

KILKENNY COUNTY COUNCIL - COMHAIRLE CHONTAE CHILL CHAINNIGH
Agenda for the Ordinary Meeting of Kilkenny County Council to be held on Monday 19th
April, 2010 at 3 p.m. in Council Chamber, County Hall, John Street, Kilkenny.
Clár do Ghnáth-Chruinniú Chomhairle Chontae Chill Chainnigh le reachtáil ar an Luan 19th
Aibreán 2010 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 15th of March, 2010 (copy of minutes attached)
- (b) Minutes of Kilkenny Electoral Area Meeting held on 8th February, 2010 (copy of minutes attached)
- (c) Minutes of Audit Committee Meeting held on 12th February, 2010 (copy of minutes attached)
- (d) Minutes of Strategic Policy Committee 2 – Infrastructure, Transportation, Water Services & Other Policy Issues held in County Hall on Wednesday 31st March, 2010 (copy of minutes attached)
- (e) Minutes of SPC 3 Environmental Policy, Fire Services and Emergency Planning held on 7th April, 2010. (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 Disposal – Tithíocht Díuscairt

“That Kilkenny County Council hereby approves of the disposal of its interest in land at Limekiln Lane, Jerpoint Church, Thomastown, Co. Kilkenny to Dermot Forristal in accordance with details contained in the Notice served under Section 183 of the Local Government Act, 2001” (Notice sent to Members on the 8th April, 2010)

(b) Community & Enterprise - Pobal agus Fiontar

Report from the Arts Office – Deferred from March Meeting.

(c) Planning - Pleanail

Addition to the Record of Protected Structures – RPS entry for C696 Castlecomer Creamery Site. (Notification attached)

(d) Roads – Bóithre

(i) National Roads Authority Bridge Management Programme (report attached)

- Proposed Section 85 Agreement with Kildare County Council
- Proposed Section 85 Agreement with Offaly County Council

(ii) 2010 Roadwork Scheme (report attached)

(iii) 2010 Revised Special Speed Limits for County Kilkenny. (report attached)

(e) Housing – Tithíocht

(i) Quarterly Housing Report – 31st March 2010 (report attached)

(ii) Draft Scheme of Letting Priorities (report attached)

(f) Corporate - Gnóthaí Corparáideacha

(i) Filling of Vacancy caused on County Kilkenny Leadership Partnership caused by the resignation of Cllr. Anne-Maria Irish .

(ii) 2009 Report of the Kilkenny County Council Audit Committee. (report attached)

(iii) Minor Flood Mitigation Works (Notification attached)

(iv) Use of County Hall, John Street as a Public Car Park .

(g) Finance – Airgeadas

Annual Financial Statement 2009 (report attached)

(h) Water Services - Seirbhísí Slántaíochta

South Eastern Draft River Basin Management Plan 2009-2015 (Draft Plan and Report already circulated) To consider the following resolution “That we the members of Kilkenny County Council hereby approve the adoption of the South Easter River Basin Management Plan 2009-2015 in accordance with the European Communities (Water Policy) (Amendment) Regulations 2010 (S.I. No. 93 of 2010)”.

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:

(a) Schedule of meetings from April – June 2010 (attached)

6. Consideration of Reports and Recommendations of Committees of the Council - Plé ar Thuairiscí agus Moltaí ó Choistí an Comhairle:

(a) Report on Thomastown Electoral Area Meeting held on 19th November, 2009 (Deferred from February Meeting)

- (b) Report on Ballyragget Electoral Area Meeting held on Monday 21st December, 2009 (Deferred from February Meeting)
- (c) Report on SPC 3 Environmental Policy, Fire Services and Emergency Planning meeting held on 3rd February, 2010 (Deferred from February Meeting)
- (d) Report on Piltown Electoral Area Meeting held on 5th February, 2010 (Deferred from February Meeting)
- (e) Report on Special Meeting of Forward Planning & Development Strategic Policy Committee SPC 1 held on 8th February, 2010 (Deferred from March Meeting)
- (f) Report of SPC 5 Arts, Culture, Heritage, Tourism and Education Meeting held on 11th February, 2010 (Deferred from March Meeting)
- (g) Report on Thomastown Electoral Area Meeting held on 24th February, 2010 (Deferred from March Meeting)
- (h) Report on Kilkenny Electoral Area Meeting held on 8th February, 2010 (copy of report attached)
- (i) Report on Strategic Policy Committee 2 Meeting held on 31st March, 2010 (copy of report attached)
- (j) Report on SPC 3 Environmental Policy, Fire Services and Emergency Planning Meeting held on 7th April, 2010 (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

Conferences – Request for approval to attend as per circulated list.
Summary of Proceedings at Conferences have been received from

Councillor	Date of Conference	Title of Conference
Cllr. M. Brett	11 th /12 February	AMAI
Cllr. C. Connery	26 th -28 th February	Role of Small Enterprise in Overcoming Recession
Cllr. C. Connery	12th, 13th & 14th March	Clonakilty Tourism Conference Driving Local Sustainable Tourism
Cllr. M. Shortall	26th – 28th March	Time Management Media & IT Skills

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

10. Any Other Business - Aon Ghnó Eile

11. Notices of Motion - Fógraí Rúin:

1(10) Cllr. Catherine Connery – Deferred from February

“That additional funds be made available by the Department of Transport to Kilkenny County Council to deal with the consequences of the damage done to roads arising from recent severe winter weather in North Kilkenny”.

