



MINUTES OF ORDINARY COUNCIL MEETING HELD
ON MONDAY, 19TH APRIL, 2021 AT 2.30 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, Martin Prendiville, Mary Mulholland, Tim Butler, Sean McKeown, Evelyn Graham, Eimear Cody, Kevin Hanley, Fiona Deegan, Catherine Cooney, Michael Leahy & Anne Maria Walsh.

1. **Dearbhú Miontuairiscí - Confirmation of Minutes**

- (a) **Minutes of Plenary Meeting of Kilkenny County Council held on Monday, 15th March, 2021**
Proposed by Cllr. Mary Hilda Cavanagh, seconded by Cllr. Ger Frisby and agreed.
"That the Minutes of Plenary Meeting of Kilkenny County Council held on Monday, 15th March, 2021 as circulated with the Agenda be and are hereby approved".
- (b) **Minutes of Special Meeting of Kilkenny County Council held on Monday, 29th March, 2021**
Proposed by Cllr. John Coonan, seconded by Cllr. Martin Brett and agreed.
"That the Minutes of Special Meeting of Kilkenny County Council held on Monday, 29th March, 2021 as circulated with the Agenda be and are hereby approved".
- (c) **Minutes of SPC 1 Meeting: Economic Development, Enterprise Support and Tourism held on Friday, 4th December, 2020**
Proposed by Cllr. Martin Brett, seconded by Cllr. John Coonan and agreed.
"That the Minutes of SPC1 Meeting: Economic Development, Enterprise Support and Tourism held on Friday, 4th December, 2020 as circulated with the Agenda be and are hereby approved".
- (d) **Minutes of SPC 5: Environmental Protection, Water Services & Energy held on 6th February, 2019**
Proposed by Cllr. Michael McCarthy, seconded by Cllr. John Brennan and agreed.
"That the SPC 5 Meeting: Environmental Protection, Water Services & Energy held on 6th February, 2019 as circulated with the Agenda be and are hereby approved".
- (e) **Minutes of SPC 5: Environmental Protection, Water Services & Energy held on Friday 29th March, 2019**
Proposed by Cllr. Tomás Breathnach, seconded by Cllr. Mary Hilda Cavanagh and agreed.
"That the Minutes of SPC 5 Meeting: Environmental Protection, Water Services & Energy held on 29th March, 2019 as circulated with the Agenda be and are hereby approved".

- (f) **Minutes of SPC 5: Environmental Protection, Climate Action & Energy held on Friday 4th September, 2020**
Proposed by Cllr. John Brennan seconded by Cllr. Michael Delaney and agreed.
"That the Minutes of SPC 5 Meeting: Environmental Protection, Climate Action & Energy held on 4th September, 2020 as circulated with the Agenda be and are hereby approved".
- (g) **Minutes of SPC 4: Environmental Protection, Climate Action & Energy held on Friday 4th December, 2020**
Proposed by Cllr. Martin Brett, seconded by Cllr. Mary Hilda Cavanagh and agreed.
"That the Minutes of SPC 4 Meeting: Environmental Protection, Climate Action & Energy held on 4th December, 2020 as circulated with the Agenda be and are hereby approved".
- (h) **Minutes of SPC 4: Environmental Protection, Climate Action & Energy held on Monday 9th December 2019**
Proposed by Cllr. Matt Doran, seconded by Cllr. Mary Hilda Cavanagh and agreed.
"That the Minutes of SPC 4 Meeting: Environmental Protection, Climate Action & Energy held on 9th December, 2019 as circulated with the Agenda be and are hereby approved".
- (i) **Minutes of SPC 5: Community, Cultural & Fire Services held on Wednesday, 12th February, 2020**
Proposed by Cllr. Mary Hilda Cavanagh, seconded by Cllr. Peter Cleere and agreed.
"That the Minutes of SPC 5 Meeting: Community, Cultural & Fire Services held on 12th February, 2020 as circulated with the Agenda be and are hereby approved".
- (j) **Minutes of SPC 5: Community, Cultural & Fire Services held on Wednesday, 17th September, 2020**
Proposed by Cllr. Peter Cleere, seconded by Cllr. John Brennan and agreed.
"That the Minutes of SPC 5 Meeting: SPC 5: Community, Cultural & Fire Services held on 17th September, 2020 as circulated with the Agenda be and are hereby approved".
- (k) **Minutes of SPC 5: Community, Cultural & Fire Services held on Wednesday, 12th November, 2020**
Proposed by Cllr. John Brennan, seconded by Cllr. John Coonan and agreed.
"That the Minutes of SPC 5: Community, Cultural & Fire Services held on 12th November, 2020 as circulated with the Agenda be and are hereby approved".
- (l) **Minutes of SPC 5: Community, Cultural & Fire Services held on Wednesday, 4th December, 2019**
Proposed by Cllr. John Brennan, seconded by Cllr. Michael McCarthy and agreed.
"That the Minutes of SPC 5 Meeting: Community, Cultural & Fire Services held on 4th December, 2019 as circulated with the Agenda be and are hereby approved".

Fógraí - Announcements

- Cathaoirleach Cllr. Andrew McGuinness welcomed the announcement on RRDF funding of €2.5m for Thomastown Library, funding for Outdoor Water Sports and the commencement of work on the Pedestrian Bridge in Castlecomer.
- He congratulated the five Kilkenny people who graduated from the Army Cadet School including Jamie Malone, son of Cllr. Joe Malone.
- He wished Cartoon Saloon every good wish with the Oscar nomination for the end of the month.

