

**Minutes of Ordinary Meeting of Kilkenny County Council held on Monday  
16<sup>th</sup> July, 2012**

**Cathaoirleach:** Cllr. M. Fitzpatrick

**Councillors:** Cllrs. P. Millea, M. Shortall, J. Brennan, J. Coonan, M. Brett, 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, M. Noonan, D. Fitzgerald, A. McGuinness, P. Cuddihy

**In attendance:** J. Crockett, J. McCormack, P. O'Neill, J. Mulholland, J. Dempsey, Denis Malone, Catriona Reilly, Michael Delahunty and A.M. Walsh

**Apologies:** Cllr. M. H. Cavanagh

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

- a) Minutes of Ordinary Meeting of Kilkenny County Council held on the 18<sup>th</sup> June, 2012. Proposed by Cllr. P. Cuddihy, Seconded by Cllr. T. Maher and agreed "That the minutes of the Ordinary Meeting of Kilkenny County Council held on the 18<sup>th</sup> June, 2012 as circulated with the agenda be and are hereby approved."
- b) Minutes of SPC 5 Meeting Arts, Culture, Heritage, Tourism and Education Meeting held on 20<sup>th</sup> April, 2012. Proposed by Cllr. J. Coonan Seconded by Cllr. T. Prendergast and agreed "That the minutes of the SPC 5 Meeting held on the 20<sup>th</sup> April, 2012 be and are hereby approved."
- c) Minutes of SPC 5 Meeting Arts, Culture, Heritage, Tourism and Education Meeting held on 15<sup>th</sup> June, 2012. Proposed by Cllr. J. Coonan, Seconded by Cllr. T. Prendergast and agreed "That the minutes of SPC 5 Meeting held on the 15<sup>th</sup> June, 2012 be and are hereby approved."
- d) Minutes of Ballyragget Electoral Area Committee Meeting held on the 18<sup>th</sup> June, 2012. Proposed by Cllr. M. Shortall, Seconded by Cllr. P. Millea and agreed "That the minutes of the Ballyragget Electoral Area Committee Meeting held on the 18<sup>th</sup> June, 2012 be and are hereby approved."
- e) Minutes of Thomastown Electoral Area Committee Meeting held on the 19<sup>th</sup> June, 2012. Proposed by Cllr. S. Treacy, Seconded by Cllr. T. Prendergast and agreed "That the minutes of the Thomastown Electoral Area Committee Meeting held on the 19<sup>th</sup> June, 2012 be and are hereby approved".
- f) Minutes of Water Services Rural Water Programme Meeting held on 27<sup>th</sup> April, 2012. Proposed by Cllr. M. Shortall, Seconded by Cllr. P. Crowley and agreed "That the minutes of the Water Services Rural Water Programme Meeting held on 27<sup>th</sup> April, 2012 be and are hereby approved".
- g) Minutes of Joint Policing Committee Meeting held on 2<sup>nd</sup> July, 2012. Proposed by Cllr. P. Cuddihy, Seconded by Cllr. F. Doherty and agreed

“That the minutes of the Joint Policing Committee Meeting held on 2<sup>nd</sup> July, 2012 be and are hereby approved.

- h)** Minutes of Special Meeting held on 6<sup>th</sup> July, 2012. Proposed by Cllr. P. Cuddihy, Seconded by Cllr. M. Shortall and agreed “That minutes of the Special Meeting held on 6<sup>th</sup> July, 2012 be and are hereby approved”.

Cllr. M. Fitzpatrick extended congratulations to the following:-

- Best wishes to Jimmy Leahy on his co-option to Kilkenny Borough Council.
- Best wishes to Joanne Cuddihy and Darren O’ Neill at the London Olympics.
- Congratulations to Siobhan Talbot Group Finance Director with Glanbia on receiving an executive award as one of the top 25 awards for Ireland most powerful women in business.
- Welcome the lodging of the planning application by Glanbia for the new milk processing plant in Belview.
- Best wishes to Ray O’ Dwyer and James Dwyer who will be competing in the Paralympics in London in August 2012.
- Congratulations to Cllr. M. Noonan on the birth of his son.

