

**Minutes of Ordinary Meeting of Kilkenny County Council held on Monday 15<sup>th</sup> March, 2010 at 3.00p.m. in the Council Chamber, County Hall, John Street, Kilkenny.**

**Leas Cathaoirleach:** Cllr. Pat Dunphy,

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

**Also Present:** J. Crockett County Manager, P. O' Neill & J. McCormack Directors of Services, J. Dempsey Head of Finance, S. Walton Acting Director of Services, A.M. Walsh, M. Delahunty and M. Mullally Senior Executive Officers, J. Coyne Acting County Librarian, M. Butler Arts Officer and Adrian Waldron Meetings Administrator.

At the outset of the meeting the Leas Cathaoirleach forwarded congratulations to the following:-

- Darren O' Neill, Paulstown on retaining his All Ireland Middle Weight Boxing Crown.
- Loreto College on winning the All Ireland Colleges Camogie Final.
- St. Kieran's College on winning the Leinster Colleges Senior Hurling Final.

Congratulations were forwarded to a number of primary schools who won green flags recently in Urlingford, Goresbridge, Dunnamaggin, Mullinavat, Lisdowney and the St. John of God School in Kilkenny.

Also congratulations were forwarded to Loreto College Secondary School who obtained a green flag.

Best of luck was forwarded to all those who are involved in the St. Patrick's Day Parades around the City and County. The Leas Cathaoirleach took the opportunity to urge local communities to come out and support these parades.

Best wishes were sent to Frank Minogue who won the Leinster Handball Championship.

Best wishes were sent to Ballyhale Shamrocks hurling team who will be playing the Club All Ireland on St. Patrick's Day.

It was agreed that a letter of congratulations would be forwarded to the Na Fianna group who came second in the All Ireland Talent Competition.

It was proposed by Cllr. P. Millea, Seconded by Cllr. C. Connery :- "That the Freshford hurling club who were victorious in the All Ireland Intermediate Club Final be invited to the May meeting of Kilkenny County Council subject to availability in the Cathaoirleach's calendar .

### **Votes of Sympathy:-**

- Bridie Barron, Clogregg, Thomastown, Co. Kilkenny on the death of her husband John Barron.
- Eileen Byrne, Fiddown, Piltown, Co. Kilkenny on the death of Leo Doherty.
- Mary Butler, C/o Lanigans, Rose Inn Street, Kilkenny on the death of Andy Henderson.
- Liam & Anne Phelan, Deans Court, Waterford Road, Kilkenny on the death of Liam Anthony Phelan.

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

- (a) Minutes of Ordinary Meeting of Kilkenny County Council held on 15<sup>th</sup> February, 2010.  
Proposed by Cllr. T. Maher, Seconded by Cllr. F. Doherty and resolved:- “That the minutes of Ordinary Meeting of Kilkenny County Council held on 15<sup>th</sup> February, 2010 copy of which had been circulated with the agenda be and are hereby approved”
- (b) Minutes of Special Meeting of Forward Planning & Development Strategic Policy Committee Meeting held on 8<sup>th</sup> February, 2010.  
Proposed by Cllr. J. Brennan, Seconded by Cllr. A. Phelan and resolved:- “That the minutes of Special Meeting of Forward Planning & Development Strategic Policy Committee copy of which had been circulated with the agenda be and are hereby approved”
- (c) Minutes of SPC 5 Arts, Culture, Heritage, Tourism and Education Meeting held on 11<sup>th</sup> February, 2010.  
Proposed by Cllr. J. Brennan, Seconded by Cllr. A. Phelan and resolved:- “That the minutes of SPC 5 Arts, Culture, Heritage, Tourism and Education Meeting held on 11<sup>th</sup> February, 2010 copy of which had been circulated with the agenda be and are hereby approved”
- (d) Minutes of Thomastown Electoral Area Meeting held on 24<sup>th</sup> February, 2010.  
Proposed by Cllr. S. Treacy, Seconded by Cllr. A. Phelan and resolved:- “That the minutes of Thomastown Electoral Area meeting held on 24<sup>th</sup> February, 2010 copy of which had been circulated with the agenda 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.**