2(10) Cllr. Catherine Connery – Deferred from February

“That the National Roads Authority include road improvements between Durrow and Kilkenny as part of its road investment programme”.

3(10) Cllr. John Coonan – Deferred from February

“That Kilkenny County Council extend an invitation to Mr. Liam Keane National Planning Specialist for Addiction Services with the HSE to address the Local Authority”.

4(10) Cllrs. Cora Long & Eamon Aylward – Deferred from February

“That the Minister for Communications Eamon Ryan, would examine introducing the option of making it possible to pay television licences on a quarterly or half yearly basis similar to the situation that pertains for car tax as the licence fee is now €180 for the year which is causing financial hardship for people”.

6(10) Cllrs. Ann Phelan, Marie Fitzpatrick, Maurice Shortall, Tomas Breathnach and Michael O’ Brien.

“That Kilkenny County Council calls on the Minister for the Environment & Local Government to properly fund the Radon Gas issue as a matter of urgency”.

7(10) Cllrs. Tomas Breathnach, Ann Phelan, Marie Fitzpatrick, Maurice Shortall and Michael O’ Brien.

“Kilkenny County Council should write to the Minister of the Environment, Heritage and Local Government to seek an increase in the rate of grant assistance per household for group sewerage schemes to a minimum of €6,000 in order to make the cost of such schemes more affordable to householders and in the interest of the protection of groundwater and other environmental considerations”.

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

1(10) Monaghan Town Council – 12th January, 2010

“In light of the continuing decrease in monthly residential rents in the private sector, that this Council write to the Minister John Gormley, Department of Environment

and Local Government seeking similar decreases to rents imposed by Local Authorities to their tenants and that the reduction in revenue to the Council is subvented through the Local Government Fund allocation to each Council”.

2(10) Limerick Council Council – 13th January, 2010

“That, Limerick County Council requests the Minister for the Environment, Heritage and Local Government to reverse the decision to give the National Roads Authority the management of regional and local roads investment”.

3(10) Killarney Town Council – 15th January, 2010

“That Killarney Town Council calls on the Minister for Enterprise and Employment to ensure the retention of the minimum wage”

4(10) Limerick County Council – 19th January, 2010

“That Limerick County Council calls upon the Government to allow persons in co. Limerick flooded in August 2008 become eligible for consideration for compensation in the recently allowed scheme; that the Government establish under statute a single competent authority to manage and maintain the country’s waterways; that an adequate maintenance schedule for every river and stream in the country be developed; and that the State revoke planning permissions granted for developments not yet commenced on flood plains”.

5(10) Limerick County Council – 19th January, 2010

“That, Limerick County Council calls on the Minister for the Environment, Heritage and Local Government to nominate one agency to take control of our rivers nationally; that the agency would identify a time of the year for local authorities, landowners, communities and other organisations to clean and dredge the river banks, beds, and bridges; and that this motion be circulated to all other authorities for support”.

6(10) Limerick County Council – 19th January, 2010

“That, Limerick County Council requests the Minister for the Environment, Heritage and Local Government to lift the embargo on the employment of outdoor staff in order to protect the investment in the county road network”.

7(10) Galway County Council – 28th January, 2010

“That Galway County Council initiates an alliance of all Local Authorities to lobby the Minister for Transport for additional funding to properly address the condition of our roads”.

8(10) Limerick County Council – 3rd February, 2010

“That Limerick County Council calls upon the Government to establish a Shannon River Basin Authority”.

9(10) Wicklow Town Council – 3rd February, 2010

“Wicklow Town Council write to the following Ministers, requesting that they immediately review the legislation and bring forward proposals to ban “Head Candy Shops”. There are serious concerns with regard to the potential effects of the product sold in these shops. This is an issue of national concern and one that has serious consequences for families all over the country. Further, that we circulate this resolution to all Town Councils and request that they also write to the relevant Ministers on this very important matter”.

10(10) Carrick on Suir Town Council – 10th February, 2010

“That this Council calls on the Minister for Justice to introduce as a matter of urgency legislation to regulate the “Head Shop” industry in Ireland and to make provisions to control all products being sold by these outlets”.

