

**MIONTUAIRISCÍ DO GHNÁTH-CHRUINNIÚ
CHOMHAIRLE CHONTAE CHILL CHAINNIGH LE REACHTÁIL
AR DE LUAN, 20 MÍ NA SAMHNA, 2021**



**MINUTES OF ORDINARY COUNCIL MEETING HELD
ON MONDAY, 15TH NOVEMBER, 2021 AT 3.00 P.M.
IN WATERGATE THEATRE & VIA MS TEAMS**

Chair: Cllr. Fidelis Doherty.

Elected Members

Watergate Theatre: Cllrs. Tomás Breathnach, Martin Brett, John Coonan, Michael Doyle, Pat Dunphy, David Fitzgerald, Joe Malone & Eugene McGuinness.

Via MS Teams: Cllrs Eamon Aylward, John Brennan, Mary Hilda Cavanagh, Peter Cleere, John Coonan, Deirdre Cullen, Michael Delaney, Maria Dollard, Matt Doran, Ger Frisby, Joe Lyons, Michael McCarthy, Andrew McGuinness & Patrick O'Neill.

Officials

Watergate Theatre: Colette Byrne, Mary Mulholland, Sean McKeown, Tim Butler & Anne Maria Walsh.

Via MS Teams: Martin Prendiville, Steve Coverdale, Kevin Hanley, Catherine Cooney & Michael Leahy

Apologies: Cllr. Pat Fitzpatrick

1. Dearbhú Miontuairiscí - Confirmation of Minutes

(i) Minutes of October Plenary Meeting of Kilkenny County Council

Proposed by Cllr. John Coonan, seconded by Cllr. Tomás Breathnach and agreed.

"That the Minutes of Plenary Meeting of Kilkenny County Council held on Monday, 18th October, 2021 as circulated with the Agenda be and are hereby approved".

Fógraí - Announcements

Cllr. Fidelis Doherty congratulated the following:

- All the Hurling/Camogie Teams who have won their respective County Finals.
- All involved in the Tidy Towns and to those who were awarded medals last week.
- Kilkenny City on their achievement in the IBAL Awards.
- All the recipients of the People of the Year Awards.

The Cathaoirleach invited all to participate in Yulefest and support local businesses.

The Cathaoirleach welcomed the recent announcement on the TUSE and looked forward to the further development of the University.

Vótaí Comhbhrón - Votes of Sympathy

Cathaoirleach Cllr. Fidelis Doherty extended Votes of Sympathy to the following:

- Claire Meany, Machinery Yard on the death of her sister Maureen Meany.
- Helen Hehir, Library Service on the death of her Mother Aileen Hehir.

- The Byrne Family on the tragic death of their son Harry.
- Family of the late Bridget Grant, Kilmacow.
- Family of the late Bill Dempsey, Mullinavat.
- Family of the late Fr. John Duggan, USA, formerly Glenmore.
- Family of the late Tom Holden, Callan.
- Family of the late Brian McCormack Kelly.

Members observed a minutes silence as a mark of respect to the deceased.

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

- (i) It was proposed by Cllr. Eugene McGuinness seconded by Cllr. Martin Brett 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 land at Knock, Danesfort, Co. Kilkenny (as identified on the attached map) to John Costigan & Monica Costigan, Knock, Danesfort, Co. Kilkenny for the nominal sum of €10.00 (ten euro) with the Purchaser being responsible for all legal costs associated with the transfer, including those of Kilkenny County Council. Area measures 0.13 ha. The Consent of the Minister for Housing, Local Government and Heritage is not required.”

- (ii) It was proposed by Cllr. Patrick O’Neill seconded by Cllr. Andrew 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 land at Bennettsbridge, Co. Kilkenny (as identified on the attached map) to Ellen Greer, Rathcusack, Bennettsbridge, Co. Kilkenny for the sum of £1,500 (the receipt of which is hereby acknowledged) with the Purchaser being responsible for all legal costs associated with the sale, including those of Kilkenny County Council. Area measures 0.10 ha. The Consent of the Minister for Housing, Local Government and Heritage is not required.”

