

- COMHAIRLE CHONTAE CHILL CHAINNIGH -
KILKENNY COUNTY COUNCIL

*Clár do Ghnáth-Chruinniú Chomhairle Chontae Chill Chainnigh
le reachtáil ar de Luan, 17 Iúil, 2023 ar a 3.00 i.n.*

**AGENDA FOR THE ORDINARY MEETING
OF KILKENNY COUNTY COUNCIL**

MONDAY, 18TH SEPTEMBER, 2023 AT 3.00 P.M.
COUNCIL CHAMBER, COUNTY HALL, JOHN STREET & MS TEAMS

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

- (i) Minutes of Plenary Meeting of Kilkenny County Council held on Monday, 17th July, 2023 [*Minutes Attached*]
- (ii) Minutes of Adjourned Plenary Meeting of Kilkenny County Council held on Friday, 21st July, 2023 [*Minutes Attached*]
- (iii) Minutes of Adjourned Plenary Meeting of Kilkenny County Council held on Friday, 28th July, 2023 [*Minutes Attached*]

2. **Gnó forordaithe do réir Reachtaíochta, Orduithe Seasta, nó Rúin an Chomhairle**
Business Prescribed by Statute, Standing Orders or Resolutions of Council

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

- (i) “Notice is hereby given, that at a meeting of the Council to be held after the expiration of 10 days from the date of this notice, it is the intention of Kilkenny County Council, in accordance with Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of its interest by way of long term lease in Plot of ground at Newpark Close, Newpark Lower, Kilkenny - as identified on the attached map - to Newpark Close Community Development CLG, for a period of 25 years and a rent of €52 per annum, with each party to be responsible for their own legal costs. The plot of ground measures 0.074 hectares. The Consent of the Minister for Housing, Local Government and Heritage is not required.” [*Note: The Land Development Agency Act, 2021 requires that the disposal of any relevant public land by a Local Authority be firstly offered to the Land Development Agency for its consideration*]. (*Notice sent to Members on the 4th September, 2023*).
- (ii) “Notice is hereby given, that at a meeting of the Council to be held after the expiration of 10 days from the date of this notice, it is the intention of Kilkenny County Council, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of its interest in land at Foulkscourt, Johnstown, Co. Kilkenny - as identified on the attached map - to TJ Maher, Foulkscourt, Johnstown, 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 measures 0.28 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required. [*Note: The Land Development Agency Act, 2021 requires that the disposal of any relevant public land by a Local Authority be firstly offered to the Land Development Agency for its consideration*].” (*Notice sent to Members on the 4th September, 2023*).

- (iii) “Notice is hereby given, that at a meeting of the Council to be held after the expiration of 10 days from the date of this notice, it is the intention of Kilkenny County Council, 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 Twomileborris, Thurles, Co. Tipperary – as identified on the attached map - to Joan Duggan, Twomileborris, Thurles, Co. Tipperary for the sum of €2,000 and the Purchaser will be responsible for all legal costs associated with the sale, including those of Kilkenny County Council. Area combined measures 2.44 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required. *[Note: The Land Development Agency Act, 2021 requires that the disposal of any relevant public land by a Local Authority be firstly offered to the Land Development Agency for its consideration].*”
(Notice sent to Members on the 4th September, 2023).
- (iv) “Notice is hereby given, that at a meeting of the Council to be held after the expiration of 10 days from the date of this notice, it is the intention of Kilkenny County Council, 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 Dunbell Big, Co. Kilkenny – as identified on the attached map - to Henry Connolly Rice, Oldtown, Ballyragget, 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 0.06 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required. *[Note: The Land Development Agency Act, 2021 requires that the disposal of any relevant public land by a Local Authority be firstly offered to the Land Development Agency for its consideration].*”
(Notice sent to Members on the 4th September, 2023).
- (v) “Notice is hereby given, that at a meeting of the Council to be held after the expiration of 10 days from the date of this notice, it is the intention of Kilkenny County Council, 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 Paulstown, Co. Kilkenny – as identified on the attached map - to Per Repts Elizabeth (ors Maura) Hennessy, Paulstown, Co. Kilkenny for the nominal sum of €10.00. The purchaser will transfer Plot 523-3 as identified on the attached map to Kilkenny County Council. Each party will be responsible for their own legal costs associated with the sale. Area combined measures 0.16 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required. *[Note: The Land Development Agency Act, 2021 requires that the disposal of any relevant public land by a Local Authority be firstly offered to the Land Development Agency for its consideration].*”
(Notice sent to Members on the 4th September, 2023).
- (vi) “Notice is hereby given, that at a meeting of the Council to be held after the expiration of 10 days from the date of this notice, it is the intention of Kilkenny County Council, 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 Ballylusky, Mullinavat, Co. Kilkenny – as identified on the attached map - to Brian Conway, Ballylusky, Mullinavat, Co. Kilkenny for the

