



MINUTES OF PLENARY MEETING OF KILKENNY COUNTY COUNCIL
HELD ON MONDAY, 21 OCTOBER, 2024 AT 3.00 P.M. IN THE COUNCIL CHAMBER,
COUNTY HALL & VIA MS TEAMS

Attendance

Chair: Cllr. Michael McCarthy.

Elected Members: *Council Chamber*

Cllrs. Tomás Breathnach, Mary Hilda Cavanagh, Michael Delaney, Joe Lyons, Andrew McGuinness, John Brennan, Jenny Catt Slattery, Peter ‘Chap’ Cleere, Deirdre Cullen, Stephanie Doherty, Fidelis Doherty, Michael Doyle, Patrick Dunphy, David Fitzgerald, Pat Fitzpatrick, Ger Frisby, Eugene McGuinness, Seán Ó hArgáin, Joe Sheridan & Maurice Shortall.

MS Teams

Apologies: Cllrs. John Coonan, Joe Malone and Maria Dollard.

Officials: Lar Power, Tim Butler, Martin Prendiville, Mary Mulholland, Fiona Deegan, Ian Gardner, Seamus Kavanagh, Denis Malone, Eimear Cody, Jan McIntyre, Tony Lauhoff, Seamus Foley, Bridget Webster and Catherine Cooney.

1. Dearbhú Miontuairiscí - Confirmation of Minutes

Miontuairiscí Chruinniú Iomlánach mhí na Méan Fómhair - Minutes of September Plenary Meeting

Proposed by Cllr. Mary Hilda Cavanagh, seconded by Cllr. Pat Dunphy and agreed:

“That Minutes of Plenary Meeting of Kilkenny County Council held on Monday, 16 September, 2024 as circulated with the Agenda be and are hereby approved”.

Fógraí - Announcements

Cathaoirleach Cllr. Michael McCarthy congratulated:

O’Loughlin Gaels and Thomastown GAA Clubs on reaching the County Senior Hurling Final and wished them the best of luck in the final.

Lisdowney GAA on reaching the County Intermediate Hurling Final.

Piltown on winning the Senior Camogie County final for the first time in many years.

Congratulations and best wishes to O’Shea’s Farms, Piltown and The O’Neill Family, Mountain View on being shortlisted for Good Food Ireland Awards 2024. Winners will be announced at a national event on 11 November.

Vótaí Comhbhrón - Votes of Sympathy

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

Ivan Taylor, Environment on the death of her wife, Esther Taylor, Crougtabeg, Windgap, Kilkenny.

Pat Quigley, Kilkenny Municipal District on the death of her father Seán Quigley (former Kilkenny Borough Council employee), 48 Dean Cavanagh Place, Kilkenny.

Paddy Crotty, Housing Section, on the death of her father, Michael (Mick) Crotty, 7 Ashleigh Court, College Road, Kilkenny.

Suzanne Galvin, Planning Section, on the death of her mother, Anne Brennan, 7 Eden Vale Close, Kilkenny.

Martin Morris, Corporate Services, on the death of his mother, Mary Morris.

Family of the late Martin Foley, Vicar Street, Kilkenny, retired General Operative.

Family of the late John Lacey, 38, Riverview Bennettsbridge Road, Kilkenny, retired Driver.

Donal McEllin on the death of his mother Rose McEllin.

The Cahill and Morris families on the sad passing of their baby daughter, three-year old Lilybeth Cahill.

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

It was proposed by Cllr. Michael Delaney, seconded by Cllr. Mary Hilda Cavanagh 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 Ballytarsna, Cashel, Co. Tipperary to John Paul Dwyer, Ballytarsna, Cashel, Co. Tipperary for following consideration:-
Plot G – nominal sum of €10.00 with Kilkenny County Council being responsible for all legal costs associated with the sale. Plot G Area 130m² (0.013 ha) (Notice sent to members on 10 October, 2024).”*

(b) Pleanail - Planning

(i) Nuashonrú ar Athruithe ar Phlean Forbartha Cathrach & Contae Update on Variations to City & County Development Plan

Cllr. Mary Hilda Cavanagh proposed an amendment to the proposed Variation 2 to reflect what was proposed by the Elected Members at the July meeting by way of a Notice of Motion. This was seconded by Cllr. Andrew McGuinness.