- (iii) It was proposed by Cllr. Tomás Breathnach seconded by Cllr. Pat Dunphy 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 land at Ballykillaboy, Kilmacow, Co. Kilkenny – as identified on the attached map - to Don & Siobhan Laffan, Ballykillaboy, Kilmacow, Co. Kilkenny for the sum of €5,000 and with each party being responsible for their own legal costs associated with the sale. Area measures 0.53 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required.

- (iv) It was proposed by Cllr. Michael McCarthy seconded by Cllr. Patrick O’Neill 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 land at Blanchsvillespark, Clifden, Co. Kilkenny – as identified on the attached map - to Tom Coonan, Blanchsvillespark, Clifden, Co. Kilkenny for the nominal sum of €10.00 and with each party being responsible for their own legal costs associated with the sale. Area measures 0.083 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required.

- (v) It was proposed by Cllr. Michael McCarthy seconded by Cllr. Deirdre Cullen 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 land at Danesfort, Co. Kilkenny – as identified on the attached map - to Patrick Barry, Danesfort, Co. Kilkenny in exchange for a plot of land from Patrick Barry to Kilkenny County Council. Kilkenny County Council will be responsible for all legal costs associated with the sale. Area measures 0.15 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required.”*
- (vi) It was proposed by Cllr. Deirdre Cullen seconded by Cllr. Joe Lyons 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 land at Knocktopher Commons, Co. Kilkenny – as identified on the attached map - to James Denieffe, Knocktopher Commons, Co. Kilkenny for the sum of €1,000 with each party being responsible for their own legal costs associated with the transfer. Area measures 0.68 acre. The Consent of the Minister for the Environment is not required.”*
- (vii) It was proposed by Cllr. Michael Doyle seconded by Cllr. John Coonan 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 land at Knocktopher Commons, Co. Kilkenny – as identified on the attached map - to Pauline Doyle, Knocktopher Commons, Co. Kilkenny for the nominal sum of €10.00 with each party being responsible for their own legal costs associated with the transfer. Area measures 0.1 acre. The Consent of the Minister for the Environment is not required.”*
- (viii) It was proposed by Cllr. Eugene McGuinness seconded by Cllr. Pat Dunphy 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 land at Shankill, Paulstown, Co. Kilkenny – as identified on the attached map - to Frigo Speed Ltd, Shankill, Paulstown, Co. Kilkenny for the nominal sum of €10.00 and each party will be responsible for their own legal costs associated with the transfer. Area measures 0.016 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required.”*
- (ix) It was proposed by Cllr. Eugene McGuinness seconded by Cllr. Michael Doyle 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 land at Shankill, Paulstown, Co. Kilkenny – as identified on the attached map - to Tom and Sandra Buckley, Shankill, Paulstown, Co. Kilkenny for the sum of €5,000 and each party will be responsible for their own legal costs associated with the transfer. Area measures 0.94 acre. The Consent of the Minister for Housing, Local Government and Heritage is not required.”*

(b) Ag Cúram/Taking in Charge: [TC143] Roseleigh, Pollrone, Mooncoin, Kilkenny

It was proposed by Cllr. Pat Dunphy, seconded by Cllr. Tomás Breathnach and agreed that:

“That the County Council of the County 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 & Development Act, 2000 as amended by Section 59 of the Planning & Development Act 2010, hereby declares the road listed in the Public Notice and listed below to be a Public Road.”

Development: TC143 - Roseleigh, Pollrone, Mooncoin, Co. Kilkenny

**(c) Comhaontú Alt 85 N10 Oibreacha Athshlánúcháin Droichead Osraí
Section 85 Agreement N10 Ossary Bridge Rehabilitation Works**

It was proposed by Cllr. John Coonan, seconded by Cllr. Andrew McGuinness and agreed that:

“That Kilkenny County Council enters an agreement under Section 85 of the Local Government Act, 2001 with Kildare County Council in order to undertake bridge rehabilitation works and road safety improvement works at Ossary Bridge, Kilkenny.”

