



MINUTES OF ADJOURNED PLENARY MEETING
HELD ON TUESDAY, 26TH JULY, 2022 AT 9.00 A.M. VIA MS TEAMS

- Chair:** Cllr. Pat Fitzpatrick.
- Elected Members:** Cllrs. Eamon Aylward, Tomás Breathnach, John Brennan, Martin Brett, Mary Hilda Cavanagh, Peter Cleere, John Coonan, Deirdre Cullen, Michael Delaney, Fidelis Doherty, Matt Doran, Michael Doyle, Pat Dunphy, David Fitzgerald, Ger Frisby, Denis Hynes, Joe Lyons, Joe Malone, Michael McCarthy, Andrew McGuinness & Eugene McGuinness.
- Officials:** Sean McKeown, Tim Butler, Mary Mulholland, Fiona Deegan, Denis Malone, Sheasky McGuire & Anne Maria Walsh.
- Apologies:** Cllr. Maria Dollard and Mr. Martin Prendiville.

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

- (i) **Minutes of Annual Meeting of Kilkenny County Council**
Proposed by Cllr. Matt Doran, seconded by Cllr. Deirdre Cullen and agreed.
"That the Minutes of Annual Meeting of Kilkenny County Council held on Friday, 17th June, 2022 as circulated with the Agenda be and are hereby approved".
- (ii) **Minutes of Plenary Meeting of Kilkenny County Council**
Proposed by Cllr. Mary Hilda Cavanagh, seconded by Cllr. Tomas Breathnach and agreed.
"That the Minutes of Plenary Meeting of Kilkenny County Council held on Monday, 20th June, 2022 as circulated with the Agenda be and are hereby approved".
- (iii) **Minutes of SPC 1 Meeting: Economic Development, Enterprise Support, Tourism, Planning & Development Policy**
Proposed by Cllr. John Coonan, seconded by Cllr. Tomás Breathnach and agreed.
"That the Minutes of SPC 1 Meeting: Economic Development, Enterprise Support, Tourism, Planning & Development Policy held on Friday, 25th March, 2022 as circulated with the Agenda be and are hereby approved".

Fógraí - Announcements

Cathaoirleach Pat Fitzpatrick congratulated the Kilkenny Team and Coaches on winning the Junior All Ireland Football Title.

He extended good wishes and thanks to:

- Team and Coaches of the Senior Hurling Team in the All-Ireland Final.
- Senior Camogie Team in the All-Ireland Final.
- Kilkenny Arts Festival.
- Brian Cody - thanked him for all his work with the Senior Hurlers.
- Mia Griffin who is representing Ireland in the European Cycling Championships from 11th to 20th August.

Vótaí Comhbhrón - Votes of Sympathy

Cathaoirleach Cllr. Pat Fitzpatrick extended vote of sympathy to the following:

- Annette Fitzpatrick, Community Department on the death of her sister Martina Prendergast.
- Family of the late Tom Lennon, Shankill, Paulstown [*Pensioner*]
- Family of the late Paddy Dowling, Belville, Freshford.
- Family of the late Tom Beckett, Freshford.

All Members were associated with the votes of sympathy.

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

- (i) Cathaoirleach advised that this item is deferred to the September Plenary Meeting.

"That in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the Lease of the former Bank of Ireland Premises at Main Street, Urlingford, Co. Kilkenny to Urlingford Town Team CLG, Bia Blasta, Main Street, Urlingford, Via Thurles, Co. Kilkenny, for use as a Remote Working Hub, for a period of 25 years and a nominal rent of €1 per week. Each party will be responsible for their own legal costs associated with the transaction. The Consent of the Minister for Housing, Local Government and Heritage is not required."

- (ii) It was proposed by Cllr. Deirdre Cullen 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 Lease of the former Bank of Ireland Premises at Market Street, Thomastown, Co. Kilkenny to Design & Crafts Council Ireland, Castle Yard, Kilkenny, for a period of 20 years. The Lessee will pay an amount of €150,000 to Kilkenny County Council on signing of the lease. This payment will cover a portion of the annual rent amounting to €10,000 per annum for 15 years. The Lessee will also pay an amount of €8,500 per annum for a period of 20 years. Each party to be responsible for their own legal costs associated with the transaction. The Consent of the Minister for Housing, Local Government and Heritage is not required."

(b) Ag Glacadh i gCúram - Taking in Charge

- (i) **Taking in Charge: Kiln Lane, Clashacollare, Callan, Co. Kilkenny**

It was proposed by Cllr. Matt Doran, seconded by Cllr. John Coonan and agreed that:

"We, the Members of Kilkenny County Council approve the initiation of proceedings for the taking in charge of the following development in accordance with Section 11 of the Roads Act, 1993 and in compliance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act 2010".

