

Minutes of Council Meeting held on Monday 21st September, 2015 at 3.00pm

Chair: Cllr. Mary Hilda Cavanagh

Cllrs: M. Shortall, J. Brennan, P. Millea, P. Fitzpatrick, M. McCarthy, M. Doyle, M. Doran, M. Noonan, K. Funchion, E. Aylward, T. Breathnach, F. Doherty, P. Dunphy, G. Frisby, P. Cleere, B. Gardner, P. O' Neill, D. Kennedy.

Officials: C. Byrne, M. Melia, M. Mulholland, S. Walton, M. Prendiville, M. Arthurs, S. McKeown, K. Hanley, B. Tyrrell, M. Delahunty, A. Hayes, M. Hickey, S. Kavanagh, T. Lauhoff and A.M Walsh.

Apologies: Cllr. J. Malone & A. McGuinness.

As agreed Kilkenny Tourism made a presentation to the members at 2.30p.m. Colin Ahern gave an overview of the activities of Kilkenny Tourism in a PowerPoint presentation. He thanked the Council and staff for their work with Kilkenny Tourism.

A number of questions were raised by members and responded to.

Cllr. M. H. Cavanagh thanked them for the presentation.

Cllr. M. H. Cavanagh welcomed Ms. Colette Byrne, Chief Executive, Maria Melia and Mary Mulholland, Director of Services to Kilkenny County Council and looked forward to working with them.

Ms. Byrne thanked the Cathaoirleach for her welcome and looked forward to working with members and staff in the next 10 years. She advised the members on the role taken by the new directors and advised that the executive will be considering the workforce plan within the next few weeks.

1. Confirmation of Minutes - Dearbhú Miontuairiscí:

(a) Minutes of Ordinary Meeting of Kilkenny County Council held on Monday 20th July, 2015. Proposed by Cllr. P. Fitzpatrick, Seconded by Cllr. P. Millea and agreed:- "That the minutes of the Ordinary Meeting of Kilkenny County Council held on 20th July, 2015 as circulated with the agenda be and are hereby approved".

(b) Minutes of Special Meeting held on 31st July, 2015. Proposed by Cllr. D. Kennedy, Seconded by Cllr. J. Brennan and agreed:- "That the minutes of the Special Meeting of Kilkenny County Council held on 31st July, 2015 as circulated with the agenda be and are hereby approved".

Cllr. M.H. Cavanagh extended congratulations to the following:-

- To the Senior Hurling Team on winning their 36th All- Ireland title.
- To the Minor camogie players on winning the All-Ireland
- To Sr. Anne – Holy Family Convent, Moneenroe on 50 years service to religious life and community.
- She welcomed the announcement by Cipher Techs of 36 Jobs for Kilkenny.

Cllr. M. H. Cavanagh extended votes of sympathy to the following:-

- To Cora Nolan, Corporate on the death of her father Ger Nolan.
- To Anne Marie Brennan, Environment on the death of her father Sean Brennan.
- To Lisa Mulcahy, Roads on the death of her father Tom Mulcahy.
- To the family of the late Phil Doyle, Retired Water Caretaker.
- To the family of the late Paddy Henderson, Kilkenny – Former County Councillor
- The Coady Family, Clogga, Mooncoin on the death of Tommy Coady.
- Margaret Walsh, Moonoin, on the death of Pat Holden.
- Rose Ryan, Greenville, Kilmacow, Co. Kilkenny on the death of Catherine Kelly.
- Johnny Maher, Oldcourt, Piltown, Co. Kilkenny on the death of Cissie Aylward.
- Eddie Blackmore, Tower Road, Piltown on the death of Joan Blackmore.
- The Skehan Family, Ballinacurragh, Kilmacow, Co. Kilkenny on the death of Seamus Skehan.
- John Merry, Fiddown, Piltown on the death of Jack Merry.
- The Phelan Family, Ballytarsney, Mooncoin on the death of Andy Phelan
- The Dermody Family, New Aglish, Carrigeen, Via Waterford on the death of Myra Dermody Corcoran.
- Pat Millea, Kyleva, Hugginstown on the death of Jimmy Hearne
- Nicky Reid, 28 Comeragh View, Mooncoin on the death of Seamie Reade
- Martin Brett, Derdimus, Callan Road on the death of Margaret Brett
- The Manning Family, Johnswell on the death of Kathleen Manning
- The Wall Family, Filbuckstown, Mooncoin, on the death of Nancy Wall
- Anna Kearns, St. Annes Tce, Mooncoin on the death of Pat Kearns.
- The Ryan Family, Ballygorey, Mooncoin on the death of Hannah Ryan
- The Dowling Family, Robinstown, Glenmore on the death of Molly Dowling
- Noel Maher, Hugginstown, on the death of Liam Maher.
- Charlie Maher, Bigwood, Mullinavat on the death of Liam Maher
- John Doherty, Collnaleen, Glenmore on the death of Jo Doherty
- Liam Mernagh, Haggard, Glenmore on the death of Bridge Dudgeon.
- Gwen Porter, Dunkitt, Kilmacow on the death of George Porter.