nominal sum of €10.00 and Kilkenny County Council will be responsible for all legal costs associated with the sale. Area measures 0.05 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required. *[Note: The Land Development Agency Act, 2021 requires that the disposal of any relevant public land by a Local Authority be firstly offered to the Land Development Agency for its consideration].*
(Notice sent to Members on the 4th September, 2023).

- (vii) “Notice is hereby given, that at a meeting of the Council to be held after the expiration of 10 days from the date of this notice, it is the intention of Kilkenny County Council, 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 Ballylusky, Mullinavat, Co. Kilkenny – as identified on the attached map - to Richard Raftice, Ballylusky, Mullinavat, Co. Kilkenny for the sum of €1,500 and the Purchaser will be responsible for all legal costs associated with the sale. Plot areas combined measure 1.75 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required. *[Note: The Land Development Agency Act, 2021 requires that the disposal of any relevant public land by a Local Authority be firstly offered to the Land Development Agency for its consideration].*
(Notice sent to Members on the 4th September, 2023).
- (viii) “Notice is hereby given, that at a meeting of the Council to be held after the expiration of 10 days from the date of this notice, it is the intention of Kilkenny County Council, 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 Scart & Rahard, Mullinavat, Co. Kilkenny – as identified on the attached map - to Patrick Sutton, Rossinan, 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. Plot areas combined measure 0.26 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required. *[Note: The Land Development Agency Act, 2021 requires that the disposal of any relevant public land by a Local Authority be firstly offered to the Land Development Agency for its consideration].*”
(Notice sent to Members on the 4th September, 2023).
- (ix) “Notice is hereby given, that at a meeting of the Council to be held after the expiration of 10 days from the date of this notice, it is the intention of Kilkenny County Council, 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 Dunkitt, Kilmacow, Co. Kilkenny – as identified on the attached map - to Stephen Kearns, Dunkitt, Kilmacow, Co. Kilkenny for the nominal sum of €10.00 and Kilkenny County Council will be responsible for all legal costs associated with the sale. Plot area measures 0.08 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required. *[Note: The Land Development Agency Act, 2021 requires that the disposal of any relevant public land by a Local Authority be firstly offered to the Land Development Agency for its consideration].*”
(Notice sent to Members on the 4th September, 2023).

- (x) “Notice is hereby given, that at a meeting of the Council to be held after the expiration of 10 days from the date of this notice, it is the intention of Kilkenny County Council, 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, Kilmacow, Co. Kilkenny – as identified on the attached map – to John Williams, 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. Plot area measures 0.15 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required. [Note: The Land Development Agency Act, 2021 requires that the disposal of any relevant public land by a Local Authority be firstly offered to the Land Development Agency for its consideration].”
(Notice sent to Members on the 4th September, 2023).

(b) **Pleanail - Planning**

- (i) Consideration of Interim Chief Executive’s report on Draft Abbey Quarter Masterplan User Guide [Report To Follow].
- (ii) Taking in Charge: Initiation - Steps into Linear Park at Talbots Inch village (TIC 174)
- (iii) Taking in Charge – Final - Lakeside Cycleway (TIC 173)
- (iv) Taking in Charge – Final - Lakeside Estate (TIC 103)
- (v) Taking in Charge – Final - Friars Hill, Graignamanagh (TIC 110)
- (vi) Taking in Charge – Final - Blackchurch Square, Inistioge (TIC 155)

(c) **Airgeadas - Finance**

- (i) Local Government Audit Report & Final Annual Financial Statement [Report Attached]
- (ii) Local Property Tax [Report Attached]
- (iii) Approve Borrowing for Acquisition of Residential Property

(d) **Gnóthaí Corparáideacha - Corporate Affairs**

- (i) Chief Executive’s Monthly Report [Report Attached].

