

**MIONTUAIRISCÍ AR GHNÁTHCHRUINNÍÚ NA COMHAIRLE
TIONÓLTA AR AN LUAN, 20 MEITHEAMH 2022 AG 3.00 P.M.
TRÍ FHOIRNE MS**



**MINUTES OF ORDINARY COUNCIL MEETING HELD ON
MONDAY, 20TH JUNE, 2022 AT 3.00 P.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 Maria Dollard, Matt Doran, Michael Doyle, Pat Dunphy, David Fitzgerald, Ger Frisby, Denis Hynes, Joe Lyons, Joe Malone, Michael McCarthy, Andrew McGuinness, Eugene McGuinness & Patrick O'Neill.

Officials: Sean McKeown, Tim Butler, Mary Mulholland, Martin Prendiville, Denis Malone, Fiona Deegan, Tony Lauhoff, Bernadette Moloney, Anne Marie Shortall, Kevin Hanley & Anne Maria Walsh.

1. Dearbhú Miontuairiscí - Confirmation of Minutes

(i) Minutes of Plenary Meeting of Kilkenny County Council

Proposed by Cllr. Peter Cleere, seconded by Cllr. Ger Frisby and agreed.

"That the Minutes of Plenary Meeting of Kilkenny County Council held on Monday, 23rd May, 2022 as circulated with the Agenda be and are hereby approved".

Fógraí - Announcements

Cathaoirleach Pat Fitzpatrick thanked all involved in arranging the Annual Meeting and for all those who attended.

He congratulated the Mayor and Chairs of the Municipal Districts on their election.

Vótaí Comhbhrón - Votes of Sympathy

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

- Catherine & Ger Byrne, Water Services & Corporate on the death of their mother Mary Byrne.
- Family of the late Ger Hogan, Goresbridge [*Pensioner*].
- Family of the late James Griffin, Clara [*Pensioner*].
- Family of the late Tom Walsh, Former Councillor in the Piltown Electoral Area.
- Family of the late Brian Reidy, brother of former Cllr. Joe Reidy.
- Nicky Orr & Family, Johnstown on the tragic death of his nephew Keith Orr.

All Members were associated with the votes of sympathy.

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

- (i) It was proposed by Cllr. Michael McCarthy seconded by Cllr. John Coonan and agreed:

"That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of its interest in land at Shellumsrath, Callan Road, Kilkenny (as identified on the attached map) to John Doyle and Ellen Doyle, Shellumsrath, Callan Road, Kilkenny for the sum of €635 (the receipt of which is hereby acknowledged) with the Purchaser being responsible for all legal costs associated with the sale, including those of Kilkenny County Council. Area measures 0.0497 ha. The Consent of the Minister for Housing, Local Government and Heritage is not required."

- (ii) It was proposed by Cllr. Ger Frisby seconded by Cllr. Andrew McGuinness 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 Moanmore, Bagenalstown, Co. Carlow – as identified on the attached map – to David Miley and Niamh Maher, Moanmore, Bagenalstown, Co. Carlow for the nominal sum of €10.00 and each party will be responsible for their own legal costs associated with the sale. Area combined measures 0.136 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required."

- (iii) It was proposed by Cllr. Eamon Aylward seconded by Cllr. Michael Delaney and agreed:

"That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of its interest in land at Glendonnell, Mullinavat, Co. Kilkenny – as identified on the attached map – to Martin Woods, Glendonnell, Mullinavat, Co. Kilkenny for the nominal sum of €10.00 and each party will be responsible for their own legal costs associated with the sale. Area combined measures 0.19 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required."

- (iv) It was proposed by Cllr. Tomás Breathnach seconded by Cllr. Fidelis Doherty and agreed:

"That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of its interest in land at Miltown, Co. Kilkenny – as identified on the attached map – to Liam Rockett, Miltown, Kilmacow, Co. Kilkenny for the nominal sum of €10.00 and each party will be responsible for their own legal costs associated with the sale. Area combined measures 0.15 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required."

