

**Minutes of Ordinary Meeting of Kilkenny County Council held on Monday  
19<sup>th</sup> December, 2011.**

**Cathaoirleach:** Cllr. P. Cuddihy

**Councillors:** Cllrs. M.H. Cavanagh, P. Millea, M. Shortall, J. Brennan, J. Coonan, M. Brett, M. Noonan, A. McGuinness, M. Doran, W. Ireland, T. Maher, T. Prendergast, S. Treacy, C. Long, T. Breathnach, P. Dunphy, A.M. Irish, E. Aylward, F. Doherty, M. O'Brien, J. Galway, C. Connery, P. Crowley

**Apologies:** Cllr. B. Manning and Cllr. M. Fitzpatrick

**In attendance:** J. Crockett, J. McCormack, P. O'Neill, J. Dempsey, J. Mulholland, Denis Malone, C. Reilly, Billy Mernagh, M. Murphy, D. Shortall, A. Waldron and A.M Walsh

**1. Confirmation of Minutes - Dearbhú Miontuairiscí:**

- (a)** Minutes of Ordinary Meeting of Kilkenny County Council held on Monday 21<sup>st</sup> November, 2011. Proposed by Cllr. C. Connery, Seconded by Cllr. M. Brett and agreed:- "That the minutes of the Ordinary Meeting of Kilkenny County Council held on Monday 21<sup>st</sup> November, 2011 as circulated with the agenda be and are hereby approved".
- (b)** Minutes of Piltown Electoral Area Committee Meeting held on the 17<sup>th</sup> November, 2011. Proposed by Cllr. F. Doherty, Seconded by Cllr. C. Long and agreed:- "That the minutes of the Piltown Electoral Area Committee meeting held on the 17<sup>th</sup> November, 2011 as circulated with the agenda be and are hereby approved".
- (c)** Minutes of Thomastown Electoral Area Committee Meeting held on the 28<sup>th</sup> November, 2011. Proposed by Cllr. T. Prendergast, Seconded by Cllr. B. Ireland and agreed: - "That the minutes of the Thomastown Electoral Area Committee held on the 28<sup>th</sup> November, 2011 as circulated with the agenda be and are hereby approved."

Cllr. P. Cuddihy , Cathaoirleach extended congratulations to the following:-

- All staff involved in the restoration of Talbot Tower, Kilkenny.
- Eamonn Cleere on being named as Ireland's charity hero.

He acknowledged the allocation of funds for a new library in Ferrybank.

The Cathaoirleach wished all the citizens of Kilkenny, those travelling home or abroad a very happy, peaceful and safe Christmas.

**Votes of Sympathy were also sent to the following:-**

- Mr. Enda Kenny, An Taoiseach, on the death of his mother, Mrs. Eithne Kenny.
- Mr. Bob Dowling, Machinery Yard, on the death of his father, Mr. Robert (Bobby Dowling).
- Anne Heffernan and family, Michael St., Kilkenny on the death of her husband, Mr. Andy Heffernan.
- Joe Coyne & Family, 58 Assumption Place, Kilkenny on the death of his wife, Mrs. Mary Coyne.
- Nellie Hennessy & Family, Threecastles on the death of her husband, Mr. Eamonn Hennessy.
- Dave Morrissey and Family, Forristalstown, Glenmore, Co. Kilkenny on the death of his mother Lena Hennessy.
- Willie Hennessy and Family, Graiguenakill, Glenmore, Co. Kilkenny on the death of his wife Pauline Hennessy.
- Anna Culleton, Kilbride, Glenmore, Co. Kilkenny on the death of her brother John Brennan.
- Una Hayden and Family, Rockshire Road, Ferrybank, Waterford, on the death of her husband Dick Hayden.
- Lisa Ryan, The Bull Ring, Slieverue, Co. Kilkenny on the death of Rosanna Hayden.
- The Brennan Family, Kilkeasy, Hugginstown, Co. Kilkenny on the death of John Brennan.
- Bernie O'Sullivan & Family, Main St., Piltown, Co. Kilkenny on the death of Paddy O'Sullivan.
- Valerie Walsh, Ballincur, Mooncoin, Co. Kilkenny on the death of her father Pat O'Shea.
- Kevin Maher, Ballyhenebery, Owing, Piltown, Co. Kilkenny on the death of his father John Maher.
- Ger Power and Family, Dangan, Kilmacow, Co. Kilkenny on the death of Joe Power.
- Tim Durney and Family, Jamestown, Piltown, Co. Kilkenny on the death of his wife Eily Durney.

