

KILKENNY COUNTY COUNCIL - COMHAIRLE CHONTAE CHILL CHAINNIGH
Agenda for the Ordinary Meeting of Kilkenny County Council to be held on Monday
19th December, 2016 at 3.00 p.m. in Council Chamber, County Hall, John Street,
Kilkenny.

Clár do Ghnáth-Chruinniú Chomhairle Chontae Chill Chainnigh le reachtáil ar de Luan
19th Nollaig of 2016 ar a 3.00 i.n. i Seomra na Comhairle, Halla an Chontae, Sráid Eoin,
Cill Chainnigh.

1. **Confirmation of Minutes - Dearbhú Miontuairiscí:**
 - (a) Minutes of Ordinary Meeting of Kilkenny County Council held on Monday 21st November, 2016 (copy of minutes attached)
 - (b) Minutes of Adjourned Council Meeting held on Friday 25th November, 2016 (copy of minutes attached)
 - (c) Minutes of Budget Meeting held on 25th November, 2016 (copy of minutes attached)
 - (d) Minutes of SPC 4 –Housing Meeting held on 8th September, 2016 (copy of minutes attached).

2. **Business prescribed by Statute, Standing Orders or Resolutions of the Council. -Gnó forordaithe do réir Reachtaíochta, Orduithe Seasta, nó Rúin an Chomhairle.**
 - (a) **Housing & Other Disposal - Tithíocht & Díuscairt Eile**
 - (i) “That in accordance with the provisions of Section 183 of the Local Government Act, 2001 Kilkenny County Council hereby approves of the disposal of its interest in lands at Bateman Quay, Kilkenny as outlined on the attached map, to Miriam Maher, in accordance with terms and conditions of the Kilkenny Corporation’s Riverside Compulsory Order 1972”. (Notification issued on 9th December, 2016)

 - (ii) “That in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of its interest in a plot of ground at Clonmore, Fiddown, Piltown, Co. Kilkenny to James O’ Mahony, Clonmore, Fiddown, Piltown, Co. Kilkenny for the nominal sum of €10.00 with each party being responsible for their own legal costs associated with the sale. Plot measures 0.017acres”.(Notification issued on 6th December, 2016)

 - (iii) “That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of its interest in a plot of ground at Fiddown, Co. Kilkenny to Eileen Walsh, Fiddown, Piltown, Co. Kilkenny for the nominal sum of €10.00 with each party being responsible for their own legal costs associated with the sale. Plot measures 0.017 acres.”(Notification issued on 6th December, 2016)

- (iv) “That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of its interest in plot of ground measuring approx 0.1217 acres at Smithsland South, Loughboy, Waterford Road, Kilkenny to Thomas Brett, Waterford Road, Kilkenny, for the sum of €2,500 with the Purchaser being responsible for all legal costs associated with the sale.”(Notification issued on 1st December, 2016)

(b) Planning - Pleanail

- (i) “That the County Council of the County of Kilkenny, in exercise of the powers conferred on them by Section 11 of the Roads Act, 1993 and in compliance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act 2010 hereby declares the road listed in the Public Notice and listed below, to be a Public Road – Chapelgate, Kilmacow, Co. Kilkenny- TC116. (Notification attached)
- (ii) “That the County Council of the County of Kilkenny, in exercise of the powers conferred on them by Section 11 of the Roads Act, 1993 and in compliance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act 2010 hereby declares the road listed in the Public Notice and listed below, to be a Public Road – Berkeley Lawns (Phase 2) Thomastown, Co. Kilkenny. (Notification attached)
- (iii) That the County Council of the County of Kilkenny, in exercise of the powers conferred on them by Section 11 of the Roads Act, 1993 and in compliance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act 2010 hereby declares the road listed in the Public Notice and listed below, to be a Public Road – Castlehill, Bennettsbridge Road, Kilkenny. (Notification attached)
- (iv) “We the members of Kilkenny County Council approve the initiation of proceedings for the taking in charge of the following development in accordance with Section 11 of the Roads Act, 1993 and in compliance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act, 2010”- TC148- College Square, College Road, Kilkenny. (Notification attached)
- (v) “We the members of Kilkenny County Council approve the initiation of proceedings for the taking in charge of the following development in accordance with Section 11 of the Roads Act, 1993 and in compliance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act, 2010”- TC91- The Weir, Castlecomer Road, Kilkenny. (Notification attached)
- (vi) “We the members of Kilkenny County Council approve the initiation of proceedings for the taking in charge of the following development in accordance with Section 11 of the Roads Act, 1993 and in compliance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act, 2010”- TC 125- RoseHill Court, Circular Road, Kilkenny. (Notification attached)

(vii) “We the members of Kilkenny County Council approve the initiation of proceedings for the taking in charge of the following development in accordance with Section 11 of the Roads Act, 1993 and in compliance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act, 2010”- TC 96- Hazelbrook, Ballyhale, Co. Kilkenny(Notification attached)

(viii) “We the members of Kilkenny County Council approve the initiation of proceedings for the taking in charge of the following development in accordance with Section 11 of the Roads Act, 1993 and in compliance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act, 2010”- TC 96 Briarwood, Kilmurry, Slieverue, Co. Kilkenny. (Notification attached)

(c) Roads - Bóithre

(i) Report on Speed Limits.

(ii) Presentation on the current and proposed Public Lighting Maintenance System.

(d) Corporate Affairs - Gnóthaí Corparáideacha

(i) Chief Executives Report (report attached)

(ii) Bye Laws- Prohibiting the Consumption of intoxicating liquor on the streets of Kilkenny and in public place within the City of Kilkenny.

