

# **Section 15 Manual**

A Guide to the functions and Records  
of Kilkenny County Council



Kilkenny County Council

Freedom of Information Acts 1997-2003

October 2004

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## **1. INTRODUCTION**

The **Freedom of Information (FOI) Act, 1997 [as amended]** establishes three new statutory rights:

- A legal right for each person to access information held by public bodies;
- A legal right for each person to have official information relating to him/herself amended where it is incomplete, incorrect or misleading;
- A legal right to obtain reasons for decisions affecting oneself.

The Act asserts the right of members of the public to obtain access to official information to the greatest extent possible consistent with the public interest and the right to privacy of individuals.

This reference book has been prepared and published in accordance with the requirements of section 15 of the Act. Its purpose is to facilitate access to official information held by the Council. It contains a general description of the Council's structure and functions; the services provided and how to avail of them; the classes of records held; and how a request to the Council under the FOI Act, 1997 [AS AMENDED] can be made.

In addition, the Council's FOI Section 16 Reference Book contains information on the rules and practices relating to the work carried on in each of the sections.

### **Routinely Available Information**

At present Kilkenny County Council makes a range of information available to the public in relation to its functions, activities and schemes. Such information will continue to be made available without the need to use the FOI Act.

The Council also makes information available under -

**(a)** European Communities Act, 1972 (Access to Information on the Environment) Regulations, 1998;

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These Regulations came into operation on the 1<sup>st</sup> May, 1998. The Regulations set out the procedures for public access to information relating to the environment held by public authorities.

Requests shall be made in writing and, generally, a response should be made within one month from the date on which a request is received.

Reasonable charges may be made having regard to the cost of making available the information.

Public authorities may refuse requests on certain mandatory grounds (e.g. Personal Information/Third Party Information) or discretionary grounds (e.g. Commercial Confidentiality/Matters “sub judice” etc.)

Full details of these Regulations are available from the Environment Section at County Hall.

[b]Data Protection Acts 1988-2003

Kilkenny County Council is registered as a Data Controller under the Data Protection Acts 1988-2003. The provisions of these Acts still apply and a request in relation to data covered by it may be made under the Data Protection Acts or the Freedom of Information Acts.

**The Freedom of Information Acts are designed to allow public access to information held by public bodies which is NOT routinely available through other means.**

Access to information under the Act is subject to certain exemptions and involves specific procedures and time limits.

## 2. OVERVIEW OF THE LOCAL AUTHORITY

### 2.1 THE ROLE OF A LOCAL AUTHORITY

Local authorities perform both a representational and an operational role because the Irish system of Local Government encompasses both democratic representation and public administration.

**The representational role** is performed directly by the elected members of the Council. Kilkenny County Council has 26 elected members representing various political parties from the five electoral areas of Kilkenny, Thomastown, Piltown, Callan and Ballyragget. The Members of the County Council are elected according to a system of proportional representation for a period of five years. The Chairperson is elected from the membership of the Council, at the Annual General Meeting of the Council which is held in July of each year.

The specified functions performed by the Councillors are known as "**reserved functions**" and involve most of the major decisions of the Council.

**Such functions include:**

- Adoption of Annual Budget
- Approving the borrowing of money;
- Making or varying development plans;
- Making, amending and revoking bye-laws.

Reserved functions are performed by the Councillors by "**resolution**" at meetings of the Council.

**The operational role** is performed by the County Manager and the staff. They are responsible for the day-to-day administration of the Council. The functions performed by the County Manager are known as "**executive functions**".

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●The functions include :-

- The letting of houses
- The granting or refusal of planning permissions;
- The control of staff.

Executive functions are performed by the County Manager by means of a written order, a **"Managers Order"**.

The division between reserved and executive functions is such that the County Manager operates within a framework of policy laid down by the elected members. In reality, the system operates by means of a partnership where the County Manager consults regularly with the Members on the executive functions, while at the same time advising them on the performance of their reserved functions.

## **2.2 STRATEGIC POLICY COMMITTEES**

Proposals for the reform of local government in Ireland were published in a booklet called "Better Local Government – A Programme for Change" in December, 1996. The objective of the Programme is to create a modern efficient and properly resourced system of local government, based on the following core principles:

Enhancement of local democracy;  
Improvement of customer service;  
Developing efficiency;  
Provision of proper resources.

The Programme involves the establishment of Strategic Policy Committees to enhance the policy-making role of the Councillor. Each Strategic Policy Committee will examine particular policy areas in detail and report on necessary changes to the full Council. The Committees are comprised of elected members (Councillors) and external representatives of bodies/sectors relevant to the particular committees' work.

**The Council has five such committees as follows:-**

SPC 1 FORWARD PLANNING AND DEVELOPMENT POLICY  
SPC 2 INFRASTRUCTURE –TRANSPORTATION, WATER SERVICES AND  
OTHER  
SPC 3 ENVIRONMENTAL POLICY INCLUDING FIRE SERVICES AND  
EMERGENCY PLANNING  
SPC 4 HOUSING POLICY  
SPC 5 COMMUNITY AND SOCIAL POLICY-  
ARTS, CULTURE, HERITAGE, TOURISM AND EDUCATION

The Chairperson of the Council and the Chairpersons of the Strategic Policy Committees form a Corporate Policy Group, which has a key role in developing an enhanced role for Councillors. This group links the work of the Strategic Policy Committees, acts as a type of Cabinet and provides a forum where policy positions affecting the whole County can be agreed for submission to the full Council.

## **2.3 DESCRIPTION AND FUNCTIONS**

Kilkenny County Council is the primary local authority in County Kilkenny. The Council is largely responsible for infrastructural development in the County - roads, water supply and sewerage schemes. Also, the Council provides a wide range of services directly to the public - vehicle and driver licensing, housing loans, higher education grants etc.

**The functions and services of the Council are classified into eight programme groups, as follows:-**

HOUSING AND BUILDING  
ROAD TRANSPORTATION AND SAFETY  
WATER SUPPLY AND SEWERAGE  
DEVELOPMENT INCENTIVES AND CONTROLS  
ENVIRONMENTAL PROTECTION  
RECREATION AND AMENITY  
AGRICULTURE, EDUCATION, HEALTH AND WELFARE  
MISCELLANEOUS SERVICES

## **2.4 FUNDING**

Spending is divided into revenue (or current) and capital expenditure.

**Revenue expenditure** covers the day-to-day operation of on-going services e.g. housing maintenance, roads maintenance etc.

**The main sources of funding are:**

State grants and subsidies;  
Commercial rates;  
Contributions from urban authority;  
Other receipts (e.g. housing rents, loan repayments, fees for services).

**Capital expenditure** covers outlay on the creation of assets e.g. house building, water and sewerage schemes etc.

**The main sources of funding are:-**

- State grants;
- Borrowing;
- Other capital receipts (e.g. sale of land).

## **2.5 MISSION STATEMENT**

“As members and staff of Kilkenny County Council to work with the community we serve and thereby promote the cultural, economic and social development of the County consistent with the preservation of the Environment for future generations “

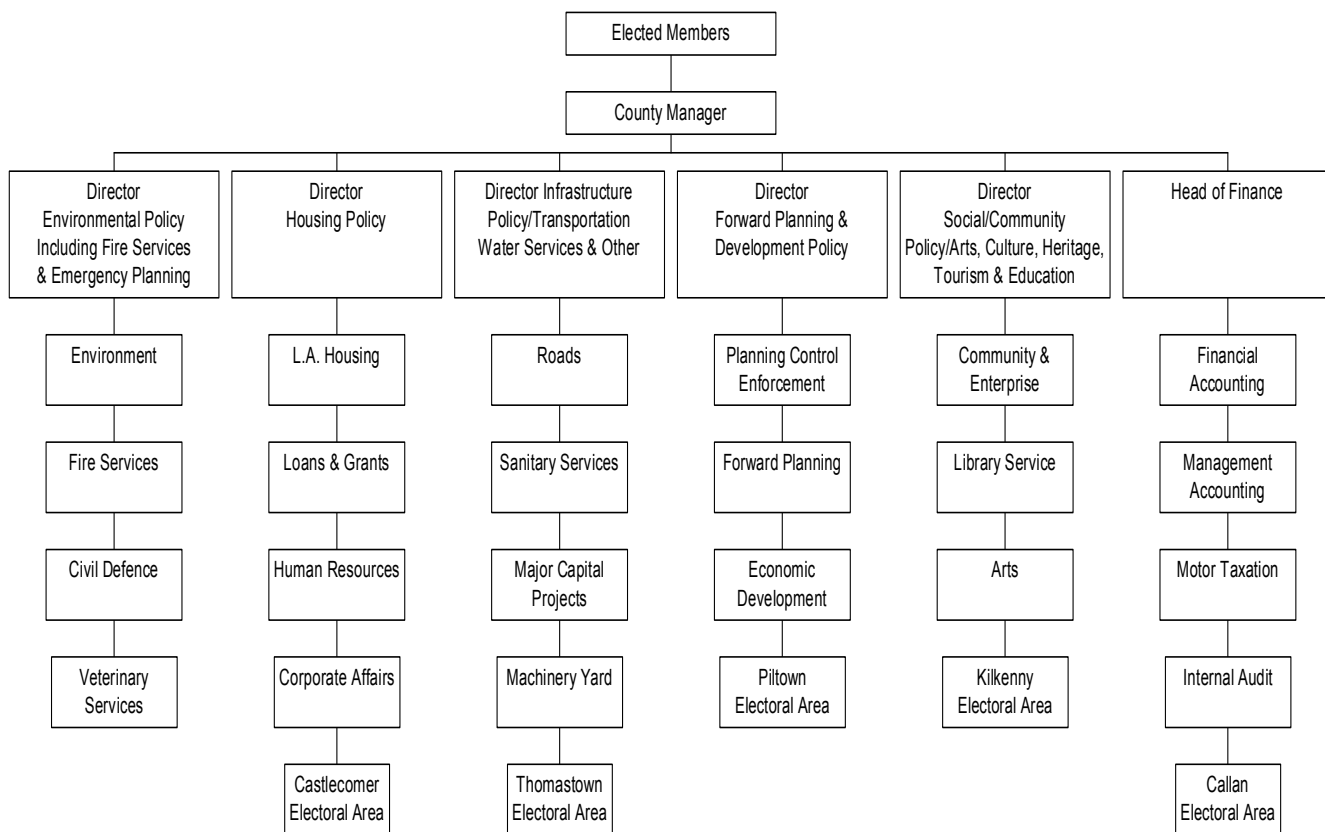
## **2.6 STRUCTURE AND ORGANISATION**

The Council employs approximately 548 staff spread throughout the County providing a wide variety of services. Details of the Council's offices are set out in Appendix 1. A chart outlining the structure and organisation of the Council is set out below. Information on functions, services provided and classes of records held is set out in following chapters.

## **2.7 GLOSSARY OF TERMS**

Local Authority Officers often use terminology to describe their work and the information they hold which may not be familiar to the general public. A glossary of the more commonly used terms is set out at the end of this reference book.





### **3. HOW TO GET INFORMATION UNDER THE FREEDOM OF INFORMATION ACT**

#### **3.1 Applications under the Freedom of Information Act**

Kilkenny County Council will conduct its business in an open and transparent manner. In keeping with this, it will attempt to make available information to the public outside the formal procedures of the Freedom of Information (FOI) Act, if this is the preferred option of the person seeking information, subject to the general scope of exemptions in the Act.

Under the FOI Act, a person is entitled to apply for access to information not otherwise publicly available. **Each person has a right to:-**

- Access to records held by the Council;
- Correction of personal information relating to oneself held by the Council where it is inaccurate, incomplete or misleading;
- Access to reasons for decisions made by the Council directly affecting oneself.

#### **The following records come within the scope of the Act:-**

- All records relating to personal information held by the Council irrespective of when created;
- All other records created from the commencement of the FOI Act (21<sup>st</sup> October, 1998);
- Any records necessary to the understanding of a current record even if created prior to 21<sup>st</sup> October, 1998.

Requests for information under the FOI Act, 1997 [as amended] should be addressed to:-

Freedom of Information Officer,  
Kilkenny County Council,  
County Hall,  
John Street, Kilkenny

**Applications must be in writing** and should indicate that the information is sought under the Freedom of Information Act. If information is desired in a particular form (such as a photocopy, computer disk, etc.) this should be specified in the application. Requests should be as specific as possible to enable the information sought to be

identified. The Council is obliged to respond to FOI requests within four weeks. Requests will be acknowledged within two weeks.

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### **3.2 Rights of Review and Appeal**

The FOI Act sets out a series of exemptions to protect sensitive information. Where the Council invokes these provisions to withhold information, the decision may be appealed. Decisions in relation to deferral of access, charges, forms of access, etc. may also be appealed. Details of the appeals mechanisms are set out in the following paragraphs.

### **3.3 Internal Review**

Applicants may seek an internal review of the initial decision, which will be carried out by an official at a higher level, if:

- a) the applicant is dissatisfied with the initial response received, e.g. refusal of information, form of access, charges etc., or
- b) the applicant has not received a reply within four weeks of the initial application – this is deemed to be a refusal of the request and allows the applicant to proceed to internal review.

Requests for an internal review should be submitted in writing to:-

Director of Service, Corporate Affairs,  
Kilkenny County Council,  
County Hall,  
John Street,  
Kilkenny  
Phone: (056) 7794000  
Fax: (056) 7794004  
E mail: [jmccormack@kilkennycoco.ie](mailto:jmccormack@kilkennycoco.ie)

A request for an internal review must be submitted within four weeks of the initial decision. The Council must complete the review within three weeks. An internal review must normally be completed before an appeal may be made to the Information Commissioner.

### **3.4 Review by the Information Commissioner**

Following completion of the internal review, an applicant may seek an independent review of the decision from the Information Commissioner. An applicant may also

appeal to the Commissioner if the Council does not reply to their request for an internal review of the original decision within three weeks – as this is deemed to be a refusal.

Appeals must be made in writing to the Information Commissioner at the following address:-

Office of the Information Commissioner,  
18 Lower Leeson Street,  
Dublin 2.

Phone: (01) 6395689  
Fax: (01) 6395676  
E-mail: [info@oic.ie](mailto:info@oic.ie)  
[www.oic.ie](http://www.oic.ie)

### **3.5 Summary of Fees**

<b><u>Request for a record</u></b>	<b><u>Standard Fee</u></b>	<b><u>Reduced Fee</u></b>
<b>Initial Request</b>	<b>€15</b>	<b>€10</b>
<b>Internal Review</b>	<b>€75</b>	<b>€25</b>
<b>Review by Information Commissioner</b>	<b>€150</b>	<b>€50</b>
<b>Request for a record or containing personal information</b>	<b>No charge</b>	<b>No charge</b>
<b>Application under section 17 for amendment of a record containing incorrect, incomplete or misleading personal information.</b>	<b>No charge</b>	<b>No charge</b>
<b>Application under section 18 for the reasons for a decision affecting the Individual.</b>	<b>No charge</b>	<b>No charge</b>

**Fee will not apply where a person appeals a decision to charge a fee or deposit of a particular amount under section 47 of the FOI Act.**

**Reduced fee will apply in respect of third parties who appeal a decision of a public body to release their information on public interest grounds.**

**Fees may also be charged in respect of search and retrieval of records as follows :**

- In the case of personal records, no fees will be charged in respect of locating and copying the records requested unless a large number of records are involved;
- In the case of other (non-personal) information, fees may be charged at prescribed rates for (a) the time spent in efficiently locating records [20.95 Euro per hour ] and (b) photocopies of records, a 3½” computer diskette or CD-ROM (that is to say, a compact disk read-only memory). No charges will apply in respect of the time spent by the Council in considering requests.