#### **Housing & Other Disposal - Tithíocht & Díuscairt Eile**

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

- (i) Proposed by Cllr. M. Doran, Seconded by Cllr. P. Crowley and resolved:- “That Kilkenny County Council hereby approves of the disposal of its interest in property at Kells Village, Co. Kilkenny to Carmel Reid in accordance with the terms of the Housing Acts 1966 to 2002”

**(b) Economic Development Policy Update**

The County Manager Joe Crockett introduced this item. He indicated that the presentation which followed is one step of a process which had been initiated by the members and followed up at different meetings over the past year and with the County Development Board. He informed the meeting that this presentation would outline Kilkenny County Council's draft Economic Development Policy. He further stated that within 4 to 6 weeks he would be reverting to members to launch this policy and initiate a PR strategy and marketing campaign.

The presentation was made by John Dempsey Head of Finance.

He outlined the aims of the strategy as

- Setting out Kilkenny County Council's Economic Policy objectives
  - To position and promote Kilkenny as one of Ireland's most competitive business locations
  - To foster and support a knowledge based innovation and development environment.
  -

The presentation reflected the report and commenced with:-

- The background focussing on the following
  - Irish economic competitiveness.
  - The regional competitiveness file
  - Government policy (SMART) Economy
- The next part of the presentation focused on Kilkenny's Industry and business profile
- The core of the presentation focused on the economic policies strategic directions under the following headings:-
  - Competitiveness agenda
  - Targeting various strategic development zones
  - Targeting development sectors
  - Third and fourth level education and research development
  - The setting up of a county council business support unit
  - Regional economic development
  - Promotion and fostering of international linkages
  - Delivery of infrastructure under the headings of transport, water services and Belview broadband.
  - The update on the marketing plan

The presentation went on to state;

- The objective is to promote and develop awareness of Kilkenny as a competitive business location – Three Sixty appointed to help prepare marketing plan.
- Work has started and is to be finalised within the next 2 months.
- Key stakeholder involvement was emphasised with consultation underway with the IDA, Enterprise Ireland, Failte Ireland the County Development Board, the County Enterprise Board, Kilkenny Leader Partnership, Kilkenny Chamber of Commerce, prominent local businesses, and other state agencies.

Following this presentation there was a debate to which a number of members contributed which focused on:-

- The need to extend broadband.
- Focusing on developing links with Third level institutions
- Setting up business support
- Fostering cooperation between the counties in the south East
- How best to coordinate the various agencies

All contributing to the debate welcomed the initiative.

The County Manager thanked all members for their contributions and noted that he would take on board their comments and suggestions in finalising the policy. A copy of the presentation is to be forwarded to all members.

Contributions: Cllrs. T. Maher, C. Long, A. Phelan, M. Noonan, M. H. Cavanagh, T. Breathnach, E. Aylward, C. Connery, J. Brennan, B. Manning, M. Shortall, M. Doran, P. Millea, A. McGuinness.

## **(c) Community & Enterprise - Pobal agus Fiontar**

### **(iii) Age Friendly County Initiative**

At this juncture it was agreed to take item C (iii) which was a presentation from Patricia Goan setting out a proposal for a Kilkenny Age Friendly County Programme. In the course of this detailed presentation she informed members that the Age Friendly County Strategy was to be launched on the 26<sup>th</sup> of March. It was agreed that attendance at this launch would be included under item 8 of the agenda which sets out the conferences for approval.

### **(i) Five Year County Library Development Plan – Deferred from January.**

(Report already circulated)

This presentation was made by Josephine Coyne Acting County Librarian. The presentation summarised to members the public statement on how Kilkenny County Public Library Service intends on delivering their service over the next 5 years. This is a statutory requirement under Section 78 of the Local Government Act, 2001.

The presentation and plan was based on consultation with a broad range of stakeholders. The presentation outlined the following information:-

- Breakdown of current members
- Details of service points
- Details of usage for the period January – December 2009
- The Mission Statement of Kilkenny County Council library service
- Achievements in 2009
- Details of various joint projects and partnerships
- The challenges facing the library service
- Library collection
- An outline of the 2010 Programme
- A summary of the service

Following completion of this presentation, the Leas Cathaoirleach thanked Josephine Coyne for the contents of same and all members contributing complimented the library on the work which they have done over the past few years and continue to do.