As a mark of respect to the late Ger Nolan, father of Cora Nolan, Corporate Affairs, and meeting was adjourned for 5 minutes.

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) Proposed by Cllr. F. Doherty, Seconded by Cllr. M. Shortall 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 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.”
- (ii) Proposed by Cllr. P. Cleere, Seconded by Cllr. D. Kennedy 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 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.”
- (iii) Proposed by Cllr. M. Doran, Seconded by Cllr. D. Kennedy 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 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) Proposed by Cllr. F. Doherty, Seconded by Cllr. M. Shortall 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 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**

Part 8 Planning Report - Proposed Change of use from Open Space to Crèche Play Area at rear of Happe House, Hebron Park, Kilkenny.

Proposed by Cllr. P. Cleere, Seconded by Cllr. M. Noonan and agreed: - “That Kilkenny County Council approves the change of use of Open Space Area to

Creche Play Area at the rear of Happe House, Hebron Park, Kilkenny, in accordance with Section 179 of the Planning and Development Act, 2000-2014”.

(c) Planning – Pleanail

Taking of Charge of the following estates:-

- (i)** Proposed by Cllr. P. Fitzpatrick, Seconded by Cllr. D. Kennedy and agreed: - “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”.
- (ii)** Proposed by Cllr. P. Cleere, Seconded by Cllr. M. Doran and agreed: - “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”.
- (iii)** Proposed by Cllr. M. McCarthy, Seconded by Cllr. Melissa O’ Neill and agreed: - “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)** Proposed by Cllr. B. Gardner, Seconded by Cllr. M.M Doyle and agreed:-“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

Ms. Colette Byrne presented her report to the meeting. She advised members on the financial position of the Council and the prescribed periods for holding the budget meeting. A special meeting will be convened to consider the Local Property Tax.

She advised that there is a need to amend the existing bye-laws in respect of alcohol consumption in public places following the abolition of Kilkenny Borough Council. Ms. Byrne stated that Ms. M. Melia will update the members on the Building Control Regulations.

In relation to roads an update is included on some of the NRA funding National Roads Projects. She acknowledged that the works in Mooncoin have led to inconvenience locally and that the Council will continue to liaise with the community to manage and minimise the disruption, works will be completed on time.

Ms. Byrne updated the meeting on the approved housing schemes with an overall budget of €17m. Design teams are being procured and Part 8 planning proposals will be brought before the members in due course.

Ms. Melia advised the meeting that a document on the Building Regulations has been circulated the main change is that there is an opt out clause for single unit dwellings. There is still a requirement to send in commencement notice and declaration is required to opt out of the certification. Buildings still have to comply with the Building Regulations. Local Authority buildings are no longer exempt, all will have to be formally certified.

Contributions were received from Cllrs. M. H. Cavanagh, M. Doran, P. Millea, P. Cleere and M. Noonan on the building regulations. Members welcomed the changes for the single unit development.

Concerns were voiced that a 2 tier system might develop in the certification of dwellings, and also the future quality of the house.

A query arose in relation to certification required if the owner of the house is receiving a local authority loan.

Ms. Melia responded to the queries raised.

Further queries were raised by Cllr. Noonan, Doherty, Shortall, Brennan, Fitzpatrick, M. O' Neill, T. Breathnach in relation to:-

- Availability of land from NAMA for social houses
- Update on the New Ross By Pass
- Update on the implementation of the Alcohol Bye Laws
- Introduction of new Tenant Purchase Scheme
- Urgent requirement to have a meeting to discuss housing issues.

Mr. Walton advised that work on the New Ross By Pass will commence in 2016.

C. Byrne advised that a meeting in committee can be convened to discuss all housing issues.

(ii) 1916 Commemoration – Presentation

Mr. Brian Tyrrell gave a PowerPoint presentation on the 1916 Centenary Programme. The National Centenary Programme is developed on 7 themes which were outlined.

Details of the draft programme for County Kilkenny for the entire year were outlined under various headings.

Ceremonial, Historical reflection, An Teanga Beho, Youth and Imagination, Cultural Expression, Community Participation, Global and Diaspora.