**2. Business prescribed by Statute, Standing Orders or Resolutions of the Council. - Gnó forordaithe do réir Reachtaíochta, Orduithe Seasta, nó rúin an Chomhairle.**

**(a) Other Disposal - Díuscairt Eile**

- (i) Proposed by Cllr. E. Aylward, Seconded by Cllr. S. Treacy and agreed "That Kilkenny County Council, hereby approves in accordance with Section 183 of the Local Government Act, 2001, to dispose of lands, as indicated on the attached map, at Knockmoylan, Co. Kilkenny to Pat Gaule, Keatingstown, Knocktopher, Co. Kilkenny for the sum of €6,000 with each party

being responsible for their own legal costs associated with the sale and in accordance with the terms specified in the notice.”

- (ii) Proposed by Cllr. A. McGuinness, Seconded by Cllr. J. Coonan and agreed “That Kilkenny County Council, hereby approves in accordance with Section 183 of the Local Government Act, 2001, to dispose of site measuring 0.23 acres at No. 35A Hebron Industrial Estate, Hebron Road, Kilkenny to Abbotsdale Limited for the sum of €5,000 with each party being responsible for their own legal costs associated with the sale and in accordance with the terms specified in the notice.”

### **(b) Housing Disposal – Díuscairt Tithíocht**

- (i) Proposed by Cllr. A. McGuinness, Seconded by Cllr. J. Brennan and agreed “That Kilkenny County Council hereby approves of the disposal of its interest in property at Knockshanbally, Ballyfoyle, Co. Kilkenny to Dean Smith and Jeanette Smith in accordance with the terms of the Housing Acts 1966 to 2002”.

### **(c) Corporate Affairs – Gnóthaí Corparáideacha**

- (i) Library – South Kilkenny

Mr. Crockett, County Manager briefed the members on the proposal to purchase a property in the newly developed shopping centre in Ferrybank for a new library and relocation of the area offices.

Funding has been received from the Department for the provision of the library in the amount of €780,000. The building will have to be fitted out and the proposed date for opening is May 2012. It is intended to relocate the public services of the area office in Newrath to the new facility.

Contributions were received from Cllr’s M. Doran, C. Long, A.M Irish, M. Noonan, T. Breathnach, F. Doherty, E. Aylward, P. Dunphy.

Members welcomed the funding for the new library as it is long awaited. It is a significant investment for the South of the County and it will be a very visible public service for the people living in Ferrybank. It will be a great boost to the community to be able to access all the local services from this central location.

Cllr. E. Aylward stated that there is a long standing commitment to provide a community library service in Mullinavat and we must not forget this. It was Proposed by Cllr. C. Long, Seconded by Cllr. A.M Irish and agreed to proceed with the provision of a new Library and area office at the Ferrybank Shopping Centre.

Cllr. C. Long wishes to extend good wishes to Ms. Norma McDermott who has resigned as Director of An Comhairle Leabharlann. She paid tribute to her for her work in securing improved library services for County Kilkenny and asked that a letter be sent to her . Mr. J. Crockett, County Manager was associated with the good wishes to her on her retirement.

## **(d) Roads - Bóithre**

### **(i) Draft Special Speed Limit Bye-Laws**

Mr. John Mulholland referred to the report circulated to members in relation to the third review of the speed limits in recent years. The last two reviews included for the introduction of the school safety programme and new road schedule classification on foot of the M8, M9 and N25. The changes now proposed have been discussed at local area meetings and have been approved by the Garda Commissioner.