There were a number of questions arising from the presentation to which the acting County Librarian replied. Members who contributed expressed concern at the low level of book fund compared to other local authorities following cut backs in the 2010 Budget for Kilkenny County Council. It was agreed that a further presentation would be made before the estimates process commenced. It was proposed by Cllr. J. Coonan and seconded by Cllr. P. Cuddihy and agreed: - "That the Cathaoirleach and Mayor would initiate a Friends of the Library fund to see if some private funding could be donated to the library service".

Contributions Cllrs. P. Cuddihy, J. Coonan, C. Long, J. Brennan, M. Shortall, A. Phelan, T. Breathnach, M. Noonan, M. H. Cavanagh, A.M. Irish, E. Aylward, B. Manning.

**(ii)** It was agreed that item 2c (ii) would be considered at this stage

It was proposed by Cllr. C. Connery, seconded by Cllr. M. H. Cavanagh and resolved: - "That subject to funding being available Kilkenny County Council will consider and if thought fit initiate the procurement of design for a new County Library and Headquarters and additional Council Offices if required at the former meubles site, County Hall, John Street, Kilkenny.

**(iv) Report from the Arts Office**

This item was deferred to the April meeting.

(d) **Roads – Bóithre**

(i) **Extinguishment of Public Right of Way – LT10313 at Garryricken, Callan.**

Proposed by Cllr. M. Doran, Seconded by Cllr. W. Ireland and resolved: - “That Kilkenny County Council hereby approves of the proposal to extinguish the public right-of-way at the following location: - Garryricken, Callan, Co. Kilkenny”.

(ii) **Commencement of Part 8 Public Consultation for Salt Barn Infrastructure.**

Simon Walton Acting Director of Services gave a brief summary of the report which had been circulated to members. Following the summary and his response to a number of questions from members, it was proposed by Cllr. F. Doherty, seconded by Cllr. A. Phelan and resolved: - “That the commencement of Part 8 public consultation for Salt Barn infrastructure at the Newrath and Hebron Road Stores be and are hereby proceeded with”

(iii) **Taking in Charge of Housing Estates & Declaration of Roads to be Public Roads – section 11 of the Roads Act 1993. Section 180 of the Planning and Development Act 2000 – “Thorngrove”, Rathclough, Danesfort 6 Houses and Lawcus Fields, Stoneyford 54 houses.**

Proposed by Cllr. W. Ireland, Seconded by Cllr. T. Maher and resolved: - “That in accordance with Section 11 of the Roads Act 1993 and Section 180 of the Planning & Development Act 2000 as per the notice published following the decision of Kilkenny County Council on the 21<sup>st</sup> of December, 2009 the following estates are to be taken in charge with the roads to be declared public roads and entered into the roads schedule of Kilkenny County Council. Thorngrove, Rathclough, Danesfort, 6 Houses, Lawcus Fields, Stonyford 54 houses”

(iv) **Notification of Non National Road Grants for 2010.**

Simon Walton Acting Director of Services referred to the report which had been circulated. He indicated that Kilkenny County Council had sought flexibility in the use of the allocation by suspending the Restoration Improvement programme for 2010 in favour of works, including over lay works to address damage due to the recent severe weather. He indicated that the flexibility sought had been granted. Members noted that there was not any increase in funding to compensate for weather damage and sought that a report on the costs of remedying weather related damage be given to them as per their previous request.

Simon Walton Acting Director of Services indicated that the details of the allocations and works to be undertaken will form part of the Draft Roads Works Scheme which will be developed with Members at the Electoral Area meetings with a view to adoption at April meeting of the Council.

Following a discussion on drainage it was:

Proposed by Cllr. P. Millea, Seconded by Cllr. M. H. Cavanagh and agreed:-  
“Given the mutual interest and responsibilities in the matter, that Kilkenny County Council, through the IFA, enter into cooperation agreements as appropriate in relation to road drainage”.