- (v) It was proposed by Cllr. Peter Cleere seconded by Cllr. Andrew McGuinness 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 Maddockstown and Ballynamona, Co. Kilkenny – as identified on the attached map – to John Bryan, Maddockstown, Co. Kilkenny for the nominal sum of €10.00 and each party will be responsible for their own legal costs associated with the sale. Area combined measures 5 acres. The Consent of the Minister for Housing, Local Government and Heritage is not required."

- (vi) It was proposed by Cllr. Michael Delaney seconded by Cllr. Andrew McGuinness 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 Shankill, Co. Kilkenny and Moanmore, Co. Carlow – as identified on the attached map - to Donal Meaney, Tinnegarry, Bagenalstown, Co. Carlow for the nominal sum of €10.00 and each party will be responsible for their own legal costs associated with the sale. Area combined measures 0.765 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required."

- (vii) It was proposed by Cllr. Michael McCarthy seconded by Cllr. Michael Delaney and agreed:

"That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of its interest in land at Warrenstown, Johnstown, Co. Kilkenny – as identified on the attached map - to Ken Whiteford, Warrenstown, Johnstown, Co. Kilkenny for the sum of €7,000. Kilkenny County Council will be responsible for its own legal costs and a 33% portion of Mr. Whiteford's legal costs, the reason being that Mr. Whiteford will provide a Wayleave (identified C-D-E on attached drawing) for maintenance of the piped drain / watercourse and will transfer a plot (identified as 239-1 on attached drawing), and which is existing roadbed, to Kilkenny County Council, as per the terms of the CPO agreement. Mr. Whiteford to pay the balance of his own legal fees. Combined area of plots being disposed of measures 0.93 acre. Area to be acquired measures 0.0037ha. The Consent of the Minister for Housing, Local Government and Heritage is not required."

- (viii) It was proposed by Cllr. Pat Fitzpatrick seconded by Cllr. Andrew McGuinness 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 Rathcash & Blanchsfields Park, Gowran, Co. Kilkenny – as identified on the attached map - to John Drea, Talbotshill, Gowran, Co. Kilkenny for the nominal sum of €10.00 and each party will be responsible for their own legal costs associated with the sale. Area combined measures 1.92 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required."

- (ix) It was proposed by Cllr. Joe Lyons seconded by Cllr. Deirdre Cullen and agreed:

"That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of its interest in land at Stonecarthy West, Stoneyford, Co. Kilkenny – as identified on the attached map - to John Phelan Jnr, Stonecarthy, Stoneyford, Co. Kilkenny for the sum of €800.00 and each party will be responsible for their own legal costs associated with the sale. Area measures 0.62 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required."

- (x) It was proposed by Cllr. Michael McCarthy seconded by Cllr. Michael Delaney and agreed:

"That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of its interest in land at Warrenstown, Johnstown, Co. Kilkenny – as identified on the attached map – to Ken Whiteford, Warrenstown, Johnstown, Co. Kilkenny for the sum of €395. Each party will be responsible for its own legal costs associated with the transfer. Area measures 0.95 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required."

(b) (i) **Dréachtphlean Caomhantais Cheathrú na Mainistreach**
Draft Abbey Quarter Conservation Plan

Mr. Tony Lauhoff gave a PowerPoint Presentation on the Abbey Quarter Conservation Plan. In his Presentation he gave an overview of the following:

- Commitment in Abbey Quarter Masterplan to prepare a Conservation Plan.
- Objective in current Kilkenny City & County Development Plan.
- Area covered in the Conservation Plan.
- Specialist Multi-Disciplinary Design Team appointed
- Steering Group set up – Kilkenny County Council, National Monuments, Office of Public Works and the Heritage Council.
- Structure of Conservation Plan.
- Defining Issues & Threats.
- Conservation Strategies.
- Development Strategies.
- Public Consultation.
- Advised Members that the Public Consultation is non-statutory.
- Report to be presented to the Council in September 2022.

