

MINUTES OF ORDINARY COUNCIL MEETING HELD ON MONDAY, 15TH FEBRUARY, 2021 AT 3.00 P.M. VIA MS TEAMS

Chair: Cllr. Andrew McGuinness.

Cllrs: Eamon Aylward, Tomás Breathnach, John Brennan, Martin Brett, Mary Hilda Cavanagh, Peter Cleere, John Coonan, Deirdre Cullen, Michael Delaney, Fidelis Doherty, Maria Dollard, Matt Doran, Michael Doyle, Pat Dunphy, David Fitzgerald, Pat Fitzpatrick, Ger Frisby, Denis Hynes, Joe Lyons, Joe Malone, Michael McCarthy, Eugene McGuinness & Patrick O'Neill.

Officials: Colette Byrne, Tim Butler, Sean McKeown, Mary Mulholland, Martin Prendiville, Tony Lauhoff, John Collins, Fiona Deegan, Kevin Hanley, Steve Coverdale, Katherine Peacock & Anne Maria Walsh.

1. Confirmation of Minutes

(a) Minutes of Plenary Meeting of Kilkenny County Council held on Monday, 18th January, 2021

Proposed by Cllr. Martin Brett, seconded by Cllr. Pat Fitzpatrick and agreed.

"That the Minutes of Plenary Meeting of Kilkenny County Council held on Monday, 18th January, 2021 as circulated with the Agenda be and are hereby approved".

(b) Minutes of SPC 1 Meeting of Economic Development, Enterprise Support and Tourism held on Friday, 18th September, 2020

Proposed by Cllr. Ger Frisby, seconded by Cllr. John Coonan and agreed.

"That the Minutes of SPC 1 Meeting: Economic Development, Enterprise Support and Tourism held on Friday, 18th September, 2020 as circulated with the Agenda be and are hereby approved".

Cathaoirelach advised Members that he has received a request from Deputy Malcolm Noonan to address the Members at the March Meeting.

It was proposed by Cllr. Pat Fitzpatrick, seconded by Cllr. John Coonan and agreed that the March Monthly Meeting commence at 2.30 p.m. to allow Deputy Noonan address the Members.

Cathaoirleach Cllr. Andrew McGuinness extended congratulations to:

- Bishop Dermot Farrell on his installation as Archbishop of Dublin on the 2nd February, 2021.
- My Lovely Horse Rescue and Gardai for their assistance with horse related incidents.
- Gardai for their quick response to the incident of vandalism on the Kilkenny Bus Service.

Cathaoirleach Cllr. Andrew McGuinness extended votes of sympathy to:

- Patrick Duffy, Housing Department on the death of his father Michael Joseph Duffy.
- Mary Brophy, Finance Department on the death of her mother Mary Brophy.
- Marie Purcell on the death of her mother Bridget Purcell.
- John Shortall, Castlecomer Area on the death of his father John Shortall.
- Alicia Dunphy, Library Service on the death of her mother Margaret Kehoe.
- Cian O'Sullivan, Water Services on the death of his father John L. O'Sullivan.
- Family of the late Paddy Curran, Tullogher.
- Family of the late John D'Arcy, Slieverue.

- Family of the late Bridget Whelan Graiguenamanagh.
- Family of the late John Ryan, Glenmore.
- Family of the late James Dermody, Piltown.
- Family of the late Susan Kenneally, Kilmacow.
- Family of the late Kathleen Ryan, Kilmacow.
- Family of the late Margaret Haberlin, Slieverue.
- Family of the late Margaret Dooley, Rosbercon.

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

- (i) It was proposed by Cllr. Andrew McGuinness 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 property at 1B Stephen Street, Kilkenny to Noleen Quinlan, legal personal representative of the late Daniel Phelan for nil consideration with each party being responsible for their own legal costs associated with the sale."

- (ii) 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 site at Cloghabrody, Thomastown, Co. Kilkenny, as identified on the enclosed map, to Thomas Treacy, Anne Treacy and John Doyle (in partnership), c/o Ballyroe, Thomastown, Co. Kilkenny, for the sum of €215,000 (two hundred and fifteen thousand euros). Each party will be responsible for their own legal costs associated with the sale. This site measures approx. 4.19 acres. The Consent of the Minister for the Environment is not required."

- (iii) It was proposed by Cllr. Mary Hilda Cavanagh 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 land at Foulkscourt, Johnstown, Co. Kilkenny to Thomas Henderson and Edmond Henderson, Foulkscourt, Johnstown, Co. Kilkenny for Nil consideration and Kilkenny County Council will be responsible for all legal costs associated with the sale. The land measures 7.19 hectare. The Consent of the Minister for the Environment is not required."

