

KILKENNY COUNTY COUNCIL - COMHAIRLE CHONTAE CHILL CHAINNIGH
Agenda for the Ordinary Meeting of Kilkenny County Council to be held on
Monday 18th of July 2011 at 3.00 p.m. in Council Chamber, County Hall, John
Street, Kilkenny.

Clár do Ghnáth-Chruinniú Chomhairle Chontae Chill Chainnigh le reachtáil ar an
Luan 18th Lúl ar a 3.00 i.n. i Seomra na Comhairle, Halla an Chontae, Sráid Eoin,
Cill Chainnigh.

1. Confirmation of Minutes - Dearbhú Miontuairiscí:

- (a)** Minutes of Ordinary Meeting of Kilkenny County Council held on Monday 20th of June 2011 (copy of minutes attached).
- (b)** Minutes of Annual Meeting held on 24th June, 2011 (copy of minutes attached).
- (c)** Minutes of Meeting of Forward Planning & Development (S.P.C 1) held on the 11th April, 2011. (copy of minutes attached).
- (d)** Minutes of Meeting of Infrastructure, Transportation, Water Services & Other Policy Issues (S.P.C. 2), held on the 10th June, 2011. (copy of minutes attached).
- (e)** Minutes of Ballyragget Electoral Area Meeting held on the 20th June, 2011 (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) Other Disposal - Díuscairt Eile

- (i)** “That Kilkenny County Council hereby approves of the disposal of its interest in land at No. 12 Banim Terrace, Kilkenny in accordance with Section 183 of the Local Government Act, 2001 to Mary Brennan and Jimmy Doheny 9 Riverside Drive, Kilkenny. (Notification issued on the 30th June, 2011).”
- (ii)** “That Kilkenny County Council hereby approves of the disposal of its interest in land at Coolkip, Horse & Jockey, Thurles, Co. Tipperary in accordance with Section 183 of the Local Government Act, 2001 to John & Margaret Hogan Coolkip, Horse & Jockey, Thurles, Co. Tipperary. (Notification issued on the 27th June, 2011).”
- (iii)** “That Kilkenny County Council hereby approves of the disposal of its interest in land at Coolkip, Horse & Jockey, Thurles, Co. Tipperary in accordance with Section 183 of the Local Government Act, 2001 to Mr. Michael Bourke Maxfort, Moycarkey, Horse & Jockey, Thurles, Co. Tipperary. (Notification issued on the 27th June, 2011).”
- (iv)** “That Kilkenny County Council hereby approves of the disposal of its interest in land at Ballykillaboy, Kilmacow, Co. Kilkenny in accordance with Section 183 of the Local Government Act, 2001 to Mr. Tom Roche at Ballykillaboy, Kilmacow, Co. Kilkenny. (Notification issued on the 27th June, 2011).”

- (v) “That Kilkenny County Council hereby approves of the disposal of its interest in land at Newtown, Littleton, Thurles, Co. Tipperary in accordance with Section 183 of the Local Government Act, 2001 to Mr. James Bourke Newtown, Littleton, Thurles, Co. Tipperary. (Notification issued on the 27th June, 2011).”
- (vi) “That Kilkenny County Council hereby approves of the disposal of its interest in land at Coolkip, Horse & Jockey, Thurles, Co. Tipperary in accordance with Section 183 of the Local Government Act, 2001 to Mr. Patrick Hogan at Summerville, Horse & Jockey, Thurles, Co. Tipperary. (Notification issued on the 27th June, 2011).”
- (vii) “That Kilkenny County Council hereby approves of the disposal of its interest in land at Danesfort, Co. Kilkenny in accordance with Section 183 of the Local Government Act, 2001 to Mr. Richard Butler at Danesfort, Co. Kilkenny. (Notification issued on the 21st June, 2011).”
- (viii) “That Kilkenny County Council hereby approves of the disposal of its interest in land at Jamestown, Glenmore, Co. Kilkenny in accordance with Section 183 of the Local Government Act, 2001 to Mr. Thomas Walsh at Jamestown, Glenmore, Co. Kilkenny. (Notification issued on the 24th June, 2011).”

(b) Roads – Bóithre

- (i) Parks Bye Laws (Draft) – Report attached.
- (ii) N78 Damerstown/Julianstown Road Improvement Scheme – Part 8 Report and Recommendation. – Report to be circulated at meeting.

(c) Planning- Pleanail

- (i) Manager’s Report on Submissions to Proposed Variation 2 to the County Development Plan – Report attached.
- (ii) Manager’s Report on Submissions to Proposed Variation 1 to the City & Environs Development Plan – Report attached.

(d) Environment-

Environment Enforcement Unit – Overview - Presentation

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:

Schedule of meetings for July – September, 2011 (attached)

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

(a) Chairman's Report of Meeting of Forward Planning & Development Strategic Policy Committee (S.P.C 1) held on the 11th April, 2011 – copy of report attached.

(b) Chairperson's Report and Recommendation following meeting of the Ballyragget Electoral Area Committee held on the 20th June, 2011.

