

## Minutes of Council Meeting held on 18<sup>th</sup> November, 2013 at 3.00 pm

Chair: Cllr P. Dunphy

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

Officials: J. Crockett, J. Mulholland, J. McCormack, P O'Neill, D. McDonnell, Denis Malone & Anne Maria Walsh

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

- (a) **Minutes of Ordinary Meeting of Kilkenny County Council held on Monday 21<sup>st</sup> October 2013.** Proposed by Cllr. T. Maher, Seconded by Cllr. M. Fitzpatrick and agreed:- "That the minutes of the Ordinary Meeting of Kilkenny County Council held on the 21<sup>st</sup> October, 2013 as circulated with the agenda be and are hereby approved."
- (b) **Minutes of Special Joint meeting held on 7<sup>th</sup> October, 2013.** Proposed by Cllr. B. Ireland, Seconded by Cllr. J. Coonan and agreed:- "That the minutes of the Special Joint Meeting held on 7<sup>th</sup> October, 2013 as circulated with the agenda be and are hereby approved".
- (c) **Minutes of Public Joint Policing Committee Meeting held on 22<sup>nd</sup> October, 2013.** Proposed by Cllr. T. Prendergast, Seconded by Cllr. M. O' Brien and agreed:- "That the minutes of Public Joint Policing Committee Meeting held on 22<sup>nd</sup> October, 2013 as circulated with the agenda be and are hereby approved".
- (d) **Minutes of Special Meeting held on 4<sup>th</sup> November, 2013.** Proposed by Cllr. S. Treacy, Seconded by Cllr. M.H. Cavanagh and agreed:- "That the minutes of Special Meeting held on 4<sup>th</sup> November, 2013 as circulated with the agenda be and are hereby approved".
- (e) **Minutes of Joint Meeting of New Ross Town Council, New Ross EAC and Kilkenny EAC held on 5<sup>th</sup> November, 2013.** Proposed by Cllr. C. Long, Seconded by Cllr. F. Doherty and agreed:- "That the minutes of Joint Meeting of New Ross Town Council, New Ross EAC and Kilkenny EAC held on 5<sup>th</sup> November, 2013 as circulated with the agenda be and are hereby approved".

**Cllr. P. Dunphy extended congratulations to the following:**

- Congratulations to all those who received Kilkenny Person of the Year awards
- Congratulations to Siobhan Talbot Managing Director of Glanbia on being voted Irish Tatler Business woman of the year.
- Congratulations to Dawn Meats, Grannagh on receiving a Sustainability Award.
- Congratulations to Mullinavat, Ballyhale Shamrocks, Clara and Rower Inistioge on recent hurling awards.
- Congratulations to the Traditional Fest Committee on their recent award.
- Congratulations to the Thomastown Athletics Club on their recent success.
- Best wishes were extended to singer Jimmy McCarthy on the opening of the Thomas Moore Theatre in Jenkinstown.

Votes of sympathy were extended to the following:

- Phil Cass, Castlecomer Area on the death of his wife Patricia
- Lianne Kelly, Housing on the death of her mother Lily Butler Kelly.
- Family of the late Michael Dunne, St. Teresa Terrace Kilkenny – Retired Head Gardner Kilkenny Borough Council.
- Family of the late Patrick Whelan, Ballinvarra, Graiguenamanagh, retired outdoor staff.
- Melissa O' Neill, 40 Abbeylands, Ferrybank on the death of mother Mary O' Neill.
- The Lawlor Family, Glenpipe, Tullogher, Co. Kilkenny on the death of Stasia Lawlor.
- Kay Grace and Family, Dangan, Kilmacow, Co. Kilkenny on the death of Marie Canavan.
- John Mullally & Family, Ballyeden, Tullogher, Co. Kilkenny on the death of Mary Mullally.
- Helen Phelan & Family, Ballyveria, Glenmore, Co. Kilkenny on the death of Gretta O' Keefe.
- The Dwyer Family, Gaulsmills, Kilmacow, Co. Kilkenny on the death of Stephen Dwyer.

