

**Minutes of Ordinary Meeting of Kilkenny County Council held on Monday 18th of October,
2010 at 3.00p.m. in the Council Chamber, County Hall, John Street, Kilkenny.**

Cathaoirleach: Cllr. Catherine Connery

Present: Cllrs. M.H. Cavanagh, M. Shortall, J. Brennan, M. Fitzpatrick, M. Brett, P. Cuddihy, M. Noonan, M. Doran, W. Ireland, T. Maher, S. Treacy, P. O' Neill, A. Phelan, E. Aylward, A.M. Irish, C. Long, T. Breathnach, A. McGuinness, P. Millea, F. Doherty.

Apologies: Cllrs. J. Coonan, P. Dunphy, M. O' Brien & P. Crowley.

Also Present: Joe Crockett County Manager, John McCormack, John Mulholland and Philip O' Neill Directors of Services, J. Dempsey Head of Finance, Martin Mullally Senior Executive Officer and Anne Maria Walsh Meetings Administrator.

Votes of sympathy were passed to the following:-

- Chris & Fran Murphy, Ballyfacey, Glenmore, Co. Kilkenny on the death of their son Cian Murphy.
- Peggy Walsh & Family, Hoodsgrove, Tullogher, Co. Kilkenny on the death of her husband Walter Walsh.
- Alice Walsh, Scartmore, Glenmore, Co. Kilkenny on the death of her brother James Walsh.
- Breda Fitzgerald, Knockbrack, Glenmore, Co. Kilkenny on the death of her brother Jack Fitzgerald.
- Kay Forristal, Ferrybank, Kilkenny on the death of Johnny Forristal.
- John Dunphy, Glendonnell, Mullinavat, Co. Kilkenny on the death of his mother Margaret Dunphy.
- Michael Moore, Kilmacoliver, Tullahought, Piltown, Co. Kilkenny on the death of his wife Kay Moore.

1. Confirmation of Minutes

- (a) Minutes of Ordinary Meeting of Kilkenny County Council held on Monday 20th of September 2010. Proposed by Cllr. B. Ireland, Seconded by Cllr. M. Shortall and resolved:- "That the minutes of the Ordinary Meeting of Kilkenny County Council held on 20th of September copy of which had been circulated be and are hereby approved".
- (b) Minutes of Audit Committee Meeting held on Monday 31st May, 2010 Proposed by Cllr. P. Millea, Seconded by Cllr. J. Brennan and resolved: - "That the minutes of the Audit Committee Meeting held on 31st of May, 2010 copy of which had been circulated be and are hereby approved".

(c) Minutes of Callan Electoral Area Meeting held on Wednesday 8th September, 2010.

Proposed by Cllr. T. Maher, Seconded by Cllr. B. Ireland and resolved:- “That the minutes of the Callan Electoral Area Meeting held on 8th September, 2010 copy of which had been circulated be and are hereby approved”.

(d) Minutes of SPC 2 – Infrastructure, Transportation, Water Services & Other Policy Issues Meeting held on Friday 10th September, 2010

Proposed by Cllr. P. Millea, Seconded by Cllr. P. Cuddihy and resolved:- “That the minutes of the SPC 2 Meeting held on 10th September, 2010 copy of which had been circulated be and are hereby approved”.

(e) Minutes of Thomastown Electoral Area Meeting held on Tuesday 14th September, 2010

Proposed by Cllr. A. Phelan, Seconded by Cllr. S. Treacy and resolved:- “That the minutes of the Thomastown Electoral Area Meeting held on 14th September, 2010 copy of which had been circulated be and are hereby approved”.

(f) Minutes of SPC 1 Forward Planning & Development Strategic Policy Committee Meeting held on 30th September, 2010

Proposed by Cllr. M. Shortall, Seconded by Cllr. F. Doherty and resolved:- “That the minutes of the SPC 1 Meeting held on 30th September, 2010 copy of which had been circulated be and are hereby approved”.

