

**Minutes of Ordinary Meeting of Kilkenny County Council held on Tuesday
20th March, 2012 at 3pm**

Cathaoirleach: Cllr. P. Cuddihy

Councillors: Cllrs. M.H. Cavanagh, P. Millea, M. Shortall, J. Brennan, J. Coonan, M. Brett, A. McGuinness, M. Doran, W. Ireland, T. Maher, T. Prendergast, S. Treacy, C. Long, T. Breathnach, P. Dunphy, A.M. Irish, E. Aylward, F. Doherty, J. Galway, P. Crowley, M. Fitzpatrick, M. Noonan

Apologies: Cllr. B. Manning, Cllr. C. Connery and Cllr. Ml. O'Brien

In attendance: J. Crockett, J. McCormack, P. O'Neill, J. Dempsey, J. Mulholland, Denis Malone, Simon Walton, Catriona Reilly, David Shortall, Carol McCarthy, B. Moloney, Ml. Delahunty and A.M Walsh

1. Confirmation of Minutes - Dearbhú Miontuairiscí:

- (a)** Minutes of Ordinary Meeting of Kilkenny County Council held on Monday 20th of February, 2012. Proposed by Cllr M. Fitzpatrick, Seconded by Cllr. T. Maher and agreed "That the minutes of the Ordinary Meeting of Kilkenny County Council held on Monday 20th of February, 2012 as circulated with the agenda be and are hereby approved."
- (b)** Minutes of Thomastown Electoral Area Committee Meeting held on Monday 13th February, 2012. Proposed by Cllr S. Treacy, Seconded by Cllr. T. Prendergast and agreed "That the minutes of the Thomastown Electoral Area Committee Meeting held on Monday 13th February, 2012 and as circulated with the agenda be and are hereby approved."
- (c)** Minutes of Strategic Policy Committee 2 – Infrastructure, Transportation, Water Services and Other Policy Issues held on Friday 17th February, 2012. Proposed by Cllr M. Doran, Seconded by Cllr. M. Fitzpatrick and agreed "That the minutes of the Strategic Policy Committee 2 – Infrastructure, Transportation, Water Services and Other Policy Issues Meeting held on Friday 17th February, 2012 and as circulated with the agenda be and are hereby approved."

Cathaoirleach Cllr. P. Cuddihy extended congratulations to the following:-

- All the St. Patrick's Day Committees throughout the counties on their festivities during the weekend.
- The Parks Department on the provision of the Board Walk at Lacken.
- CBS Hurling Team who have qualified for the All Ireland Colleges Final.
- CBS Kilkenny on winning the All Ireland Inter Schools Hunter Trials.

A vote of sympathy was extended to the following:-

- Nuala Brennan, Loughboy Library and her family on the tragic death of her brother James Tynan.
- Paddy, Jim and John O'Donoghue on the death of their mother Mrs. Kitty O'Donoghue.
- Seamus Kavanagh, Housing Section, on the death of his mother-in-law, Mrs. Kay Barry McBride.
- Mary Flannery, Library Headquarters and Cllr. Seán Ó hArgáin, Kilkenny Borough Council on the death of their father-in-law Mr. Kevin Flannery.
- The Harkin Family, Rose Inn Street on the death of Adrian Harkin.
- The family of the late Fr. Edward Murphy, Ferrybank who died in a traffic accident.
- Stephen Power, Clonassy, Mullinavat, Co. Kilkenny on the death of his wife Mrs. Kathleen Power.
- The Davis Family, c/o Richard Davis, Garrygaug, Mullinavat, Co. Kilkenny on the death of their uncle, Mr. Danny Davis.
- Mick Nolan, Mooncoin, Co. Kilkenny on the death of his wife Mrs. Mary Nolan.
- Paddy and Margaret Minogue, Cappagh, Inistioge, Co. Kilkenny on the death of their son.
- Ned Dack, 26 Castle Avenue, Thomastown, Co. Kilkenny on the death of your son Colum Dack.
- Tom Henebry & Family, Cloncunny, Piltown, Co. Kilkenny on the death of your mother Mrs. Nellie Henebry.
- Mick Nolan, Rathcurby, Mooncoin, Co. Kilkenny on the death of his wife, Mrs. Bridget Nolan.
- The O'Hara Family, 13 Comeragh Close, Mooncoin, Co. Kilkenny on the death of Mr. Pat O'Hara.
- Mrs. Mai Sweetman & Family, Carrick-on-Bannon, Co. Wexford on the death of her son Fr. John Sweetman.
- Paudie Brennan, Conahy, Co. Kilkenny on the death of his uncle, Mr. Martin Dalton.
- Maura Hurley, Ennisnag, Stoneyford, Co. Kilkenny on the death of her husband, Mr. Seamus Hurley.

