anne Maria Walsh.

**Apologies:** Cllr. Andrew McGuinness.

## **1. Confirmation of Minutes**

**(a) Minutes of Ordinary Meeting of Kilkenny County Council held on Monday 18<sup>th</sup> February, 2019**

Proposed by Cllr. David Kennedy, seconded by Cllr. Fidelis Doherty and agreed:

*"That the Ordinary Meeting of Kilkenny County Council held on Monday, 18<sup>th</sup> February, 2019 as circulated with the Agenda be and are hereby approved".*

**(a) Minutes of SPC1: Economic Development, Enterprise Support & Tourism held on Wednesday 19<sup>th</sup> December, 2018**

Proposed by Cllr. Pat Fitzpatrick, seconded by Cllr. David Kennedy and agreed:

*"That the Minutes of SPC1: Economic Development, Enterprise Support & Tourism held on Wednesday 19<sup>th</sup> December, 2018 as circulated with the Agenda be and are hereby approved".*

Cllr. Aylward extended congratulations to the following:

- Ballyhale Shamrocks GAA on winning the Senior Club All Ireland Championship.
- St. Patrick's Day Festival Committee and Tradfest for a wonderful weekend full of events.
- Billy Moore, Hugginstown on the publication of his book "From Ironmills to Hugginstown".
- Galmoy Handball Club on winning All Ireland medals.
- John Edward Nolan and Mairéad Ronan on winning Dancing with the Stars.
- Lucy Dollard and Mary Fitzgerald on winning gold medals in the IWAS World Games.

Cllr. Aylward offered votes of sympathy to:

- Stephen Campion & Family on the death of his brother Seamus Campion.
- The family of the late Catherine Dooner, Mooncoin.
- The family of the late Andrew Rowe, Mooncoin.
- The family of the late Ned Mullally, Kilmacow.
- The family of the late Tom Mernagh, Glenmore.
- The family of the late Andy Rowe, Mooncoin.
- The family of the late Josie Brophy, Hugginstown.
- The family of the late P.J. McDonald, Kilmacow.
- The family of the late John Healy, Piltown.
- The family of the late Irene Kinsella, Mooncoin.
- The family of the late Claire Laherty, Whiteswall, Crosspatrick.
- The family of the late Mary Culleton, Glenmore.
- The family of the late Josie Kehoe, Glenmore.
- The family of the late Tom Mernagh, Glenmore.
- The family of the late Anastatia [Babbie] Fitzpatrick, Ballyhale.

2. (a) **Housing & Other Disposal – Tithíocht & Díuscairt Eile**

- (i) It was proposed by Cllr. Pat Millea seconded by Cllr. Mary Hilda Cavanagh 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 in land at Newtown, Horse & Jockey, Thurles, Co. Tipperary to T.J. O’Brien, Pouldine, Horse & Jockey, Thurles, Co. Tipperary for the sum of €395 with each party being responsible for their own legal costs associated with the sale.” [Notice sent to members on the 7<sup>th</sup> March, 2019]*

- (ii) It was proposed by Cllr. Tomás Breathnach seconded by Cllr. Ger Frisby 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 in land at Miltown, Dunkitt, Co. Kilkenny as identified on the attached Map to James Aylward, Miltown, Dunkitt, Co. Kilkenny for Nil consideration and Kilkenny County Council will be responsible for all legal costs associated with the transfer. Plot measures 0.147 ha.” [Notice sent to members on the 5<sup>th</sup> March, 2019]*

- (iii) It was proposed by Cllr. Maurice Shortall seconded by Cllr. John Brennan 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 2 No. plots and 1 No. Permanent Wayleave/Right of Way at Woodquarter and Garryduff, Co. Kilkenny to Irish Water, Colvill House, 24 - 26 Talbot Street, Dublin 1 for the combined sum of \*€15,000 with Irish Water being responsible for all legal costs associated with the sale. Combined Sale Plots and Wayleave/Right of Way Area measure 0.1949 ha. \*€15,000 - €14,000 is for 3 No. Permanent disposals, €500 x 2 is for Rent of 2 No. Temporary Working Areas.” [Notice sent to members on the 8<sup>th</sup> March, 2019]*