Cllr. Pat Fitzpatrick thanked Mr. Lauhoff for his Presentation.

Contributions were received from Cllrs. John Coonan, Andrew McGuinness, Maria Dollard, Tomás Breathnach, Mary Hilda Cavanagh, Martin Brett and Pat Fitzpatrick.

Issues raised are as follows:

- Protect the heritage and history of the area including the industrial history.
- Welcomed the development of the site and the public realm around the protected structures.
- Representing the underground structures in some format.
- Use local crafts people.
- Position of Willow Tree – can it be retained.
- Important to proceed with plan and liaising with the OPW and Heritage Council.

Mr. Tony Lauhoff responded to the issues raised by Members and advised that any works required will be through public procurement. The Willow Tree is a significant issue on the stability of the Abbey. He advised that the Copper Tank being incorporated into the Brewhouse Square will depict the industrial history of the site.

Mr. Sean McKeown, Deputy Chief Executive advised that a review of the Abbey Quarter Masterplan has commenced. It is a nine month process. The Council has gone to tender for Consultants to carry out the review. Public Consultation will be

undertaken on the wider objectives. This is an opportunity to revisit Phase 1 and 2 of the Masterplan.

(c) (i) Suirbhé ar Thithíocht Inacmhainne - Affordable Housing Survey

Ms. Mary Mulholland gave a PowerPoint Presentation on Affordable Housing included in “Housing for All” Publication.

In her Presentation she gave an overview on the following:

- Tenure Types – Social, Market Rental, Cost Rental, Affordable Purchase and Market Purchase.
- Details of Affordable Housing targets for Years 2022-2026 – Total 76.
- Need to conduct survey, establish need and level of interest in Affordable Housing.
- Survey will be conducted online.
- Expressions of interest requested from Home Builders and Housing Developers for Turnkey Developments.
- Preparing for Affordable Housing Delivery – application process for funding, Local Authority Scheme of Priorities to be prepared.
- Applications process for those interested - eligibility, prioritisation, affordable equity, lending agreement with lending institutions, repayment capacity.

She further advised that cost rental scheme will not be delivered in Kilkenny. The Department will be launching First Home Scheme shortly.

Cllr. Pat Fitzpatrick thanked Ms. Mary Mulholland for the Presentation and asked that the online survey be publicised widely to inform as many people as possible.

(ii) Nuashonrú Freagartha na hÚcráine - Ukrainian Response Update

Ms. Fiona Deegan gave a PowerPoint Presentation on the Ukrainian Response.

In her Presentation she gave an overview on the following:

- National Statistics: 35,670 Ukrainians here under the Temporary Protection Directive.
- 6,824 children enrolled in schools.
- Language & Educational Attainment.
- Statistics for Kilkenny: 557 Ukrainians
- Group Facilities in County Kilkenny: 325 accommodated.
- Pledged vacant accommodation – 21 tenants allocated.
- Inter-Agency Forum established to coordinate delivery of all services.
- Community Response Forum – supporting the Ukrainian Community.
- Challenges going forward – shared accommodation – lack of privacy, language barriers, accessing banking facilities, road safety issues in rural areas.

She advised that two additional larger facilities will be coming on stream shortly. Further data is required on where Ukrainians are currently residing in private accommodation in County Kilkenny.

Cllr. Pat Fitzpatrick thanked Ms. Deegan for the update and thanked all the staff in Kilkenny County Council for all the work done to date.

(d) (i) ***Deontas Feasachta frithbhruscair/Frithghraifítí 2022
Anti-Litter/Anti-Graffiti Awareness Grant 2022***

Mr. Denis Malone presented his report on the Anti-Litter/ Anti-Graffiti Awareness Grants for 2022. He advised that the Department has provided a grant of €20,000. Kilkenny County Council has provided a further €10,000 in the budget.