- Pat Sullivan, Kilree, Kells, Co. Kilkenny on the death of his father, Mr. Denis Sullivan.
- Michael and Ellen O'Reilly, St. Catherine's Halting Site, Wetlands, Kilkenny on the death of their son Timmy.
- Tom Hennebry, Cloncunny, Piltown, Co. Kilkenny on the death of his mother Mrs. Ellen Hennebry.
- Gretta O'Hara, Comeragh View, Mooncoin, Co. Kilkenny on the death of her husband Mr. Pat O'Hara.

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) It was proposed by Cllr. T. Maher, Seconded by Cllr. S. Treacy and agreed "That Kilkenny County Council, hereby approves in accordance with Section 183 of the Local Government Act, 2001, to dispose of lands, as indicated on the attached map, at Shankill, Paulstown, Co. Kilkenny to Thomas Joseph Roche, Moanmore, Bagenalstown, Co. Carlow for the sum of €1.00 with each party being responsible for their own legal costs in accordance with the terms specified in the notice."
- (ii) It was proposed by Cllr. T. Maher, Seconded by Cllr. S. Treacy and agreed "That Kilkenny County Council, hereby approves in accordance with Section 183 of the Local Government Act, 2001, to dispose of lands, as indicated on the attached map, at Ballynolan, Leighlinbridge, Co. Carlow to John Daniel Phelan, Ballynolan, Leighlinbridge, Co. Carlow for the sum of €1.00 with each party being responsible for their own legal costs in accordance with the terms specified in the notice."
- (iii) It was proposed by Cllr. T. Maher, Seconded by Cllr. S. Treacy and agreed that "That Kilkenny County Council, hereby approves in accordance with Section 183 of the Local Government Act, 2001, to dispose of lands, as indicated on the attached map, at Moanmore, Bagenalstown, Co. Carlow to Martin Meaney, Moanmore, Bagenalstown, Co. Carlow for the sum of €1.00 with each party being responsible for their own legal costs in accordance with the terms specified in the notice."

(b) Housing Disposal - Díuscairt Tithíocht

(c) Corporate – Gnóthaí Corparáideacha

(i) Briefing by Terry Clune, CEO of Taxback on the Succeed in Ireland Initiative

Mr. Terry Clune, CEO of Taxback made a presentation to the members on the Succeed in Ireland Initiative. He advised the meeting that 30 people are employed on Connect Ireland. The initiative was launched by the Taoiseach some weeks ago.

Connect Ireland is responsible for attracting small international businesses to relocate to Ireland. The company was appointed by the Irish Government and IDA Ireland to deliver the Succeed in Ireland Initiative. He outlined to the members that there is a financial reward (finder's fee) of €1,500 for every sustainable job created subject to certain terms and conditions.

Contributions/queries were received from Cllr's P. Crowley, P. Dunphy, M. Brett, A. McGuinness, J. Brennan, T. Breathnach, and P. Cuddihy.

Members thanked Terry Clune for his presentation and wished him and his team every success to the initiative. Queries raised by members included the following:-

- What advantages have Ireland over any other country
- Availing of local authority overseas connections such as Leicester, Charleston etc.
- How are introduction/connections made by people.
- Competing with 3rd world countries for manufacturing industries.

Mr. Clune answered all queries raised by members and he introduced Mr. Guy Jones and Mr. Niall Hughes who were also in attendance and who will be leading the initiative.

He said that Ireland is ranked as one of the best places to set up business, language is an asset, highly educated innovative people with a strong work ethic.

Mr. Joe Crockett paid tribute to Mr. Clune and his team. The initiative came from an initial discussion at the launch of Invest Kilkenny. The presentation will also be made to the County Development Board, Community and Voluntary Forum and GAA. Kilkenny County Council will also have information available on our website.

