

# MINUTES OF ORDINARY COUNCIL MEETING HELD IN WATERGATE THEATRE ON MONDAY, 20<sup>TH</sup> JULY, 2020 AT 3.00 P.M.

**Chair:** Andrew McGuinness

**Cllrs:** Eamon Aylward, Tomás Breathnach, John Brennan, Martin Brett, Peter Cleere, John Coonan, Deirdre Cullen, Michael Delaney, Fidelis Doherty, Maria Dollard, Michael Doyle, Pat Dunphy, David Fitzgerald, Pat Fitzpatrick, Ger Frisby, Denis Hynes, Joe Lyons, Joe Malone, Michael McCarthy, Eugene McGuinness and Mary Hilda Cavanagh [on audio].

**Officials:** Colette Byrne, Tim Butler, Sean McKeown, Martin Prendiville, Tony Lauhoff, Mary Cashin, Kevin Hanley, Catherine Cooney and Anne Maria Walsh.

**Apology:** Cllrs. Matt Doran and Patrick O'Neill and Ms. Mary Mulholland.

## 1. Confirmation of Minutes

(a) **Minutes of Annual Meeting of Kilkenny County Council held on Friday, 12<sup>th</sup> June, 2020**

Proposed by Cllr. Michael McCarthy, seconded by Cllr. Eugene McGuinness and agreed:

*"That the Minutes of the Annual Meeting of Kilkenny County Council held on Friday, 12<sup>th</sup> June, 2020 as circulated with the Agenda be and are hereby approved".*

(b) **Minutes of Ordinary Meeting of Kilkenny County Council held on Friday, 12<sup>th</sup> June, 2020**

Proposed by Cllr. Martin Brett, seconded by Cllr. Fidelis Doherty and agreed:

*"That the Minutes of the Ordinary Meeting of Kilkenny County Council held on Friday, 12<sup>th</sup> June, 2020 as circulated with the Agenda be and are hereby approved".*

Cllr Andrew McGuinness congratulated Deputy Malcolm Noonan on his appointment as Minister for State for Heritage & Electoral Reform.

Cllr. Andrew McGuinness extended votes of sympathy to:

- Liam Brennan on the death of his mother Bridget Brennan.
- Brian Condren on the death of his sister Josie Dayton.
- Family of Jack Charlton, Former Manager of Republic of Ireland Football Team.
- Family of the late John Caulfield, Glenmore.
- Family of the late Peggy Tobin, Mullinavat.
- Family of the late Martin Burke, Glenmore.
- Family of the late Larry Walsh, Mullinavat.
- Family of the late Frances Atkins, Slieverue.
- Family of the late Kathleen Lyons, Slieverue.
- Family of the late Milo Power, Mullinavat.
- Family of the late Tony Whelan, New Ross.
- Family of the late Peggy Malone, Tullogher.
- Family of the late Mary O'Keeffe, Carrigeen.
- Family of the late May Fripps, Carrigeen.
- Family of the late Johnny Kennedy, Slieverue.
- Family of the late Maire Mac Suibhne, Clara.

