

MINUTES OF ORDINARY COUNCIL MEETING HELD ON MONDAY, 17TH JUNE, 2019 AT 3.00 P.M.

Chair: Peter Cleere.

Cllrs: Eamon Aylward, John Brennan, Martin Brett, Tomás Breathnach, Deirdre Cullen, John Coonan, Mary Hilda Cavanagh, Fidelis Doherty, Michael Delaney, Michael Doyle, Pat Dunphy, David Fitzgerald, Ger Frisby, Pat Fitzpatrick, Denis Hynes, Joe Lyons, Andrew McGuinness, Eugene McGuinness, Joe Malone, Michael McCarthy, Malcolm Noonan & Patrick O'Neill

Officials: Colette Byrne, Tim Butler, Martin Prendiville, Mary J. Mulholland, Sean McKeown, Tony Lauhoff, Brian Tyrrell, Michael Delahunty, Denis Malone, Fiona Deegan, Bríd Hynes & Anne Maria Walsh.

1. Confirmation of Minutes

(a) **Minutes of Ordinary Meeting of Kilkenny County Council held on Monday 20th May, 2019**

Proposed by Cllr. Pat Fitzpatrick, seconded by Cllr. Ger Frisby and agreed:

"That the Ordinary Meeting of Kilkenny County Council held on Monday, 20th May, 2019 as circulated with the Agenda be and are hereby approved".

(b) **Minutes of Annual Meeting of Kilkenny County Council held on Friday, 7th June, 2019**

Proposed by Cllr. Andrew McGuinness, seconded by Cllr. Mary Hilda Cavanagh and agreed:

"That the Annual Meeting of Kilkenny County Council held on Friday, 7th June, 2019 as circulated with the Agenda be and are hereby approved".

(c) **Minutes of SPC 5: Environmental Protection, Water Services & Energy held on Friday, 14th December, 2018**

Proposed by Cllr. Tomás Breathnach, seconded by Cllr. Pat Dunphy and agreed:

"That the SPC 5: Environmental Protection, Water Services & Energy held on Friday, 14th December, 2018 as circulated with the Agenda be and are hereby approved".

(d) **Minutes of SPC 5: Environmental Protection, Water Services & Energy held on Wednesday, 6th February, 2019**

Proposed by Cllr. Tomás Breathnach, seconded by Cllr. Pat Dunphy and agreed:

"That the SPC 5: Environmental Protection, Water Services & Energy held on Wednesday, 6th February, 2019 as circulated with the Agenda be and are hereby approved".

The Cathaoirleach congratulated all involved in keeping Kilkenny City Litter free and topping the Irish Business Against Litter [IBAL] Poll.

The Cathaoirleach wished the following well:

- all Tidy Towns Groups in the forthcoming adjudication.
- all the Hurling & Camogie Teams in their championships.

The Cathaoirleach extended votes of sympathy to:

- David Hamilton, IT Department on the death of his mother Breda.
- Thomas O'Keeffe, Dunmore Recycling Centre on the death of his father Patrick.
- Family of the late James Egan, Ballyragget [*Pensioner*]

- Family of the late Podge Butler, Ardmore.
- Family of the late Billy Irish, Mooncoin.
- Family of the late Mary Egan, Piltown.
- Family of the late Dick Gaule, Tullogher.
- Family of the late Joe Aylward, Mooncoin.
- Family of the late Fr. Jim Walsh, Piltown.
- Family of the late Catherine Brophy, Fiddown
- Family of the late Nellie Duggan, Hugginstown.
- Family of the late Sean Croke, Carrigeen.
- Family of the late Brendan Cleary, Carrick-on-Suir.
- Family of the late Lily O’Keeffe, Mooncoin.
- Family of the late Alice Norris, Piltown.
- Family of the late Johnny Phelan, Kilmacow

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

- (i) It was proposed by Cllr. Michael Delaney seconded by Cllr. Mary Hilda Cavanagh and agreed:

“That, in accordance with Section 183 of the Local Government Act, 2001, Kilkenny County Council approves of the disposal of its interest in a site at Tullaroan Village, Co. Kilkenny, which measures approx. 0.31 ac., as identified on the attached map, to Mr. John McCarron, Kilfera Court, Bennettsbridge, Co. Kilkenny, for the sum of €76,500 (Seventy-six thousand five hundred euro) with each party being responsible for their own legal costs associated with the sale.”