Following queries on the allocation for road signage and whether it could be put to a better use it was indicated that the allocation is ring fenced for regional road signage which is not up to standard in many locations.

Simon Walton Acting Director of Services urged all landowners to assist the Council by cutting hedges within the permitted time periods and members encouraged the Council to enforce hedge notices where appropriate.

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

**(e) Corporate - Gnóthaí Corparáideacha**

**Authorisation of attendance of Party Whips at CPG Meeting – Under Section 133 of the Local Government Act 2001.**

It was proposed by Cllr. C. Connery, Seconded by Cllr. M. Shortall and resolved: -  
“That in accordance with Section 133 of the Local Government Act 2001, the party whips may attend the monthly meetings of the Corporate Policy Group”

**(f) Planning - Pleanail**

**Report on Unfinished Housing Estates (copy of which had been circulated to Members)**

Item deferred.

The report as circulated to be amended to include the value of each schemes bond and the Council’s responsibilities when taking in charge an estate.

Contributions Cllrs. A. McGuinness and A. Phelan.

**3. Urgent Correspondence - Comhfhreagras Práinneach**

The issue of the recent downgrading of the Coast Guard Helicopter Services based in Waterford from a 24 hour service to a day light only operation was raised.

It was proposed by Cllr. C. Long, Seconded by Cllr. T. Breathnach and resolved:- “That Kilkenny County Council write to the Minister for Transport and Fisheries requesting that there be no cut in services as it is essential that 24 hour cover be maintained in all areas in order to respond quickly to emergency services”.

Contributions Cllrs. P. Cuddihy, C. Long, P. Dunphy and T. Breathnach.

It was agreed at this juncture to take Notice of Motion 5(10)

It was proposed by Cllr. P. Crowley, Seconded by Cllr. M. H. Cavanagh and resolved: -  
"That this Council supports the idea of a Universal Health Care System to be introduced shortly to improve services for all our people, reduce costs, prevent unnecessary duplication and bring us in line with EU Norms.

**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:**

**(a) Schedule of meetings from March - May** – Agreed as per list.

Members were reminded of the Special SPC meeting to be held on the 7<sup>th</sup> of April which was not on the list circulated but all members were invited to attend to discuss the South East River Basin Project.

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

**(a)** Report on Thomastown Electoral Area Meeting held on 19<sup>th</sup> November, 2009 (Deferred from February Meeting)

**(b)** Report on Ballyragget Electoral Area Meeting held on Monday 21<sup>st</sup> December, 2009 (Deferred from February Meeting)

**(c)** Report on SPC 3 Environmental Policy, Fire Services and Emergency Planning meeting held on 3<sup>rd</sup> February, 2010 (Deferred from February Meeting)

**(d)** Report on Piltown Electoral Area Meeting held on 5<sup>th</sup> February, 2010 (Deferred from February Meeting)

**(e)** Report on Special Meeting of Forward Planning & Development Strategic Policy Committee SPC 1 held on 8<sup>th</sup> February, 2010 (copy of report attached)

**(f)** Report of SPC 5 Arts, Culture, Heritage, Tourism and Education Meeting held on 11<sup>th</sup> February, 2010 (copy of report attached)

**(g)** Report on Thomastown Electoral Area Meeting held on 24<sup>th</sup> February, 2010 (copy of report attached)

All the above reports were deferred.

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. C. Connery, Seconded by Cllr. M. Shortall "That the schedule as circulated is hereby approved and that the conference on the launch of the Age Action initiative be included in the schedule of conferences".

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

It was noted for members that the official opening of the M9 motorway is now scheduled to take place at 11.00a.m on Monday 22nd March and not 12 noon as per the minutes of the February meeting.

It was requested by Cllr. T. Breathnach and agreed by the meeting that the record of the February meeting be amended to reflect that Kilkenny County Council agreed to meet New Ross Town Council on a number of issues which affect both authorities. It was further agreed that the record be amended to indicate that Kilkenny County Council requests that the Waterford City Gateway committee be reactivated.

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

None

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

Deferred

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:**

Deferred

This concluded the business of the meeting.

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CATHAOIRLEACH

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DATE