A deposit may be payable where the total fee is likely to exceed €50.79. In these circumstances, the Council will, if requested, assist in amending the request so as to reduce or eliminate the fee.

**Charges may be waived in the following circumstances:-**

- Where the cost of collection would exceed the amount of the fee;
- Where the information is of particular assistance to the understanding of an issue of national importance; or,
- In the case of personal information, where such charges would not be reasonable having regard to the means of the applicant.

### **3.6 Policy with regard to confidentiality and Freedom of Information**

Kilkenny County Council undertakes to hold information provided by individuals or others on a confidential basis, subject to the Council's obligations under law, including the Freedom of Information Act. If a person providing sensitive information to the Council does not want it disclosed, then it is incumbent upon the person or body when supplying the information to make clear this wish and to specify the reasons for the information's sensitivity. The Council will consult with any individual or body supplying sensitive information before making a decision on any freedom of information request.

#### 4. **HOUSING**

**The overall aim of housing policy** is to enable every household to have available an affordable dwelling of good quality, suited to its needs, in a good environment, and as far as possible at a tenure of its choice.

The general strategy for realising the overall policy aim is that those who can afford to do so should provide housing for themselves, and those unable to do so from their own resources would have access to social housing or income support to rent private housing.

**The Council's functions as a housing authority include:-**

- Provision, maintenance and management of local authority housing and traveller accommodation;
- Support for the provision of social housing projects by voluntary housing bodies under the Capital Assistance and Rental Subsidy Schemes;
- Facilitating home ownership through all options available- tenant purchase, mortgage allowance, shared ownership, low cost housing sites and house purchase loans for social and affordable housing [voluntary, public and private ], as outlined in Departmental housing policy documents.
- Improvement works to privately owned houses in lieu of local authority housing, house improvement loans, disabled persons grants and essential repairs grants;
- Enforcement of rent books, standards and registration of rented houses regulations.

#### **HOUSING SERVICES**

##### **Building / Acquisition of Houses**

An "Assessment of Housing Needs" is carried out by the Council every three years to establish housing requirements in its area. The number of houses built or acquired in any particular year is in accordance with the Council's Action Plan for Social and Affordable Housing in conjunction with Department of the Environment, Heritage and Local Government.

The Council's Architect and in-house design team prepare plans for housing schemes and single rural cottages. The houses are constructed by contract.

##### **Housing Applications**

A person may apply to the Council for housing if unable to provide suitable accommodation from own resources. The Housing Liaison Officer assesses housing applications. To assess an application, reports may be required from a doctor and/or social worker. Each applicant is placed on a waiting list.

As houses become available for letting, approved applicants for housing in the area concerned are listed in order of merit for the purpose of allocating the houses, having regard to the **Scheme of Letting Priorities**.

Each tenant must sign a letting agreement and is given a rent book.

### **Single Rural Cottages**

An approved housing applicant, who has a site and is willing to transfer ownership to the Council, may apply to have a house built on the site for his/her occupation. The application will be considered, subject to title being in order and planning permission being granted.

### **Extensions to Local Authority Houses in lieu of Re-Housing**

This is an option under the Social Housing Plan, an alternative to building a new house. The existing house may be refurbished or extended to alleviate overcrowding or to meet the needs of a disabled person.

### **Improvement Works in lieu of Local Authority Housing**

Under this Scheme, the Council may give financial assistance to an approved applicant for housing for the purpose of improving or extending privately owned accommodation, as an alternative to providing local authority housing. A charge in respect of cost of works is registered on the property Folio in Land Registry. The person is required to make weekly payments over a 15 year period, based on the household income and the cost of the works carried out on the house.

### **Maintenance of Council Houses**

The Council's policy on maintenance of rented houses is set out in its **Statement of Policy on Housing Management**.

Requests for repairs are handled in the area offices in Castlecomer, Newrath, Thomastown, Kilkenny and Callan. Urgent and essential repairs are given priority.

Under the letting agreement, the tenant is required to maintain the house in good condition and to carry out certain repairs which are the responsibility of the tenant as set out in the Tenancy Information Handbook. A Planned Maintenance Programme is carried out as approved by DOEHLG.

### **Housing Rent**

The tenant of a Council house is charged a weekly rent, calculated in accordance with the **Differential Rent Scheme**. The rents are revised annually. Payments may be made in any of the following ways:-

- At Receipts (Cash) Office, County Hall, Kilkenny, during office hours;
- By bank standing order/bank giro;
- An Post Household Budget Scheme;
- An Post Billpay;
- Money Advice and Budgeting Service (MABS).

**Non-payment of housing rent may lead to legal action for recovery of the amount overdue and ultimately to eviction from the house.**

### **Estate Management**

Kilkenny County Council encourages tenant involvement in the management of housing estates. Residents groups have been formed in a number of estates. The Housing Staff meet with these groups regularly to develop estate management initiatives with residents.

### **Anti - Social Behaviour**

The Council can apply to the District Court for an "Excluding Order" against



a person including a joint tenant engaging in anti-social behaviour. A Housing Authority can refuse to let a house, refuse to sell a house under a Tenant Purchase Scheme or refuse an application for consent to sale of a house to a person where the Authority is of the opinion that the person is or has been engaged in anti-social behaviour.

### **Traveller Accommodation**

Applications for housing are received from travellers and assessed in the normal way. The provision of suitable accommodation may involve group housing schemes or halting sites.

### **Accommodation for Homeless People**

Where a person finds him/herself homeless, the Council can organise emergency hostel accommodation on a short term basis, while suitable private rented accommodation is being sought.

### **Tenant Purchase Scheme**

This Scheme allows the tenant of a Council house to buy the house. The purchase price will be the market value as determined by the Council's technical staff, less any discounts allowable under the Scheme. If dissatisfied, the tenant may submit an independent valuer's report. In case of dispute, the issue is decided by the Commissioner of Valuation. The tenant must raise the necessary funds from own resources or by means of a bank/building society or local authority loan.

### **Private Sites**

In some instances persons in need of housing may be able to purchase sites from the Council at a reasonable cost in areas where land is available..

### **Affordable Housing**

The Council facilitates the construction of houses to be sold to eligible applicants at a substantial discount from market values.

Applicants should be:-

- Persons in need of housing who meet income limit requirements;
- Tenants (minimum of 1 year) of houses provided by approved housing bodies under the Rental Subsidy Scheme, who intend to return their houses to the voluntary housing body; or
- Tenants and tenant purchasers of local authority houses, who intend to surrender their existing houses to the authority.

Allocations are made in accordance with a Scheme of Letting Priorities.

Properties acquired under this Scheme are subject to a clawback, if sold within a specified period.

### **House Purchase / Construction / Improvement Loan**

A person who cannot get a loan from a bank, building society or other lending agency, may apply to the Council for a loan -

- to purchase a house or build a house for the first time;
- to carry out necessary structural improvements to an existing house.

**Failure to make loan repayments may lead to legal action for recovery of the amount overdue and ultimately to repossession of the house.**

**Shared Ownership Scheme**

This Scheme offers an opportunity to those who cannot afford to purchase outright, to buy a house in stages. Initially, ownership of the house is shared between the Council and the purchaser. The Council's share must be bought out by the purchaser within twenty-five years. A subsidy towards the rent is available for shared owners on low income.

**Mortgage Allowance Scheme**

Under this Scheme, a subsidy is available to a tenant/tenant purchaser of a local authority house who surrenders the house and borrows in excess of a specified amount to buy or build a private house.

**Disabled Persons Grant**

Grant assistance is available towards the cost of works required to adapt a house to meet the needs of a member of the household who is either physically or mentally disabled. The maximum grant payable cannot exceed 90% of the approved cost of the works subject to a maximum. An income limit applies.

**Capital Assistance Scheme**

Under this Scheme, voluntary housing bodies provide housing for the elderly, disabled persons and/or homeless people. The Council grants approval to the voluntary body and arranges funding for these projects.

**Capital Loan and Subsidy Scheme**

This Scheme enables voluntary housing bodies to provide family type housing. Projects are financed by way of local authority loans for families who must be approved applicants on the local authority housing list and

who satisfy the required income criteria..

**National Lottery Grants**

Grants are payable towards the cost of provision of communal facilities in new or existing housing projects provided by approved Housing Bodies.

**Private Rented Accommodation**

Under the Housing (Rent Books) Regulations 1993, and Housing [Standards for Rented Houses] Regulations 1993 the local authority has the power to investigate breaches of the regulations and to prosecute offences, which carry substantial financial penalties.

## **INFORMATION AVAILABLE**

Details of statutory plans etc. and leaflets relevant to this Section are included in Appendices 3 and 4. Further information on housing services can be requested from:-

**Housing Section**, County Hall,  
Kilkenny.  
Phone (056) 7794000 Ext.4355  
**Loans and Grants Section**, County Hall Kilkenny  
Phone [056] 7794000 Ext.4360

Further information on maintenance of local authority houses can be requested from:-

**Area Office, Castlecomer, Co.Kilkenny.**  
Phone (056) 4441251  
**Area Office, Kilkenny.**  
Phone (056) 7794260  
**Area Office, Callan, Co.Kilkenny**  
Phone (056) 7755520  
**Area Office, Newrath, Co.Kilkenny**  
Phone (051) 831370  
**Area Office, Thomastown, Co.Kilkenny**  
Phone [056] 7793340

## **CLASSES OF RECORDS**

The classes of records held by the Housing / Loans and Grants Sections are as follows:-

### **Personal Information**

- Housing applications/supporting documentation/relevant reports;
- Letting agreements;
- Individual rent assessments;
- Applications for registration of

private rented accommodation from landlords;

- Tenders (building projects);
- Loan and grant applications/supporting documentation/relevant reports;
- Applications from individuals and voluntary housing bodies under various social housing schemes/supporting documentation/relevant reports;
- Mortgage documents;
- Subsidy claims under social housing schemes;
- Records relating to individual rent, annuity and loan accounts;
- Correspondence from the public.

### **Administration**

The Sections hold files on:

- Housing estates, single rural cottages, group housing schemes, halting sites, purchase and sale of land, and various social housing schemes.
- Financial records, statistics, internal administration and miscellaneous correspondence.

## **5 ROADS, TRANSPORTATION AND SAFETY**

The overall objective is to develop a public road network adequate to cater for the ever increasing volume of modern traffic and to provide the necessary infrastructure to support economic and social development, with due regard for the safety and amenity of all road users.

Kilkenny County Council has two broad functions in relation to roads:

- \* the repair of existing roads
  
- \* the construction of new roads.

### **ROADS STAFF STRUCTURE**

**Roads Administration** - The Director of Services has overall responsibility for Roads Administration with day to day customer services falling to the Senior Executive Officer and staff of the Roads Section.

### **Roads Design, Construction and Maintenance -**

The Director of Services has overall responsibility for the design, construction and maintenance of roads. He fulfils this role with the assistance of one Senior Engineer and one Senior Executive Engineer (Design) working together with five Senior Executive Engineers in the Area Offices and teams of engineers, technicians and roadworkers. A Project Co-ordinator is in charge of the N8 Cullahill to Cashel and N9 Kilcullen to Waterford.

The Council operates its principal Engineering/Maintenance activities from 5 area offices at Newrath, Callan, Thomastown,

Kilkenny and Castlecomer ; the Council's new Machinery Yard/Stores Headquarters is located at the Hebron Industrial Estate, Hebron Road, Kilkenny. Road Design functions are carried out at Dean Street in conjunction and co-operation with the National Roads Authority Regional Road Design Office based at Tramore. Road administration functions are mainly carried out at County Hall with the remainder in Dean Street.

### **ROADS SERVICES**

### **IMPROVEMENT AND MAINTENANCE OF NATIONAL ROADS**

#### **2.1.1 National Primary Roads**

Kilkenny County Council is the road authority for the National Primary Roads in the County.

A number of major road schemes were funded and completed in 2003. A number of significant Road Schemes will be undertaken in Kilkenny under the National Development Plan 2000 – 2006.

#### **2.1.2 National Secondary Roads**

Kilkenny County Council is the road authority for the National Secondary Roads in the County.

### **National Roads Authority;**

The National Roads Authority has overall responsibility for planning and supervising the construction, improvement and maintenance of the network of national roads (including the access routes to the principal ports and airports).

National Roads Authority staff are engaged in the preparation of road designs for major schemes in consultation with the Council. The Authority's regional office is located at Tramore, Co. Waterford. Road designs for other schemes on national roads are prepared by the Council's

design team in consultation with the Regional Design Office and the NRA.

The extent of improvement and maintenance works on national roads depends on the annual grant allocation made by the National Roads Authority. Major improvement works are carried out by contract. The Council acts on behalf of the Authority in the placing and supervision of road works contracts. Routine maintenance works are carried out by direct labour and with plant/machinery hired by the Council as necessary.

Following notification of the grant allocation by the Department of the Environment and Local Government, a programme of works is prepared (Annual Road Works Scheme in County Kilkenny). Over 80% of the roadworks on non-national roads are carried out by direct labour, with contractors being employed for the peak season and for specialist macadam work. The selection of projects and the manner of their execution seeks to optimise the return from expenditure incurred.

## **IMPROVEMENT AND MAINTENANCE OF NON-NATIONAL ROADS**

### **2.1.4. Regional Roads**

Kilkenny County Council is the road authority for the Regional Roads in the County.

### **2.1.5. Local Roads (Maintenance)**

Kilkenny County Council is the road authority for the Local Roads in the County excluding urban areas.

### **2.2.3 Local Roads (Improvement)**

Kilkenny County Council is the road authority for the Local Roads in the County excluding urban areas.

Kilkenny County Council regards the maintenance and improvement of non-national roads as a priority. In addition to the annual Department of the Environment and Local Government discretionary grant allocation, the Council commits significant resources to maintenance and improvement works.

### **Special Restoration Programme**

In 1995, the Government approved a major ten-year restoration programme for the non-national roads. The improvement works under this programme involve surface dressing, surface restoration or road reconstruction. In the case of maintenance works, particular attention must be given to the provision/restoration/maintenance of roadside drainage.

Funds are being allocated to that part of the network which is most deficient, not on a geographical basis. The record funding available will ensure that real progress can be made in eliminating unsatisfactory road conditions encountered in many areas and securing lasting improvements in the condition of the roads.

### **EU Co-financed Projects**

In 1994, a scheme of specific grants was introduced to meet 100% of the cost to local authorities of individual road improvement projects. Improvement projects approved for specific grants qualify for assistance from the European Regional Development Fund as part of the Operational Programme for Transport.

These co-financed projects must have a significant impact on employment and promote rural development/agriculture or economic activity in industry, tourism, fisheries or forestry. Projects are usually carried out by contract.

