

Minutes of May Council Meeting held on 16th May, 2016 at 3.00p.m.

Chair: Cllr. M.H. Cavanagh

Cllrs: M. Shortall, J. Brennan, P. Millea, P. Fitzpatrick, M. Doyle, M. Doran, M. Noonan, J. Malone, M. McCarthy, A. McGuinness, E. Aylward, T. Breathnach, P. Cleere, P. Dunphy, M. O' Neill, G. Frisby, F. Doherty, B. Gardner, D. Kennedy, P. McKee, D. Fitzgerald, S. Tyrrell, P. O' Neill

Officials: C. Byrne, M. Melia, S. Walton, M. Mulholland, M. Prendiville, T. Lauhoff, M. Delahunty, K. Hanley, B. Tyrrell, D. Malone, C. Millea, C. Byron, N. Louw and A. M. Walsh

Apologies: S. Walton

1. Confirmation of Minutes - Dearbhú Miontuairiscí:

(a) Minutes of Ordinary Meeting of Kilkenny County Council held on Monday 18th April, 2016

Proposed by Cllr. P. Cleere, Seconded by Cllr. F. Doherty and agreed:- "That the minutes of the Ordinary Meeting of Kilkenny County Council held on Monday 18th April, 2016 as circulated with the agenda be and are hereby approved".

Cllr. Gardner stated that the minutes did not include a request by members to have documents in relation to the Draft Partnership circulated to members.

Ms. Byrne pointed out where the request was referenced in the minutes.

Cllr. M. H. Cavanagh welcomed the launch by the Chamber of the Medieval Mile Pass by the Chamber of Commerce and encouraged all visiting Kilkenny to use it.

Cllr. M. H. Cavanagh welcomed the Regional South East campaign to promote the message to encourage motorists to keep their rubbish in their car until they reach a bin at a service station, or dispose of it when they reach their destination.

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

- To the families of the late Tommy Downey, Lismaine and Gerry Hennessy, New Ross who were recently killed in road accidents in County Kilkenny.
- Mary & Tommy Butler, Clinstown Road Freshford, on the death of Elaine Driscoll
- Joan Wall, Carrickanaune, Mullinavat, on the death of Josie Lawlor.
- Helen & Pat Fitzpatrick, Clopook, Ballyfoyle, on the death of Michael Doyle.
- Tom & Delia Walsh, Woodlawn, Bennettsbridge on the death of Daniel Walsh.
- Juliann Walsh & Family, Carrigeen, Via Waterford on the death of Mikey Jones.

- James Grace & Family, Ballincur, Mooncoin, on the death of Joan Grace
- The Moloney Family, Knockwilliam, Ballyhale on the death of Paddy Moloney.
- John Meaney & Family, Ballyogan, Graiguenamanagh, on the death of Kitty Meaney.
- Eddie O' Keeffe & Family, Rathcurby, Carrigeen, on the death of Margaret O' Keeffe.
- Bernie O' Sullivan, Main Street, Piltown on the death of Tony Kirwan.

Ms. C. Byrne outlined to the Cathaoirleach the need for the record to be corrected in relation to a statement on the local radio in relation to minutes of Council meetings. She invited Cllr. B. Gardner to address the meeting.

Cllr. B. Gardner stated that she made a comment on the radio in relation to the minutes of the 21st March, 2016. She acknowledged that she had left meeting before the decision on the meeting in committee was taken. She wished to apologise and withdraw her statement.

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. M. McCarthy, 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 a Property at Main Street, Ballyhale, Co. Kilkenny, as identified on the attached map, to Rory Quann and Lynn Quann, Main Street, Ballyhale, Co. Kilkenny for a nominal sum of €100 and with the Purchasers being responsible for all legal fees associated with the transfer.”
- (ii) Proposed by Cllr. M. Shortall, Seconded by Cllr. J. Brennan 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 a Plot of Ground at Gurteenteen, Ballycallan, Co. Kilkenny, as identified on the attached map, to Pat Lynch and Maureen Lynch, Gurteenteen, Ballycallan, Co. Kilkenny for a nominal sum of €100 and with Kilkenny County Council being responsible for all legal fees associated with the transfer

(b) Planning- Pleanail

- (i)** Proposed by Cllr. A. McGuinness, Seconded by Cllr. M. O' Neill and agreed: -
"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 roads, listed in the Public Notice and listed below, to be Public Roads". (report attached)

Developments:-

1. Loreto Lodge, Freshford Road, Kilkenny
2. Loreto Park, Troy's Lane, Kilkenny
3. Bridgeview Gardens, Greensbridge Street, Kilkenny
4. Saint Mauls, New Road, Kilkenny
5. Kilsheelin Heights, Castlecomer Road, Kilkenny

(c) Corporate Affairs - Gnóthaí Corparáideacha

(i) Chief Executives Report

Ms. C. Byrne Chief Executive presented her monthly report to the members. She advised the Council that Kilkenny Leader Partnership (KLP) has been awarded the LAG status and she looked forward to working in partnership with KLP to ensure that the funds are spent over the next 5 years in accordance with the LCDC Strategy. She advised that her report contained all other matters and it is taken as, been noted by the members.

