

MIONTUAIRISÍ AN GHNÁTHCHRUTHAITHE DEN CHOMHAIRLE
A TIONÓLADH DÉ LUAIN, AN 23 BEALTAINÉ, 2022 AG 3.00 P.M
I DTEACH BUTLER, SRÁID PHÁDRAIG



MINUTES OF ORDINARY COUNCIL MEETING HELD ON
MONDAY, 23RD MAY, 2022 AT 3.00 P.M.
IN BUTLER HOUSE, PATRICK STREET

Chair: Cllr. Fidelis Doherty.

Elected Members: Cllrs. Eamon Aylward, Tomás Breathnach, John Brennan, Martin Brett, Mary Hilda Cavanagh, Peter Cleere, John Coonan, Deirdre Cullen, Michael Delaney, Maria Dollard, Matt Doran, Michael Doyle, Pat Dunphy, David Fitzgerald, Pat Fitzpatrick, Ger Frisby, Denis Hynes, Joe Lyons, Joe Malone, Michael McCarthy, Andrew McGuinness, Eugene McGuinness & Patrick O'Neill.

Officials: Colette Byrne, Sean McKeown, Mary Mulholland, Fiona Deegan, Michael Leahy, Eimear Cody, Sheasky McGuire, Kevin Hanley, Catherine Cooney, Bernadette Moloney & Anne Maria Walsh.

Apologies: Tim Butler & Martin Prendiville.

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

- (i) **Minutes of Plenary Meeting of Kilkenny County Council**
Proposed by Cllr. Pat Fitzpatrick, seconded by Cllr. Michael Delaney and agreed.
"That the Minutes of Plenary Meeting of Kilkenny County Council held on Monday, 25th April, 2022 as circulated with the Agenda be and are hereby approved".
- (ii) **Minutes of SPC 2: Transportation Policy/Mobility Management & Water Services**
Proposed by Cllr. Tomás Breathnach, seconded by Cllr. Deirdre Cullen and agreed.
"That the Minutes of SPC 2: Transportation Policy/Mobility Management & Water Services held on Thursday, 9th December, 2021 as circulated with the Agenda be and are hereby approved".
- (iii) **Minutes of SPC 5 Meeting: Community, Culture & Fire Services**
Proposed by Cllr. John Coonan, seconded by Cllr. Peter Cleere and agreed.
"That the Minutes of SPC 5 Meeting: Community, Culture & Fire Services held on Wednesday, 16th February, 2022 as circulated with the Agenda be and are hereby approved".

Fógraí - Announcements

Cathaoirleach Fidelis Doherty welcomed the students who won National Awards in the Student Enterprise Programme. She congratulated all on winning the County Awards and representing Kilkenny on the national stage. She encouraged them to continue with their great ideas and wish them well in their future endeavours. She thanked their parents and teachers for their encouragement and help in achieving their awards. She further said that entrepreneurial skills are alive and well in Kilkenny.

Elected Members showed their appreciation to the students with a resounding round of applause.

Cathaoirleach Cllr. Fidelis Doherty extended congratulations and well wishes to the following:

- Pride of Place finalists especially KATS Arts, Callan who received a special award at the event in Killarney.
- All the students in the National Student Enterprise Programme and particularly the finalists and winners who represented Kilkenny.
- Under 20 Kilkenny Hurling Team who won the All-Ireland U20 Hurling title and Billy Drennan who was awarded "Man of the Match".
- Bike Fest which was held in County Hall.
- Cushendale Woollen Mills who will represent Kilkenny at the National Enterprise Awards.
- Cats Trail and all the businesses who bought the Cats at the recent auction.

Cathaoirleach welcomed the new tenants to the Brewhouse.

Vótaí Comhbhrón - Votes of Sympathy

Cathaoirleach Cllr. Fidelis Doherty extended vote of sympathy to the following:

- Padraig Phelan, Water Services on the death of his father Daniel Phelan.
- Cllr. David Fitzgerald on the death of his mother-in-law, Margaret Walsh.
- Family of the late Cian Mooney, Castlecomer.
- Family of the late Peggy O'Dwyer, Glenmore.
- Family of the late Mary Walsh, Slieverue.
- Family of the late Canon Flynn, Kilmacow.

