

MIONTUAIRISÍ AR AN GCRUINNIÚ IOMLÁNACH DE CHUID
CHOMHAIRLE CONTAE CHILL CHAINNIGH TIONÓLTA AR AN LUAN,
15 BEALTAINE 2023 AG 3.00 I.N. I SEOMRA NA COMHAIRLE,
HALLA AN CHONTAE & VIA FOIRNE MS



MINUTES OF PLENARY MEETING OF KILKENNY COUNTY COUNCIL
HELD ON MONDAY, 15TH MAY, 2023 AT 3.00 P.M.
IN THE COUNCIL CHAMBER, COUNTY HALL & VIA MS TEAMS

Chair: Cllr. Pat Fitzpatrick.

Elected Members: *Council Chamber*

Cllrs. John Brennan, Tomás Breathnach, Martin Brett, John Coonan, Fidelis Doherty, Maria Dollard, Michael Doyle, Pat Dunphy, David Fitzgerald, Ger Frisby, Joe Malone, Michael McCarthy, Andrew McGuinness, Eugene McGuinness.

MS Teams

Cllrs. Eamon Aylward, Mary Hilda Cavanagh, Peter Cleere, Deirdre Cullen, Michael Delaney, Matt Doran, Denis Hynes, Joe Lyons & Patrick O'Neill.

Officials: Sean McKeown, Tim Butler, Mary Mulholland, Martin Prendiville, Denis Malone, Fiona Deegan, Aileen McGrath, Anne Marie Shortall, Dearbhala Ledwidge, Ian Gardner, Michael Arthurs, Breda Maher & Anne Maria Walsh.

1. *Dearbhú Miontuairiscí - Confirmation of Minutes*

(i) **Minutes of Special Meeting**

Proposed by Cllr. Ger Frisby, seconded by Cllr. John Coonan and agreed:

"That the Minutes of Special Meeting held on Thursday, 13th April, 2023 as circulated with the Agenda be and are hereby approved".

(ii) **Minutes of April Plenary Meeting**

Proposed by Cllr. Deirdre Cullen, seconded by Cllr. Fidelis Doherty and agreed:

"That the Minutes of April Plenary Meeting held on Monday, 17th April, 2023 as circulated with the Agenda be and are hereby approved".

Fógraí - Announcements

Cathaoirleach, Cllr. Pat Fitzpatrick congratulated all the students who took part in and won awards in the Young Student Enterprise Programme and paid tribute to the organisers of Bike Fest and to all who took part in the activities.

Vótaí Comhbhrón - Votes of Sympathy

Cathaoirleach Cllr. Pat Fitzpatrick extended vote of sympathy to the following:

- Family of the late Joseph Walton, Dean Cavanagh Place, Kilkenny [*Pensioner*]
- Family of the late Seamus Culleton, Glenmore.
- Family of the late Watt Cody, Glenmore.
- Family of the late Philomena Halley, Glenmore.
- Family of the late Sr. Veronica Doran, Glenmore.

Cllr. Mary Hilda Cavanagh and Andrew McGuinness were associated with the votes of sympathy.

2. (a) **Tithíocht & Díuscairt Eile - Housing & Other Disposal**

Mr. Martin Prendiville declared an interest in this item and withdrew from the meeting.

- (i) It was proposed by Cllr. Michael McCarthy seconded by Cllr. Deirdre Cullen and agreed:

“That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, Kilkenny County Council hereby approves of the disposal of its interest by way of long term lease in Plot of ground at Kilmanagh Village Co. Kilkenny, as identified on the attached map, to Graigue-Ballycallan GAA Club, for a period of 20 years with Graigue-Ballycallan GAA Club being responsible for all legal costs associated with the lease including those of Kilkenny County Council. The area measures 4,259 square metres. The Consent of the Minister of the Environment is not required.”

(b) **Ag Glacadh i gCúram - Taking in Charge**

- (i) **Taking in Charge: Initiation: Blackchurch Square, Inistioge**

It was proposed by Cllr. Michael Doyle, seconded by Cllr. Martin Brett and agreed that:

“We, the Members of Kilkenny County Council approve the initiation of proceedings for the taking in charge of the following development in accordance with Section 11 of the Roads Act, 1993 and in compliance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act 2010.”