Mr. Tim Butler explained to the Meeting that what is proposed in the amendment is not what was out on public consultation as part of Variation 2 to the City and County Development Plan 2021. The proposed amendment would have to go through the public consultation process which included consultation with the Office of the Planning Regulator (OPR) and it is likely that the OPR will not accept this proposed variation. It is a material change to what was put on public display for Variation 2.

Mr. Denis Malone advised that the Elected Members have the following options in relation to the Variation that is before the meeting:

- Adopt the Variation as presented.
- Refuse the Variation or
- Amend the Variation.

He also stated that what is proposed in the amendment by Cllr. Mary Hilda Cavanagh is a different variation.

It was proposed by Cllr. Mary Hilda Cavanagh and seconded by Cllr. Peter ‘Chap’ Cleere and agreed:

“that the meeting be adjourned for 10 minutes to allow members discuss the matter”.

Following the ten minutes, it was further proposed by Cllr. Michael Delaney, seconded by Cllr. Seán Ó hArgáin and agreed:

“that the meeting be adjourned for a further 10 minutes.”

When the meeting reconvened, Cllr. Mary Hilda Cavanagh withdrew her proposal to amend the Variation. Following this it was:

Proposed by: Cllr. Mary Hilda Cavanagh
Seconded by: Cllr. Peter ‘Chap’ Cleere
And Resolved

“We, the Members of Kilkenny County Council, having considered the proposal to make Variation 2 to the Kilkenny City and County Development Plan 2021 under Section 13 of the Planning and Development Act 2000 as amended, and having considered the Chief Executive’s Report as circulated on 17 October 2024, prepared in accordance with Section 13(4) of the above Acts, the recommendations as set out in the Chief Executive’s Report, and with out decision made at a meeting of Kilkenny County Council held on 21 October, 2024, do hereby resolve to vary the Kilkenny City and County Development Plan in accordance with Proposed Variation 2.”

It was also agreed that the process for Variation 3 which is essentially the wording of the Notice of Motion 10 (24) agreed at July 2024 Plenary Meeting commence immediately.

(ii) ***Cuid 8 Pleanáil – Proposed Housing Development at 6 to 9 Upper Patrick Street, Kilkenny.***

Ms. Jan McIntyre gave a presentation to the meeting on the proposed housing development outlining the following:

- Housing Demand in Kilkenny City
- Site Plan of proposed development
- Details of existing location, floor plans and elevations.
- Details of proposed development.
- Public consultation process and submissions received.

Elected Members thanked Ms. McIntyre for her presentation and welcomed the proposed development. Cllr. Tomás Breathnach requested that a workshop would take place for the Members on all the different housing schemes currently underway and proposed schemes.

It was:

Proposed by: Cllr. Seán Ó hArgáin
Seconded by: Cllr. Andrew McGuinness
And Resolved

“that We, the Members of Kilkenny County Council approve the Part 8 in accordance with Section 179 of the Planning and Development Act 2000 as amended and Part VIII of the Planning and Development Regulations 2001, as to carry out the Refurbishment, Conservation and Extension Works to 6-9 Upper Patrick Street, Kilkenny, for their conversion to four studio apartments and one 2 bedroom house.”

(iii) **Glacadh i gCúram - Taking in Charge: Initiation: TC140 An Choill Rua, Paulstown, Co. Kilkenny**

It was proposed by Cllr. Andrew McGuinness, seconded by Cllr. Michael Delaney and resolved 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: TC140 An Choill Rua, Paulstown, Co. Kilkenny.

(iv) **Glacadh i gCúram - Taking in Charge: Initiation TC176 Beechwood, Richview, Castlecomer Road, Kilkenny.**

It was proposed by Cllr. Seán Ó hArgáin, seconded by Cllr. Andrew McGuinness and resolved 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: TC176 Beechwood, Richview, Castlecomer Road, Kilkenny.