(iii) Performance Indicators in Local Authorities 2015- NOAC Report No.11- November, 2016 (report attached)

(iv) Ratify nominations for subcommittee and elect chair for Draft Names and Commemorative Memorial Policy

(v) Presentation from Defence Forces – “Winter Ready” (to be taken at 3.30)

(e) Environment – Timpeallacht

(i) Presentation of the Draft Covenant of Mayors Sustainable Energy Action Plan.

3. Urgent Correspondence - Comhfhreagras Práinneach

4. **Business adjourned from a previous Meeting - Gnó ar athló ó chruinniú roimhe seo**

5. **Fix Dates and Times of Meetings - Dátaí agus Amanta do chruinnithe a shocrú:**
 - (i) Schedule of meetings from December – February 2017 (attached)

6. **Consideration of Reports and Recommendations of Committees of the Council - Plé ar Thuairiscí agus Moltaí ó Choistí an Comhairle:**
Chairmans Report of SPC 4 Housing Meeting held on 8th September, 2016 (copy of report attached)

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

8. **Education & Training – Oideachas agus Oiliúint**
 - (i) Conferences – Request for approval to attend as per circulated list. (attached)

Councillor	Date of Conference	Title of Conference
M. Noonan	7 th October , 2016	National Capital Forum “Make Nature Count”
P. Dunphy	18 th -20 th November	Rebuilding Ireland
D. Kennedy	25 th -27 th November	First Time home Buyer Mortgage

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

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

11. **Notices of Motion - Fógraí Rúin:**

- 23(16) **Cllr. Peter Cleere – 9th July, 2016 – Deferred from October Meeting.**

“Taking cognisance of (i) the recent majority vote of the United Kingdom to leave the European Union; (ii) the recent majority vote of the Northern Irish electorate to remain in the European Union; And (iii) Relevant sections of the 1998 Good Friday Agreement this Council calls on the British Government to facilitate a border poll and the Irish Government to make the necessary provisions for the holding of a referendum on Irish unification”

25(16) Cllr. Melissa O' Neill - 7th September, 2016 - Deferred from October Meeting.

"That Kilkenny County Council recognizes the fact that the Municipal District of Piltown is in serious need of funding for parks /amenity related activities with no specific budget .When compared to Kilkenny City which has a budget of €700,000 for parks crew and Nursery operation. I am calling on Kilkenny council to provide at least 15% of this funding to the second largest urban area in the county to enhance on approach roads, green areas, urban tree management and estate enhancement".

30(16) Cllr. Andrew McGuinness - 13th October, 2016

"That Kilkenny County Council would investigate the possibility of twinning County Kilkenny with the State of Minnesota, USA/ I have already discussed the possibility of this with Mayors of St. Paul and Kilkenny, MN, who are enthusiastic. This would complement the positive developments that have emerged from our current twinning with Kilkenny Minnesota over the last four years".

33(16) Cllrs. Sean Tyrrell, David Kennedy - 25th November, 2016

"That Kilkenny County Council arrange for a joint meeting of all the necessary Authorities/Organisations to coordinate a plan of action to restore and improve the Kings (Avonree) River in Callan to a condition where it can be a tourist and community asset rather than the liability it is today for the people and town of Callan and its environs".

34(16) Cllr. Malcolm Noonan - 9th December, 2016

"That Kilkenny County Council would embed participatory methods of public engagement on all statutory and non statutory plans, policies and schemes that require the input of members of the public. In doing so we recognise that moving away from linear consultation towards participatory planning will lead to better outcomes for all and that in adopting this approach in principle may require training for staff and elected members in the application of participatory planning".

12. Notices of Motion from other local authorities seeking support of Kilkenny County Council - Fógraí i dtaobh Rúin ó Údaráis Áitiúla eile ag lorg tacaíochta ó Chomhairle Chontae Chill Chainnigh:

26(16) Waterford City & County Council

“That Waterford City & County Council mandates the Mayor to approach the Councils in Kilkenny, Wexford & South Tipperary to ascertain if there is the political will to pursue the case for 24/7 Cardiac care for the South East at UHW and if such will exists to organise an apolitical regional campaign in pursuit of achieving same”.

27(16) South Dublin County Council – 11th October, 2016

“This Council, being very concerned about reported verifiable threats to Bees Globally, calls on the Government to ensure that banned neonics are neither offered for sale in Ireland, or used in any form and that the (proposed) Bayer's bee-harming “flupyradifurone” insecticide is banned in Ireland despite the possibility that the EU may permit it. That the contents of this motion be conveyed by the Chief Executives to the relevant Minister(s) and circulated to all City and County Councils”

28(16) South Dublin County Council – 26th October, 2016

“That this Council concerned at the need for sustainable funding for local government and services and being dissatisfied with the unfair and unworkable elements of the current Local Property Tax, calls on the Minister for Housing, Planning and Local Government and the Minister for Finance to amend the relevant legislation so as to provide for a system of funding for Local Government that is based on the provision of local services; on site value not property value; that is linked on ability to pay; that is linked to general taxation; and that enables Local Authorities to engage with their citizens in setting service levels, in determining budgets and in levying charges. That the Chief Executive convey the contents of this motion to the above Ministers and that a copy be circulated to all City and County Councils and to the AILG”.

29(16) Leitrim County Council – 8th December, 2016

“That Leitrim County Council seek an explanation from Government and the Taoiseach, as to why Leitrim is one of 10 counties that have no representation on the newly formed Citizens Assembly and also to request an explanation as to why there wasn't a fairer polling methodology employed to ensure all counties are represented”.