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

Proposed by Cllr. A. Phelan, Seconded by Cllr. T. Breathnach:- “That Kilkenny County Council hereby approves of the disposal of its interest in No. 3 The Park, The Weir, Castlecomer Road, Kilkenny in accordance with the terms of the Housing Acts 1966 to 2002”.

(b) Water Services - Seirbhísí Slántaíochta

Water Services Capital Programme – Update

Mr. Philip O’Neill, Director of Services updated members on the capital programme for water services. He advised members that 6 schemes were currently under construction or almost completed. All schemes will be completed by the end of the year with an investment of €20million in water services infrastructure.

At the July council Meeting members agreed to advance 3 remedial action list schemes which were on the priority list - Thomastown/Inistioge,

Gowran/Goresbridge/Paulstown and Kilkenny City. Agreement had been reached with the Department for the deferral of local contributions on these schemes. In relation to Inistioge, the Council are currently putting in improved treatment facilities. Work is also progressing on the South Kilkenny Water Supply and the water conservation project. The County Manager agreed that a review would take place in October to determine if further schemes could be advanced to construction. It is now proposed to advance 3 further schemes. The value of the works is €1.5 million and special development contributions received will meet the local contribution obligation. The schemes proposed to be advanced are Ballyhale/Knocktopher Waste Water Treatment Plant upgrade, Urlingford Waste Water Treatment Plant Phase 2 and Paulstown Waste Water Treatment Plant upgrade. A further review will take place when the national and local budgets for 2011 are determined.

The County Manager requested the member's approval to proceed with the upgrade of the 3 schemes outlined in the presentation. He stated that special development levy contributions had been received for these areas and would need to be spent at this stage or else a refund would have to be given. The development contributions received are specific to these schemes and cannot be used on other schemes.

Contributions Cllrs. P. O' Neill, S. Treacy, J. Brennan, M. Shortall, T. Breathnach, M. Noonan, C. Connery, A. Phelan, P. Millea.

A number of members were disappointed that some of the schemes that were on the priority list have not been advanced, these include Clogh/Moneenroe/Castlecomer water and Freshford waste water. Members requested clarification on how the schemes were selected for advancement. Queries were also raised in relation to the rehabilitation of the pipe network.

A query was raised in relation to the use of development levies collected for roads whether this could be transferred to water services. The staff in water services were complimented on progressing 6 schemes to date despite financial cut backs and complimented them on their progress.

In response Philip O' Neill answered the queries raised by the members and advised them that schemes are advanced based the Council's assessment of Needs and the water schemes remedial action list is determined by the EPA. The 3 waste water schemes selected to advance currently have sufficient development levies in place to meet the local contribution. The local authority does not have enough money to finance all schemes which need to be upgraded. He advised members that the leak protection programme will continue until June 2011 and a proposal for funding will be sent to the Department to commence the rehabilitation programme. The priority schemes have not changed but funding determines the number of schemes that can advance.

The Manager advised the members that they have had several discussions with Department officials in relation to the deficiencies in a number of schemes but the local authority does not have sufficient funds to carry out all infrastructure upgrades currently on the priority list. The Council is not in a position to borrow further funds as we cannot afford it and is not in a position to give a timeframe to members on when other schemes may be advanced.

(c) Planning – Pleanail

Consideration of the Manager's Report on Submissions received on the Fiddown and Piltown Draft local Area Plans.

Item deferred to meeting on 1st November, 2010 at 3.00p.m

(d) Housing – Tithíocht

Quarterly Housing Report

John McCormack Director of Services advised members that a detailed report had been circulated with the agenda. He outlined the main activities which are contained in the report and gave members up to date information on the capital schemes and the disability grants. He advised members that the housing waiting list was growing and that housing department needs to concentrate on securing accommodation through the rental accommodation scheme and long term leasing. He also advised members that the long term leasing scheme is open to the voluntary housing bodies who can also secure accommodation.

