

MIONTUAIRISCÍ AR AN GCRUINNÍÚ IOMLÁNACH DE CHUID
CHOMHAIRLE CONTAE CHILL CHAINNIGH TIONÓLTA AR AN
LUAN, 24 MÁRTA 2025 AG 3.00 I.N. I SEOMRA NA COMHAIRLE,
HALLA AN CHONTAE & VIA FOIRNE MS



MINUTES OF PLENARY MEETING OF KILKENNY COUNTY
COUNCIL HELD ON MONDAY, 24 March , 2025 AT 3.00 P.M. IN THE
COUNCIL CHAMBER, COUNTY HALL & VIA MS TEAMS

ATTENDANCE

Chair: Cllr. Michael Delaney

Elected Members: *Council Chamber*

Cllrs. Tomás Breathnach, Jenny Catt Slattery, Mary Hilda Cavanagh, Fidelis Doherty, Michael Doyle, Patrick Dunphy, David Fitzgerald, Pat Fitzpatrick, Ger Frisby, Joe Malone, Andrew McGuinness, Eugene McGuinness & Michael Delaney, Maria Dollard & Joe Sheridan, Cllr Maurice Shortall, Cllr Michael Delaney, Cllr Stephanie Doheny.

MS Teams

Cllrs. John Brennan, Brian Cleere, Joe Lyons, Deirdre Cullen

Officials: *Council Chamber*

Lar Power, Tim Butler, Mary Mulholland, Fiona Deegan, Margo Hayes, & Martin Prendiville, Michael Leahy, Mary Butler. Dearbhaile Ledwidge, Denis Malone

Oireachtas Members: Natasha Newsome Drennan, TD & Senator Patricia Stephenson

Apologies: Cllrs Seán Ó hArgáin & John Coonan.

Cllr Michael McCarthy Cathaoirleach opened the meeting and invited the Leas Cathaoirleach to Cahir the meeting as he had a family bereavement.

1. Dearbhú Miontuairiscí - Confirmation of Minutes

- (i) **Miontuairiscí ar Chruinniú Buiséid Reachtúil - Minutes of Plenary Meeting**
Proposed by Cllr Pat Fitzgerald, seconded by Cllr. Eugene McGuinness and agreed:

“That Minutes of Plenary Meeting of Kilkenny County Council held on Monday February 17th, 2025, as circulated with the agenda be and are hereby approved”.

Fógraí - Announcements

Leas Cathaoirleach Cllr. Michael Delaney thanked all involved in the St. Patrick’s Festival and all celebrations across the County in particular Marian Flannery and her team for the diverse range of events and the St. Patrick’s Festival Committee chaired by Cllr. Andrew McGuinness.

Cllr. Andrew McGuinness thanked all those involved.

Cllr. Pat Fitzpatrick highlighted all the events throughout the County. Cllr Fidelis Doherty acknowledged the role of the Grand Marshall Mia Griffin.

Vótaí Comhbhrón - Votes of Sympathy

Leas Cathaoirleach, Cllr. Michael Doyle extended vote of sympathy to the following:

- Cllr. Michael McCarthy, Cathaoirleach on the passing of his sister-in law.
- Frank Grogan, Housing Department on the passing of his brother Bernard.
- Family of the late Seamus Freyne, Kilbride, Glenmore.
- Family of the late Paddy McEvoy, Mullinavat.
- Family of the late Wattie Walsh, Mooncoin.
- Family of the late Ellen Doran, Mooncoin.
- Family of the late Margaret Warner, Carrigeen.
- Family of the late Hew Bowers, Mooncoin.
- Family of the late Elieen Bowe, Piltown.
- Family of the late Pat O'Hanlon, Kilmacow.
- Family of the late Willie Ryan, Mooncoin.
- Family of the late Vincent Foskin, Ferrybank.
- Family of the late Joe Mylett, Mooncoin.
- Family of the late Peadar Walsh, Kilmacow.
- Family of the late Bobby Grace, Ballyhale.
- Family of the late Fintan Flynn, Piltown.
- Family of the late Mary Grennan, Tullogher.
- Family of the late Valerie Walsh, Mooncoin.
- Family of the late Sonny Murphy, Mooncoin.
- Family of the late Richard Murphy, Mooncoin.
- Family of the late Ann O'Gorman, Fiddown, Piltown.
- Family of the late Michael Duggan, Piltown.
- Family of the late Ger O'Shea, Mooncoin.
- Family of the late John Cuddihy, Mooncoin.
- Family of the late Nan Phelan, Piltown.
- Family of the late Eileen Quinn, Mooncoin.
- Family of the late Vera Kiely, Piltown.