Contributions were received from Cllr. M. Noonan, E. Aylward, B. Gardner, M. O' Neill, T. Breathnach, P. McKee, D. Kennedy, F. Doherty, P. Fitzpatrick, M. Doran, P. Cleere and M. Shortall. Issues raised related to

- KLP – Awarded status of LAG
- Role of LCDC now
- Collaborative approach with all Community Groups
- Taking in Charge Initiative – Pilot Scheme
- Current recruitment of General Operatives
- Gateway Scheme
- Disability Strategy
- Sports Partnership Programme
- Free membership of Library
- Collection rates in County Kilkenny

Ms. Byrne responded to the issues raised.

(ii) European Capital of Culture Bid 2020 – Presentation

Cllr. M. H Cavanagh welcomed Mr. Michael Quinn and his team to the meeting.

Mr. Quinn gave a PowerPoint presentation to the members on the Regional Cultural Strategy and the Cultural Status of the European Capital of Culture Bid 2020, the Bid Book and the approval of a contribution from Kilkenny County Council for the Capital of Culture budget.

He referred to the draft Regional Cultural Strategy circulated with the agenda and it is recommended that the members adopt the strategy for the Three Sisters Region. In relation to key dates for the Three Sisters Bid, he advised that -Bid Book must be submitted on 17th June. Jury will visit the region on 13th July. Interview will be held on 14th July. Announcement of Irish European Capital of Culture 2020 will be announced on 15th July.

The estimated budget for the programme 2016-2020 is €31m. Contributions from the local authorities is €7.5m, Kilkenny contribution is €2.25m i.e. 30%. Mr. Quinn is requesting members to approve the contribution of Kilkenny County Council and endorse the Three Sisters Bid to host the European Capital of Culture in 2020.

A copy of his PowerPoint presentation was circulated for member's information.

Contributions were received from Cllr. M. Noonan, F. Doherty, P McKee, A. McGuinness, M. O' Neill, T. Breathnach, P. Fitzpatrick, P. Millea and M. H. Cavanagh.

Issues/concerns raised by members are as follows:-

- Significant contribution required from local authorities without visibility of the Programme.
- Projected return for the region and business's
- Involve rural communities, twinning organisations

Members wished the bid team well on 14th July.

Mr. Quinn and Ms. C. Byrne responded to the issues raised. Ms. Byrne advised that the detail of the final budget is subject to programme. Programme must be spread across the 3 Sisters Region.

It was proposed by Cllr. M. Noonan, seconded by Cllr. F. Doherty and agreed: - "That Kilkenny County Council adopts the Regional Cultural Strategy 2016-2025 for the Three Sisters Region".

It was proposed by Cllr. M. Noonan, Seconded by Cllr. P. Millea and agreed:- “That Kilkenny County Council approves the contribution of €2.25m to the European Capital of Culture budget and Kilkenny County Council endorses the Three Sisters Bid to host the European Capital of Culture in 2020”.

(iii) Amenity Grants

Mr. M. Prendiville advised that an amount of €117,000 was included in the 2016 Budget for the amenity grant scheme. 128 applications are recommended for grant assistance. 3 late applications were received and these will be considered from the balance of funds left in 2015. It was proposed by Cllr. T. Breathnach, seconded by Cllr. D. Kennedy: - “That Kilkenny County Council approves the payment of Amenity Grants 2016 in accordance with the list circulated to the members”.

(iv) Audit Committee Report

Mr. M. Prendiville referred to the Audit Committee’s Annual Report for 2015 which was circulated with the agenda. The report outlines Role of the Committee, the work programme/priorities for 2016 and a concluding statement by the Chairperson.

Mr. Prendiville advised that it is the intention to allocate additional staff resources to internal audit.

It was proposed by Cllr. F. Doherty, seconded by Cllr. A. McGuinness and agreed: - “That the Audit Committee Annual Report for 2015 be hereby noted”.

(v) Draft Annual Report 2015

Ms. C. Byrne advised members that it is a requirement of the Local Government Act to prepare an Annual Report in relation to the performance of the local authorities function during the preceding year. Ms. Byrne referred members to the notable achievements for 2015 outlined in pages 5 to 7 of the report.

She thanked the Councillors for their work and for the delivery of a budget for the year. She thanked all staff for the delivery of a very significant programme of work. She advised that the adoption of the Annual Report is a reserved function.

It was proposed by Cllr. T. Breathnach, seconded by Cllr. J. Brennan and agreed: - “That the Draft Annual Report for 2015 is hereby approved”.

(vi) Performance Indicators 2015

Ms. M. Mulholland referred members to the report on Performance Indicators circulated with the agenda.

Ms. Mulholland gave a PowerPoint presentation on the Role of the National Oversight and Audit Commission (NOAC), Indicator process, recommendations contained in the 2014 Report, and Performance of Kilkenny County Council.

