



**TO: AN CATHAOIRLEACH
& EACH MEMBER OF KILKENNY COUNTY COUNCIL**

RE: MONUMENTS & MEMORIALS

DATE: 11th January, 2021.

Dear Councillor,

Following a deputation from the Sinnott's Cross Committee to the Piltown Municipal District in July, 2019, a request to take in charge the monument at Sinnott's Cross was made. Kilkenny County Council does not take responsibility for monuments/memorials if they have been provided and funded by local communities. The matter was referred to the Corporate Policy Group. It was agreed by the CPG to consider this matter having regard to receiving future requests from other committees and the associated financial implications for the Council in the case of damage and public liability.

A report was given to the CPG in July 2020 and September 2020 following a review of the number of monuments and memorials in the County of Kilkenny. The CPG Members requested that each Municipal District be consulted and seek their views on taking in charge monuments and memorials across the County in the future. An item was placed on the Agenda of each Municipal District meeting in October/November 2020. Callan-Thomastown, Castlecomer and Kilkenny Municipal Districts decided at these meetings that we do not take in charge monuments and memorials and that the criteria for Amenity Grants be amended to enable committees to apply for funds to pay insurance costs. Piltown Municipal District did agree with this and have also requested that a mechanism be found to include the Sinnott's Cross monument under the Council's Public Liability Insurance cover. Our Insurers have advised that it cannot insure monuments/memorials provided by communities in our policy.

The taking in charge of developments and services is a Reserved Function under Section 180 of the Planning & Development Act 2000 as amended. As the taking in charge of monuments/memorials does not fall under this legislation it is a matter for the Members of Kilkenny County Council to decide, taking into consideration any operational and financial implications that this may bring on the Council annually.

I attach herewith:

- (a) Reports dated 8th July, 2020 and 18th September, 2020 given to the Corporate Policy Group.
- (b) Extracts from Minutes of each Municipal Districts Meeting.

In conclusion, it is recommended to the Elected Members that the criteria for Amenity Grants be amended to allow for insurance costs to be regarded as applicable expenditure.

**Tim Butler,
Director of Services**

EXTRACTS FROM MUNICIPAL DISTRICT MEETINGS 2020

Municipal District of Callan-Thomastown - Meeting 14th October, 2020

At the request of Mr. Tim Butler, Director of Services, the members discussed a report on Monuments and Memorials which detailed that, following requests for the Sinnotts Cross Monument be taken into charge, an audit of memorials, plaques and signs had identified in excess of 300 such memorials throughout the county and the matter was considered by the Naming of Infrastructure Committee in 2017.

Members agreed that, as insurance costs in particular appeared to be the main cause of Committees seeking the local authority to take monuments in charge, the criteria for eligibility to receive the Amenities Grant should be amended to include these insurance costs, however that this shouldn't be to the detriment of other applicants to the scheme.

Municipal District of Castlecomer - Meeting 19th October, 2020

8. Any Other Business

(b) Monuments & Memorials

A report on Monuments and Memorials was circulated to members in advance of the meeting. The report provided details of:

- An application from one memorial committee for the Council to 'take in charge' the monument.*
- Details of an audit completed by the Heritage Officer and final report issued in 2015.*

Ms Anne Maria Walsh advised that Councillors are being asked for their feedback on the request for the Council to take in charge monuments not provided directly by the Council. This would create a precedent for other monuments. It is suggested that maybe the criteria would be amended for the Amenity Grant Scheme, that would allow community groups to apply for funding to cover the insurance costs of roadside memorials and monuments.

Members raised the following queries/questions/observations in relation to monuments and memorials:

- Ageing volunteers, need for future proofing of monuments and memorials.*
- The status quo for monuments and memorials would remain as is.*
- The inclusion of insurance costs under the Amenity Grants Scheme be explored.*

It was agreed by the members that the status quo remain and that the Council would not be in position to take over all the monuments/memorials in the County.

Municipal District of Kilkenny City - Meeting 16th October, 2020

3. Aon Ghnó Eile Any Other Business

Mr. Butler referred to the report on Monuments and Memorials which had been circulated to Members earlier in the week. A request had come from the Piltown MD for the Council to take Sinnott's Cross in charge and the report set out the background to Sinnott's Monument and gave details on other Monuments throughout the County. There are in excess of 300 such Monuments in County Kilkenny and at present the Council only maintain Monuments that have been commissioned and funded by the Council. The Members discussed the details of the report and the consensus from the MD was that the Council could not sustain such a commitment for this and similar Monuments in the County. Amending the criteria for Amenity Grants would be a more appropriate way to assist in providing funding to maintain and insure Monuments around the County. This consensus from the Kilkenny MD Members will be taken to the Corporate Policy Group.