Cathaoirleach Cllr. Andrew McGuinness extended Votes of Sympathy to the following:

- Frank Stafford, Environment Department on the death of his sister Ailish.
- Joe Reidy, former Councillor on the death of his brother Brendan.
- Family of the late Bridget Doheny, Parnell Street, Kilkenny.
- Family of the late William Murphy, Stephen Street, Kilkenny.
- Family of the late Dean Norman Lynas, formerly of St. Canice's Cathedral.
- Family of the late Biddy Fitzgerald, Kilmacow, Co. Kilkenny.
- Family of the late Kathleen Doran, Mooncoin, Co. Kilkenny.
- Family of the late Lisa Hassett, Mooncoin, Co. Kilkenny.
- Family of the late Kitty Reidy, Mooncoin, Co. Kilkenny.
- Family of the late Cáit Doyle, Mooncoin, Co. Kilkenny.
- Family of the late Lizzie Sutton, Carrigeen, Via Waterford.
- Family of the late Paddy Carroll, Mooncoin, Co. Kilkenny.
- Family of the late Jimmy McCarthy, Mooncoin, Co. Kilkenny.
- Family of the late John Skehan, Kilmacow, Via Waterford.
- Family of the late Nora Maddock, Kilmacow, Via Waterford.
- Family of the late Jim Phelan, Piltown, Co. Kilkenny.
- Family of the late James Dermody, Piltown, Co. Kilkenny.
- Family of the late Kathleen Ryan, Kilmacow, Co. Kilkenny.
- Family of the late Billy O'Sullivan, Carrigeen, Via Waterford.
- Family of the late Joe Ryan, Tullogher, Co. Kilkenny.
- Family of the late Danny Dowling [Snr.], Glenmore, Co. Kilkenny.
- Family of the late Donie Geary, Slieverue, Co. Kilkenny.
- Family of the late Margaret Long, Tullogher, Kilkenny.

Cllr. Peter Cleere proposed that a Civic Reception be accorded to Rachael Blackmore, Jockey on her recent success at home and in England. This was seconded by Cllr. Mary Hilda Cavanagh and agreed by all.

Cathaoirleach Cllr. Andrew McGuinness asked Mr. Tim Butler, Director of Services to update the Members on the recent media reports in relation to Internal Audit Reports. Mr. Butler advised that a Freedom of Information request was received some months ago requesting copies of Internal Audit Reports issued in 2019/2020. There were eight Reports released and these have been circulated to all Members today.

Mr. Butler advised that the function of Internal Audit is independent and the Internal Audit staff review processes and procedures in areas of risk for the Council.

The Audit Plan is approved annually by the Elected Members. Reports will summarise the facts, identify weaknesses and report on the findings to the Audit Committee, the Management Team and the relevant Service Area. It is not unusual to identify errors/oversights in the course of audit work. In relation to the media reports, a number of oversights were identified in relation to phones being paid for staff who have left the organisation. Procedures were put in place in relation to movers/leavers to ensure that phones are returned and cancelled or transferred to the staff who have left.

Cllr. Andrew McGuinness advised reports have been circulated and improvements in procedures have been put in place. If any Member has any question they can contact Mr. Tim Butler. Cllr. Andrew McGuinness stated that a Special Meeting can be organised if required. Cllr. Mary Hilda Cavanagh agreed with this.

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

- (i) 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 plot of ground at Parkmore, Callan Road, Kilkenny – as identified on the attached map - to Mary Cody, Parkmore, Callan Road, Kilkenny for the nominal sum of €10.00 with Kilkenny County Council being responsible for all legal costs associated with the sale. Plot measures 0.057 acres. The Consent of the Minister of the Environment, is not required."

- (i) It was proposed by Cllr. Ger Frisby seconded by Cllr. Michael Doyle 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 plot of ground at No. 1 Beech Grove, Rosbercon, New Ross, Co. Kilkenny – as identified on the attached map - to James Dooley, No. 1 Beech Grove, Rosbercon, New Ross, Co. Kilkenny for the nominal sum of €10.00 with the Purchaser being responsible for all legal costs associated with the sale. Plot measures 45.91m². The Consent of the Minister of the Environment, is not required."

- (i) It was proposed by Cllr. Michael McCarthy 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 a plot of ground at 1, Brookfield, Ballyragget, Co. Kilkenny to Martina Comerford, as Personal Rep of Daniel Comerford and Alice Comerford, Deceased, 1 Brookfield, Ballyragget, Co. Kilkenny for the nominal sum of €10.00 with the Purchaser being responsible for all legal costs associated with the sale. Plot measures 154.2 square metres approx. The Consent of the Minister of the Environment is not required."

2. (b) (i) ***Cuid 8 Rochtain Tógála ar an nGlasbhealach*** **Proposed Part 8 Construction Access to the Greenway**

Mr. Sean McKeown advised that a number of Part 8 Planning proposals will be brought to the Plenary Meetings in the coming months. The construction of the Greenway will be in a number of Lots and the first three Lots have been tendered and will be awarded shortly. It was noted that Part 8 Planning is required for the temporary compound and access ramp to facilitate the construction of the section of the Greenway in Ferrybank.

(ii) ***Cuid 8 Beartaithe: Bóthar na Canálach, Baile Sheáin*** **Proposed Part 8: Canal Road, Johnstown**

Ms. Evelyn Graham gave a Powerpoint Presentation on proposed Part 8 for the development of Social Housing in Johnstown.

In her presentation she gave an overview on the following:

- Acquisition of the five sites: CPO, Kilkenny County Council land and purchased sites.
- Condition of buildings on a number of sites/dangerous structures.
- Proposed 19 units to be constructed.
- Current Housing Need.
- Type of houses proposed: 1/2/3 bedroom, single and two-storey.
- Provision of public realm and enhancement for village and streetscape.
- It is intended to advertise for Part 8 in May 2021.

Contributions were received from Cllrs. Michael McCarthy, Mary Hilda Cavanagh, Michael Delaney, Joe Malone and Andrew McGuinness. Members welcomed the proposed development and in particular the infill development which will eliminate dereliction and enhance the streetscape. Request was made to improve the public lighting on the Canal Road as part of the development. The current Health Check being carried out is very welcome by the Residents.

**(c) (i) Tuarascáil Mhíosúil an Phríomhfheidhmeannaigh
Chief Executive's Monthly Report**

Ms. Colette Byrne presented her Chief Executive Report for March 2021. Cllr. Tomás Breathnach raised a query in relation to the role of the Elected Members in developing plans for a Decarbonisation Zone in the City & County. He requested that the Council write to the Minister seeking a clearly defined role for the Elected Members in the next stage of the process.

