

MIONTUAIRISÍ ÓN GCRUINNIÚ IOMLÁNACH DE CHUID
CHOMHAIRLE CONTAE CHILL CHAINNIGH TIONÓLTA
AR AN LUAN, 20 BEALTAINÉ 2024 AG 3.00 I.N. I SEOMRA NA
COMHAIRLE, HALLA AN CHONTAE & VIA FOIRNE MS



MINUTES OF PLENARY MEETING OF KILKENNY COUNTY COUNCIL
HELD ON MONDAY, 20TH MAY, 2024 AT 3.00 P.M.
IN THE COUNCIL CHAMBER, COUNTY HALL & VIA MS TEAMS

Chair: Cllr. Michael Doyle.

Elected Members: *Council Chamber*

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

MS Teams

Cllrs. John Brennan & Denis Hynes.

Officials: Lar Power, Tim Butler, Sean McKeown, Mary Mulholland, Martin Prendiville, Fiona Deegan, Seamus Foley, Tony Lauhoff, Seamus Kavanagh, Anne Marie Shortall, Ashling Slattery & Anne Maria Walsh.

Cllr. Michael Doyle welcomed all to the last meeting of this term of the Council.

1. *Dearbhú Miontuairiscí - Confirmation of Minutes*

- (i) *Miontuairiscí Chruinniú Iomlánach mhí an Aibreán - Minutes of April Plenary Meeting*
Proposed by Cllr. Pat Fitzpatrick, seconded by Cllr. Andrew McGuinness and agreed:

"That Minutes of Plenary Meeting of Kilkenny County Council held on Monday, 22nd April, 2024 as circulated with the Agenda be and are hereby approved".

Vótaí Comhbhrón - Votes of Sympathy

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

- Mary Kinane, Motor Tax on the death of her sister Alice Fitzpatrick, Laois.
- Stan Cullen, Ferrybank Area Office on the death of his brother Jim Cullen, Dublin.
- Caitriona O'Sullivan, Planning on the death of her father John Reilly, Meath.
- Grace Quinn, Motor Tax on the death of her sister Julia Underwood, Kerry.
- Family of the late John Robinson, Kilmanagh.
- Family of the late Seamus Hennessy, Clogh.
- Family of the late Anne Vaughan, Windgap.
- Family of the late Paddy Grant, Mullinavat.
- Family of the late Dick Cody, Glenmore.
- Family of the late Dick Dowling, Newrath.
- Family of the late Maudie Mernagh, Glenmore.
- Family of the late John Mallon, Kilmurray.

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

- (i) It was proposed by Cllr. Deirdre Cullen, seconded by Cllr. Fidelis Doherty and agreed:

"That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of its interest in land at Knockmoylan, Mullinavat, Co. Kilkenny – as identified on the attached map - to

Noreen Grant and James Reynolds, Knockmoylan, Mullinavat, Co. Kilkenny. Kilkenny County Council will be responsible for all legal costs associated with the sale. Area measures 167m² (0.0167 ha). The Consent of the Minister for Housing, Local Government and Heritage is not required."

- (ii) It was proposed by Cllr. Peter Cleere, seconded by Cllr. Deirdre Cullen and agreed:

"That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of its interest in land at Bannagagore & Moanmore, Bagenalstown, Co. Carlow – as identified on the attached map - to David and Paula Bambrick, Lavender Lodge, Moanmore, Muine Bheag, Co. Carlow. Kilkenny County Council will be responsible for all legal costs associated with the sale. Area measures 400m² (0.04 ha). The Consent of the Minister for Housing, Local Government and Heritage is not required."

- (iii) It was proposed by Cllr. Tomás Breathnach, seconded by Cllr. Michael Delaney and agreed:

"That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of its interest in land at Ballynolan & Demense, Leighlinbridge, Co. Carlow – as identified on the attached map - to Shane Mullen, 112 Cedar Walk, Castle Oak, Co. Carlow. Each party are responsible for their own legal fees associated with this transfer. Area measures 2678 m² (0.66 acres) The Consent of the Minister for Housing, Local Government and Heritage is not required."

- (iv) It was proposed by Cllr. Tomás Breathnach, seconded by Cllr. Pat Dunphy and agreed:

"That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of its interest in land at Ballykeoghan, Kilmacow, Co. Kilkenny – as identified on the attached map - to Noeleen Ivory, Ballykeoghan, Kilmacow, Co. Kilkenny. Area measures 830m² (0.083 ha). Ms Ivory is responsible for all legal fees associated with this transfer and a €100 consideration for the land. The Consent of the Minister for Housing, Local Government and Heritage is not required."