(a) Tithíocht & Díuscairt Eile - Housing & Other Disposal

- (i) It was proposed by Cllr. Joe Malone seconded by Cllr. Martin Brett 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 Hebron Industrial Estate, Hebron Road, Kilkenny, as identified on the enclosed map as Site A & Site B, to Dunreidy Engineering Ltd, Unit 53 Hebron Industrial Estate, Kilkenny, for the sum of €407,500 (four hundred and seven thousand five hundred euros). This land measures approx. 4.7 acres. Each party will be responsible for their own legal costs associated with the sale." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (ii) It was proposed by Cllr. Eugene McGuinness seconded by Cllr. Michael McCarthy 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 a plot of land at Lavistown, Clara, Co. Kilkenny to Ger Langton and Marilyn Langton, Lavistown, Clara, Co. Kilkenny for the sum of €23,000 (twenty three thousand euros) with each party being responsible for their own legal costs associated with the sale. Plot measures 0.6 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (iii) It was proposed by Cllr. Deirdre Cullen 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 a plot of land at Tinvaun, Knocktopher, Co. Kilkenny to Simon Brophy, Tinvaun, Knocktopher, Co. Kilkenny for the sum of €800 (eight hundred euros) with each party being responsible for their own legal costs associated with the sale. Plot measures 0.58 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (iv) It was proposed by Cllr. Deirdre Cullen seconded by Cllr. Peter Cleere 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 a plot(s) of land at Danganbeg, Knocktopher, Co. Kilkenny - as identified on the attached map - to Thomas Davis, Danganbeg, Tinvaun, Knocktopher, Co. Kilkenny for Nil consideration, with each party being responsible for their own legal costs associated with the sale. Plot(s) combined measures 0.46 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (v) It was proposed by Cllr. Fidelis Doherty 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 a plot(s) of land at Scart, Mullinavat, Co. Kilkenny - as identified on the attached map - to Eileen Laherty, Scart, Mullinavat, Co. Kilkenny for Nil consideration, with each party being responsible for their own legal costs associated with the sale. Plot(s) measures 0.18 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (vi) It was proposed by Cllr. Pat Fitzpatrick seconded by Cllr. John Coonan 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 a plot(s) of land at Templemartin & Lyrath, Kilkenny - as identified on the attached map - to Noel Phelan, Templemartin, Kilkenny for €5,000 (five thousand euro), with each party being responsible for their own legal costs associated with the sale. Plot(s) measures 4.1 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (vii) It was proposed by Cllr. John Brennan seconded by Cllr. Martin Brett 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 a plot(s) of land at Cranavonane, Leighlinbridge, Co. Carlow - as identified on the attached map - to Edmund and Katherine Cullen, Cran House, Leighlinbridge, Co. Carlow for Nil consideration, with each party being responsible for their own legal costs associated with the sale. Plot(s) combined measures 0.06 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (viii) It was proposed by Cllr. Ger Frisby seconded by Cllr. Tomás Breathnach 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 a plot(s) of land at Garrandarragh, Mullinavat, Co. Kilkenny - as identified on the attached map - to Sean McCarthy, Garrndarragh, Mullinavat, Co. Kilkenny for €500 (five hundred euros), with each party being responsible for their own legal costs associated with the sale. Plot(s) measures 0.16 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (ix) It was proposed by Cllr. David Fitzgerald seconded by Cllr. Deirdre Cullen 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 a plot(s) of land at Danganbeg, Knocktopher, Co. Kilkenny - as identified on the attached map - to John & Johanna Farrell, Danganbeg, Knocktopher, Co. Kilkenny for Nil consideration, with Kilkenny County Council being responsible for all legal costs associated with the sale/exchange. Plot(s) measures 0.75 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (x) It was proposed by Cllr. Peter Cleere seconded by Cllr. Martin Brett 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 a plot(s) of land at Moanduff, Leighlinbridge, Co. Carlow - as identified on the attached map - to Catherine Brennan, Old Leighlin, Co. Carlow for €1,000 (one thousand euros), with each party being responsible for their own legal costs associated with the sale. Plot(s) combined measures 0.7 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (xi) It was proposed by Cllr. Pat Fitzpatrick seconded by Cllr. Michael Delaney 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 a plot(s) of land at Sraghgaddy, Gowran and Kilmacahill, Paulstown, Co. Kilkenny - as identified on the attached map - to Denis and Margaret Drennan, Garryduff, Paulstown, Co. Kilkenny for Nil consideration and with Kilkenny County Council being responsible for the legal costs associated with the Deed of Exchange. Plot(s) combined measures 0.76 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (xii) It was proposed by Cllr. Peter Cleere seconded by Cllr. Tomás Breathnach 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 a plot(s) of land at Moanduff, Leighlinbridge, Co. Carlow - as identified on the attached map - to Chris O'Dwyer, Leighlinbridge, Co. Carlow for €500, with each party being responsible for their own legal costs associated with the sale. Plot(s) combined measures 0.415 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (xiii) It was proposed by Cllr. Martin Brett 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 in a plot(s) of land at Coolnakisha, Leighlinbridge, Co. Carlow - as identified on the attached map - to Michael Foley, Old Leighlin House, Old Leighlin, Co. Carlow for Nil consideration, with each party being responsible for their own legal costs associated with the sale. Plot(s) combined measures 1.01 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (xiv) It was proposed by Cllr. Tomás Breathnach seconded by Cllr. Peter Cleere 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 a plot(s) of land at Cloghrick, Milford, Co. Carlow - as identified on the attached map - to Liam Walsh, Cloghrick, Milford, Co. Carlow for €750 (seven hundred and fifty euro), for Plot 605.1z, with the Purchaser being responsible for all legal costs associated with the sale. Plot(s) combined measures 0.68 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (xv) It was proposed by Cllr. Pat Fitzpatrick seconded by Cllr. Michael Delaney 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 