Cllr. P. Cuddihy thanked the team for their presentation and wished them every success. He stated that we all have to work together for the common good.

(d) Roads – Boithre

(i) Roads Works Scheme 2012

Mr. John Mulholland outlined to the members the main points outlined in the Road Works Scheme 2012 which was circulated. The scheme has been discussed at all electoral area meetings. The total expenditure for 2012 is €20.77m, a decrease of 24.8% from 2011 due to the completion of the Major Inter Urban Routes. He advised the meeting that an additional grant of €727,000 has just been approved for N77 Hennebry's Cross. Due to the increased cost of road making products, there will be a slight reduction on the length of roads improved/maintained and that members would be advised as it affected their areas over the course of the year. He advised that details of the increases in materials is outlined in his report. The public lighting contract has recently been signed and will be effective from 1st April, 2012.

Contributions were received from Cllr's P. Cuddihy, M. Brett, M. Doran, J. Coonan, C. Long, T. Breathnach, T. Maher, P. Dunphy, T. Prendergast, F. Doherty, M. Noonan, E. Aylward, S. Treacy and J. Brennan.

The issues raised were as follows:-

- Why the increase in the cost of road materials?
- Tendering process for materials and signage.
- Welcomed the additional allocation for Hennebry's Cross.
- School safety audit review.
- Footpaths in urban areas.
- Clarity on what work will be carried out on N76 Callan Road re-alignment and Kells Road re-alignment.
- Dangerous junction at Coolbawn.
- Suspension of Local Improvement Schemes Grant in 2011.
- Re-allocation of funds from electoral areas to Ballyragget area to reduce the waiting list for Community Involvement Schemes.
- Tower Road, Piltown.
- Prioritisation of Northern Ring Road Extension.
- Importance of maintenance on tourist routes.

Mr. Mulholland answered all queries raised and recommended that the members approve the Roadworks Scheme 2012 as circulated. It was proposed by Cllr. M. Brett, Seconded by Cllr. J.

Coonan and agreed that “the Roadworks Scheme 2012 be hereby approved.”

It was proposed by Cllr. T. Maher, Seconded by Cllr. M. Shortall and agreed that Kilkenny County Council write to the Minister for Transport, Tourism and Sport to re-introduce funding for the Local Improvement Schemes due to the benefits that the scheme can deliver in the rural areas.

(ii) Regional Motorway Maintenance Depot – Part 8 Report and Recommendation.

It was proposed by Cllr. M. Brett, Seconded by Cllr. B. Ireland and agreed that “We the members of Kilkenny County Council, hereby approve the Part 8 for the provision of the NRA Motorway Maintenance Depot and Regional Salt Barn at Leggettsrath, Co. Kilkenny.”

(iii) Extinguishment of public right of way at Simonsland, Freshford Road, Kilkenny.

It was proposed by Cllr. P. Millea, Seconded by Cllr. M. Brett and agreed that “We the members of Kilkenny County Council, hereby approve to extinguish the public right of way over 40m length approx. of existing County Road LT50121 in the townland of Simonsland, Co. Kilkenny.”

(iv) Declaration of a public road at Simonsland, Freshford Road, Kilkenny.

It was proposed by Cllr. P. Millea, Seconded by Cllr. M. Brett and agreed that “We the members of Kilkenny County Council approve to establish a public right of way over 240m length approx. of existing private road in the townland of Simonsland, Co. Kilkenny.”

(v) N24 Tower Road Overbridge – Part 8 Report and Recommendation.

Mr. Mulholland referred to the Part 8 Report circulated to members in relation to the proposed overbridge. He advised the members that full screening had been carried out in accordance with the Habitats Directive. 5 submissions have been received.

Queries were raised by Cllr’s T. Breathnach, C. Long, F. Doherty and P. Dunphy in relation to programme of works, property owners being affected, number of accidents on this road, traffic movements and turning off the road.

Mr. Mulholland answered all queries raised and advised that there is no provision for a right turn into the Ink Bottle Junction and provision is made for footpath on the bridge. It was proposed by Cllr. T. Breathnach, Seconded by Cllr. C. Long and agreed that “We the members of Kilkenny County Council hereby approve the Part 8 for the completion of the N24 Junction Improvement Scheme at Piltown, Co. Kilkenny.”