Members were advised that the housing maintenance budget had almost been spent and emergency repairs will only be carried out for the remainder of the year. The housing department continues to have challenges in relation to the reallocation of vacant houses. All these vacant units require retrofitting. A number of these vacant units will be subcontracted out as we do not have resources currently to carry out these works.

In relation to the Traveller Accommodation Programme the Department are striving to advance proposals in relation to new development of St. Catherine's Halting site and the provision of houses at Rosbercon and Ferrybank.

Contributions Cllrs. T. Maher, M. Fitzpatrick, M. Phelan, M. Shortall, T. Breathnach, A. McGuinness, P. Cuddihy, M. Noonan, A.M. Irish, A. Phelan and C. Connery.

Members welcomed the detailed report in relation to the activities of the housing department. Issues were raised in relation to the difficulties being encountered on the Ossory Park Capital Project. Members suggested that the housing department should be creative in securing additional accommodation for the people on our waiting list which has grown dramatically over the last year.

We need to match the available units to the family size in the location of their choice. A request was made to liaise with Helm, Respond and Cluid the voluntary bodies who are now securing additional accommodation for social housing applicants. It was agreed that the SPC should be the forum for this discussion.

Members acknowledged the work that is ongoing with the travellers particularly on St. Catherine's Halting Site but wished to express that there needs to be an interagency approach to ensure the success of the development.

In relation to the Housing Maintenance Budget queries were raised in relation to the amount provided in the budget and the need to protect this maintenance budget in the future.

In response John McCormack advised the members that RAS and leasing are the only options for the provision of social housing in the future. The option available to Kilkenny is build to lease as there are not sufficient suitable vacant units currently available to meet the demand required. He advised members that the local authority will actively engage with the voluntary bodies in relation to the provision of accommodation and issues that arise thereafter. He advised members that it is intended to put a panel of contractors in place for 2011 for housing adaptation grant scheme and that we will be advertising shortly for contractors to submit expressions of interest.

He stated that an interagency approach is vital to engaging with the traveller community in progressing their accommodation needs and other social needs.

Mr. McCormack advised the meeting that the Ossory Park Project is subject to conciliation and is not prepared to comment at this stage as it has been referred to a 3rd party.

He advised members that the Department had advised the local authority that the capital allocation scheme would be reduced dramatically in 2011 and 2012.

(e) Finance – Airgeadas

Economic Development Policy & Programme – Update

County Manager advised members that an invitation to the Launch of the Economic Development Policy will be issued for 9th November, 2010 at 11.00 a.m. in the Parade Tower, Kilkenny. This will outline the strategies for achieving economic growth in Kilkenny. The members welcomed the plan for development in the City and County and requested the economic sub group of the County Development Board to be included in the programme. They requested that the County Enterprise Board and other agencies work with the local authorities to secure additional funding. The funding announced by Department of Enterprise is to be welcomed and queries were raised on how to access it. The local authority will have to be pro-active and flexible with regulatory issues in order to promote growth.

(f) Roads – Bóithre

Winter Maintenance Plan

Mr. J. Mulholland Director of Services outlined to the members the main points of the report circulated with the agenda. He referred to the map attached outlining that all national routes will be maintained free from snow and ice 24 hours a day, 7

days a week. Arrangements have been put in place in all the Engineering Areas for winter maintenance on regional and local roads on a needs basis.

Agreements will be made with adjoining counties i.e. South Tipp & Carlow for maintaining selected stretches of road. In addition funding has been secured for 2 Salt Barns for storage of approx 1,000 tonne of salt. The Council has engaged with IFA and website will be updated regularly.

Contributions were made by Cllr. P. O' Neill, T. Maher, S. Treacy, F. Doherty, A. Phelan, T. Breathnach and C. Connery.