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

It was proposed by Cllr. Tomás Breathnach, seconded by Cllr. Pat Dunphy 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 Crowbally, Mullinavat, Co. Kilkenny – as identified on the attached map – to Patrick Thomas Gaule, Crawn, Kilmacow, Co. Kilkenny for the sum of €1,000 with each party being responsible for their own legal costs associated with the sale. Plot areas combined measure 0.8 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required."

(b) Pleanail - Planning

(i) Cuid 8/Part 8: Kilkenny Local Studies Hub and Public Realm Enhancements at John's Quay, Kilkenny

It was proposed by Cllr. Andrew McGuinness, seconded by Cllr. Mary Hilda Cavanagh and agreed:

That the Members of Kilkenny County Council approve the Part 8 in accordance with Section 179 of the Planning & Development Act 2000 as amended and Part VIII of the Planning & Development Regulations 2001, to the proposed development comprising of the repurposing of the former Carnegie Library into a Kilkenny Local Studies Hub and Public Realm Enhancements at John's Quay."

Cllr Andrew McGuinness requested that it be reverted to residents only parking would be reinstated

(ii) **Tuarascáil an Phríomhfheidhmeannaigh maidir le hAighneachtaí maidir le hAthrú Beartaithe 4 a ghabhann leis an bPlean Forbartha Cathrach & Contae 2021**
Chief Executive's Report on Submissions to Proposed Variation 4 to the City and County Development Plan 2021

Denis provided the details in a presentation. Cllr. Jenny Catt Slattery expressed her disappointment as development cannot happen as there is not adequate wastewater treatment facilities which she feels is detrimental to rural villages. She was supported by Cllr. Pat Dunphy and Cllr. Michael Doyle.

Denis Malone, Senior Engineer responded to say that the policy must be framed so as to facilitate development and protect environmental assets. The challenge is to be pro-development while meeting legal obligations to protect ground water. He advised that the Chief Executive's recommendation provided the best way forward.

Cllrs. Pat Dunphy, Maria Dollard, Deirdre Cullen, Eugene McGuinness, David Fitzgerald, Tomás Breathnach, Fidelis Doherty, Ger Frisby and Michael Doyle spoke on the variation and the issue of housing provision being hampered.

Cllr. David Fitzgerald asked if there is a list of priority towns so that Kilkenny is first in the queue when funding is made available. Tim Butler, Director of Services outlined that there is a priority list based on compliance (*where pollution is an issue*) demand for social housing and County Development Plan. We have prioritised fifteen villages with Bennetsbridge prioritised as the first. Cllr. Michael Doyle felt that demand is not a good metric as the lack of availability of housing is leading people to go elsewhere.

It was proposed by Cllr. Tomás Breathnach, seconded by Cllr. Jenny Catt Slattery and agreed:

"That the Members of Kilkenny County Council, having considered the proposal to make Variation 4A to the Kilkenny City & County Development Plan 2021 - 2027 under Section 13 of the Planning & Development Act 2000, as amended, and having considered the Chief Executive's Report as circulated on the 18th March, 2025, prepared in accordance with Section 13 (4) of the above Acts, outlining all submissions received on this proposal, the recommendations as set out in the Chief Executive's report, and with our decision made at a meeting of Kilkenny County Council held on the 24th March 2025, do hereby resolve to vary the current Kilkenny City & County Development Plan in accordance with Proposed Variation 4A."

A roll call vote was taken on the proposal not to vary the current Kilkenny City & County Development Plan in accordance with Proposed Variation 4B.