Ms. Colette Byrne advised that we will send a letter to the Minister.

Ms. Colette Byrne advised that the contract for the Pedestrian Bridge in Castlecomer has been signed and work will take place over the summer months. She also welcomed the funding of €2.5m for Thomastown Library and the proposed works to develop the School of Jewellery in the Sessions House.

(ii) Dréacht-Tuarascáil Bhliantúil 2020 - Draft Annual Report 2020

Mr. Tim Butler presented the Chief Executive's Report on the Draft Annual Report for 2020. He advised that the Annual Report contains details on all services, significant achievements and projects undertaken by the Council in 2020. Details of all the activities of the SPC and Municipal Districts together with Schedule of Members training/expenses are also included.

He advised the adoption of the Draft Annual Report is a Reserved Function.

It was proposed by Cllr. Martin Brett, seconded by Cllr Deirdre Cullen:

"That the Draft Annual Report for 2020 is hereby approved by the Members of Kilkenny County Council."

(d) (i) Scéim Oibreacha Bóthair 2021 - Roadworks Scheme 2021

Mr. Tim Butler advised that detailed discussions have taken place at each Municipal District Meeting on the proposed Road Works for 2021. Additional funding has been received for works on former national roads in the amount of €400k and €4.3m for Active Travel measures.

Cllr. Pat Dunphy enquired about funding for Local Improvement Schemes. There is a need to continue with this scheme on minor roads. He requested an update on flood schemes for the next meeting.

It was proposed by Cllr. Andrew McGuinness, seconded by Cllr. Fidelis Doherty and agreed that:

"We the Members of Kilkenny County Council approves the Roadworks Scheme for 2021, as circulated."

(e) (i) Nuashonrú Airgeadais - Finance Update

Mr. Martin Prendiville gave an update on the following:

- **Rates Waiver Scheme 2021:** Amount of rates to be waived is €3.4m for 1,168 ratepayers. The Scheme is more restrictive than the 2020 Scheme where 2,000 Ratepayers were eligible and the total waiver amounted to €8.6m.
- **Small Business Assistance Scheme [SBASC]:** Closing date for applications is 21st April, 2021. 117 applications have been received to date. 55 have been validated as complete.
- **Cash Flow:** This will be challenging as most business are still closed. There is a strong focus on collection of income, overdraft facility is in place and some discretionary expenditure items will be deferred.

(ii) Ráiteas Airgeadais Bliantúil 2020 - Annual Financial Statement 2020

Mr. Martin Prendiville presented the Unaudited Annual Financial Statement for the year ending 31st December, 2020. He advised that the Local Government Auditor has commenced preliminary work on the 2020 Accounts. Once Audit is completed, the final accounts will be placed before the Members in September 2021 for final approval.

He gave an overview on the following:

- Total Expenditure is €116.9m. This includes a total of €21.3m in respect of Rates Waivers, Restart Grants, Compensation from Government and LEO Grants. The nett expenditure was €95.6m.
- Compensation received from the Government was €2.3m in respect of loss of income and additional expenditure incurred due to Covid. This enabled the Council to break even for the year with a small surplus of €16k.
- Loan Repayments – The term loan of €5m was drawn down later in the year than planned resulting in the saving of €540k in loan charges.

This saving has been reallocated to a number of areas:

- Matching funding for a number of grant schemes
- Historical Graveyards
- Columbarium Wall
- Housing Grants
- Callan Friary Trust
- Woodstock and
- Library Book Fund.
- Balance Sheet – Cashflow was a challenge in 2020. The total balance on non mortgage loans at the end of 2020 was €15.9m. There was a net increase of €700k in arrears for Commercial Rates. Commitments on completed capital projects amounted to €9.3m. A total of €3.1m was drawn down for new mortgage loans.
- Capital Expenditure – The total capital expenditure for 2020 amounted to €59m broken down as follows:
 - Housing....€38m
 - Roads.....€13m
 - Others.....€8m [Butler Gallery, Abbey Quarter Public Realm & RRDF Projects]

- Income Collection - Maintained collection rates in Housing Rents and Loans.
- The over expenditure amounted to €36,764, 197. This over expenditure was matched with additional grants received from a number of Government Departments.

Contributions were received from Cllrs. Eugene McGuinness, Maria Dollard and Andrew McGuinness in relation to costs incurred on illegal dumping, dealing with illegal burning of rubbish and CCTV security, clean up of areas such as Ring Road and Skate Park and other areas in the County.

It was proposed by Cllr. Michael Delaney, seconded by Cllr. Maria Dollard and agreed that:

“That Kilkenny County Council hereby approves of Excess Expenditure for year ending 31st December, 2020 as follows in accordance with S104(2) Local Government Act 2001:

HOUSING & BUILDING		€
A01	Maintenance & Improvement of LA Housing	1,354,217
A02	Housing Assessment, Allocation and Transfer	38,541
A03	Housing Rent and Tenant Purchase Administration.....	16,505
A04	Housing Community Development Support.....	4,389
A07	RAS and Leasing Programme.....	2,668,060
A09	Housing Grants	73,619
A11	Agency & Recoupable Services	29,154
A12	HAP Programme	47,473
	Subtotal	4,231,958

ROAD TRANSPORTATION & SAFETY		
B04	Local Road – Maintenance & Improvement	6,042,864
B05	Public Lighting	31,430
B06	Traffic Management Improvement	7,336
B07	Road Safety Engineering Improvement	434,887
B09	Car Parking.....	41,956
B11	Agency & Recoupable Services	959,998
	Subtotal	7,518,471

WATER SERVICES		
C01	Water Supply	308,692
C02	Waste Water Treatment.....	274,061
C03	Collection of Water and Waste Water Charges.....	26,783
C05	Admin of Group and Private Installations	248,247
C06	Support to Water Capital Programme	19,687
C07	Agency & Recoupable Services	41,568
C08	Local Authority Water and Sanitary Services	697
	Subtotal	919,735