a plot(s) of land at Templemartin, Kilkenny - as identified on the attached map - to Noel Phelan and Anna Phelan, Templemartin, Kilkenny for Nil consideration, with Kilkenny County Council being responsible for all legal costs associated with the sale. Plot(s) combined measures 0.05 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (xvi) It was proposed by Cllr. Peter Cleere seconded by Cllr. Deirdre Cullen 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 a plot(s) of land at Ballygeardra, Hugginstown, Co. Kilkenny - as identified on the attached map - to James Phelan, Ballygeardra, Hugginstown, Co. Kilkenny for Nil consideration and with each party being responsible for their own legal costs associated with the sale. Plot(s) combined measures 1.03 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (xvii) It was proposed by Cllr. Eugene McGuinness seconded by Cllr. John Coonan 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 a plot(s) of land at Blanchsfieldland, Hebron, Kilkenny - as identified on the attached map - to Mary and John Gleeson, Blanchsfieldland, Kilkenny for €3,600 (three thousand six hundred euros) and with each party being responsible for their own legal costs associated with the sale. Plot(s) combined measures 0.56 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (xviii) It was proposed by Cllr. Joe Lyons seconded by Cllr. Martin Brett 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 a plot(s) of land at Coolnakisha, Leighlinbridge, Co. Carlow - as identified on the attached map - to Edmund & Katherine Cullen, Cranavonane, Leighlinbridge, Co. Carlow for €2,000, with each party being responsible for their own legal costs associated with the sale. Plot(s) combined measures 1.5 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (xix) It was proposed by Cllr. Eamon Aylward 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 a plot(s) of land at Garrandarragh, Mullinavat, Co. Kilkenny - as identified on the attached map - to Peter Purcell, Garrandarragh, Mullinavat, Co. Kilkenny for €2,000, with each party being responsible for their own legal costs associated with the sale. Plot(s) combined measures 0.96 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (xx) It was proposed by Cllr. Pat Dunphy seconded by Cllr. Deirdre Cullen 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 a plot(s) of land at Kilkeasy, Hugginstown, Co. Kilkenny - as identified on the attached map as Plot 195z.103A and 195z.101 - to Thomas Millea, Kilkeasy, Hugginstown, Co. Kilkenny for Nil consideration, with each party being responsible for their own legal costs associated with the sale. Plot(s) combined measures 0.19 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (xxi) It was proposed by Cllr. Pat Dunphy seconded by Cllr. Fidelis Doherty 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 a plot(s) of land at Kilkeasy, Hugginstown, Co. Kilkenny - as identified on the attached map as Plot 195z.103B - to David Millea, Kilkeasy, Hugginstown, Co. Kilkenny for Nil consideration, with each party being responsible for their own legal costs associated with the sale. Plot(s) combined measures 0.01 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (xxii) It was proposed by Cllr. Eamon Aylward seconded by Cllr. Fidelis Doherty 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 a plot(s) of land at Garrandarragh, Mullinavat, Co. Kilkenny - as identified on the attached map - to Noreen Kelly, Garrandarragh, Mullinavat, Co. Kilkenny for Nil consideration, with Kilkenny County Council being responsible for all legal costs associated with the sale. Plot(s) combined measures 0.29 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (xxiii) It was proposed by Cllr. Eamon Aylward 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 a plot(s) of land at Knockmoylan, Mullinavat, Co. Kilkenny - as identified on the attached map - to Per Reps John Murphy, Knockmoylan, Mullinavat, Co. Kilkenny for €5,000 (five thousand euros), with each party being responsible for their own legal costs associated with the sale. Plot(s) combined measures 0.24 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (xxiv) It was proposed by Cllr. Pat Fitzpatrick seconded by Cllr. Michael Delaney 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 a plot(s) of land at Shankill, Paulstown, Co. Kilkenny - as identified on the attached map - to Sean Ryan, Shankill, Paulstown, Co. Kilkenny for Nil consideration. Kilkenny County Council to arrange Boundary Amendment with Land Registry to minimize legal fees and charges. Plot(s) combined measures 0.04 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (xxv) It was proposed by Cllr. David Fitzgerald seconded by Cllr. Deirdre Cullen 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 a plot(s) of land at Kilree, Sheastown, Co. Kilkenny - as identified on the attached map - to Patrick Hayes, Kilree, Sheastown, Co. Kilkenny for €625 (six hundred and twenty five euros), with each party being responsible for their own legal costs associated with the sale. Plot(s) combined measures 3.27 acres." (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (xxvi) It was proposed by Cllr. Peter Cleere seconded by Cllr. Deirdre Cullen 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 by way of lease in former Public Convenience Building at Convent Road, Graiguenamamagh, Co. Kilkenny to Graiguenamanagh Mens Shed Group, for a period of 12 years and an annual rent of €52, with each party to be responsible for their own legal costs. The building measures 40sqm approx.” (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (xxvii) It was proposed by Cllr. Peter Cleere seconded by Cllr. Deirdre Cullen 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 a plot(s) of land at Ennisnag, Co. Kilkenny - as identified on the attached map - to Noel & Breda Phelan, Ennisnag, Stoneyford, Co. Kilkenny for the sum of €1,160 (one thousand one hundred and sixty euros), with the Purchasers being responsible for all legal costs associated with the sale, including those of Kilkenny County Council. Plot(s) combined measures 0.3 ha.” (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (xxviii) It was proposed by Cllr. Ger Frisby seconded by Cllr. Fidelis Doherty 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 Drumdowney, Slieverue, Co. Kilkenny (as identified on the attached map) to Patrick Fleming and Mary Fleming, Drumdowney, Slieverue, Co. Kilkenny for the sum of €3,000 (three thousand euros) with the Purchaser being responsible for all legal costs associated with the sale, including those of Kilkenny County Council. Area measures 0.38 hectare.” (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (xxix) It was proposed by Cllr. Michael Delaney seconded by Cllr. Pat Fitzpatrick and agreed:

*“That, in accordance with Section 183 of the Local Government Act, 2001, Kilkenny County Council approves of the disposal of its interest in a plot of ground at Stangs, Gowran, Co. Kilkenny, which measures approx. 0.11 ha., as identified on the attached map, to Liam Comerford, Paul Comerford and Mark Comerford, Stangs, Gowran, Co. Kilkenny, for the nominal sum of €100 (one hundred euros) with the Purchaser being responsible for all legal costs associated with the sale, including those of Kilkenny County Council.” (Notice sent to members on the 24<sup>th</sup> June, 2020).*

- (xxx) It was proposed by Cllr. John Coonan seconded by Cllr. Joe Malone 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 a plot of land at Abbey Quarter, Horse Barrack Lane, Parliament Street, Gardens Td, Kilkenny - as outlined on the attached map - to Kilkenny Abbey Quarter Development Limited acting for and behalf of Kilkenny Abbey Quarter Development Limited Partnership, for the sum of €900,000 (nine hundred thousand euros), with each party to be responsible for their own legal costs associated with the transfer. Site area measures 5,829m<sup>2</sup> approx.”*

(b) **Planning**

(i) **Part 8: Restructuring & Renovation of Sessions House, Thomastown**

Mr. Tony Lauhoff, Senior Engineer gave a PowerPoint presentation on the proposed Restructuring and Renovation of Sessions House, Thomastown. In his presentation he gave an overview on the following:

- Short history of building
- Location of building – vacant since 2005.
- Layout of each floor and proposed works.
- Part 8 Planning – Public Consultation.

He referred to the Chief Executives Part 8 Report which has been circulated. He advised that no submissions were received and the Chief Executive's Report recommends approval of the proposed development.