[Notice sent to members on the 5th June, 2019]

(b) **Planning**

- (i) **Part 8: Tholsel, High Street, Kilkenny**

Mr. Tim Butler presented the Chief Executive’s Report on Part 8 for the Tholsel, Kilkenny. He advised Members that City Hall does not comply with Building Regulations or Disability Access. The local authority is required to be compliant for public access by 2022. The civic building is an important landmark in Kilkenny City.

Mr. Tony Lauhoff gave a PowerPoint presentation. He gave an overview on the following:

- Historical background
- Background to the proposed project.
- Proposed Plans for each floor and glazed Reception Area.
- Removal of ceremonial stairs.
- Restoring the windows to the Mayors Parlour.
- Access to the Clock Tower.

Mr. Brian Tyrrell gave an overview on the following:

- Strategy for building Irish Tourism.
- Tourism Strategy for Kilkenny.
- Visitors Experience, Storytelling, History of Mayors, access to Cupola.
- Tourist Exhibition Design for Basement and Ground Floor of City Hall.

Mr. Tyrrell emphasised the importance of City Hall from a historical and heritage point of view.

Contributions were received from Cllrs. P. Cleere, A. McGuinness, P. O'Neill, J. Malone, E. McGuinness, M. Noonan, T. Breathnach, J. Coonan, P. Fitzpatrick, M. Brett, E. Aylward, MH Cavanagh, D. Fitzgerald & F. Doherty.

Number of Members welcomed the proposed works despite reservations on a number of changes. The Members acknowledged the need to improve the City Hall and make it accessible to the public. Concerns were voiced by some Councillors in relation to removal of ceremonial staircase.

Issues raised by Members were as follows:

- Need to upgrade facilities in City Hall for Civic Functions.
- Need for lift for accessibility for all.
- Removal of ceremonial staircase – number called for it to be retained.
- Glazed Reception Area – improved Reception Area at Ground Floor.
- Artefacts to be returned on completion of works, recognise the history of the building.
- Tourism attraction – Clock Tower.
- More staff needs to be relocated to City Hall.
- Building not being used to its full potential.
- Banners on the building.
- Cost of works and timeframe.
- Further opportunities for Tourism.

Mr. Tim Butler and Mr. Tony Lauhoff responded to the issues raised by the Members. Mr. Butler advised that the approximate cost is €3.8m. Application for funding of €2.5m has been made to Failte Ireland. A local Design Team were engaged to prepare the details of the project and Colin O'Driscoll was the Archaeologist engaged. Mr. Lauhoff advised that if Part 8 is approved it will take approx. 18 to 24 months to do detailed design, go to tender and complete works.

Mr. Lauhoff advised that a lift must be provided to all floors, retention of ceremonial stairs and provision of lift will diminish the amount of available office space for the civic function.

It was proposed by Cllr. Peter Cleere, seconded by Cllr. Andrew McGuinness and agreed that:

"We the Members of Kilkenny County Council approves the proposed 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 renovation and restructuring of the Tholsel Building, High Street, Kilkenny, as circulated."

Cllr. Cleere advised that a vote on Part 8 will be taken by a show of hands.

For: [20]: Eamon Aylward, John Brennan, Martin Brett, Tomás Breathnach, Peter Cleere, Deirdre Cullen, John Coonan, Mary Hilda Cavanagh, Fidelis Doherty, Michael Delaney, Michael Doyle, Pat Dunphy, David Fitzgerald, Pat Fitzpatrick, Denis Hynes, Joe Lyons, Andrew McGuinness, Joe Malone, Michael McCarthy & Patrick O'Neill

Against [2]: Eugene McGuinness & Malcolm Noonan

- (ii) **Proposed Housing Part 8: Parcnagown and Golf Links Road, Kilkenny.**
Ms. Mulholland gave a PowerPoint presentation on the following proposed Social Housing Schemes:

- Golf Links Road [6 houses]
- Smithsland South [6 houses]
- Graiguenamanagh [2 Apartments]

In the presentation an overview was given on the social housing demand, layout of the site and plans for the units to be constructed. She advised that public information meetings will be held on Tuesday, 18th and Wednesday, 19th June for the two proposed developments in Kilkenny City. The Council will consider any brownfield site for development and will encourage families to downsize if smaller units are constructed.