Eighteen (18) voted in Favour:

Cllrs. Maria Dollard, Eugene McGuinness, Tomás Breathnach, Brian Cleere, Stephanie Doherty, Joe Sheridan, John Brennan, Mary Hilda Cavanagh, Michael Delaney, Maurice Shortall, Deirdre Cullen, Joe Lyons, Pat Fitzpatrick, Joe Malone, Andrew McGuinness, Jenny Catt Slattery, Fidelis Doherty and Pat Dunphy.

Two (2) voted against: Cllrs. Michael Doyle and David Fitzgerald.

Four (4) Absent:

Cllrs. Seán Ó hArgáin, Ger Frisby, Michael McCarthy and John Coonan.

Therefore, the resolution was passed by 13 votes to 4.

"That the Members of Kilkenny County Council having considered the Chief Executive's Report as circulated on the 18th March, 2025 under Section 13 of the Planning & Development Act 2000, as amended, and having considered the recommendation, hereby resolve not to vary the current Kilkenny City & County Development Plan in accordance with Proposed Variation 4B."

(iii) **Ag Glacadh i gCúram: Taking in Charge TC 158: Initiation - 9 Houses Moneenroe,**

It was proposed by Cllr. Pat Fitzpatrick, seconded by Cllr. Mary Hilda Kavanagh and agreed that:

"That the County Council of the County of 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."

ESTATE: TIC158 Moneen View, Moneenroe, Co Kilkenny

(c) (Pobol Cultúr - Community & Culture

(i) Scéim Ealaíne Poiblí - Public Art Scheme

Fiona Deegan, Director of Services introduced Mary Butler, Arts Officer. Ms. Butler provided a comprehensive overview of the scheme including the project to be funded.

Cllr. Maria Dollard spoke about how these Art Projects are the fabrics that hold communities together and how we understand ourselves is through the arts. She congratulated Mary Butler on the great work. Cllrs. Andrew McGuinness and David Fitzgerald also congratulated and thanked Ms. Butler. Mary acknowledged that conversation and engagement was key. Cllr. Tomás Breathnach enquired if the international dimension came through with the output of the assessments. Mary noted that all the artists are all Irish with an international reputation.

(d) Timpeallacht - Environment

(i) Tuarascáil Cur Chun Feidhme an Phlean um Ghníomhú ar son na hAeráide de chuid Chomhairle Contae Chill Chainnigh 2024

Kilkenny County Council Climate Action Plan Implementation Report 2024

Dearbhala Ledwidge presented the Implementation Report and highlighted key areas. Cllr. David Fitzgerald enquired about Solar Panels. Dearbhala outlined where they are located and where plans are to install them. Cllrs. Joe Lyons, Eugene McGuinness and Maria Dollard thanked Dearbhala and her team for their efforts and congratulated them on other achievements. Dearbhala responded to enquiries in relation to funding for tree removal adjacent to electricity wires and she outlined how communities are being supported to apply for Community Climate grants. Dearbhala asked that the Councillors share the Climate Action Team Newsletter with their constituents and through their networks .

(e) Airgeadas- Finance

(i) Ráiteas Airgeadais Bliantúil 2024 - Annual Financial Statement 2024

It was proposed by Cllr. David Fitzgerald seconded by Cllr. Pat Fitzpatrick and agreed that

"That we, the Members of Kilkenny County Council, hereby adopt the Annual Financial Statement for year ending 31st December 2024."

Cllrs. Pat Fitzpatrick and David Fitzgerald thanked Martin Prendiville and team.

(ii) **Faomhadh le haghaidh Saoráid Airgeadais Léasa**
Approval for a Lease Finance Facility

It was proposed by Cllr. Andrew McGuinness seconded by Cllr. Tomás Breathnach and agreed that:

“That the Elected Members of the Council do hereby approve the terms and conditions applicable to the leasing facility in the amount of €1,000,000.00 (the “Facility”) made available by Allied Irish Banks, p.l.c. trading as AIB Finance & Leasing (the “Bank”) to the Council under the Offer Letter dated 27th August, 2024.