Ms. Colette Byrne advised that the Crafts Council of Ireland will occupy the building. The Jewellery Goldsmith Centre of Excellence will be located in this building.

Contributions were received from Cllrs. Deirdre Cullen, Peter Cleere and Andrew McGuinness. Members welcomed the development of this protected structure as an education facility. It will contribute to the local economy and this is very welcome.

It was proposed by Cllr. Deirdre Cullen, seconded by Cllr. Peter Cleere and agreed that:

*"We the Members of Kilkenny County Council approves the proposed 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 the proposed **Renovation and Restructuring of the Sessions House at Logan Street, Thomastown, Co. Kilkenny**, as circulated."*

(ii) **Part 8: Proposed Car Parks for Greenway**

Mr. Sean McKeown, Director of Services gave a Powerpoint Presentation on the commencement of Part 8 Planning for three car parks in County Kilkenny for the Greenway. He outlined in his presentation the location of the three car parks, number of spaces in each carpark and that consent of owners has been received.

The three locations are as follows:

- (i) Ferrybank: adjacent to Bellfield Housing Estate.
- (ii) Glenmore: site formerly used by TII
- (iii) Boat Yard, New Ross.

Mr. McKeown gave an update on the Greenway.

- Part 8 approval granted March 2018.
- Funding of €8m approved in June 2019 under National Greenway Fund.
- Detailed design to be completed by end July 2020.
- Contract to lift sleepers and tracks to commence this week.
- Animation Programme being developed by two Leader companies.
- Abandonment Order – to be approved by CIE Board in August 2020.

Contributions were received from Cllrs. Fidelis Doherty, Pat Fitzpatrick, David Fitzgerald and Michael Doyle in relation to:

- Number of car spaces being provided.



- Accommodation works for land owners.
- Need to communicate and update Callan-Thomastown Municipal District.
- Cost of project and funding.
- Request to begin process on developing a Greenway from Castlecomer to the South of Kilkenny.

Mr. Sean McKeown responded to the issues raised. He advised that the estimated cost in 2018 was €13.5m. This has now increased to €15m due to agreement on accommodation works. €8m has been secured in grant funding. The Council is exploring other sources of funding such as Leader and CIE/Irish Rail. Funding agreement between the three local authorities is being finalised. It is hoped to commence construction in late September 2020.

Mr. McKeown advised that a Feasibility Study was carried out on the disused railway line from Kilkenny to Castlecomer. It is an objective in the Development Plan to develop a network of loops connecting to the Greenways incorporating New Ross, St. Mullins and Inistioge.

(c) (i) **Update on Covid-19**

Mr. Tim Butler, Ms. Mary Cashin and Mr. Martin Prendiville gave a detailed Powerpoint Presentation on Covid-19 update. In their presentations they gave an overview on the following:

- Covid-19 Lockdown: provision of essential services.
- Re-opening Council Services, new working arrangements.
- Overview on each service area – current status.
- Business Supports.
- Supports to communities.
- Community Helpline.
- Re-opening the County & City, Pedestrianisation.
- Re-Start Grant – Overview on terms of grant, number of applications received and number of grants paid.
- Impact on Budget 2020.
- Commercial Rates and Waiver Scheme, huge degree of uncertainty from businesses.
- Loss of income on parking, rents etc.
- Additional expenditure due to Covid-19 Regulations.
- Income reduction is estimated to be €7.9m.
- Expenditure reviewed. Deferred expenditure identified in the amount of €2.35m.
- Overview on commitments on Capital Projects and proposed projects where matched funding is required.
- Cash collections, bank balance and overdraft.
- More Government support is required for the Council.
- Need to source additional grant funding to deliver on planned Capital Projects.

Cathaoirleach thanked the presenters for the detailed presentations. He asked if the detailed presentations could be e-mailed to all Members. Any future presentations to be sent in advance to Members.

