

KILKENNY COUNTY COUNCIL - COMHAIRLE CHONTAE CHILL CHAINNIGH
Agenda for the Ordinary Meeting of Kilkenny County Council to be held on
Monday 21st of November 2011 at 3.00 p.m. in Council Chamber, County Hall, John
Street, Kilkenny.

Clár do Ghnáth-Chruinniú Chomhairle Chontae Chill Chainnigh le reachtáil ar an
Luan 21st Mí na Samhain ar a 3.00 i.n. i Seomra na Comhairle, Halla an Chontae,
Sráid Eoin, Cill Chainnigh.

1. Confirmation of Minutes - Dearbhú Miontuairiscí:

- (a)** Minutes of Ordinary Meeting of Kilkenny County Council held on Monday 17th of October, 2011 (copy of minutes attached).
- (b)** Minutes of Piltown Electoral Area Committee Meeting held on the 30th September, 2011 (copy of minutes attached).
- (c)** Minutes of Callan Electoral Area Committee Meeting held on the 5th October, 2011 (copy of minutes attached).
- (d)** Minutes of Strategic Policy Committee (5) – (Arts, Culture, Heritage, Tourism and Education) held on the 6th October, 2011. (copy of minutes attached).

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)** “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 Ballykelly, Co. Tipperary to John and Mary O’Connor, Ballykelly, Co. Tipperary for a nil consideration, with each party being responsible for their own legal costs associated with the sale and in accordance with the terms specified in the notice. (Notification issued to members on the 18th October, 2011.)
- (ii)** “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 Blanchvillepark, Clifden, Co. Kilkenny to Mr. John Drea, Talbot’s Hill, Gowran, Co. Kilkenny, for a sum of €90,000, with each party being responsible for their own legal costs associated with sale and in accordance with the terms specified in the notice. (Notification issued to members on the 27th October, 2011.)
- (iii)** “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 Graiguepaudeen, Urlingford, Thurles, Co. Tipperary, to Mr. Timothy Campion, Graiguepaudeen, Urlingford, Co. Tipperary for a nil consideration, with each party being responsible for their own legal costs associated with the sale and in accordance with the terms specified in the notice. (Notification issued to members on the 27th October, 2011.)

(b) Housing Disposal – Díuscairt Tithíocht

- (i) “That Kilkenny County Council hereby approves of the disposal of its interest in No. 61 Glenbawn, Castlecomer Road, Kilkenny (Affordable Property) to Sarah J. Kennedy, 4 Kenealy Avenue, Castle Road, Kilkenny in accordance with the terms of the Housing Acts 1966 to 2002”. (Notification issued to members on the 8th November, 2011)

(c) Roads – Bóithre

- (i) Section 85 Agreement between Kilkenny and Wexford County Council, agreeing that Wexford County Council are to administer the procurement and appointment of supplier for GPS tracking devices to be installed on Kilkenny County Council’s Fleet. (Report attached).
- (ii) Taking in charge of Local Road at Kellymount, Paulstown, Co. Kilkenny. (Report attached).
- (iii) Notification of grant allocation for pavement improvement works. (Report attached).
- (iv) Notification of grant allocation for bus shelters. (Report attached).
- (v) Presentation on “Winter Ready” severe weather preparedness.

(d) Finance - Airgeadais

- (i) Audited Annual Financial Statement for year ending 31st December, 2010. (Report attached)

(e) Planning – Pleanáil

- (i) Manager’s Report on Submissions to Proposed Amendment 1 to Ferrybank/Belview Local Area Plan. (Report previously issued).
- (ii) Unfinished Estates (report attached).
- (iii) Quarries – Presentation by Nicholas Louw.

(f) Environment – Timpeallacht

- (i) Section 85 Agreement between Kilkenny, Waterford and South Tipperary County Councils to ensure continuity in the provision of official Food Control Services. (Report attached).

(g) Water Services – Seirbhísí Uisce

- (i) Releasing Water Quality Information Project – Kilkenny County Council - Winner of Chambers Ireland Excellence in Local Government Awards 2011 (Presentation by Michael Arthurs)

3. Urgent Correspondence - Comhfhreagras Práinneach

4. Business adjourned from a previous Meeting - Gnó ar athló ó chruinniú roimhe seo:

5. Fix Dates and Times of Meetings - Dátaí agus Amanta do chruinnithe a shocrú:

- (i) Schedule of meetings for November 2011 – January 2012 (to be circulated at meeting).
- (ii) Fix dates for Budget 2012 meetings.

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 Piltown Electoral Area Committee Meeting held on the 30th September, 2011 (report attached).
- (b) Report and recommendation of Callan Electoral Area Committee Meeting held on the 5th October, 2011 (report attached).
- (c) Report and recommendation of Strategic Policy Committee (5) - (Arts, Culture, Heritage, Tourism and Education) Meeting held on the 6th October, 2011 (report attached).