DEVELOPMENT MANAGEMENT		
D01	Forward Planning.....	37,404
D02	Development Management	38,347
D03	Enforcement	3,234
D05	Tourism Development and Promotion.....	295,038
D07	Unfinished Housing Estates	696
D08	Building Control	18,728
D09	Economic Development and Promotion.....	12,726,577
D10	Property Management	21
D11	Heritage and Conservation Services	78,874
	Subtotal	13,198,919

ENVIRONMENTAL SERVICES

E02	Recovery & Recycling Facilities Operations.....	202,244
E04	Provision of Waste to Collection Services.....	153,132
E06	Street Cleaning.....	91,810
E07	Waste Regulations, Monitoring and Enforcement	18,325
E09	Maintenance of Burial Grounds	207,375
E10	Safety of Structures and Places.....	39,709
E11	Operation of Fire Service	123,661
E13	Water Quality, Air and Noise Pollution	407,781
	Subtotal	1,244,037

RECREATION & AMENITY

F01	Leisure Facilities Operations	200,006
F02	Operation of Library and Archival Service.....	139,550
F03	Outdoor Leisure Areas Operations	433,843
F04	Community Sport and Recreational Development	209,347
F05	Operation of Arts Programme	47,420
	Subtotal	1,030,166

MISCELLANEOUS SERVICES

H03	Administration of Rates.....	7,784,810
H05	Operation of Morgue and Coroner Expenses.....	5,139
H07	Operation of Markets and Casual Trading	1,604
H09	Local Representation & Civic Leadership	38,042
H11	Agency & Recoupable Services	791,316
	Subtotal	8,620,911

TOTAL 36,764,197

It was proposed by Cllr. Michael Delaney, seconded by Cllr. Maria Dollard and agreed that:

"We, the members of Kilkenny County Council, hereby adopt the Annual Financial Statement for year ending 31st December, 2020."

(f) (i) Tuarascáil Bhliantúil LCDC 2020 - LCDC Annual Report 2020

Ms. Mary Mulholland advised that the LCDC Annual Report 2020 is circulated for the information of the Elected Members. The Report is an overview of the programmes undertaken, the membership of the LCDD and its functions.

(g) (i) Nuashonrú Tithíochta & Seachadadh Caipitil Housing Update & Capital Delivery

Ms. Mary Mulholland advised that the Council are delivering Social Housing units under the Rebuilding Ireland through a number of programmes.

Ms. Eimear Cody and Ms. Evelyn Graham gave a Powerpoint presentation. In their presentation they gave an overview on the following:

- Social Housing Delivery - 183 units provided through Build/Acquisition and Leasing in 2020.
- Details of 38 Houses at Hoban Park, Callan, 17 houses at Breaghagh Place, Piltown, Group Housing at Cloghabrody Thomastown and Windgap.
- Details of units provided by Approved Housing Bodies. 28 units Nuncio Road, Kilkenny and 40 units at Margaretsfield, Kilkenny.

- Projects under construction by Kilkenny County Council in Castlecomer, Ballyragget, Castlecomer Road, Kilkenny.
- Turnkey Development – Kilmacow and Hebron Road, Kilkenny.
- Future Projects 2022/23 – Thomastown, Kilkenny City and many smaller projects throughout the County.
- Summary – 37 projects – 468 houses. Investment of €102m.
- Details of current housing need in County Kilkenny.
- Vacant Homes initiatives.
- Repair & Lease Schemes – 48 applications received.
- Buy & Renew Scheme.
- CPO's in 2020 – 10 served on properties throughout the County.
- CPO's in 2021 – number of properties identified to proceed to acquisition through CPO procedure.

Cathaoirleach thanked both Presenters for a very detailed overview of the Capital Housing Delivery Programmes for 2020, 2021 and 2022. He stated that this is very positive news for the County and those on our Housing List.

Contributions were received from Cllrs. David Fitzgerald, John Coonan, Joe Malone, Pat Dunphy, Maria Dollard, Martin Brett, John Brennan, Deirdre Cullen, Eugene McGuinness, Pat Fitzpatrick, Denis Hynes, Fidelis Doherty and Matt Doran.

Members thanked the staff in Housing for their work in delivering a very ambitious programme of social housing which is catering for the various needs in communities.

Specific queries were raised in relation to:

- Criteria for renewal of buildings with limited outdoor space to be included in new Development Plan.
- Status of Housing at Sweeney Orchard/Mulhall's Shop Newpark.
- Concerns regarding high demand for 1/2 bed.
- Concern regarding lifetime needs in a 1 bed unit.
- Welcomed the work on derelict sites in a number of locations – issues with financial institutions, need to eliminate illegal dumping on these sites.
- Welcomed Health Checks for a number of towns.
- Standard of Housing – energy efficiency, catering for all disabilities.
- Need to upgrade housing in the Butts Area.
- Requirements for upgrade of Water Services in a number of areas to allow developments to proceed to ensure capacity of supply.
- Serviced sites for those who wish to provide their own homes.
- Refurbishment of various properties in villages is very welcome and there is a need to do more to keep these as living villages.

Colette Byrne, Mary Mulholland, Eimear Cody and Evelyn Graham responded in detail to the queries raised by individual Members.

Ms. Colette Byrne thanked all the staff in Housing for the work in delivering units for those who need them. Housing is a very difficult and pressurised area having to deal with challenges every day. During Covid, there were additional challenges in delivering all the Housing Services in different ways. She further stated that the quality of houses being delivered is exceptional and is catering for individual needs of some households.

3. *Comhfhreagras - Correspondence*

(i) **Correspondence from Minister for Justice regarding Parental Alienation**
[Notice of Motion 10-2020]

Correspondence noted as read by the Elected Members.

(ii) **Correspondence from Minister of Public Expenditure & Reform and Department of Transport in relation to implementing a plan to sustain the country's Post Offices** *[Notice of Motion 11-2020]*

Correspondence noted as read by the Elected Members.