### **Community Involvement in Road Works Scheme - Non-National Roads**

This scheme allows residents of low traffic-volume minor public roads and cul-de-sac

(Class 2 and Class 3 Local Roads) on which the Council are not in a position to undertake regular maintenance works to contribute to such works either by direct payment or in kind by undertaking preparatory works. The Council will undertake the works and cover 75% of the cost.

### **Public Lighting**

As a Road Authority, Kilkenny County Council is responsible for the provision and maintenance of public lighting. Traffic-route lighting is generally provided in the course of road improvement works. The E.S.B. arranges the supply, installation and maintenance of public lighting on behalf of the Council. A total of €40,000 was allocated to upgrade all public lights in the County as part of a 4 year programme from 2004 - 2007.

### **Multi Annual Programme for Non-National Roads**

Kilkenny County Council has prepared a multi annual programme for non-national roads setting out medium term plans for the development of roads over a 4 year period 2002 - 2005. The Programme is concentrating on improvement works which preserve the investment in the existing roads infrastructure. The Council operates an annual procedure for the taking-in-charge of Housing Estate roads etc.

### **ROADS SCHEDULE AND MAP**

Kilkenny County Council keeps a schedule and map of all public roads for which it has responsibility.

## **LOCAL IMPROVEMENT SCHEMES**

Kilkenny County Council has power under the Local Government (Roads and Drainage) Act, 1968 as amended, to construct and improve certain non-public roads and to undertake minor drainage improvements. The expenses of the Council in carrying out local improvement schemes are met partly by State grant and partly by local contribution (10% - 40% of the cost). Future maintenance is the responsibility of the users.

## **LICENCES, PERMITS, ETC.**

### **Road opening licence**

A person who wishes to open a public road or footpath for any purpose must obtain a road opening licence. Application forms are available at the County Hall and area offices.

### **Heavy load permit**

A special permit is required for the use on a public road of any vehicle or trailer in case the laden weight, dimensions etc. exceed allowed limits. Application forms are available at the County Hall.

### **Temporary Closing of Roads**

A road authority has power to temporarily close public roads for road races or other events, to permit the carrying out of works, or for any other purpose. The regulations relating to the temporary closing of roads require the publication of two notices:

- (1) A notice of intention to temporarily close the road;
- (2) A notice of the decision to temporarily close the road.

**The notice of intention must allow for objections to be made in writing to the road authority within a specific period being not less than 3 days from the date of publication of the notice.** The road authority must consider any objections received and not withdrawn.

### **Dangerous structures, trees etc.**

A road authority can serve a written notice on a landowner or occupier requiring the carrying out of specified works within a period of time stated in the notice to ensure the safety of those using or working on a public road. A person on whom a notice has been served may appeal to the District Court against the notice within fourteen days. The road authority can also take

action itself to deal with immediate and serious hazards where it is imperative that a danger be removed at once.



### **Unauthorised signs, caravans, vehicles on public roads**

A road authority has power to remove unauthorised signs on public roads; also, unauthorised caravans, vehicles etc. used for advertising, the sale of goods or the provision of services on public roads. It must return to the owner any sign, caravan, vehicle etc. removed by it, but can seek to recoup any reasonable costs incurred by it. However, disposal by the road authority is permitted in certain circumstances.

### **Information Available**

A list of Council and other publications and DOELG leaflets relevant to the Roads Department is included at Appendix A. In addition, the Council's FOI Section 16 Reference Book contains further information regarding the rules and practices relevant to the Roads Department.

### **Roads Section**

County Hall, John Street, Kilkenny.  
Phone (056)7794060 Ext.4043,4068,4064

Road Design, Dean Street, Kilkenny.  
Phone (056)7791300 Ext.4305,4300, 4306, 4302

Kilkenny Area Office, Council Machinery Yard,  
Hebron Industrial Estate, Hebron Road,  
Kilkenny.  
Phone (056)7794290 Ext. 4293,4295,4291.

Callan Area Office, Callan, co. Kilkenny.  
Phone (056)7755520 Ext.4321,4323,4322.

Castlecomer Area Office, Kilkenny Street,  
Castlecomer, Co. Kilkenny.  
Phone (056) 4440550 Ext.4452,4453, 4451.

Newrath Area Office, Newrath, Via Waterford,  
Co. Kilkenny.  
Phone (051) 831370 Ext.4272,4274,4271

Thomastown Area Office, Thomastown, Co.  
Kilkenny.  
Phone (056)7793340 Ext.4342,4345, 4341

Council Machinery Yard, Hebron Industrial  
Estate, Hebron Road, Kilkenny.

Phone (056)7794283 Ext 4282

### **Classes of Records**

The classes of records held by the Roads Department are as follows:

Tenders for Road Works and other  
Contracts  
Plant and Materials Tenders  
Operational details in relation to schemes  
e.g. maps/design details.  
Applications for Local Improvement /  
Community Involvement Schemes  
Files in relation to Road Works and Road  
Conditions.  
Contracts for the provision and maintenance  
of schemes.  
Financial records in relation to the operation  
of the Section Lists of suppliers and  
terms of service  
Correspondence from the public  
Applications for Advertising Signs/Road  
Opening Licences  
Creditors Tax Details - C2 and C46  
Applications.  
Roads Schedule and Maps  
Legislation and DOELG Guidelines in  
relation to the functions of the Section  
Annual Road Works Scheme and 5 year  
Plan  
National and Non-National Roads and  
Bridges  
Land Transactions/Compulsory Purchase  
Orders etc.  
Community Involvement in Local Roads  
Certificates of Roads and Services  
Taking-in-Charge of Roads  
Abandonment of Roads  
Extinguishment of Public Rights of Way  
Heavy/Abnormal Load Permits  
Dangerous Trees and Structures  
Unauthorised Casual Trading on Public  
Roads  
Road Traffic Matters - Speed Limits, Traffic  
Lights, Road Signs etc.  
Public Lighting  
Temporary Closing of Roads

### **Administration;**

The Roads Department also holds files on a range of administrative issues including files on financial matters, statistics, miscellaneous correspondence and internal administration files including instructions and guidance to staff. Kilkenny City area is designated as a taximeter area.

Under the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1995, Local Authorities became responsible for licensing of taxis and hackneys.

The local authority has the power to

- introduce full taxi services to new areas by creation of taximeter areas.
- decide the number of taxis to be licensed in a taximeter area.
- decide the maximum fares which can be charged by taxis in individual taximeter administration files including instructions and guidance to staff.

## 6 MOTOR TAXATION

The Motor Tax Office provides a wide range of services in relation to Motor Taxation (Vehicle Licensing) and Driver Licensing on an agency basis for the Minister for the Environment and Local Government.

### **DRIVER LICENSING**

#### **Provisional Licence**

A provisional licence is a licence issued to enable a person to learn to drive and to apply for a driving test.

Applications for first provisional licence must be accompanied by a valid Theory Test Certificate for the category/categories concerned.

For further information phone 1890 616 106.

The holder of a provisional licence may apply to have the licence renewed. However, where applying for a third or subsequent licence evidence is required of having:-

undergone a driving test within two years of date of application

or

written notification from Dept of Transport of having applied for a driving test.

A provisional licence is issued for one or two years as appropriate.

#### **Driving Licence**

A "full" driving licence is first issued where applicant has recently passed a driving test or where applicant wishes to exchange a driving licence issued by another EU Member State or "recognised country". The holder of a driving licence may apply within a month of its expiry to have it renewed.

A one, three or ten year licence is granted as appropriate.

#### **PSV Driver's Licence**

Drivers of small public service vehicles must obtain a special PSV driver's licence before they can drive this category of vehicle. The relevant fee is paid to the Motor Tax Office and the PSV licence is issued by An Garda Síochána following a special test.

### **VEHICLE LICENSING (MOTOR TAX)**

#### **Vehicle Licence (Tax Disc)**

Vehicles which are used on public roads must be licensed. To apply for a first licence, the vehicle must have already been registered by the Revenue Commissioners. Renewal is required on expiry of the first licence and either quarterly or half yearly or yearly thereafter. The periods covered by each licence must be consecutive and any "gaps" must be covered by a declaration witnessed at a garda station relating to non-use of the vehicle or by the payment of arrears.

Testing of private cars, known as National Car Test (NCT) has been phased in over the past few years. All private cars which are over four years old are now tested.

In the relevant year cars are tested on the anniversary of the first registration date and subsequent tests are carried out every TWO years.

For further information phone 1890 412 413

#### **Change of Ownership**

Where a vehicle changes ownership, the person selling the vehicle should ensure that notification is sent to the appropriate authority. Otherwise her/his name will continue to appear as the registered owner of the vehicle and s/he could be held accountable for parking or other offences involving the vehicle.

#### **Supply of licensing particulars**

The Motor Tax Office supplies, free of charge, full particulars of any licensed vehicle to - any other licensing authority, An Garda Síochána, the Revenue Commissioners, any Department of State or any Local Authority exercising functions pursuant to the Local Authorities (Traffic Wardens) Act, 1975.

It will also supply such information to any person who has a reasonable cause for requiring it, at a fee as set down from time to time.

#### **Court Certificates**

Court Certificates are requested from the Motor Tax Office by An Garda Síochána and other local authorities. The purpose of a court certificate request is to ascertain the registered owner and tax particulars of a vehicle on a given date. The court certificate is presented

as a form of evidence in court regarding offences and also to assist in the collection of parking fines by local authorities.

### **Trade Licence**

To enable persons involved in the sale and repair of vehicles to carry out their business, a facility exists whereby on payment of an annual licence fee a special unique number (**Trade Plate**) may be assigned to a motor trader. The trade plate can be displayed on any vehicle used as part of the trader's business.

Trade licences may be issued for a maximum period of one year.

**If an application for a trade licence is refused, the applicant has a right of appeal against such refusal to the District Court.**

### **Weighbridges**

There are 9 Authorised Weighbridges in the Kilkenny County Council area.

Glanbia Plc,  
Fair Green,  
Kilkenny. (056-7794500)

Glanbia Plc,  
Bennettsbridge,  
Co. Kilkenny. (056-7727104)

Glanbia Plc,  
Ballyhale,  
Co. Kilkenny. (056-7768603)

William Connolly & Sons,  
Red Mills, Goresbridge,  
Co. Kilkenny. (059-9775800)

Callan Co-op Ltd.,  
West Street, Callan,  
Co. Kilkenny. (056-7725146)

### **Repayment**

Repayments are made in cases where an error was made in the calculation of the appropriate duty at the time the vehicle was taxed or the duty was paid more than once for the same vehicle for the same period. The overcharge is refunded in full.

### **Refund**

A refund may be made in certain circumstances on the surrender of a current valid licence.

Graiguenamanagh,  
Co. Kilkenny. (059-9724200)

Glanbia Plc,  
Ballyragget,  
Co. Kilkenny (056-8833107)

John Dalton & Sons,  
Freshford Road,  
Kilkenny (056-7721705)

Kilkenny County Council,  
Market Street, Castlecomer,  
Co. Kilkenny. (056-4441251)

### **Trailer and Semi-Trailer Licensing**

There is a legal obligation to register and licence certain trailers and semi-trailers used for the carriage of goods. The requirements do not apply to agricultural trailers.

Renewal is required on the expiry of the first licence issued and annually thereafter. The periods covered by each licence must be consecutive and any "gap" must be covered by a declaration witnessed at a garda station relating to non-use of the trailer or by the payment of arrears.

### **Certificate of Roadworthiness**

Certain vehicles are subject to roadworthiness requirements prior to licensing. Vehicle testing is operated by approved garages appointed by the Council (see below). These garages conduct tests on vehicles, record the results and issue pass or fail statements of results to the vehicle owners as appropriate. A pass statement may be exchanged for a Certificate of Roadworthiness at any time within its period of validity at the appropriate Motor Tax Office. All Certificates of Roadworthiness are now valid for a period of one year from the date of testing.

### List of Authorised Testers

#### **Light Goods Vehicles      Heavy Goods Vehicles**

Kilkenny Truck Centre, Callan Road, Kilkenny. Phone (056) 7722830	*	*
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McCarthy Commercials Ltd., Hebron Industrial Estate, Kilkenny. Phone (056) 7763122	*
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Freshford Garages Ltd., Freshford, Co. Kilkenny. Phone (056) 7732234	*
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Pierce Kavanagh Properties Ltd., Urlingford, Co. Kilkenny. Phone (056) 8831213	*
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Rolor Commercials, Grannagh, Via Waterford, Co. Kilkenny. Phone (051) 877930	*	*
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**Heavy goods vehicles are vehicles with an unladen weight greater than 1,524kgs.**  
Light goods vehicles are vehicles with an unladen weight of 1,524kgs or less.

## **TAXI AND HACKNEY LICENCES**

Local authorities are responsible for the licensing of small public service vehicles (passenger accommodation of eight persons or less).

There are no existing taximeter areas in County Kilkenny. Kilkenny County Council is the licensing authority for hackneys in the County excluding urban areas. Kilkenny Borough Council is the licensing authority for taxis. The Council may apply conditions to the operation of hackneys.

A hackney licence is generally valid for a period of one year. An application for renewal must be made within two months of the date of expiry of the licence. A hackney licence may not be transferred to another person.

**If the Council refuses to grant or renew a hackney licence, the applicant may appeal against the decision to the District Court.**

## **INFORMATION AVAILABLE**

Further information on these services can be requested from:

**Motor Taxation Office, County Hall, John Street, Kilkenny.**

Phone (056) 7794100.

Fax (056) 7794004

E-mail [motortax@kilkennycoco.ie](mailto:motortax@kilkennycoco.ie)

Website [www.kilkennycoco.ie](http://www.kilkennycoco.ie)

## **CLASSES OF RECORDS**

The classes of records held by the Motor Tax Office are as follows:-

### **Personal Information**

- Applications for driving licences/supporting documentation;
- Correspondence from the public.

### **Administration**

The Office holds files on:

- Vehicle and trailer licensing, trade licences, certificates of roadworthiness and hackney licences.
- Statistics, financial records, instructions to staff and miscellaneous correspondence.

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## **7 SANITARY SERVICES**

### **Kilkenny County Council aims -**

- To provide a high quality water supply throughout the County;
- To provide efficient systems for collection and treatment of sewage and other waste waters;
- To ensure that the sanitary infrastructure will protect and enhance the environment.

### **Public Water Supply and Sewerage Schemes**

Kilkenny County Council is responsible for the provision and maintenance of 14 public water supply schemes and 12 public sewerage schemes in its area.

Plans for new schemes and the upgrading of existing schemes are implemented on a phased basis as funding becomes available. Consultants are engaged to design major schemes and the work is carried out by contract. The maintenance of the schemes is carried out by Council staff.

Under an EU Directive known as the Waste Water Directive, local authorities must treat waste water to a certain standard. The Council has embodied the objectives set by the Directive in its sanitary improvement schemes throughout the County.

### **Drinking Water Quality**

Sanitary authorities are now required to ensure that all drinking water meets stringent quality standards in respect of a series of physical, chemical, toxic and microbiological parameters. Testing is carried out systematically by Kilkenny County Council to ensure a pure and safe supply of water. The Council has prepared an action plan, which includes a regime for the prevention of contamination of drinking water supplies and response procedures to deal with possible contamination of supplies.