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

**(a) Planning - Pleanail**

**County & City Development Plans**

Mr. Denis Malone Senior Planner advised members that 74 submissions have been received on the draft development plans. The Managers Report on the

submissions is being finalised and will be issued to members by the end of November. Members have until the 24<sup>th</sup> January, 2014 to consider the Managers Report. It is recommended that a special meeting is held to consider this report. Cllr. P. Dunphy asked can the draft plan be amended at this stage. Mr. Malone advised that amendments may be required following consideration of the Managers Report.

**Eirgrid Presentation - 4.30 p.m.**

Members agreed to take this item at 4.30p.m.

Cathaoirleach Cllr. P. Dunphy welcomed Mr. John Lowry and Mr. Michael Donnelly to the Council Meeting.

Mr. J. Lowry thanked the members for giving them the opportunity to address them and update them on the current status of the Grid Link Project. The powerpoint outlined the current transmission system, the reasons why the network needs to be upgraded and the benefits to Kilkenny. The various stages in the Grid Link Project were outlined. The project is still at Stage 1 of the process i.e. corridor options. The corridor options for Kilkenny were highlighted. There is a 12 week consultation up until 26<sup>th</sup> November, 2013. All submissions received will be considered even after the deadline of 26<sup>th</sup> November, 2013.

Mr. Donnolly gave details on the open days and information events undertaken to facilitate public participation over the last 2 years. Every effort has been made to ensure that the information is available to the public.

Mr. Lowry advised that the planning application to an Bord Pleanala will not be submitted until early 2016.

The next steps in the process will be to evaluate feedback, the corridor options and identify the least constrained corridor. Cllr. P. Dunphy thanked them for their presentation.

Contributions were received from Cllrs. E. Aylward, J. Brennan, M. Brett, T. Breathnach, C. Connery, M. H. Cavanagh, J. Coonan, P. Crowley, M. Doran, F. Doherty, P. Dunphy, M. Fitzpatrick, D. Fitzgerald, W. Ireland, A.M. Irish, C. Long, T. Maher, A. McGuinness, P. Millea, J. Moran, M. Noonan, T. Prendergast, M. Shortall, S. Treacy.

Members thanked Eirgrid for their presentation. The issues raised by members were as follows:-

- Extending the deadline for submissions beyond the 26<sup>th</sup> November, 2013
- Undergrounding of network – Similar to other countries.
- Use of most modern technology
- Impact on Property values
- Visual impacts
- Distance of pylons from houses
- Health risks
- Need for 440kv as against 220kv
- Re-route cable around the coast
- When will corridor be identified
- When will discussions take place with affected landowners
- Cost benefit analysis should be undertaken
- What is the difference in cost between over ground and underground network when evaluated over the lifetime of the project.
- Additional consultation/information meeting for those affected
- Clarify the planning process
- Compliance with the County Development Plan and National Policies.

J. Lowry and Mr. Donnelly responded to all queries raised by members. They advised that information offices are still open in New Ross and Carrick on Suir. Submission received after the 26<sup>th</sup> November, 2013 will be accepted and considered. All options will be open for the consideration. Eirgrid once again thanked the members for their detailed contribution to the discussion and are available to meet the members at a later stage.

**(b) Water Services - Seirbhísí Uisce**

**Taking over of Warrington/Danville Group Water Scheme**

It was proposed by Cllr. J. Coonan, Seconded by Cllr. M. Fitzpatrick and agreed: - “That the Council take in charge this Scheme subject to the normal conditions”.

**(c) Corporate Affairs - Gnóthaí Corparáideacha**

**Launch of Irish Language Plan**

Cllr. Dunphy welcomed the launch of the Irish Language Plan

Is deas le Comhairle Contae Chill Chainnigh an Comhphlean leanúnach Gaeilge seo a thabhairt isteach agus a chur i bhfeidhm. Léiríonn an cháipéis seo tiomantas Údaráis Áitiúla Chill Chainnigh chun gach rud a dhéanamh is féidir chun ár dteanga dhúchais a chothú i gCill Chainnigh.

Kilkenny County Council is pleased to introduce and implement this progressive Joint Irish Language Plan. This document reflects the commitment of Kilkenny Local Authorities to do all that is possible to sustain our native language in Kilkenny.