Kilkenny County Council will undertake a number of agreed initiatives from this funding.

- An amount of €11,885 is available to distribute to local communities.
- Scheme was advertised in March 2022.
- 15 Community Applications were received.
- Funding is recommended to 14 Groups in the amount of €11,885.

It was proposed by Cllr. Joe Lyons, seconded by Cllr. Denis Hynes and agreed that:

"That Kilkenny County Council approves the payment of Anti-Litter/Anti-Graffiti Awareness Grants in accordance with the list circulated to the Members."

(ii) ***Comhaontú Alt 85: Foscadh Madraí Cheatharlach Chill Chainnigh -
Section 85 Agreement: Carlow Kilkenny Dog Shelter***

Mr. Denis Malone advised that it is recommended to the Council that Kilkenny County Council continues with the operation and maintenance of the Dog Shelter on behalf of Carlow County Council. It is recommended that the Section 85 Agreement be extended until 31st August, 2022 to allow for the tender process to be finalised.

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

'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 2022 with Carlow County Council so as to have this arrangement on a formal statutory basis. This is to allow the tender process be finalised.'

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

Mr. Sean McKeown, Deputy Chief Executive presented his monthly report.

Cllr. Pat Fitzpatrick advised that the Chief Executive's report will be taken as read and noted.

Mr. McKeown is available if Members have any queries on it.

(ii) ***Appointment of Chair of SPC 3: Housing***

Cllr. Joe Malone as outgoing Chair thanked the SPC 3 Committee for all their work over the last three years. Cllr. Andrew McGuinness commended Cllr. Malone on his role as Chairperson during the last three years.

It was proposed by Cllr. Joe Malone, seconded by Cllr. Mary Hilda Cavanagh and agreed:

"That Kilkenny County Council hereby appoints Cllr. Eamon Aylward to Chair SPC 3: Housing.

(iii) ***Scéim Vótála Chill Chainnigh – Athrú ar Shuíomh an Stáisiúin Vótála***
Kilkenny Polling Scheme – Change of Location of Polling Station

Mr. Tim Butler advised that following a request that the Polling Station for Windgap be relocated to the Community Centre. The County Registrar has approved the relocation. The Polling Scheme will be amended when the current Scheme is revised.

It was proposed by Cllr. Matt Doran, seconded by Cllr. Deirdre Cullen and agreed that the relocation of the Polling Station from Windgap National School to the Community Centre is agreed.

3. ***Comhfhreagras - Correspondence***

None.

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. Deirdre Cullen and agreed.

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

None.

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) **Approval to Attend Conferences**

Schedule of Conferences circulated with the Agenda was proposed by Cllr. Matt Doran, seconded by Cllr. Eugene McGuinness and agreed.

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

None.

10. ***Aon Ghnó Eile - Any Other Business***

Cllr. Eugene McGuinness sought an update in relation to issues at the Attenuation Tank at Robertshill. He advised that it is being used by horses and is unsafe. There are anti-social behaviour issues at the location and possibly cruelty to animals.

Mr. Butler responded and advised that he has spoken to the Project Engineer and the Gardaí in relation to trespass and damage to fencing.

11. Fógraí Rúin - Notices of Motion

09 (22) Cllr. David Fitzgerald

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

"That Kilkenny County Council erect Lyme disease information and warning signage in all public parks and playgrounds to advise of the dangers Lyme disease and the steps to take to minimise the risk of contracting this chronic condition."

Cllrs. David Fitzgerald, John Coonan and Andrew McGuinness spoke on the motion. Mr. Denis Malone said that the HSE has a National Advisory Group on this and Kilkenny County Council will erect signs where required.

10 (22) Cllr. Tomás Breathnach

It was proposed by Cllr. Tomás Breathnach, seconded by Cllr. Pat Dunphy and agreed:

"That Kilkenny County Council write to the Minister for Enterprise and Consumer Affairs to introduce measures to oblige service providers (finance, telephone, broadband, electricity etc.) who offer customers special discount incentive pricing for a limited offer period to notify customers in writing at least one month in advance of the end of the offer period of its intent to cease its incentive pricing."