The draft programme will include Community participation across the City and County, involvement of schools, cross border exchanges and opportunities to attract visitors. There is a significant connection with Thomas McDonagh and Kilkenny and a number of events will evolve around this.

Contributions were received from Cllrs. M. Doran, E. Aylward, P. Fitzpatrick, P. Cleere, M.H. Cavanagh, M. O' Neill, K. Funchion, M. Noonan, P. Millea, T. Breathnach and F. Doherty.

Members welcomed the varied programme of events throughout the year. Queries were raised in relation to the following:-

- Military Presence required at Easter celebration
- Linking in with Kilkenny Tourism to market international visitors
- 1916 Theme – St. Patricks Day Parade
- Seek corporate sponsorship
- Maximise funding from the Department
- Printed schedule of events to be published by end of 2015.
- Legacy from 1966 to be marked also
- Department of Education – acknowledged their focus with the Primary and Secondary Schools
- Engagement with GAA clubs, Residents Associations and other various community groups
- Welcomed the Irish Language Programme in the Libraries
- Recognition of women in the celebration.

Mr. Tyrrell responded to the queries raised and advised that the Department of Education is co-ordinating a schools project. The GAA have committed to a once off event in Croke Park.

Grants from Kilkenny County Council for Festivals and other Community supports during the year will require a “1916 Theme”.

The initial allocation from the Government for Kilkenny is €33,000 and this may require matching funding.

Cllr. P. Cleere requested that a letter be sent to the Department seeking increased funding. Cllr. M. H. Cavanagh thanked B. Tyrrell and the committees for the work carried out on the programme of events for 2016.

(iii) Part 8 – Commencement of consultation for Brew house

Mr. S. Walton referred to the report circulated to members on the proposed refurbishment of the Brew house building and associated works on the Diageo site. This development is a key component of the site. Public Consultation will commence in October. Mr. Tony Lauhoff gave an overview of the location of the building on the site and the current condition of the building and proposed images of the completed building.

He advised that agreement to retain and refurbish this building has been agreed by the Council. The proposed works are in accordance with the Master Plan approved by the Council in July 2015. The gross floor area of the refurbished building will be 6,900m². Details of the proposed development are listed in the report circulated. All documents and reports for Part 8 will be available for public consultation including appropriate assessment screening statement and archaeological Impact Report. Agreement of the Council is requested to proceed to Part 8, Public consultation. Following public consultation, Chief Executive Report will be prepared and will be brought back to the Council at the December or January meeting.

Mr. Lauhoff advised that demolition working on the site are to commence at the end of the month and will be completed by the end of the year. The site will then be handed over to the Council in January, 2016.

It was proposed by Cllr. M. Noonan, Seconded by Cllr. B. Gardner and agreed: -
“That the proposed refurbishment of the Brew house building proceeds to Part 8. Public consultation and that a public meeting be arranged and the PPN representatives be involved”.

Ms. C. Byrne advised that the Council will host a public information meeting commencing at 4.00p.m. and concluding at 8.00p.m. on a date to be confirmed. Plans will also be displayed in the Meubles building in John Street and on the website.

(e) Finance – Airgeadais

- (i)** Mr. Prendiville advised members that approval is required to raise loan of €4m from HFA for housing loans over the next 12 months. There has been an increase in the number of applications for housing loans.

It was proposed by Cllr. M. Doran, Seconded by Cllr. F. Doherty and agreed:-
“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

Mr. S. Walton advised members that the proposed development when advertised in April, 2013 consisted of 2 elements i.e. dedicated coach park and car parking on lands adjacent to the Kilkenny Central Access Scheme and the introduction of a third carriageway (outbound) on the R712 Castlecomer Road between the Kilkenny Central Access Scheme and the New Road roundabout. The executive are now seeking approval of the members only to the R712 Castlecomer Road element of the development. Approval is not been sought for the coach park and car parking. He advised that separate proposals to provide for coach/car parking in the city will be presented to elected members in the coming months. Mr. Walton outlined in detail the works required in the provision of the additional carriageway, the proposal will enable the two existing carriageways to become inbound, one dedicated right turning lane accessing the KCAS and one continuing at present towards the McDonagh Junction Roundabout. Submissions received are included in the report.

It was recommended that members approve the Part 8 for the scheme. It was proposed by Cllr. M. McCarthy and Cllr. J. Brennan:-“That the Part 8 be approved”. A number of queries arose from Cllr. P. Fitzpatrick, M. Noonan, K. Funchion, M. H. Cavanagh and M. Shortall and B. Gardner in relation to the proposed works, current status of the HGV Management Plan, proposed development of the Mart Site and Diageo Site, any impact on residential areas, any consequences for delaying these works.