- (v) It was proposed by Cllr. Deirdre Cullen, seconded by Cllr. Peter Cleere and agreed:

"That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of Interest in a plot of land at Rathcash, Clifden, Co. Kilkenny– as identified on the attached map - to Mr John Meaney for Nil Consideration. The Consent of the Minister for Housing, Local Government and Heritage is not required."

2. (b) **Pleanail - Planning**

- (i) **Ag Glacadh i gCúram: Taking in Charge: Initiation - Cnocbaun**

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

"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".

Development: [TC184] Baun/Cnoc Baun, Ballyfoyle Road, Kilkenny

- (ii) **Ag Glacadh i gCúram: Taking in Charge: Final - Ayrfield, Kilkenny**
It was proposed by Cllr. Eugene McGuinness, seconded by Cllr. Martin Brett and agreed that:

“That the County Council of the County of Kilkenny, in exercise of the powers conferred on them by Section 11 of the Roads Act, 1993 and in compliance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act 2010, hereby declares the road listed in the Public Notice and listed below, to be a Public Road.”

ESTATE: [TIC 141] Ayrfield, Kilkenny

- (iii) **Ag Glacadh i gCúram: Taking in Charge: Taking in Charge - Final - Larchfield**
It was proposed by Cllr. Eugene McGuinness, seconded by Cllr. John Coonan and agreed that:

“That the County Council of the County of Kilkenny, in exercise of the powers conferred on them by Section 11 of the Roads Act, 1993 and in compliance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act 2010, hereby declares the road listed in the Public Notice and listed below, to be a Public Road.”

ESTATE: [TIC 170] Sycamore Drive, Larchfield, Co Kilkenny

(c) **Pobol Cultúr - Community & Culture**

- (i) **Scéim Deontais d'Imeachtaí Pobail 2024 - 2024 Community Event Grant Scheme**
Ms. Anne Marie Shortall, Senior Executive Officer circulated and presented Report on the Community Events Grant Scheme 2024. She advised the Members that a budget of €30,000 was allocated for these grants. 65 applications were received seeking funding totalling €57,000. Following assessment it is recommended to the Elected Members that the total budget of €30,000 be allocated to 58 applicants. 7 applications were deemed ineligible as they did not qualify for funding under this scheme.

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

“That the Event Grants 2024 are hereby approved by the Members of Kilkenny County Council, as per Report circulated.”

(d) **Bóithre - Roads**

- (i) **Cur i bhFeidhm na Teorann Luais Náisiúnta
National Speed Limit Implementation**

Mr. Tim Butler, Director of Services referred to the letter circulated in relation to the National Speed Limit Implementation. He made a Powerpoint Presentation in relation to same.

He gave an overview on the following:

- Background – Speed Limit Review Report – Action 6 of the Government Roads Safety Strategy 2024.
- Key recommendations:
 - (i) Reduce default speed limit on National Secondary Roads to 80kmh
 - (ii) Reduce default speed limit on Local Roads to 60kmh
 - (iii) Reduce default speed on Urban Roads to 30kmh.
- Awaiting Statutory Guidelines on default speed limits.
- Variations to the defaults permitted by Bye-laws.
- Timelines – Implementation on Rural Local Roads by end of November 2024.

- National Secondary and Urban speed limit Q1/Q2 of 2025.
- Total road network in Kilkenny – 3,332km
- All signage will need to be replaced.
- Funding being requested.
- Variations to defaults not recommended at present – further consideration will be brought to the September meeting.
- Special Speed limits remain in place as per Bye-laws.

Mr. Tim Butler advised that public consultation will be required if there are proposed variations to the default speed limits. He also confirmed that at this time Kilkenny County Council is not intending to make any amendments to the default 60 k/hr default speed limit for local roads

Contributions were received from Cllrs. Michael Doyle, Maria Dollard, Pat Fitzpatrick, Andrew McGuinness, Mary Hilda Cavanagh, John Coonan, Deirdre Cullen and Eugene McGuinness. Members welcomed the introduction of the speed limits and called on the public to engage in any consultation. There is an urgency in reducing fatalities on the roads. Increase in road deaths is a serious concern for all.