- (iv) It was proposed by Cllr. John Coonan 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 of ground measuring approx. 70 sq.m as identified on the enclosed map, at 25 Rosehill Court, Circular Road, Kilkenny to Breda Cullen, 25 Rosehill Court, Circular Road, Kilkenny for the nominal sum of €10.00 (ten euro) with the Purchaser being responsible for all legal costs associated with the transfer, including those of Kilkenny County Council. The Consent of the Minister for the Environment is not required."

(b) (i) **Part 8 – Fire Station Urlingford**

Mr. John Collins, Chief Fire Officer gave a PowerPoint Presentation on the proposed new Fire Station for Urlingford. In his presentation, he gave an overview on the following:

- Site Location – Rear of Library
- Planning Process – Part 8 to commence shortly.
- Funding Approval – December 2020.

In the presentation, all elevations of the proposed new Station were shown together with site map. He advised the meeting that the new Station will add capacity for training and service provision. There will also be the acquisition of a new fire tender for Urlingford.

Cllrs. Andrew McGuinness, Michael McCarthy, Mary Hilda Cavanagh and John Coonan welcomed the positive news and funding for the construction of a new Fire Station to service the north of the County. They thanked the Chief Fire Officer and all the staff for progressing the project and securing €1.7 million of funding for Fire Services in the Urlingford area.

Ms. Mary Mulholland thanked the Chief Fire Officer and all the Fire Service staff for the work done in bringing this project this far for the future operation of the Fire Service. She thanked the staff for their commitment to this emergency service particularly during the Covid Pandemic.

(c) (i) **Service Delivery Plan**

Mr. Tim Butler presented the report on the Service Delivery Plan for 2021. He advised the meeting that the adoption of the Service Delivery Plan is a Reserved Function under Section 134A of the Local Government Act 2001.

The Plan is based on the objectives and strategies contained in the adopted Corporate Plan. Each year a comprehensive work programme is planned to be undertaken in accordance with the Corporate Plan and the Budget adopted by the Elected Members. The Service Delivery Plan will be monitored by each Director of Service and will be reported on in the monthly Chief Executive's Report.

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

"That the Draft Service Delivery Plan for 2021 is hereby approved by the Members of Kilkenny County Council."

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

Ms. Colette Byrne presented her monthly report for February 2021.

Mr. Martin Prendiville advised that a decision on the compensation for 2020 has not yet been received from the Department. The staff are currently finalising the Annual Financial Statement for the year 2020. He advised that rates waiver for Q1 in 2021 will be applied automatically to the relevant accounts. Rate demand notes have been issued to all customers.

Cllrs. Pat Fitzpatrick, Pat Dunphy and Andrew McGuinness raised the following issues:

- Review of Casual Trading Bye-Laws for the County.
- Proposed Vaccination Centre in Cillín Hill and Traffic Management.
- Update on N24 Tower Road/Carrick Road.
- Update on Taking in Charge of Housing Estates.

Mr. Butler advised that an application will be made to An Bord Pleanála on the N24 Carrick Road in the coming months. The servicing of Notice to Treat on the N24 Tower Road has been delayed by COVID restrictions. He advised that the HSE have consulted with the Council in relation to traffic at Cillín Hill and it is not expected to create any significant issues.

Ms. Colette Byrne advised that the Vaccination Centre is a matter for HSE who will manage the facility. Further details on opening hours etc. will be circulated to Councillors once firm proposals and opening hours has been agreed.

(d) (i) **Update on Abbey Quarter**

Mr. Tony Lauhoff, Senior Engineer and Mr. Jason Clerkin, Abbey Quarter Partnership gave a PowerPoint presentation on progress to date in the Abbey Quarter.

Mr. Clerkin gave an overview on the following:

- Partnership Plots
- Public Realm/Brewhouse.
- Brewhouse Update – Completion, Covid 19 and Marketing Update.
- Building 7/Offices – Services.
- Future Projects – Residential/Hotel/Education.
- Car Parking.

In his presentation he showed maps and photographs of the individual plots and the Brewhouse which is currently being re-constructed. The slides gave an artist impression of the completed central atrium and views of the City from the building.

Details of marketing being undertaken and promotional brochures were outlined by Mr. Clerkin. The Partnership will now progress with Building No. 7. A Design Team Framework is being established. The future projects being looked at are the Urban Street, development of hotel, delivery of housing and a campus for the Technological University of the South East.

Planning approval has been received from Kilkenny County Council for a temporary car park. This decision has been appealed to An Bord Pleanala.

At this stage, the time of the meeting was approaching 6.00 p.m. and it was proposed by Cllr. Martin Brett, seconded by Cllr. Maria Dollard and agreed to suspend Standing Orders to complete this item.

