

MIONTUAIRISÍ AR AN GCRUINNIÚ IOMLÁNACH DE CHUID
CHOMHAIRLE CONTAE CHILL CHAINNIGH TIONÓLTA AR AN LUAN,
19 MEITHEAMH 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, 19TH JUNE, 2023 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, John Brennan, Mary Hilda Cavanagh, Michael Delaney, Patrick Fitzpatrick, Tomás Breathnach, Martin Brett, John Coonan, Maria Dollard, Pat Dunphy, David Fitzgerald, Joe Malone, Michael McCarthy, Andrew McGuinness & Eugene McGuinness.

MS Teams

Cllrs. Peter Cleere, Deirdre Cullen, Fidelis Doherty, Matt Doran, Ger Frisby Denis Hynes, Joe Lyons & Patrick O'Neill.

Officials: Sean McKeown, Tim Butler, Mary Mulholland, Martin Prendiville, Denis Malone, Fiona Deegan, Nicolaas Louw, Michael Arthurs, Daragh Casey, Miriam Nolan & Anne Maria Walsh.

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

(i) **Minutes of May Plenary Meeting**

Proposed by Cllr. Pat Fitzpatrick, seconded by Cllr. Mary Hilda Cavanagh and agreed:

"That the Minutes of Plenary Meeting held on Monday, 15th May, 2023 as circulated with the Agenda be and are hereby approved".

(ii) **Minutes of SPC2: Transportation Policy/Mobility Management & Water Services**

Proposed by Cllr. John Brennan, seconded by Cllr. Michael McCarthy and agreed:

"That the Minutes of SPC 2: Transportation Policy/Mobility Management & Water Services held on Thursday, 1st December, 2022 as circulated with the Agenda be and are hereby approved".

Fógraí - Announcements

Cathaoirleach, Cllr. Michael Doyle wished Margaret Turley and Gemma Haire every success in the Special Olympics in Berlin and the Kilkenny Senior Hurling Team every success in the forthcoming semi-final.

Vótaí Comhbhrón - Votes of Sympathy

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

- Teresa & Eamon Mahon on the death of their brother Frank in Melbourne, Australia.
- John Mulcahy, Enterprise Office on the death of his father Paul Mulcahy.
- Maurice Rafter, Water Services on the death of his brother Seamus Rafter.
- Carol Hally, Planning on the death of her father Paddy Hally, Kilkenny City.
- Marianna Kealy, Emergency Management on the death of her father Tom Kealy.
- Family of the Michael Walsh, Kilmacow.
- Family of the late Jacinta Malone, Piltown.
- Family of the late Vera O'Brien, Piltown.
- Family of the late Martin Cleary, Hugginstown.

- Family of the late Michael (Rusty) Fox, Carrigeen.
- Family of the late Sean Byron, Carrigeen.
- Family of the late Deirdre McNee, Mullinavat.
- Family of the late Joan Foran, Hugginstown.
- Family of the late Bea Keane, Mooncoin.
- Family of the late Cecelia Sullivan, Mooncoin.

Cllr. Michael Doyle advised that Mr. Sean McKeown and Mr. Tim Butler will brief the Members on recent flooding issues which mainly affected Kilkenny City last week.

Mr. Sean McKeown advised that the County was under a Yellow Weather Warning for thunderstorm and rain during the previous week.

Mr. Tim Butler briefed the meeting on the amount of rainfall which fell over the 24 hour period. The level of rain that fell in the afternoon caused flooding in low lying areas of the City in John Street and Kieran Street. Subsidence occurred in Patrick Street and emergency works are being undertaken from this Tuesday. The gulleys are working but are not able to cater for the volume of rainfall that fell in the short period. He advised that motorists should not drive through the flooded streets as water is being dispersed onto footpaths and into the buildings. The Council has sandbags available for those that wish to avail of them.

Contributions were received from Cllrs. Andrew McGuinness, Eugene McGuinness, Maria Dollard, Martin Brett, John Coonan and David Fitzgerald.

Issues raised by Members as follows:

- Regular cleaning of shores/gulleys.
- Availability of emergency pumps to help to pump water out of buildings.
- Effects of Climate Change.
- Contact number for Emergency Services.
- Welcomed annual improvements to drainage, soak pits and gulleys.
- Nore Flood Scheme very effective.
- Review of Emergency Plan.
- Unprecedented fall of rain in a very short time period.