Development: TC155 – Blackchurch Square, Inistioge, Kilkenny

- (ii) **Taking in Charge: Final: Rioch Court, Kilkenny**

It was proposed by Cllr. Joe Malone, seconded by Cllr. John Coonan and agreed that:

“That the County Council of the county Kilkenny, in exercise of the powers conferred on them by Section 11 of the Roads Act, 1993 and in compliance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act 2010, hereby declares the road listed in the Public Notice and listed below to be a Public Road.”

Development: TC147 – Rioch Court, Kilkenny

- (iii) **Taking in Charge: Initiation: Road at Lower Grange, Kilkenny**

It was proposed by Cllr. Pat Fitzpatrick, seconded by Cllr. John Brennan and agreed that:

“We, the Members of Kilkenny County Council approve the initiation of proceedings for the taking in charge of the following development in accordance with Section 11 of the Roads Act, 1993 and in compliance with Section 180 of the Planning & Development Act, 2000 as amended by Section 59 of the Planning & Development Act 2010.”

Development: Road at Lower Grange, Kilkenny

- (iv) **Cuid 8: Scéim Taistil Ghníomhaigh Lána Cootes go dtí an Cuarbhóthar
Part 8: Cootes Lane to Ring Road Active Travel Scheme**

Mr. Tim Butler presented the Interim Chief Executive Report on Part 8 Construction of a Shared Pedestrian & Cyclist Facility between Cootes Lane and the N76 Ring Road, Kilkenny.

He advised that the proposed scheme has been presented and discussed at the Kilkenny Municipal District Meeting. The proposed development will be funded under Active Travel grants and works will include the following:

- Construction of a shared pedestrian and cyclist facility, bridge and all associated and ancillary works.

The Scheme will provide for off road walking and cycling routes. There will be limited traffic on sections of the route. The Scheme was advertised for public consultation and three third party submissions were received. Referrals were made to the relevant statutory bodies also.

Cllr. Joe Malone asked for a timeframe for the works. Mr. Ian Gardner advised that the Scheme will go to tender now. River works will be undertaken in the months of July and August this year. It is expected that works will be completed by the end of 2023.

It was proposed by Cllr. Joe Malone, seconded by Cllr. John Coonan and agreed that:

"We the Members of Kilkenny County Council approve the Part 8 in accordance with Section 179 of the Planning & Development Act 2000 as amended and Part VIII of the Planning & Development Regulations 2001, as amended for the proposed Construction of a Shared Pedestrian and Cyclist Facility between Coote's Lane and the N76 Ring Road, Kilkenny."

Cllr. David Fitzgerald requested an update on the taking in charge of a housing development at Ogenty in Gowran. Mr. Sean McKeown advised that this item is included in his monthly Chief Executive Report.

(c) (i) ***Glacadh leis an bPlean Áitiúil Pobail & Eacnamaíochta***
Adoption of the Local Community & Economic Plan

Ms. Aileen McGrath, LEO Office presented a PowerPoint Presentation on the Local Economic & Community Plan (LECP) 2023 to 2028.

In her Presentation she gave an overview on the following:

- LECP Process and Timeline from May 2022 to April 2023.
- SEA Consultation Report.
- Appropriate Assessment Screening Report.
- Consultation Process.
- Statement from Southern Regional Assembly.
- Vision for the final Plan.
- Initial Two Year Implementation Plan 2023-2024.

Cllr. Ger Frisby complimented the staff on all the work in preparing this Plan. The process in getting to a final Plan has taken some time and involved a lot of consultation between SPC1 and LCDC. The engagement of all stakeholders during the drafting of the Plan needs to be recognised. Cllrs. John Coonan, Maria Dollard and Tomás Breathnach welcomed the final Plan and in particular the three themes of Climate, Community & Economic. An annual review of the actions should be undertaken and Members should be kept informed.

