

CEANTAR BARDASACH CHATHAIR CHILL CHAINNIGH
MUNICIPAL DISTRICT OF KILKENNY CITY

MIONTUAIRISCÍ NA gCRUINNITHE DE CHEANTAR BARDASACH CHATHAIR CHILL CHAINNIGH A THIONÓLADH AR AN 12th MEITHEAMH 2020. MINUTES OF PROCEEDINGS OF MONTHLY MEETING HELD ON, 12TH JUNE 2020 IN THE WATERGATE THEATRE, KILKENNY

Mayor, Councillor, John Coonan, Presiding.

Present/ I Láthair:-

Councillors/Comhairleoirí: Cllr. Eugene McGuinness, Cllr. Maria Dollard, Cllr. Joe Malone, Cllr. Martin Brett, Cllr. Andrew McGuinness.

Apologies:

Also Present:

Mr. Tim Butler, Director of Services, Mr. Sean McKeown, Director of Services, Ms. Anne Maria Walsh, Senior Executive Officer, Mr. Denis Malone, Senior Planner, Mr. Ian Gardner, Senior Engineer, Ms. Teresa Mahon, Staff Officer.

Mayor's Summons of Meeting:

Notice dated 5th June, 2020, convening a Monthly Meeting for this date was read.

1. A dhaingniú Miontuairiscí Cruinnithe.
Confirmation of Minutes of Meeting:

Minutes of Special meeting held on 19th May 2020, having been previously circulated was tabled for confirmation. It was:

Proposed by: Cllr. Martin Brett
Seconded by: Cllr. Eugene McGuinness
And Resolved

“That the minutes as presented to the meeting be and are hereby adopted”.

Minutes of monthly meeting held on 8th May 2020, having been previously circulated was tabled for confirmation. It was:

Proposed by: Cllr. Andrew McGuinness
Seconded by: Cllr. David Fitzgerald
And Resolved

“That the minutes as presented to the meeting be and are hereby adopted”.

2. Cúrsaí thabhairt ar aghaidh ordú ón Méara Matters brought forward by direction of the Mayor.

The Mayor:

- Condemned the attack on a hairdressing saloon in the City.
- Welcomed the announcement by UPMC to create 60 new job in Kilkenny over the next 3 years.
- Thanked everyone, including the Media for all their efforts dealing with Covid 19 and urged all to continue to be compliant.

3. Fodhlíthe Páirceála. Parking Bye-Laws

Mr Ian Gardner, City Engineer, gave a presentation to the Members on changing Wolfe Tone Street Car Park from a predominantly long-term used carpark to a short-term car park to assist businesses on John Street. He provided details of surveys carried out in July 2016 on the car park in Wolfe Tone Street and short-term car parks in John’s Green and the Market Yard. He explained that it was the vehicle turnover in a car park that should be considered when looking at occupancy of spaces. The conclusions drawn from the survey indicated that Wolfe Tone Street Car Park operated at less than half the turnover of the 2 other short-term car parks surveyed with approximately two thirds of spaces occupied by vehicles parked for more than 6 hours. Changing the charging regime may encourage greater usage of the car park by customers of businesses in the John Street area and 2 options were suggested.

The Members thanked Mr. Gardner for his presentation. All the Members were in agreement that a change was needed in the Wolfe Tone Street car park to help traders on John Street but they were also concerns about lack of long-term car park spaces in the City for workers.

It was: Proposed by: Cllr. Eugene McGuinness
 Seconded by: Cllr. Andrew McGuinness

“That Option 1 parking charges be adopted for Wolfe Tone Street Car Park”

Further discussion took place and an amendment proposing Option 2 was suggested.

Cllr. Eugene McGuinness and Cllr. Andrew McGuinness withdrew their proposal for Option 1.

It was: Proposed by: Cllr. David Fitzgerald
 Seconded by: Cllr. Martin Brett
 And agreed by all

“ That Option 2 parking charges be adopted for Wolfe Tone Street Car Park”

(Option 2: €1 for first 2 hours and €1 per hour to a maximum of €5 per day)

Mr. Gardner confirmed it would take a number of weeks to put the changes in place. Members asked about a publicity campaign and signage to indicate long term car parks. They also enquired about the old Mart Site, James Park, disability spaces, bicycle parking, and charging points. Mr. Gardner responded to Members. He confirmed that the current review of the Car Parking Bye-Laws will address some of the issues raised and the cycling officer will make further recommendations.