### **Fluoridation of Water Supplies**

There is an obligation to add a minute proportion of fluorine to public piped water supplies. The object is to combat tooth decay. The cost is borne by the South Eastern Health Board.

### **Public Conveniences**

The Council maintains 6 public conveniences throughout the County.

### **Water and Sewerage Connections**

Any person wishing to connect premises to the Council's watermains or sewerage system must apply for permission. An application form should be completed and returned to the relevant Area Office. The cost is notified to the applicant on receipt of application.

### **WATER CHARGES**

The Council charges for the supply of water for purposes other than domestic. The charge may be a fixed amount or based on the quantity of water used.

Payments may be made in any of the following ways:-

- At the Receipts Office, County Hall, Kilkenny during office hours.
- Directly to the Revenue Collector.

**Non-payment of water charges may lead to legal action for recovery of the amount due and to disconnection of the supply.**

### **Assistance for Group Water and Sewerage Schemes**

A group of two or more householders can get together to provide themselves with a water supply or sewerage facilities where no such supply or facilities already exist. Grants are available from the Council for group schemes. The Council also assists with the design and supervision of these schemes.

### **Subsidy Towards Operational Costs of Group Water Schemes**

An annual subsidy is payable by the Council to group water schemes towards the operational costs of supplying water for domestic use. It is payable in the case of schemes supplied from both private and local authority sources.

### **Grant for Private Individual Water Supply**

A grant is available from the Council to assist with the provision or upgrading of a water supply in the case of a house, which has not access to either the public water supply or a group scheme, which is over 7 years old. Other conditions also apply and are set out in the explanatory memorandum, which is available from the Sanitary Services Office or any of the Area Offices.

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### **Nuisances (Public Health)**

The Sanitary Authority, if satisfied a Public Health Nuisance exists can serve Notices. If a person on whom a notice is served does not comply with the notice, the authority may apply to the District Court for a Court Order. **An appeal may be made to the Circuit Court against the order of the District Court.** If the Court Order is not obeyed, the



sanitary authority can enter the premises, carry out the necessary works and recover the expenses of so doing from the person..

### **Temporary Dwellings – Prohibition Order**

The sanitary authority may prohibit the erection or retention of temporary dwellings on any land or water in its area.

Notice of the making of a Prohibition Order must be published. **A person aggrieved by such an order may apply within fourteen days from its publication to the Minister for the Environment Heritage and Local Government for an annulment of the order.** The Minister may annul the order or confirm it, with or without variation/s.

Once the Order comes into force, the authority must publish the fact.

### **INFORMATION AVAILABLE**

Further information on sanitary services can be requested from:-

**Sanitary Services Section,**  
County Hall,  
Kilkenny.  
Phone (056) 7794050.

### **Information Available;**

A list of Council and other publications and DOELG leaflets relevant to the Sanitary Services Department is included in Appendix A.

In addition, the Council's FOI Section 16 Reference Book contains further information regarding the rules and practices relevant to the Sanitary Services Department.

The classes of records held by the Sanitary Services Department are as follows;

Contracts for the provision and maintenance of schemes.  
Negotiations regarding Wayleaves/Water Abstractions  
Individual/group applications for Grants Schemes  
Individual/group applications for water and sewerage connections.

Complaints/Investigations regarding Public Health nuisances

Water quality monitoring results.

Lists of suppliers and terms of service

Correspondence from the public

Files re Local Authority Water Charge Accounting system/Sanitary Services legislation. Consumer information in relation to water charges and water consumption.

Plan for protection of Water Supplies- sets out the Councils planned response to incidents that threaten the public water supply and gives details of all schemes and contact staff.

Explanatory memorandum on Grants for provision or necessary improvement of an individual water supply to a house.

Details of Grants available in respect of Group Schemes.

Details of Water Abstraction Orders.

Conditions and fees for water and sewerage connections.

Operational details in relation to schemes e.g. maps of pipe works.

Legislation /Guidelines in relation to Sanitary Services functions

Financial records in relation to the operation of water and sewerage schemes

### **Administration;**

The Sanitary Services Department also holds files on a range of administrative issues including files on financial matters, statistics, miscellaneous correspondence and internal administration files including instructions and guidance to staff.

## 8 PLANNING AND DEVELOPMENT

**The overall objective** is to implement the provisions of the Planning Acts and provide appropriate support measures in order to promote the physical, social and economical well being of the County in the interest of the common good.

### PLANNING SERVICES

#### **Planning Control**

Subject to a number of exemptions, planning permission is required from the Council before undertaking any development in its area. The Council displays weekly lists of planning applications at County Hall and the Library Headquarters. **Any person can see a copy of an application and make written submissions or observations to the Council on any planning aspect of it.** These must be considered by the planning authority when determining the application.

In dealing with applications, the planning authority is restricted to considering the proper planning and development of the area. Regard must also be had to the relevant development plans. Projects which are likely to have significant effects on the environment must be subjected to an assessment of such effects.

**All documents received from the applicant by the planning authority in respect of a planning application are available for inspection by the public from the date of receipt. Technical reports prepared by or on behalf of the authority are available for inspection by the public from the date of decision. Copies of all or part of any planning application file are available for purchase.**

#### **Pre-planning Enquiries**

Kilkenny County Council hold pre-planning consultation meetings on a weekly basis in each of the area offices. The purpose of these meetings is to assist those with an interest in applying for planning permission (pre-application consultation) or in replying to requests for further information on existing applications.

#### **Planning Appeals**

An applicant for permission and any person/body who made submissions or observations in writing in relation to the planning authority in accordance with the permission regulations and on payment of the appropriate fee, may, within a period of 4 weeks from the date of the decision of the Planning Authority, appeal such decision of the Planning Authority to An Bord Pleanála, Floor 3, Blocks 6 and 7, Irish Life Centre, Lower Abbey Street, Dublin 1. The appropriate fee must accompany each appeal.

A person who has an interest in adjoining lands in respect of which a decision to grant permission has been made, may apply to Bord Pleanála for leave to appeal the decision.

Legal proceedings challenging the validity of a decision may only be challenged by way of judicial review in the High Court within 8 weeks of the date of the decision.

### **Planning Enforcement**

The planning authority has wide enforcement powers to ensure development is carried out in conformity with planning permission. It can also halt and rectify unauthorised development.

- Warning Notice
- Enforcement Notice
- Court Injunction
- Legal Action for breach of planning laws

### **Compensation**

In exceptional circumstances, compensation is payable by the planning authority for a reduction in land value resulting from a refusal of planning permission or a grant of permission subject to conditions. Also, compensation may be payable to an occupier of land for any damage to his trade or business occasioned by planning restriction. Claims for compensation must normally be made within six months of the decision.

### **Local Authority Developments**

There is a procedure for public notice and consultation in the case of developments proposed by local authorities.

### **Development Plans**

The Council is obliged to make a development plan and review the plan at least every six years. The plan consists of a written statement and a map or series of maps. It sets out the land use, amenity and development objectives and policies of the Planning Authority.

The Planning Authority must give notice, not later than 4 years after the making of a development plan, of its intention to review its existing plan and to prepare a new development plan. Any person may make submissions or observations regarding the review of the existing plan and preparation of the new plan within a specified time which shall not be less than 8 weeks from the date of notice.

Following consideration of the proposals received, the Planning Authority must prepare a draft development plan which is put on public display for a period of not less than 10 weeks. Any person can make submissions regarding the development plan. All comments are taken into consideration. If the draft is then materially altered, the amendments go on further public display for a period of at least 4 weeks during which

time fresh public comment may be made on these amendments. Following consideration of any new comments, the plan is formally adopted.

#### **Local Area Plans**

The Council may make Local Area Plans for specific areas. The making of these plans is similar to the County Development Plan process.

#### **Signage**

Under Section 254 of the Planning and Development Act 2000 the Planning Authority can grant licences for signs on public property. There is an annual licence fee.

#### **Public Rights Of Way**

The planning authority may create public rights of way by agreement or compulsorily.

#### **Urban & Village Renewal Scheme**

The Council is currently operating a grant scheme in co-operation with the Department of the Environment Heritage and Local Government under the National Development Plan Urban and Village Renewal Programme of the Regional Operational Programme 2000-2006. Five projects are carried out each year in consultation with local communities.

#### **Town Renewal Scheme**

The Town Renewal Scheme applies to Callan, Castlecomer, Thomastown, Urlingford, Piltown and Graiguenamanagh in County Kilkenny. This is a tax incentive scheme to encourage the redevelopment of the core areas of these small towns in County Kilkenny.

#### **Conservation Grant Scheme**

The Council operates the Department of the Environment, Heritage and Local Government Conservation Grant Scheme on an annual basis. Grants are available for 50% of the cost of works to a Protected Structure subject to a maximum of €13,000. The scheme is advertised in January of each year.

#### **Derelict Sites**

The Council maintains a register of Derelict Sites which is administered through the Staff Officers in the Area Offices.

#### **Building Control**

Prospective developers must lodge a Commencement Notice with the Council not less than fourteen days and not more than twenty eight days before works commence on development. The Planning Section keeps a record of commencement notices received.

#### **INFORMATION AVAILABLE**

Details of statutory plans etc. and leaflets relevant to Planning Section are included in Appendices 3 and 4.

Further information can be requested from:-

**Planning Section**, County Hall, John St., Kilkenny.  
Phone (056) 7794010

## **CLASSES OF RECORDS**

The classes of records held by the Planning Section are as follows:-

### **Personal Information**

- Planning Consultations;
- Complaints in relation to alleged unauthorised developments;
- Files on Warning Notices;
- Files on Enforcement Notices;
- Schedule of Private Practitioners
- Correspondence from the public.

### **Administration**

The Sections hold files on:

Planning applications, review and variation of development plans, licensing under Section 254, Section 5 Declarations, Commencement Notices, Section 57 Declarations, Licence applications for Events, Record of Protected Structures, Certificates of Exemption under Section 97.

Solicitor enquiries, planning search files

Department of Agriculture – Forestry proposals/Tree Felling Licences

Town Renewal Scheme, Urban & Village Renewal Scheme, Financial records, statistics, internal administration and miscellaneous correspondence.

## **9. ENVIRONMENT**

### **The main objectives are:-**

- To promote sustainable development.
- To provide an efficient Waste Management infrastructure and implement the Waste Management Plan.
- To maintain proper regulatory and monitoring system for environmental protection and control of pollution.

### **ENVIRONMENTAL SERVICES**

#### **Waste Disposal**

In the event of any incident with waste which causes or is likely to cause environmental pollution, the holder of the waste is required to give prompt notification to the Local Authority and, in the case of hazardous waste, to the Environmental Protection Agency (EPA).

#### **Movement of waste consignments**

The Council receives notification where a consignment of hazardous waste is to be transported through the County by way of a C1 Form and where waste is being shipped outside of the state authorisation must be given from the authority in which the waste is being exported from, this record is tracked by way of TFS (Transfrontier Shipment Form).

#### **Operation of Landfill Sites**

The Councils Landfill and Civic Amenity Site is located at Dunmore, Co. Kilkenny approximately 5kms from the city. Hours of opening:

Monday – Friday	8.30a.m. – 4.00 pm
Saturday	8.00a.m. – 12.00 noon

Various methods of payment are accepted at Dunmore, i.e. cash, cheque, credit card and laser card. Credit terms are not operated at the site. A waste licence is required from the Environmental Protection Agency in respect of this facility.

#### **Domestic Refuse**

The domestic refuse service in Kilkenny County Council is fully privatised with five waste collectors operating throughout the county. A kerbside collection for dry recyclables is available within the urban areas of Kilkenny.

## **ENVIRONMENTAL EDUCATION & AWARENESS**

### **Education**

Kilkenny County Council aims to develop and encourage public awareness about Litter, Waste Management and Sustainable Development.

Since 2001 Kilkenny County Council has employed an Environmental Education and Awareness Officer. The following campaigns are carried out under the Environmental Education remit:

Keep Kilkenny Beautiful Campaign – Schools Involvement

Green Schools Programme

Green Schools Annual Seminar

School Battery Collection Scheme

School Newsletters/ Mail Shots

Dunmore Civic Amenity/Landfill Fieldtrips

Keep Kilkenny Beautiful Campaign – Community Involvement;

Free Phone Litter Line 1800 200 156

Launch of the Litter Management Plan 2003-2006

National Spring Clean;

- Seminars for Tidy Towns Groups;

Compost Demonstrations

County Council Estate Management Projects

Home & Garden exhibitions

Facilitation meetings - Community Groups

St Patrick's Day Parade 2004 - Theme Litter

Real Nappy Week

National recycling week

Newsletters/ Mail Shots

Distribution of the Litter and the Law Leaflet

Waste Management Kerbside Demonstrations

Leisure and Waste Management Industry information support

Information packs for Major Producers

Newsletters/ Mail Shots

Litter & Waste Audits

Grant Administration –Agenda 21 Environmental Partnership Fund, The Anti Litter

Awareness Initiative Grants

Keep Kilkenny Beautiful Graveyards Campaign – Clergy, Heritage and Environment

Kilkenny Fair Trade City

- Advertising – cinema screen press and radio;

- Name and Shame – Newspaper List of Litter Offenders



**Recycling**

Kilkenny County Council has 45 Bring Bank Locations throughout the County and 1 Civic Amenity Site located at Dunmore.

In 2003, the facilities available at the Dunmore Civic Amenity site expanded to include recycle facilities for Paper (Mixed Paper, Light Cardboard, Corrugated Cardboard),Plastics (Light Plastic Packaging, Plastic Bottles), Timber (Hinges, Handles etc. removed, no mixture of glass or metal), Metal (Mixed Metals), Glass (White, Green and Brown), Steel Food Cans, Aluminum Drinks Cans, Textiles (Clean Clothes, Sheets, Shoes), Household Hazardous Waste (Including Aerosols, Medicines, Fluorescent Tubes, Paints), Primary Batteries, Waste Electrical and Electronic Equipment.

Specialized Recyclable Materials are also accepted at Dunmore Civic Amenity Site at a charge, these materials include;-

Waste Oils (Subject to a maximum of 10 litres)

Lead Acid Batteries, Standard i.e. up to 12kg

Lead Acid Batteries, Tractor i.e. to 30kg

Note: - Larger Batteries (e.g. Back up power supply 85kg) not acceptable

Small Electrical Items - Radios, Hairdryers etc.

Large Electrical Non Hazardous Items -Dishwashers, Cookers, Microwaves

Large Electrical Hazardous Items -TVs, VDUs

Fridges and Freezers are accepted at the site FREE OF Charge from Monday 19<sup>th</sup> of July 2004 to Friday 12<sup>th</sup> August 2005 only

**ALL ITEMS ACCEPTED AT THE CIVIC AMENITY SITE ARE FROM  
HOUSEHOLDERS ONLY**

**National Recycling Week**

A promotional campaign was undertaken in relation to National Recycling Week. To promote NRW and the Dunmore Civic Amenity Site free access was made available to members of the public to the recycling centre on all non specialized goods. This information was made available through the local Newspaper the Kilkenny People. A promotional campaign for 1years free access to the Civic Amenity Site was also advertised in this method and during NRW a winner was chosen.