(b) **Planning**

- (i) **Taking in Charge: Archersfield, Kilmaganny**

It was proposed by Cllr. Peter Cleere, seconded by Cllr. Patrick O’Neill and agreed that:

*“We, the members of Kilkenny County Council approve the initiation of proceedings for the taking in charge of the following development in accordance with Section 11 of the Roads Act, 1993 and in compliance with Section 180 of the Planning and Development Acts 2000 to 2018”. Developments: TC60 – Archersfield, Kilmaganny, Co. Kilkenny.*

- (ii) **Chief Executive’s Report on Submissions to Material Alterations to the Draft Thomastown Area Plan 2019**

Mr. Denis Malone, Senior Planner referred to the CE Report on the proposed Material Alterations to the Draft Thomastown Local Area Plan 2019. He advised that the period for public consultation was 31<sup>st</sup> January, 2019 to 28<sup>th</sup> February, 2019. Two submissions were received from Statutory Bodies and no further change is recommended. The Members shall consider the CE Report and following this consideration the Local Area Plan shall be deemed to be made or amended. This is a reserved function.

Queries arose from Cllr. David Kennedy in relation to further changes in zoning. Mr. Malone advised that there is a process for active land management and this will be kept under review. If land is not activated the Local Authority can revisit the Local Area Plan during the term of the Plan.

It was proposed by Cllr. Peter Cleere, seconded by Cllr. Patrick O'Neill and agreed that:

*"We the members of Kilkenny County Council having considered the proposal to make a Local Area Plan for Thomastown under Sections 18-20 of the Planning & Development Act 2000, as amended, and having considered the following:*

- *The Draft LAP as published on the 8<sup>th</sup> of November 2018*
- *The Screening Report for Appropriate Assessment as published with the Draft LAP*
- *The Strategic Environmental Assessment Screening Report as published with the Draft LAP*
- *The Chief Executive's Report as circulated on the 16<sup>th</sup> January 2019 on the written submissions made during the formal consultation period*
- *The decision taken at the Council meeting on the 21<sup>st</sup> January 2019*
- *The Material Alterations as published on the 31<sup>st</sup> January 2019*
- *The Screening Report for Appropriate Assessment as published with the Material Alterations*
- *The Strategic Environmental Assessment Screening Report as published with the Material Alterations*
- *The Chief Executive's Report as circulated on the 19<sup>th</sup> March 2019 on the written submissions made during the formal consultation period*

*do hereby make the Thomastown Local Area Plan 2019. (The Local Area Plan being the proposal published as the "draft" plan as modified by resolution of the Council 21<sup>st</sup> January 2019".*

(iii) **Chief Executive's Report on Submissions to Material Alterations to the Draft Callan Area Plan 2019**

Mr. Denis Malone, Senior Planner presented the CE Report on the proposed Material Alterations to the draft Callan Local Area Plan. He advised that a document has been circulated in relation to the Appropriate Assessment for clarification for the Members following submissions received.

The period for public consultation was 8<sup>th</sup> February, 2019 to 8<sup>th</sup> March, 2019. Eight submissions were received and these are outlined in the report. The CE's recommendations are included in the document.

Mr. Malone advised that a Stage 2 Natura Impact Report and a Report on Strategic Environmental Assessment accompanies the Proposed Material Alterations to the Draft Local Area Plan. It is recommended that the Draft Local Area Plan be adopted with Material Alterations as proposed.

Query was raised by Cllr. Patrick McKee in relation to submission KKC 95/1 and the infrastructure that has been provided for in excess of the proposed 20 units or low density development.

Mr. Malone advised that consideration has been given to the existing infrastructure. A Masterplan needs to be agreed for these lands with the Local Authority. There is currently a live planning application for these lands.

Mr. Malone advised that in future, plans will be on public display in the relevant libraries.