4. Fodhlíthe trádala ócáideacha Casual Trading Bye-Laws

Mr. Tim Butler explained to Members that a review of the Casual Trading Bye-Laws is in progress and are currently being considered by the Council's Solicitor. In the meantime Members have the power to vary the casual trading under the current Bye Laws and as were asked to consider the following changes to in order to attract visitors to the City over the coming months:

- a) Extend the designated area for casual trading to the entire Parade area including the Mayor's Walk for the remainder of the year to assist with compliance with social distancing (as outlined in map).
- b) Extend the times of casual trading to include either a Saturdays or Sundays from 9am to 6pm.
- c) Designate the Mayor's Walk for casual trading for artists on weekends in July and August and for the normal week of the Arts Festival.
- d) Licence fee to be pro-rata. €400 per annum or €100 per quarter)

It was: Proposed by: Cllr. David Fitzgerald
 Seconded by: Cllr. Martin Brett
 And agreed by all

“ that the changes to the Casual Trading Bye-Laws listed above be implemented”.

5. Fodhlíthe Feidhmíochta Dréacht-Sráide agus Busala Draft Street Performance & Busking Bye-Laws

Mr. Tim Butler advised that Street Performance & Busking Bye-Laws had been drafted at the request of Members. They were on public display up to the 28th February, and no submissions were received. The Gardai confirmed that they would not have the resources to police these Bye-Laws if introduced. Mr. Butler confirmed that if adopted the Local Authority would need to appoint staff to monitor compliance with the Bye-laws.

It was: Proposed by: Cllr. David Fitzgerald
 Seconded by: Cllr. Andrew McGuinness
 And agreed by all

“that Members adjourned the adoption of these Bye-Laws until staff are in place as authorised officers. It was also agreed to bring the Bye-Laws before the JPC.”

6. Nuashonrú ar thionscadail bóithre. Update on Road Projects

Mr. Ian Gardner provided a report for Members detailing road work updates for June. The report included information on pavement works, landscaping/planting and maintenance to commence in June. He furnished Members with the proposed footpath remedial works and proposed application for low cost safety improvements. The temporary measures to facilitate social distancing and the new signage for the one-way system were outlined.

It was: Proposed by: Cllr. Andrew McGuinness
 Seconded by: Cllr. Martin Brett
 And agreed by all

“that the proposed footpath remedial works and the low-cost safety works be carried out as listed in the report”.

Members thanked Mr. Gardner for the detailed report. They raised the following queries/comments in relation to roads:

- Footpaths in Dean Cavanagh Place.
- Newpark Fen – footpath and signage .
- Dog bins and fouling.
- Jet skiers and danger on the River Nore.
- Road works on Callan Road.
- Footpaths not restored to standard after contractors works.
- Trees roots causing problems to footpaths/ pipes.
- Animal welfare issues and tenancy agreements.
- One-way system in the City.

Mr. Butler and Mr. Gardner responded to all the Members queries. Mr. Butler reminded Members that it is not possible to put dog bins in every part of the City and it is the responsibility of the owner to ensure that they clean up after their dog. He confirmed that he had spoken to Environment in relation to the Jet Skier. The adoption of bye-laws would take a number of months. He confirmed that the environmental regulations are being examined in relation to wildlife and disturbance of nests on the river. Road works on the Circular Road had been delayed because of the pandemic but should be completed by the end of September. Mr. Michael Murphy will give an update at the July MD meeting. Mr. Butler will ask the Environment Section to provide an update on animal welfare for the July meeting. Mr McKeown confirmed that an Animal Welfare Charter is being established through a non-statutory committee and the Members can contribute to it.

Mr Gardner confirmed that the footpaths in Dean Cavanagh Place will be addressed under the remedial works scheme. He agreed to examine paths and signage in Newpark Fen. He detailed the process that contractors undergo, including the licences practice when they undertake works but agreed to look at Smithland’s Court. He confirmed that the Council will continue to deal with trees and roots causing problems on public roads/footpaths. The Council has no power over trees on private lands. The one-way system will be reviewed after its implementation and signage will be put in place on the Ring Road to provide advanced notice to motorists

7. Forbairt Tithíochta Sóisialta Beartaithe - 120 Tithe – Bother Sion, Cill Chainnigh.
Proposed Strategic Housing Development – 120 Houses at Sion Rd, Kilkenny.

