

KILKENNY COUNTY COUNCIL - COMHAIRLE CHONTAE CHILL CHAINNIGH
Agenda for the Ordinary Meeting of Kilkenny County Council to be held on Monday
15th December, 2014 at 2.30 p.m. in Council Chamber, County Hall, John Street,
Kilkenny.

Clár do Ghnáth-Chruinniú Chomhairle Chontae Chill Chainnigh le reachtáil ar de Luan
15th Mí na Nollaig ar a 2.30 i.n. i Seomra na Comhairle, Halla an Chontae, Sráid Eoin,
Cill Chainnigh.

1. Confirmation of Minutes - Dearbhú Miontuairiscí:

- (a)** Minutes of Special Budget Meeting in Committee of Kilkenny County Council held on Monday 17th November, 2014 (copy of minutes attached)
- (b)** Minutes of Ordinary Meeting of Kilkenny County Council held on Monday 17th November, 2014 (copy of minutes attached)
- (c)** Minutes of adjourned Special Budget Meeting in Committee of Kilkenny County Council held on Friday 21st November, 2014 (copy of minutes attached)
- (d)** Minutes of Statutory Budget Meeting of Kilkenny County Council held on Friday 21st November 2014 (copy of minutes attached)

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

(a) Housing & Other Disposal - Tithíocht & Díuscairt Eile

- (i)** “That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of its interest, if any, in a plot of ground at Castletobin, Callan, Co. Kilkenny measuring approx 613 square metres to Brett Brothers Limited, Head Office, Callan, Co. Kilkenny for the sum of €1,500 with Brett Brothers Limited being responsible for all legal costs associated with the sale.” (Notification issued to Members on 26th November, 2014).
- (ii)** “That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the lease of the property known as the former Castlecomer Courthouse, Kilkenny Street, Castlecomer, Co. Kilkenny to Foroige National Youth Development Organisation, Block 12D, Joyce Way, Park West, Dublin 12, for a period of 5 years, with the option to renew, at a rent of €1.00 per week, for use at a ‘Youth Café’ and with each party to be responsible for their own legal costs.” (Notification issued to Members on 24th November, 2014).

(b) Roads – Bóithre

(i) Taking in Charge - Reports attached

- Approval for the initiation of proceedings for the taking in charge of 17 Residential Units at 'Belline Vale', Piltown, Co. Kilkenny
- Approval for the initiation of proceedings for the taking in charge of 23 Residential Units at Togher Crescent, Urlingford, Co. Kilkenny
- Approval for the initiation of proceedings for the taking in charge of 16 Residential Units at Togher Way, Urlingford, Co. Kilkenny

(ii) Taking in Charge – Declaration of Public Roads – Reports attached

- 16 houses at Avonree Court, Callan, Co. Kilkenny
- 23 houses at Beechgrove, New Ross, Co. Kilkenny
- 59 houses at The Beeches, Ballytobin, Ferrybank, Co. Kilkenny
- Legacy Housing Development
 - o Plás Dhónaill Mhic Amhlaigh, Old Callan Road, Kilkenny.
 - o Francis MacManus Square, Michael Street, Kilkenny.
 - o Haughney Green, Fair Green Road, Kilkenny.
 - o Plás Uí Dhúshláine, O'Loughlin Road, Kilkenny.
 - o Fr. Albert Square (off Fr. Albert Place), Kilkenny.
 - o Tommy Martin Place (off Fr. Albert Place), Kilkenny.
 - o The Old School Yard, Patrick Street, Kilkenny.

(iii) N24 Mooncoin Pavement Rehabilitation and Traffic Management Scheme – Report attached

(iv) Update on Kilkenny Central Access Scheme - Report previously issued

(c) Corporate Affairs - Gnóthaí Corparáideacha

(i) Chief Executive Management Report - Report attached

(ii) Capital Scheme Programme 2015-2017 – Report to follow

(d) Finance – Airgeadais

(i) Draft Development Contribution Scheme – Report to follow

3. **Urgent Correspondence - Comhfhreagras Práinneach**
4. **Business adjourned from a previous Meeting - Gnó ar athló ó chruinniú roimhe seo**
5. **Fix Dates and Times of Meetings - Dátaí agus Amanta do chruinnithe a shocrú:**
 - (i) Schedule of meetings from December 2014 – January 2015 (attached)
6. **Consideration of Reports and Recommendations of Committees of the Council - Plé ar Thuairiscí agus Moltaí ó Choistí an Comhairle:**
7. **Other Business set forth in the Notice convening the Meeting - Gnó Eile romhainn i bhFógra reachtála an Chruinnithe**
8. **Education & Training - Oideachas agus Oiliúint**
 - (i) Conferences – Request for approval to attend as per circulated list. (attached)
 - (ii) Summary proceedings at Conferences –