### **Kerbside Recycling**

On the 3rd November 2003, the KERBSIDE recycling service was introduced to over 15,000 households in the County. The introduction of this 2-bin, KERBSIDE, door to door service will assist the County in meeting its desired recycling target rate of almost 60% as required in its Waste Management Plan.

The KERBSIDE collection service is currently available on weekly routes operated by Martin Doheny, AES and Rainbow refuse and Kilkenny Borough Council only. The Council's aim is that the cost of the service will be kept to as low a price as possible to encourage people to recycle.

The introduction of the draft Waste Bye-laws, the adoption of the Litter Plan and the implementation of the KERBSIDE collection is testimony to the importance of waste management and the desire to make recycling accessible and as convenient as possible for everyone in Kilkenny.

### **In-house waste minimisation**

In 2003 the in-house waste minimisation programme continued with the support of the Council's Partnership Committee. Waste paper recycle units have been provided throughout the building as part of this initiative. This will raise awareness of waste reduction and recycling initiatives within the council buildings.

#### **• Bring facilities**

- Number of locations per 5000 population – 2.822
- Number and type of facility:
  - o 42 - glass and cans
  - o 13 – with food cans also
  - o 1 – newspapers, magazines, cardboard and plastic bottles

### **Composting**

Council Compost bin total sales have now reached more than 4,000 since 2001, or a composting rate in the county of approximately 19.5%. This programme has been very successful, with composting demonstrations/ workshops held around the county in conjunction with community organisations, schools and FAS schemes.

### **Recycling of Packaging Waste**

A supplier of packaging may participate in a packaging waste recovery system operated by REPAK Ltd. Otherwise, the supplier is required to register with the Council and prepare and make available waste recovery plans and reports.

### **Recycling of Farm Plastics Waste**

A producer of farm plastics may participate in a packaging waste recovery scheme operated by the Irish Farm Films Producers Group (IFFPG). Otherwise, the producer is required to register with the Council and provide plans and reports to the Council.

### **Christmas Tree Recycling**

A facility for shredding of Christmas Trees is provided at a number of locations after Christmas each year.

## **POLLUTION CONTROL**

### **Water Pollution:**

#### **Role of Local Authority/EPA**

The Environmental Protection Agency (EPA) is responsible for the licensing and regulation of large/complex industrial, agricultural and other processes with significant pollution potential. Local and Sanitary Authorities continue to be responsible for the licensing and control of activities which are not licensable by the Agency.

### **Local & Sanitary Authority Control:**

#### **Discharges to Waters**

A licence is required in respect of the discharge of trade and/or sewage effluent to any waters. An application for such a licence must be made on the official application form, accompanied by appropriate plans and particulars, the relevant fee and a copy of the newspaper notice. The Local Authority may grant, grant with conditions or refuse to grant a discharge licence.

**A person may appeal to An Bord Pleanála** in relation to:-

- (i) The grant, refusal to grant or revocation of a licence;
- (ii) The attachment of conditions or additional conditions to a licence;
- (iii) The amendment or deletion of any condition attached to a licence.

#### **Discharges to Sewers**

A licence is required to discharge or cause or permit the discharge of any trade effluent or other matter (other than domestic sewage or storm water) to a sewer. An application for such a licence must be made on the official application form, accompanied by appropriate plans and particulars, the relevant fee.

**A person may appeal to An Bord Pleanála** in relation to:-

- (i) the refusal to grant or revocation of the licence,
- (ii) the attachment of conditions or additional conditions to the licence, or
- (iii) the amendment or deletion of any condition attached to the licence.

### **Notification to Local Authority of Accidental Discharges to Waters or Sewers**

Anyone causing pollution through accidental discharge to either waters or sewer, must contact the Council immediately.

## **Notices**

Following reports or investigations of pollution the local authority may serve a notice on a person responsible or whom the Local Authority deem is responsible for causing or permitting to allow polluting matter to enter either waters or sewers. The notice may take several forms and may require information and/or works to be undertaken to prevent or limit the pollution. **A person on whom a notice is served may make representations to the local authority regarding the terms of the notice within the specified time frames.** If the person fails to comply with the terms of the notice, the local authority may take whatever action is deemed required.

## **Air Pollution:**

### **Role of Local Authority/EPA**

The Environmental Protection Agency (EPA) is responsible for the licensing and regulation of large/complex industrial, agricultural and other processes with significant pollution potential. Local Authorities continue to be responsible for the licensing and control of activities which are not licensable by the Agency.

## **Local Authority Control:**

### **Licensing of Industrial Plant**

A licence is required from the Council for the operation of plant used for certain industrial processes. An application for such a licence must be made on the official application form, accompanied by appropriate plans and particulars, the relevant fee and a copy of the newspaper notice. The Local Authority may grant, grant with conditions or refuse to grant a discharge licence.

**A person may appeal to An Bord Pleanála** in relation to:-

- (i) The grant, refusal to grant or revocation of a licence;
- (ii) The attachment of conditions or additional conditions to a licence;
- (iii) The amendment or deletion of any condition attached to a licence.

### **Notification to Local Authority of Accidental Discharges to Air**

There is an obligation on the occupier of premises to inform the Council of any incident which may cause air pollution as soon as possible.

## **Notices**

Following reports or investigations of pollution the local authority may serve a notice on a person responsible or whom the Local Authority deem is responsible for causing or permitting to allow polluting matter to enter air. The notice may take several forms and may require information and/or works to be undertaken to prevent or limit the pollution. **A person on whom a notice is served may make representations to the local authority regarding the terms of the notice within the specified time frames.** If the person fails to comply with the terms of the notice, the local authority may take whatever action is deemed required.

## **LITTER POLLUTION**

### **Public Roads**

The Council has a duty to ensure that public roads are kept free of litter as far as practicable. The Litter Pollution Acts 1997 – 2003 states that no person shall deposit any substance or object so as to create litter in a public place or in any public place that is visible to any extent from a public place. Onus is equally placed on the occupier of a public place to keep the place free of litter.

## **Notices**

The Council may serve a notice to prevent and control the creation of litter or to remove litter on

- (i) the owner/occupier of any property;
- (ii) the owners/occupiers of premises whose activities tend to lead to the creation of litter;
- (iii) the promoters/organisers of events at which large numbers of the public are likely to attend;
- (iv) the operator of a mobile outlet used for the sale of produce, food or drink.

In the first case, **the owner/occupier may make written submissions to the Council on the terms of the notice.**

In case of (ii) and (iii), before a notice is served, the appropriate person must be advised and afforded an opportunity to make written submissions to the Council in relation to the proposed notice. The person may opt to make a financial contribution to the Council in lieu of complying with the notice. When notice is issued (case (ii)), **if an owner/occupier is dissatisfied with any or all of the terms of the notice, the matter can be appealed to the District Court within 21 days of the receipt of the notice.**

In cases (i) and (iii), the Council may take steps to remedy any failure to comply by a person in receipt of a notice.

### **Articles and Advertisements on and Defacement of Structures**

A local authority may, in the interests of amenity or of the environment, serve a notice on an occupier requiring action to deal with articles or advertisements on a structure or with the defacement of a structure. **An occupier can make written submissions to the local**

**authority on the proposed terms of notice.** Where an occupier fails to comply with the terms of a notice, the local authority itself may give effect to the terms of the notice.

### **Temporary Signage**

Kilkenny County Council introduced a temporary signage policy on the 1<sup>st</sup> October, 2003. Application must be made at least 3 weeks prior to the proposed erection of the signage. An application form is available from the Environment Office or any of the area offices. This form should be submitted to the appropriate Local Authority Area Office and shall include the completed application form, the correct fee (€5 per sign) and a site location drawing. The maximum sign size permissible is 1.2m<sup>2</sup>. All signs and fixings must be removed within 7 days of the event completion. Signage for commercial purposes must receive prior planning permission before a licence application is made. A refund of 50% shall be made if the signs are removed on time.

### **Casual Trading**

Kilkenny County Council's casual trading bye-laws were revised and came into operation on the 16<sup>th</sup> September 2002. Kilkenny County Council has 26 trading bays throughout the county. Maps are available identifying each bay. A licence fee is applicable.

### **Street Cleaning**

A litter Management Plan for 2003-2006 was launched and is available from the Environment Section. Kilkenny County Council currently employs one full-time and one part-time Environmental Enforcement Officers and four Environmental Caretakers.

## **OTHER SERVICES**

### **Amenity Grants**

Kilkenny County Council operates an annual Amenity Grants Scheme. The elected members decide how the funds are distributed amongst community groups, organisations and individuals. In 2004, Kilkenny County Council has given consideration to 86 applications, and payment of each grant is made when the council's Area Engineer certifies the specified works as having been completed.

### **Complaints Register**

Kilkenny County Council, Environment Section operates a complaints register whereby any complaint received on waste, water quality, waste water, air, noise, planning or any other environmental matter is logged and investigated by one of the two Environmental Enforcement Officers.

### **Control of Dogs**

The Council operates a dog control service with a full – time dog warden, a patrol van and kennels at Dungarvan, Co. Kilkenny. Dog Licences are issued from An Post and the Environment Section issues reminders based on this information.

### **Control of Horses**

The Council has power to make bye – laws for the control of horses in its area.

### **Veterinary Service**

A full-time veterinary officer fulfils the service contract between the Food Safety Authority of Ireland and Kilkenny County Council. Duties include the supervision of domestic abattoirs and small meat manufacturing plants etc.

### **Waste Collection Permits**

Kilkenny County Council is the nominated authority for the South East and administers applications for Carlow County Council, Kilkenny County Council, South Tipperary County, Waterford City Council, Waterford County Council and Wexford County Council.



## **CLASSES OF RECORDS HELD BY THE ENVIRONMENT SECTION**

### **Personal Information**

Landfill accounts;

Applications for air pollution licences – petroleum vapour emissions;

Applications for water pollution licences – waters/sewers;

Applications for amenity grants;

Applications for waste collection permits and site/facility permits;

Requests for information on the environment;

Applications for casual trading licence:

List of Local Community Groups/Representatives;

Correspondence from the public.

### **Administration**

The Section holds files on:-

- Waste Management, Landfill Sites, Waste Recycling, Movement of Hazardous Waste Notifications, Pollution, Tidy Towns Competition, Tree Planting, Pounds, Control of Horses and Dogs, Monitoring / Enforcement /Amenity Areas / Walks.
- Financial records, statistics, advertising, internal administration and miscellaneous correspondence.

### **Information Available**

Details of Statutory Plans etc and leaflet relevant to the Environment Section are included in Appendices 3 & 4. Further information can be requested from:

The Environment Section, County Hall, Kilkenny County Council, John Street, Kilkenny.

E-Mail: [Environment@kilkennycoco.ie](mailto:Environment@kilkennycoco.ie)

<http://www.kilkennycoco.ie/kkenvironment/index.html>

Telephone: 056 7794470

## **10. FIRE SERVICES / BUILDING CONTROL**

### **FIRE SERVICES**

**The key objectives** are to provide:-

- An adequate operational/fire fighting service;
- An adequate fire safety/prevention/advisory service.

#### **Fire Fighting**

A Fire Authority is required to provide a prompt and efficient service for extinguishing fires occurring in buildings and other places. The Authority is also responsible for the protection and rescue of persons and property from injury by fire.

Kilkenny County Council has seven brigades located around the county in Kilkenny, Urlingford, Freshford, Castlecomer, Thomastown, Callan and Graiguenamanagh. These brigades are on call around the clock, not alone for fires, but also traffic accidents, flooding and other emergencies.

The Fire Service provides fire cover into some of the neighbouring counties and is also on call to assist at major emergencies in the neighbouring counties of Carlow, Wexford, Tipperary N.R., Tipperary S.R., and Waterford City and County, when required.

The neighbouring authorities of Carlow, Wexford, Tipperary S.R. and Waterford City provide fire cover in certain areas of County Kilkenny as they have fire brigades situated close to the county boundaries.

#### **Fire Safety Notice (Potentially Dangerous Building)**

The Fire Authority is empowered to serve a Fire Safety Notice on an owner/occupier of a building which it considers to be potentially dangerous. A potentially dangerous building is one which, in the event of a fire occurring, would constitute a serious danger to life and is defined in the Fire Services Act, 1981.

A Fire Safety Notice may also be issued if the Authority believes that substances are used, stored, or deposited adjacent to a building, of such nature as to present a serious danger to life.

**A person on whom a Fire Safety Notice is served may, within fourteen days, appeal against the Notice to the District Court.**

An authorised officer of the Council may issue a warning in writing concerning any matter arising out of fire safety procedures and measures or may serve a closure notice on a person who owns/occupies a building.

**A person on whom a Fire Safety Notice is served may, within seven days, appeal against the Closure Notice to the District Court.**

#### **High Court Order**

The Fire Authority may also apply to the High Court for an order forbidding or curtailing the use of a building or land, if it considers that such use would put people at serious risk, and a closure notice has already been served and ignored.

### **Inspection of premises**

An authorised officer of the Council may enter at all reasonable times and inspect land or a building to which the public has access.

Where an officer is refused entry to land or a building, the Council may apply to the District Court for a warrant authorising such entry.

### **Education**

Kilkenny County Council actively aims to reduce the incidence of fires by educating the community about fire prevention procedures. In conjunction with the National Safety Council, the Council promotes fire prevention in the following ways:-

- School visitations;
- School visits to fire stations;
- Talks to community and other groups;
- Advertising/radio;
- Distribution of leaflets and posters.

### **Petroleum Stores**

As a fire authority, Kilkenny Country Council is responsible for the licensing of petroleum stores. The Council may grant or refuse an application for a licence.

**If the Council refuses to grant a licence or grants a licence on conditions with which the applicant is dissatisfied, the applicant may appeal to the Health and Safety Authority. Where the Authority gives a direction with which the applicant is dissatisfied, the applicant may appeal to the High Court.**

An authorised officer of the Council may enter, inspect and examine any premises used as a petroleum store.

### **Explosive Stores**

The local authority is responsible for the licensing/registration of premises used as explosives stores.

### **Dance Licences etc.**

The applicant for the grant or renewal of a licence under the Licensing Acts, 1833-1981 (public houses, hotels etc.), Registration of Clubs Acts, 1904-1981, Public Dance Halls Act, 1935 and Gaming and Lotteries Acts, 1956-1979 must give the fire authority one month's notice of the application. This gives the authority the opportunity to inspect premises and to give evidence in Court, prior to the granting of a licence.

## **BUILDING CONTROL**

The basic system of control is covered in the Building Control Act. The Building Control Regulations supplement this system.

**Building Control Authorities have powers of:-**

- a) **Inspection,**
- b) **Enforcement,**
- c) **Prosecution.**

The primary objective is to protect public health and safety by ensuring compliance with the Building Regulations.

#### **Fire Safety Certificate**

A Fire Safety Certificate is required for all developments except houses, certain farm buildings and exempted works. A decision must be made by a building control authority on a valid application for a Fire Safety Certificate within 2 months of the date of receipt of the application, unless an extension of time is agreed with the applicant. The Fire Service makes recommendations to the management of the County Council as to whether an application should be granted or refused.

