

MIONTUAIRISCÍ AR AN GCRUINNIÚ IOMLÁNACH DE CHUID  
CHOMHAIRLE CONTAE CHILL CHAINNIGH TIONÓLTA AR AN LUAN,  
15 Eanáir 2024 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, 15<sup>TH</sup> JANUARY, 2024 AT 3.00 P.M. IN THE COUNCIL  
CHAMBER, COUNTY HALL & VIA MS TEAMS

**Chair:** Cllr. Michael Doyle.

**Elected Members:** *Council Chamber*

Cllrs. Eamon Aylward, Martin Brett, Tomás Breathnach, John Coonan, Fidelis Doherty, Maria Dollard, Pat Dunphy, Pat Fitzpatrick, David Fitzgerald, Joe Malone, Michael McCarthy, Andrew McGuinness & Eugene McGuinness & Patrick O'Neill.

*MS Teams*

Cllrs. John Brennan, Mary Hilda Cavanagh, Peter Cleere, Deirdre Cullen, Michael Delaney, Matt Doran, Ger Frisby, Denis Hynes & Joe Lyons.

**Officials:** Lar Power, Tim Butler, Sean McKeown, Mary Mulholland, Martin Prendiville, Fiona Deegan, Michael Leahy, Eimear Cody, Bríd Hynes, Jacqueline Kendlin & Anne Maria Walsh.

## 1. *Dearbhú Miontuairiscí - Confirmation of Minutes*

(i) ***Miontuairiscí an Chruinnithe Iomlánaigh - Minutes of Plenary Meeting***

Proposed by Cllr. Andrew McGuinness, seconded by Cllr. Pat Fitzpatrick and agreed:

*"That Minutes of Minutes of Plenary Meeting of Kilkenny County Council held on Monday, 18<sup>th</sup> December, 2023 as circulated with the Agenda be and are hereby approved".*

(ii) ***Miontuairiscí SPC2 - Minutes of SPC2***

Proposed by Cllr. Matt Doran, seconded by Cllr. Pat Dunphy and agreed:

*"That Minutes of Minutes of SPC2: Transportation Policy/Mobility Management & Water Services held on Thursday 12<sup>th</sup> October, 2023 as circulated with the Agenda be and are hereby approved".*

## ***Fógraí - Announcements***

Cathaoirleach Cllr. Michael Doyle extended good wishes to all for the New Year.

He congratulated Tullogher/Rosbercon and Thomastown GAA on winning the All-Ireland Club Junior and Intermediate Hurling Championships.

He wished O'Loughlin GAA Club the best in the All-Ireland Senior Club Final.

He thanked all involved in Yulefest Kilkenny for the wonderful month of many events ending with fireworks.

A number of Members extended good wishes to the O'Loughlin Gaels, Senior Hurling Team on the All-Ireland Club Championship on Sunday, 21<sup>st</sup> January.

It was proposed by Cllr. Deirdre Cullen, seconded by Cllr. Joe Malone and agreed that all the teams be afforded a Civic Reception.

## Vótaí Comhbhrón - Votes of Sympathy

Cllr. Michael Doyle, Cathaoirleach extended vote of sympathy to the following:

- Michael Tougher, Water Services on the death of his mother Mary Tougher, Dublin.
- Phil Curran, Water Services on the death of her brother Jude Curran, Kilkenny.
- Family of the late Michael Foley, Ballyragget [*Pensioner*]
- Family of the late James Rellis, Thomastown [*Pensioner*]
- Family of the late Stella O'Reilly, Thomastown [*Pensioner*]
- Family of the late Jack Kinsella, Bennettsbridge.
- Family of the late Matty & Mona Talbot, Piltown.
- Family of the late Kathleen Kearns, Mooncoin.
- Family of the late John Grant, Mooncoin.
- Family of the late Peig Browner, Mooncoin.
- Family of the late Kathleen Miller, Piltown.
- Family of the late Noreen Power, Piltown.