On approval of the members, it is proposed to give public notice of the intention to make the bye laws and allows a period for submissions/objections.

Contributions were received from Cllr's P. Dunphy, F. Doherty, T. Breathnach, C. Long, J. Coonan, T. Maher, P. Millea, M. Doran, E. Aylward, Ml. O'Brien. The issues raised related to the following:-

- Increase in the speed limit at Sallypark.
- Signage and road markings for the changes proposed.
- Ramps/Traffic calming measures in the villages of Tullaroan and Kilmanagh and others throughout the county.
- Introduction of flashing lights instead of changing speed limits.
- Outline revisions to existing bye laws due to legal issues.
- Procedure for future reviews and if approval of NRA is required in advance.
- Speed limits need to be checked by Gardai.

Mr. John Mulholland replied to all issues raised by members. He advised that it would be appropriate to review speed limits on a 2/3 year cycle due to the work load involved. Kilkenny County Council is availing of Low Cost Improvement Schemes funding to carry out traffic calming measures where appropriate. NRA approval is required if changes are being made to speed limits on National Primary and Secondary Roads.

It was proposed by Cllr. P. Dunphy, Seconded by Cllr. C. Long and agreed that "That Kilkenny County Council resolves to provide for a further review of the Special Speed Limit Bye-Laws, propose to publish such notices, allow for public consultation and thereafter refer the matter to the Council for final consideration."

Cllr. P. Cuddihy agreed to talk to the Chief Superintendent to include in the Policing Committee Agenda matters in relation to Gardai checks on speed limits throughout the County.

### **(ii) Salt Storage Depot**

Mr. John Mulholland advised that a site (owned by Kilkenny County Council) at Leggettrath has been identified for the

proposed development of a salt barn and brine tanks, workshop/storage area for maintenance equipment, office building and carpark and weighbridge by NRA. This development will provide for the day to day maintenance of the motorway network for the geographic area of the South. It is proposed to commence a Part 8 public consultation with respect to this development.

Contributions were received from Cllr's T. Maher, P. Dunphy, F. Doherty, M.H Cavanagh. Members welcomed this proposed development in County Kilkenny as it will benefit Kilkenny Local Authorities being close to supply of salt stocks and the possibility of local employment.

Queries were raised in relation to a number of accidents in recent days due to icy roads. Mr. Mulholland replied that all roads outlined in our winter maintenance programme had been salted last week. Minor accidents did occur however drivers must slow down when there is frost. Kilkenny County Council will be highlighted safety messages over the Christmas periods through the media and roadside message boards.

It was proposed by Cllr. T. Maher, Seconded by Cllr. P. Dunphy and agreed that "That Kilkenny County Council resolves to commence a Part VIII public consultation with respect to the development of which the key elements are; 3,000 tonne salt barn and brine tanks, Workshop/Storage Area for Motorway Maintenance Equipment, Office building and staff car parking and Vehicle weighbridge at Leggettsrath, Kilkenny. The consultation period will extend to February 2012 following which the County Manager's Report and recommendation will be presented to members."

(iii) Gas Transmission Network

Mr. John Mulholland advised members that the report circulated is for information purposes for the members. Bord Gais proposed the provision of a 400mm diameter gas main from Bawnlusk to Great Island Power Station. Planning application has been lodged with An Bord Pleanala under the Strategic Infrastructure Acts.

Cllr. Cuddihy stated that this a major infrastructure project for the South East and hopefully it will facilitate inward investment for the region.

Cllr. Aylward requested if there is a liaison officer appointed to deal with queries from the public. Mr. Mulholland advised that he will contact Bord Gais in relation to this.

- (iv) Approval sought to initiate proceedings for the formal taking in charge of the Fair Green, Fiddown, Co. Kilkenny

“That Kilkenny 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 and Development Act 2000 initiate proceedings for the formal Taking-in-Charge of the Fair Green, Fiddown, Co. Kilkenny.”