**Where a building control authority grants a Fire Safety Certificate with conditions, or refuses to grant a Fire Safety Certificate, the applicant may appeal to An Bord Pleanála against the decision within one month of the date of the decision.**

#### **Commencement Notice**

A person who intends to carry out any works requiring planning permission or a fire safety certificate must notify Kilkenny County Council by way of a Commencement Notice. The Notice must be given not less than fourteen days and not more than twenty eight days before commencement of work. This notice should be sent to the Planning Section of Kilkenny County Council, County Hall, John Street, Kilkenny.

#### **Dispensation / Relaxation of Building Regulations**

A building control authority may grant a dispensation from, or a relaxation of, any requirement of building regulations. A decision on an application for a dispensation/relaxation must be made within 2 months of the date of receipt of the application, unless an extension of time is agreed with the applicant.

**Where a building control authority grants a dispensation from or relaxation of building regulations, or refuses to grant a dispensation/relaxation, the applicant may appeal to An Bord Pleanála against the decision within one month of the date of the decision.**

#### **INFORMATION AVAILABLE**

Details of statutory plans etc. and leaflets relevant to Fire Services/ Building Control are included in Appendices 3 and 4.

Further information can be requested from:-

Kilkenny Fire Services, Gaol Road, Kilkenny.  
Tel: 056 7794400

#### **CLASSES OF RECORDS**

The classes of records held by the Fire Services Section are as follows:-

##### **Personal information**

- Details of fire charges
- Fire report sheets;
- Applications for Dangerous Substances Licences;
- Applications for Fire Safety Certificates;

Staff records;  
Records of premises covered by the Licensing Acts;  
Correspondence from the public.

### **Administration**

The Section holds files on:-

Fire stations, equipment  
Personnel records  
Financial records, statistics, internal administration and miscellaneous correspondence.  
Applications for Fire Safety Certificate

## **11. CIVIL DEFENCE**

**Civil Defence** is a voluntary humanitarian organization dedicated to assisting the community in a variety of ways but particularly in lessening human suffering in times of crisis and emergency.

### **CIVIL DEFENCE SERVICES**

#### **Welfare**

This service is trained to provide rest centres, shelter and transport for displaced people during emergencies both natural and man made.

#### **Rescue**

Civil Defence provides trained personnel to assist the front line services in the search for missing persons in open country and on rivers, lakes and estuaries. Kilkenny Civil Defence has 3 Trained Boat Crews to assist the Gardai in the recovery of missing persons from inland waterways.

#### **Casualty**

All Civil Defence volunteers receive instruction in First Aid.  
Kilkenny Civil Defence has an Ambulance Crew to assist the front line services.

#### **Warden**

Kilkenny County has an organised network of District Wardens who are trained annually in the response procedures required in the event of a radiological emergency. They are equipped with radio controlled transport and low-level radiation meters.

#### **Auxiliary Fire Service**

Kilkenny A.F.S. is equipped with a Dennis Fire Engine as a back-up in times of Major emergency, and to assist the Fire Service if required to do so.

All the above services have been used by the community during local and national cultural and sporting events.

#### **Finance**

Financial assistance to train, equip and maintain these services is provided by the Civil Defence Board on a 70% basis.

#### **Information**

Further information is available from:

Civil Defence Officer, County Hall, John Street, Kilkenny.  
Phone 056/7752699 or 056/7794145 Fax. 056/776124  
Email [nbourke@kilkennycoco.ie](mailto:nbourke@kilkennycoco.ie)

## **12. RECREATION AND AMENITY**

**The main functions in the area of Recreation and Amenity relate to:-**

- Swimming Pools;
- Library and Information Services;
- Promotion of the Arts.

### **SWIMMING POOLS**

Kilkenny County Council makes an annual contribution towards the running costs of the swimming pool in Kilkenny City. Plans are advanced for the provision of a new swimming pool and ancillary facilities at Scanlon Park Sports Complex, Loughboy, Kilkenny.

### **LIBRARIES**

The public library is an information service. It collects, organises and makes information available. It also helps people to find correct information and use it effectively. The County Library Service aims to meet the work, study and leisure information needs of everyone in the County. It also supports literacy and a love for reading and research. The local library is a community centre, where people find out what's happening locally, go to talks and workshops, meet their neighbours, enjoy exhibitions, borrow books and music, investigate, read the newspapers, and study.

The mobile library visits villages and more isolated areas. Small collections of books are lent to day centres and nursing homes. School library service is provided to every primary school in the County.

. For many people studying in college or on their own, the local library is a learning place which they use for research. There are books, newspapers, journals, maps, tapes, CDs, language courses and videos. Library staff provide guidance on the most useful information, and on what is available from other libraries. Special help is available for those who have difficulty with reading and writing, or with any type of learning.

Information collections on the history of County Kilkenny are very important: the library collects everything written in and about the County, and creates its own databases of local information. The Archives Service is important in this regard also. Special collections and services are developing also to help business, the unemployed, teachers and other educators.

The library publishes lists of recommended materials, and guides to its various services. It also holds local government and central government brochures, and is a useful starting-place for civil rights and entitlements information.

Kilkenny Public Libraries both borrow materials from and lend books to libraries all over the world. As well as individuals visiting the libraries, local and national organisations work together with the library staff arranging exhibitions, workshops and talks on a broad range of topics of interest to local communities.

## **ARTS**

The role of the Arts Office is to offer all sectors of the community equal opportunity to have access to and participate in the arts. The staff work on an ongoing basis with individuals, groups and organisations within the artistic, business and educational communities organising various projects. They provide support by a variety of means including co-ordination, administration, advice and consultation, sponsorship, information database, information dissemination, website, publicity and printing, equipment and materials loan.

### **Arts Programme**

The Arts programme reflects the diversity of arts and cultural activity in County Kilkenny.

### **1% for Art Scheme**

The Department of the Environment and Local Government operates a scheme for art in public places. Under the Scheme, the Council can include in the cost of a capital project (i.e. Road Construction, Housing Estate etc.) a sum for an artistic feature (1% of construction costs).

## **INFORMATION AVAILABLE**

Details of leaflets relevant to these sections are included in Appendix 4.  
Further information can be requested from:-

**Arts Office**, County Hall, John Street, Kilkenny.

Phone (056) 7794137

e-mail: [mary.butler@kilkennycoco.ie](mailto:mary.butler@kilkennycoco.ie)

For details of public library network, see Appendix 2.



## **CLASSES OF RECORDS**

The classes of records held by the Libraries and Arts Office are as follows:-

<b>LIBRARIES</b>	<b>ARTS OFFICE</b>
<b>Personal Information</b>	<b>Personal Information</b>
Staff records; Details of individual library users; Records relating to suppliers; Tenders (equipment etc.); <ul style="list-style-type: none"><li>• Correspondence from the public.</li></ul>	<ul style="list-style-type: none"><li>● Artists' curriculum vitae;</li><li>● Individual files on applications for grants/funding;<ul style="list-style-type: none"><li>● Database;</li><li>● Correspondence from the public.</li></ul></li></ul>
<b>Administration</b>	<b>Administration</b>
The Library Headquarters holds files on: <ul style="list-style-type: none"><li>• The operations of each branch.</li><li>• Staff guidelines, statistics, financial records and miscellaneous correspondence.</li></ul>	The Arts Office holds files on: <ul style="list-style-type: none"><li>• Arts projects, public art commissions.</li><li>• Financial records, internal administration and miscellaneous correspondence.</li></ul>

### **13. FINANCE**

**The Head of Finance** has responsibility for the proper management and control of the Council's financial resources; the establishment and maintenance of satisfactory checking and internal audit systems; the review of services to ensure value for money.

The different functions are assigned to the following sections:-

Rates, Accounts, Water Charges, and Internal Audit.

### **RATES**

#### **Valuation**

All fixed property including land, buildings and other structures is valued for rating purposes. In practice, rates are now payable on industrial and commercial property only.

The Valuation Lists are subject to revision. Any ratepayer can propose a revision of the valuation of any property. The Council submits lists of revision requests to the Commissioner of Valuation on an ongoing monthly basis. The Commissioner must decide on listings within six months or as soon as may be thereafter.

When the revised Valuation Lists are received from the Commissioner, they are made available for public inspection for 21 days. **Any person aggrieved by a valuation revision may appeal to the Commissioner of Valuation (through the local authority) within 28 days.** When the List of Decisions on Valuations Appeals is received from the Commissioner, it is made available for public inspection for 21 days. **If still dissatisfied, a person has 28 days to appeal to the Valuation Tribunal.**

Fees are prescribed in respect of applications for revision and appeals.

#### **Rating**

A rate book must be produced by the Council annually. The rate book is based on the Valuation Lists which come from the Commissioner of Valuation prior to the making of the rate. It shows each hereditament (any property which can be inherited), the rateable valuation and details of the rates due. The property liable to rates is now confined to the commercial/industrial area only. When the rate book has been prepared, it is made available for public inspection for 14 days.

The making of the rate is performed by Managerial Order. Warrants authorising the Credit Controllers to collect the rates are sealed and signed. Public notice is then given of the rate having been made and the rate demand notes are issued after publication of the notice.

Any ratepayer dissatisfied with an allowance granted or not granted may, within 2 months of the date of the making of the rate, request the Council to grant the appropriate

allowance. **If the Council refuses or fails to reply within 28 days, the ratepayer can appeal to the District Court, within 4 months of the making of the rate.**

Rates due must be paid whether property is occupied or not. In certain circumstances an application can be made for a refund of the rates paid on vacant property.

**Non-payment of rates may result in**

- (1) legal proceedings for recovery of the outstanding amount and costs, or**
- (2) a judgement mortgage registered against the property, or**
- (3) seizure of goods to the value of the rates owed, or**
- (4) set-off against rates owed of monies due to the ratepayer by the Council.**

**Certificate of Rateable Valuation**

A certificate of the rateable valuation of a property can be obtained on payment of the appropriate fee.

**ACCOUNTS**

**Local Authority Budget (formerly Estimate of Expenses)**

The Council is required to prepare a budget each year, known as the "Local Authority Budget". The format of the Local Authority Budget is prescribed. Expenditure and receipts are broken down into the eight programme groups as listed on Page X.

The Local Authority Budget is considered by the elected members. Notice of the meeting for consideration of the budget must be published giving at least seven days clear notice. It must be held between 1st October and 16th November.

At the meeting, or at any adjournment of the meeting held within 21 days, the elected members must adopt the Local Authority Budget with or without amendment(s), determine the annual rate on valuation (formerly known as rate in the £) and adopt any charges such as domestic refuse charges.

**Annual Financial Statement**

After the close of the financial year which ends on the 31<sup>st</sup>.December a summary of the accounts is prepared in accordance with the Accounting Code of Practice on local authority accounting.

The Annual Financial Statement is prepared on an accrual accounting basis.

The Annual Financial Statement contains two statements:

Income and Expenditure Account Statement

Balance Sheet

With supporting notes and Appendices for further information. The purpose of the notes is to provide a more detailed analysis of the Balance Sheet assets and liabilities of the local authority,

### **Budgetary Control**

The Head of Finance is charged with the control of expenditure by seeing that it is properly authorised, that annual allocations are not exceeded except with special authority, and that revenues are punctually collected.

### **Creditors' Payments**

All accounts for goods, services etc. are processed through the Accounts Section, having been passed for payment by the certifying officer of the relevant section within the Council. Tax is deducted from payments as required by law.

Payment of accounts must be made within a specified period, generally 30 days. Where payment is late the supplier is entitled to interest from the date payment was due to the date of actual payment. The rate of interest is fixed by the Minister for Finance. In case of disputed goods, the supplier may seek arbitration and the purchaser must agree to arbitration decision.

### **Payroll**

The Accounts Section is also responsible for payment of wages, salaries and pensions. Arrangements are made for deduction and payover of P.A.Y.E., P.R.S.I., superannuation contributions, V.H.I., life assurance etc.

### **Receipts (Cash) Office**

Any member of the public can call to the Receipts (Cash) Office to pay any type of account. Payment can be made by cash, cheque, postal order/money order, laser/credit card. Third party cheques are not accepted.

**Hours of opening:** 9.00a.m. - 1.00pm.  
2.00p.m. - 5.00p.m.

### **Insurances / Risk Management**

It is the responsibility of the Head of Finance to ensure that insurance cover is arranged for all risks, in particular, Public Liability, Employers Liability and Fire.

Risk Management is another important function performed by him/her.

Insurance claims are handled by the Administrative Officer who liaises with the Council's insurers and legal advisers.

## **WATER CHARGES**

The Council may charge for the supply of water for purposes other than domestic. The charge may be a fixed amount or based on the quantity of water used.

Payments may be made in any of the following ways:-

- At the Receipts (Cash) Office, County Hall, Kilkenny during office hours.
- By bank standing order/bank giro.
- An Post Billpay.

**Non-payment of water charges may lead to legal action for recovery of the amount due and to disconnection of the supply.**

## **INTERNAL AUDIT**

The accounts of every officer who receives money on behalf of the Council are checked regularly by the Internal Audit Section. In cases of irregularity, an investigation is carried out and a report is made to management for appropriate action to be taken.

The Section also carries out appraisal and review of the Council's operations, in the light of Value for Money audits carried out by the Department of the Environment Heritage and Local Government. Reports on findings are presented to the Management Team.

## **ASSET MANAGEMENT**

The Council is required to identify and quantify all of its non-infrastructure assets, for inclusion in the Balance Sheet of the Annual Financial Statement (AFS).

## **INFORMATION AVAILABLE**

Details of statutory registers etc. relevant to these Sections are included in Appendix 3.  
Further information can be requested from:-

**Rates Section**, County Hall, Kilkenny.  
Phone (056) 7794113

**Finance Section**, County Hall, Kilkenny  
Phone (056) 7794222

**Water Charges Section**,  
County Hall,  
Kilkenny.  
Phone (056) 7794116.

## **CLASSES OF RECORDS**

The classes of records held by the Sections are as follows:-

### **Personal Information**

- Individual rate accounts;
- Applications for rate relief;
- Applications for revision of valuation;
- Copies of appeals to Commissioner of Valuation;
- Individual legal proceedings files;
- Notifications of property sales;
- List of suppliers;
- Records of payments made to individual suppliers/customers (includes withholding tax, subcontractors tax, VAT details);
- Records of payments received from individual customers;
- Telephone bills received from staff;
- Planning Bond details;
- List of retired and serving staff (includes personal nos.);
- Pension, salary and wages payment history records of retired and serving staff;
- PAYE records;
- Wagesheets (temporary officers);
- Individual Bank Account details received from staff;

- Individual sick pay files (includes social welfare details);
- Files on investigations;
- Files on insurance claims;
- Individual Water Charge Accounts / Waiver Applications;
- Correspondence from the public.

## **Administration**

The Sections hold files on:-

- Rates – maps and lists of requests for revision of valuation, various classes of property, maritime boundary extensions, mountain commonage/rights, Valuation Tribunal.  
Accounts – insurance policies.
- Financial records, statistics, instructions to staff, advertisements and miscellaneous correspondence.