Cllr. Tomás Breathnach spoke on the responses received from the two Departments and the importance of the Post Office Network with the closure of banks in the smaller towns. He referred to the Government Interdependent Commission and the need to devolve more services to the Post Offices. The report from the Commission will be published in July 2021 and he requested that the SPC review it and consider the proposals.

(iii) **Correspondence from Minister in relation to maternity and paternity leave for Elected Representatives** *[Notice of Motion 14-2020]*.

Correspondence noted as read by the Elected Members.

4. *Gnó ar athló ó chruinniúroimhe seo - Business adjourned from a previous Meeting*

None.

5. *Dátaí agus Amanta do chruinnithe a shocrú - Fix Dates & Times of Meetings*

(i) **Fix date for Annual Meeting**

It was proposed by Cllr. Andrew McGuinness, seconded by Cllr. Deirdre Cullen and agreed that the AGM of Kilkenny County Council be held on Friday, 18th June, 2021 at 3.00 p.m.

(ii) **Presentation from Presidents of Carlow & Waterford IT**

It was proposed by Cllr. Andrew McGuinness, seconded by Cllr. Mary Hilda Cavanagh and agreed that a presentation from the Presidents of Carlow and Waterford IT be received at the May Meeting.

(iii) **Schedule of Meetings**

It was proposed by Cllr. Eamon Aylward, seconded by Cllr. Pt Dunphy and agreed.

Mr. Sean McKeown advised that another Workshop on the Draft City & County Development Plan will be arranged and thereafter a Special Meeting will be held before the end of May to consider the Chief Executive's Report on submissions received and proposed material alterations to the Draft Plan. A timetable will be presented for the remaining stages involved in adopting the Plan at the next CPG.

6. *Plé ar Thuairiscí agus Moltaí ó Choistí an Comhairle* **Consideration of Reports & Recommendations of Committees of the Council**

(i) **Report of SPC 1: Economic Development, Enterprise Support and Tourism held on Friday, 18th September, 2020.**

It was proposed by Cllr. John Coonan, seconded by Cllr. Ger Frisby that report taken as read and noted:

"That Chairman's Report of SPC 1: Economic Development, Enterprise Support and Tourism held on Friday 18th September, 2020 as circulated with the Agenda be noted and hereby approved".

(ii) **Report of SPC 1: Economic Development, Enterprise Support and Tourism held on Friday, 4th December, 2020**

It was proposed by Cllr. Ger Frisby, seconded by Cllr. Michael Delaney that report taken as read and noted:

“That Chairman’s Report of SPC 1: Economic Development, Enterprise Support and Tourism held on Friday, 4th December, 2020 as circulated with the Agenda be noted and hereby approved”.

(iii) **Report of SPC 5: Environmental Protection, Water Services & Energy held on 6th February, 2019**

It was proposed by Cllr. Pat Dunphy, seconded by Cllr. Tomás Breathnach that report taken as read and noted:

“That Chairman’s Report of SPC 5: Environmental Protection, Water Services & Energy held on 6th February, 2019 as circulated with the Agenda be noted and hereby approved”.

(iv) **Report of SPC 5: Environmental Protection, Water Services & Energy held on Friday 29th March, 2019**

It was proposed by Cllr. John Coonan, seconded by Cllr. Tomás Breathnach that report taken as read and noted:

“That Chairman’s Report of SPC 5: Environmental Protection, Water Services & Energy held on Friday 29th March, 2019 as circulated with the Agenda be noted and hereby approved”.

(v) **Report of SPC 5: Environmental Protection, Climate Action & Energy held on Friday 4th September, 2020**

It was proposed by Cllr. Tomás Breathnach, seconded by Cllr. Pat Dunphy that report taken as read and noted:

“That Chairman’s Report of SPC 5: Environmental Protection, Climate Action & Energy held on Friday 4th September, 2020 as circulated with the Agenda be noted and hereby approved”.

(vi) **Report of SPC 4: Environmental Protection, Climate Action & Energy held on Friday 4th December, 2020**

It was proposed by Cllr. Mary Hilda Cavanagh, seconded by Cllr. Tomás Breathnach that report taken as read and noted:

“That Chairman’s Report of SPC 4: Environmental Protection, Climate Action & Energy held on Friday 4th December, 2020 as circulated with the Agenda be noted and hereby approved”.

(vii) **Report of SPC 4: Environmental Protection, Climate Action & Energy held on Monday 9th December 2019**

It was proposed by Cllr. Mary Hilda Cavanagh, seconded by Cllr. Michael Delaney that report taken as read and noted:

“That Chairman’s Report of SPC 4: Environmental Protection, Climate Action & Energy held on Monday 9th December 2019 as circulated with the Agenda be noted and hereby approved”.

(viii) **Report of SPC 5: Community, Cultural & Fire Services held on Wednesday, 12th February, 2020**

It was proposed by Cllr. Mary Hilda Cavanagh, seconded by Cllr. Deirdre Cullen that report taken as read and noted:

"That Chairman's Report of SPC 5: Community, Cultural & Fire Services held on Wednesday, 12th February, 2020 as circulated with the Agenda be noted and hereby approved".

(ix) **Report of SPC 5: Community, Cultural & Fire Services held on Wednesday, 17th September, 2020**

It was proposed by Cllr. Pat Dunphy, seconded by Cllr. John Coonan that report taken as read and noted:

"That Chairman's Report of SPC 5: Community, Cultural & Fire Services held on Wednesday, 17th September, 2020 as circulated with the Agenda be noted and hereby approved".

(x) **Report of SPC 5: Community, Cultural & Fire Services held on Wednesday, 12th November, 2020**

It was proposed by Cllr. John Coonan, seconded by Cllr. Michael Delaney that report taken as read and noted:

"That Chairman's Report of SPC 5: Community, Cultural & Fire Services held on Wednesday, 12th November, 2020 as circulated with the Agenda be noted and hereby approved".