Votes of Sympathy were extended to the following:-

- Family and community of Sr. Mairead Murphy who worked in the community in Newpark Close
- Family of Enda Cantwell, TC Tyres
- Family of Mrs. Neary, Kickham Street
- Family of Traci Saunders, Callan
- John Bambrick (member of SPC 3) on the death of his mother Margaret Bambrick
- The Power Family, Turkstown, Piltown, Co. Kilkenny on the death of Lena Power.
- The Corcoran Family, Mullenbeg, Piltown, Co. Kilkenny on the death of Kevin Corcoran.
- The Kelly Family, Farrantemple, The Rower, Co. Kilkenny on the death of Willie Kelly.

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

**(a) Corporate – Gnóthaí Corparáideacha**

**Draft Annual Report 2011 (circulated at June Council Meeting)**

Mr. Crockett advised that the Draft Annual Report for 2011 has been circulated to members for their information. The draft as circulated contains all the relevant information on the activities of the Council. It will

now be re-styled and formatted for publication. The draft annual report was unanimously approved by the members.

### **Nuclear Free Local Authorities and New Nuclear Power Developments**

Cllr. M. Noonan referred to the Notice of Motion submitted by Newry & Mourne District Council Ref 19(12) which was noted by members at the June monthly meeting. Cllr. Noonan requested all members to support the work of Nuclear Free Local Authorities Alliance and to adopt anti-nuclear policies and join the network. The affiliation fee is approx €700. The responsibility of the forum is to promote public safety – health of our citizens, preserve the environment, keep the public informed on nuclear developments. Germany has indicated that it is aiming to be nuclear free by 2020. He is requesting that the Minister for Environment be asked to raise our concerns that no more nuclear power stations are proposed in the UK as this is not the best way to tackle climate change. More gains can be achieved from local investment in energy efficiency.

Cllr. Breathnach stated that there are already 14 Nuclear plants on the West Coast of England and there are increased implications in the shipment of radio activity in the Irish Sea and he would support the local authority joining the Nuclear Free local authority alliance.

Cllr. P. Crowley stated that the Irish people are aware of the effects caused by Radiation on the Children in Chernobyl.

Mr. J. Crockett advised that he will make further inquiries about the alliance and check the fees involved.

## **(b) Planning – Pléanail**

### **Update on Development Plans (Pre-draft stage)**

Mr. Denis Malone updated the meeting on the preparation of the new County Development Plan. Public Consultation Meetings have commenced since 15<sup>th</sup> June, 2012. The last meeting is scheduled for 1<sup>st</sup> August, 2012. He encouraged members to attend and advised that an extensive media campaign has been ongoing to publicise these public consultation meetings. Submissions will be accepted until 24<sup>th</sup> August, 2012. These can be written or submitted through our online website. There will be a economic focus on the new plan. There will be strategies on sustainable growth, job creation and a review of Invest Kilkenny will form part of the new plan. Contributions were received from Cllrs. M. Noonan, M. Shortall, M. O' Brien, S. Treacy, F. Doherty, T. Breathnach, D. Fitzgerald. Members complimented the staff on the public consultation meetings. It was disappointing that the numbers attending the meetings were low.

The issues raised by members were as following:-

- Wind Energy Strategy
- New Development Plan to be more community focused instead of land zoning

- Important that economic strategies are included – potential growth in rate base.
- Targets for delivery of specific strategies.

Mr. Malone advised that the emphasis will be on economic challenges, job creation and strengthening communities. Zonings are dealt with in the Local Area Plans. The Development Plan sets out the framework for development policies. Targets can be set but must be on evidence based resources.

Mr. Joe Crockett gave a PowerPoint presentation on our Economic Development Plan as progress has been made on the different strategies over the last 6 months.

The County Manager expanded on the work being done on the 6 themes which have been identified in the Economic Development Plan for the City & County- Invest Kilkenny. Details were outlined on:-

- 3<sup>rd</sup> Level Education and Research – Progress in relation to Technological University of South East.
- Agri-Business – focus on expansion of milk supply establishment of science group, - Kilkenny is a pilot and export path for 10/12 food SME.
- Tourism- Medieval Mile Project in Kilkenny City
- Pharma, €13m Local Authority spend on major water supply at Belview.
- Services – Kilkenny City. ICT, financial services, tourism-Infrastructure & attraction

Reference was made to Connect Ireland and County Manager emphasised the need to continue to promote the concept and attract jobs to the County and Region and also the establishment of Local Enterprise Organisation at County level will also help. Mr. Crockett stated that new promotional material and website is being developed and updated. There is an active programme of event development and PR. Links to China and India will be further developed through the Suzhou twinning and forthcoming visit to China in September. He concluded stated that the outlook is optimistic even though process is slow.