Mr. Sean McKeown commended SPC1, LCDC, all Stakeholders and Economic and Community Staff for their work in preparing this Five Year Plan. This is a Statutory Plan and will be a key document outlining actions to be undertaken, which will enable the Council to attract grants and other funding streams.

It was proposed by Cllr. Ger Frisby, seconded by Cllr. John Coonan and agreed that:

"That the Local Community & Economic Plan 2023 to 2028 is hereby adopted by the Members of Kilkenny County Council."

(d) (i) ***Tionscadail Phobail Áiseanna Caipitil Oibre***
Community Projects Working Capital Facilities

Mr. Martin Prendiville, Head of Finance advised that approval is being sought from the Council in relation to a revolving facility of €500,000 to provide working capital to communities who are approved for grant aid under various Community Schemes. There will be a strict protocol in place for this working capital and terms for repayment.

It was proposed by Cllr. David Fitzgerald, seconded by Cllr. Andrew McGuinness and agreed that:

"Kilkenny County Council provides a revolving facility of €500,000 to provide working capital to Community Groups who are approved for grant funding for projects subject to terms and conditions."

(e) (i) ***Deontais Conláiste 2023 - 2023 Amenity Grants***

Mr. Denis Malone presented his Report on the 2023 Amenity Grant Scheme. He advised that:

- 180 applications had been received.
- 1 application was ineligible.

179 applications are recommended for funding in the total amount of €139,880.

It was proposed by Cllr. Fidelis Doherty, seconded by Cllr. Andrew McGuinness and agreed that:

"That the Amenity Grants 2023 are hereby approved by the Members of Kilkenny County Council."

(ii) ***Plean Gníomhaíochta Aeráide na nÚdarás Áitiúil***
Local Authority Climate Action Plan

Ms. Dearbhala Ledwidge and Breda Maher presented a PowerPoint Presentation on Climate Action Plan Update and Stakeholders engagement and Community Climate Action Programme.

In their presentation they gave an overview on the following:

- Milestones for preparation and adoption of Climate Action Plan. Statutory deadline is 23rd February, 2024.
- Stakeholders Consultation - May 2023 - Pre Draft Consultation, Submissions.

- Briefings and Public Events.
- Training & Engagement.
- Drafting the Local Authority Climate Action Plan.
- Input/Support for Elected Representatives.
- Funding available for Community Climate Action Programme.
- Target Groups, Programme Themes.
- Allocation for Kilkenny - €511,000.
- Outline of funding for small, medium and large scale projects.
- Shared Island – cross border projects.
- Outline of programme themes and assessment of applications for funding – awaiting further guidance from Department.

Contributions were received from Cllrs. Pat Fitzpatrick Mary Hilda Cavanagh, Eugene McGuinness, Maria Dollard, Fidelis Doherty, Martin Brett, Tomás Breathnach, Michael Doyle, John Brennan and David Fitzgerald as follows:

- Funding for improvements to roads for cycling.
- River Management Plan for the Nore.
- Emissions applicable to Kilkenny County Council – 3%.
- Changes to be made by domestic consumers, give homeowners examples on reducing emissions.
- Decarbonisation Zones – Clarify.
- SEAI – Funding not sufficient, works for the homeowner not affordable in many cases, funding for retrofit programmes need to be reviewed.
- Wind Energy Projects – no Ministerial Direction.
- Awareness for public – One Stop Shop.
- Keep on Agenda – Planning & SPC Meeting.
- Electric Vehicle Charges – no grants available.

Mr. Tim Butler, Ms. Dearbhala Ledwidge and Ms. Breda Maher responded to the issues raised by Members. Members were advised that the SUMP process has commenced for Kilkenny City. A meeting will take place with relevant Stakeholders on River Management. Funding will be available for Community Projects which can include Community Electric Vehicle Chargers.

(iii) ***Dréachtphlean Náisiúnta Bainistíochta Dramhaíola***
Draft National Waste Management Plan

Mr. Michael Arthurs presented a PowerPoint Presentation on the Draft National Waste Management Plan.