It was proposed by Cllr. Patrick McKee, seconded by Cllr. Maurice Shortall and agreed that:

*"We the members of Kilkenny County Council having considered the proposal to make a Local Area Plan for Callan under Sections 18-20 of the Planning & Development Act 2000, as amended, and having considered the following:*

- *The Draft LAP as published on the 8<sup>th</sup> of November 2018*
- *The Natura Impact Report as published with the Draft LAP*
- *The Environmental Report as published with the Draft LAP*
- *The Chief Executive's Report as circulated on the 16<sup>th</sup> January 2019 on the written submissions made during the formal consultation period*
- *The decision taken at the Council meeting on the 21<sup>st</sup> January 2019*
- *The Material Alterations as published on the 8<sup>th</sup> February 2019*
- *The Natura Impact Report as published with the Material Alterations*
- *The Addendum to the Environmental Report as published with the Material Alterations*
- *The Chief Executive's Report as circulated on the 19<sup>th</sup> March 2019 on the written submissions made during the formal consultation period*

*do hereby make the Callan Local Area Plan 2019. (The Local Area Plan being the proposal published as the "draft" plan as modified by resolution of the Council 21<sup>st</sup> January 2019 (and modified by any resolution dated 25<sup>th</sup> March, 2019)".*

(iv) **Part 8: Two Houses at Shanganny, Jenkinstown**

It was proposed by Cllr. Maurice Shortall, seconded by Cllr. Pat Fitzpatrick and agreed that:

*"We the members of Kilkenny County Council approves Part 8 in accordance with Section 179 of the Planning & Development Act 2000 as amended and Part VIII of the Planning & Development Regulations 2001, as amended for Two Houses at Shanganny, Jenkinstown, as circulated."*

(v) **Part 8: Two Houses at Inchacarron, Mullinavat**

It was proposed by Cllr. Eamon Aylward, seconded by Cllr. Fidelis Doherty and agreed that:

*"We the members of Kilkenny County Council approves Part 8 in accordance with Section 179 of the Planning & Development Act 2000 as amended and Part VIII of the Planning & Development Regulations 2001, as amended for Two Houses at Inchacarron, Mullinavat, as circulated."*

(vi) **Part 8: Extension at Skeaghcloran, Callan**

It was proposed by Cllr. Peter Cleere, seconded by Cllr. David Kennedy and agreed that:

*"We the members of Kilkenny County Council approves Part 8 in accordance with Section 179 of the Planning & Development Act 2000 as amended and Part VIII of the Planning & Development Regulations 2001, as amended for Extension at Skeaghcloran, Callan, as circulated."*

(vii) **Proposed Part 8 – New Library at Mayfair**

Mr. Tony Lauhoff, Senior Engineer gave a PowerPoint presentation on the proposed Kilkenny City Library Project in the Mayfair Building. In his presentation he gave an overview on the following:

- Background to the Mayfair Building.
- Strategic location of Library in Abbey Quarter and in the City.

- Part 8 approved in 2018 – now requires a change of use to accommodate Library.
- Photos of parts of building that has been demolished. Ministerial consent was received and the demolition was supervised by a professional Archaeology Consultant.
- Conservation works carried out on City Walls.
- Proposed layout for the building as a Library to accommodate a flexible use of all spaces and floors, introduction of cladding on the side of the building as this will be a prominent building for civic uses. Photos of other international buildings were shown.

Ms. Mary Mulholland presented an overview on the existing Carnegie Library. In her presentation she gave an overview on the following:

- Proposed development of a new City Library, the requirement to build an extension etc., cost of redevelopment at this location.
- Comparison was given for the two sites on floor areas, cost, timeframe etc.
- Discussion with Department of Rural and Community Development.
- Availability of grant funding of €2.45m.
- Future use of Carnegie Library as a Local Studies/Archives building.

Contributions were received from Cllrs. Peter Cleere, David Fitzgerald, Malcolm Noonan, Tomás Breathnach, Pat Fitzpatrick, Patrick McKee and Eamon Aylward. Members welcomed the proposals to redevelop the Mayfair for the new City & County Library.

A number of queries were raised in relation to:

- Permanent home for Kilkenny Archives.
- Timeframes for completion of new Library.
- Improvements to be undertaken in the Carnegie Library.
- Retention of Loughboy Library
- New use of Mayfair – Is this a change to the Masterplan?
- Will the Council own the building?
- Energy Performance.
- Memorabilia of the Mayfair.