Mr. Walton responded to the queries raised and advised that the Part 8 complimented previously approved works in relation to the Central Access Scheme. The bridge is due to be completed in August 2016. It is hoped to have these works advertised and contractors on site in early 2016. This piece of infrastructure will support the introduction of the HGV Management Plan. A report on the HGV Management Plan will be made to the Kilkenny Municipal District Committee shortly. In order to manage HGV, the infrastructure needs to be in place. The report will include options on managing HGV currently post CAS and post completion of the Northern Ring Road extension.

Concerns were expressed by Cllrs. K. Funchion, M. Noonan and B. Gardner in proceeding with this Part 8 in the absence of the HGV Management Plan.

It was proposed by Cllr. M. Noonan, Seconded by Cllr. K. Funchion:-“That decision on Part 8 be deferred until HGV Management Plan is in place”.

At this stage Cllr. M. H. Cavanagh requested members to vote on the amendment to defer decision on Part 8.

Five (5) voted in favour of the amendment: - Cllrs. B. Gardner, D. Kennedy, K. Funchion, M. Noonan and M. O' Neill.

Thirteen (13) voted against the amendment: - Cllrs. J. Brennan, M. H. Cavanagh, P. Fitzpatrick, M. McCarthy, M. Shortall, P. Cleere, M. Doyle, P. O' Neill, M. Doran, E. Aylward, T. Breathnach, F. Doherty, G. Frisby.

The amendment was defeated by 13 votes to 5 votes.

Cllr. M. H. Cavanagh put the proposal by Cllr. M. McCarthy, seconded by Cllr. J. Brennan:- "That Kilkenny County Council approves under Part 8 of the Planning and Development Regulations 2001-2011 - R712 Castlecomer Road Improvement Scheme".

Twelve (12) voted in favour of the proposal: - Cllrs. J. Brennan, M. H. Cavanagh, P. Fitzpatrick, M. McCarthy, M. Shortall, P. Cleere, M. Doyle, P. O' Neill, M. Doran, E. Aylward, , F. Doherty, G. Frisby.

Five (5) voted against her proposal: - Cllrs. B. Gardner, D. Kennedy, K. Funchion, M. Noonan and M. O' Neill.

One (1) abstained: - Cllr. T. Breathnach.

The proposal was passed by 12 votes to 5 votes with 1 abstention.

3. **Urgent Correspondence - Comhfhreagras Práinneach**

None.

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

None.

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

(i) Schedule of meetings from September - November 2015. Agreed. Proposed by Cllr. P. Fitzpatrick, Seconded by Cllr. M. Doran.

(ii) The following meetings were proposed by Cllr. M. Doran, Seconded by Cllr. J. Brennan and agreed:-

- Local Property Tax 25th September, 2015 at 3.30p.m.
- Statutory Budget Meeting 20th November, 2015 at 3.00p.m.

- Special Meeting in Committee on Housing - 12th October, 2015 at 3.30p.m.

(iii) Fix date reception for Handballers – Monday 21st October, 2015 at 5.30p.m.

(iv) Agree dates for deputations from IT Colleges and Three Sisters Bid.

- Professor Donnelly, Waterford IT 19th October, 2015 at 2.30p.m.
 - Three Sisters 19th October, 2015 at 2.00p.m.
 - Dr. Mulcahy, Carlow IT 16th November, 2015 at 2.30p.m.
- Agreed by all members.

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

None

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

None

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

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

Proposed by Cllr. J. Brennan, Seconded by Cllr. F. Doherty and agreed.

Cllr. Cavanagh reminded members on the forthcoming LAMA Conference in Kilkenny and the main item for discussion in the Lobbying Act.

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

Cllr. P. Dunphy asked if a response has been received for an extension of time on the Boundary Review Commission.

Mr. Walton agreed to follow up on this.

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

Mr. Walton referred to notice of motion tabled by Cllr. M. Noonan at the July Meeting in relation to the use of roundup in the public realm. He advised that there is no legal deterrent to the use of it by public authorities.

The debate on suitability of it has not been concluded and Kilkenny County Council is entitled to use it and do use it. Cllr. Noonan asked if there were suitable alternative.

Cllr. F. Doherty, requested update on signage for the County Boundaries. Mr Walton advised that the NRA has committed to the erection of the sign and he will follow it up with them.