Municipal District of Piltown - Meeting 4th November, 2020

4. (b) Taking in Charge of Monuments and Memorials

Mr. McKeown said Mr. Tim Butler, Director of Services requested that the members discuss a report on Monuments and Memorials which stated that, following requests for the Sinnott's Cross Monument to be taken into charge, an audit of memorials, plaques and signs had identified in excess of 300 such memorials throughout the county. Mr. McKeown said the main concern for the Sinnott's Cross Monument is the cost of Public Liability Insurance and the Municipal Districts were asked to consider making an amendment to the criteria of the Amenity Grants Scheme to allow Insurance costs as eligible for consideration under this scheme. He said that Irish Public Bodies had confirmed that this monument cannot be included under the Councils Public Liability Insurance as it is not part of the property owned by the Council.

Answering a question about community playgrounds being insured by the Council, Mr. McKeown said there are sufficient regular inspections carried out to satisfy IPB that they can be included for cover.

The members agreed that there were two separate matters for decision; Cllr Dunphy proposed, Cllr Aylward seconded and all agreed that the Council should seek a mechanism to include Sinnott's Cross monument under the Council's public liability Insurance cover.

Cllr Frisby proposed, Cllr Doherty seconded and all agreed that their recommendation to the CPG is to change the criteria for the Amenity Grants Scheme to include Insurance costs as an eligible criterion.



8th July, 2020.

TO: AN CATHAOIRLEACH &
EACH MEMBER OF THE CORPORATE POLICY GROUP

RE: MONUMENT SINNOTT'S CROSS

Sinnott's Cross is a monument which a local committee from Mooncoin received planning for in 2005 and with the funding raised locally and from the Department of the Taoiseach, constructed the monument. It was unveiled in June 2016 and since then the members of the Piltown Municipal District have requested that this monument be "taken in charge" by Kilkenny County Council. Following the raising of the matter at Municipal District level, it was referred to the "Monuments & Naming" Committee, in February 2017 for consideration. It was agreed at this Committee, in accordance with the Policy "Naming of Commemorative Memorial Assessment Committee that it is not appropriate to take in charge this or other monuments having regard to the cost and liability this may place on the Council in future years.

This matter was again raised in 2019 by the Piltown Municipal District when the committee made a presentation to the Municipal District and set out the reasons why it should be taken in charge and the difference between this and other monuments:

- it is an amenity in the area.
- rural tourist attraction, and
- has parking and seated areas adjacent to the monument.

It should be noted that Kilkenny County Council did not construct or supervise construction of this monument [see attached photo]. The committee are seeking that Kilkenny County Council take in charge permanently for insurance cost and liability and they will continue to maintain.

Again, at the June 2020 Piltown Municipal District meeting, the members requested that the matter be considered by an SPC and not the Naming of Commemorative Memorial Assessment Committee. It is more appropriate for the CPG to consider this matter, as there is a distinct possibility that this may lead to similar requests in the future with associated financial implications, particularly in the cases of damage and public liability.

A sample of other monuments in the County not maintained by Kilkenny County Council include:

- Dunnamaggin Memorial
- Tighe & Brownsford Monuments
- Gairdin an Ghorta
- War of Independence Memorial - Ardra
- Brittas, Tullaroan

Members consideration is sought in relation to the matter.

Signed:

Tim Butler

Director of Services

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To: Each Member of The Corporate Policy Group

Re: Monuments & Memorials

Date: 18th September 2020

A report dated 8th July 2020 was presented to the CPG, copy attached. At that meeting, it was agreed to carry out a further review of monuments throughout the County, to examine in detail the request and presentation from the Sinnott's Cross Committee and revert back to a subsequent CPG meeting.

BACKGROUND

Planning for Sinnott's Cross Monument was granted in 2005 when a local committee proposed the erection of a monument dedicated to all in South Kilkenny who participated in the War of Independence. This proposal became a reality with the unveiling of the monument in June, 2016.

Since then there has been a number of requests mainly to the Piltown MD to have the monument taken in Charge by Kilkenny County Council. This matter was considered by the Naming of Infrastructure Committee in 2017. Subsequently, a detailed presentation was made by the committee in June, 2019 which was further raised at the June, 2020 Council meeting. The presentation highlighted the main reason for the request to take the monument in charge to include:

- Future proof the monument
- Cost of insurance
- Maintaining what is a tourist attraction in the area with on-site parking area

The committee deemed it appropriate to consider their request at this time during the Decade of Centenaries Programme

CONTEXT

An audit of memorials, plaques and signs was undertaken by the Heritage Officer and a final report issued in 2015.