Ms. Mulholland, Mr. Prendiville and Mr. Lauhoff responded to all the queries raised. Meeting was advised that the Mayfair will be in the ownership of Kilkenny County Council. The Partnership will return the building for a fee of €130,000.

It was proposed by Cllr. Peter Cleere, seconded by Cllr. David Fitzgerald and agreed by all to proceed with Part 8 for the proposed new City & County Library at the Mayfair, Abbey Quarter.

(c) (i) **Rás na mBan**

Cllr. Eamon Aylward welcomed Valerie Considine and Declan Quigley to the meeting. Ms. Considine opened the presentation and she advised Members that the Ras Na mBán has been held in Kilkenny for the past three years and it will be held again in 2019. Mr. Declan Quigley gave a PowerPoint presentation on the Rás in Kilkenny and how it has grown in the number of cyclists taking part since 2006. It is now a five-day event and the co-operation of Kilkenny County Council and Gardaí was acknowledged. He also referred to support received from local radio, business and all schools who come out to cheer on the riders. The Rás is featured on Eurosport and work is ongoing to get further coverage internationally. Details of their media programme was outlined. In 2019, there will be six stages for the Rás and two stages will significantly change from previous years.

Contributions were received from Cllrs. P. Cleere, D. Fitzgerald, F. Doherty, P. Dunphy, M. O'Neill, M. Shortall, M. Noonan and E. Aylward.

Members welcomed Rás na mBan to Kilkenny and offered their support to the race in future years. Members congratulated all the volunteers involved. Requests were made to spread the race across the County and to include Greenways where possible. The coverage given to Kilkenny has significantly helped to boost the economy. Cllr. Noonan asked if a letter could go to RTE asking them to consider covering this race.

Ms. Considine and Mr. Quigley presented a race jersey to the Cathaoirleach.

(d) (i)

**Creative Ireland Fund**

Ms. Mary Mulholland gave a PowerPoint presentation on the Creative Ireland Programme for 2018-2019. In her presentation she gave an overview on the following:

- Cultural Services Strategy and the five themes included in it.
- Purpose of Programme – enable creativity in all communities.
- Allocation of funds for 2019 - €96,750.
- Support existing collaborative programmes which have been underdeveloped for some time.
- Commence a grant scheme and call for open expressions of interest for the funding.
- Applications will be assessed based on compatibility with the strategic priorities.
- Allocation of funds of €15,000 for Cruinniú na nÓg.

Contributions were received from Cllr. Malcolm Noonan in relation to the wide diverse range of projects being funded. He complimented the collaboration between the Library, Arts and Heritage Services.

It was proposed by Cllr. Malcolm Noonan, seconded by Cllr. John Brennan and agreed:

*“That Kilkenny County Council approve the allocation of funds under the Creative Ireland Programme for 2019 as outlined in the presentation.”*

(e) (i)

**Annual Financial Statement**

Mr. Martin Prendiville, Head of Finance presented the Unaudited Annual Financial Statement. He advised that the Audit by the Local Government Auditor is ongoing. He advised Members of the following:

- Statement of Expenditure & Income [Page 12]. Total expenditure was €84m compared to budget of €74m. Additional grant income was received. Surplus for the year was €7,143 leaving an overall surplus at 31<sup>st</sup> December, 2018 of €17,805.
- Balance Sheet [Page 13] Long term debts up €9m since 2017. Council has increased its mortgage portfolio. Cash in hand is approx. €15m.
- Long Term Debtors [Page 17] gives a breakdown of debtors.
- Loan Payable [Page 19] gives an analysis of loans repayable by the Local Authority.
- Capital Accounts [Page 22] Expenditure was €48.3m. The closing balance at 31<sup>st</sup> December, 2018 was €6m.

- Major Revenue Collection [Page 40] the arrears on housing rents and loans have reduced. Rates arrears has increased this is due in the main to outstanding appeals with the Valuation Tribunal.