(d) (i) Polasaí Doras Tosaigh Féin - Own Front Door Policy

Ms. Mary Mulholland presented the Report on “Own Front Door” Policy. This outlines clearly the procedure for Own Front Door Temporary Transitional Accommodation.

It includes the:

- Terms & Conditions when staying in Temporary Accommodation,
- Services provided by the Council, and
- Supports given when exiting the accommodation and sustaining a tenancy.

The Policy has been discussed at SPC3.

It was proposed by Cllr. Joe Malone, seconded by Cllr. Martin Brett and agreed that:

“That Kilkenny County Council approves the adoption of the Own Front Door Procedure, as circulated to the Members.”

(ii) Polasaí do Dhaoine gan Dídean - Homeless Policy

Ms. Mary Mulholland presented the Homeless Services Policy for consideration and approval of the Members. She advised Members that the Policy was last reviewed in 2011. She stated that the Homeless Action Team meets weekly and review all referrals. The Policy was prepared in collaboration with Kilkenny Homeless Action Team and was presented to SPC Housing in October 2021.

The Policy outlined clearly:

- Homeless Services Eligibility Assessment,
- Services provided,
- Accommodation available, and
- Tenancy sustainment.

It was proposed by Cllr. Joe Malone, seconded by Cllr. Martin Brett and agreed that:

“That Kilkenny County Council approves the adoption of the Homeless Services Policy, as circulated to the Members.”

(iii) Tithíocht do Chách - Housing For All

Ms. Mary Mulholland gave a PowerPoint Presentation on Housing for All. In her presentation she gave an overview on the following:

- Four Pathways included in document.
- Details on supporting Home Ownership and Increasing Affordability.
- Details on Homelessness, Social Housing Delivery Reforms and Social Inclusion.
- Increasing New Housing Supply.
- Vacancy and effective use of Existing Stock.
- Details on Supporting Measures.
- Housing Delivery Target for Kilkenny County Council 2022-2026.
- Housing Delivery Action Plan and contents.
- Template for Housing Demand in locations and current approved delivery targets.
- Template for Future Annual Housing Programme.
- Process for adoption of Housing Delivery Action Plan – Deadline 17th December, 2021.

Contributions were received from Cllrs. Tomás Breathnach, Eugene McGuinness, David Fitzgerald, John Coonan & Martin Brett.

Issues raised by Members related to the following:

- Mortgage Finances – Income Thresholds.
- House Prices in Kilkenny – Affordability, Cost of Units.
- Rough Sleepers – support available.
- Vacant Local Authority Stock – cost to renovate - average time to re-let.
- Percentage of refusals of offers of accommodation.
- Regeneration in City and towns – incentives to bring Units back into use.
- Employment of Apprentices for Housing Maintenance.
- Panel of Sub-Contractors.
- Deadline for Housing Needs Assessment.

Ms. Mulholland replied to all the queries raised and advised that Affordable Houses need to be 15% below the current market value. She advised that there is a high percentage of refusals and a choice based letting system will be introduced in 2022. Anyone presenting as Homeless are offered supports. Some do not accept the support and prefer to sleep rough. The deadline for the National Housing Needs Assessment is 17th November, 2021 and all applicants have been contacted by Housing Staff.

**(iv) Seirbhísí do Dhaoine gan Dídean & Forbhreathnú ar an bhFoireann
Gníomhaíochta do Dhaoine gan Dídean
Homeless Services & Overview of the Homeless Action Team**

Ms. Mary Mulholland gave an update to the Members on the provision of Homeless Services in Kilkenny.