(xi) **Report of SPC 5: Community, Cultural & Fire Services held on Wednesday, 4th December, 2019**

It was proposed by Cllr. Pat Dunphy, seconded by Cllr. Mary Hilda Cavanagh that report taken as read and noted:

"That Chairman's Report of SPC 5: Community, Cultural & Fire Services held on Wednesday, 4th December, 2019 as circulated with the Agenda be noted and hereby approved".

**7. Gnó Eile romhainn i bhFógra reachtála an Chruinnithe
Other Business set forth in the Notice convening the Meeting**

None.

8. Oideachas agus Oiliúint - Education & Training

- (i) **AILG Elected Members Training Programme 2021**
Noted as read by the Elected Members.

9. Gnótha ag éirí as Miontuairiscí - Matters Arising from Minutes

None.

10. Aon Ghnó Eile - Any Other Business

None.

11. *Fógraí Rúin* - Notices of Motion

01 (21) Cllr. David Fitzgerald

It was proposed by Cllr. David Fitzgerald, seconded by Cllr. Andrew McGuinness and agreed that:

"That Kilkenny County Council support and work with alternative sports organisations including the provision of a suitable site to build a multi-purpose sports facility and arena in Kilkenny."

Cllrs. David Fitzgerald, Andrew McGuinness and Maria Dollard spoke on the Notice of Motion. Mr. Tim Butler advised that he has spoken to the organisation involved in minority sports and has advised them that any support would be conditional on a Feasibility Report and assistance in this regard may be available through KLP and KRSP.

02 (21) Cllr. Peter Cleere

It was proposed by Cllr. Peter Cleere, seconded by Cllr. Andrew McGuinness and agreed that:

"That Kilkenny County Council on the first anniversary of the Global Coronavirus pandemic would light up all public buildings in Kilkenny BLUE over one weekend as soon as possible as a tribute to those who have lost their lives in the pandemic. The blue could also signify our appreciation of our Healthcare staff and frontline workers who are working tirelessly to keep us all safe."

Cllrs. Peter Cleere, Andrew McGuinness, Mary Hilda Cavanagh, Joe Malone, Eugene McGuinness and Maria Dollard spoke on this motion. Mr. Butler advised that there is significant costs involved in lighting up buildings in different colours for different events. There is a project underway in the City which will provide the infrastructure for changing light colours on major tourist attractions. He recommended that the lighting up of buildings in blue takes place later in the year when the infrastructure is in place.

This was agreed.

03 (21) Cllr. Peter Cleere

It was proposed by Cllr. Peter Cleere, seconded by Cllr. Andrew McGuinness and agreed that:

"That Kilkenny County Council would proactively approach the new entity (Technological University of the South East) once it has attained university status and is formally set up, with the view to implementing the 'From Charter To Framework - the case for higher education in Kilkenny' recommendations which would incorporate a significant campus facility for Kilkenny."

Cllrs. Peter Cleere, Mary Hilda Cavanagh, Eamon Aylward, Deirdre Cullen, Pat Fitzgerald, Martin Brett, Pat Dunphy, Ger Frisby, Fidelis Doherty and Andrew McGuinness spoke on this motion.

As it was approaching 6.00 p.m. it was proposed by Cllr. Andrew McGuinness, seconded by Cllr. Maria Dollard to suspend Standing Orders and complete discussion of all Notices of Motion.

04 (21) Cllr. Maria Dollard

It was proposed by Cllr. Maria Dollard, seconded by Cllr. John Coonan and agreed that:

"That this Council recognises the importance of community participation in the energy transition, and supports the installation of rooftop solar power for community buildings, particularly school buildings. The Council notes that while residential, commercial, industrial and business buildings benefit from an exemption to planning permission for the installation of solar panels covering less than 50% of the roof area (SI83/2007, SI235/208), community buildings and schools are not subject to the same exemptions, and this creates an unfair burden and significant additional cost on schools and community buildings seeking to install solar panels."

Noting this, the Council will formally request of the Minister for Housing, Planning and Local Government to include as a matter of urgency schools and community buildings in the exemptions from planning permission for the installation of solar panels”

Cllr. Maria Dollard spoke on the motion. Mr. Sean McKeown advised that amendments are required to the Planning Regulations to facilitate this.

05 (21) Cllr. Joe Malone

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

“In welcoming the proposed Biodiversity Park at Dunmore, Kilkenny I would ask that the Council consider the means for providing coffee/refreshments on site.”

Cllrs. Joe Malone, John Coonan, Andrew McGuinness, Pat Fitzpatrick and Maria Dollard spoke on this Motion.

Mr. Sean McKeown advised that the proposal will be considered in the context of the overall future development of the Park and will also be discussed with the local community in Dunmore.

12. Fógraí i dtaobh Rúin ó Údaráis Áitiúla eile ag lorg tacaíochta ó Chomhairle Chontae Chill Chainnigh - Notices of Motion from other local authorities seeking support of Kilkenny County Council

It was proposed by Cllr. Maria Dollard, seconded by Cllr. Ger Frisby and agreed by all that the following Notices of Motion numbered 04 (21) to 30 (21) received from a number of Local Authorities be taken as read and noted:

04 (21) Galway County Council

“That Galway County Council circulate the “Agri Kids Be Farm Safe Presentation” to all 31 Local Authorities and invite each local authority to join in this initiative of Framing Safety and Safety Measures in Council Awareness Programs at a local level.”

05 (21) Clare County Council

“That Clare County Council call on the Minister for Transport, Climate, Environment and Communication to provide specific funding to all local authorities in order to create a role for an active and sustainable travel officer so that alternatives to the dependency on cars can be worked on. The role would also include modal shift, behavioural change and designing for the active mobility of people of all ages and abilities who have a right of access to our public streets.”

06 (21) Clare County Council

“I am calling on Minister Darragh O’Brien and Minister of State Peter Burke to urgently review planning policy in relation to the Development of Residential property.