That each of Lar Power, being the Chief Executive of the Council and Martin Prendiville, being the Director of Finance of the Council, are hereby authorised to sign the Offer Letter jointly on behalf of the Council and such other authorities, documents and instructions that the Bank may require to be signed by the Council in connection with the Facility. “

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

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

There were no clarifications required.

(ii) **Plean Seachadta Seirbhíse - Service Delivery Plan**

Mary Mulholland, Director of Services presented the Service Delivery Plan. The adoption of a Service Delivery Plan is a Reserved Function of the Council under Section 134A of the Local Government Act 2001 as amended. Mary outlined that the Plan is based on the objectives and strategies outlined in the Corporate Plan adopted by the Members on the 16th December, 2024. In each of the Service Areas it sets out the actions which the Council intends to take in 2025 to meet its commitments and deliver services to our customers under its numerous policies, plans and programmes adopted by the Council.

It was proposed by Cllr. Andrew McGuinness seconded by Cllr. Tomás Breathnach and agreed that:

“That the Draft Service Delivery Plan for 2025 is hereby approved by the Members of Kilkenny County Council.”

(iii) **Tuarascáil Bhliantúil an Choiste Iniúcháireachta**
Audit Committee Annual Report

Mary Mulholland presented the Audit Committee Annual Report 2024.

It was proposed by Cllr. Pat Fitzpatrick seconded by Cllr. Tomás Breathnach and agreed that:

“That the Audit Committee Annual Report 2024 is hereby approved by the Members of Kilkenny County Council.”

(iv) **Cairt agus Clár Oibre an Choiste Iniúcháireachta**
Audit Committee Charter & Work Programme

Mary Mulholland presented the Audit Committee Charter and Work Programme. The committee has an important role in the governance framework of the Council. It assists the Council to monitor the internal control environment, risk management, financial reporting and internal and external audit functions. The Committee does not undertake Management responsibilities and is not a substitute for Management controls and accountabilities. Under the Local Government (Audit Committee) Regulations 2014, the Audit Committee is required to operate in accordance with a written Charter that shall be adopted by the Local Authority.

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

"That the Audit Committee Charter is hereby approved by the Members of Kilkenny County Council."

- (v) **Review of Effectiveness of Kilkenny County Council's Audit Committee**
The Review of Effectiveness of Kilkenny County Council's Audit Committee was noted and agreed.

3. *Comhfhreagras - Correspondence*

- (i) **Admháil ón Aire maidir leis an N24 agus an N25**
Acknowledgement from Minister in relation to N24 & N25
The Acknowledgement from the Minister in relation to N24 and the N24 was noted.

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

There were no items for consideration.

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

- (i) **Sceideal na gCruinnithe - Schedule of Meetings**
The Schedule of meeting was proposed by Cllr. David Fitzgerald seconded by Cllr. Pat Dunphy and agreed.

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

There were no items for consideration.

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

There were no other business set forth in the Notice convening the Meeting

8. *Oideachas agus Oiliúint - Education & Training*

- (i) Schedule of Conferences circulated with the Agenda was proposed by Cllr. Pat Fitzpatrick, seconded by Cllr. Fidelis Doherty and agreed.

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

There were no matter arising.

10. *Aon Ghnó Eile - Any Other Business*

- (i) It was proposed by Cllr. Pat Fitzpatrick seconded by Cllr. Andrew McGuinness that the Executive would convene a Special Meeting in relation the proposed Wind Farm at Ballyknocken.

11. Fógraí Rúin - Notices of Motion

02 (25) Cllr. Stephanie Doheny

It was proposed by Cllr. Stephanie Doheny seconded by Cllr. Eugene McGuinness and agreed:

'That the Council affirms that every endeavour is made to ensure that Kilkenny County Council's tender processes are consistent with protecting international humanitarian law and prohibiting the importation or sale of goods or services originating in occupied territories.

This Council resolves to adopt a rights-based Ethical Procurement Policy (EPP) that takes fully into account existing obligations and standards. The primary aim of the EPP is to ensure that human rights obligations are properly acknowledged, observed and respected at all stages of the procurement process."

