

KILKENNY COUNTY COUNCIL - COMHAIRLE CHONTAE CHILL CHAINNIGH
Agenda for the Ordinary Meeting of Kilkenny County Council to be held on Monday
21st September, 2015 at 3.00 p.m. in Council Chamber, County Hall, John Street,
Kilkenny.

Clár do Ghnáth-Chruinniú Chomhairle Chontae Chill Chainnigh le reachtáil ar de Luan
21st Meán Fómhair 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 20th July, 2015 (copy of minutes attached)
 - (b) Minutes of Special Meeting held on 31st July, 2015 (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 & Other Disposal - Tithíocht & Díuscairt Eile**
 - (i) “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 plot of ground measuring approx 0.84 acres at Belview, Gorteens, Slieverue, Co. Kilkenny to Target Fertilisers, Dranagh Caim, Enniscorthy, Co. Wexford for a sum of €57,500 with each party being responsible for their own legal costs associated with the sale.” (Notice issued to members on 1st September, 2015)
 - (ii) “That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of Property at Main Street, Ballyhale, Co. Kilkenny, as identified on the attached map, by way of Long Term Lease to the Ballyhale Development Association for a term of 99 years at a nominal rent of €52.00 per annum with each party to be responsible for their own legal costs.” (Notice issued to members on 1st September, 2015)
 - (iii) “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 Fair Green, Callan, Co. Kilkenny, as identified on the attached map, by way of Long Term Lease to Callan United Football Club for a term of 99 years at a rent of €200 per annum with each party to be responsible for their own legal costs.”
 - (iv) “That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of a dwelling at Glasshouse Lane, Belview, Co. Kilkenny, as identified on the attached map, to Robert Dwyer and Maggie Freeman, 152 Fiodh Mor, Ferrybank, Waterford for the sum of €50,000 (fifty thousand euro) with each party being responsible for their own legal costs associated with the sale.

(b) Tithíocht- Housing

- (i)** Part 8 Planning Report – Proposed Change of use from Open Space to Creche Play Area at rear of Happe House, Hebron Park, Kilkenny. (report attached)

(c) Planning – Pleanail

Taking of Charge of the following estates:-

- (i)** “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 – 7 Houses at Naomh Eoin, Johnswell, Co. Kilkenny –TC71”. (Notification attached)
- (ii)** “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 – 8 Houses at Millview, Kells Co. Kilkenny – TC11”. (Notification attached)
- (iii)** “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 – 10 Houses at Friarshill, Thomastown, Co. Kilkenny – TC111”. (Notification attached)
- (iv)** “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 – 9 Houses at Orchard Estate, Inistioge, Co. Kilkenny – TC48(Notification attached)

(d) Corporate Affairs - Gnóthaí Corparáideacha

- (i)** Chief Executives Report (report attached)
- (ii)** 1916 Commemoration – Presentation
- (iii)** Part 8 – Commencement of consultation for Brewhouse (report attached)
(Presentation)

(e) Finance - Airgeadais

- (i)** “That Kilkenny County Council hereby approves the raising of a loan of four million Euro (€4,000,000) from the Housing Finance Agency plc for any purpose authorised under the Housing Acts”.

(f) Roads - Bóithre

- (i)** Part 8 Report for R712 Castlecomer Road Improvement Scheme (report attached)

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:

- (i)** Schedule of meetings from September - November 2015 (to follow)
(ii) Fix Date Local Property Tax/Budget Meetings
(iii) Fix date reception for Handballers.
(iv) Agree dates for deputations from IT Colleges and Three Sisters Bid.

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

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

8. Education & Training - Oideachas agus Oiliúint

- (i)** Conferences – Request for approval to attend as per circulated list. (attached)

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

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

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

34(15) **Cllr. Breda Gardner – 30th July, 2015**

"That in view of the crucial importance of County Kilkenny having an early start to the new Leader Programme with a strong well researched and consulted Local Development Strategy application that this council supports the application of Kilkenny Leader Partnership (KLP) superb record of achievement since 1992, its political independence and its strong community based links".

35(15) **Cllr. Breda Gardner – 14th August, 2015**

"That the council clarifies its position vis a vis the environmental reports concerning work on the cas. Has there been any further damage to the ecology of the River Nore caused by river works? specifically with regard to responding the information therein any potential prosecutions and the sharing of the information in the report with other state agencies and county councillors".