- (vi) Approval to take the Fair Green Estate, Fiddown, Co. Kilkenny estate in charge and recommendation that the roads be declared public roads and entered into the roads schedule of Kilkenny County Council.

It was proposed by Cllr. P. Dunphy, Seconded by Cllr. C. Long and agreed "That the County Council of the County of 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 and Development Act 2000 hereby declare the Fair Green Estate, Fiddown, Co. Kilkenny as listed in the public notice to be Public Roads."

- (vii) Approval to take road constructed at Kellymount, Paulstown, Co. Kilkenny in charge, recommendation that road be declared public road and entered into the roads schedule of Kilkenny County Council.

It was proposed by Cllr. J. Galway, Seconded by Cllr. S. Treacy and agreed "That the County Council of the County of 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 and Development Act 2000 hereby declare the Road constructed at Kellymount, Paulstown, Co. Kilkenny as listed in the public notice to be a Public Road."

(e) Finance - Airgeadais

- (i) Draft 2011 Annual Financial Statement

Mr. J. Dempsey advised members that the Draft Annual Financial Statement has been circulated for members information. It is now ready to go to the Local Government Auditor. He advised that there had been a revenue deficit at the end of the year 2011 due to the inclusion of lump sums due to staff who have retired earlier than expected. The deficit will be reduced over the next few years. He advised that any changes in the Budget 2012 will be notified to the members throughout the year.

- (ii) Update on Household Charge

Mr. Crockett circulated an update on the Household Charge to members. The update outlined details of the charge, waivers/exemptions, payment options, penalties and interest for late payment. He advised of the extended opening hours for the public at County Hall from 26th March to 31st March to facilitate payment of the charge.

Contributions were received from Cllr's M. Doran, F. Doherty, J. Galway, A. McGuinness, A.M Irish, P. Crowley, M. Noonan, C. Long, T. Breathnach, S. Treacy, J. Coonan, B. Ireland and P. Cuddihy.

Members welcomed the extended opening hours of Kilkenny County Council to facilitate payment, and requested the Government to extend the deadline of 31st March, 2012.

The issues raised were as follows:-

- Options for elderly people who cannot travel to the city.
- Can part payment be accepted and other options of payment, e.g Post Office.
- Clarify the penalties that are applicable.
- Possible increase in charge from 2013.
- Mis-information in the public domain.
- Clarity on what local services will be provided.
- Information leaflet has not been distributed to every household.

Mr. Crockett and Mr. Dempsey answered all questions and the queries raised by members. It was proposed by Cllr. S. Treacy, Seconded by Cllr. J. Coonan and agreed that Kilkenny County Council write to the Minister requesting an extension of the deadline to enable people to pay the charge.

Those in Favour: Cllr's M. Shortall, A. McGuinness, J. Coonan, M. Noonan, T. Prendergast, S. Treacy, E. Aylward, C. Long and M. Doran. (9)

Those Against: Cllr's J. Brennan, M. Brett, P. Cuddihy, B. Ireland, T. Maher, P. Crowley, J. Galway, F. Doherty and P. Dunphy. (9)

Abstained: Cllr. A. M Irish

The Cathaoirleach Cllr. P. Cuddihy has the casting vote and voted against the proposal. The proposal to write to the Minister was defeated.

(iii) Approval for Excess Expenditure for year ended 31st December, 2011

Mr. Dempsey advised members that the excess expenditure in 2011 was offset by the receipt of grants which had not been included in the Budget approved for 2011.

It was proposed by Cllr. T. Maher, Seconded by Cllr. P. Cuddihy and agreed "That Kilkenny County Council hereby approves of Excess Expenditure for year ending 31st December, 2011 as follows in accordance with S104(2) Local Government Act 2001:

	Housing & Building	€
A01	Maintenance & Improvement of LA Housing	1,208,463
A06	Support to Housing Capital Programme	273,475
A07	RAS Programme	337,425
A08	Housing Loans	595,556
A09	Housing Grants	781,783

A11	Agency & Recoupable Services	<u>146,228</u>
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	Subtotal	3,342,930
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Road Transportation & Safety