Mr. Tim Butler responded to the issues raised. He advised that the Council has three Emergency Plans in place – Severe Weather, Winter Maintenance and Severe Flooding which are reviewed annually. These Plans are not activated when the weather alerts are yellow.

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

- (i) It was proposed by Cllr. Pat Fitzpatrick seconded by Cllr. Michael Delaney 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 the property at Leapstown, Ballyfoyle, Co. Kilkenny to Gavin Duffy and Margaret Quigley in order to rectify title of the property."

(b) **Glacadh le Máistirphlean Loch Mhic Easc Adoption of the Loughmacask Masterplan**

- (i) Mr. Denis Malone presented the Interim Chief Executive's Report on the Loughmacask Masterplan. He advised that three submissions were received to the proposed material amendments to the Draft Loughmacask Masterplan. Details of the three submissions and the Interim Chief Executive response are included in the Report. The Interim Chief Executive is recommending the adoption of the Loughmacask Masterplan with the material amendments as proposed.

Queries were raised by Cllrs. Andrew McGuinness, David Fitzgerald, Martin Brett and Maria Dollard in relation to housing development on the Tullaroan Road and whether or not any new planning applications for housing will be considered on the Tullaroan Road, pending provision of infrastructure and road access.

Mr. Denis Malone advised that the land in question will have access to the new access road which will serve the new school. Lousybush Lane is being developed through Active Travel funding to facilitate walking/cycling to the new school.

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

“We, the members of Kilkenny County Council, having considered the following:

- *The Draft Loughmacask Masterplan, the Appropriate Assessment Screening and Natura Impact Report, and Strategic Environmental Assessment, Environmental Report (with non-technical summary), the Strategic Environmental Assessment Report and the Site-Specific Flood Risk Assessment all of which were placed on public display on the 26th August 2022, and*
- *The Interim Chief Executive’s Report on the draft Loughmacask Masterplan, dated March 2023.*
- *The Material Amendments to the Draft Loughmacask Masterplan, the Screening Report for Strategic Environmental Assessment and the Screening Report for Appropriate Assessment, all of which were placed on public display on the 21st of April 2023.*
- *The Interim Chief Executive’s Report on the Material Amendments to the draft Loughmacask Masterplan, dated June 2023.*

do hereby resolve to make the Draft Masterplan (which will remain a non-statutory plan until such time as it is the subject of a separate and subsequent Variation to the Kilkenny City & Environs Development Plan) in accordance with the recommendations contained in the Chief Executive’s Report”.

(ii) Ag Glacadh i gCúram - Taking in Charge, Friars Hill, Graignamanagh

It was proposed by Cllr. Michael Doyle, 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: TC110 – Friars Hill, Graignamanagh, Co. Kilkenny

(iii) Ag Glacadh i gCúram - Taking in Charge, Abbeygate, Ferrybank

It was proposed by Cllr. Pat Dunphy, seconded by Cllr. Tomás Breathnach 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: TC168 – Abbeygate, Ferrybank, Co. Kilkenny

(iv) **Ag Glacadh i gCúram - Taking in Charge, Ardmillan, Thomastown**

It was proposed by Cllr. Mary Hilda Cavanagh, seconded by Cllr. Deirdre Cullen 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: TC178 - Ardmillan, Thomastown, Co. Kilkenny

(c) (i) **Maoiniú Cheathrú na Mainistreach - Abbey Quarter Funding**

Mr. Martin Prendiville presented a PowerPoint Presentation on an update on developments in the Abbey Quarter.

In his presentation he gave an overview on the following:

- Abbey Quarter [AQ] Development Partnership and objectives.
- Masterplan - Urban Design Process.
- AQ Partners responsibilities.
- Progress to-date on buildings by Partnership and Kilkenny County Council.
- Kilkenny County Council's expenditure to-date.
- Financial position of AQ Development Partnership.
- Next phase of development - Kilkenny County Council's projects.
- Next phase of development - AQ Building.
- New opportunity - acquire Engineering Building and Store from Diageo.
- Future funding requirements - Equity Investment in Partnership by Kilkenny County Council and NTMA.
- Kilkenny County Council portion is €3.5m and proposed funding sources.
- Elected Members approval required to:
 - Acquisition of building/site from Diageo by Abbey Quarter Development Partnership.
 - Disposal of Kilkenny County Council's land to AQ Partnership.
 - Approve additional equity investment of €3.5m in Abbey Quarter Development Partnership.