Mr. Prendiville stated that 2018 was a challenging year, however the Council has mentioned a strong cash position.

Contributions/Queries were received from Cllrs. Melissa O'Neill, David Fitzgerald, Malcolm Noonan, Patrick McKee and Pat Fitzpatrick in relation to:

- Acquisition of housing – issues on social media in relation to allocation of housing.
- HAP Payments being stopped – arrears position.
- Loans drawn down – balance due on Watershed.
- Consultants Fees.

Ms. Mulholland responded to the queries raised in relation to housing. Mr. Prendiville responded to all other queries raised.

It was proposed by Cllr. Fidelis Doherty, seconded by Cllr. David Fitzgerald and agreed:

*“That Kilkenny County Council hereby approves of Excess Expenditure for year ending 31<sup>st</sup> December, 2018 as follows in accordance with S104(2) Local Government Act 2001:*

<b>Housing &amp; Building</b>		<b>€</b>
A01	Maintenance & Improvement of LA Housing	446,590
A02	Housing Assessment, Allocation and Transfer	14,013
A03	Housing Rent and Tenant Purchase Administration	46,047
A05	Administration of Homeless Service	259,126
A06	Support to Housing Capital Programme	105,283
A07	RAS and Leasing Programme	1,309,263
A09	Housing Grants	272,249
A11	Agency & Recoupable Services	50,238
A12	HAP Programme	<u>31,506</u>
	<i>Subtotal</i>	<i>2,534,315</i>
<b>Road Transportation &amp; Safety</b>		
B01	NP Road – Maintenance & Improvement	253,507
B02	NS Road – Maintenance & Improvement	116,804
B04	Local Road – Maintenance & Improvement	3,411,602
B05	Public Lighting	105,619
B06	Traffic Management Improvement	962
B09	Car Parking	33,486
B10	Support to Roads Capital Programme	704
B11	Agency & Recoupable Services	<u>1,258,204</u>
	<i>Subtotal</i>	<i>5,180,888</i>
<b>Water Services</b>		
C01	Water Supply	250,409
C02	Waste Water Treatment	125,331
C03	Collection of Water & Waste Water Charges	25,247
C04	Public Conveniences	7,364
C05	Admin of Group and Private Installations	158,411
C06	Support to Water Capital Programme	12,774
C07	Agency & Recoupable Services	39,102
C08	Local Authority Water and Sanitary Services	<u>5,816</u>
	<i>Subtotal</i>	<i>624,454</i>

<b>Development Management</b>		
D02	Development Management	58,079
D03	Enforcement	2,239
D05	Tourism Development and Promotion	264,933
D06	Community and Enterprise Function	582,046
D07	Unfinished Housing Estates	40
D08	Building Control	2,004
D10	Property Management	1,045
D11	Heritage and Conservation Services	25,025
D12	Agency and Recoupable Services	<u>2,709</u>
	<i>Subtotal</i>	<i>938,120</i>
<b>Environmental Services</b>		
E01	Landfill Operation and Aftercare	225,282
E02	Recovery & Recycling Facilities Operations	146,214
E04	Provision of Waste to Collection Services	81,832
E06	Street Cleaning	215,088
E08	Waste Management Planning	5,460
E09	Maintenance of Burial Grounds	40,199
E10	Safety of Structures and Places	13,359
E11	Operation of Fire Service	670,775
E12	Fire Prevention	13,072
E13	Water Quality, Air and Noise Pollution	361,096
E14	Agency & Recoupable Services	<u>211</u>
	<i>Subtotal</i>	<i>1,772,588</i>
<b>Recreation and Amenity</b>		
F02	Operation of Library and Archival Service	360,324
F03	Outdoor Leisure Areas Operations	599,426
F04	Community Sport and Recreational Development	13
F05	Operation of Arts Programme	<u>60,176</u>
	<i>Subtotal</i>	<i>1,019,939</i>
<b>Agriculture, Education, Health &amp; Welfare</b>		
G04	Veterinary Service	<u>19,440</u>
	<i>Subtotal</i>	<i>19,440</i>
<b>Miscellaneous Services</b>		
H01	Profit & Loss Machinery Account	94,332
H04	Franchise Costs	4,648
H05	Operation of Morgue and Coroner Expenses	50,983
H06	Weighbridges	84
H07	Operation of Markets and Casual Trading	475
H09	Local Representation & Civic Leadership	99,810
H11	Agency & Recoupable Services	<u>322,690</u>
	<i>Subtotal</i>	<i>573,022</i>
<b>TOTAL</b>		<b>12,662,766</b>