B02	NS Road – Maintenance & Improvement	48,498
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B03	Regional Road – Maintenance & Improvement	1,558,689
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B04	Local Road – Maintenance & Improvement	1,321,859
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B05	Public Lighting	234,574
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B06	Traffic Management Improvement	871
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B07	Road Safety Engineering Improvement	2,068
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B09	Car Parking	98
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B10	Support to Roads Capital Programme	37,041
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B11	Agency & Recoupable Services	<u>949,667</u>
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	Subtotal	4,153,365
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Water Services

C01	Water Supply	127,729
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C02	Waste Water Treatment	267,589
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C03	Collection of Water and Waste Water Charges	886,428
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C04	Public Conveniences	30,275
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C06	Support to Water Capital Programme	33,856
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C07	Agency & Recoupable Services	<u>25,499</u>
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	Subtotal	1,371,376
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Development Management

D01	Forward Planning	32,727
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D02	Development Management	114,815
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D03	Enforcement	13,502
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D05	Tourism Development and Promotion	52,491
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D07	Unfinished Housing Estates	1,022
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D08	Building Control	75
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D09	Economic Development and Promotion	<u>9,000</u>
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	Subtotal	223,632
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Environmental Services

E01	Landfill Operation and Aftercare	31,811
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E02	Recovery & Recycling Facilities Operations	81,766
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E03	Waste to Energy Facilities Operations	33
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E05	Litter Management	5,996
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E06	Street Cleaning	19,138
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E10	Safety of Structures and Places	23,342
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E11	Operation of Fire Service	89,521
E12	Fire Prevention	20,329
E14	Agency and Recoupable Services	<u>7,752</u>
	Subtotal	279,688

Recreation and Amenity

F01	Leisure Facilities Operations	71
F02	Operation of Library and Archival Service	90,633
F05	Operation of Arts Programme	24,432
F06	Agency & Recoupable Services	<u>8,429</u>
	Subtotal	123,565

Agriculture, Education, Health & Welfare

G04	Veterinary Service	28,127
G05	Educational Support Services	1,343,506
G06	Agency & Recoupable Services	<u>164</u>
	Subtotal	1,371,797

Miscellaneous Services

H01	Profit & Loss Machinery Account	133,095
H04	Franchise Costs	7,593
H05	Operation of Morgue and Coroner Expenses	2,101
H06	Weighbridges	<u>167</u>
	Subtotal	142,956

TOTAL **11,009,309**

(iv) Procurement Update

Mr. J. Dempsey circulated a handout for the members. He outlined the background to our current procurement plan, progress to date, and future development for public procurement of goods and services. Significant value for money can be achieved. Annualised cost savings of €1.6m have achieved between 2010 and 2011. Kilkenny County Council welcomes discussion with all interested parties and briefing have been held with Chamber of Commerce and Kilkenny Business Club.

Queries were raised by Cllr's M. Doran, M. Noonan, and P. Crowley in relation to local companies accessing contracts for

goods/services with Kilkenny Local Authorities and purchasing goods from outside the state.

Mr. Dempsey responded that the procurement of goods/services is an open competition and cannot favour one over the other. Suppliers must be registered on E-Tenders and they will be automatically notified of any new request for tenders.

(f) Planning - Pleanáil

(i) Managers Report on Submissions to Proposed Amendments 1 to the Callan, Castlecomer and Graiguenamanagh Local Area Plans and Proposed Amendment 2 to the Thomastown Local Area Plan.

Cllr. P. Cuddihy advised members that he had been requested by some members to defer a discussion on the proposed amendment 2 to the Thomastown Local Area Plan as all members were unable to be in attendance at the meeting today. It was proposed by Cllr. M. Brett, Seconded by Cllr. B. Ireland and agreed to defer this item to the April meeting.

The Manager's Report on submissions to the proposed amendments 1 to the Callan, Castlecomer and Graiguenamanagh Local Area Plans had been circulated to members. It was proposed by Cllr. T. Maher, Seconded by Cllr. B. Ireland and agreed that "We the members of Kilkenny County Council, having considered the proposal to make Amendment 1 to the Callan Local Area Plan 2009 under Section 20 of the Planning & Development Acts 2000-2010, and having considered the County Manager's Report as circulated on the 6th March 2012, prepared in accordance with Section 20 (3)(c)(ii) of the above acts, do hereby consider that the Callan Local Area Plan should be amended in accordance with the procedures under Section 20(3) of the Planning & Development Act 2000-2010 and with our decision made at a meeting of Kilkenny County Council held on the 20th March 2012". (The Amendment being the proposal published as the "Proposed Amendment and modified by any resolution dated 20th March 2012).