(v) **Glacadh i gCúram Taking in Charge: Initiation TC182 Village Gardens/Smithsland North, Kilkenny.**

It was proposed by Cllr. Eugene McGuinness, seconded by Cllr. Seán Ó hArgáin and resolved 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: TC182 Village Gardens/Smithsland North, Kilkenny.

(vii) **Glacadh i gCúram - Taking in Charge Final TIC38 Clonkil, Callan, Co. Kilkenny.**

It was proposed by Cllr. Joe Sheridan, seconded by Cllr. Michael Doyle and resolved 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: TIC38 Clonkil, Callan, Co. Kilkenny.

(c) Bóithre- Roads

(i) Plean Cothabhála Geimhridh 2024/2025 – Winter Maintenance Plan 2024/2025.

Mr. Seamus Kavanagh presented his report on the Winter Maintenance Plan for 2024/2025. He advised the Members that the service delivery target is to keep Priority 1 and 2 network frost/ice free over the 24 hours/7 days a week. The total length of the network is 430km. Four vehicles are deployed to deliver this service.

Elected Members will be given an opportunity at their Municipal District Meeting to discuss the proposed Priority 3 Routes. These routes will receive treatment during periods of particularly severe weather.

Contributions were received from Cllrs. Pat Fitzpatrick and Tomás Breathnach, in relation to the following:

- Keeping roads open – Cllr. Pat Fitzpatrick.
- Liaising with the school transport authorities – Cllr. Tomás Breathnach.

Mr. Kavanagh responded to the queries raised by the Members.

It was proposed by Cllr. Pat Fitzpatrick, seconded by Cllr. Eugene McGuinness and agreed that:

“That Kilkenny County Council approves the Winter Maintenance Plan 2024/2025 as circulated to the Members.”

(ii) Luasteorainneacha Nua Tuaithe - New Rural Speed Limits.

Mr. Seamus Kavanagh advised the Members that the new Rural Speed Limits will come into effect at the end of November 2024 which will see roads with 80km speed limit reduced to 60km. Signs and poles will be delivered shortly and the Council have received an allocation of €330,000 towards the cost of erecting signs.

Contributions were received from Cllrs. Deirdre Cullen, Seán Ó hArgáin, Pat Dunphy and Tomás Breathnach, in relation to the following:

- Clarification on the definition of urban – Cllr. Deirdre Cullen.
- Works on the Granges Road and Freshford Road – Cllr. Seán Ó hArgáin.
- Allocating the work of erecting signs to Contractors – Cllr. Pat Dunphy.
- Sight Lines, redundant poles, implications for review of speed limits – Cllr. Tomás Breathnach.

Mr. Kavanagh responded to the queries raised by the Members.

(d) Forbairt Eacnamaíoch – Economic Development

(i) Nuashonrú na Ceathrún Mainistreach - Abbey Quarter Update

Mr. Seamus Foley gave a brief powerpoint presentation to the meeting outlining the Projects coming on stream – Street and Park, Boardwalk, Brewhouse Square (copper tank), Cultural Hub, Engineer’s Block, Watergate Theatre.

Mr. Tony Lauhoff then followed with a presentation on the Abbey Quarter Partnership Projects – Brewhouse, Building 7, Hotel and residential detailed assessment of feasibility.

Elected Members thanked Mr. Foley and Mr. Lauhoff for their presentations.

Contributions were received from Cllrs. Seán Ó hArgáin, Tomás Breathnach and Eugene McGuinness, in relation to the following:

Cllrs. Seán Ó hArgáin and Tomás Breathnach:

- Exit from skatepark onto Greensbridge.
- Disabled Parking near Mayfair Library.
- Housing suitable for older people.

Cllr. Eugene McGuinness:

- Update on car/bus park.
- Materials being used in the construction of boardwalk.

Mr. Foley responded to the queries raised by the Members.

(ii) Kilkenny Vintners Seisiún Faisnéise – Briefing from Kilkenny Vinters in relation to local Festivals.