It was proposed by Cllr. David Fitzgerald, seconded by Cllr. Pat Fitzpatrick and agreed:

*"We, the members of Kilkenny County Council, hereby adopt the Annual Financial Statement for year ending 31<sup>st</sup> December, 2018."*

(f) (i)

### **Annual Report**

Mr. Tim Butler presented the Annual Report for 2019 to the Members. He advised that the Annual Report has been prepared in accordance with Section 122 of the Local Government Act 2001. The report contains the activities of Kilkenny County Council for the year, the Financial Statement, Schedule of Members Conferences and training and details of special events held. It is a reserved function to adopt the Annual Report.



It was proposed by Cllr. Mary Hilda Cavanagh, seconded by Cllr. Melissa O'Neill and agreed:

*"That the Draft Annual Report for 2018 is hereby approved by the Members of Kilkenny County Council."*

(ii) **2018 Annual Report for the Audit Committee**

Mr. Tim Butler presented the Audit Committee's Annual Report for 2018. He advised it is an independent committee and plays a crucial role in the governance framework of the local authority. They advise the Council on financial reporting processes, internal control, risk management and audit matters. Presentations are made by staff to the Audit Committee during the year. Meetings are also held with the Local Government Auditor and the Chief Executive. The Chairman of the committee is satisfied that Kilkenny County Council has proper governance procedures in place.

Cathaoirleach requested that the Audit Report is noted by all Members. Members agreed to this.

(iii) **Dreácht Scéim Teanga 2019-2022 / Language Scheme 2019 – 2022**

Mr. Tim Butler presented the Draft Language Scheme 2019 – 2022. He advised that the scheme has been prepared in accordance with the Official Language Act 2008. It is a statutory duty to have a scheme in place and to publish documents/policies in both Irish and English. The scheme has been approved by An Roinn Cultúir, Oidhriachta & Gaeltachta and the Minister's approval was received. The adoption of the scheme for 2019-2022 is recommended.

Contributions were received from Cllr. Tomás Breathnach, Melissa O'Neill, Fidelis Doherty and David Fitzgerald in relation to:

- Training of Staff.
- Establishment of sub-committee.
- Creating an area in the City in Irishtown – Báile na Gael.
- Any funding for promoting the use of Irish signage etc.
- Use of fada in the Irish language.

Mr. Butler responded to the queries raised.

It was proposed by Cllr. Melissa O'Neill, seconded by Cllr. Fidelis Doherty and agreed:

*"Go bhfuil Acht Na Dteangacha Oifigiúla 2003 – Roinn 15 Dreácht Scéim Teanga 2019 – 2022 ceadaítear leis seo ag na Feisirí é Comahirle Chontae Chill Chainnigh"*

*"That the Official Languages Act 2003 – Section 15 Draft Language Scheme 2019 – 2022 is hereby approved by the Members of Kilkenny County Council."*

(iv) **Issue of Polling Information Cards**

Mr. Tim Butler advised it is a reserved function of the Elected Members to decide to issue Polling Information Cards.

It was proposed by Cllr. Patrick McKee, seconded by Cllr. David Kennedy and agreed that:

*"That Kilkenny County Council resolves to send Polling Information Cards to Local Electors, who are not European Electors, pursuant to Article 55 of the Local Elections Regulations, 1995."*

Queries arose in relation to issue of Polling Cards and the supplement to the Register of Electors.

(v) **Naming of Infrastructure**

Mr. Tim Butler referred to report circulated with the Agenda. He advised that the Naming of Infrastructure Committee met on 14<sup>th</sup> March, 2019 and put forward proposals to the Elected Members for approval. He apologised to Cllrs. Melissa O'Neill for not notifying her of the Committee Meeting.