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

- (i) It was proposed by Cllr. Andrew McGuinness, seconded by Cllr. Eugene McGuinness 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, in a plot of 0.115 Acres of land at Crokers Hill, Kennyswell Road, Kilkenny - as identified on the attached map - to Mr. Billy Fahy, 21 Greenfields, Freshford Road, Kilkenny, for the nominal sum of €10.00 with each party being responsible for their own legal costs associated with the transfer. The Consent of the Minister for Housing, Local Government and Heritage is not required."*

### (b) ***Pleanail - Planning***

- (i) ***Ag Glacadh i gCúram: Taking in Charge [Final]: Ogenty, Gowran***

It was proposed by Cllr. Denis Hynes, seconded by Cllr. Michael McCarthy 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: TIC154 - Final: Ogenty, Gowran, Co. Kilkenny.***

- (ii) ***Ag Glacadh i gCúram: Taking in Charge [Final] The Greens, Thomastown***

It was proposed by Cllr. Deirdre Cullen, seconded by Cllr. Andrew McGuinness 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: TIC59 - Final: The Greens, Thomastown, Co. Kilkenny***

***(i) Re-aligned Local Road and (ii) Estate.***

Cllr. David Fitzgerald asked for clarification on financial exposure for Kilkenny County Council in the development in Gowran. Cllr. Denis Hynes and Cllr. Maria Dollard spoke in relation to works required and if the Council was legally exposed to any outstanding issues in this development.

Mr. Sean McKeown advised that the Taking in Charge was advertised and submissions were received. The Report circulated to Members relate to the services that the Council is taking in charge. There are other issues raised by the former owners. Kilkenny County Council sought legal advice and he stated that the former owners have legal recourse available to them to challenge the issues. These issues do not relate to the taking in charge.

(c) ***Tithíocht- Housing***

(i) ***Soláthar Tithíochta Caipitil 2023/2024 - Capital Housing Delivery 2023/2024***  
Ms. Eimear Cody, Senior Engineer presented a PowerPoint Presentation on the following:

- Social Housing Targets for Kilkenny for years 2022-2026.
- Overview of approved applicants per area and unit sizes of accommodation required.
- Detailed schedule of the 2023 Delivery Programme - 182 units and photographs of completed schemes.
- Detailed schedule of the 2024 Delivery Programme - 177 units and photographs of the various stages of the projects.
- Detailed schedule of the proposed 2025 Delivery Programme - 173 units.
- Overview of Climate Change targets under the Capital Programme.
- Affordable Housing targets for 2023-2026 - Total of 125 units.
- Challenges for delivery of Affordable Houses outside of Kilkenny City.
- Dealing with Town Centre dereliction and development of the sites has an impact on the Programme.
- Move towards design and build projects.
- Turnkey and Part V delivery, land being purchased.
- Challenges - Water supply deficiencies, construction cost increasing, retention of staff.
- Delivery of units with specific requirements is challenging.

Ms. Bríd Hynes, Administrative Officer gave an overview of the Affordable Purchase Scheme as follows:

- Houses being made available at reduced price.
- Council takes a minimum of 5% equity share in the cost.
- Option for purchaser to buy back % share.
- Criteria to qualify for an Affordable House. Scheme of Priority adopted by Kilkenny County Council in February 2023.
- Overview of Income Limits and calculating Equity Share.
- Details of Affordable Houses coming on stream in 2024.
- Application Process.

Cllr. Michael Doyle thanked Ms. Cody and Ms. Hynes for their presentation.

Ms. Mary Mulholland acknowledged the work of the staff in Housing and the delivery of much needed units is most welcome. The operation of Affordable Housing is complex and staff have developed a large amount of information available on our website.

Contributions were received from Cllrs. Joe Malone, Martin Brett, Patrick O'Neill, Deirdre Cullen, Tomás Breathnach, Maria Dollar, Joe Lyons and Eugene McGuinness in relation to the following:

- Quality of houses being delivered, need to build more.
- Timeline for occupation of units on Nuncio Road.
- Number of vacant houses, voids, reletting period, cost of works, available staffing resources, available funding from Department.