Anthony Morrisson and Eddie Langton from Kilkenny Vintners spoke to the meeting in relation to the benefits of local Festivals to the economy in Kilkenny City and County and the need for Kilkenny to remain competitive with other counties. They appealed for extra funding to be put in place for the Festival and Events Grants scheme to support festivals going forward.

Cllr. Andrew McGuinness thanked Mr. Morrisson and Mr. Langton for their presentation and supported their request for increased funding.

(d) Airgeadas – Finance

(i) Saoráid Rótharraingte a Fhormheas - Approval of Overdraft Facility.

Mr. Martin Prendiville advised the meeting that a facility of €20m for overdraft is being requested for the Year 2025. This is the same amount as approved for 2024. The approval of the Department will be required if the Members approve of the €20m facility.

It was proposed by Cllr. Andrew Mc Guinness, seconded by Cllr. Pat Fitzpatrick and agreed that:

“That subject to the sanction of the Minister for the Department of Housing, Planning and Local Government, Kilkenny County Council hereby approves overdraft borrowings to a maximum amount of €20,000,000 for the full year ending 31st December, 2025.”

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

Cllr. Michael McCarthy advised that the Chief Executive Report will be taken as read. Any questions can be taken up with the Chief Executive.

(ii) Táscairí Feidhmíochta 2023 - Performance Indicators 2023

Mary Mulholland advised that the Report on the Local Authority Performance Indicators for 2023 on 45 Indicators was published in September 2024. The Report circulated with the Agenda gives an overview on the performance of Kilkenny County Council. This allows us to compare our performance against other Local Authorities and improve the level of service we are providing. Kilkenny County Council performed well in some areas and there is scope for improvement in other areas. The report circulated is for noting by the Elected Members.

(iii) Comhaltaí Tofa a Ainmniú ar Choistí SPC - Nomination of Elected Members to SPC Committees.

It was: Proposed by Cllr. Andrew McGuinness

Seconded by Cllr. Eugene McGuinness

And resolved:

"That Kilkenny County Council hereby appoints the following:

1. Cllr. David Fitzgerald (Chair).
2. Cllr. Michael Doyle.
3. Cllr. Peter 'Chap' Cleere.
4. Cllr. John Coonan.
5. Cllr. Maria Dollard.

to sit on SPC 1: Economic Development, Enterprise Support and Tourism, Planning and Development Policy."

It was: Proposed by Cllr. Andrew McGuinness

Seconded by Cllr. Michael Doyle

And resolved:

"That Kilkenny County Council hereby appoints the following:

1. Cllr. Deirdre Cullen (Chair).
2. Cllr. Pat Dunphy.
3. Cllr. Michael Delaney.
4. Cllr. Joe Sheridan.
5. Cllr. Maurice Shortall.

to sit on SPC 2: Transportation Policy/Mobility Management and Infrastructure."

It was: Proposed by Cllr. Andrew McGuinness

Seconded by Cllr. Pat Dunphy

And resolved:

"That Kilkenny County Council hereby appoints the following:

1. Cllr. Andrew McGuinness (Chair).
2. Cllr. Fidelis Doherty.
3. Cllr. Pat Fitzpatrick.
4. Cllr. Joe Malone.
5. Cllr. Michael Delaney.
6. Cllr. Stephanie Doheny.

to sit on SPC 3: Housing."

It was: Proposed by Cllr. Andrew McGuinness
Seconded by Cllr. Michael Delaney

And resolved:

“That Kilkenny County Council hereby appoints the following:

1. Cllr. Eugene McGuinness (Chair).
2. Cllr. Mary Hilda Cavanagh.
3. Cllr. Joe Lyons.
4. Cllr. Ger Frisby.
5. Cllr. Pat Fitzpatrick.
6. Cllr. Seán Ó hArgáin.

to sit on SPC 4: Climate Action, Energy and Environmental Protection.”