(ii) **Chief Executive's Monthly Report**

Ms. Colette Byrne, Chief Executive presented her monthly report. She advised Members of the following:

- Part 10 Planning Application for the Park and Urban Street in Abbey Quarter will be submitted to An Bord Pleanála shortly.
- Chief Executive's report on the strategic Housing Development at Sion Road, Kilkenny has been sent to An Bord Pleanála recommending refusal of the application.
- Kilkenny & Carlow Education Training Board has advised that the two schools planned for the Western Environs has progressed to Stage 2A.
- Official opening of Butler Gallery is on 6<sup>th</sup> August, 2020. Members will be invited to a tour of the Gallery on 31<sup>st</sup> July, 2020 at 5.00 p.m.
- Consultants have been appointed for design of N24 Waterford to Cahir Scheme. Kilkenny County Council is the lead authority on the project.
- Advertisement for the Local Property Tax has been published for consultation.

Cllr. John Brennan raised the issue of Technological University for the South East. He proposed that the Council writes to the Minister for Education and Minister for Further and Higher Education, Research Innovation and Science inviting them to attend the next meeting of the Council. Cllr. Peter Cleere seconded this and asked that all stakeholders be invited – Presidents of Carlow and Waterford IT's. Cllr. Deirdre Cullen asked that Minister Simon Harris also be invited.

Contributions were received also from Cllrs. Pat Dunphy, Martin Brett and Andrew McGuinness in relation to the urgent need to progress a University for the South East for the benefit of students and reducing the cost of accommodation for them. The establishment of the Technological University of the South is included in the recently published Programme for Government "Our Shared Future".

It was agreed to invite the local TD's to attend the meeting.

(d) (i) **Graveyard Grant Scheme 2020**

Mr. Sean McKeown presented his report on the Graveyard Grant Scheme 2020. He advised that 26 applications have been received. 25 applications are recommended for approval of grants. Budget allocation is €8,000 and an amount of €6,200 to is being allocated under Round 1. The allocation of the remaining fund will be subject to the provision of additional information and agreement of statutory bodies to the works proposed. Further report will be brought to a future meeting.

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

*"That Kilkenny County Council approves the payment of Graveyard Grants 2020 totalling €6,200 in accordance with the list circulated to the Members."*

(i) **Animal Welfare Charter Committee**

Mr. Sean McKeown presented his report circulated with the Agenda.

He advised that approval of the Elected Members is now being sought to establish an Animal Welfare Committee comprising of:

- 6 Elected Members
- 5 nominations from Charitable and other organisations [as listed in the Report].

The Committee will be responsible for monitoring and providing oversight of the implementation of the Council's Animal Welfare Charter for Dogs and Horses. This Charter has been developed and approved by the SPC during the last term of the Council.

Cllr. Pat Fitzpatrick requested that all Municipal Districts be represented on the Committee. It was agreed to increase the membership to seven Elected Members.

It was proposed by Cllr. Andrew McGuinness, seconded by Cllr. Joe Malone and agreed:

*"That Kilkenny County Council approves the establishment of an Animal Welfare Committee to comprise as follows:*

- *7 Elected Representatives of the Council; and*
- *5 nominees from the following charitable and other organisations [KSPCA, IFA, Dogs Trust, PAWS Animal Rescue and My Lovely Horse Rescue]*

*and that the Committee be responsible for monitoring and providing oversight of the implementation of the Council's Animal Welfare Charter for Dogs and Horses.*

*The following seven [7] Elected members are appointed to the Committee:*

1. Cllr. John Coonan
2. Cllr. Fidelis Doherty
3. Cllr. Michael Doyle
4. Cllr. Joe Malone,
5. Cllr. Michael McCarthy
6. Cllr. Andrew McGuinness.
7. Cllr. Eugene McGuinness

### 3. **Correspondence**

Cathaoirleach advised that he had received a response from the Office of the Minister for Business Enterprise & Innovation in relation to the Council's letter in May 2020 regarding the intention of Bank of Ireland not to renew contracts of staff at their Kilkenny Office. Cllr. Denis Hynes was disappointed that the response was not positive.

It was agreed to e-mail copy of letter to all Members for their information.

### 4. **Business Adjourned from a Previous Meeting**

None.

### 5. **Schedule of Meetings**

#### (i) **Fix Venue for September Monthly Meeting**

It was proposed by Cllr. Martin Brett, seconded by Cllr. John Brennan and agreed that the September Monthly Meeting on the 21<sup>st</sup> September, 2020 be held in the Watergate Theatre, Kilkenny.