In his Presentation he gave an overview on the following:

- Context – Evolving Policy over the last 20 years and published Policies.
- 2023 – Single National Plan for the Circular Economy.
- Transition from Linear to Circular Economy.
- National Oversight Group and Governance.
- Outline of five volumes included in the National Plan.
- Overview of 6 key targets.
- Overview of 13 Core Policies.
- Overview of 16 Focus Areas.

- 73 Targeted Policies.
- 83 Priority Actions to be undertaken by all Stakeholders.
- 51 key Deliverables – establishment of National Co-ordination Group.
- Investment required in Local Authorities to deliver on National Plan.
- Timeline for Plan – May to November 2023.
- Consultations and submission on Draft Plan – May to July 2023
- Engagement with SPC and Plenary Council.
- Alignment with Climate Action Plans.

Contributions were received from Cllrs. Pat Fitzpatrick, David Fitzgerald, Maria Dollard, Tomás Breathnach and Joe Lyons.

Issues raised are as follows:

- Reduction of waste per person.
- Removal of use of bags for waste.
- Need to encourage zero waste households.
- Consultation with Elected Members – Workshops.
- Construction Material – re-use/recycle – Local Authority houses.
- Will there be a Regional and Local Plan.
- All Members to engage in SPC Meetings.

Mr. Michael Arthurs responded to the issues raised by the Members and advised that it will be a single national message with a National Plan. Economic opportunities are becoming available for the Circular Economy. Behavioural change is essential.

Ms. Mary Mulholland advised that the Housing Department will only replace kitchen/bathroom in social houses only where required.

Waste accumulation by tenants is an issue when houses are being cleared out.

Cllr. David Fitzgerald advised that the SPC Meetings will be open to all Members.

(f) (i) ***Uasdátú ar Ghleann Breagagh*** - Update on Breagagh Valley

Mr. Tim Butler presented a PowerPoint Presentation on developments in the Breagagh Valley, Kilkenny.

In his Presentation he gave an overview on the following:

- Overview of areas in Kilkenny City that have been developed over the years.
- Overview of LIHAF Scheme – construction of new road and timeframe from the inclusion in Western Environs LAP in 2004 to opening of road in 2021. Cost €16.3m.
- Breaghagh Valley – new residential neighbourhood within ten minute walk of City.
- Development of 870 new homes.
- Further 2,200 new houses over the longer term.
- Two Post Primary Schools and one Primary School.
- Details of live Planning Permissions granted and whether they have commenced.

Mr. Tim Butler played video footage of the new road construction and completion.

Contributions were received from Cllrs. Pat Fitzpatrick, Andrew McGuinness, Eugene McGuinness, Martin Brett, Tomás Breathnach, Maria Dollard., Fidelis Doherty, Deirdre Cullen.

Issues raised were as follows:

- Timeline for development of houses and schools.
- Anti-social behaviour issues on new road.
- Need for new houses to cater for recent announcements on employment.
- Amenity Areas.
- Part 5 provision and affordable houses.

Ms. Mary Mulholland, Mr. Tim Butler and Mr. Denis Malone responded to the issues raised and advised that the Council will be availing of Part 5 provision for mixed tenures. Engagement with developers is ongoing. Phases of developments is challenging and depends on the market. Provision of community facilities and sports facilities must be part of the overall development. It is expected that approximately 350 houses will be delivered per year.

(g) (i) ***Tuarascáil Mhíosúil an Phríomhfheidhmeannaigh***
Chief Executive's Monthly Report

Mr. Sean McKeown presented his Monthly Chief Executive's Report.

Cllr. Pat Fitzpatrick advised Members that individual questions can be directed to the Interim Chief Executive. Cllr. Michael McCarthy welcomed the inclusion of the Freshford Flooding Scheme in a Pilot Scheme by the OPW and asked for an update on the works to be undertaken. Cllr. Tomás Breathnach was associated with this welcome and also the inclusion of Piltown into the Pilot Scheme. Cllrs. Mary Hilda Cavanagh, Pat Dunphy, Pat Fitzpatrick, Deirdre Cullen and Michael Doyle raised a number of queries in relation to Flooding Schemes in County Kilkenny.