Contributions were received from Cllrs. P. Cuddihy, M. O' Brien, M. Brett, P. Dunphy, M. Noonan, A. McGuinness, T. Maher, E. Aylward, S. Treacy, P. Crowley, F. Doherty, T. Breathnach, P. Millea, C. Long, J. Brennan, J. Coonan.

Members thanked the County Manager and his staff for their continued work in promoting economic development for the county. They acknowledged that a lot of work takes place behind the scenes before there is any good news to announce. The following issues were raised by members:-

- Key role is job creation
- Focus on the entire county – not to concentrate on Kilkenny City & Belview

- Tourism & Heritage sector must be supported throughout the County
- Consideration to be given to employment of a full time tourism officer
- Wide support for establishment of Technological University of the South East
- Disappointed with the lack of investment by IDA in the County.
- Forward Planning of infrastructure is vital – members welcomed the announcement of funds for the pedestrian bridge in Kilkenny city.
- Public Procurement – what efficiencies have been achieved, local suppliers can lose out
- Lime in water in South Kilkenny.

Mr. Billy Mernagh updated the members on the hardness of the water in South Kilkenny. The water is of the highest quality and complies with all the Drinking Water Regulations. Funds will not be available to soften water as it is not recommended for health reasons. Softeners can be used in houses but the drinking water should be separated and should not be softened.

Mr. John Dempsey updated the meeting on the Government Strategy in relation to Public Procurement. List of efficiencies have been achieved at National & Regional level on major elements of expenditure e.g. public lighting, telecommunication charges. A new draft strategy will be available in the autumn and the consensus is that there must be local and regional competitions within the national guidelines. He advised that Colm Ahern Chairman of Kilkenny Tourism will give a presentation to all members at the September Meeting. The focus for Kilkenny Tourism is bundling of attractions and marketing the entire County. There is a strong emphasis on the rural element also.

Mr. Joe Crockett thanked all the members for their contributions and support on the work that is carried out. It is essential that we work with all the other agencies to make progress. The promotion programme for Invest Kilkenny will continue at a huge level. A presentation will be made by the CEO of the Enterprise Board later in the year.

**(c) Roads – Bóithre**

- (i)** Proposed by Cllr. C. Long, Seconded by Cllr. A.M. Irish and resolved:- “That we the members of Kilkenny County Council hereby approve to facilitate the taking in charge of the following estate and in accordance with Section 180 of the Planning and Development Act, 2000- Mullinabro Woods, Cloone, Co. Kilkenny”
- (ii)** Proposed by Cllr. S. Treacy, Seconded by Cllr. T. Prendergast and resolved:- “That we the members of Kilkenny County Council hereby approve to declare the roads in the following housing estate to be

public roads in accordance with the provisions of Section 11 of the Roads Act 1993 in order to facilitate the taking in charge of the estate in accordance with Section 180 of the Planning & Development Act 2000 – Oaklawns/Marble Court, Paulstown, Co. Kilkenny”

Proposed by Cllr. M. Shortall, Seconded by Cllr. J. Brennan and resolved:- “That we the members of Kilkenny County Council hereby approve to facilitate the taking in charge of the following estate and in accordance with Section 180 of the Planning and Development Act, 2000 – “Old School Crescent”, Mooneenroe, Castlecomer, Co. Kilkenny”.

Cllr. M. Shortall requested clarification on the public lights on estates being taken in charge. A.M. Walsh advised that Kilkenny County Council take over the maintenance and running costs of these lights once members formally approve the taking in charge of any estate.

**(d) Finance - Airgeadais**

Finance Update

Members agreed to defer this item until the September meeting.

**3. Urgent Correspondence - Comhfhreagras Práinneach**

Replies were received from Bus Eireann and the Minister for Justice & Equality

Mr. Crockett requested the members to consider the invitation from Suzhou for a return visit by the Cathaoirleach and the County Manager.