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

8. Education & Training – Oideachas agus Oiliúint

Conferences – Request for approval to attend as per circulated list. (attached).

Summary of proceedings at Conferences have been received from:

Councillor	Date of Conference	Title of Conference
T. Maher	8 th – 10 th September, 2011	AMAI Annual Conference
F. Doherty	9 th September, 2011	Developing Community Resilience and

		Understanding
Ml. O'Brien	9 th – 10 th September, 2011	Anthony Trollope Summer School
M. Doran	23 rd –25 th September, 2011	Effective Representation to your constituents.
T. Prendergast	23 rd –24 th September, 2011	LAMA Autumn – The role of tourism in economic recovery
C. Connery	28 th September, 2011	Ageing Well Network
J. Coonan	29 th September, 2011	TASC – Instruments of Recovery
F. Doherty	30 th September, 2011	National Enterprise Conference
C. Connery	3 rd October, 2011	Simon – Homelessness & Health – Making a Link
F. Doherty	7 th – 8 th October, 2011	Local Government and Planning Seminar
P. Dunphy	14 th – 16 th October, 2011	Local Authority Housing Affected by the Social Housing Assessment Regulations

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

10. Any Other Business - Aon Ghnó Eile

11. Notices of Motion - Fógraí Rúin:

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:

22(11) Clare County Council (Deferred from October meeting)

“That this Council call on the Minister for Sport and the Director General of the GAA to have an investigation carried out as to why there is a \$20 charge to be paid by patrons who want to watch GAA games live on TV in the various pubs throughout the U.S.A.”

23(11) Monaghan Town Council (Deferred from October meeting)

“Recognising that families in Monaghan are already struggling to make ends meet at present and further recognising that many local businesses have been devastated by the reduction of spending power of the people of the town through job losses, tax increases and austerity measures; Monaghan Town Council notes with concern the Governments proposals to introduce water charges and property taxes. That this Council recognises that such a move will deflate our local economy even further and prolong the current recession. We call on the Government to desist from introducing these additional taxes at this time.”

24(11) Monaghan Town Council (Deferred from October Meeting)

“That this Council seeks that the Government fast track the Criminal Justice Community Service Bill 2011 in order to further develop the community service provision as an alternative to offenders being a burden on the State and the taxpayer and in addition that recruitment of community service supervisors who will ensure that offenders have the opportunity to serve their full sentences in community service work quickly, appropriately and fully.”

25(11) Donegal County Council

“That Donegal County Council calls on this Government to immediately amend the Redundancy Payment Acts 1967-2007 so as to ensure that an employer is legally obliged to sign the RP50 upon dismissal and if he/she fails to do so that an increased penalty should be enforced and also recognise that the current waiting time for the employment appeal tribunal is excessive and call for the hearings to be expedited.”

26(11) Donegal County Council

“That this Council discuss the Family Home Bill on Families facing severe mortgage difficulties that was supported by all opposition parties and Independent Senators, and had the full backing of the Free Legal Aid Centre (FLAC) and the New Beginning Group, as there is widespread recognition from interest groups and politicians alike that this Bill would give strong legal protection to families facing the prospect of losing their homes because of mortgage difficulties.”

27(11) Clare County Council

“That this Council calls on the Minister for Agriculture to fight to protect the Single Farm Payment to Irish Farmers in the negotiations on CAP reform.”

28(11) Donegal County Council

“That Donegal County Council refrain from collecting any charge that may be imposed on owners of septic tanks that are working properly, as this is a discriminative form of collecting revenue.”

29(11) Donegal County Council

“That this Council recognises the need to upgrade many septic tank systems in Ireland in order to meet the 1975 and 1991 European Directives on waste water

but affirms that the Directives should not be used as a mechanism to raise revenue from struggling home owners in rural communities and calls for:

- The costs of works on septic tanks which need to be upgraded, to be grant aided from central government funds such as waste water capital programmes.
- A system, similar to that in the north of Ireland, where a desludging service is provided yearly, free of charge to homeowners financed by the Department of Environment.
- A programme to be put in place to protect our ground water and surface water, based on the information gathered in the recent River Basin Management Plans and that a hierarchy of threats to our ground water and surface water status be put in place, including threats posed by septic tanks.”

30(11) Donegal County Council

“That Donegal County Council address the issue of EU regulations of septic tanks in our County, also all Sewage Treatment Plants and Waste disposal.”

31(11) Monaghan County Council

“That in view of the failure of the Keane Report to adequately address the difficulties being experienced by distressed mortgage holders in a reasonable timeframe, that Monaghan County Council calls on the Government and the Minister for Finance to examine other solutions that would have a more immediate impact in helping resolve these distressed mortgage holders difficulties and furthermore to examine the solutions put forward by the New Beginnings Group.”