This extensive audit concentrated mainly on the 61 urban settlement throughout the County and also invited the public to submit memorials in their area to be included. The audit identifies in excess of 300 such memorials throughout the county, varying in size. Most have been erected privately over the years and in many cases the commissioning body is recorded on the monument.

Kilkenny County Council maintains monuments commissioned with the agreement of Council and which were funded by the Council. Examples include

- Hoban Memorial, Callan
- Hurling Monument, Kilkenny City



Of the memorials listed in the audit, many are significant in scale and I have attached images of a number of same which were privately commissioned: (Appendix 1)

- Knocknagrass, Tullaroan
- Famine Garden, Newmarket
- Grotto, Dunnamagan
- Millennium Monument, Glenmore
- Monument at Burnchurch

Taking account of the volume of monuments countywide, when determining the terms of reference of the "Monuments & Naming Committee" it was never intended to take privately commissioned monuments/memorials due to the maintenance burden and possible other liabilities that this may create for the Council into the future.

CONCLUSION

It is my understanding that it is to secure the future of the monument that is the main focus of the committee. It is the operational costs, in particular insurance costs, that may inhibit Committees from preserving/maintaining their commissions. However, the Council has to have due regard to other similar monuments throughout the city and county.

In this regard, it may be more appropriate to amend the criteria for Amenity Grants, and to allow insurance as an eligible cost when applying for same. This may satisfy both the Committees who commissioned the memorial and the Council. It may also ensure that they are properly maintained by the communities and enjoyed by the public for years to come.

Your consideration would be appreciated.

Yours Sincerely,



Tim Butler,
Director of Services

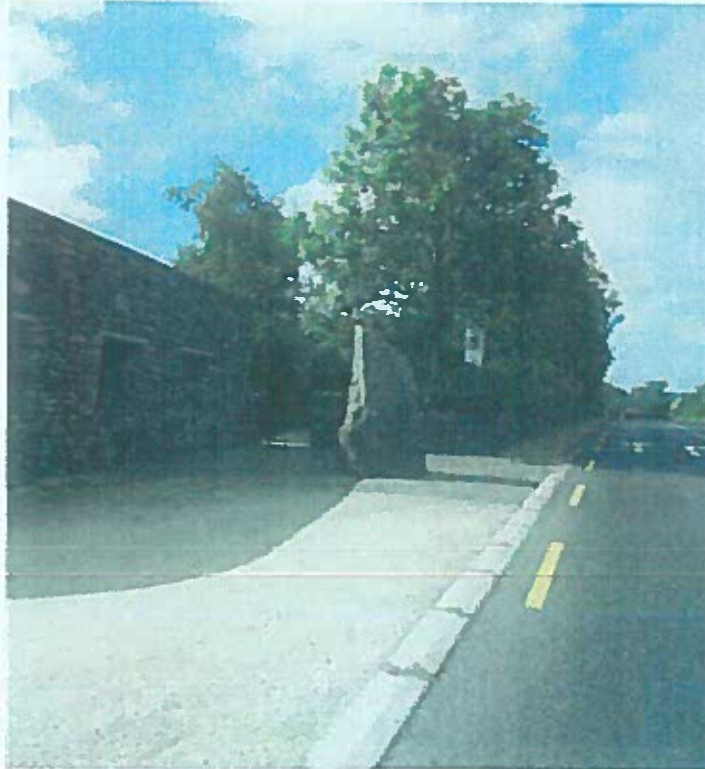
Appendix 1

1. Knocknagrass, Tullaroan



AMPS Ref 91229_01: Monument near Tullaroan commemorating the Battle of Knocknagrass.

2. Famine Garden Newmarket



AMPS Ref 91441_01: Famine Garden at Newmarket showing entrance gate marked by stone monolith.

3. Grotto, Dunnamagan



AMPS Ref 91121_01: Grotto outside Dunnamagan to 'Our Blessed Lady'.

4. Millennium Monument Glenmore



AMPS Ref 91394_02: Millennium monument at Glenmore listing townlands and number of inhabitants at the millennium

5. Monument at Burnchurch



Monument in Burnchurch to John Ireland, 1st Archbishop of St. Paul Minneosta