Mr. Tony Lauhoff, gave an overview on the following:

- Public Realm Works – current status.
- Horse Barrack Lane & Brewhouse Square – under construction.
- Riverside Garden – under construction.
- Skate Park – under construction.
- Tea House Renovation – at Tender stage.
- Mayfair Public Realm – at Tender stage.
- Urban Park & Street - at Planning stage.
- Cultural Hub – Pre-Planning.
- Greensbridge Walkway – Funding Application.
- Maturation Vessels – Funding Application.

In his presentation, maps and photos of the various projects were shown and photos of completed works for the various projects. He updated in detail the various works being undertaken and the funding secured for the various projects.

Cathaoirelach Cllr. Andrew McGuinness thanked both speakers for the detailed overview of the many works being undertaken in the Abbey Quarter. He said this is a very exciting project for the City & County and very positive news for the economic development of Kilkenny.

Contributions were received from Cllrs. Eugene McGuinness, Maria Dollard, Martin Brett, Pat Fitzpatrick, John Brennan, David Fitzgerald and Mary Hilda Cavanagh.

Issues raised by Members related to the following:

- Contracts being affected by Covid, financial penalties.
- Parking requirement – impact of traffic.
- Tenants for the Brewhouse.
- Need for additional hotel.
- Provision of social housing.
- Not adhering to stages in Masterplan.
- Commencement of new Library.
- Competing in the rental market – offers of reduced rental rates, removing business from the core City Centre and speculative investment.
- Benefits for the City to be welcomed.
- Cost on the Council for the various projects.
- Completion of a significant building on site is very positive.
- Businesses interested in Abbey Quarter.
- Need for Digital Hub for Education.

Cllrs Fitzgerald and Cavanagh reminded Members that it was extremely positive for Kilkenny City and County to get the first phase of the Abbey Quarter Development completed despite all of the challenges.

Cllr. Maria Dollard advised the meeting that she has submitted an appeal to the planning application for the temporary car park in the Abbey Quarter and later raised her concerns about a discussion on a planning application which is under appeal to Bord Pleanala.

Mr. Jason Clerkin and Tony Lauhoff responded to the detailed queries on the individual projects.

Mr. Martin Prendiville advised that the Council agreed to enter into the partnership with ISIF as the council would not have the financial capacity to provide the long term funding requirement. Development finance is provided by ISIF. There is no exposure to Kilkenny County Council in the development of buildings. Kilkenny County Council retains ownership of all the amenity/open spaces and is developing these areas with grant funding through URDF and Council's own resources. The Partnership is taking a cautious approach by commencing development on one building only. Mr. Prendiville advised that the Council has spent €7.6 to date on acquisition of sites, design costs and works on public spaces. A term loan of €3m was approved by the Members to part fund this expenditure.

Mr. Butler advised that the Abbey Quarter will be developed in a phased basis over the coming years. There will be a need for additional parking in the City over this period. A Parking Options Assessment was prepared in 2017 to assess the parking requirements during the development of the Abbey Quarter. This can be represented to Members at a future meeting. There will be a need to review our transport needs over the next few years. There will also be a shift in forms of transport to access cities in future years having regard to active travel and climate actions.

Ms. Colette Byrne, Chief Executive stated that this is a very significant City Centre site which was purchased by the Council in 2012. The Council has spent years working on bringing plans to fruition, taking into consideration the Archaeology environs and the National Monuments on the site. The Council has accessed substantial funding to deliver public realm. The Mayfair building is ready to go to tender and funding is in place for this.

Work on Phase 2 Public Realm is well advanced with the Urban Street & Abbey Park.

She states that offices outside of Dublin will be needed and that the Partnership is negotiating with prospective tenants. The IDA have always stated that if offices are available there is a greater chance of gaining businesses. Workers will need access to office environments outside of Dublin.

The development of a ten-minute City is an objective for us. Provision of parking is transitory - need to access businesses and meet the needs of those employed in the area. There will be a transition over ten years with less cars in the Urban Centre and a move towards other forms of transport.

In relation to the planning application for a temporary car park, she advised that the factual position was only given in the power point presentation.

Ms. Byrne acknowledged the frustration that the development is not happening quick enough. This was always a 15-year plan to develop all buildings on the site. The Council has been seeking grant aid and the Council has to provide funds to match the grant aid. It was a decision of the Council to enter into a Partnership and transfer the plots to be developed by the Partnership.

It has always been an objective to have the presence of a Third Level Campus on this site and this continues to be high on the Agenda. The development of Sweeney's Orchard is subject to discussions with various entities on proposals for social housing.

Ms. Byrne thanked Tony Lauhoff for his invaluable work on this site since 2015. She also thanked Mr. Jason Clerkin and the Partnership. Covid has caused delays which is regrettable.