Councillor	Date of Conference	Title of Conference
M.H. Cavanagh	29 th – 30 th October 2014	AILG Inaugural Annual Conference 2014
F. Doherty	6 th December 2014	Housing and Local Government

9. **Matters Arising from Minutes - Gnótha ag éirí as Miontuairiscí**
10. **Any Other Business - Aon Ghnó Eile**
11. **Notices of Motion - Fógraí Rúin:**
 - 10(14) Cllrs. David Kennedy, Melissa O'Neill and Kathleen Funchion – 11th July, 2014.

“That Kilkenny County Council calls on the Minister to introduce legislation to ensure that speed ramps and children at play signs are provided in all housing estates as a planning condition.”

11(14) Cllrs. Michael McCarthy, Patrick McKee, Pat Fitzpatrick, – 29th July, 2014

That Kilkenny County Council supports the call from the Restaurants Association of Ireland for the ongoing retention of the 9% VAT rate for the food, tourism and hospitality sector that has helped create a significant number of jobs in the economy. And given the hugely positive impact the 9% VAT rate has had on the food, tourism and hospitality sector this Council calls on the Minister for Finance to maintain the 9% VAT rate for 2015.”

12(14) Cllrs. Fidelis Doherty and Pat Dunphy – 22nd August, 2014.

“That Kilkenny County council ask Irish Water to provide funding in order to allow and facilitate the treatment, at source, of the hard water that currently supplies homes in areas of south Kilkenny and Ferrybank.”

13(14) Cllrs. Maurice Shortall, David Fitzgerald, Kathleen Funchion, David Kennedy, Patrick McKee. – 31st August, 2014

“That Kilkenny County Council endorses the principle of the right to water and sanitation as a fundamental core value within Irish Society and this should be reflected as a central pillar in national water policy. As citizens of the EU we believe in the right of all inhabitants to enjoy this right and that we oppose any attempt to include water in legislation aimed at market liberalisation. This Council supports the call for the full national political commitment to ensure that water and sanitation are publicly owned, democratically run and that all in the sector are fully accountable.”

14 (14) Withdrawn

15 (14) Cllr. Fidelis Doherty – 14th August, 2014

“That Kilkenny County Council apply to, and request of the NRA (National Roads Authority) for a ‘Welcome to Kilkenny’ boundary signage on the southbound aspect of the M9 Motorway.”

17 (14) Cllr. Breda Gardner – 12th October, 2014

“That this council, under Section 136 of the Local Government Act 2001, calls on the Chief Executive to disclose in detail to the members of this authority

as a matter of urgency, all additional extra costs associated with the construction of the Central Access Scheme to date and in particular the additional costs associated with the following;

1. Detailed breakdown on Garda/Security Costs associated with deliveries were made to site to date, which the Chief Executive has stated has amounted to €57,000 to date.
2. Difference in design and cost for the redesign of sheet pile cofferdam and reasons for deviation from original plan.
3. Confirmation that the sheet piles for the Eastern bank have now been removed and explanation as to the reason for this and confirmation that as a result of them been removed by the end of September deadline that the original cost of €142,000 has now been saved.
4. Confirmation that as the sheet piles have now been removed there will be no need for a flood risk assessment or if this assessment has already been carried out, furnish details of report together its cost.
5. Detailed breakdown and costing for the site boundary extension, totaling €52,000. Can the Chief Executive confirm that no protester ever tried to breach the original site boundary and therefore this boundary extension was not appropriate and cannot be attributed to any protester.
6. Confirmation as to why it was necessary for the Local Authority to provide additional site security and not the responsibility of the contractor under the terms of his contract. Please also confirm the number of times that a protester tried to gain access to the site to warrant this additional security cost?
7. Please provide copies of all technical reports which address the above Programme/Contract delays, including Compliance with EIS, Consultations with KCC, Site Audits & Revised construction methodologies and all other reports as per the Local Authorities costing of €25,000.
8. Detailed breakdown and costings of legal costs incurred to date.