Contributions were received from Cllrs. David Fitzgerald, Eugene McGuinness, Mary Hilda Cavanagh, Andrew McGuinness, Pat Fitzpatrick and Maria Dollard.

Members in general welcomed the progress being made on this brownfield site over the last few years. The development of the Brewhouse and Mayfair buildings have been refurbished to a very high standard.

Issues raised by Members related to:

- Provision of Arts/Culture Centre.
- Explore all options for development of the new plots.
- Delivery of public realm is a very welcome asset for the City.
- Acknowledge the support of NTMA and ISF.
- Modern developments blending in with the Medieval City.
- Information on next stages should have been given to Councillors earlier.

Mr. Martin Prendiville responded to the issues raised by the Members.

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

“Kilkenny County Council hereby approves a variation to the Partnership agreement dated 23rd December, 2016 to allow Kilkenny Abbey Quarter Development Ltd (acting for and behalf of Kilkenny Abbey Quarter Development Partnership) to acquire additional lands known as the Engineering Building and the Paint Store from Diageo Ireland Unlimited Company.”

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

“Kilkenny County Council hereby approves an additional equity investment of €3.5m (made up of a combination of cash and land) in Kilkenny Abbey Quarter Development Partnership pursuant to the agreement dated 23rd December, 2016 between Kilkenny County Council, the National Treasury Management Agency and Kilkenny Abbey Quarter Development Ltd. This investment is conditional on an equivalent cash amount being invested by the National Treasury Management Agency.”

Mr Sean McKeown and Mr. Denis Malone gave an update on the review of the Masterplan for the Abbey Quarter. They advised that the public consultation is open until 30th June, 2023. Two public sessions are being held on 20th and 21st June, 2023. Elected Members will be briefed by the Consultants on the 20th June, 2023 via MS Teams.

(d) (i) Scéim Deontais Reilige 2023 - Graveyard Grant Scheme 2023

Mr. Denis Malone presented a report on the Graveyard Grant Scheme. He advised that 48 applications have been received for funding. Budget for the year is €20,000. One application was deemed ineligible. It is recommended that the 47 applications be approved for funding as per the attached schedule to the report.

Contributions were received from Cllrs. Fidelis Doherty, Pat Fitzpatrick, Pat Dunphy, John Brennan, Martin Brett, Mary Hilda Cavanagh and Eugene McGuinness.

Issues raised as follows:

- Insufficient budget.
- Responsibility for closed historical graveyards.
- Illegal dumping in graveyards.
- Wall falling at Dunmore Graveyard on Bleach Road.
- Upkeep of St. John’s Graveyard – Dublin Road.

Mr. Sean McKeown and Mr. Denis Malone responded to the issues raised. They advised that the Council is seeking additional funding for historical graveyards annually under the Community Monument Fund for National Monuments in graveyards. Six projects have been approved under this fund his year. Maintaining 150 historical graveyards is a huge resource issue.

It was proposed by Cllr. Mary Hilda Cavanagh, seconded by Cllr. Andrew McGuinness and agreed that:

“That Kilkenny County Council approves the payment of Graveyard Grants 2023 totalling €20,000 in accordance with the list circulated to the Members.”

(ii) **Réigiún Dramhaíola an Deiscirt - Southern Waste Region**

Mr. Denis Malone advised that the Draft National Waste Management Plan is out for public consultation until the 5th July, 2023. Ms. Philippa King has been invited to give a Presentation of the Draft Plan to the Members.

Ms. Philippa King presented a PowerPoint Presentation. She gave an overview on the following:

- One Plan for the whole country containing:
 - 6 National Targets.
 - 13 Core Policies.
 - 16 Focus Areas.
 - 73 Targeted Policies.
 - 83 Priority Actions.
 - 51 Key Deliverables.
- Green washing.
- Deposit Return Scheme.
- Reduced packaging at supermarkets.
- Mixing of Segregated Waste.
- Support for reuse Enterprises.
- Agricultural Chemicals and storage of Farm Film Plastics.
- Illegal Dumping/Littering.
- Waste Changes outside remit of local and national government.
- Textile waste and fast fashion.
- Education on 3 bins.
- Construction and demolition waste.
- CA Site and Reuse Areas.
- Issues raised in consultation period.

Cllr. Michael Doyle thanked Ms. King for the detailed presentation on the draft Plan. He asked that there be an awareness campaign on the Schemes and Initiatives available.

Contributions were received from Cllrs. Eugene McGuinness, Mary Hilda Cavanagh, Andrew McGuinness, Maria Dollard, Martin Brett, Pat Fitzpatrick and Joe Lyons.