It was proposed by Cllr. J. Brennan, Seconded by Cllr. M. Shortall and agreed that "We the members of Kilkenny County Council, having considered the proposal to make Amendment 1 to the Castlecomer Local Area Plan 2009 under Section 20 of the Planning & Development Acts 2000-2010, and having considered the County Manager's Report as circulated on the 6th March 2012, , prepared in accordance with Section 20 (3) of the above acts, do

hereby consider that the Castlecomer Local Area Plan should be amended and altered in accordance with the procedures under Section 20(3) of the Planning & Development Act 2000 as amended and with our decision made at a meeting of Kilkenny County Council held on the 20th March 2012”.

It was proposed by Cllr. T. Prendergast, Seconded by Cllr. S. Treacy and agreed “We the members of Kilkenny County Council, having considered the proposal to make Amendment 1 to the Graiguenamanagh Local Area Plan 2009 under Section 20 of the Planning & Development Acts 2000-2010, and having considered the County Manager’s Report as circulated on the 6th March 2012, prepared in accordance with Section 20 (3)(c)(ii) of the above acts, do hereby consider that the Graiguenamanagh Local Area Plan should be amended in accordance with the procedures under Section 20(3) of the Planning & Development Act 2000-2010 and with our decision made at a meeting of Kilkenny County Council held on the 20th March 2012”. (The Amendment being the proposal published as the “Proposed Amendment and modified by any resolution dated 20th March 2012).

(g) Community and Enterprise - Fiontar agus Pobail

- (i) Adoption of the Community and Cultural Facilities Grants Scheme 2012 – 2014.

Mr. John McCormack outlined the aims of the Community and Cultural Facilities Capital Scheme for 2012 – 2014. Details of what projects are eligible, matching funding and amounts of maximum grants were outlined. The draft scheme had been circulated with the agenda. The closing date for receipt of applications is 11th May, 2012 and a report will be presented at the June meeting for Council approval.

Queries were raised by Cllr’s J. Galway, M. Shortall, A.M Irish and T. Breathnach in relation to existing applications, provision of playgrounds, terms of lease and how will applications be assessed. Mr. McCormack responded to all issues raised. It was proposed by Cllr. M. Brett, Seconded by Cllr. T. Prendergast and agreed that “We the members of Kilkenny County Council, hereby approve the adoption of the Community and Cultural Facilities Grants Scheme 2012 – 2014.”

(h) Environment – Timpeallacht

- (i) Adoption of the Litter Management Plan 2012 – 2014

The Draft Litter Management Plan 2012 – 2014 has been circulated. The Plan has been prepared in accordance with Section 10 of the Litter Pollution Act 1997-2009 under the guidance of the Environment SPC (3) and has been advertised for public comment in late 2011. It was proposed by Cllr. J. Galway, Seconded by Cllr. A. M Irish and agreed “We the members of Kilkenny County Council, hereby adopt the Litter Management Plan 2012 – 2014.”

(ii) Update on litter activities and upcoming anti-litter activities for 2012

Ms. Bernadette Moloney, Environmental Awareness Officer gave a powerpoint presentation on litter activities and upcoming anti-litter activities for 2012. She outlined the number of fines issued, and prosecutions taken, details of awareness/education programme and cost of street cleaning and litter bins. There is €14.95 per person spent each year by Kilkenny Local Authorities on street cleaning and litter bins.

Challenges for 2012 are increases in illegal dumping, reducing financial resources, increasing difficulty in identification of offenders and slow rate of behaviour change.

Contributions were received from Cllr’s J. Galway, E. Aylward, T. Maher, C. Long and F. Doherty.

Issues raised related to:-

- Name and Shame Policy
- Illegal dumping on roads – security cameras
- Use of barcodes to trace back to shops and purchasers
- Use of Social Employment Schemes

Mr. P. O’Neill and Ms. B. Moloney replied to issues raised and advised that the Department are looking at legislation in relation to Data Protection. Members thanked the Council staff for all their work in this area.