The following issues were raised:

- Provision of additional driver feedback signs.
- Need for engineering solution to reduce speed – more funding for Low Cost Safety Schemes.
- Audit on all schools in the Council.
- Speed ramps are not the solution.
- Speed Limits in Housing Estates.
- Need for public to comply with speed limit.
- More enforcement of speed limits.
- More resources for detecting excessive speed.

Mr. Tim Butler advised that work has commenced on the implementation of the reduced speed limits on rural local roads for the November deadline. We are awaiting Guidelines on implementation of the 30kmh for urban roads. Review of speed limits at schools will be undertaken during the next term of the Council. The Council will continue to seek additional funding for Low Cost Safety Schemes. Local funding for roads is decided at the Annual Budget and this covers maintenance and improvements for all roads and Members have discretion when preparing Road Works Programme annually.

(d) Airgeadais - Finance

(i) ***Nuashonrú ar Cheathrú na Mainistreach - Update on Abbey Quarter***

Mr. Martin Prendiville advised that Mr. Seamus Foley and Tony Lauhoff will present an update on projects in the Abbey Quarter.

Mr. Seamus Foley outlined the following in his Presentation:

- Mayfair Library - This 1800sqm state of the art library opened to the public on the 25th April.
- Street & Park - The construction tender will issue in the next week with expected construction commencement is October 2024 and completion in Q2 2026.

- Greensbridge Boardwalk - An Bord Pleanála granted permission with conditions in early May. It is expected that the tender for construction will issue in early Q1 2025 with the main works commencing in July 2025.
- Brewhouse Square Copper Tank - Civil works are substantially complete with final civil, electrical and snagging works post tank install. Tank install is expected shortly.
- Cultural Hub - The planning application for this refurbishment project is expected to be submitted in the next few weeks.
- Watergate Theatre Energy Upgrade - The Part 8 planning application for this development is expected to be submitted in the next few weeks.
- Abbey Quarter Engineers Block - This building is in the process of being purchased by Kilkenny County Council. The proposed use, design and funding required for its refurbishment is under consideration.

Mr. Tony Lauhoff provided an update on the Abbey Quarter Development Partnership activities:

- Plot 7 – currently in planning for offices with ground floor retail. Decision appealed to An Bord Pleanala, awaiting outcome.
- Plots 4, 5 and 6 – potential for residential for Plot 5 and 6 is to be examined. Proposed hotel for either Plot 4 or 6. Currently examining feasibility of apartments which is challenging, competing with edge of town developments.
- Plot 4 – proposal to dispose for hotel use and will require agreement from funding partners – Kilkenny County Council and National Treasury Management Agency.
- Key challenges:
 - (i) Commercial Development, construction costs, interest rates, market rent, demand for offices.
 - (ii) Residential – Construction costs for apartments, purchase costs, state supports required.
 - (iii) General – availability of parking.

Cllr. Michael Doyle thanked Mr. Seamus Foley and Mr. Tony Lauhoff for the detailed update and overview of projects in the Abbey Quarter.

Contributions were received from Cllrs. David Fitzgerald, Andrew McGuinness, Eugene McGuinness, Maria Dollard, Martin Brett, Pat Fitzpatrick and John Coonan.

Issues raised by Members as follows:

- Huge positive feedback on Mayfair Library.
- Issue – Parking facility for Library users particularly age friendly and disability.
- Welcome progress on the link to the Linear Park and Riverside Walk.
- Disposal of Plot for hotel – require details of conditions to be attached.
- Concern raised in relation to need for block of offices in the City Centre.
- Link from Market Yard Car Park to Mayfair Library to be considered.
- Some Members not in favour of selling plots.
- Some Members raised questions regarding the conditions applicable to the disposal of plots.

Mr. Tony Lauhoff responded and advised that there is definite interest in new office block (Plot 7) from enquiries already received. Expertise will be needed from the Hotel Industry for development of hotel in the Abbey Quarter.

Mr. Lar Power stated that there are immense opportunities for Kilkenny City and County in the Abbey Quarter. We are asking for permission from the Members to engage with the market to see what is the best way to move forward with a hotel development.