Contributions were received from Cllrs. Peter Cleere, Andrew McGuinness and Joe Malone in relation to the following:

- Provision of small family units.
- Traffic issues in Parcnagowan and Outrath Road.
- Provision of units for elderly and persons with mobility issues.

- (c) (i) **Extension of Section 85 Agreement with Carlow County Council**

Mr. Sean McKeown presented his report on the Council's contract with Food Safety Authority of Ireland [FSAI]. He advised that the FSAI fund the services in all local authorities under a nationally agreed contract. This contract is due to expire in June 2019 and FSAI have commenced negotiations with local authorities on a new service contract. Pending the outcome of the negotiations it has been agreed to extend the existing contract to end of March 2020. Mr McKeown also advised that Kilkenny County Council carry out the functions for Carlow County Council, and a Section 85 Agreement is in place but expires in June 2019. Mr McKeown recommended that the Section 85 Agreement with Carlow County Council be extended to end March 2020.

It was proposed by Cllr. Tomás Breathnach, seconded by Cllr. Martin Brett and agreed that:

"That Kilkenny County Council enters an agreement under Section 85 of the Local Government Act, 2001 with Carlow County Council to carry out statutory Food Safety Functions required under the First Schedule of the Food Safety Authority of Ireland Act 1998 and the European Communities (Food Hygiene) Regulations 2009 on behalf of Kilkenny County Council."

- (d) (i) **Affordable Housing Scheme**

Ms. Mary Mulholland presented the draft Affordable Housing Scheme of priorities. She advised that Kilkenny County Council is obliged to have a Scheme of Priorities in place by 18th June, 2019. The Draft Scheme has been discussed at the SPC and they have recommended approval to the Plenary Council.

The template for the Scheme has been introduced on a national basis. There is discretion for each local authority to have regard to priority based on distance, an applicant is living or working from or attending school/college. Kilkenny County Council is proposing that the distance will be 50km in each case.

She recommended that the Scheme be adopted by the Members. The scheme can be reviewed later and considered by the SPC again.

Contributions were received from Cllr. Patrick O'Neill in relation to demand for Affordable Housing for young families.

It was proposed by Cllr. Patrick O'Neill, seconded by Cllr. Tomás Breathnach and agreed that:

"that in accordance with the provisions of Section 85 of the Housing (Miscellaneous Provisions) Act 2009 and the Housing (Miscellaneous Provisions) Act 2009 (Part 5) Regulations 2019, Kilkenny County Council hereby approves the scheme of priorities for Affordable Dwelling Purchase Arrangements, as circulated on the 11th June, 2019.

(e) (i) **Grant Schemes**

Mr. Tim Butler advised the meeting that a PowerPoint Presentation will be made for the information of the Members and particularly the new Members on a number of National Grant Schemes available to local authorities for various types of works to improve communities.

Mr. Brian Tyrrell gave an overview on the Outdoor Recreation Infrastructure Scheme. He presented details on the projects funded in 2018. Over €700k was received in 2018 under the various measures of the Scheme. He advised that applications for 2019 must be "Shovel Ready". A number of applications are being submitted for funding in 2019 and details of the projects were presented.

Mr. Michael Delahunty gave an overview on the following Schemes:

- CLAR
- Town & Village Renewal.
- Rural Regeneration.

He advised Members of the Schemes and areas that they relate to and the types of works/projects that can be funded. He gave an overview of the funding approved for the various projects in 2017 & 2018 and presented photographs of before and after works.

Applications under the various schemes are being prepared for 2019 and details were given of the proposed projects.

Cllr. Cleere thanked Mr. Tyrrell and Mr. Delahunty for their detailed presentation and complimented all the staff on their work with the communities in delivering these projects.

Contributions were received from Cllrs. P. O'Neill, J. Brennan, F. Doherty, T. Breathnach, P. Dunphy and MH Cavanagh in relation to:

- Town Health Checks.
- Village Renewal Schemes for other smaller villages.
- Funding for various phases of work.
- CLAR areas – criteria need to be reviewed.
- Public Realm Works – funding available.