Development: TC150 - Kiln Lane, Clashacollare, Callan, Co. Kilkenny

(ii) **Taking in Charge: Arbourmount (Phase 1), Rockshire, Ferrybank**

It was proposed by Cllr. Fidelis Doherty, seconded by Cllr. Tomás Breathnach and agreed that:

"That the County Council of the County Kilkenny, in exercise of the powers conferred on them by Section 11 of the Roads Act 1993 and in compliance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act 2010, hereby declares the road listed in the Public Notice and listed below to be a Public Road."

Development: TC161, Arbourmount (Phase 1), Rockshire, Ferrybank, Co. Kilkenny

(c) (i) **Comhaontú Alt 85 - Section 85 Agreement: Carlow/Kilkenny Dog Shelter Paulstown**

It was proposed by Cllr. Fidelis Doherty, seconded by Cllr. Tomás Breathnach and agreed that:

"That Kilkenny County Council continues with the operational and maintenance works as required at the Carlow Kilkenny Dog Shelter at Paulstown, Co. Kilkenny. All costs to be apportioned equally with Carlow County Council. It is resolved that Section 85 Agreement be extended until 31st August 2025 with Carlow County Council so as to have this arrangement on a formal statutory basis."

(d) (i) **Iasacht do Uiscédhath - Loan to Watershed**

Mr. Seamus McGuire advised that a loan of €130,000 is being given to the Watershed to fund energy retrofit works. Loan is repayable to Kilkenny County Council over three years.

It was proposed by Cllr. Martin Brett, seconded by Cllr. John Coonan and agreed:

"That Kilkenny County Council hereby approves the granting of a loan in the sum of €130,000 repayable over three years to the Watershed at an interest rate of 2.5% per annum."

(e) (i) **Deontais Imeachtaí 2022 - Events Grants 2022**

Ms. Mary Mulholland presented her report on Events Grants recommending approval of five grants totalling €3,000.

It was proposed by Cllr. Pat Dunphy, seconded by Cllr. John Brennan and agreed that:

"That the Event Grants 2022 totalling €3,000 are hereby approved by the Members of Kilkenny County Council, as per report circulated."

Cllr. Pat Dunphy asked when the Community Cultural Facilities Grant Scheme will be advertised. Ms. Mary Mulholland advised that the scheme will be advertised in Quarter 4 of 2022.

(f) (i) Síneadh ar Bhóthar an Fháinne Thuaidh - Northern Ring Road Extension

Mr. Tim Butler advised that the Northern Ring Road Extension is a critical piece of infrastructure for Kilkenny City. The Scheme was originally approved by An Bord Pleanála in July 2014 and was subject to a High Court challenge which was referred to European Court of Justice. The ECJ gave a ruling.

Kilkenny County Council has applied to Department of Transport for grant aid to commence this project. In accordance with the new Capital Approval Guidelines, Roadplan Consulting has been appointed as Consultants to prepare the Strategic Assessment Report (SAR).

Mr. Butler introduced Mr. Dermot Donovan, Roadplan Consulting.

Mr. Dermot Donovan presented a Powerpoint Presentation. In his presentation he gave a detailed overview on the following:

- Location and layout of Ring Road Scheme and the proposed Northern Ring Road Extension.
- Overview of Bridge Elevation. Three span brief for pedestrians, cyclists and motorists.
- Main reasons for Scheme – Traffic reduction in the City and on the various bridges.
- Detailed overview on the objectives and benefits of Scheme.
- The challenges in adhering to the many Policies and Plans, modal shift to pedestrians/cyclists, reduced traffic, City Centre uses.
- Long list of potential options explored, need to take traffic out of City, need to cater for all three modes – active travel, public transport and private vehicles.
- Public spending code must be adhered to in any Road Scheme. This is a new procedure when seeking Government funds. Kilkenny County Council is currently at Stage 0 Strategic Assessment. This sets out at a high level the need for the Scheme and this must be submitted to the Department for approval. If approval is received the Preliminary Business Case is then prepared, then Final Business Case and Implementation.

Mr. Donovan advised that the initial estimate of the cost of scheme is in the region of €30m to €40m.

Cllr. Pat Fitzpatrick thanked Mr. Donovan for the detailed overview on the current stage of the Scheme.