- (v) Approval sought for the formal taking in charge of Cottage Gardens, Graiguenamanagh, Co. Kilkenny

“That Kilkenny 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 and Development Act 2000 resolve to take Cottage Gardens estate, Graiguenamanagh in charge and that the roads be declared public roads and entered into the roads schedule of Kilkenny County Council.”

#### **(e) Finance - Airgeadais**

- (i) Audited Annual Financial Statement and Statutory Audit Report for year ending 31<sup>st</sup> December, 2010.

Mr. John Dempsey advised that the audited Annual Financial Statement has already been circulated and a copy of the Statutory Audit Report for the year ending 31/12/2010 was enclosed for the members information. Details of the financial outturns for the year 2010 were presented to members early in 2011.

Cllr. C. Connery spoke in relation to the work of the Audit Committee and Internal Auditor. Issues have been raised throughout the year at the Audit Committee. Cllr. E. Aylward also complimented the work of the Audit Committee. Cllr. Breathnach requested more regular updates on the finances of the Council. Mr. Dempsey advised it is a matter for the members how often they require reports.

On the suggestion of the County Manager, it was agreed by all members that financial reports would be given to the members on a half yearly basis.

**(f) Planning – Pléanail**

(i) Managers Report on submissions to proposed Amendment 1 to Ferrybank/Belview Local Area Plan

Mr. Crockett, County Manager advised members that the report on submissions to proposed amendment 1 to Ferrybank/Belview Local Area Plan has been discussed at length at the last two meetings. The members are obliged to make a decision on this report at this meeting.

Cllr. A.M Irish stated that this area has a significant population and is an area of population growth. However there is lack of sewerage infrastructure for the residents of Cloone/Mullinabro/Newrath Area and there is a proposal from a developer to assist in providing this infrastructure on the basis that their lands remain in Phase 1.

Mr. Joe Crockett, County Manager advised members that following discussions it is proposed to carry out a Technical Assessment to develop a Technical solution in-house as regards sewerage infrastructure for the core areas affected. A period of 3 months is required for our technical staff to prepare a detailed Technical Assessment and engage with residents groups. The report will then be presented to the members.

Cllr. P. Dunphy welcomed the Manager's proposal.

Contributions were made by Cllr's F. Doherty, E. Aylward, C. Long, T. Breathnach in relation to the proposal for a solution to the lack of sewerage facilities in this area. This problem has been there for a long time and it is hoped that funding can be sourced through the small schemes programmes to advance the work.

Cllr. M. Noonan stated that he still has concerns in relation to the designation of the Ferrybank/Abbeylands Shopping Centre as a "Gateway Suburban Centre". It is premature to make this designation in the absence of an Integrated Retail Strategy.

Cllr. P. Cuddihy advised members that he had raised this issue with the Mayors and Chairpersons of the South East Local Authorities at a recent meeting and there is another meeting in January 2012 where he will urge the relevant local authorities to work together for the benefit of the region.

Mr. Denis Malone said it is an objective of the plan to have an Integrated Retail Strategy with Waterford City and County. This Amendment will bring the Local Area Plan into alignment with the

County Development Plan. Our County Development Plan review process will commence during 2012. Waterford City Council will publish their draft plan in 2012.

The County Manager stated that the Integrated Retail Strategy is the correct approach. There is currently a group working on the integration of services between Waterford City and Waterford County and it is our objective to work with these local authorities for the benefit of the Ferrybank Area.

It was proposed by Cllr. T. Breathnach, Seconded by Cllr. A.M Irish and agreed that “We the members of Kilkenny County Council, having considered the proposal to make Amendment 1 to the Ferrybank/Belview Local Area Plan 2009 under Section 20 of the Planning & Development Acts 2000-2010, and having considered the County Manager’s Report as circulated on the 10<sup>th</sup> October 2011, (and the addendum of the 17<sup>th</sup> October 2011), prepared in accordance with Section 20 (3) of the above acts, do hereby consider that the Ferrybank/Belview Local Area Plan should be amended and altered in accordance with the procedures under Section 20(3) of the Planning & Development Act 2000 as amended and with our decision made at a meeting of Kilkenny County Council held on the 19<sup>th</sup> December, 2011.”