It was proposed by Cllr. David Fitzgerlad, seconded by Cllr. Pat Fitzpatrick and agreed that:

“Pursuant to Clause 6.5.2 of a Limited Partnership Agreement relating to Kilkenny Abbey Quarter Development Partnership, made the 23rd December 2016 between Kilkenny County Council, the National Treasury Management Agency and Kilkenny Abbey Quarter Development Limited, the consent of Kilkenny County Council is required in respect of the disposal of any of the Properties as defined in the said Limited Partnership Agreement.

Kilkenny County Council hereby consents in principle to the disposal of a plot for hotel use for the purpose of Clause 6.5.2 of the said Limited Partnership Agreement.”

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

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

Cathaoirleach Cllr. Michael Doyle advised that the Chief Executive Report for May will be taken as read. Any questions can be directed directly to the Chief Executive.

Mr. Sean McKeown advised that the Council is commencing the Part 8 Planning process for a Link Road between Abbey Road to Belmont Road over the Greenway. Funding has been approved under URDF. This Link Road will open up lands for residential development and allow for connection to the Trail Head Carpark. This carpark may facilitate Park and Ride for the North Quays.

(ii) **Éachtaí 2019 go 2024 - Achievements 2019 to 2024**

Cathaoirleach Cllr. Michael Doyle thanked the Executive for preparing a Report on Achievements by the Council over the 5 years of this Council. The report has been circulated and will be taken as read and noted.

3. **Comhfhreagras - Correspondence**

(i) **Admháil ón Aire - Acknowledgement from Minister [Notice of Motion 08-2024]**

This item was taken as read and noted.

(ii) **Freagra ón Aire - Response from Minister [R639 Urlingford]**

This item was taken as read and noted.

(iii) **Freagra ón Aire - Response from Minister [Notice of Motion 04-2024]**

This item was taken as read and noted.

Cllr. Mary Hilda Cavanagh expressed her disappointment on the Minister’s response on the reclassification of the R639 Urlingford to Kilkenny Road.

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) **Sceideal na gCruinnithe - Schedule of Meetings**

It was proposed by Cllr. Fidelis Doherty, seconded by Cllr. Andrew McGuinness and agreed.

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

None.

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 raised concerns on the number of water leaks in Mooncoin and the delays in repairing them by Uisce Éireann. There needs to be a quicker response time to dealing with these leaks.

Contributions were received from Cllrs. Tomás Breathnach, Eugene McGuinness and Pat Fitzpatrick in relation to leaks on the water network across the County.

11. *Fógraí Rúin - Notices of Motion*

None.

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. Mary Hilda Cavanagh, seconded by Cllr. Andrew McGuinness and agreed that Notices of Motion 04(24) be taken as read and noted.

04 (24) Louth County Council

"That this Council reaffirms its support to the Good Friday Agreement as voted in by the elected suffrage of men and women in an All-Ireland vote held in 1998 which paved the way for changes in Bunreacht na hÉireann to the constitutional status of this island, the re-establishment of Power-Sharing in Stormont, albeit for the first time. The creation of Cross-Border Bodies and recognition of Rialtas Na hÉireann as a co-guarantour of the Good Friday Agreement.

That this motion be sent to each local authority, each local authority with a partnership/SLA with a cross-border County Council area in the Ulster Region and partnership organisations such as EBR and the North-South Ministerial Council for comment."

Cllr. Michael Doyle expressed thanks to all at the final meeting. He wished all Members going forward for election every success. He thanked the Executive and all staff for their work, advice and support to all Members.

Cllr. Michael Doyle acknowledge the service of the 3 Members not seeking re-election, Cllrs. Matt Doran, Eamon Aylward and Patrick O'Neill. He referred to their respective service as a Councillor ranging from 22 years to 10 years, their work for the local communities and the Council. He wished them and their families well for the future.

Cllrs. Andrew McGuinness, Mary Hilda Cavanagh and Tomás Breathnach paid tribute to the 3 Councillors and wished them well. All thanked the 3 Councillors for their service on the Council and for all their work in the County.

Mr. Lar Power, Chief Executive thanked them for their role as Councillors, their professionalism and courtesy to the Executive and staff. He wished them well and appreciated their decisions at this time not to seek re-election.

Cllrs. Matt Doran, Eamon Aylward and Patrick O'Neill responded and thanked all for their kind remarks. They spoke of their time as Councillors and the experiences gained. They thanked all the Elected Members and staff for their support, help, courtesy and friendship while they served on the Council.

That concluded the business of the meeting.

CATHAOIRLEACH

DATE