Cllr. Andrew McGuinness thanked the Members and the Executive for the robust discussion on this important site in the City Centre. He stated he is very excited about the whole site being opened up and activity taking place there. This is another positive offering for Kilkenny but should not be to the detriment of the main Urban Centre.

He advised that all other items on the Agenda will be adjourned to the March Meeting.

(ii) **National Broadband Ireland** *(Taken at 3.15 p.m. as agreed)*

Cathaoirelach Cllr. Andrew McGuinness welcomed Mr. T.J. Malone, CEO, NBI Development and Mr. Pat O'Toole, Director of Network Build to the Council Meeting.

Mr. T.J. Malone gave a PowerPoint presentation on the National Broadband Plan. In his presentation he gave an overview on the following:

- National Plan – Access, Intervention Areas.
- Delivering of Broadband to 544k premises.
- Future proofing the Network – best available technology.
- Benefits of high-speed Broadband.
- Progress to-date – First connection launched in January 2021.
- Update on Surveying work.

- Network Design & Build Process.
- How the Network “works” and connections to the Exchanges and Data Centres.
- Data for Co. Kilkenny – Investment of €72m in building network, 38% of premises without high speed broadband.
- Overview on Regional/Local Exchanges and areas covered.
- Development Areas – Kilkenny, Waterford, Johnstown and Borris.
- Broadband Connection Points – 6 BCP and 21 schools connected to high speed broadband in Co. Kilkenny.
- Stakeholders Engagement.

Cathaoirleach thanked Mr. Malone for the detailed presentation.

Contributions were received from Cllrs. Martin Brett, Pat Fitzpatrick, John Brennan, Patrick O’Neill, Pat Dunphy, Fidelis Doherty, Mary Hilda Cavanagh, Joe Lyons, Maria Dollard, Michael Delaney, Matt Doran, Joe Malone, Deirdre Cullen, Peter Cleere, Eamon Aylward, Ger Frisby, Eugene McGuinness & John Coonan.

All Members thanked the speakers for the detailed overview. Concerns were raised in relation to the delays in delivering high speed broadband to rural areas in Co. Kilkenny. All Members raised concerns in relation to specific areas that they represent and the inability of householders/businesses to get connections particularly now when people are working from home and children are being schooled at home.

Specific issues were raised as follows:

- Bring forward the connection dates, working from home will continue into the future.
- Timelines to complete the Surveys.
- Dedicated contact number for Elected Members.
- Additional Broadband Connection Points for Community Halls, Schools and villages.
- Installation of Poles – hedge cutting season, agreement with landowners.
- Overhead poles versus underground services.
- Areas serviced by other providers and connections to these existing services.
- Future proof service - advanced technology, allow for growth in Kilkenny.

Mr. T.J. Malone and Mr. P. O’Toole responded in detail to the queries raised by Members. They advised that there will be a dedicated contact person for the local authority and Members. Details will be forwarded shortly.

Cathaoirleach Andrew McGuinness thanked NBI for attending the meeting and giving their time to answer questions from the Members. He stated that the issue of broadband is most important for people now especially those who have to work from home. Good technology is needed now due to Covid restrictions.

(e) (i) **Civil Defence**

Cathaoirleach requested permission of the Members to take this presentation in advance of Item 2(d) and this was agreed. Ms. Katherine Peacock, Civil Defence Officer gave a PowerPoint Presentation on the operations of Kilkenny Civil Defence. In her presentation she gave an overview on the Civil Defence Service as follows:

- Function of the Emergency Service.
- Main areas of response and training.

- Casualty Response.
- Flood Response.
- Community Engagement.
- Volunteers – ongoing recruitment.
- Statistics on response in 2020.
- Funding for 2020 and 2021.
- Future Plans for the service – dedicated building and equipment.

Cathaoirleach thanked Katherine Peacock for the detailed overview of the service and thanked all the volunteers for their extraordinary work especially during the Covid Pandemic.

Contributions were received from Cllrs. Martin Brett, Pat Fitzpatrick, John Coonan and Eugene McGuinness. Members thanked the Civil Defence for their work to the communities in Kilkenny and raised queries in relation to a dedicated building and increasing the number of volunteers.

Ms. Colette Byrne advised Members that the Council are working to find a solution for a permanent home for Civil Defence. She advised that the funding will need to be identified to fund the cost of the building.

She thanked the Civil Defence Officer and her volunteers for the valuable assistance given to people through the Community Call/ Helpline and also supporting the HSE with driving people to medical appointments etc.

She advised that most people continue to engage directly with Civil Defence for assistance.

Meeting concluded at 7.30 p.m.

CATHAOIRLEACH

DATE