Cllr’s M.H Cavanagh, M. Shortall, J. Brennan, C. Connery, J. Coonan, P. Cuddihy, T. Maher, J. Galway, T. Prendergast, Ml. O’Brien, S. Treacy, E. Aylward, F. Doherty, A.M Irish, T. Breathnach, P. Dunphy (16) voted in favour of the proposal.

Cllr’s C. Long and M. Noonan (2) voted against the proposal.

Cllr’s M. Doran and P. Millea abstained.

**(g) Environment - Timpeallacht**

- (i) Kilkenny County Council Section 85 Agreement with Carlow County Council to carry out statutory Food Safety Functions required under the First Schedule of the Food Safety Authority of Ireland Act 1998 and the European Communities (Food Hygiene) Regulations 2009 on behalf of Kilkenny County Council.

It was proposed by Cllr. J. Galway, Seconded by Cllr. S. Treacy and agreed that “Kilkenny County Council enters an agreement under Section 85 of the Local Government Act, 2001 with Carlow County Council to carry out statutory Food Safety Functions required under the First Schedule of the Food Safety Authority of Ireland



Act 1998 and the European Communities (Food Hygiene) Regulations 2009 on behalf of Kilkenny County Council.”

**(g) Water Services – Seirbhísí Uisce**

- (i) Adoption of Kilkenny Water Conservation and Network Management Project Watermain Rehabilitation Strategy Report.

Mr. Michael Murphy S.E.E outlined for the members the current status of implementation of the water conservation project in County Kilkenny. The next stage of the project, Stage 3, is carrying out watermain rehabilitation works at various locations in the County. Mr. Murphy proposed the adoption of the Water Conservation and Network Management Rehabilitation Strategy Report to allow the project to progress to this Stage. This report outlines the areas where watermain rehabilitation works are to be prioritised. A total of 6 contracts with an approximate value of €15million is proposed. Contract 1 for the rehabilitation of 10.1km of watermain at four locations in the County has received funding approval. Site investigation works for contract 1 will commence in Q1 2012 with the main contract planned to start in Q3/4 of 2012. Subsequent contracts are subject to funding approval from DOECLG but are expected to proceed over the following years.

It was proposed by Cllr. M. Brett, Seconded by Cllr. J. Brennan and agreed “That Kilkenny County Council adopts the Water Conservation and Network Management Watermain Rehabilitation Strategy Report.”

**3. Urgent Correspondence - Comhfhreagras Práinneach**

Mr. John Mulholland advised the members that the E.I.S and C.P.O for the Central Access Scheme has been approved by An Bord Pleanála and a full report will be presented at the January meeting.

Copies of letters received were circulated for members attention.

**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 for November 2011 – January 2012.

Proposed by Cllr. T Maher, Seconded by M.H Cavanagh and agreed.

(ii) Fix dates for Budget 2012 meetings.

It was proposed by Cllr. T. Maher, Seconded by Cllr. M.H Cavanagh and Agreed that the Statutory Budget meeting would be held on Monday 9<sup>th</sup> January, 2012 at 3pm.

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

(a) Report and recommendation of Piltown Electoral Area Committee Meeting held on the 30<sup>th</sup> September, 2011. Proposed by Cllr. C. Long, Seconded by Cllr. T. Breathnach and agreed.

(b) Report and recommendation of Callan Electoral Area Committee Meeting held on the 5<sup>th</sup> October, 2011. Proposed by Cllr. T. Maher, Seconded by Cllr. M. Doran and agreed.

(c) Report and recommendation of Strategic Policy Committee (5) - (Arts, Culture, Heritage, Tourism and Education) Meeting held on the 6<sup>th</sup> October, 2011. Proposed by Cllr. J. Brennan, Seconded by Cllr. T. Prendergast and agreed. Cllr. J. Brennan and Cllr. M. Noonan welcomed the increased funding for Arts in the Borough Councils Budget. Cllr. Noonan requested that a report be prepared on the Art Links Initiatives for the next SPC.