Contributions were received from Cllrs. Mary Hilda Cavanagh, Martin Brett, Eugene McGuinness, Michael McCarthy, John Brennan, Andrew McGuinness, John Coonan, Joe Malone, David Fitzgerald, Tomás Breathnach, Peter Cleere, Deirdre Cullen and Pat Fitzpatrick.

Members welcomed the Presentation and spoke on the urgent requirement to progress this Scheme.

Kilkenny needs to have a completed Ring Road. The main issues raised by Members are as follows:

- Critical piece of infrastructure to enable traffic to be taken out of the City.
- Planning need to commence for the final part of the Ring Road - Freshford Road to Callan Road.
- Fears that traffic will only be displaced.

- Timeframe to deliver the Northern Ring Road Extension.
- Solution required for Kennyswell Road.
- Need support of Oireachtas Members.
- Road Project is not only affecting the City and Castlecomer Municipal District – must be taken as a County Project and support from all Elected Members.
- Requirement to upgrade R693 to link into M8/M9 Motorways.
- Engage with the public/land owners to avoid any further legal challenges.
- Benefits that accrue to the City and County are clearly evident.

Mr. Tim Butler and Mr. Dermot Donovan responded to all the issues/concerns raised by Members. They were advised that the timeframe is likely to be seven years from conception to completion. The ultimate goal for the Council is to get the entire Ring Road completed. Progress on defined route line from Freshford Road to Kilmanagh Road is underway. Public consultation will be undertaken at all times. Funding for Scheme is critical. The Northern Ring Road Extension is the most expensive part with bridge included. Funding will also have to be provided by Kilkenny County Council.

Mr. Butler further advised that there is a HGV Plan in place for the City and changes in traffic flow on Kilmanagh Road/Kennyswell Road will be introduced later this year.

Cllr. Pat Fitzpatrick thanked all Members for their contribution and thanked Mr. Donovan and Mr. Butler for their overview and presentation. Cllr. Pat Fitzpatrick stated that this is a very important project for all of Kilkenny and a very critical piece of infrastructure for Kilkenny City.

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

Mr. Sean McKeown, Acting Chief Executive presented his Monthly Report. Cathaoirleach advised that the Report will be taken as read and noted.

(ii) ***Faomhadh chun Taisteal Thar Lear - Approval to Travel Abroad***

Ms. Anne Maria Walsh advised that a request has been received from Made in Kilkenny Craft Group inviting Cllr. Maria Dollard to attend World Craft Council Conference in Bornholm, Denmark from 19th to 23rd September, 2022.

It was proposed by Cllr. Eugene McGuinness, seconded by Cllr. Joe Malone and agreed by all that:

“That Kilkenny County Council hereby approves the attendance of Cllr. Maria Dollard to travel to the World Crafts Council Conference to be held in Bornholm, Denmark from 19th to 22nd September, 2022.

3. ***Comhfhreagras - Correspondence***

Cathaoirleach Cllr. Pat Fitzpatrick advised that the items listed under correspondence will be taken as read and noted.

Cllr. Pat Dunphy raised a concern in relation to the response from TII on the request for safety improvements on the N24 at New Aglish/Grannagh. He advised that a deputation had been received at the Piltown Municipal District seeking footpaths and public lights as there are a number of residents, businesses and amenity areas in this location.

Contributions were also received from Cllr. Tomás Breathnach, Fidelis Doherty and Ger Frisby supporting the need for safety improvements from Grannagh to New Aglish as it is very busy area.

Mr. Tim Butler advised that TII are the approving authority for any works to National Roads. This is premature until the new corridor is selected for the N24. Kilkenny County Council would be required to carry out a Feasibility Study. TII may not look favourably on the provision of footpaths and public lighting on National Primary and National Secondary roads and there may also be a requirement to reduce speed limit to 50kmh. This will be discussed with the Road Design Office in Tramore.

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) *Schedule of Meetings*

It was proposed by Cllr. Andrew McGuinness seconded by Cllr. Ger Frisby and agreed.

(ii) *Workshop on the Capital Programme*

Mr. Sean McKeown recommended that the proposed Workshop on the Capital Programme be held on Monday, 5th September, 2022 at 4.00 p.m. via MS Teams.

This was approved on the proposal of Cllr. Andrew McGuinness, seconded by Cllr. Mary Hilda Cavanagh and agreed.

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

(i) *Report of SPC1: Economic Development, Enterprise Support, Tourism, Planning & Development Policy*

It was proposed by Cllr. John Coonan, seconded by Cllr. Michael Delaney and agreed that Report of SPC 1: Economic Development, Enterprise Support, Tourism, Planning & Development Policy held on Friday, 25th March, 2021 be taken as read and noted.