It was proposed by Cllr. Mary Hilda Cavanagh seconded by Cllr. Andrew McGuinness and agreed that the meeting would finish at 4.30 p.m. for presentation to Chief Executive on her departure.

2. (a) (i) *Ag Cúram/ Taking in Charge: Initiation Stage 'Declaration of Public Roads' (TC156) Internal Road Network*

It was proposed by Cllr. Martin Brett, seconded by Cllr. Andrew McGuinness and agreed that:

"We, the Members of Kilkenny County Council approve the initiation of proceedings to declare the following road to be a public road in accordance with Section 11 of the Roads Act, 1993."

Road: (TC156) *Internal Road Network within Kilkenny Retail Park, Springhill, Kilkenny.*

(ii) *Ag Cúram/ Taking in Charge: Final Stage - Seville Rise, Phase 1, Callan Road, Kilkenny*

It was proposed by Cllr. David Fitzgerald, seconded by Cllr. John Coonan and agreed that:

"That the County Council of the County 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."

Development: *TC165, Seville Rise (Phase 1), Margaretsfield, Callan Road, Kilkenny*

(iii & iv) **Proposed Part 8/ Cuid 8 Atá Beartaithe: Rural Houses at Roscon, Windgap & Corbettstown, Ballyfoyle & 2 Units at Community Centre, Loughboy**

Cathaoirleach advised that these 2 items will be taken together and invited Ms. Eimear Coady, Senior Executive Engineer to give a presentation.

Ms. Coady gave an overview on the following in her PowerPoint Presentation:

- Summary of current housing projects in the pipeline.
- 9 projects – delivery of 105 units with contract value of €24.6m.
- Crokers Hill – Project has been re-tendered.
- Design Team appointed to Weather Station site.
- Part 8 Proposal – Loughboy – 2 single story, 2 bed houses – layout and proposed location.
- Part 8 Proposal – Corbettstown – single story 4 bed unit adjacent to an existing Local Authority house.
- Floor Plans layout and location.
- Part 8 Proposal – Roscon Windgap – 4 bed house – Floor Plan and layout.

She advised that it is expected that the Part 8 Proposals will go on public display in the coming weeks. A consultation event will be arranged for the houses in Loughboy.

Contributions were received from Cllrs. Peter Cleere, John Coonan, John Brennan, David Fitzgerald, Andrew McGuinness, Matt Doran, Martin Brett and Tomás Breathnach in relation to the following:

- Status of 25 units in Thomastown.
- Public consultation for Part 8 proposals.
- Direct purchases by Kilkenny County Council.
- Part 5 Provision – Social/ Affordable.
- Unit cap on cost of purchases.
- Increased construction costs – effects on existing contracts and new starts.
- Risks with Fixed Prime Contracts.
- Affordable Units.
- Change in Income Threshold in relation to qualifying for various services.

Ms. Mary Mulholland and Ms. Eimear Coady responded to the issues raised by the Members.

(b) (i) **Iasacht a Chruinniú ón nGníomhaireacht Airgeadais do Thithe Cpt**
Raising of a Loan from the Housing Finance Agency Plc

Mr. Sheasky McGuire, Finance advised Members that approval is being requested to raise a loan of €5m from the Housing Finance Agency to provide the funds to advance housing loans to approved applicants.

It was proposed by Cllr. Matt Doran seconded by Cllr. Martin Brett and agreed:

“That Kilkenny County Council hereby approves the raising of a loan of five million Euro (€5,000,000) from the Housing Finance Agency Plc. for any purpose authorised under the Housing Acts”.

(c) **Bonneagar a Ainmniú - Naming of Infrastructure**

Ms. Anne Maria Walsh referred to Mr. Tim Butler’s report dated 17th May, 2022 circulated with the Agenda. She advised that the Civic Memorial Sub Committee carried out research on the area and provided a report to the Naming of Infrastructure

Committee to consider. The Naming of Infrastructure Committee had two meetings to consider the report and recommend a name for the eight items of Public Realm/Structures in the Abbey Quarter. The approval of the Council is requested for the names as detailed in the report.