She gave an overview on:

- Homeless Action Team – Purpose & Regular Meeting.
- Referrals by Kilkenny County Council to the various services.
- Outreach Services available to offer support.
- Statistics – over the last three years – Number has increased dramatically in 2021 – 57% increase.
- HAP:
 - Cost of renting in Kilkenny very high – unaffordable,
 - Very little availability of properties in Kilkenny,
 - Subsidy not sufficient to the rent payable in Kilkenny,
- Need to block book rooms in hotels to cater for increase in homelessness.

Contributions were received from Cllrs. Eugene McGuinness and Joe Malone in relation to cost of renting properties in Kilkenny and peoples choice to sleep rough. The Housing staff were complemented on the services made available to those presenting as homeless.

(e) (i) Nuashonrú ar Airgeadas do 2021 - Update on Finance for 2021

It was agreed to defer this item due to poor quality of sound for those listening remotely. Update on Finance will be given at the Statutory Budget Meeting on Friday, 26th November, 2021.

(ii) Faomhadh don tSaoráid Rótharraingte - Approval for Overdraft Facility

Members were advised that approval is being sought for Overdraft approval for €20m for the year 2022. The amount of €20m was approved for the year 2021. Cashflow is critical to the operation of the Finances of the Council and the use of overdraft is kept to a minimum.

It was proposed by Cllr. Martin Brett, seconded by Cllr. David Fitzgerald and agreed that:

“That subject to the sanction of the Minister for the Department of Housing, Planning and Local Government, Kilkenny County Council hereby approves overdraft borrowings to a maximum amount of €20,000,000 for the full year ending 31st December, 2022.”

**(f) (i) Scéim Deontas Imeachtaí 2021 - An Dara Babhta
Event Grants Scheme 2021 – Second Round**

Ms. Mary Mulholland advised that Report has been circulated and recommendation is to approve grants to eight applications with a total value of €8,070.

It was proposed by Cllr. Tomás Breathnach, seconded by Cllr. David Fitzgerald and agreed that:

“That the Event Grants 2021 totalling €8,100 are hereby approved by the Members of Kilkenny County Council, as per report circulated.”

(g) (i) *Táscairí Feidhmíochta 2020 - Performance Indicators 2020*

Cathaoirleach Cllr. Fidelis Doherty advised that the Report has been circulated for the information of the Elected Members. The Report can be noted and all queries can be addressed to Corporate Services.

It was proposed by Cllr. Martin Brett, seconded by Cllr. John Coonan and agreed that the Report be taken as read and noted.

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

The Report as circulated was noted. Cathaoirleach advised Members that any queries can be addressed to the Chief Executive.

3. *Comhfhreagras - Correspondence*

(i) Acknowledgement from Minister of State in relation to letter on Revaluation of Commercial Properties - Loss of Rate Income.

Noted.

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) Schedule of Meetings

It was proposed by Cllr. David Fitzgerald, seconded by Cllr. Martin Brett and agreed.

(ii) Statutory Budget Meeting

It was proposed by Cllr. David Fitzgerald, seconded by Cllr. Martin Brett and agreed that the Statutory Budget Meeting on Friday, 26th November, 2021 at 3.00 p.m. will be held via Teams.

(ii) Fix date for Special Meeting on Ministers Draft Direction

It was proposed by Cllr. Joe Malone and agreed that the Special Meeting on the Ministers Draft Direction be held on Monday, 6th December, 2021 at 3.00 p.m. via Teams.

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

None.

**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) Approval to Attend Conferences

Schedule of Conferences circulated with the Agenda was proposed by Cllr. Eugene McGuinness, seconded by Cllr. Pat Dunphy and agreed.

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

Cllr. Fidelis Doherty requested a correction to the Minutes of the October Meeting as follows:

Item 2(b) amend name to Cllr. Fidelis Doherty.

This was agreed.

10. *Aon Ghnó Eile - Any Other Business*

Cllr. Pat Dunphy requested an update on the Boiled Water Notice issued on the Clonassey Water Supply.