It was: Proposed by Cllr. Andrew McGuinness
Seconded by Cllr. Mary Hilda Cavanagh

And resolved:

“That Kilkenny County Council hereby appoints the following:

1. Cllr. John Brennan (Chair).
2. Cllr. Pat Dunphy.
3. Cllr. Michael McCarthy.
4. Cllr. Jenny Catt Slattery.
5. Cllr. Tomás Breathnach.

to sit on SPC 5: Community, Integration, Cultural, Gaeilge, Heritage and Fires Services.”

(iv) Review of the Effectiveness of Kilkenny County Council’s Audit Committee.

Mary Mulholland introduced the Council’s Internal Auditor, Brigid Webster to the meeting. Ms. Webster gave a powerpoint presentation on the review of the effectiveness of Kilkenny County Council’s Audit Committee.

It was Proposed by: Cllr. Andrew McGuinness
Seconded by: Cllr. Mary Hilda Cavanagh

And resolved

“That the Audit Committee Report 2024 is hereby approved by the Members of Kilkenny County Council.

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) Sceideal na gCruinnithe - Schedule of Meetings

It was proposed by Cllr. John Coonan, seconded by Cllr. Fidelis Doherty and agreed.

(ii) **Socraigh Dáta & Am do Chruinniú Buiséid Reachtúil - Fix Date & Time for Statutory Budget Meeting**

It was proposed by Cllr. Pat Fitzpatrick, seconded by Cllr. Peter Cleere and agreed that:

“Statutory Budget Meeting is fixed for Friday, 6th December, 2024 at 3.00 p.m.”

**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

Schedule of Conferences circulated with the Agenda was proposed by Cllr. Eugene McGuinness, seconded by Cllr. Joe Malone and agreed.

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

None.

10. Aon Ghnó Eile - Any Other Business

Cllr. Eugene McGuinness requested a meeting take place to update Members on the Town Hall Project.

It was agreed that a meeting for the Kilkenny Municipal District Members would take place on Friday, 8th November 2024 at 4.00 p.m.

11. Fógraí Rúin - Notices of Motion

14 (24) Cllr. Michael McCarthy.

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

“The Members agree that Kilkenny County Council should be included on the list of Councils that have passed motions calling for the Reinterment of the Invincibles. In adding the name of Kilkenny County Council to the list of supporting Councils, the Members of Kilkenny County Council formally call on the Office of Public Works to carry out the necessary excavation works to recover the remains of Joe Brady, Daniel Curley, Michael Fagan, Thomas Caffrey and Tim Kelly, in what is commonly known as the Invincibles Yard at Kilmainham Jail.

The bodies of these five members of the Irish National Invincibles lie beneath the paving slabs of the yard where they were executed in 1883 for their part in the Phoenix Park assassinations. The families of the five men are represented by the National Graves Association and the wish of the families is for their relatives remains to be exhumed from Kilmainham jail and reinterred in consecrated ground at Glasnevin cemetery.”

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. Joe Malone, seconded by Cllr. Eugene McGuinness and agreed by all that the following Notices of Motion numbered 10 (24), 11 (24) and 12 (24) received from other Local Authorities be taken as read and noted:

10 (24) Sligo County Council

“That Sligo County Council writes to the Minister for Social Protection to request a review of existing community employment schemes in place in the state with a view to putting in place an ambassador/care-taker scheme for every village in Ireland, that a person, or persons be paid accordingly to support Tidy Towns and community development groups with maintaining and enhancing their communities. For example, a village with a settlement of 1000 or less, may be eligible for one worker, 1000 plus two workers etc. That this motion be forwarded to the Taoiseach, Tánaiste and all other Local Authorities for consideration.”

11 (24) Roscommon County Council

“That Roscommon County Council writes to the Minister for Environment seeking the imposition of tougher and increased new fines to deter illegal dumping. At the request of the Council, I would be obliged to receive your reply to this matter at your earliest convenience.”

12 (24) Roscommon County Council

“That Roscommon County Council writes to the Minister for Finance Jack Chambers and Minister for Tourism Catherine Martin seeking the reintroduction of the 9% VAT rate for the hospitality sector. At the request of the Council, I would be obliged to receive your reply to this matter at your earliest convenience.”

That concluded the business of the meeting.

CATHAOIRLEACH

DATE