#### **14. Human Resources / GENERAL ADMINISTRATION / REGISTER OF ELECTORS / INFORMATION TECHNOLOGY**

**The main function** of the Human Resources Section is human resource management.

#### **HUMAN RESOURCES**

##### **Manpower Planning**

Manpower Planning involves the management of the staff resources for the effective operation of the organisation, including planning for recruitment, deployment and retirements. The core numbers of permanent staff must be maintained within the DOELG's approved staff complement.

##### **Recruitment**

The Minister for the Environment, Heritage and Local Government has prescribed the qualifications and conditions of office for professional, technical, administrative and clerical grades. Eligibility criteria include professional qualifications and/or experience.

The general entry grade at Clerical level is Clerical Officer. Entry to the service may also occur by competition at Assistant Staff Officer level.

Managerial and senior professional grades are recruited by the Local Appointments Commission (LAC) on behalf of the local authority. Requests are made to the LAC by the local authority, when vacancies arise in these grades, and the recruitment process is put in train by the Commission, culminating in a recommendation for appointment being made to the County Manager by the LAC.

In the case of other grades, vacancies are generally filled by open competition. For the administrative grades of Staff Officer, Senior Staff Officer, and Administrative Officer, it is a prerequisite that applicants for these posts be existing officers in the common recruitment pool.

Vacancies for craft workers, overseers, and other general grades are advertised in the local press and persons meeting the basic qualifications for the positions may apply. In certain circumstances, recruitment to these positions is by way of internal competition.



**Training & Development**

Staff training and development is provided in accordance with an annual training programme and subject to availability of finance. Training is aimed at improving the skills and knowledge of staff in a wide range of areas relevant to the Council's activities.

The overall emphasis on training is to facilitate the personal development of the staff. Training consists of on-the-job training and attendance at courses of particular relevance to area of Council activity to which the person is assigned. Training is also aimed at facilitating staff in keeping themselves up-to-date with changes in technology, new methodologies/techniques, and changes in legislation. Limited financial support is also provided for staff participating in third level education courses.

**Superannuation**

Officers and employees are obliged to pay contributions for superannuation benefits (pensions etc.). Additional contributions are payable by members of the Spouses and Children schemes. Details are entered on the Superannuation Register which is available for inspection by staff.

The Finance Section calculates superannuation entitlements of retiring staff.

**Sick Leave**

Officers and employees of the Council may be granted Sick Leave at the discretion of the County Manager. Where Sick Leave is granted to officers, the limitations prescribed in the Local Government (Officers) Regulations, 1943 will apply.

Applications for Sick Leave are processed by the Human Resources Section and records are kept on individual personal files.

**Annual Leave / Special Leave**

Employees of the Council are entitled to Annual Leave in compliance with the Organisation of Working Time Act, 1997. Applications may be submitted to the appropriate supervisor who will decide on same. Annual Leave and records are maintained by the Section.

Applications for Special Leave (With Pay and Without Pay) e.g. Compassionate; Interview; Study; Maternity; Paternity; Parental; Term-Time, Career Breaks; and Military Training Leave, are made to the Human Resources Department. The applicant is notified of the decision in relation to the application and a record is kept.

**Expenses (Travelling and Subsistence)**

The Council pays expenses at approved rates to staff in respect of journeys made on official business.

**Industrial Relations**

The Council has put in place formal procedures to deal with grievances and disciplinary matters. Communication is maintained with the relevant trade union on a range of issues of concern. Where a dispute has not been resolved at local level, the industrial relations machinery for non-officer grades, involving the Labour Relations Commission and, ultimately, the Labour Court, will be utilised.

**Officers of the Council have a statutory right of appeal to the Minister for the Environment and Local Government where there is a grievance in relation to terms and conditions of employment. Employees of the Council have access to the Labour Court.**

**Health, Safety and Welfare**

Kilkenny County Council has prepared safety statements in accordance with the Health, Safety and Welfare at Work Act, 1989. Health and safety training is provided.

A number of Safety Representatives have been selected by employees of the Council and a Safety Monitoring Committee has been established as a forum for discussion between management and the Safety Representatives.

**Employee Assistance Scheme**

The Employee Assistance Scheme provides a confidential and free advisory service to all staff and their families. The service is provided by an independent counsellor retained by the Council. Useful information on many services can be provided, as well as advice and counselling to help staff deal with a range of problems.

## **Equal Opportunity Policy**

Kilkenny County Council is committed to the principles of equal opportunities in employment and fully subscribes to the principles of equality as provided for in the Employment Equality Act 1998.

The Council has appointed an Equality Officer and there is an Equality Action Team, to deal with Equality issues.

Kilkenny County Council has introduced a Dignity at Work Policy.

## **GENERAL ADMINISTRATION**

### **Meetings of the Council**

Kilkenny County Council is required to hold, each year, an annual meeting, quarterly meetings and a budget meeting. However, to efficiently conduct the business of the Council, meetings are held more frequently.

- A meeting of Kilkenny County Council takes place in the afternoon on the third Monday of every month (except August) in the Council Chamber, County Hall. The annual meeting, at which the Chairperson is elected, is held in July each year. A meeting is held in October/November each year to consider the Local Authority Budget for the following year.

The various Committees of the Council hold meetings as required.

- The Chairperson may call a meeting at any time, or any five members may call a meeting if the Chairperson fails to act on a requisition by the five members to do so.

A set of rules called “Standing Orders” are made by the Council to regulate proceedings and cover items such as notice of meetings, order of business, voting etc.

The Chairperson presides at Council meetings and has a casting vote in the case of an equality of votes, except in the election of the Chairperson. Minutes are kept of proceedings at Council and Committee meetings.

### **Attendance at Meetings**

The County Manager has a right to attend Council Meetings and to take part in discussions as if he were a member, but does not have the right to vote. Other officers of the Council attend as required.

Members of the public shall be admitted to meetings of Kilkenny County Council as space will permit, and the Chairperson shall give directions to prevent overcrowding or confusion.

The press can and do attend Council meetings other than committee meetings.

### **Members' Expenses**

The Local Government Act, 2001 makes provision for:

Chairperson's allowance;

Entertainment and associated expenses;

- Members' expenses for attendance at meetings and representation at conferences;
- Expenses of members attending conferences abroad.

### **Local Elections**

Local elections are held every five years, or as often as directed by the Minister for the Environment, Heritage and Local Government.

Persons aged 18 and over are entitled to be registered to vote at local elections for the local electoral area in which they ordinarily live. Citizenship is not a requirement for voting at a local election.

A candidate, if not self-nominated, must give consent to nomination. Nomination of a candidate who is Non-Party must be assented to by thirty electors registered in the same electoral area .

Members are elected by secret ballot according to a system of proportional representation. Casual vacancies in membership are filled by co-option.

The Council is responsible for drawing up Polling Schemes for the electoral areas, specifying the number of polling districts and polling stations at which people must vote.

### **Register of Electors**

The County Council compiles the Register of Electors for European, Dáil and Local Elections and Referenda. The register is revised and brought up to date annually. Persons aged 18 years or over on 15<sup>th</sup> February, who are otherwise qualified, are entitled to be included in the Register. A person can be registered at one address only, the address at which the person resides on 1<sup>st</sup> September of the previous year.

A draft register is published on 1<sup>st</sup> November and is available for public inspection at County Hall, Branch Libraries, Dispensaries and Post Offices. Claims for addition or deletion of names must be made by 25<sup>th</sup> November. Interested parties are notified of the County Registrar's decision on these claims and **can appeal to the Circuit Court if dissatisfied.**

The Register is published on 1<sup>st</sup> February and comes into force on 15<sup>th</sup> February for a period of twelve months. A supplement is published prior to any election or referendum. Voters who are not included on the register but are qualified on residency and age grounds, can apply to have their names included on the supplement.

A Postal Voters' List and Special Voters' List (disabled electors) are also published each year. Persons with a physical disability or illness who reside at home and are unable to go in person to a polling station can vote by post.

Work on the preparation of the Register of Electors is carried out in the Franchise Section.

### **Workplace partnership**

The objective of workplace partnership is to achieve joint ownership and management unions and staff and to replace the adversarial approach to change within the organisation with an open co operative process based on effective consultation and participation by all concerned. There is a Workplace partnership committee for Kilkenny Local Authorities with a union and management joint chair. The committee are served by a workplace partnership facilitator.

### **Furniture, Equipment etc.**

The Corporate Section is responsible for office furniture and equipment. It also handles the organisation's stationary requirements, as well as providing in-house publishing facilities.

### **Malicious Injuries**

Payment of compensation is limited to damage caused in the following cases:

1. By at least three persons riotously assembled together, or
2. As a result of an act committed maliciously by a person acting on behalf of or in connection with an unlawful organisation, or
3. As a result of an act committed maliciously by a person acting on behalf of, or in connection with, an organisation outside the State that engages in, promotes, encourages or advocates the use of violence for purposes related to the conduct or administration of the affairs of the State or Northern Ireland.

The Minister for the Environment, Heritage and Local Government refunds to the Council the full amount of any compensation awarded, together with any legal costs incurred.

### **Coroners**

The Council is responsible for the employment of the coroner for County Kilkenny and the expenses associated with inquests/post-mortem examinations.

**Casual Trading**

The Council is responsible for the control and regulation of casual trading in its area. A person needs a licence to engage in casual trading. Licences may be issued in respect of casual trading areas (designated areas) or special events. The Council is required to keep a register of casual trading licences.

**Loudspeaker Permit**

A person who wishes to use a vehicle with a public address system on a public road must apply for a permit.

**Residential Houses and Special Schools**

The Council contributes towards the cost of maintaining children from the County in residential houses and special schools.

**Higher Education Grants**

The Council awards grants to students attending approved courses in third level institutions in Ireland and other EU countries. Grants are on a graduated basis and may contain a maintenance element, as well as fees where exemption from fees does not apply. The bulk of the cost is recouped from the Department of Education and Science.

**Every question or dispute which arises in relation to the interpretation or construction of the Higher Education Grants Scheme shall be determined by the Minister for Education and Science, whose decision thereon shall be final.**

**Vocational Education**

The Council is required to appoint a Vocational Education Committee (V.E.C.). County Kilkenny V.E.C. provides and manages vocational schools, employs managerial and teaching staff and provides vocational and continuation education. The Council makes a contribution to the Committee.

V.E.C. staff are covered by the Local Government Superannuation Scheme. Pensions etc. in respect of retired staff are paid by the Council, but 50% of the cost is recouped from the Department of Education and Science.

**Veterinary Services**

All local abattoirs licensed by the Department of Agriculture, Food and Rural Development are inspected on each working day by a veterinary inspector appointed by the Council. Antemortem and postmortem examinations are carried out on all animals

slaughtered in these abattoirs. All meat intended for human consumption must be stamped. Fees are charged for the service.

The Council has responsibility for the supervision of liquid milk production at farm level. It involves control and maintenance of standards in relation to construction of dairies, animal housing, operational hygiene and quality of milk.

The Council is also responsible for the control of sheep scab outbreaks.

#### **Arts / Amenity / and Section 6 Grants**

Kilkenny County Council operates an annual Arts, Section 6 and Amenity Grants Schemes. The elected members decide how the funds are distributed amongst community groups, organisations and individuals.

### **INFORMATION TECHNOLOGY**

This Section provides support services for all other sections within the Council. The availability of accurate and relevant information enables staff to deliver a quality service to the public. A staff training programme is implemented on a phased basis.

## **INFORMATION AVAILABLE**

Details of statutory registers etc. and leaflets relevant to these Sections are included in Appendices 3 and 4.

Further information can be requested from:-

**Register of Electors**, Franchise Section, County Hall, John Street, Kilkenny.  
Phone (056) 7794077, 7794078, 7794085.

**Human Resources / General Administration Section**, County Hall, John Street, Kilkenny..

Phone No. [056-7794155]	Human Resources
Phone No. [056-7794222]	Superannuation (Pensions)
Phone No. [056-7794070]	General Administration
Phone No. [056-7794222]	Higher Education Grants
Phone No. [056-7794135/7794470/7794070]	Arts/Amenity//Section 6 Grants
Phone No. [056-7794470]	Veterinary Services

## **CLASSES OF RECORDS**

The classes of records held by the Sections are as follows:-

### **Personal Information**

- Personnel files on existing and retired staff;
- Salary, travel and subsistence payment history;
- Employment application forms and curriculum vitae;
- Materials tenders;
- Applications for higher education grants;
- Applications for arts/amenity grants;
- Special residential schools;
- Applications for casual trading licences;
- Applications for inclusion on the Register of Electors;
- Applications from postal and special voters;
- Details of voters citizenship held on computer;
- Correspondence from the public.



## **Administration**

The Sections hold files on:-

Personnel – Superannuation / Pension Entitlements, Beachguards, Particulars of Offices, Filling / Creation of Posts, Leave Entitlements, Career Breaks, Job-Sharing, Sick Pay Scheme, Remuneration, Summer Student Employment Scheme, Managers Orders.

General Administration – Veterinary Office, Abattoirs, Coroners, Casual Trading, Higher Education Grants, Advertising, Office Furniture / Equipment, Amenity Grants, Minutes of Council / Committee Meetings.

Franchise - Records of fees paid for preparation of Register of Electors.

Financial records, statistics, internal administration and miscellaneous correspondence.

## GLOSSARY OF TERMS

AFS	Annual Financial Statement
A.E.	Assistant Engineer
A.O.	Administrative Officer
A.S.O.	Assistant Staff Officer
C.O.	Clerical Officer
DOEHLG	Department of the Environment Heritage and Local Government
E.E.	Executive Engineer
EIA	Environmental Impact Assessment (EIA) is a procedure for assessing the likely effects on the environment of a proposed development
EIS	An Environmental Impact Statement (EIS) contains an analysis of the likely effects, good and bad, of a project on the environment
E N F O	The Environmental Information Service of the Department of the Environment Heritage and Local Government
EPA	Environmental Protection Agency
E U	European Union
FOI	Freedom of Information Acts, 1997 -2003
FOI Section 16 Reference Book:	This reference book has been prepared in accordance with the requirements of Section 16 of the Freedom of Information Act. It provides details of the rules and practices used by the Council for making decisions under schemes and enactments directly administered by the Council.
Hereditament	Any property which can be inherited.
HQ	Headquarters
Internal administration	This relates to the day-to-day management of the Council. Typically, information of this type can pertain to staff training courses, annual leave, circulation of information documents etc.
LAC	Local Appointments Commission
NCT	National Car Test
NRA	National Roads Authority
NSC	National Safety Council
S.E.	Senior Engineer
S.E.E.	Senior Executive Engineer
S.E.O.	Senior Executive Officer
S.O.	Staff Officer
S.S.O.	Senior Staff Officer
V.E.C.	Vocational Education Committee
KCC	Kilkenny County Council

## **APPENDIX 1 DETAILS OF OFFICES ETC.**

### **HEADQUARTERS**

County Hall, John Street, Kilkenny	<b><u>Office Hours:</u></b> [except Motor Tax ]	9.00a.m. - 1.00p.m. 2.00p.m. - 5.00p.m.
Telephone: 056-7794000 Fax: 056-7794004	<b><u>Motor Tax Office:</u></b>	9.30a.m. - 4.00p.m.