04 (25) Cllr. Eugene McGuinness

It was proposed by Cllr. Eugene McGuinness seconded by Cllr. Tomás Breathnach and agreed:

"To ask the Council to write to the Minister for Sport asking the Minister to clarify the Government current transgender policy particularly as it pertains to women's and girls' sport. We urge the Minister to engage in meaningful dialogue with female athletes, sports scientists and safeguarding experts to find the necessary wording and guidelines that respects both inclusion and fairness."

05 (25) Cllr. Maria Dollard

It was proposed by Cllr. Maria Dollard seconded by Cllr. Maurice Shortall and agreed:

"That Kilkenny County Council review its policy in calculating differential rents for its tenants and adopt the recommendation of Family Carers Ireland in their pre-budget submission 2024. The recommendations are as follows:

- (i) Carer's Allowance will be disregarded at the basic Social Welfare rate in Kilkenny County Council Local Authority.*
- (ii) Half-rate Carer's Allowance will be disregarded in full in this Local Authority.*
- (iii) Disability Allowance received by children aged between 16 and 18 years will be disregarded in full, in line with the existing uniform disregard of Domiciliary Care Allowance received by children under 16 years."*

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. Fidelis Doherty, seconded by Cllr. Pat Dunphy and agreed that Notices of Motion 06 (25) to 12 (25) be taken as read and noted.

06 (25) Limerick County Council

"That, this Local Authority would call on the Government to put in place a financial support scheme within the grant aid for older people form to include people in medical need that they would be able to apply for financial aid to help them purchase a generator to allow them to power electric medical devices where loss of power occurs."

07 (25) Limerick County Council

"That, Limerick City and County Council expresses its fullest appreciation for all of the work done by the Council staff and staff of other agencies and volunteers who worked 24/7 to alleviate the hardships caused by the recent severe weather event. The Council now calls on the Minister for Housing, Local Government and Heritage to (a) immediately release funds to replenish Local Authority financial resources used to manage the emergency and (b) provide additional adequate funds (or otherwise provide financial arrangements) for Local Authorities impacted to arrange a local scheme to compensate homeowners and businesses for property damage, lost stock or foods or other reasonable uninsured damages caused by snowfall or electricity cuts, and that this Notice of Motion be circulated to all Local Authorities."

08 (25) Limerick County Council

"That, given the recent weather events, Limerick City and County Council (a) calls on Uisce Eireann to install generators at every pumping station in the country (b) calls on the ESB to cut back/ cut down all trees and/or branches that are in danger of damaging the infrastructure and (c) calls on the Government to set up a special emergency phone number which is activated prior to and manned during all orange and red weather alerts."

09 (25) Roscommon County Council

"In light of over 40 trees falling during Storm Darragh, damaging power lines and leaving homes and businesses without power for days, I propose this Council writes to Nicholas Tarrant, MD of ESB Networks, and Keith Leonard, Head of the National Emergency Coordination Group. They should ensure compliance with wayleaves and exclusion zones near overhead powerlines, requiring forestry owners to meet clearance standards. ESB Networks should take pre-emptive measures ahead of storms to prevent similar outages. Additionally, compliance with the DAFM Standards for Felling & Restoration near public roads must be enforced to prevent road safety hazards during extreme weather. Subsequent to the submission of this motion the events of Storm Éowyn have further highlighted the need for action on this matter. It was agreed to circulate this motion to all Local Authorities."

10 (25) Roscommon County Council

"To write to the Department of Agriculture, Department of Transport, and Department of Environment, for an incentive to be put in place for landowners to move trees off the roadside. It was agreed to circulate this motion to all Local Authorities."

11 (25) Roscommon County Council

"To write to the Minister for Communications that all emergency frontline services have access to the GOV NE system to use any network available in the major emergency events to ensure communication channels remain open. It was also agreed to circulate this to all Local Authorities."

12 (25) Roscommon County Council

"To write to the next Minister for Education requesting the introduction of extra time for students with Dyslexia, Dyscalculia and other learning difficulties sitting second level examinations. The lack of extra time is a severe disadvantage to such students at this crucial time in their lives. It was also agreed to circulate this to all Local Authorities."

That concluded the business of the meeting.

CATHAOIRLEACH

DATE