It was proposed by Cllr. Maria Dollard, seconded by Cllr. John Coonan and agreed that:
"We, the Members of Kilkenny County Council, hereby approve the Naming of Infrastructure at Abbey Quarter as follows:

No. on Map	Infrastructure Location	Name recommended by the Civic Memorials Sub-Committee
2	Area adjacent to Brewhouse	<i>Brewhouse Square</i>
5	Park adjacent to Watergate Theatre	<i>Jenkins Yard</i>
6	Public Park at St. Francis Abbey	<i>Greyfriars Park</i>
7	Courtyard between St. Francis Abbey & Brewhouse	<i>An Chlabhstra (The Cloister)</i>
8	Urban Street	<i>Greyfriars Walk</i>
10	Lane Way Parliament Street to River Nore – Through Watergate Park and Brewhouse Square and across row	<i>Smithwick's Lane</i>
11	Riverside Park/Garden	<i>Greyfriars Park</i>
12	Teahouse Square	<i>Isabel's Teahouse Square</i>

(d) ***Dámhachtainí Deontais Conláiste 2022 - 2022 Amenity Grant Awards***

Mr. Sean McKeown presented his report dated 20th May, 2022 circulated with the Agenda. He advised that the budget approved for 2022 is €140,000. Following advertisement, 172 applications were received. 2 applications were ineligible. An evaluation of 170 applications was undertaken in accordance with the criteria of the Amenity Grants Scheme. He recommended that the allocations outlined in the schedule attached to his report in the total amount of €139,465 be approved by the Elected Members.

It was proposed by Cllr. Matt Doran seconded by Cllr. Ger Frisby and agreed

"That the Amenity Grants are hereby approved by the Members of Kilkenny County Council."

(i) ***Deontais Reilige - Graveyard Grants***

Mr. Sean McKeown presented his report dated 17th May, 2022 circulated with the Agenda. He advised that the budget allocation for 2022 is €20,000. 54 applications were received under the Scheme. 2 applications were ineligible.

He recommended that the allocations outlined in the schedule attached to his report in the total amount of €20,000 be approved by the Elected Members.

It was proposed by Cllr. Andrew McGuinness, seconded by Cllr. Michael Doyle and agreed:

"That Kilkenny County Council approves the payment of Graveyard Grants 2022 totaling €20,000 in accordance with the list circulated to the Members."

(i) *Glantachán Ar Fud an Chontae - County Wide Clean Up*

Ms. Colette Byrne advised the meeting that an initiative for a County Wide Clean up was being developed pre Covid but was suspended until it was feasible for people to be out and about and able to do clean up. Sponsorship has been agreed with five companies for a dedicated clean up for three years. A pilot clean-up will take place in 2022 on Kilkenny Day and the County Wide Clean Up will take place on 1st February [Public Holiday] in 2023, 2024 and 2025.

Ms. Bernadette Moloney, Environment Awareness Officer gave a PowerPoint presentation on this Community Litter Initiative. In her presentation she gave an overview on the following:

- Achievements in IBAL, Tidy Towns, Green Schools Programme and All Ireland Pollinator Plan.
- Ambition for County Wide Clean Up organisation to collaborate with.
- Slogan for the initiative.
- List of Corporate Sponsors.
- Details on the Four Year Plan 2022-2025. Targets for participation in the County Wide Clean Up.
- Organising/collaborating, managing and promoting it.
- List of possible groups collaborating.
- Sustainable Development goals being achieved under the United Nations Global Goals.
- School Module for CSPE.
- Let's Team Up to Clean Up - to be launched in June 2022.

Cathaoirleach Cllr. Fidelis Doherty thanked Ms. Colette Byrne and Ms. Bernadette Moloney for the overview.

Members welcomed this initiative and thanked the Executive for acquiring sponsorship.

Contributions were received from Cllrs. Deirdre Cullen, Joe Lyons, Martin Brett, Matt Doran, Andrew McGuinness, Tomás Breathnach, Peter Cleere, John Coonan, Pat Dunphy and Ger Frisby in relation to the following:

- Dog Fouling, fines issued, DNA Testing.
- School Module, CSP Class.
- Free Recycling Days - more publicity required.
- Use of CCTV - for detection of littering.
- Green Flag Programme for Secondary Schools, competitions for Secondary Schools.
- Avail of Neighbourhood Watch resources for clean-up day.
- Litter on local roads - manage clean-up of these.
- Regular monitoring of Black Spots.
- Big Belly Bins for the County.
- Broaden scope of National Spring Clean Programme.
- Feedback from Groups involved in Clean Up Day.