11(10) Donegal County Council – 15th February, 2010

That the Minister for Environment, Heritage and Local Government be requested to review and revise current arrangements for the funding and operation of the Coroner’s Services”.

12(10) Carlow County Council – 17th February, 2010

“That Carlow County Council calls on the Minister for Environment and Local Government to change the basis on which commercial rates are calculated so that location of premises, size of premises and most importantly ability to pay are factors used when calculating the amount of money owing”.

13(10) Tipperary Town Council – 25th February, 2010

“That this Council call on Transport Minister Noel Dempsey and Environment Minister John Gormley to reverse their decision not to provide emergency funding to repair roads damaged by recent bad weather. That this motion be circulated to all town and County Council”.

14(10) Ennis Town Council – 25th February, 2010

“That Ennis Town Council request Health Minister Mary Harney and Justice Minister Dermot Aherne immediately put a framework in place to regulate the operation of Headshops”.

15(10) Tipperary Town Council – 1st March, 2010

“That this Council, write to the Minister for Health calling on her to instruct the H.S.E not to proceed with the downgrading and possible closure of South Tipperary General Hospital as this decision will have a huge effect on people’s health and peace of mind in the County of Tipperary”.

16(10) Sligo Borough Council – 2nd March, 2010

“That Sligo Borough Council support the measures contained in the proposals forwarded to the Minister for Finance Mr. Brian Lenihan in August 2009 to prevent any unwarranted repossessions of family homes in the state by Financial Institutions. It is important that legislative changes are made as soon as possible in advance of the full impact of the decline in the Irish Economy on individual family homeowners and mortgagees”.

17(10) Sligo Borough Council – 2nd March, 2010

“That Sligo Borough Council calls on the Minister for Finance Brian Lenihan to introduce a NAMA Style Scheme for the 44,000 plus households facing serious arrears in meeting their mortgage payments. This scheme to include a provision for writing off or forgiving borrowers a slice of their home loans, to bring them more in line with current market values of their homes. This motion to be circulated to all Local Authorities”.

18(10) Kildare County Council – 4th March, 2010

“This Council calls on the Government to abandon the policy of leasing houses for social housing rather than buying them and that where the Council is buying a number of homes in a development that they be scattered randomly throughout the development rather than clustered together”.

19(10) South Tipperary County Council – 5th March, 2010

“That South Tipperary County Council requests the Minister for Health and Children, Ms. Mary Harney, T.D., to reverse the H.S.E.’s decision to centralise all medical card processing to the PCRS Offices in Dublin”.

20(10) Balbriggan Town Council – 5th March, 2010

“Balbriggan Town Council call on the Minister for Education not to cut back on the number of Special Needs Assistants in our schools”.

21(10) Donegal County Council – 11th March, 2010

“That Donegal County Council discuss the need to reduce or indeed abolish water charges on community, voluntary and churches in this County”.

22(10) Clonmel Borough Council – 23rd March, 2010

“That Clonmel Borough Council calls on the Minister for Education and Science to immediately reverse the shocking decision to reduce the number of “SPECIAL NEEDS ASSISTANTS” providing an invaluable service to children in our Education System, and furthermore that this motion be forwarded to all other Local Authorities”.

“That Clonmel Borough Council request the Minister for Justice, Equality, & Law Reform to introduce Legislation to ban or control the sale of dangerous subsistence from Head Shops throughout the 26 Counties. New laws are urgently needed to cover the sale of dangerous substances from Head Shops”.

“That Clonmel Borough Council requests the Minister for Health and Children, Mary Harney, T.D., to reverse the HSE decision to centralise all Medical Card processing, to the PCRS Offices in Dublin. This proposed transfer will result in a total melt down of medical card processing and will restrict the number of medical cards issued”.

23(10) Waterford City Council – 23rd March, 2010

“Waterford City Council notes:-

- The proliferation of “Head Shops” across the state and their availability locally.

- The concern of parents, health professionals and drug awareness workers about the availability and the chemical composition of the products on sale.
- The dishonest way products for sale in these shops are marketed and sold and calls for:-
 - Urgent Government intervention to provide a regulatory framework for this industry.
 - EU and National legislation to deal with the marketing, advertising and packaging of products in this area.
 - Increased funding for community based drug education programmes.

24(10) Waterford City Council – 23rd March 2010

“That Waterford City Council writes to the Health Service Executive to urge the implementation of the Comhairle na nOspideal’s (2003) recommendation on the appointment of four dermatologists for the South East Region together with ancillary staff and facilities”.

25(10) Limerick County Council – 7th April 2010

“That, Limerick County Council calls on the Minister for the Environment, Heritage and Local Government, John Gormley, T.D., to defer the carbon tax which is due to come into effect on 1st May 2010, until the economy improves”.