Issues raised as follows:

- Bin Trucks capable of taking three types of waste.
- Change to behaviour required.
- Welcomed Reuse Scheme, Men's Shed, Re-discovery Centre in Ballymun.
- Concerns regarding demolition waste.
- Illegal dumping - use of CCTV – substantial fines.
- Zero waste required.
- Circular Economy.
- More awareness campaigns.
- Agricultural plastic recycling, compliance with Bord Bia requirements.

Ms. King responded to the issues raised by the Members.

Mr. Sean McKeown advised that the CCMA are currently developing Protocols and Procedures for legal use of CCTV provided for under recent legislation. There will be no legal basis for usage of covert CCTV in the future.

(e) (i) ***Nuashonrú na hÚcráine - Ukrainian Update***

Ms. Fiona Deegan gave a PowerPoint Presentation of the statistics in relation to the displacement of Ukrainians and resettlement in County Kilkenny:

- 1,565 located in County Kilkenny.
- 60% Female, 40% Male.
- 71% Adults
- 29% Children.
- Training Programmes with KLP and ETB – 1,500 attendance.
- 400 registered as employees [36%].
- HSE facilitating claims in Rest Centres.
- 337 enrolled in schools.
- Challenges – school places, public transport, home/premises being fire compliant.
- Community Recognition Fund allocation €948,000, 19 Projects approved – works in progress.
- Local Area Integration Teams to be established to cater for International Protection refugees at local level i.e. County Council.

Contributions were received from Cllrs. Michael Doyle, Joe Malone, Eugene McGuinness, David Fitzgerald, Deirdre Cullen and Maria Dollard in relation to the following:

- Relocating families from Rest Centres to other houses.
- Locating school places.
- Language barriers for employment.
- Resources to cater for additional refugees, services structured, medical, education and housing.
- Pensioners being re-settled.
- Welcomed extensive educational resources provided by ETB, integrating of the students in the schools working well.
- Welcomed the number of Ukrainians who have registered as volunteers.

Ms. Fiona Deegan responded to the issues raised by the Members.

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

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

Cllr. Michael Doyle advised that the Chief Executive Report is being taken as read and noted. Any queries can be addressed to the Chief Executive.

(ii) ***Cathaoirleach SPC4 a Cheapadh -
Appoint Chair of SPC 4: Environment Protection, Climate Action & Energy***

It was proposed by Cllr. Mary Hilda Cavanagh, seconded by Cllr. Andrew McGuinness and agreed that:

"That Kilkenny County Council hereby appoints Cllr. Joe Lyons to Chair SPC 4: Environment Protection, Climate Action & Energy."

(iii) ***Cathaoirleach SPC5 a Cheapadh -
Appoint Chair of SPC 5: Community, Cultural & Fire Services***

It was proposed by Cllr. Mary Hilda Cavanagh, seconded by Cllr. Andrew McGuinness and agreed that:

"That Kilkenny County Council hereby appoints Cllr. Martin Brett to Chair SPC 5: Community, Cultural & Fire Services."

(iii) ***Comhaltaí Tofa a cheapadh ar Bhord KLP
Appoint two Elected Members to Board of Kilkenny Leader Partnership Ltd.***

It was proposed by Cllr. Andrew McGuinness, seconded by Cllr. Mary Hilda Cavanagh and agreed that:

"That Kilkenny County Council hereby appoints the following Elected Members to the Board of Kilkenny Leader Partnership Ltd.

- (i) Cllr. Martin Brett.
- (ii) Cllr. Pat Fitzpatrick."

3. *Comhfhreagras - Correspondence*

The response from Minister in relation to Local Improvement Scheme was noted. Cllr. Pat Dunphy and Cllr. John Brennan raised concerns that the response did not include Community Involvement Scheme.

As the time of the meeting was approaching 6.00 p.m. it was proposed by Cllr. Pat Fitzpatrick, seconded by Cllr. Martin Brett and agreed to suspend Standing Orders to complete Item 3.

Mr. Tim Butler advised that responsibility for Community Involvement Scheme lies with Department of Transport, Tourism & Sport. An allocation was received in 2023. A letter will be sent to the Department of Transport, tourism & Sport seeking additional funds to deal with applications on hand.

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*

Deferred to July Meeting.

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

Deferred to July Meeting

**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***

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***

Deferred to July Meeting.

That concluded the business of the meeting.

CATHAOIRLEACH

DATE