- 1. What I am looking for is more clarity and transparency in relation to developers applying for private residential development and disposal of the total development when completed for social housing.*
- 2. Developers are required to deliver on Part V of their obligations in the delivery of a portion of the development for Social and Affordable Housing and this has to be agreed with the planners with input from Senior Officers within the housing section.*
- 3. Planning and housing have a duty to deliver balanced tenure and sustainable communities where a mix of housing would be available for both private and social needs.*
- 4. The development of large scale social housing requires considerable assistance and support at local level and in some instances local services are not sufficient to provide school placements and other essential supports for some vulnerable families and this has to be a consideration for planners.*

5. *Currently members of the public wishing to purchase their own property are finding it very difficult to find private property for sale as the policy in planning is mostly focused on the delivery of social housing and in turn this policy puts more pressure on local authorities waiting lists and for the lower to middle income bracket they cannot get on the list due to income thresholds.*

Public confidence needs to be strengthened in the whole planning process and I am hopeful the Ministers will find the balance required in the development of vibrant communities.”

07 (21) Clare County Council

“In light of the incredible service and commitment given to the country by our frontline staff, healthcare workers, carers and lifesavers over the period of the Covid 19 Global Pandemic I call on the government to explore any and every manner to tangibly recognise this extraordinary above and beyond service.

I propose this recognition should be in the form of direct tax-free bonus payment similar to the €500 one off payment scheme introduced in Scotland, a tax credit, additional paid leave, or other appropriate clear and tangible reward to mark this commitment. To do this I call on the Department of Health to lead a cross department group with the achievement of above as its one objective.”

08 (21) Limerick City & County Council

“That Limerick City and County Council acknowledge the oversight role played by Councils in Mother and Baby Homes, and call on all Councils to write to the Government to establish a national day of recognition for the women and their children impacted; and that the Council write to the Minister for Children asking that the survivors be given access to a written copy of the Final Report of the Commission of Investigation into Mother and Baby Homes.”

09 (21) Limerick City & County Council

“That Limerick City and County Council requests the Minister for Housing, Local Government and Heritage to immediately suspend the statutory time period for the preparation of the Draft Limerick Development Plan 2022-2028 until such time as (a) public health restrictions are lifted to allow for safe face-to-face engagement between the Elected Members, the public and the Executive and (b) the Department provides a definition of the ‘social and economic need’ as referred to in the National Planning Framework.”

10 (21) Clare County Council

“Given the impact Covid 19 has had nationally on work and living patterns, and the opportunities this creates to ‘proactively address issues of town/village decline’ and to promote ‘compact growth’ in those settlements, we would ask the Minister of Housing, Local

Government and Heritage that he undertake a review to the current National Planning Framework, and prior to the outcome, he remove reference to, and requirement for local authorities to adhere to, the two tiered approach to land zoning in the delivery of the next County Development Plan due to its negative impact on the ‘facilitation of the building of homes within the existing footprint of rural settlements’ and the ability to deliver on our own rural development goals. We further request this motion be forwarded to every one of our Oireachtas Members and to every other local authority in Ireland for their observations.”

11 (21) Clare County Council

“We are calling on the Government to enforce the laws of the land that exist in relation to tackling the unauthorised occupation of public lands all over Ireland. Level 5 Covid restrictions have been in place for some time and are likely to continue to the future. Local authorities are precluded from taking action at this time and in the interest of Public Health & Environmental considerations we are calling on the Government to engage a Task Force and design a mechanism or policy to protect all citizens in Ireland from the unauthorised occupation of Public Lands. We would also request the circulation of the motion to the other 30 Local Authorities, The Oireachtas Members, LAMA and the AILG.”

12 (21) Kerry County Council

“That Killarney MD would write to the Minister for Health requesting the immediate introduction of payment to student nurses, once they take up placement duties. If this motion is passed, I ask that it would be circulated to all other Local Authorities requesting their support.”

13 (21) Kerry County Council

“That this Council calls on the Government to utilise its seat on the United Nations Security Council to delivery Statehood to the Palestinian people.”

14 (21) Kerry County Council

“That this Council writes to Ms. Samantha Power, newly appointed Head of US Aid by President Biden to address this Council at some future date.”

15 (21) Tipperary County Council

“That Tipperary County Council calls on the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, MS. Catherine Martin, T.D., to consider providing extra supports to regional newspapers who provide an essential service to many communities including in County Tipperary during the Covid pandemic.”

16 (21) Tipperary County Council

“That Tipperary County Council write to the Minister of Environment, Climate and Communication, Eamon Ryan, TD seeking a 75% rebate in the PSO levy on ESB bills for Community Halls and facilities because of their inability to fundraise due to Covid-19. This motion if passed should be circulated to all other Councils and DPER.”

17 (21) Tipperary County Council

“That Tipperary County Council call on the Government to introduce a National day of recognition for the survivors and victims of Mother and Baby Homes. The Survivors of Mother and Baby Homes should have the right to information about their birth Mother and their full identity. The Government would establish a proper redress scheme for survivors and victims and immediately provide counselling and other mental health services to survivors of Mother and Baby Homes to support them in this remarkable difficult time. Also, that we as a Council recognise the Historical role that County, Borough and Town Councils from Tipperary played in the running of Mother and Baby institutions in this County, so that we can be sure that this sad part of our past is known and not hidden away. That the government would also support the excavation, exhumation and where possible the identification of remains of babies buried at institutions and insure their dignified reburial and in particular support the endeavours of the We are Still Here Sean Ross Group to complete a 3D scan dig of identified burial locations at Sean Ross. The Council also calls on Minister Roderic O’Gorman to extend the lifetime of the Commission to allow the DPC (Data Protection Commission) to fully investigate the destroying of recordings of evidence without making full transcripts. This immediate action is required to preserve the testimony of witnesses.”

18 (21) South Dublin County Council

“During the massive struggle that has been waged by ex-Debenhams workers across the companies 11 stores in Ireland the deficit of workers protection in liquidations has again been sharply exposed. This Council calls for the immediate implementation of the Duffy/Cahill Report compiled in 2016 in the aftermath of The Cleary’s dispute – as one way of strengthening workers’ rights and tackling the legal outs provided to major corporations who engage in tactical liquidations in order to avoid their obligations under hard won workers’ rights. If passed this Council communicates such in writing to Government, to all Local Authorities and to the ICTU offering its support for implementation.”