(d) Report and recommendation of Piltown Electoral Area Committee Meeting held on the 17<sup>th</sup> November, 2011. Proposed by Cllr. F. Doherty, Seconded by Cllr. P. Dunphy and agreed. Cllr. T. Breathnach requested that we seek an update from the OPW on lighting at Granny Castle.

(e) Report and recommendation of Thomastown Electoral Area Committee Meeting held on the 28<sup>th</sup> November, 2011. Proposed by Cllr. T. Prendergast, Seconded by Cllr. S. Treacy and agreed. Cllr. T. Prendergast requested clarification on the proposed changes to the flood relief wall for the schemes in Thomastown and Graiguenamanagh.

Mr. Mulholland advised that the proposals will have to be re-examined following recent examination of height of waters in the rivers. This assessment will seek to establish the relationship between ground and surface water levels. Underwater works and other works may be required and this will require additional funding.

**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**

Conferences – Request for approval to attend as per circulated list.  
Proposed by Cllr. T. Maher, Seconded by Cllr. C. Connery and agreed.

Summary of proceedings at Conferences have been received from:  
(deferred from November Meeting)

<b>Councillor</b>	<b>Date of Conference</b>	<b>Title of Conference</b>
T. Maher	8 <sup>th</sup> – 10 <sup>th</sup> September, 2011	AMAI Annual Conference
F. Doherty	9 <sup>th</sup> September, 2011	Developing Community Resilience and Understanding
Ml. O'Brien	9 <sup>th</sup> – 10 <sup>th</sup> September, 2011	Anthony Trollope Summer School
M. Doran	23 <sup>rd</sup> –25 <sup>th</sup> September, 2011	Effective Representation to your constituents.
T. Prendergast	23 <sup>rd</sup> –24 <sup>th</sup> September, 2011	LAMA Autumn – The role of tourism in economic recovery
C. Connery	28 <sup>th</sup> September, 2011	Ageing Well Network
J. Coonan	29 <sup>th</sup> September, 2011	TASC – Instruments of Recovery
F. Doherty	30 <sup>th</sup> September, 2011	National Enterprise Conference
C. Connery	3 <sup>rd</sup> October, 2011	Simon – Homelessness & Health – Making a Link
F. Doherty	7 <sup>th</sup> – 8 <sup>th</sup> October, 2011	Local Government and Planning Seminar
P. Dunphy	14 <sup>th</sup> – 16 <sup>th</sup> October, 2011	Local Authority Housing Affected by the Social Housing Assessment Regulations

December - Summary of proceedings at Conferences have been received from:

<b>Councillor</b>	<b>Date of Conference</b>	<b>Title of Conference</b>
E. Aylward	21 <sup>st</sup> – 23 <sup>rd</sup> October, 2011	Celtic Conferences – Optimising Taxation Allowance and Revenue on line workshop
C. Connery	4 <sup>th</sup> November, 2011	BMW Assembly – Regional Innovation – catalyst for sustainable economic growth
T. Prendergast	4 <sup>th</sup> November, 2011	Local Govt. Powers to create/abolish rights of way
M. Doran	4 <sup>th</sup> – 6 <sup>th</sup> November, 2011	Local Govt. Powers to creat/abolish rights of way
C. Connery	5 <sup>th</sup> November, 2011	Conference on great war 1914-1918
F. Doherty	9 <sup>th</sup> November, 2011	'Back from the brink'
M. Fitzpatrick	11 <sup>th</sup> November, 2011	'Nuclear Free Local

		Authorities'
F. Doherty	12 <sup>th</sup> November, 2011	Strategic Planning for 2012
P. Dunphy	18 <sup>th</sup> – 20 <sup>th</sup> November, 2011	Institute of Professional Training – Local Authority Budgets 2012
C. Connery	24 <sup>th</sup> – 26 <sup>th</sup> November, 2011	Tourism – The potential for Economic Growth
E. Aylward	25 <sup>th</sup> November, 2011	Renewable Energy

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

Cllr. F. Doherty requested amendment to be made to minutes of monthly meeting held on the 21<sup>st</sup> October, 2011. The minutes in relation to Items 2 (c) (iii) should read 'N10 instead of M10'. The amendment to the minutes was agreed.