11. Notices of Motion - Fógraí Rúin:

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

Ms. C. Byrne advised the meeting that it was not appropriate to consider and discuss the notice of motion listed on the agenda as there is a competitive process currently underway involving both the Kilkenny Leader Partnership (KLP) and the LCDC. Both organisations have submitted expressions of interest (EOI) to the Department of the Environment to deliver the next LEADER Programme and both EOIs have been accepted. Ms Byrne confirmed that elected members are represented on both organisations and it would therefore be inappropriate to consider a motion to support one and not the other.

Mr. S. McKeown advised the members that €7.8m has already been allocated to Kilkenny for the period 2014-2020 under the LEADER Programme, and that the competitive process underway is to determine whether the LCDC or KLP will be awarded the status of Local Action Group (LAG). He gave an overview of the process to date:

- Council supported the establishment of the LCDC as an independent statutory committee in July 2014
- .
- The LCDC entered into negotiations with KLP to try to secure their agreement to implement the next LEADER Programme as per the preferred approach of Government. Under this arrangement, the LCDC would be the LAG retaining a mainly strategic oversight and monitoring role, while KLP would be responsible for implementing all aspects of the LEADER Programme through an SLA with the LCDC. However, the LCDC and KLP have failed to reach agreement on this basis. It was noted that in the vast majority of the 28 areas defined for the purposes of the next LEADER Programme, the preferred approach of Govt has been agreed;
- As agreement cannot be reached between the 2 organisations in Kilkenny, both are now preparing separate bids;

- The Department have established a selection committee to adjudicate on competing bids and can only make a determination once they receive both bids;
- The Department have provided a minimum of six months (from 16th July 2015) for groups to prepare their bids. This means that the earliest date that groups are expected to have their bids completed is 16th January 2016. It was noted that KLP have indicated their bid is almost complete. However, the LCDC have just commenced the process of preparing their bid. While they have already undertaken a lot of good work through the preparation of the LECP, they must undertake a consultation process with a very wide range of stakeholders as an integral part of their LEADER bid. So while the LCDC aims to prepare its bid as soon as possible, the consultation process will take time to complete;
- In the meantime the LCDC continues to stress to KLP, as per their most recent correspondence dated 17th September, that they remain open to working with KLP to try to reach agreement on a joint bid for the LEADER Programme.

Contributions were received from Cllr. M. Doran, E. Aylward, M.H. Cavanagh, M. O' Neill, in relation to the following:-

- Consequence if Kilkenny can't reach agreement and KLP don't sign up to Government Policy.
- Delays are affecting the delivery of programmes and funding to community.
- Urge KLP and LCDC to get development strategies submitted and get decisions made.

Cllr. Gardner stated that she is disappointed that the motion cannot be taken but will respect the advice of the executive.

Ms. Byrne and Mr. McKeown responded to members queries and advised that regrettably given the fact that there is a competitive situation in Kilkenny there is likely to be a delay in getting the LEADER Programme up and running.. The LCDC is independent of the Council but is supported by secretariat from the Council and it will take time for the LCDC to get their bid in.

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”.

Cllr. M. H. Cavanagh advised that a full report will be made at the October Meeting on the CAS and that the forum for asking questions is when the report is presented. Any member can submit questions in writing and the answers can be made available to all Councillors.

Cllr. Gardner withdrew the notice of motion. Cllr. M. Noonan and M. Doran supported a policy of submitting questions in writing to the Executive for a trial basis of 6 months.

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

It was proposed by Cllr. P. Dunphy, Seconded by Cllr. P. Fitzpatrick and agreed: - “That Kilkenny County Council raise with Minister Alan Kelly and Minister of State Simon Harris the issue of cleaning up the small streams and rivers 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”.

37(15) and 39(15)

Cllr. Cavanagh sought approval of the members to defer the two notices of motions. Ms. Byrne advised that Kilkenny County Council and ISPCA have entered into discussion for the provision of the service for 2016 and that it is inappropriate to comment during these negotiations.

Cllr. Noonan welcomed this and stated that the annual welfare advisory committee has worked well. This is an opportunity to strengthen and enhance the service.

The notices of motion were deferred by the Council.

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

It was proposed by Cllr. M. Noonan, Seconded by Cllr. K. Funchion and agreed:- “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”.

Cllr. Noonan requested that the Integration Forum be considered for developing local plans to integrate refugees. He acknowledged that the current housing crisis which has to be considered when any proposals are being developed.

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

It was proposed by Cllr. T. Breathnach, Seconded by Cllr. M. Shortall and agreed:- “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”.

Mr. Walton advised that discussion can take place at Municipal District level to devise policy to enhance bus shelters.

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:

Proposed by Cllr. F. Doherty, Seconded by Cllr. P. O' Neill and agreed: - "That the following notices be noted as read".

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”.

The meeting then concluded.

CATHAOIRLEACH

DATE