Except Public Holidays and Good Friday

e-mail address:  
info@kilkennycoco.ie  
website  
www.kilkennycoco.ie

**Machinery Yard,**  
Hebron Industrial Estate,

Telephone 056- 7794280

Fax: 056-7794289

### **. FIRE STATIONS**

Kilkenny Fire Station,  
Gaol Road,  
Kilkenny.  
Telephone: 056 7794400

Urlingford Fire Station,  
Main Street,  
Urlingford,  
Co. Kilkenny.

Freshford Fire Station,  
Buncrussia Street,  
Freshford,  
Co. Kilkenny.

Castlecomer Fire Station,  
Love Lane,  
Castlecomer,  
Co. Kilkenny.

Thomastown Fire Station,  
Kilkenny Road,  
Thomastown,  
Co. Kilkenny.

Graiguenamanagh Fire Station,  
New Ross Road,  
Graiguenamanagh,  
Co. Kilkenny.

Callan Fire Station,  
Green Street,  
Callan,  
Co. Kilkenny.

**Fire Stations – emergencies**

Kilkenny  
Freshford  
Callan  
Urlingford  
Thomastown  
Castlecomer  
Graiguenamanagh

999 or 112 for all stations

Landfill Site,  
Dunmore  
**Telephone No. 056-7767848**

Dog Warden,  
Telephone No. 056-7726332

,

**Callan Area Office,**  
Prologue,  
Callan.  
Telephone 056-7755520

Fax No. 056 7755540

**Thomastown Area Office,**  
Kilkenny Road  
Thomastown.  
Telephone: 056 7793340  
Fax: 056-7794349

County Enterprise Board,  
42 Parliament Street,  
Kilkenny  
Telephone No.056-7752662,

Scanlon Park Sports Complex  
Telephone No. 056-7764953

**WaterfordArea Office**  
Newrath,  
County Kilkenny  
Telephone: 051-831370  
Fax No. 051-831379

**Castlecomer Area Office,**

Kilkenny Street  
Castlecomer.  
Telephone: 056-4440550  
Fax No. 056-4440559

**Kilkenny Area Office**  
**Hebron Industrial Estate**  
**Telephone No. 056-7794290**  
**Fax No. 056-7794288**

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**APPENDIX 2**  
**LIBRARY PUBLIC SERVICE POINTS**  
**OPENING HOURS**

<b>Service Points &amp; Opening Hours etc.</b>	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>	<b>Saturday</b>
Callan Library Clonmel Rd Callan <i>Telephone:</i> 056 7794183 <i>E-mail :</i> <a href="mailto:callan@kilkennylibrary.ie">callan@kilkennylibrary.ie</a> <i>Contact:</i> Helen Phillips Branch Librarian	3-8pm	10am-1pm	3-6pm	3-5pm		10am-1pm
City Library John's Quay Kilkenny <i>Telephone:</i> 056 7794174 <i>E-mail:</i> <a href="mailto:city@kilkennylibrary.ie">city@kilkennylibrary.ie</a> <i>Contact:</i> Catriona Kenneally, Senior Library Assistant		10.30am-1pm  2pm-5pm  7pm-9pm	10.30am- 1pm  2pm-5pm  7pm-9pm	10.30am- 1pm	10.30am-1pm	10.30am-1.30pm
Castlecomer Library Kilkenny St Castlecomer <i>Telephone:</i> 056 4440561 <i>E-mail:</i> <a href="mailto:castlecomer@kilkennylibrary.ie">castlecomer@kilkennylibrary.ie</a> <i>Contact:</i> Mary Morrissey, Senior Library Assistant		10am-8pm	10am-5pm	10am-8pm	10am-5pm	10am- 1.30pm
Graiguenamanagh Library Convent Rd Graiguenamanagh <i>Telephone</i> 056 7794178 <i>E-mail:</i> <a href="mailto:grauguenamanagh@kilkennylibrary.ie">grauguenamanagh@kilkennylibrary.ie</a> <i>Contact:</i> Majella Byrne A/Senior Library Assistant		10am-8pm	10am-5pm	10am-8pm	10am-5pm	10am- 1.30pm
Library H.Q. and Administration 6 Rose Inn St Kilkenny County Council <i>Telephone:</i> 056 7794160 <i>Fax:</i> 056 7794168 <i>E-mail :</i> <a href="mailto:info@kilkennylibrary.ie">info@kilkennylibrary.ie</a> <i>Contacts:</i>	9am-1pm 2-5pm	9am-1pm 2-5pm	9am-1pm 2-5pm	9am-1pm 2-5pm	9am-1pm 2-5pm	

Jim Fogarty, Co. Librarian Dorothy O'Reilly, Assistant Librarian						
Local Studies Reference Services 6 Rose Inn St Kilkenny Telephone 056 7794160 Fax: 056 7794168 E-mail: <a href="mailto:declan.macauley@kilkennylibrary.ie">declan.macauley@kilkennylibrary.ie</a> or <a href="mailto:katlibs@iol.ie">katlibs@iol.ie</a> Contact: Declan Macauley, Assistant Librarian	9am-1pm 2-5pm	9am-1pm 2-5pm	9am-1pm 2-5pm	9am-1pm 2-5pm	9am-1pm 2-5pm	
Loughboy Library Loughboy Shopping Centre Waterford Rd Kilkenny Telephone: 056 7794176 E-mail: <a href="mailto:loughboy@kilkennylibrary.ie">loughboy@kilkennylibrary.ie</a> Contact: Helen Kenneally A/Senior Library Assistant		10.30am - 1pm 2-5pm	10.30am -1pm 2-5pm	10.30am -1pm 2-5pm	10.30am - 1pm 2-5pm 7-9pm	
Mobile Library Service C/o Library H.Q. & Administration 6 Rose Inn St, Kilkenny Telephone: 056 7794160 Fax: 056 7794168 E-mail: <a href="mailto:brenda.ward@kilkennylibrary.ie">brenda.ward@kilkennylibrary.ie</a> Contact: Brenda Ward Assistant Librarian	A timetable of scheduled Mobile library visits is available on request and also on <a href="http://www.kilkennylibrary.ie">www.kilkennylibrary.ie</a>					
Thomastown Library Marshes St Thomastown Telephone: 056 7724911 Email: <a href="mailto:tomlib@eircom.net">tomlib@eircom.net</a> Contact: Kay Cody, Branch Librarian		3-5.30pm	4-8pm	3-5.30pm		10-1.30pm

Urlingford Library The Courthouse Urlingford <i>Telephone:</i> 056 7794182 <i>E-mail:</i> <a href="mailto:urlingford@kilkennylibrary.ie">urlingford@kilkennylibrary.ie</a> <i>Contact:</i> Helen Muldowney/Annette Purcell Branch Librarians	3-8pm	10am-3pm	3-8pm	10am-3pm	3-8pm	10am-3pm
Schools' Library Service C/o Library H.Q. & Administration 6 Rose Inn St Kilkenny <i>Telephone:</i> 056 7794160 <i>Fax:</i> 056 7794168 <i>E-mail:</i> <a href="mailto:brenda.ward@kilkennylibrary.ie">brenda.ward@kilkennylibrary.ie</a> <i>Contact:</i> Brenda Ward, Assistant Librarian	Visits Primary Schools around the County, 3 times per year for stock exchanges.					
<b>N.B. Libraries close on Saturdays before a bank holiday</b>						





## **APPENDIX 3**

### **STATUTORY PLANS, REGISTERS ETC. AVAILABLE FOR PUBLIC INSPECTION**

#### **Housing**

Register of Private Rented Accommodation

#### **Roads**

Schedule and map of public roads

#### **Motor Taxation**

Register of Hackney Licences

#### **Planning**

County Development Plan

Western Environs Plan

Local Area Plan for Mooncoin, Piltown, Fiddown, Gowran, Ballyragget, Ballyhale, Knocktopher, Urlingford

Local Area Plans for other villages in the County (preparation stage)

Housing Strategy

Planning Register

Register of Warning Notices

Register of Enforcement Notices

#### **Environment**

Waste Register – to include register of Waste Permits and Waste Collection Permits

South East Waste Management Plan 2000 - 2021

Water Pollution – Register of Licences (Water)

Water Pollution – Register of Licences (Sewers)

Register of Water Abstractions

The South East River Basin District management system

Air Pollution – Register of Licences

Litter Management Plan 2003-2006

#### **Building Control**

Register of Building Control Records

Register of Commencement Notices

#### **Fire Services**

Register of Fire Safety Notices

Register of Dangerous Substances Licences

**Rates**

Rate Books

Valuation Lists

**Accounts**

Local Authority Budget

Annual Financial Statement

**Register of Electors**

Register of Electors

## **APPENDIX 4**

### **List of Leaflets and Booklets issued by Kilkenny County Council, DOEHLG and Other Bodies**

#### **HOUSING**

##### **DOEHLG**

Your Housing Options  
Voluntary Housing Schemes  
Local Authority Housing  
Improvement Works in Lieu of Local Authority Housing  
Mortgage Allowance Scheme  
Local Authority Loans for House Purchase and Improvement  
Accommodation Options for Homeless People  
Tenant Purchase Scheme  
Shared Ownership Scheme  
Charter for Rented Housing

#### **ROADS**

##### **DOEHLG**

Landowners and The Roads Act – A Guide

##### **NSC**

Junior School Warden Service

#### **MOTOR TAXATION**

##### **DOEHLG**

Rules of the Road

## **PLANNING**

Planning and the Business Person-Information Pack  
Explanatory Guide to completing Planning Application Form  
Development Contribution Scheme

### **DOEHLG**

A Guide to Planning Permission PL.1  
Making a Planning Application PL.2  
Commenting on a Planning Application PL.3  
Building a House – the Planning Issues PL.4  
Doing Work around the House – The Planning Issues PL.5  
Agriculture and Farm Development – The Planning Issues PL.6  
Planning for the Business Person PL.7  
The Development Plan PL.8  
Environmental Impact Assessment PL.9  
Making a Planning Appeal PL.10  
A Guide to Architectural Heritage PL.12

## **BUILDING CONTROL**

### **DOEHLG**

A Guide to the Building Regulations PL.11

## **FIRE SERVICES**

### **DOEHLG**

Various Fire Safety Leaflets issued by National Safety Council.

Code of Practice for the Management of Fire  
Safety in places of Assembly

## **ENVIRONMENT**

Leaflets, Booklets and Videos available at the environment section of Kilkenny County Council. Produced by KKCC, DOEHLG and Other Bodies. (The educational videos are given to schools and community groups on a lending scheme only.)

Kilkenny County Council

Poop Scoop

Litter and the Law

Burning of Waste

No time to waste

Recycling Activity Sheet

A guide to Kilkenny County Councils Recycling Facilities

Dunmore Civic Amenity / Kerbside Door to Door

Recycling initiatives on your doorstep

Kerbside Collection 2004 calendar

Borough Council Kerbside Information Leaflet

A Guide to Real Nappies

Woodstock Gardens and Arboretum

Kilkenny County Councils Guidelines for Business(Waste Management (Packaging)  
Regulations 2003)

Composting Chart

Home Composting Guide

A lot of Garbage? Then try vermicomposting.

**DOELG**

Composting is Easy - RAW

Ban on bituminous Coal in Kilkenny Borough and adjoining built-up areas in County  
Kilkenny

Race Against waste – Small Change – Small steps to manage business waste

20 Waste Prevention and Minimisation Tips

The Plastic Shopping Bag Levy

A Festive Guide

A Guide to the Noise Regulations

Dog Control

Protect Waters from Pollution by Nitrates

EPA – The state we're in

### **ENFO**

Step 2 – Do the right thing. Recycle

Step 3 – Reusable bags

Christmas and the Environment

Information on the environment

UNEP-Infoterra

Did you know your actions are adding to climate change?

Environmentally Friendly Gardening

Litter management – Litter Action and Local Image

### **BRIEFING SHEETS**

FS4 River Water Quality

FS5 Control of Dogs

FS12/1 Water Management

BS22 Water Supply

BS29 Asbestos in Your Home

WM2/FS12/3 Legislation Waste Management

WMO5 Waste Management - Recycling - Paper

WM06 Recycling – Glass

WM07 Recycling – Metals

WM08 Recycling – Oil

WM09 Recycling – Batteries

WM11 Recycling - Construction and Demolition Waste

AS16 Building in Towns and Villages

AS20 Making a Wildlife Garden

SD 7 Sustainable Agriculture

SD 9 Sustainable Marine Resources

SD 11 Sustainable Industry / Business

SD 12 Sustainable transport

SD 15 Waste & Sustainability

SD 17 Waste & Sustainability

Sustainable Forestry

Air & Sustainability

Government Strategy to promote and facilitate sustainable development standards

Public action for sustainability

A shopping and investment guide to sustainable living

Some pressures on the global and European Environments

A better place to live in...Your home and the environment

### **Irish Energy Centre**

Home energy survey

Sustainable transport

### **Central Fisheries Board**

Something Fishy – Learning about fish and fishing

### **South East River Basin District**

World Wetlands Day

### **National Development Plan**

South East River basin District Management System – Protecting water for the future

### **Voice**

Making Way for Cleaner Irish Waters

Are you burning out?



### **Farm Animal Welfare Advisory Council**

Animal Welfare Guidelines for Sheep farmers (Dept of Agriculture and Food)

Weather Soil and Pollution from Agriculture

### **Teagasc**

Soil Analysis & Fertilizer, Lime, Animal manure & Trace Element Recommendations

### **Food Safety Authority**

How to make a complaint about food

How to understand food labels

### ***Real Nappies***

Páiste Sásta

The Baby Orchard

Ecobaby

Cotton baby

Poppets Nappy service

EEenee Design

Bambino Mio – Cotton nappies and accessories

Bambino Mio – Naturally the best

### ***Composting***

Muck and magic

IPCC Choose Peat Free

IPCC Guide to community composting

A guide to seed collection

Birds and wildlife in your garden

### ***Fair Trade***

Small change, Big difference *Oxfam*

Better business, better beans *F.T. Ireland*

A taste for life *F.T. Ireland*

### ***An Taisce***

Green Schools – Towards a sustainable lifestyle; & Application form

Your Guide to National spring Clean

Sherkin Comment, Quarterly Newspaper

### **Video Selection**

The Environment. You can make a difference. *DOELG*

Introduction to Biogas

Floopy

The Sanitary Landfill Application

From Source to Sea

Talking Rubbish

The State we're in. *EPA*

Concrete. Benefits to the Environment

Industry and the Environment

The Earth at Risk – Environmental video series- recycling

Recycling: Conserving natural resources

Waste Disposal in Ireland

Return to sender

In the bag

Fair Comment *Fair Trade*

Better Waste Management 7 Easy Steps

The need for landfill

Naturally the Best – Real Nappies

## **REGISTER OF ELECTORS**

### **DOEHLG**

How the Dail ( House of Representatives) is elected [1999]

How the Seanad [Senate] is elected [1999]

How the President is Elected (1999)

European Parliament – How Ireland's Representatives are Elected (1999)

The Referendum in Ireland (1999)

The Register of Electors a guide (1999)

Information for Voters with Disabilities (1999)

How members of Local Authorities are elected [1999]

## **GENERAL ADMINISTRATION**

### **KILKENNY COUNTY COUNCIL**

Corporate Plan 2001 - 2004

Annual Report

FOI Reference Books