Specific queries were as follows:

- Progression of two Pilot Schemes.
- Concerns on exclusion of Thomastown & Inistioge.
- Clarity on commencement date for all schemes.
- Concerns from communities, frustrated with delays.
- Discussion on Climate Change, however people must come first.

Mr. Sean McKeown welcomed Minister Donovan's announcement on the inclusion of Freshford and Piltown in the Pilot Schemes. Six Schemes were included for funding in 2019 and two schemes are being progressed by a dedicated team of staff with the Council.

Mr. Tim Butler advised that 117 Projects across the Country were designated for works and funding in 2019. The delivery of schemes is a very specialised area and we have now two staff with the expertise to carry out the planning and design work on Flood Relief Schemes with the assistance of Consultants on Hydrogeology, Environmental Reports and river levels. Kilkenny is going to lead the Pilot Scheme and it will take approximately 1½ to 2 years to prepare all the various reports. The Council does recognise the concerns of communities in all the locations. We are delighted to have been selected as a pilot with Donegal County Council to commence work on two additional Schemes.

3. **Comhfhreagras - Correspondence**

None.

4. **Gnó ar athló ó chruinniúroimhe seo - Business adjourned from a previous Meeting**

None.

5. **Dátaí agus Amanta do chruinnithe a shocrú - Fix Dates & Times of Meetings**

(i) **Schedule of Meetings**

It was proposed by Cllr. John Coonan seconded by Cllr. Michael McCarthy and agreed.

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

None.

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

None.

8. **Oideachas agus Oiliúint - Education & Training**

None.

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

None.

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

None.

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

**08 (23) Cllrs. Mary Hilda Cavanagh, John Brennan, Michael Delaney,
Pat Fitzpatrick, Denis Hynes & Michael McCarthy**

It was proposed by Cllr. Mary Hilda Cavanagh, seconded by Cllr. Pat Fitzpatrick and agreed that:

"That Kilkenny Co Council write to Minister Humphreys asking for a substantial increase in funding for the Community Involvement Scheme and the Local Improvement Scheme. Currently there are 46 lanes in Castlecomer Municipal District Area on the Community Involvement Scheme List. Creamery lorries are beginning to refuse to go down cul de sacs and lanes with poor surfaces"

Cllrs. Mary Hilda Cavanagh, Pat Fitzpatrick, John Brennan, Pat Dunphy and John Coonan spoke on the Notice of Motion. Members requested that the Motion include reference to lanes in all Municipal Districts that are waiting on funding from the Community Involvement Scheme and Local Improvement Scheme and not restrict it to the Castlecomer Municipal District only. The backlog needs to be cleared. Based on current funding, it will take a number of years to upgrade these lanes.

The proposer and seconder agreed to the amendment in the Notice of Motion.

12. **Fógraí i dtaobh Rúin ó Údaráis Áitiúla eile ag lorg tacaíochta ó Chomhairle Chontae Chill Chainnigh - Notices of Motion from other local authorities seeking support of Kilkenny County Council**

It was proposed by Cllr. Fidelis Doherty, seconded by Cllr. Michael McCarthy and agreed by all that the following Notices of Motion numbered 25 (23) and 26 (23) received from other Local Authorities be taken as read and noted:

25 (23) Westmeath County Council

“That Westmeath County Council would write to the Minister of Housing and request that he support and encourage the immediate construction of affordable housing units by temporarily removing the need for local authority contributions and facilitating the designation of affordable units in developments that are in the planning system or that have a grant of planning.”

26 (23) Wexford County Council

“That Wexford County Council endorses and remains committed to the rollout of the Able Disabled campaign as a means of inclusion and prioritising the needs of those with a disability by companies and utilities.

Furthermore, as part of the evolving nationwide expansion of the AD call sign, this Council calls on all Chambers of Commerce members, County Councils and all utilities to engage, promote and sign up to the AD Aware Programme as part of their corporate social responsibilities.”

That concluded the business of the meeting.

CATHAOIRLEACH

DATE