Contributions in relation to the proposed names were received from Cllr. Melissa O'Neill, David Kennedy, David Fitzgerald, Malcolm Noonan, Fidelis Doherty and Pat Fitzpatrick in relation to:

- Decision is pre-mature – some infrastructure is not in place.
- No public consultation.
- Infrastructure/Area being named in advance of promoting development is required.
- Acknowledge the late John Bradley in Kilkenny City.
- Suggestions have taken into consideration the history of the area.
- Failure to notify all Committee Members.

Mr. Butler responded to all queries raised by the Members and advised it is a matter for Committee to decide if public consultation is undertaken.

It was proposed by Cllr. Pat Fitzpatrick, seconded by Cllr. Fidelis Doherty and agreed that:

*"That Kilkenny County Council hereby approves that New Street through former Mart to rear of Padmore & Barnes be named **Old Mart Street.**"*

It was proposed by Cllr. Mary Hilda Cavanagh, seconded by Cllr. Maurice Shortall and agreed that:

*"That Kilkenny County Council hereby approves that New Urban Road from the Callan Road to Circular Road be named **William Robertson Way.**"*

It was proposed by Cllr. Mary Hilda Cavanagh, seconded by Cllr. Melissa O'Neill and agreed that:

*"That Kilkenny County Council hereby approves that Wetlands/Palgour/Drakelands Lower between the Callan & Kilmanagh Roads be named **Breagagh Valley.**"*

It was proposed by Cllr. Eamon Aylward, seconded by Cllr. Fidelis Doherty and agreed that:

*"That Kilkenny County Council hereby approves that Wetlands/Polgour/Drakelands Lower between the Callan & Kilmanagh Roads be named **Father Tommy Maher Park.**"*

(vi) **Chief Executives Monthly Report**

Ms. Colette Byrne presented her CE Report for March 2019. Queries were raised by Cllrs. Fidelis Doherty, Melissa O'Neill, Maurice Shortall & Pat Fitzpatrick in relation to the following:

- Signage on Glenmore Roundabout/New Ross Bye-Pass.
- Playground in Ferrybank – supervision of safety works.
- Welcome design of bumble bee – request that it be used in our publications and street furniture.
- Extension of time period for Contractors to carry out works under Housing Grant.
- Pollinator Plan – report on Round up.
- Noise Action Plan – night time economy.

Ms. Colette Byrne responded to the issue raised on the Ferrybank Playground.

Mr. Sean McKeown responded to the query on the Noise Action Plan and advised Cllr. Melissa O'Neill to talk to him on the Pollinator Plan/use of fertiliser.

3. **Correspondence**  
None.

4. **Business Adjourned From a Previous Meeting**  
None.

5. (i) **Schedule of Meetings from March 2019 to June, 2019**

It was proposed by Cllr. Fidelis Doherty seconded by Cllr. Patrick O'Neill and agreed.

(ii) **Cathaoirleach's Receptions**

(i) It was proposed by Cllr. Pat Fitzpatrick seconded by Cllr. David Kennedy and agreed to hold a Cathaoirleach's Reception for Mary Fitzgerald.

(ii) It was proposed by Cllr. Eamon Aylward seconded by Cllr. Pat Fitzpatrick and agreed to hold a Civic Reception for Willie Mullins.

6. **Consideration of Reports and Recommendations of Committees of the Council**

It was proposed by Cllr. Pat Fitzpatrick, seconded by Cllr. Peter Cleere that report taken as read and noted:

*"That Chairman's Report of SPC 1: Economic Development, Enterprise Support & Tourism held on Wednesday, 19<sup>th</sup> December, 2018 as circulated with the Agenda be noted and hereby approved".*

7. **Other Business set forth in the Notice convening the Meeting–**  
None.

8. **Conferences – Request for approval to Attend**

Schedule of Conferences circulated with the Agenda was proposed by Cllr. Ger Frisby seconded by Cllr. Fidelis Doherty and agreed.

9. **Matters Arising from Minutes**  
None.