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

Cllr. M. Shortall stated that adaptations required on L.A. houses for disability are not being carried out due to lack of funding. There are approx. 40 tenants awaiting work with 13 of these classified at Priority 1. All applications for private houses are funded from the allocation received on an annual basis from the Department. He requested that priority be given to L.A. tenants in 2012. Cllr. M. Doran supported this and stated that L.A. tenants are being discriminated against and requested that we write to the Department. It was proposed by Cllr. T. Maher, Seconded by Cllr. P. Millea and agreed that a resolution be sent to the Department requesting more flexibility with the Housing Adaptation Grant Scheme to include funding for L.A houses and that this resolution be circulated to all local authorities.

This was agreed by all.

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

### **13(11) – Cllr Mary Hilda Cavanagh**

Proposed by Cllr. M. H. Cavanagh, Seconded by Cllr. T. Maher and agreed "That Kilkenny County Council in co-operation with the County Council's of the sugarbeet growing counties would initiate the setting up of a steering committee to examine the possibility of restoring the sugar beet industry in the South/South East of Ireland."

Cllr. Cavanagh stated that Kilkenny County Council should be proactive in seeking to have the refinery plant in Kilkenny following the recent announcement of the PWC study. There is huge potential for the creation of jobs. This was supported by Cllr. S. Treacy. Cllr. T. Breathnach stated that Kilkenny is centrally located in the South East for this industry.

Mr. Crockett, County Manager advised members that he would endeavour to have a report prepared for the January meeting on the reports recently published.

**14(11) – Cllr Pat Dunphy**

“That Kilkenny County Council includes Banagher Court and Clonmore Hall on the list of areas that can be serviced by Airtricity as far as repairing and replacing of lighting is concerned. The Meadows and other estates not yet taken over by the Council in Piltown are on this list and in the interest of fairness and equality Banagher Court and Clonmore Hall should be included also.”

Cllr. P. Dunphy withdrew this notice of motion.

**15(11) – Cllr Jane Galway**

It was proposed by Cllr. J. Galway, Seconded by Cllr. S Treacy and agreed “That the Thomastown Electoral Area Committee call upon Kilkenny County Council to seek funding for the Inistioge Water Supply Scheme as a major priority for 2012.”

Mr. Philip O’Neill advised the members that the Inistioge Water Supply is on the priority list for upgrading. Every effort is being made to secure funding for the works.

**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:**

**22(11) Clare County Council (Deferred from October meeting)**

“That this Council call on the Minister for Sport and the Director General of the GAA to have an investigation carried out as to why there is a \$20 charge to be paid by patrons who want to watch GAA games live on TV in the various pubs throughout the U.S.A.” – **NOTED.**

**23(11) Monaghan Town Council (Deferred from October meeting)**

“Recognising that families in Monaghan are already struggling to make ends meet at present and further recognising that many local businesses have been devastated by the reduction of spending power of the people of the town through job losses, tax increases and austerity measures; Monaghan Town Council notes with concern the Governments proposals to introduce water charges and property taxes. That this Council recognises that such a move will deflate our local economy even further and prolong the current recession. We call on the Government to desist from introducing these additional taxes at this time.” – **NOTED.**

**24(11) Monaghan Town Council (Deferred from October meeting)**

“That this Council seeks that the Government fast track the Criminal Justice Community Service Bill 2011 in order to further develop the community service provision as an alternative to offenders being a burden on the State and the taxpayer and in addition that recruitment of community service supervisors who will ensure that offenders have the opportunity to serve their full sentences in community service work quickly, appropriately and fully.” – **NOTED.**