Ms. Anne Maria Walsh advised that a Workshop will be held in September 2020 for all Members on the draft County & City Development Plan. Members will be briefed at their Municipal District Meetings in advance of the Workshop. Members were agreeable to this.

6. **Consideration of Reports and Recommendations of Committees of the Council**  
None.
7. **Other Business set forth in the Notice convening the Meeting-**  
None.
8. **Conferences – Request for approval to Attend**  
Ms. Anne Maria Walsh advised that details of Conferences/Training days organised by LAMA & AILG has been sent by e-mail to all Members.  
  
It was proposed by Cllr. Martin Brett, seconded by Cllr. Michael McCarthy and agreed that Conference listed on the Schedule circulated be approved.
9. **Matters Arising from Minutes**  
None
10. **Any Other Business**
  - (i) Cllr. Fidelis Doherty advised all Members that this week is Farm Safety Week and Members should promote it on social media.
  - (ii) Cllr. Martin Brett raised concerns that the Budget for Housing Adaptation Grants has been spent. He stated no further applications are being dealt with. Cllrs. Pat Dunphy, John Brennan and Pat Fitzpatrick also contributed to this and stated additional funding should be sought.  
  
Ms. Colette Byrne advised that the Budget has been allocated to approved works. Emergency cases will be dealt with by Housing. It is understood that this matter will be discussed at the next SPC meeting and the outcome will come back to the Plenary Council.
  - (iii) Cllr. Maria Dollard raised a question on the Disposal of Plot at Abbey Quarter [Item 2 (a)] which had been approved earlier in the meeting. She requested clarification on the actual size of the plot, proposal for future carpark and commitment to Barnstorm Theatre.  
  
Ms. Byrne advised that the disposal of the Plot to the Partnership Company was committed to in 2015. The transfer of this site was to take place when substantial works had commenced on the development of a major building i.e. Brewhouse or equivalent. There is no change in the Council's commitment to making the Squash Court available to Barnstorm.
  - (iv) It was proposed by Cllr. Peter Cleere that Members should advise the Cathaoirleach in advance if they wish to raise an item under Any Other Business to enable a response to be prepared. Cathaoirleach Cllr. Andrew McGuinness seconded this and all Members agreed. This should be considered for inclusion in Standing Orders.
11. **Notices of Motion**  
**01 (20) Cllr. David Fitzgerald**  
  
It was proposed by Cllr. David Fitzgerald, seconded by Cllr John Coonan and agreed that  
  
*“Arising from the unanimous decision of the members of the Kilkenny City Municipal District, we the Members of Kilkenny County Council request the Minister for Local Government to amend and authorise the change of our local authorities official name from “Kilkenny County Council” to “Kilkenny City and County Council” to bring our official name in line with other Local Authorities such as Limerick and Waterford City and County Councils.”*

Cllrs. Fitzgerald and Coonan spoke on the Notice of Motion to recognise the status of Kilkenny City which was granted City status under Charters.

**02 (20) Cllr. Peter 'Chap' Cleere**

It was proposed by Cllr. Peter Cleere, seconded by Cllr. Martin Brett and agreed that:

*"To call on the Minister to introduce legislation to never allow inflatable toys to be used at rivers, lakes or beaches as the devices are vulnerable to the slightest breeze or current and can put a child in significant danger. Equally, the temporary loss of such a device could attract children or adults to try and retrieve them from the water and thereby get into a life-threatening situation."*

Cllr. Cleere spoke on the motion and referred to the recommendations made by Water Safety Ireland. He asked that Kilkenny County Council investigate the possibility of introducing bye-laws in County Kilkenny to prevent the use of inflatable toys on our rivers.

**03 (20) Cllr. Martin Brett**

It was proposed by Cllr. Martin Brett, seconded by Cllr. Pat Dunphy and agreed that:

*"That we in Kilkenny County Council ask the Minister for Transport to clarify when the back log of driving tests will be cleared, as of the 9<sup>th</sup> of July there is 741 on the list."*

Cllr. Brett spoke on this 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. Michael Delaney and agreed that Notices of Motion numbered 08 (20) to 14 (20) received from other Local Authorities to be taken as read and noted.