Mr. J. Mulholland advised members that it is National Policy to promote the use of the Irish Language. The Council has prepared a plan to promote Irish Language in the County. There is an interest in learning Irish. It is a requirement to have policy documents available both in English and Irish. This is a cost that the Council is required to have included in the budget.

Cllrs. Connery, Breathnach, Cavanagh, Noonan, Coonan and Millea welcomed the initiatives to promote the Irish Language. They requested that the committee be re-activated and that classes be provided for those who wished to improve their Irish. People must be encouraged to learn their native language. Small initiatives must be taken first and develop on from there. Cllr. P. Dunphy thanked John Mulholland and Hugh Hunter for preparing the Irish Language Plan.

#### **Presentation by University of Maynooth at 4.00p.m.**

Cathaoirleach welcomed Mr. Billy Murphy and Ms. Maeve O'Byrne to the meeting. Mr. Billy Murphy thanked the members for giving them the opportunity to update them on progress made at the Kilkenny Campus since it started in 1997. He thanked Mr. Crockett and Mr. McCormack for their ongoing support to the committee.

Maeve O' Byrne gave a powerpoint presentation to the members. She gave a brief background to the courses available, number of students that have graduated with a third level award. Details were given of the new full time arts course which is now available in Kilkenny for 1<sup>st</sup> year students. She outlined the subjects available to the students, career opportunities from the arts programme, number of students in Kilkenny. There are many benefits for students taking first arts in Kilkenny and these were outlined. There is an open day on 7<sup>th</sup> December, and all are invited to attend.

County Manager thanked Ms. O' Byrne for her presentation. It is an ambition of the local authority to have a university in Kilkenny and he congratulated them on having 1<sup>st</sup> year arts facility available to leaving cert students.

Contributions were received from Cllrs. A. McGuinness, M. Fitzpatrick, D. Fitzgerald, T. Breathnach, M. Noonan and T. Maher.

Members thanked Ms. O' Byrne for her presentation and welcomed the new opportunity for Kilkenny school leavers to pursue a full time course in Kilkenny. Members raised a number of queries in relation to number of students at the campus, availability of accommodation on Campus, linkages to Ormonde College, plans for the 2<sup>nd</sup>/3<sup>rd</sup> year course being provided in Kilkenny.

Mr. Murphy and Ms. O' Byrne responded to all queries raised.

**(d) Roads - Bóithre**

Proposed by Cllr. C. Long, Seconded by Cllr. T. Breathnach and agreed:- "We the members of Kilkenny County Council approve the initiation of proceedings for the taking in charge of the Housing Development at Coirceog Estate (30 house development) in accordance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act, 2010".

**3. Urgent Correspondence - Comhfhreagras Práinneach**

Response was received from Eirgrid in relation to the Council's request to extend the deadline of 26<sup>th</sup> November, 2013 for submissions. Copy of letter was circulated.

Cllr. Dunphy advised members that he received thank you letters from the Model School in relation to the provision of pedestrian crossing at the school and from the Samaritans, thanking Kilkenny County Council for their support of the Kilkenny People of the Year Awards.

**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 November – January 2014. Proposed by T. Maher, Seconded by B. Ireland and Agreed.
- (ii) Agree dates for Budget 2014 Meetings.

County Manager advised that the notification for the Local Government Fund has not yet being received. It is expected to be issued during the last week in November. Draft Budgets can be prepared and finalised when the Local Government Fund allocation is known.

Cllr. P. Dunphy and M. Doran requested a meeting with management to discuss the budget before figures are finalised. Members should be given an opportunity to put forward proposals that need to be considered for inclusion in the budgets.

Cllr. M. O' Brien proposed that a Special meeting be held in committee on 9<sup>th</sup> December, 2013. Mr. Crockett agreed to facilitate the members in advance of budget being finalised

It was agreed that the CPG scheduled for the 9<sup>th</sup> December, 2013 take place at 1.30p.m. and the Special Meeting would commence at 2.30p.m. on the same day.

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

- (i) Report on Joint Meeting of New Ross Town Council, New Ross EAC and Kilkenny EAC. Proposed by Cllr. C. Long, Seconded by Cllr. T. Breathnach and agreed.