Mr. Sean McKeown explained to the Members that under the Planning and Development (Housing) and Residential Tenancies Act 2016 it is a requirement to brief the Members on the proposed housing development at Sion Road.

He provided background to the development explaining that any development of over 100 units seeking planning permission must be made directly to An Bord Pleanána and Torca Developments had done so in this case. This meeting afforded the Members to give their views on the development. The Chief Executive is required to submit a report to ABP on the proposed development taking on board the views of the Members by the 16th July. The Bord will make their decision by the 10th September.

Mr. Denis Malone gave an overview of the application and the previous planning permission on the site. The current application consists of demolishing the existing buildings on the site and building 120 residential units, a childcare facility, 154 car parking spaces and a new public park. The previous permission on this site was for low density housing.

The Members thanked Mr. McKeown and Mr. Malone for their presentation. They made the following comments in relation to the development:

- the scale and density of the proposed development is totally out of character with the locality.
- local residents in the locality of the proposed development are extremely concerned about the scale of the development proposed and their views must be respected;
- the lands for the proposed development are currently zoned low density residential. The density of the proposed development is well in excess of the current zoning, so if it were to proceed it would contravene the City Development Plan.
- the City Development Plan is adopted by the elected members after an extensive public consultation process and must be respected. If this project is approved by ABP it would undermine the role of local government and its members.
- the traffic is already constrained in the area and the roads infrastructure does not have the capacity to cater for the scale of development proposed.
- there are no schools, shops and insufficient community facilities in the locality to support the scale of development proposed.
- the proposed development is too far away from the City Centre and it would not be safe for cyclists and pedestrians to cross the already busy ring-road to access the area.
- access from the proposed development to the City Centre along the river would also not be safe for children. Furthermore, the special area of conservation of the Nore limits the potential of public lighting, and this in turn limits the potential to have a lighted walkway at night;
- local residents in the locality of the proposed development are extremely concerned about the scale of the development proposed and their views must be respected;
- the Council's own strategic policy is to prioritise the development of the Western Environs as supported through the Local Infrastructure Housing Activation Fund (LIHAF).

The Members:

- a) unanimously agreed that the Chief Executive of Kilkenny County Council should recommend refusal of this proposed development to ABP.
- b) that the Chief Executive's report should be presented to them in draft form before its submission.

Mr. McKeown explained that there is no provision in the statutory process to circulate the Chief Executive report to them before its submission.

**8. Fógra Foriarratais in ainm an Comh. David Fitzgerald dar data 5th June 2020
Notice of Motion in the name of Cllr David Fitzgerald received 5th June 2020**

“That Kilkenny MDC begin the design work to create a public open park space by re-using the old Castlecomer/ Ballyragget railway line and bridge on Johns Green to provide outdoor seating and green areas similar to the “Highline public parks project“ in New York for the public including residents in adjoining apartment blocks”.

Cllr. David Fitzgerald explained that he would like the Council to look at creating a public open park space in this high-density area.

Mr Butler confirmed that he will have the motion investigated and report back to the Members. The site is not in Council ownership and access could be issue. Following discussion:

It was: Proposed by: Cllr. David Fitzgerald
 Seconded by: Cllr. John Coonan
 And agreed by all

“that the Council look into the possibility of creating a public open park space in John’s Green area”.

**9. Aon Ghnó Eile
Any Other Business**

Cllr. Joe Malone asked if the Taxi Federation had been requested to attend a meeting to address issues. Cllr. Eugene McGuinness stated that he had been appointed as the Taxi representative and did not see a need for anyone else to be approached. He asked that Taxi’s be put on the agenda for a future MD meeting.

Cllr. Maria Dollard asked if the Council could investigate issue of Japanese Knotweed at the Abbey Quarter. Mr. Butler agreed to do so.

This concluded the business of the meeting.

Signed: _____
MAYOR

Date: _____