**08 (20) Carlow County Council**

*"This Council condemns the action of the PSNI in disrupting the Black Lives Matter (BLM) protest in Guildhall Square in Derry on June 6<sup>th</sup> by issuing fines and threatening court action against organisers and participants. This contrasted with the inaction of the PSNI in face of large gatherings on beaches and in major retail outlets over prior weeks.*

The organisers of the protest, the North West Migrants' Forum enforced strict rules to maintain social distancing. Very clear social distancing marks were drawn on the ground, in the same way many stores manage crowds queuing.

Council notes that Amnesty International and the northern Committee on the Administration of Justice have expressed concern about the way application of the regulations arising from the Covid-19 pandemic were altered on the evening prior to the Black Lives Matter protest, clearly suggesting that the point of the changes was to facilitate the PSNI in taking action against protesters.

Council backs the call for a full review of how policing was conducted at the BLM events. Council supports the demand for a public apology to the BAME [Black Asian and Minority Ethnic] Community. Council calls for the withdrawal of all fines and threats of court action against BLM protesters.

**09 (20) Kerry County Council**

*"To ask Kerry County Council to write on behalf of the members to the Department of An Taoiseach and the Department of Tourism asking that the VAT rate on the tourism industry be reduced to 0% to try and alleviate the pressure on related businesses and attempt to avoid the complete decimation of this sector. This is not a decision for the next Government. It is a decision that needs to be made now."*

**10 (20) Westmeath County Council**

*"That Westmeath County Council is recognising the stress, uncertainty and worry of the Leaving Certificate Class of 2020 discuss possible options of assisting these students pursue*

their chosen career this autumn, where some may want to attend Third Level Education and others follow the apprenticeship of their choice.

The proposal of “First Choice for All” should be accommodated as much as possible”.

#### **11 (20) Limerick City & County Council**

“That Limerick City and County Council support the National Small Business Recovery Plan in order to protect the thousands of jobs that SMEs provide throughout County Limerick and that Limerick City and County Council write to the Government and, in particular, Mr. Leo Varadkar, TD, the new Minister for Enterprise, Trade and Employment to fund and immediately implement the findings and recommendations of the National Small business Recovery Plan, and that Limerick City and County Council circulate this Motion to all other Councils.

#### **12 (20) Sligo County Council**

“That Sligo County Council bans the use at official and unofficial Bathing places and sale of at any location within the county of inflatable dinghies and all dangerous inflatable products, and that the Council write to the Department of Housing, Planning and Local Government to seek a nationwide Ban on these dangerous products before more young lives are lost.

These products have consistently warned of the dangers of these products and have been described by Irish Water Safety as “Floating Killers”.

#### **13 (20) Sligo County Council**

“A huge proportion of the lands in Ireland have no registered rights of way. In the most recent book of Mr. Peter Bland SC on the area it appears there is an anomaly in the legislation regarding the registration of rights of way in The Property Registration.

At the moment you may assert a right of way by prescription in that the right of way has been used as a right without permission, without secrecy and without consideration for in excess of 12 years in an application form but you must declare that the right is not a right of way of necessity for them to be able to consider the application. This obviously precludes most applications.

I call on Sligo County Council to write to the Minister for Agriculture and the Minister for Justice to amend the legislation to permit the property Registration Authority to include rights of way by necessity in their remit which are surely the simplest to adjudicate from map inspections and should be kept away from costly court proceedings in order to free up the courts or to set up an Independent adjudicator to deal with these matters quickly”.

#### **14 (20) Roscommon County Council**

“That Roscommon County Council call on the present or incoming Government to financially support all Tidy Towns 7 Voluntary Groups in County Roscommon to ensure maintenance of all public areas not under the remit of the Local Authority. The future of ongoing support from Local business and fundraising will be seriously impacted due to Covid-19. In the interest of visual appearance and tourism after this pandemic, we need to attract additional visitors to the country to support our local business (ratepayers). The good work of many volunteers both in County Roscommon and Nationwide needs to be supported.”

That concluded the business of the meeting.