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

(i) Conferences - Request for approval to attend as per circulated list.  
Proposed by Cllr. M. Fitzpatrick, Seconded by Cllr. M. Doran and agreed.

(ii) Summary proceedings at Conferences have been received from: -  
Proposed by Cllr. J. Brennan, Seconded by Cllr. M. Doran and agreed.

Councillor	Date of Conference	Title of Conference
F. Doherty	12 <sup>th</sup> -14 <sup>th</sup> September	Kennedy Summer School
M. Doran	16 <sup>th</sup> -17 <sup>th</sup> August	Building Safer Communities
E. Aylward	18 <sup>th</sup> -21 <sup>st</sup> September	Kerry Environment Group
M.H. Cavanagh	23 <sup>rd</sup> -24 <sup>th</sup> August	Community Development
M. Doran	27 <sup>th</sup> -28 <sup>th</sup> September	Pathways to Work 2013
J. Moran	27 <sup>th</sup> -29 <sup>th</sup> September	How the elected member can help combat crime
P. Dunphy	2 <sup>nd</sup> -4 <sup>th</sup> August	Rural Crime Prevention and Detection
J. Coonan	30 <sup>th</sup> -31 <sup>st</sup> August	Changing Social Relations of Housing Tenure
P. Millea	5 <sup>th</sup> -8 <sup>th</sup> August	William Carelton Summer School

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

Cllr. M. O' Brien raised the issue of opening the public toilets in Thomastown and Graiguenamanagh. Cllr. Dunphy advised that it is more appropriate to raise this issue at the Special Meeting on the budget on 9<sup>th</sup> December, 2013.



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

Cllr. Doherty enquired if a defibrillator was available in County Hall. Mr. Mulholland advised that there is and some staff have been trained to use it.

Cllr. C. Long requested that Kilkenny County Council send a letter to Waterford City Council in relation to the traffic situation on the Quay in Waterford at the moment. Cllr. A.M Irish seconded the request. Cllr. P. Dunphy advised that the Electoral area members were requesting a meeting with Waterford City Council to discuss a number of issues of mutual concern and this should be included. This was agreed by all members.

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

**7(13) Cllrs. J. Brennan and M. Shortall - from Rural Water Monitoring Committee Meeting**

Proposed by Cllr. J. Brennan, Seconded by Cllr. M. Shortall and agreed: - "That a new grant scheme be introduced to provide grant assistance to householders towards the cost of installing water softeners in the home".

Cllr. Brennan stated that this is a growing problem for householders in replacing household items. Any assistance towards the cost would be helpful. Cllr. Shortall stated that there is a problem with lime in the water in the Ballyragget area. Any householder affected should be granted aid in advance of transfer of services to Irish Water.

**8(13) Cllrs. J. Brennan and M. Shortall - From Rural Water Monitoring Committee Meeting**

Proposed by Cllr. J. Brennan, Seconded by Cllr. M. Shortall and agreed:- "That allocations under the Rural Water Programme be notified to the Local Authority earlier in the year to allow adequate time for completion of the programme of works and in line with procurement policies".

Cllr. J. Brennan requested that early notification of grants in the year is required to allow groups to arrange work to have them completed within the calendar year.

**10(13) Cllr. F. Doherty & 13(13) Cllr. M. Noonan.**

Proposed by Cllr. F. Doherty, Seconded by Cllr. M. Noonan and agreed:- “In an effort to improve the lives and wellbeing of our Deaf and Hard of Hearing Citizens, that this Council calls on the Government to give official recognition status to ISL (Irish Sign Language)

**11(13) Cllrs. T. Breathnach, C. Long, A.M Irish, F. Doherty, E. Aylward, P. Dunphy, S. Treacy, M. O’ Brien, T. Prendergast.**

Proposed by Cllr. T. Breathnach, Seconded by Cllr. M. O’ Brien and agreed: - “Kilkenny County Council supports the objectives outlined in the report ‘Unlocking the Barrow’, in particular the development of the potential of the river and greenways and will work with Government Departments, adjoining local authorities, development agencies and with community organisations to secure the necessary funding to achieve these objectives”.