19 (21) Sligo County Council

"I call on Sligo County Council to make a formal submission to the Minister for Housing, Local Government & Heritage outlining our complete opposition to the proposed provisions of the Land Development Agency Bill 2021.

The proposed removal of the Section 183 reserved function of Elected Members in relation to the disposal of local authority held land to the LDA as provided for in Part 7 Section 56 of the bill is unacceptable and an affront to local democracy. As advocates for the empowerment of local government, we can never support or accept any diminution in the reserved functions and powers of elected Councillors.

I also have concerns regarding the potential long term implications for local authorities in delivering social and affordable housing on local authority held land due to the extensive remit of the LDA. I believe that this is a major battle in our ongoing fight to preserve the local democratic function in the face of ever increasing centralism."

20 (21) Sligo County Council

"To call on Sligo County Council to write to the Government and An Post asking them to give a 2 year extension to the current contract that most of the local Post Offices are engaged in. This is because Covid-19 has had a dramatic negative effect on their income due to the reduction in footfall".

21 (21) Sligo County Council

"To call on Sligo County Council to formally request the Minister for Agriculture to seek the appointment of 'an Independent Meat Regulator' with statutory powers. The purpose of such an independent regulator will be to have legislative powers to investigate anti-competitive behaviour by meat processors, meat traders, bodies associated with the trade of meat, trade of meat by-products and/or trade by retailers who operate along the meat supply chain."

22 (21) Sligo County Council

"That Sligo County Council engage with their relevant partners including Sligo PPN, Sligo Volunteer Centre to address the urgent needs of the hundreds of community groups across County Sligo who are facing a funding crisis to keep electricity, insurance, credit facilities, heating, maintenance costs and other recurring fixed costs serviced as a result of the Covid-19 pandemic.

Whilst recognising that there has been many beneficial schemes open to the C&V sector to in turn support their communities over the pandemic, there is now a requirement to support the C&V sector themselves to stay afloat.

In addition, that this Local Authority write to the Taoiseach, Tanáiste, Leader of the Green Party and the Minister for Rural Affairs and Community Development to request a scheme be devised to address the Community and Voluntary Sectors funding needs.

That this motion also be relayed to every Local Authority in the country".

23 (21) Dún Laoghaire-Rathdown County Council

"That Dún Laoghaire-Rathdown County Council, recognising the scale of the Housing crisis, reaffirms its commitment to work with Government and all relevant agencies towards delivering new housing units and in particular ensuring that sufficient Social and Affordable housing is built for those in need of same.

Recognizing, however, its responsibility to use Dún Laoghaire-Rathdown property in the best interests of society this Council rejects the provisions contained in the Land Development Agency 2021 Bill published by the Government removing the role of the elected members of Local Authorities in approving the transfer or sale of lands to the Land Development Agency.

The Council further agrees to write to the Minister for Housing, Local Government and Heritage urging a removal of that provision and to ensure that elected Councillors retain the right to control such sales or transfers and be able to prepare and plan for appropriate housing delivery on Council owned lands. The Council further agrees to circulate this motion to each Local Authority and the Association of Irish Local Government requesting their support for this."

24 (21) Wicklow County Council

"That the Members of Wicklow County Council call on the Government to reinstate, in the Land Development Agency Bill, the legal requirement that Councillors must consent to the sale of all public land in the ownership of the Council by way of a Disposal Motion (*Section 183*) voted for by a majority of Councillors in public session."

25 (21) Laois County Council

We, the Members of Laois county Council are expressing our strong opposition to the Land Development Agency Bill 2021. If enacted, it will remove the powers from Local Authority Members in particular, the local knowledge and also our reserved functions under Section 183 notices for the disposal of public lands owned by Local Authorities. It is a further erosion of Local Authority Members Power. The Members are strongly requesting that this part of the Bill be dissolved.

26 (21) Louth County Council

"Calling on the Minister of Housing and or the Oireachtas Members to amend the LDA Bill to remove s.49 and 56 of the bill as it is ultra virus the programme of Government and is a direct stripping of Local Government Councillors executive powers."

27 (21) Mayo County Council

"Mayo County Council wishes to formally outline its complete opposition to the proposed provisions of the Land Development Agency Bill 2021. The proposed removal of the Section 183 reserved function of Elected Members in relation to the disposal of the local authority held land to the LDA as provided for in Part 7 Section 56 of the bill is unacceptable and an affront to Local Democracy. As advocates for the empowerment of local government, we can never support or accept any diminution in the reserved functions and powers of Elected Councillors."

28 (21) Limerick City & County Council

"That Limerick City and County Council request Iconic Newspapers Ltd. To recognise the National Union of Journalists and engage with the NUJ worker representatives to address concerns of their employees working in the Limerick Leader newspaper."

29 (21) Cork City Council

"That Cork City Council will send a letter of support which condemns the racial and misogynistic abuse being inflicted on the Lord Mayor of Dublin Cllr. Hazel Chu."

30 (21) Galway County Council

"I call on Galway County Council to make a formal submission to the Minister for Housing, Local Government & Heritage outlining our complete opposition to the proposed provisions of the Land Development Agency Bill 2021.

The proposed removal of the Section 183 reserved function of Elected Members in relation to the disposal of local authority held land to the LDA as provided for in Part 7 Section 56 of the bill is unacceptable and an affront to local democracy. As advocates for the empowerment of local government, we can never support or accept any diminution in the reserved functions and powers of elected Councillors.

I also have concerns regarding the potential long term implications for local authorities in delivering social and affordable housing on local authority held land due to the extensive remit of the LDA. I believe that this is a major battle in our ongoing fight to preserve the local democratic function in the face of ever increasing centralism.”

That concluded the business of the meeting.

CATHAOIRLEACH

DATE