10. **Any Other Business**  
None.

11. **Notices of Motion**

**06 (19) Cllr. Patrick McKee**

It was proposed by Cllr. Patrick McKee seconded by Cllr. Malcolm Noonan and agreed:

*"Kilkenny County Council calls on the Minister for Health Simon Harris T.D, to introduce as soon as is possible "safe access zones" around healthcare facilities that are providing for the termination of pregnancies.*

*Kilkenny County Council believes that "safe access zones" are necessary to protect women against unnecessary distress and anxiety, and indeed harassment, intimidation and bullying when accessing what is a lawful medical service.*

*Kilkenny County Council acknowledges and respects the right of a citizen to engage in peaceful process, but believes that those engaging in anti-abortion protests in and around healthcare facilities are not engaged in legitimate public protest but rather they are targeting service users and healthcare professionals".*

**09 (19) Cllr. Patrick O'Neill**

It was proposed by Cllr. Patrick O'Neill

*"That Kilkenny County Council change the zoning of the old engineering factory in Bennettsbridge from community to commercial use in order to facilitate potential job creation in the Village"*

Mr. Malone advised that it is not legally possible to amend the zoning in the Development Plan by way of Notice of Motion. A variation to the Development Plan would be required. The Members were advised that the Council is in the middle of a review of the Development Plan and it is more appropriate to deal with this in the context of the Development Plan. Submission to be made to review of Development Plan.

**10 (19) Cllr. Mary Hilda Cavanagh**

It was proposed by Cllr. Fidelis Doherty, seconded by Cllr. Pat Dunphy and agreed:

*"That this Council request the South East Regional Drug and Alcohol Task Force who have commissioned WIT to undertake research and come up with priorities for a strategy for the South-East, consult much more widely in towns and all over Kilkenny, through public meetings and the provision of a confidential phone line, to ensure that it gains a clear understanding of the scale of the drugs problem in our communities."*

**11 (19) Cllr. Mary Hilda Cavanagh**

It was proposed by Cllr. Fidelis Doherty, seconded by Cllr. David Fitzgerald and agreed

*"That this Council write to the Minister for Education and Skills to draw his attention to the successful revitalisation of a former ghost estate in Urlingford and the consequent demand for places at Urlingford NS; and further, the need for greater coordination between Local Authorities and the Department of Education and Skills."*

**12 (19) Cllrs. Malcolm Noonan, Pat Fitzpatrick, Melissa O'Neill & Patrick O'Neill**

It was proposed by Cllr. Pat O'Neill, seconded by Cllr. Pat Fitzpatrick and agreed:

*"We the members of Kilkenny County Council call on the Minister for Health, Simon Harris to extend the scheme for the provision of the cancer drug Pembro, which was previously granted to cervical cancer patients, to other cancer patients who have been determined through medical testing, to be compatible with and responsive to the drug. We recognise and acknowledge the efforts of the 'John Needs Pembro' campaign in Kilkenny and that it is an injustice that communities are forced to voluntary fundraise for lifesaving medication which should not be prohibitive on cost grounds and that equality of access and treatment should be available to everyone in the Irish State."*

Cllr. Fidelis Doherty asked that her name be added to the motion.

**12. Notices of Motion from other local authorities seeking support of Kilkenny County Council**

It was proposed by Cllr. Peter Cleere seconded by Cllr. Ger Frisby and agreed that Notices of Motion 01 (19) to 05 (19) be taken as read and noted.

**06 (19) Limerick City & County Council**

*"I will move at the next full Council Meeting that this Council calls on the Department of Housing to consider a grant aid scheme for Granny Flat extensions for persons on the housing list where agreement is reached with the houses owner and the applicants."*

**07 (19) Cork County Council**

*"That Cork County Council asks the government, both TDs and Senators, to bring the Petroleum and Other Minerals Development [Amendment] [Climate Emergency Measures] Bill before the Dáil for consideration such that in this time of climate emergency it may be considered for passing into legislation, with or without appropriate amendments, without delay."*

That concluded the business of the meeting.

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**CATHAOIRLEACH**

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**DATE**