- Purchase of sites for Housing.
- Council bidding against individuals in the open market.
- Lack of water infrastructure, need Uisce Éireann to invest in small towns and villages.
- Loan approval small compared to number of applications received.
- Welcome the delivery of the Affordable Houses.
- Clarify on eligibility criteria.
- Cost Rental Scheme.
- Vacant/Derelict Sites – any grants available.
- Use of Modular Build House.
- Timeframe for delivery on housing at the Abbey Quarter.
- Croí Cónaithe Grant Scheme – terms for receiving grants.
- Welcome the start of improvements to Bridge Street, Callan.
- Not delivering enough units to meet the demand for 1/2 bed units.
- Investment in Apprenticeships and more qualified tradespeople.

Ms. Mary Mulholland, Eimear Cody and Bríd Hynes responded to the issues raised by Members. They were advised that Kilkenny County Council is meeting the targets set by the Department in the delivery of units. Capacity to deliver additional units would be an issue at the moment with current staffing resources. The Council has approval to increase the number of our maintenance crew. Funding is required from the Department to refurbish vacant houses. €11,000 grant is available and this does not cover the cost of works. She further advised that Kilkenny County Council does not bid for houses if they are aware of private bidders unless there is a specific need for a house. Kilkenny County Council is not providing for cost rental schemes at the moment, this is administered by the Housing Agency. The Housing Department will explore all options for purchase of land, brownfield sites, derelict sites etc. to optimise the provision of units in all locations. There are challenges in the provision due to lack of water infrastructure.

All types of construction of units are considered.

In relation to the Affordable Housing, applicants are advised to have mortgage approval in place to assist with their application process.

Mr. Tim Butler advised that Uisce Éireann have a small Town & Village Programme. There are 15 Schemes prioritised for investment by Uisce Éireann. The Council will continue to urge progress with Uisce Éireann.

#### (d) Timpeallacht - Environment

##### (i) **Comhpháirtíocht Eorpach um Nuálaíocht Uisce (EIP) Water European Innovation Partnership (EIP)**

Mr. Sean McKeown welcomed the team from LAWPRO led by Mr. Anthony Coleman, Director of Services. Mr. Sean McKeown advised that Kilkenny and Tipperary County Councils are the Lead Local Authorities for the provision of a National Shared Service to improve water quality throughout the Country. LAWPRO have been successful in securing significant funding from the Water European Innovation Partnership Project for improvements of water quality by the Agri Sector.

He introduced the staff who have attended to give the Presentation:

- Ruth Hennessy, Catchment Management Team.
- Mairead Whitty, Project Lead.
- Margaret Morrissey, Community Engagement.

In their presentation they gave an overview on the following:

- Structure of LAWPRO, co-ordination, community engagement and Catchment Scheme.
- Status of water in the rivers in County Kilkenny in the years 2010-2015 and 2016 to 2021. Quality has deteriorated over the ten years.
- 40% of water is of good status.
- Actions to improve the water quality.
- Programmes and areas of Measures. 111 different measures.
- Overview of the Water European Innovation Partnership Project – running to 2027 and engagement with approximately 15,000 farmers.
- Partnership with Teagasc and Dairy Processing Co-ops.
- €50m in grants available for the Innovation Projects.
- Funding is also provided by DAFM, DHLGH and Dairy Industry Ireland.
- Grants available for the cost of the installation and maintenance of measures to provide water protection measures on farms e.g. bio-diversity, flood mitigation and climate adaptation.
- Overview of Priority Areas for action.
- Collaborative process with the farmers and ASSAP Advisors.
- Targeted Scheme – not an open application process.
- Community Engagement – supports available and overview of groups availing of funds over the last few years.

Cathaoirleach Cllr. Michael Doyle thanked the four presenters for the detailed overview of the innovative project and the work of LAWPRO. He referred to the lack of investment by Uisce Éireann in rural water quality with particular reference to improvements in Inistioge where an overflow pipe is discharging directly to the River Nore.

Contributions were received from Cllrs. Patrick O'Neill, Fidelis Doherty, Tomás Breathnach, Pat Dunphy, Joe Lyons, Maria Dollard, David Fitzgerald, Pat Fitzpatrick, Eugene McGuinness and Michael Delaney. Members welcomed the funding for the project but raised concerns that it may not be enough to deal with all issues.