7. Other Business set forth in the Notice convening the Meeting – Gnó Eile romhainn i bhFógra reachtála an Chruinnithe

8. Education & Training

Conferences – Request for approval to attend as per circulated list.

Summary of proceedings at Conferences have been received from

| Councillor | Date of Conference | Title of Conference |
|---------------------|---------------------------|--|
| John Brennan | 01/06/2011 - 05/06/2011 | Listowel Writer's Weekend |
| Andrew McGuinness | 03/06/2011 | Renewable Energy Local Government - Can make a difference. |
| Pat Dunphy | 17/06/2011-19/06/2011 | Challenges and Opportunities facing Local Government |
| Mary Hilda Cavanagh | 10/06/2011-12/06/2011 | Training Seminar – Responsibilities indemnity from liability of decisions of the body corporate. |

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

10. Any Other Business - Aon Ghnó Eile

11. Notices of Motion - Fógraí Rúin:

5(11) Cllr. Malcolm Noonan (deferred from June council meeting)

“That Kilkenny County Council would call on Government to recognise Travellers as a distinct ethnic group as recommended by the UN Committee for the Elimination of Racial Discrimination, thereby bringing the traveller community into the ambit of various protections in international agreements and within the Irish state.”

6(11) Cllr. Malcolm Noonan (deferred from June Council Meeting)

“In light of the accident at the Fukushima Nuclear Power Plant in Japan, that Kilkenny County Council calls upon the Irish Government to object to the British Government over the construction of its new generation of nuclear power plants on the west coast of Britain.”

7(11) Cllrs. John Brennan & Paul Cuddihy (deferred from June Council Meeting)

“That Kilkenny County Council calls on the IDA and Enterprise Ireland to appoint representatives to represent Kilkenny City & County in order to further economic and industrial development for the region.”

8(11) Cllr. Tommy Prendergast, Cllr. Maurice Shortall, Cllr. Marie Fitzpatrick, Cllr. Michael O’Brien, Cllr. Tomas Breathnach.

“That Kilkenny County Council calls on the Government and particularly its Minister for Defence to ensure that the future of James Stephens barracks, Kilkenny is secure and that there will be no scale down or closure of this barracks. There are 300 soldiers of all ranks stationed in Kilkenny plus 20 civilians if this scale down or closure happens it will have a devastating effect on the local community and surrounding areas.”

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:

9(11) Carrickmacross Town Council

“That this Local Authority, in light of the potentially catastrophic danger to public health posed by various nuclear power plant reactors in Japan; renews its opposition to Westminster’s plans to build 5 new nuclear power stations along the Irish Sea in Britain and calls on the new government in Dublin to voice these concerns to Westminster in the strongest possible terms. As well as calling on Dublin to take further legal steps confirming Ireland’s status as a Nuclear Free State.

That if this motion is adopted that it be circulated to other Local Authorities in Ireland for their support.”

10(11) Donegal County Council

“That this council recognised that the Universal Social Charge is an unjust and regressive tax, bearing down most heavily on those least able to afford it, and calls on the Government to abolish the Universal Social Charge.”

11(11) Monaghan Town Council

“That this council calls on the Minister for Environment, Phil Hogan T.D to address as a matter of urgency the crippling cost of rates on commercial properties.”

12(11) Carlow Town Council

“That this council recognises that:

- The Universal Social Charge is an unjust and regressive tax, bearing down most heavily on those least able to afford it;

- The Universal Social Charge affects people earning as little as €77 per week;
- The Universal Social Charge is indiscriminate and affects someone earning €100,000 at the same rate as someone earning €16,016;
- Low income workers, including medical card holders, working lone parents and working widows, who were exempt from the health and income levies which the Universal Social Charge replaced, are no longer exempt.
- Coupled with the changes to tax credits and bands introduced in Budget 2011, the Universal Social Charge has increased the burden of taxation on the working poor.”

13(11) South Tipperary County Council

“That this council calls on the Department of Environment, Community and Local Government to stop the spending cuts to Community & Voluntary Forums and to re-instate all cuts that have taken place to date. Furthermore, that this motion be forwarded to all Local Authorities for their consideration.”

14(11) Clonmel Borough Council

“That Clonmel Borough Council agrees to ask the Minister and the Department of the Environment, Community and Local Government to give serious consideration to keeping summer time going the entire year around rather than the present system of putting the clocks back an hour at winter time, as the reasons for doing this are no longer valid. Also if this motion is agreed, that it should be circulated to all local authorities.”

15(11) South Tipperary County Council

“That South Tipperary County Council agrees to ask the Minister and the Department of the Environment to give serious consideration to keeping summer time going the entire year around rather than the present system of putting the clocks back an hour at winter time, as the reasons for doing this are no longer valid.”

16(11) South Tipperary County Council

“That South Tipperary County Council asks the Department of Environment, Community and Local Government to advise the Council as to what Draft Directives which may affect the operation of Local Authorities are currently before the EU.”

17(11) Clare County Council

“That the Litter Act be amended to state that where there is a reasonable doubt that landowners are not penalised for illegal dumping.”

18(11) Donegal County Council

“That this Council act to protect Right of Ways in our County.”