Ms. Bernadette Moloney responded to the issues raised by the Members. Mr. Sean McKeown advised that updated legislation is required for use of CCTV for detection of litter and dumping offences. It is hoped that the legislation will be enacted by the end of the year.

It was proposed by Cllr. Andrew McGuinness, seconded by Cllr. Deirdre Cullen and agreed that this Council write to Minister Ryan requesting that he expedite the legislation required to provide the clarity needed for Local Authorities to use CCTV and other recording devices to gather evidence to prosecute litter and dumping offences.

Ms. Bernadette Moloney advised that the use of DNA testing will be examined and brought forward for discussion at the SPC meetings. Insurance and health and safety will be paramount in managing clean ups in any part of the County.

Cllr. Fidelis Doherty thanked all for their input into this item and thanked Ms. Colette Byrne for all her work in getting this initiative sponsored.

(iv) ***Tuarascáil Mhíosúil an Phríomhfheidhmeannaigh***
Chief Executive's Monthly Report

Ms. Colette Byrne, Chief Executive presented her monthly Chief Executive Report.

Cllr. Fidelis Doherty advised that the monthly Chief Executive Report be taken as read and noted.

She thanked Ms. Colette Byrne for her detailed monthly reports over the last seven years which provided Members with a lot of information on the services being provided and up-to-date reports on the progress of many projects.

3. ***Comhfhreagras - Correspondence***

None.

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

None.

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

(i) **Schedule of Meetings**

It was proposed by Cllr. John Coonan, seconded by Cllr. Martin Brett and agreed.

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

(i) **Report of SPC 2: Transportation Policy/Mobility Management & Water Services**

It was proposed by Cllr. Pat Dunphy, seconded by Cllr. Deirdre Cullen and agreed that Report of SPC 2: Transportation Policy/Mobility Management & Water Services held on Thursday 9th December, 2021 be taken as read and noted.

(ii) **Report of SPC 5 Meeting: Community, Culture & Fire Services**

It was proposed by Cllr. John Brennan, seconded by Cllr. John Coonan and agreed that Report of SPC 5 Meeting: Community, Culture & Fire Services held on Wednesday 16th February, 2022 be taken as read and noted.

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

None.

8. ***Oideachas agus Oiliúint - Education & Training***

None.

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

None.

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

Cllr. Pat Dunphy asked that consideration be given to accepting one quotation only in relation to Housing Grants as applicants are finding it extremely difficult to secure two quotations. Cllr. John Brennan expressed concerns also in relation to the increasing cost of materials and grants approved are not sufficient to meet the cost of the works.

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

It was proposed by Cllr. David Fitzgerald, seconded by Cllr. Martin Brett and agreed that Notices of Motion numbered 09(22), 10(22) and 11(22) be deferred to the June meeting.

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

It was proposed by Cllr. Ger Frisby, seconded by Cllr. Martin Brett and agreed by all that the following Notices of Motion numbered 20 (22) and 21 (22) received from a number of Local Authorities be taken as read and noted:

20 (22) Wexford County Council

“In the interests of fairness, competition and value for money, this Council calls on the Minister for Environment, Climate & Communications and the Commissioner for Energy Regulation to ensure a transparent, robust and thorough procurement process be applied to next Supervisory Body of Electrical Contractors agreement to ensure that all Contractor’s views are taken into account and that consideration for two bodies be considered to avoid monopolistic dominance of the market.”

21 (22) Wexford County Council

“Wexford County Council calls on the Minister for Housing, Local Government and Heritage to introduce financial assistance to assist in the removal of asbestos from residential dwellings.”

Cathaoirleach Cllr. Fidelis Doherty paid tribute to Ms. Colette Byrne, Chief Executive as this is her last meeting with the Council. Cllrs. Andrew McGuinness, Mary Hilda Cavanagh and Tomás Breathnach spoke on behalf of the Members. Mr. Sean McKeown spoke on behalf of the staff. All thanked Ms. Byrne for her work and for her leadership over the last seven years. Cathaoirleach presented her with a gift on her departure.

Ms. Colette Byrne responded to the kind remarks from the Elected Members.

That concluded the business of the meeting.

CATHAOIRLEACH

DATE