Issues raised by Members as follows:

- Dealing with high nitrates in areas.
- Removal of ditches have not helped in keeping water off roads.
- Disappointed with decline in water quality in the rivers in County Kilkenny e.g. Kings River.
- How often is water monitored.
- Spreading of slurry – need to review dates to spread and consider the conditions of the ground/weather.
- Invasive species on river banks.
- Need for education/training day for teachers/students doing Agriculture Science.
- Difficulties in securing septic tank grants. Farmers part of solution – cannot take all the blame.
- Investment by Uisce Éireann, deal with outstanding network which may be contributing to the decline in water quality.

Mr. Coleman responded to the issues raised by the Members. Water Quality is measured every three years. Year 2022 is the most recent results.

There is ongoing liaison with Uisce Éireann in increasing investment programmes. Additional measures are required in the Agriculture Sector to improve the water quality. Income for the farming communities needs to be protected. Increase in rainfall is impacting on water run off and it is a legal requirement for owners of land to accept run off of water from roads.

He advised that €50m is not going to achieve water quality in the Agriculture Sector. It is an opportunity to develop measures/actions in specific areas. Testing/trialling of the measures will be evaluated in the South and South East areas of the Country. The spreading of slurry must be done when the conditions are right. Awareness Programmes are undertaken by LAWPRO.

Cllr. Michael Doyle thanked the staff of LAWPRO for their attendance and the Presentation.

(e) **Gnóthaí Corparáideacha - Corporate Affairs**

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

Mr. Lar Power, Chief Executive presented his monthly report to the meeting.

It was proposed by Cllr. John Coonan, seconded by Cllr. Fidelis Doherty and agreed that the Chief Executive Monthly Report be taken as read and noted.

(ii) **Plean Seachadta Seirbhíse - Service Delivery Plan**

Mr. Tim Butler presented report on the Service Delivery Plan for 2024. All Service Areas have outlined their Service Delivery Plans for 2024 based on available financial and staffing resources. Monitoring of these plans will take place during the year. The Annual Report will include a review of the Plans in due course. The adoption of the Service Delivery Plans for 2024 is a Reserved Function.

It was proposed by Cllr. Fidelis Doherty, seconded by Cllr. Martin Brett and agreed that:

*"That the Draft Service Delivery Plan for 2024 is hereby approved by the Members of Kilkenny County Council."*

(iii) **Taisteal Eachtrach - Foreign Travel**

Mr. Tim Butler advised that it is recommended that the Cathaoirleach and an Official visit New York in March 2024.

It was proposed by Cllr. Andrew McGuinness, seconded by Cllr. Tomás Breathnach and agreed that a delegation visit New York for S.t Patrick's Day.

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) **Sceideal na gCruinnithe - Schedule of Meetings**

It was proposed by Cllr. Martin Brett, seconded by Cllr. Matt Doran and agreed.

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

(i) **Tuarascáil ar Chruinniú SPC 2 - Report of SPC 2 Meeting**

It was proposed by Cllr. Fidelis Doherty, seconded by Cllr. Tomás Breathnach and agreed that SPC2: Transportation Policy/Mobility Management & Water Services held on Thursday 12<sup>th</sup> October, 2023 be taken as read and noted.

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***

- (i) Schedule of Conferences circulated with the Agenda was proposed by Cllr. Andrew McGuinness, seconded by Cllr. Mary Hilda Cavanagh and agreed.

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

None.

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

- (i) Cllr. Fidelis Doherty raised an issue of concern to the environment from the Asian Hornet Wasp which is now in Ireland. It is a potential threat to our native biodiversity. It is important that the public are aware of and how to report suspected sightings to the National Bio-Diversity Data Centre.
- (ii) Cllr. Deirdre Cullen advised that KCTB is hosting an Apprenticeship Expo in Lyrath Hotel on 29<sup>th</sup> January, 2024. Students should be encouraged to consider trades as an alternative career.

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

None

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***

None

That concluded the business of the meeting.

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CATHAOIRLEACH

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DATE