**25(11) Donegal County Council (Deferred from November meeting)**

“That Donegal County Council calls on this Government to immediately amend the Redundancy Payment Acts 1967-2007 so as to ensure that an employer is legally obliged to sign the RP50 upon dismissal and if he/she fails to do so that an increased penalty should be enforced and also recognise that the current waiting time for the employment appeal tribunal is excessive and call for the hearings to be expedited.” – **NOTED.**

**26(11) Donegal County Council (Deferred from November meeting)**

“That this Council discuss the Family Home Bill on Families facing severe mortgage difficulties that was supported by all opposition parties and Independent Senators, and had the full backing of the Free Legal Aid Centre (FLAC) and the New Beginning Group, as there is widespread recognition from interest groups and politicians alike that this Bill would give strong legal protection to families facing the prospect of losing their homes because of mortgage difficulties.” – **NOTED.**

**27(11) Clare County Council (Deferred from November meeting)**

“That this Council calls on the Minister for Agriculture to fight to protect the Single Farm Payment to Irish Farmers in the negotiations on CAP reform.” – **NOTED.**

**28(11) Donegal County Council (Deferred from November meeting)**

“That Donegal County Council refrain from collecting any charge that may be imposed on owners of septic tanks that are working properly, as this is a discriminative form of collecting revenue.” – **NOTED.**

**29(11) Donegal County Council (Deferred from November meeting)**

“That this Council recognises the need to upgrade many septic tank systems in Ireland in order to meet the 1975 and 1991 European Directives on waste water but affirms that the Directives should not be used as a mechanism to raise revenue from struggling home owners in rural communities and calls for:

- The costs of works on septic tanks which need to be upgraded, to be grant aided from central government funds such as waste water capital programmes.
- A system, similar to that in the north of Ireland, where a desludging service is provided yearly, free of charge to homeowners financed by the Department of Environment.
- A programme to be put in place to protect our ground water and surface water, based on the information gathered in the recent River Basin Management Plans and that a hierarchy of threats to our ground water and surface water status be put in place, including threats posed by septic tanks.” – **NOTED.**

### **30(11) Donegal County Council (Deferred from November meeting)**

“That Donegal County Council address the issue of EU regulations of septic tanks in our County, also all Sewage Treatment Plants and Waste disposal.” – **NOTED.**

### **31(11) Monaghan County Council (Deferred from November meeting)**

“That in view of the failure of the Keane Report to adequately address the difficulties being experienced by distressed mortgage holders in a reasonable timeframe, that Monaghan County Council calls on the Government and the Minister for Finance to examine other solutions that would have a more immediate impact in helping resolve these distressed mortgage holders difficulties and furthermore to examine the solutions put forward by the New Beginnings Group.” – **NOTED.**

### **32(11) South Tipperary County Council**

“That South Tipperary County Council, mindful of the effect which decreasing turnovers, in the current economic climate, are having on the ability of retailers to pay their rates, calls on the Minister for the Environment, Community and Local Government to amend the Valuation Act 2011, to permit the revision of a rateable valuation in respect of a retail outlet, to take cognisance of the profit of that retail outlet, so that the ability of retail outlets to pay their rates would be more realistically reflected by their profit.” – **NOTED.**

### **33(11) Donegal County Council**

“In acknowledging the increasing difficulties being faced by many people in this County, that Donegal County Council discuss the serious reduction in services and benefits for people with disabilities, and calls on the Government to immediately address the situation in Budget 2012.” – **NOTED.**

**34(11) Monaghan Town Council**

“That this Council write to the Minister for Finance, Michael Noonan asking him to think again about the proposed increase in VAT from 21% to 23% and also their plans to increase the duty on central heating fuels, petrol and diesel.” – **NOTED.**

**35(11) Donegal County Council**

“In advance of the publication of the Government’s Budget, this Council calls for the restoration of the 200 Special Needs Assistants that were cut in the last budget.” – **NOTED.**

**That concluded the business of the meeting.**

Signed: \_\_\_\_\_  
Cathaoirleach

Date: \_\_\_\_\_