Member’s approval is required and it is proposed that there will be a trade delegation going to China in September, 2012. 3 major companies in Kilkenny, have indicated their interest to be involved in the trade mission. The purpose of our visit will be to widen the profiles of Kilkenny companies and Kilkenny County. Cllr. M. O’ Brien thanked the County Manager on his work in preparing the ground work to enable strong links to be forged with China. Cllr. McGuinness stated that anything that markets Kilkenny must be welcomed and we must create positive links for economic development.

It was proposed by Cllr. M. O’ Brien and seconded by Cllr. A.McGuinness “That Kilkenny County Council hereby approve the visit of Cllr. M. Fitzpatrick – Cathaoirleach Kilkenny County Council and Mr. Joe Crockett County Manager to Suzhou, China.”

The following members voted in favour of the proposal:- P. Millea, M. Shortall, J. Brennan, J. Coonan, M. Brett, 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, M. Fitzpatrick, A. McGuinness, D. Fitzgerald, Paul Cuddihy. (24)

Voting against the proposal was Cllr. M. Noonan. (1)

The proposal was carried.

### **Septic Tanks**

Ms. C. McCarthy updated the members on the Domestic Waste Water Registration process. The deadline for registration and payment of €5.00 is 28<sup>th</sup> September, 2012. After that date the registration fee increases to €50.00.

Inspections will be undertaken by the EPA. There is no requirement to have a modern system if the current system is working and maintained.

Contributions were received from Cllr. M. Doran, P. Dunphy, M. Shortall, T. Maher, J. Coonan, J. Brennan, S. Treacy and P. Millea.

Issues raised by members are as follows:-

- Inspections and the cost of upgrading
- Grants for upgrading
- Public awareness of standard required
- Protection of ground water – current monitoring of rivers and streams

Ms. McCarthy responded to the queries raised and advised that there is no grants in place for cost of replacing system and there is a current inspection regime in place on ground water surface water in the interest of public health and the environment.

#### **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 July - September 2012. This was Proposed by Cllr. T. Maher, Seconded by Cllr. S. Treacy and agreed.

#### **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 SPC 5 Arts, Culture, Heritage & Tourism. Report was proposed Cllr. J. Brennan and seconded by Cllr. J. Coonan and agreed.

- (b) Report and recommendation of SPC 5 Arts, Culture, Heritage & Tourism. Report was proposed by Cllr. J. Brennan and seconded by Cllr. J. Coonan and agreed.
- (c) Report and recommendation of Ballyragget Electoral Area. Report was proposed by Cllr. M. Shortall and seconded by Cllr. J. Brennan.
- (d) Report and recommendation of Thomastown Electoral Area. Report was proposed by Cllr. M. O’ Brien and seconded by Cllr. S. Treacy.
- (e) Report and recommendation of Water Services Rural Water Programme. Report was proposed by Cllr. J. Brennan and seconded by Cllr. M. Shortall.
- (f) Report and recommendation of Joint Policing Committee. Report was proposed by Cllr. T. Maher and seconded by Cllr. M. Shortall.

Cllr. J. Coonan complimented the Garda on their successes to date in identifying “Grow houses” in Kilkenny. He urged communities to be alert and support the Gardai in their work. There is huge damage being done to people who get involved in drugs and devastating consequences for families.

**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. It was Proposed by Cllr. M. O’ Brien, Seconded by Cllr. C. Long and agreed.

Proposed by Cllr. M. O’ Brien, Seconded by Cllr. C. Long and agreed:-  
Summary of proceedings at Conferences have been received and noted for the Councillors outlined below.