Cllrs. Tomás Breathnach and Pat Dunphy spoke on the motion.

11 (22) Cllrs. Maria Dollard, Mary Hilda Cavanagh & Denis Hynes

It was proposed by Cllr. Maria Dollard, seconded by Cllr. Mary Hilda Cavanagh and agreed:

"That Kilkenny County Council examines the provision of special parking spaces in our car parks in the County for persons with hidden disabilities, similar to existing disability parking spaces. These spaces would be clearly marked with a sunflower and lining. These would be courtesy spaces, at the discretion of the public to leave them for use by those with a sensory or hidden disability, and as such would incur no extra administrative burden on the Council."

Cllrs. Maria Dollard, Mary Hilda Cavanagh and Denis Hynes spoke on the motion. Mr. Tim Butler advised that the provision of courtesy car spaces should be available also in private Shopping Centres.

12 (22) Cllr. Mary Hilda Cavanagh

It was proposed by Cllr. Mary Hilda Cavanagh, seconded by Cllr. Pat Dunphy and agreed:

"That greatly increased resources be allocated from Central Funds for the Local Improvement Scheme and that we write to the Department making this request and point out the length of the waiting list and the long wait for work to be done"

Cllrs. Mary Hilda Cavanagh and Pat Dunphy spoke on this motion.

13 (22) Cllrs. John Brennan, Fidelis Doherty, Michael Doyle, Joe Lyons, Patrick O'Neill, Martin Brett, David Fitzgerald and Pat Dunphy

It was proposed by Cllr. John Brennan, seconded by Cllr. Fidelis Doherty and agreed:

"That Kilkenny County Council write to the Minister for Housing, Local Government and Heritage asking the Minister to increase the grant for the Council Housing Grants i.e. HGD, HOP and MAG. The cost of carrying out improvement works has increased greatly while the grant has remained static. Inflation has affected the cost of everything and therefore in order to maintain the level of work that can be done the grant has to be increased."

Cllrs. John Brennan, Fidelis Doherty, Tomás Breathnach spoke on this motion.

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. Mary Hilda Cavanagh, seconded by Cllr. Fidelis Doherty and agreed by all that the following Notices of Motion numbered 22 (22) and 25 (22) received from a number of Local Authorities be taken as read and noted:

22 (22) Clare County Council

"That this Council calls on the Government and Minister of Social Protection to find a solution which would allow artists with disabilities to be in respect of the Basic Income for Artists payment without it affecting their disability support."

23 (22) Clare County Council

"We ask Clare County Council to immediately make contact with the Department of Transport with a view to insisting that Dublin Airport Authority diverts spare capacity traffic to the likes of Shannon Airport particularly as Dublin has clearly been unable to cater for what it has while Shannon needs more passengers."

24 (22) Cavan County Council

At a recent meeting of Cavan County Council the Elected Members passed a resolution asking that I write to you as Minister for Environment, Climate and Communications to state that Cavan County Council oppose the ban on the cutting and sale of turf. The Members noted that ending the cutting of turf is ending a tradition in rural Ireland. The Members state that currently there is serious concerns about the ability to heat homes and in the context of the current climate, in particular wholesale oil and gas prices, if people must refrain from burning turf it is likely that many will be unable to obtain an economically viable heat source for their homes.

25 (22) Galway County Council

That Galway County Council writes to our colleagues in all other Local Authorities and informs them of the recent decision by Galway City and county Councils to support and endorse the rollout of the Public Recognition Marker (PRM) for the LGBTQI+ Community. In doing so, I call upon all local Authorities to work with their respective LGBTQI+ Community Leaders in advocating for the same."

That concluded the business of the meeting.

CATHAOIRLEACH

DATE