3. **Comhfhreagras - Correspondence**

- (i) Response from Department of Housing, Local Government & Heritage in relation to Notice of Motion 13-2021 [Response Attached].

4. **Gnó ar athló ó chruinniúroimhe seo - Business Adjourned from a Previous Meeting**

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

- (i) Schedule of Meetings [Report Attached].

6. **Plé ar Thuairiscí agus Moltaí ó Choistí an Comhairle Consideration of Reports & Recommendations of Committees of the Council**
- (i) Report of SPC 2: Transportation Policy/Mobility Management & Water Services held on Thursday, 1st December, 2022 [Report Attached].
 - (ii) Report of SPC 2: Transportation Policy/Mobility Management & Water Services held on Thursday 11th May, 2023 [Report Attached].
 - (iii) Report of SPC 1: Economic Development, Enterprise Support, Tourism, Planning & Development Policy held on Thursday, 23rd March, 2023 [Report Attached].
7. **Gnó Eile romhainn i bhFógra reachtála an Chruinnithe - Other Business set forth in the Notice convening the Meeting**
8. **Oideachas agus Oiliúint - Education & Training**
- (i) Conferences – Request for approval to attend as per circulated list [Attached]
9. **Gnótha ag éirí as Miontuairiscí - Matters Arising from Minutes**
10. **Aon Ghnó Eile - Any Other Business**
11. **Fógraí Rúin - Notices of Motion**
- 09 (23) Cllrs. Joe Malone & Mary Hilda Cavanagh**
 “That Kilkenny County Council support the reintroduction of the 9% VAT rate for food related businesses and we are calling on the Minister for Finance to extend the 9% VAT rate to the end of 2024.”
- 10 (23) Cllr. John Coonan**
 “That Kilkenny County Council advise of the up to date position outlining measures and action been taken to address vacant/ derelict sites and buildings in a number of sites in Kilkenny City & County.
- 11 (23) Cllr. Mary Hilda Cavanagh**
 "That this Council requests Transportation Infrastructure Ireland to upgrade the R693 (Urlingford to Kilkenny) to National Road status. Huge investment needed on this road due to increased volume of traffic since M8 motorway opened."
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**
- 27 (23) Mayo County Council**
 “I respectfully seek the support of my colleagues and Management of Mayo County council to petition the Minister for the Housing, Local Government and Heritage to double the maximum grants for the Croí Cónaithe Scheme from €30,000 for a vacant property and €50,000 recent unprecedented increases in the price of construction materials and the fact that these increases have not yet stabilised. In addition, I respectfully ask for your support to petition the Minister to expand the Croí Cónaithe Scheme to owners who wish to renovate vacant or vacant homes confirmed derelict, subject to conditions that the property is subsequently used for long term occupancy either through a sale or through a long-term lease. Furthermore, that those approved under the existing scheme be included when the changes have been implemented, if they have not yet drawn down their funding.”

28 (23) Clare County Council

“That Clare County Council supports the recent Macra na Feirme campaign, entitled “The Rural Revival, Steps for our Future”. This campaign was a march that departed Athy, Co. Kildare at 7pm on Tuesday, 25th April marching through the night, physically carrying their message, before arriving at Government Buildings circa 1pm on Wednesday, 27th April. The message is simple, Macra Na Feirme members want to be able to remain at home, working and living in their own communities and the key components of their message are as follows:

- Accessing affordable housing and cumbersome housing planning guidelines.
- Disjointed and scarce healthcare services for rural communities.
- The Government’s definition of a family farm as ‘average’ and typical’.
- No recognition or engagement by Government on a farming succession scheme.
- Lack of planning for the future of our rural communities informed by rural people.
- Imposition of quotas on young farmers availing of grant aid support.
- Lack of public transport for rural Ireland.
- Proposals to rewet large areas of rural Ireland.

I am also requesting that this Notice of Motion be circulated to all other Local Authorities.”