<b>Councillor</b>	<b>Date of Conference</b>	<b>Title of Conference</b>
J. Brennan	25 <sup>th</sup> June-1 <sup>st</sup> July	Synge Summer School
J. Brennan	21 <sup>st</sup> June – 23 <sup>rd</sup> June	Carlow Tourism National Conference
M.H. Cavanagh	1 <sup>st</sup> -2 <sup>nd</sup> June	Draft Standards Domestic Wastewater
M.H. Cavanagh	8 <sup>th</sup> -9 <sup>th</sup> June	The Councillor and Local Government Environment
S. Treacy	22 <sup>nd</sup> -23 <sup>rd</sup> June	Advancing Technology in Majority World Education
M. Shortall	15-17 <sup>th</sup> June	Development Workshop for Councillors
J. Coonan	15 <sup>th</sup> -16 <sup>th</sup> June	Getting to Grips with the Nations Debt
J. Brennan	8 <sup>th</sup> -10 <sup>th</sup> June	Planning Seminar for Councillors



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:**

7(12) **Cllr. M. Brett & T. Breathnach**

“That Kilkenny County Council supports the efforts being made by the two Institutes of Technology in the South East to prepare an application for the creation of a technological university in the South East”

Cllr. M. Brett proposed the motion and encouraged all members to support it. Waterford and Carlow I.T's are working together to advance the proposal for a technological university for the South East. This will be a key driver to job creation in the South East. He outlined that expressions of interest will be sought for preparation of plan to be completed in 2013. The plan will be evaluated in 2014 with a view to applying for designation of University status.

Cllr. T. Breathnach supported the motion and stated that this should be supported from a regional basis as the catchment area for the I.T's covers 9 Counties. The work on the South East Regional Authority in the application should be acknowledged.

The motion was supported by all members.

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(12) **Galway City Council – 13<sup>th</sup> June, 2012**

“That Galway City Council oppose all efforts by the Minister for Environment to impose charges on all householders for the supply and fitting of water meters, this scheme should be funded by the Department of Environment”.

“That Galway City Council condemns the decision by the Minister for the Environment to establish the new public water utility company, Irish Water, without proper consultation with the City Council and notwithstanding the Council's opposition to its establishment”

**Noted.**

### **23(12) Mayo County Council – 14<sup>th</sup> June, 2012**

“That the Members resolve to call on the Government to introduce the necessary legislation and or constitutional change to prohibit the receipt of a second state, semi-state or E.U. pension by any one individual and that no state, semi-state or E.U. pensioner be employed by the State or semi-body while in receipt of a State or semi-state pension”.

**Noted.**

### **24(12) Leitrim County Council – 29<sup>th</sup> June, 2012**

“That Leitrim County Council write to the Minister for Children, Minister of State with responsibility for people with a disability, and the Minister for Social Protection requesting them to look into ways children under 16 years with disabilities can be given a travel pass to assist them to travel to hospital appointments in Dublin”.

**Noted.**

### **25(12) Leitrim County Council – 29<sup>th</sup> June, 2012**

“That Leitrim County Council call on the Government to introduce legislation, criminalising the purchase of Sex in Ireland, in order to curb prostitution and Trafficking for Sexual exploitation. The Trafficking of Women and Girls for Sexual Exploitation is a modern form of Slavery and a form of human rights abuse”.

**Noted.**

### **26(12) Clare County Council – 2<sup>nd</sup> July, 2012**

“That Clare County Council request the Minister for the Environment to make a special allowance for the non-commercial sporting and voluntary sector in relation to water rates as these groups cannot raise revenue to sustain their activity”.

**Noted.**

### **27(12) South Tipperary County Council – 5<sup>th</sup> July, 2012**

“That this Council urges all the co-ops within the County to buy into the proposed Glanbia milk processing plant at the Bellview site because they will need more capacity for the extra milk produced after the abolishment of quotas in 2015. The joint venture between Glanbia PLC and Glanbia co-op is set to apply for planning permission for a Greenmilk milk processing plant on a 40 acre I.D.A owned site at Belview on the Waterford/Kilkenny border. The proposed new 150 million plant will be two third the size of Ballyragget. It will contain two flexible 7.5 tonnes per hour dryer capable of processing the additional 800 million litre of milk glanbia are predicting between 2015 and 2020”.

**Noted.**

**28(12) South Tipperary County Council – 5<sup>th</sup> July, 2012**

“That South Tipperary County Council call on the government to finally publish the long awaited national positive ageing strategy as a matter of urgency in order to assist people in the right to age well at home”.

**Noted.**

**29(12)Limerick County Council – 5<sup>th</sup> July, 2012**

“That Limerick County Council calls on the Minister for Justice and Equality not to close any more rural garda stations”.

**Noted.**

This concluded the business of the meeting.

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

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