3. **Urgent Correspondence - Comhfhreagras Práinneach**

None.

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) Joint Meeting of Kilkenny County Council and Kilkenny Borough Council is scheduled to take place on the 10th April 2012 at 3.30pm in the Council Chamber re: City Library

(ii) Schedule of meetings from March – May 2012

This was proposed by Cllr. T. Maher, Seconded by Cllr. S. Treacy and agreed.

It was proposed by Cllr. P. Dunphy, Seconded by Cllr. T. Breathnach and agreed to suspend Standing Orders to deal with Items 6, 7, 8, 9 and 10.

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

(a) Report and recommendation of Strategic Policy Committee (1) – Forward Planning and Development Strategic Policy Committee Meeting held on the 22nd September, 2011. Proposed by Cllr. M Shortall, Seconded by Cllr. S. Treacy and agreed.

(b) Report and recommendation of Kilkenny Electoral Area Committee Meeting held on the 14th November, 2011. Proposed by Cllr. J. Coonan, Seconded by Cllr. M. Brett and agreed.

(c) Report and recommendation of Callan Electoral Area Committee Meeting held on the 14th December, 2011. Proposed by Cllr. B. Ireland, Seconded by Cllr. M. Doran and agreed.

(d) Report and recommendation of Ballyragget Electoral Area Committee Meeting held on the 19th December, 2011. Proposed by Cllr. J. Brennan, Seconded by Cllr. M. Shortall and agreed.

(e) Report and recommendation of Piltown Electoral Area Committee Meeting held on the 12th January, 2012. Proposed by Cllr. P. Dunphy, Seconded by Cllr. C. Long and agreed.

(f) Report and recommendation of Kilkenny Electoral Area Special Meeting held on 30th January, 2012. Proposed by Cllr. J. Coonan, Secodned by Cllr. M. Brett and agreed.

(g) Report and recommendation of Strategic Policy Committee (3) – Environmental Policy, Fire Services and Emergency Planning held on Monday 6th February, 2012. Proposed by Cllr. M. Brett, Seconded by Cllr. T. Maher and agreed.

(h) Report and recommendation of Thomastown Electoral Area Committee Meeting held on the 13th February, 2012. Proposed by Cllr. S. Treacy, Seconded by Cllr. T. Prendergast and agreed.

(i) Report and recommendation of Strategic Policy Committee 2 – Infrastructure, Transportation, Water Services & Other Policy Issues held on the 17th February, 2012. Proposed by Cllr. M. Doran, Seconded by Cllr. M. Shortall 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.

It was proposed by Cllr. J. Coonan, Seconded by Cllr. M. Brett and agreed.

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

Cllr. P. Cuddihy requested an amendment to the minutes of monthly meeting of 20th February, 2012 to include approval to the appointment of Mr. Joe Allen as an external member on the Audit Committee. Members agreed to the amendment.

10. Any Other Business - Aon Ghnó Eile

Cllr. P. Dunphy requested that Kilkenny County Council call in bonds for unfinished developments instead of going through enforcement proceedings.

Mr. J. McCormack advised that the Council must strictly adhere to the provisions of the Planning legislation and the terms of Bonds held by Kilkenny County Council.

11. Notices of Motion - Fógraí Rúin:

Deferred to April Meeting

1(12) – Cllr. Tomas Breathnach

“That Kilkenny County Council includes insurance as an eligible expense the purpose of determining the amount paid to community groups under its grant scheme including Amenity, Conservation, and Graveyard.”

2(12) – Cllr Pat Dunphy

“That Kilkenny County Council asks the Minister for Transport, Tourism and Sport to complete the Mooncoin By Pass scheme as a priority due to

safety implications for residents trying to exit and access their premises on the Carrick Road out of Mooncoin.”

3(12) - Cllr Pat Dunphy

“That Kilkenny County Council reduce the speed limit on the Carrick Road out of Mooncoin from 80kph to 60kph as residents along this stretch of road cannot exit or access their premises without the risk of an accident due to many bends on this narrow stretch of road, where sightlines are very, very short, approx. 30 metres in some cases.”