NOAC is an independent body, which sets the indicators. They review performance of the individual authorities.

Contributions were received from Cllr. M. Noonan, M. O' Neill, P. Cleere, P. Fitzpatrick, M. Shortall and T. Breathnach. Members welcomed the achievements of Kilkenny County Council in 2014 and congratulated all staff.

A number of queries were raised in relation to:-

- Outcome of indicator depends on date assessed
- % of inspections for building control/litter control
- Access to refuse collection service
- Indicator for Regional Roads- Clarify, under investment in roads, PSCI
- Performance Indicators – Cllrs reps
- Housing stock number
- Include additional indicators – Heritage, Community etc

Ms. Melia and Ms. Mulholland responded to the queries raised and advised that indicators are set at national level, performance in Kilkenny is monitored and linked to service delivery plans.

Ms. Byrne advised that a letter can be sent to NOAC requesting additional indicators be included for future monitoring if members so decide.

Ms. Byrne advised that a Customer Relations Management System is being investigated for the local authority which will include for Councillors Reps.

(vii) Service Delivery Plan 2016

Ms. C. Byrne referred to her report circulated with the Service Delivery Plan for 2016. She advised that the adoption of the Service Delivery Plan is a reserved function under Section 134A of the Local Government Act 2001.

Queries were raised by Cllr. M. Noonan and P. McKee in relation to the inclusion of a number of objectives in the plan, on Abbey Quarter, HGV and Traffic Management, Smarter Travel and broadcasting Council meetings.

Ms. Byrne and Ms. Melia responded to the queries raised.

It was proposed by Cllr. P. McKee, Seconded by Cllr. J. Brennan and agreed:- "That in accordance with the provision of Section 134 of the Local Government Act 2001, the Service Delivery Plan dated 11th April, 2016 as circulated to the Council be and is hereby adopted without amendment".

(viii) Kilkenny Alerts – Presentation

Mr. Kevin Hanley gave a PowerPoint presentation on Kilkenny Alerts which is being launched today. He presented an overview on the new communication service that will issue alerts by SMS, email, APP and RSS, how to register for the service and phased roll out of message/alerts. He demonstrated the categories of alerts which will be available.

Ms. C. Byrne encouraged everyone to register for the alerts, it is a free service. Cllr. O' Neill welcomed the new system for alerts.

(ix) Proposed Twinning with Malbork, Poland

Mr. B. Tyrrell referred to report circulated to the members on the proposal to develop a twinning arrangement between Malbork, Poland and Kilkenny. He further advised that a protocol on Twinning is being prepared for consideration of the elected members.

Approval of the Council is required to the proposed visit of a Kilkenny delegation to Malbork to explore the possibilities and benefits of a twinning arrangement.

It was proposed by Cllr. P. McKee, seconded by Cllr. M. Doyle and agreed that a delegation visit Malbork, Poland in Summer 2016.

(d) Environment - Timpeallacht

(i) Refuse Service Changes – Pay by Weight - Presentation

Ms. M. Mulholland circulated 2 documents in relation to "Pay by Weight" for member's information. These 2 documents are part of a national awareness campaign.

Ms. Mulholland gave a Power Point presentation on pay by weight. on the background of moving to a 3 bin collection and pay by weight system to ensure equity. The policy is to move away from landfill. She gave an overview on the National Regulations, the Regional Waste Management Plan, and the local authorities responsibilities in waste management. She advised that there are 8 collectors in Kilkenny with 53% of households having a household bin collection service. Kilkenny County Council has a role in compliance i.e. enforcement of operations and promotion of co-operation by householders.

Contributions were received from Cllrs. M. H. Cavanagh, M. Shortall, J. Brennan and P. McKee. Members raised concerns in relation to public awareness of the introduction of the 3rd bin and pay by weight for the 1st July, 2016. Concerns were raised by Members in relation to potential cost increases, lack of awareness and illegal dumping. A number of anomalies need to be sorted out before 1st July, 2016.

It was proposed by Cllr. M. H. Cavanagh, seconded by Cllr. J. Brennan and agreed that a letter be sent to the Minister requesting a deferral of the introduction of pay by weight. Letter should be circulated to all Local Authorities.

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 April - June 2016 - Proposed by Cllr. P. Fitzpatrick, Seconded by Cllr. M. Doyle and agreed.

(ii) Agree date for Annual General Meeting- Proposed by Cllr. P. Fitzpatrick, Seconded by Cllr. M. Doyle and agreed: - "That the Annual Meeting would take place on Friday 3rd June, 2016 at 4.00p.m".

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. G. Frisby, Seconded by Cllr. M. McCarthy and agreed.

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

None.

10. Any Other Business - Aon Ghnó Eile

None.

11. Notices of Motion - Fógraí Rúin:

Members agreed to defer all notice of motions to the June Meeting. Cllr. M. Noonan withdrew notice of motion No. 7(16).

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:

Members agreed to defer all notices of motions to the June meeting.

The meeting then concluded.

CATHAOIRLEACH

DATE