Mr. Delahunty and Mr. Butler responded to the issues raised by the Members. Members were thanked for their attendance at various community meetings and their assistance to the communities. More resources are required to carry out Health Checks for all towns and villages. The focus at the moment is on the larger settlements.

It was agreed to circulate this presentation to all Members.

3. **Correspondence**
Two letters circulated to Members for their information.
4. **Business Adjourned From a Previous Meeting**
None.
5. (i) **Schedule of Meetings from April 2019 to July, 2019**
It was proposed by Cllr. John Brennan seconded by Cllr. Andrew McGuinness and agreed to circulate Schedule of Meetings.

(ii) **Agree Date for Workshop**
It was proposed by Cllr. Martin Brett, seconded by Cllr. Pat Fitzpatrick and agreed to hold a Workshop for Members on Monday, 24th June, 2019.

2.30 p.m. *Induction Training*
Code of Conduct, GDPR & FOI, Members Allowances.

4.00 p.m. *Workshop*
Briefing on Strategic Issues.
Capital Programme & Financing.

(iii) **Agree date for Special Meeting**
It was proposed by Cllr. Pat Dunphy, seconded by Cllr. Tomás Breathnach and agreed that the Special Meeting in Committee to deal with Part 8 Planning Report for Piltown Improvement Works & Housing Projects, be held on Friday, 26th July, 2019 at 3.00 p.m.
6. **Consideration of Reports and Recommendations of Committees of the Council**
 - (i) **Report of SPC 5: Environmental Protection, Water Services & Energy held on Friday, 14th December, 2018**
It was proposed by Cllr. Tomás Breathnach seconded by Cllr. Pat Dunphy and agreed "that the Chairman's Report of SPC 5 Meeting of the 14th December, 2018 is hereby read and noted."
 - (ii) **Report SPC 5: Environmental Protection, Water Services & Energy held on Wednesday, 6th February, 2019**
It was proposed by Cllr. Tomás Breathnach seconded by Cllr. John Brennan and agreed "that the Chairman's Report of SPC 5 Meeting of the 6th February, 2019 is hereby read and noted."
7. **Other Business set forth in the Notice convening the Meeting-**
None.
8. **Conferences - Request for approval to Attend**
Schedule of Conferences circulated with the Agenda was proposed by Cllr. John Brennan, seconded by Cllr. Martin Brett and agreed.
9. **Matters Arising from Minutes**
Cllr. Andrew McGuinness advised that a Notice of Motion will be set down on the July Agenda to amend Standing Order to allow media and public access to SPC Meetings. Cllr. Mary Hilda Cavanagh spoke on this matter also.

10. **Any Other Business**

None.

11. **Notices of Motion**

23 (19) Cllrs. Malcolm Noonan, Tomás Breathnach & Denis Hynes

It was proposed by Cllr. Malcolm Noonan, seconded by Cllr. Tomás Breathnach and agreed:

“Acknowledging the findings of successive reports from the Inter-Governmental Panel on Climate Change (IPCC) and the World Wildlife Fund 2018 Living Planet Report (LPR) that Kilkenny County Council declare a climate and biodiversity emergency for County Kilkenny.

We note that the Council has prepared to draft stage a Climate Change Adaptation Strategy and encourage people to participate in the public consultation process so that it reflects to the maximum extent possible the views of people in County Kilkenny.

This strategy together with the Biodiversity Strategy [2018-2022] will form the basis on which we agree to work in an inclusive and collaborative manner with stakeholders and community groups and organisations to support local community based plans and initiatives to give effect to the actions required to address the climate and biodiversity challenge.

Cllr. Noonan spoke on the Notice of Motion and advised that it had been amended following discussions with the Director of Services. He spoke on the need to bring into effect actions to address the climate challenge.

He welcomed the plan announced by the government recently. He handed over a petition signed by citizens to the Cathaoirleach.

Cllr. John Brennan expressed his concerns regarding the wording of the motion. He stated that he did not consider it an emergency for Co. Kilkenny.

There is work required to bring about change. Cllr. Brennan requested that his concerns be noted.

12. **Notices of Motion from other local authorities seeking support of Kilkenny County Council**

It was proposed by Cllr. Tomás Breathnach seconded by Cllr. Malcolm Noonan and agreed that Notice of Motion 14 (19) be taken as read and noted.

That concluded the business of the meeting.

CATHAOIRLEACH

DATE