4(12) - Cllr. Pat Dunphy

“That Kilkenny County Council take immediate remedial measures in Beline Vale in Piltown to;

- (1) Make the estate safe by filling the open holes and trenches, securing the fencing, levelling the manholes and fixing up the entrance
- (2) Requesting the bond immediately to finish off the estate,
- (3) To review the category the estate is placed in and
- (4) To solve the sewerage problem as a matter of urgency as it may be injurious to public health.”

5 (11) - Cllr. Malcolm Noonan

“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”.

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:

Deferred to April Meeting

1(12) - Clare County Council

“That this Council call on the Minister for the Environment and Social Welfare for the option to transfer people on unemployment assistance to Local Authorities to enable them to work a 3 day week for their benefits plus possible incentives.”

2(12) - South Dublin County Council

“That this Council, in the wake of recent commentary regarding the relationship between local elected representatives and our new communities, expresses its revulsion at any racist remarks or actions; that this Council recommits itself to the inclusive representation of all residents within this local authority; and that a copy of this motion be circulated to all local residents in Ireland.”

3(12) – Monaghan Town Council

- (a) “That this Council deplores the withdrawal by this Government of the 6 week winter fuel allowance for those who most need it.”
- (b) “That this Council condemns the proposed cuts in funding for CE scheme participants.”
- (c) “That this Council, in the interests of members of the public who are finding it difficult to make ends meet at this time, would support and promote a move to accept payments by direct debit spread over 12 months for motor tax with no additional cost to the fixed annual fee.”

4(12) – Limerick County Council

“That, Limerick County Council calls on the Minister for Foreign Affairs and the Government to restore the Irish Ambassador to the Holy See. Ireland has had an 80 year old diplomatic association with the Vatican.”

5 (12) – Fingal County Council

“That this Council supports the Taoiseach’s call for clarity in relation to pensioner tax liability and calls on the Revenue Commissioners to be more considerate and respectful in communications with the public in future.”

6 (12) – Clare County Council

“That this Council commence the process to amend or vary the current Clare County Development Plan in the interests of proper planning and sustainable development, that all intrusive Fracking/shale gas extraction related activity be halted pending introduction regulatory National and European oversight that does not contravene existing European directives.”

7 (12) – Clare County Council

“Based on the vast available evidence and the well documented international concerns on the detrimental effects of fracking on:-

- (i) The environment
- (ii) Its potential impacts on local communities
- (iii) The damage to all farming and tourism industries which are the backbone of the economy in County Clare with particular reference to the strong probability in the West Clare Area, of contamination to the ground water supply, due to the nature of the local geology. The Council calls on the Minister for Communications, Energy and Natural Resources to ban fracking.”

8 (12) – Monaghan Town Council

“That this Council calls on the FG/Labour Government to reverse immediately the cuts in the Home Insulation Grants in the interests of homeowners and the retention of jobs in the construction industry.”

9 (12) – Clare County Council

“This Council calls on the Government to rescind the jobs embargo in the public sector on front line staff as it is having a serious effect on the delivery of services to the general public at large.”

10 (12) – Wicklow County Council

“The Housing SPC requests that the Members of Wicklow County Council write to the Minister for Environment, Community and Local Government seeking the provision of 100% funding to local authorities under the Housing Adaptation Grant Scheme. This is because local authorities are finding it increasingly difficult to provide matching funding from their own resources due to a serious reduction in income from ICRS (Internal Capital Receipts). Also should this resolution be passed by the Members of Wicklow County Council that it be circulated to all other local authorities seeking their support for this motion.”

11 (12) – Limerick County Council

“That, Limerick County Council requests the Minister for the Environment, Community and Local Government to have all local authorities bring their sewerage treatment plants up to standards that comply with the Water Quality Directive in advance of enforcing the proposed septic tank legislation on rural householders in our County, and that this motion be circulated to our sister authorities nationwide for their support.”

12 (12) – South Tipperary County Council

“We call on the Minister for Education not to downgrade Ballyneale, Burncourt, Clogheen and Newtown Upper National Schools.”

13(12) - Kerry County Council

“That we the members of Kerry County Council call on the Minister for Social Protection not to make any cuts on Community Employment Schemes in County Kerry and to reverse cuts already made.”

The meeting concluded at 6.20pm.

Signed: _____
Cathaoirleach

Date: _____