Mr. Tim Butler advised that chlorine levels dropped in the supply possibly due to a mechanical fault. Samples have been sent for testing. HSE will decide when the Boiled Water Notice will be lifted. Regular updates are available on www.irishwater.ie.

11. *Fógraí Rúin - Notices of Motion*

17 (21) Cllr. David Fitzgerald

It was proposed by Cllr. David Fitzgerald, seconded by Cllr. Fidelis Doherty and agreed:

“Arising from the recent Water Quality Management Report, Kilkenny County Council calls on the Minister for Agriculture to introduce a new fully funded TAMS (Targeted Agricultural Measures) supports to grant aid farmers to build new tanks to address the 40% deficit in slurry storage capacity in order to resolve excess slurry run off and nitrification of ground and water courses.”

Cllr. David Fitzgerald spoke on this Motion.

18 (21) Cllr. Tomás Breathnach

It was proposed by Cllr. Tomás Breathnach, seconded by Cllr. John Coonan and agreed:

“That Kilkenny County Council write to the Minister for Transport to seek the development of a strategy to give greater support to the efforts made to reduce the number of vehicles on interurban routes through car-pooling and to examine the merit of providing safe, secure and appropriate parking areas close to interchanges on national primary routes.”

Cllr. Tomás Breathnach and Cllr. Eugene McGuinness spoke on this Motion.

19 (21) Cllr. Tomás Breathnach

It was proposed by Cllr. Tomás Breathnach, seconded by Cllr. Michael Doyle and agreed:

“That Kilkenny County Council write to the Minister for Housing, Planning and Local Government and to the Minister for the Environment, Climate & Communication to seek increased funding in order to meet demand from householders for the installation of group sewerage schemes and in recognition of the resulting environmental benefits to review the rate of grant aid assistance available to householders to adequately defray the costs of installation works. This review should also include the grant-aid scheme for individual septic tank upgrades.”

Cllr. Tomás Breathnach spoke on this Motion.

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**

It was proposed by Cllr. Martin Brett, seconded by Cllr. Michael Doyle and agreed by all that the following Notices of Motion numbered 71 (21) to 74 (21) received from a number of Local Authorities be taken as read and noted:

71 (21) Kerry County Council

“That this Council call on Local Authorities throughout the County and all Government Services to fly the Palestine Flag on November 29th which is the International Day of Solidarity with the Palestinian people”

72 (21) Tipperary County Council

"The Council notes that the Department of Housing, Local Government and Heritage is proposing that Tipperary County Council procure consulting Engineering Services to assist in the process of amalgamation and rationalisation of Group Water Schemes in County Tipperary. We, the Chairman and Elected Members of the Council's Rural Water Monitoring Committee, are requesting that the Rural Water Unit of the Department engage proactively with the Rural Water Team of the Council's Water Services Section in preparing and finalising the contents of the Brief for the procurement of these services in a mutually satisfactory and complementary manner.

We are also requesting that, where a Group water scheme wishes to remain independent and not to be Taken in Charge by Irish Water, it will be so facilitated. We are asking the Council to support this Notice of Motion so that it can be forwarded to the Rural Water Unit of the Department for attention".

73 (21) Donegal County Council

“Donegal County Council calls on An Taoiseach to establish a dedicated Government “Task Force” to initiate, coordinate, fund and promote a north west housing, health and family welfare response to tackle the many societal ills resulting from Mica, Pyrite and Pyrrhotite that is prevalent in many family homes and adversely affecting many farming buildings, educational and community facilities in the region.”

74 (21) South Dublin County Council

“That this Council agrees to write to the Department of the Taoiseach, all other Local Authorities in the state and Retail Ireland calling on the Irish and International Supermarkets operating here to join the Boycott of all Israeli Goods as a response to the current and never-ending Murderous Campaign against the Palestinian People including thousands of innocent men, women and children.”

That concluded the business of the meeting.

CATHAOIRLEACH

DATE