36(15) **Cllr. Pat Dunphy – 24th August, 2015**

"That Kilkenny County Council raise with Minister Alan Kelly and Minister of State Simon Harris the issue of cleaning up the small streams around the county that are currently choked with silt and dirt leading to flooding and sewerage issues as nobody has taken any responsibility for many years. The issue is costing the State and County Council a significant amount of money in damage to property and roads and possible health issues where sewerage is involved".

37(15) **Cllr. Andrew McGuinness – 26th August, 2015**

"That Kilkenny County Council would take over the operation of the Dog Shelter at Paulstown, Co. Kilkenny, following the withdrawal of ACS as the service provider, on a trial basis, keeping on the current staff and operating procedures, implementing the new animal welfare policy and charter, immediate use of local volunteers and animal welfare groups, with the goal of running the shelter on a permanent basis should the trial prove to be successful."

38(15) Withdrawn

39(15) Cllr. Malcolm Noonan – 11th September, 2015

“That Kilkenny and Carlow County Councils will revisit the tender document for the operation of the Carlow Kilkenny Dog Pound and that the Animal Welfare Advisory Committee be tasked with drawing up a revised draft tender document to be brought back before the elected members and the legal procurement units of both Local Authorities for approval in advance of any new tendering process for the contract”.

40(15) Cllr. Malcolm Noonan – 11th September, 2015

“That Kilkenny County Council would collaborate with State agencies, UNHCR, and local relevant stakeholders such as the Kilkenny Integration Forum to prepare a plan for accepting refugees displaced due to war and oppression in Syria, Eretria and other Countries. This Council recognises that placing refugees into a failed direct provision system is an unnecessary financial burden on the State and is contrary to basic human rights and that local communities supported by Local Authorities and agencies are best placed to receive and integrate refugees”.

41(15) Cllrs. Tomas Breathnach & Maurice Shortall- 11th September, 2015

“Kilkenny County Council write to the National Transport Authority and the Department of Transport to urge that all real time information facilities at bus stops/shelters be made available to all service providers”.

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

14(15) Monaghan Town Council – 20th July, 2015

“That in view of the work carried out by the Kevin Bell Repatriation Trust (KBRT) bringing home the remains of people who die as a result of an accident/tragic circumstances abroad, for burial at home in Ireland, and in view of the fact that KBRT, is a non-profit making registered charity and operates on a voluntary basis, that Monaghan County Council calls on the Minister for Foreign Affairs to ensure that funding is allocated on an annual basis to the KBRT, thereby ensuring the viability of the KBRT into the future”.

- 15(15) Municipal District of Carrickmacross-Castleblayney – 20th July, 2015**
“That Carrickmacross/Castleblayney Municipal District immediately calls on the Minister for Agriculture Simon Coveney, to intervene to ensure that maps that are being used for the new GLAS Environmental Scheme, are the same as those used for the REPS Scheme which ends this year as there are serious discrepancies in the maps being used presently”.
- 16(15) Cork County Council – 22nd July, 2015**
“That State Job activation measures should be available to all who are unemployed, not only to those on the Live Register”.
- 17(15) Donegal County Council – 12th August, 2015**
“For this Council to request that An Taoiseach Enda Kenny to formally ask the US Ambassador to Ireland to include Ireland in the next round of visa waivers for our undocumented Irish, and that this Council contacts all other Councils to request same”.
- 18(15) Clare County Council – 17th August, 2015**
“In view of the extreme shortage of housing in County Clare and the difficulties elected members have in fully engaging with the process, I am asking the CEO of Clare County Council, the Commissioner for Data Protection, the Minister for Justice and the Minister for Housing – what specific legal provisions are there to prevent members of this Council from accessing information held by the local authority with regard to housing policy, housing provision, housing allocation and any other housing matters, and to address any such legislative anomalies so as to remove restrictions on local authority members fully exercising their mandated role as public representatives”.
- 19(15) Limerick City & County Council**
“That, the relevant Ministers for Agriculture and Arts, Heritage & the Gaeltacht are contacted about the unsatisfactory situation regarding the marketability of lands designated for the hen harrier; in particular, where a farmer wants to upgrade his/her farm by purchasing non-designated agricultural lands from the sale proceeds of the designated land that we call the State to either purchase the relevant land at forestry value or remove the designation so the forestry companies can purchase and plant same”.