29 (23) Wicklow County Council

“That Wicklow County Council write to Minister McConalogue requesting him to contact all Dáil party leaders and MEPs to remind them of their own declarations on the Climate and Biodiversity Emergency and their commitment to youth and community groups, made in 2019, and more recently to the 2 Citizens Assemblies (*adult & youth*), regarding the restoration of nature as a matter of urgency, and that consultation takes place with farmers, foresters, community groups and other stakeholders to discuss any issues relevant to them. Furthermore, that Wicklow County Council writes to all party leaders urging them to work together with their MEPS to pass a strong EU Nature Restoration Law without delay. If passed, we request that Wicklow County Council forwards this motion to all City & County Councils without delay.”

30 (23) Wexford County Council

“Wexford County council ceases using the term “Halting Sites” in the County and begins renaming with a name more appropriate to the area. The naming should happen following a public consultation process and engagement with the local community.”

31 (23) South Dublin County Council

“South Dublin County Council formally backs the call for a Fossil Fuel Non-Proliferation Treaty and urges the Irish Government to support the initiative for a Fossil Fuel Non-Proliferation Treaty. If passed, a letter should be sent to all local Councils and the Minister for the Environment.

32 (23) Leitrim County Council

“That Leitrim County Council write to Bus Éireann to call on them to employ more school bus drivers, as the Bus Éireann system is full to capacity.”

33 (23) Clare County Council

“That Clare County Council communicate with both the Taoiseach’s office and the office of the Minister for Arts and Culture, to lend support to the application made in July 2022 by Ennis and County Clare Soroptimist International, to have the stained-glass image of St. Brigid created by a prominent County Clare female artist, Catherine O’Brien adopted as the official image of the saint in the context of our new St. Brigid’s Day public holiday, which commenced 1st February, 2023.”

34 (23) Waterford City & County Council

“Waterford City & County Council recognise and appreciate the positive benefits that have been brought about through Active Travel Funding and would welcome more. However, we also acknowledge that limitations on the Active Travel scheme mean that it is increasingly focussed on larger urban areas and cannot be used for the badly needed maintenance and repair for deteriorating footpaths. In the interests of pedestrians, particularly people with disabilities, we therefore hereby resolve to write to Minister Eamon Ryan to formally notify him that we upon the Department of Transport to provide ringfenced funding (separate from roads funds and also distinct from Active Travel funding) to Local Authorities to assist significantly and substantially with the costs of maintaining and repairing existing footpaths and to assist significantly and substantially with the costs of providing new footpaths that are not eligible for Active Travel funding. And we further call upon Minister Ryan and the Department of Transport to ensure that Local Authorities would have discretion and autonomy to use such dedicated footpaths funding without having to receive approval from the Department, the NTA, or any other agency, on a per project basis; and to ensure that there would be no other bureaucratic obstacles to the expeditious spending of such urgently needed footpath funding.”

35 (23) Wexford County Council

“Now that we have a prospective opening date to work towards the reopening of the Accident and Emergency at Wexford General Hospital, this Council resolves to congratulate and express our gratitude and appreciation to all the Management, Staff, frontline staff, contractors and workers for their dedication, professionalism, and outstanding efforts for completing the work done in a highly pressurised area.

Furthermore, we resolve to thank all patients and their families for their resilience and patience while the works were being carried out.

Upon passage, a copy of this motion is sent to the Minister of Health, CEO of the HSE, Waterford and Kilkenny County Council for their attention.”

36 (23) Cork County Council

“That Cork County Council write to the HSE and Coillte to request a campaign to raise awareness of the possibility of contracting Lyme disease at parks and walkways and to circulate correspondence to all other local authorities. It was also agreed that a copy of this letter would be circulated to all Local Authorities.”

37 (23) Cork County Council

“This Council requests that the RSA and Department of Transport use every means possible to reduce the totally unacceptable waiting times for driving tests.”

38 (23) Mayo County Council

“Calling on the Department of Housing to increase the build time requirement of the Croí Cónaithe Scheme from 13 months to 24 months. Currently the Scheme requires a derelict property to be brought back into use within 13 months which is, for the most part, unattainable given the works required on these properties.”