Cllr. T. Breathnach that “Unlocking the Barrow” project is a most exciting opportunity for the local authorities. Kilkenny County Council should support the objectives outlined in the report and work with the adjoining local authorities and the South East Regional Authority.

Cllr. O’ Brien stated that there is huge potential for investment along the river Barrow.

Mr. P. O’ Neill advised that there is an interagency group already working to explore the projects and the group is working with the Leader Partnership Boards.

**12(13) Cllr. M. H. Cavanagh, P. Millea, M. Shortall, J. Brennan, C. Connery, J. Coonan, M. Fitzpatrick, M. Brett, M. Noonan. P. Cuddihy, A. McGuinness, D. Fitzgerald, M. Doran, W. Ireland, T. Maher, P. Crowley, J. Moran, T. Prendergast, M. O’ Brien, S. Treacy, C. Long, T. Breathnach, P. Dunphy, A.M Irish, E. Aylward, F. Doherty.**

“Kilkenny County Council rejects the use of Extra High Voltage Overhead power lines which are defined as 400Kv or 200Kv power lines and demands Eirgrid to put all cables underground”.

Mr. Crockett requested the members to defer considering this motion until the Council has considered the draft development plan and completed the process.

Cllr. M. H. Cavanagh stated that she wishes the notice of motion to be considered by the Council today as it reflects what the people in Kilkenny are saying.

Cllr. M. Doran stated that this was a national issue - Our Development Plan should reflect this view and Kilkenny is not the first local authority to table this motion.

Contributions were received from Cllr. P. Millea, M. Noonan, M. O' Brien, J. Coonan, T. Breathnach, S. Treacy, F. Doherty, J. Brennan, A. McGuinness, A.M Irish and M. Shortall in relation to the motion listed.

Members stated that the views of the people must be considered, there are implications for visual amenity, devaluation of property, possible health risks etc that must be considered.

The Development Plan should include policy objectives in relation to major infrastructure projects.

Mr. Crockett requested members to defer a decision for a period of 3-4 weeks until the submission on the draft plans have been considered. The timing of this motion overlaps with the County Development Plan process and he must advise members on their legal responsibility.

It was agreed to adjourn the meeting to allow the County Manager to meet with the party whips.

The meeting resumed at 4.40p.m.

Cllr. M. H. Cavanagh proposed an amended notice of motion as follows: -  
"That Kilkenny County Council earnestly requests Eirgrid to put their extra high voltage power lines which are defined as 400kv and 220kv underground.

This was seconded by Cllr. M. Doran and agreed by all members.

#### **14(13) Cllr. M. Noonan**

Proposed by Cllr. M. Noonan, Seconded by Cllr. T. Breathnach and agreed: -  
“That Kilkenny County Council notes with concern the planned construction of Hinkley Point Nuclear Power Stations and Nuclear New Build on the West Coast of the United Kingdom and asks that the Irish Government express the concerns of Irish Citizens to the UK Government about the risks posed to Human Health and the Environment by the planned expansion of its Nuclear Programme”.

Cllr. Noonan stated that 8 nuclear re-actors are planned for the UK, pressure should be put on UK Government to consider the risks posed by the expansion of the nuclear programme.

#### **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:**

#### **30(13) Limerick City & County Council - 3<sup>rd</sup> October, 2013**

“That, Section 42 of the Planning & Development Acts, 2000-2013, and Article 45 of the Planning and Development Regulations 2000-2013, should be amended to allow further information to be sought on substantive planning issues and to allow conditions to be imposed on the extended permission to address planning inadequacies in the original permission”.

#### **31(13) Wexford County Council - 3<sup>rd</sup> October, 2013**

“That this 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 ensuring that water and sanitation are publicly owned, democratically run and that all in the sector are fully accountable”.

#### **32(13) Ennis Town Council - 14<sup>th</sup> October, 2013**

“That Ennis Town Council request the Minister for Health to revise the scheme for chronic illnesses and that people in Clare suffering from Crohns disease, Alzheimer’s, and Coronary Heart Disease be recognised as suffering

from lifelong conditions and be included in the Long Term Illness Scheme.  
And that the fee for these people attending Accident and Emergency be  
immediately eliminated”.

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

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

Cathaoirleach