Finally can the Chief Executive confirm that the scale model should have been produced as part of the original public consultation and that it is inappropriate to attribute this cost to the protests.”

18 (14) Cllr. Melissa O’Neill – 24th October, 2014

That Kilkenny Council calls on the Government to :

“- Immediately reverse domestic water charges which are unfair and unjust double charge being forced on already struggling household.

- Stop the roll out metering and redirect the €539m loan finance from the National Pension Reserve Funds towards fixing the massive leakage problems and interruption to supply.
- Recognize that Irish Water is not fit for purpose since it is unaccountable to the Minister and therefore to the Oireachtas and citizens of this State.
- Prevent Irish Water from any further excessive spending of taxpayer's money, including the proposed further €35m on the use of external consultants in 2015.
- Oppose any duplication of services being delivered by Irish Water and Local authorities and retain these services within full public ownership now and in the future.
- Listen to the widespread public anger that exists towards this Government and Irish Water by the Irish people, who are now rightly organizing and mobilizing in the protest and opposition to these water charges through the Right2Water public campaign which includes activists, citizens, community group, political parties and trade unions."

(19) 14 Cllr. Malcolm Noonan – 26th October, 2014

"As the former provider of public water services in County Kilkenny, this Council calls for the amendment of the Constitution in order to prohibit the privatization of water provision and waste-water services".

(20) 14 Cllr. Patrick McKee – 25th November, 2014

"That Kilkenny County Council supports the proposal to name the bridge forming part of the N25 Waterford Bypass spanning the River Suir the 'Thomas Francis Meagher Bridge' in honour of one of Ireland's greatest patriots and in recognition of his lifelong commitment to the cause of Irish Freedom."

(21) 14 Cllr. Pat Dunphy – 4th December, 2014

"That Kilkenny County Council call on the NRA to reinstate the arrow markings at junctions along national routes. These are an excellent guide for those turning off the main roads onto by roads."

(22) 14 Piltown Municipal District Elected Representatives – 5th December, 2014

“That Kilkenny County Council undertake a speed limit review in January 2015 for all roads within the county and that the National Roads Authority are made aware of this. This review was indicated by the Department of Transport, Tourism and Sport over 12 months ago and has not yet come before a council meeting”.

(23) 14 Piltown Municipal District Elected Representatives – 5th December, 2014

“That Kilkenny County Council immediately adopt a 60km per hour speed limit where 80 km per hour currently exists on the Carrick Road at Mooncoin from the 50km speed limit to road number LS7416 due to the poor residential sightlines along this road, the current speed of traffic and the many bends on this road along with numerous accidents that have taken place down through the years which resulted in loss of life on more than one occasion.

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:

1 (14) Kerry County Council – 19th August, 2014.

“I am calling on the elected members of Kerry County Council to bring an end to all Political Parties holding Church gate collections in Kerry as currently there are massive sums of money paid directly by the state towards the running of all political parties each and I object to the pressure and intimidation being put on Mass goers. Collections at Churches should be solely for charities, voluntary and sporting organisations who are financially struggling to survive and are far more deserving.”

2 (14) Carlow County Council – 16th September, 2014

“That the Council write again to the Minister for Public Expenditure & Reform requesting that he include childcare facilities in the list of exemptions in the Valuation (Amendment) (No. 2) Bill 2012 which is currently progressing through the Oireachtas. We are requesting that childcare facilities are included in the list of exemptions under Schedule 4 of the Act. It was further agreed that no new rates are introduced on childcare facilities until the Valuation (Amendment) (No. 2) Bill 2012 has passed all stages in the House of the Oireachtas.”

3 (14) Monaghan County Council – 1st October, 2014

“That this Municipal District Authority calls on the Minister for Arts, Heritage and the Gaeltacht, Ms. Heather Humphreys to examine the possibility of the introduction of an adequate high level grant aid scheme for buildings that are listed, both commercial and residential.”

4 (14) Donegal County Council – 3rd December, 2014

“That under Section 140 of the Local Government Act, this Council resolved to direct Council Management, not to comply with a demand from Irish Water to pass over the personal information of Council Tenants held by Donegal County Council.”