**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*

None.

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

None.

10. Aon Ghnó Eile - Any Other Business

Cllr. David Fitzgerald advised that an event will take place in Kilkenny Castle on Sunday, 21st August, 2021 to commemorate the 100th Anniversary of the death of General Michael Collins. He is requesting the support/approval of the Members to the holding of this event.

It was proposed by Cllr. John Coonan, seconded by Cllr. Martin Brett and agreed that the Council Members supports the commemoration event in Kilkenny Castle on 21st August, 2022.

11. Fógraí Rúin - Notices of Motion

14 (22) Cllr. Maria Dollard

This motion was deferred to September Meeting.

15 (22) Cllr. Eugene McGuinness

It was proposed by Cllr. Eugene McGuinness that:

"That Kilkenny County Council immediately put in place an Apprenticeship Programme to ensure there is enough tradespeople in place to fulfil the repair and maintenance requirement for all Council owned properties into the future."

Cllrs. Eugene McGuinness, Mary Hilda Cavanagh, Fidelis Doherty, Joe Malone and Pat Fitzpatrick spoke on the motion. Members advised that the Carlow Kilkenny Educational Training Board have a large Apprenticeship Programme underway and it is a function of the ETB.

Mr. Sean McKeown advised that Kilkenny County Council has supported the ETB on a training application for Apprenticeship Centre in Kilkenny.

Mr. Butler advised that a staffing matter is solely an Executive decision and is part of a Workforce Plan.

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. Deirdre Cullen, seconded by Cllr. Martin Brett and agreed by all that the following Notices of Motion numbered 26 (22) and 33 (22) received from a other Local Authorities be taken as read and noted:

26 (22) Clare County Council

"That Clare County Council calls on the Minister for Transport to immediately initiate a review of National Aviation Policy including stakeholder consultation with a view to addressing the over concentration of passenger traffic through Dublin Airport by amending National Aviation Policy to ensure the use of spare capacity at Shannon Airport in the interest of Balanced Regional Development".

27 (22) Cork City Council

"That Cork City Council reaffirms the motion of no confidence in the board of An Bord Pleanála passed by this Council on 13th July, 2020 and that this message will be forwarded to the Minister for Housing, Local Government and Heritage, Darragh O'Brien, TD, Minister of State with responsibility for Local Government & Planning, Peter Burke TD, and to all other local authorities in Ireland."

28 (22) Cork City Council

"That Cork City Council supports the City and County Managers Association in their clear view that the additional specialist staffing resources identified by them need to be in place in 2022 to ensure that local authorities realise our ambition to deliver transformative change and measurable climate action across our cities and counties; and that this message will be forwarded to the Minister for the Environment, Climate and Communications, Eamon Ryan TD, Minister of State with responsibility for Local Government & Planning, Peter Burke TD, and to all local authorities in Ireland."

29 (22) Donegal County Council

"That we write to the Department and ask that they consider changing Culture Night in September to Culture Weekend for future years, and that we circulate the motion to the other Councils."

30 (22) Donegal County Council

"That Donegal County Council write to Minister Heather Humphreys, Department of Social Protection, rural & Community Development to request that recently arrived Ukrainian Nationals would qualify for the TÚS Scheme. There is currently a shortage of participants available on the Scheme to assist various community groups and the inclusion of Ukrainian Nationals can have many benefits for both the community groups and the participants themselves."

31 (22) Kerry County Council

"That Kerry County Council write to the Minister for Health, Mr. Stephen Donnelly, the Oireachtas Health Committee and the HSE, CEO Mr. Paul Reid, as well as our Regional Health Board and local hospitals, requesting that the provision of Long Covid Clinics are retained and expanded and that we acknowledge that thousands of people are suffering with adverse effects from Covid19 for long periods of time. Unfortunately, the health supports that are needed for those suffering are not in abundances or widely available with the threat of some services which are in place being withdrawn."

32 (22) Cork County Council

"That Cork County Council write to the Minister to seek a subsidy for the Irish fishing fleet to offset cost increases in fuel, and to reduce excise duties on diesel, Members agreed to circulate this letter to all Local Authorities."

33 (22) Limerick City & County Council

"That Limerick City & County Council call on the Government and the Minister for Housing to declare a housing emergency and to use emergency powers to introduce a moratorium on evictions similar to Covid emergency measures until the Minister for Housing raises the income thresholds for social housing supports for a three month period with an option to review thereafter."

That concluded the business of the meeting.

CATHAOIRLEACH

DATE