The members requested that priority be given to the old N9/N10 – R700 and R705 which are particularly busy routes. These routes and other routes are required for local access and people will need to move about. They welcomed engagement with the IFA as the Local Authority will be unable to reach all the local roads.

In response Mr. Mulholland re-iterated that non-national routes will be dealt with on a needs basis subject to availability of funding.

3. Urgent Correspondence - Comhfhereagras Práinneach

Members were advised that we are still awaiting a response from the HSE in relation to reconfiguration of services in the region.

4. Business adjourned from a previous Meeting - Gnó ar athló ó chruinníú roimhe seo:

None

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

(a) Schedule of meetings from October - December 2010 – The schedule as circulated was agreed.

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

(a) Proposed by Cllr. P. Cuddihy, Seconded by E. Aylward and agreed that the Report on SPC 3 Environmental Policy, Fire Services and Emergency Planning Meeting held on 8th September, 2010 copy of which had been circulated be and are hereby approved.

(b) Proposed by Cllr. T. Maher, Seconded by Cllr. M. Doran and agreed that the Report on Callan Electoral Area Meeting held on 8th September, 2010 copy of which had been circulated be and are hereby approved.

(c) Proposed by Cllr. P. Millea, Seconded by Cllr. P. O' Neill and agreed that Report on SPC 2 Infrastructure, Transportation, Water Services and other Policy Issues Meeting held on 10th September, 2010 copy of which had been circulated be and are hereby approved.

(d) Proposed by Cllr. S. Treacy, Seconded by Cllr. A. Phelan and agreed that Report on Thomatown Electoral Area Meeting held on 14th September, 2010 copy of which had been circulated be and are hereby approved.

(e) Proposed by Cllr. M. Shortall, Seconded by Cllr. P. O' Neill and agreed that Report on SPC 1 Forward Planning & Development Strategic Policy Committee Meeting held on 30th September, 2010 copy of which had been circulated be and are hereby approved.

7. Other Business set forth in the Notice convening the Meeting -

Gnó Eile romhainn i bhFógra reachtála an Chruinnithe

None

8. Education & Training

Proposed by Cllr. P. O' Neill, Seconded by Cllr. T. Maher.

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

None

10. Any Other Business - Aon Ghnó Eile

None

11. Notices of Motion - Fógraí Rúin:

8(10) Cllr. Malcolm Noonan – 11th October, 2010

Proposed by Cllr. M. Noonan, Seconded by Cllr. A. Phelan and agreed: "That Kilkenny Local Authorities carry out as soon as is practicable, a comprehensive review of the Kilkenny County Retail Strategy with the objective of taking pro-active actions to consolidate, enhance and protect the retail core of Kilkenny City and County Towns and Villages and to protect local retailers, services, business and food producers and to strengthen local economies and food supply chains".

Cllr. Breathnach requested details in relation to the Retail Strategy for Waterford City and future meeting of the Gateway Committee. Mr. John McCormack Director of Services responded that the review of the Kilkenny County Retail Strategy has commenced. The shopping surveys will be carried out over the next few weeks. It is expected that a presentation on the draft strategy will be made to members before the end of the year.

He advised members that Waterford City Council had been requested to arrange a meeting of the Gateway Committee.

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:

44(10) Monaghan Town Council – 23rd September, 2010

Proposed by Cllr. P.O' Neill, Seconded by Cllr. M. Noonan and noted. "That this Council deplores the proposal by ESB to increase charges by almost 5% at a time when the wholesale cost of same has reduced by 2%"

45(10) Waterford City Council – 4th October 2010

Proposed by Cllr. A. Phelan, Seconded by Cllr. M. Shortall and noted. "Waterford City Council call on the Taoiseach and Minister for Social and Family Affairs to publish the National Carers Strategy as committed to in the Social Partnership Agreement – Towards 2016 and in the programme for Government as a matter of principal".

CATHAOIRLEACH

DATE