

KILDARE COUNTY COUNCIL
Minutes of meeting of Council
held at 2.00pm
Monday 13 May 2019
Áras Chill Dara, Devoy Park, Naas, Co Kildare.

Members Present: Councillor S Power (Mayor), Councillors M Aspell, A Breen, A Breslin, F Brett, K Byrne, B Caldwell, D Callaghan, M Coleman, R Cronin, Í Cussen, B Dooley, T Durkan, D Fitzpatrick, B Hillis, I Keatley, C Kelly, P Kennedy, A Larkin, M Lynch, M McCabe, P McEvoy, J McGinley, F McLoughlin Healy, M Miley, S Moore, T Murray, J Neville, S O'Neill, J Pender, R Power, T Redmond, D Scully, M Stafford, M Wall, P Ward, B Weld and B Young.

Apologies: Councillor S Doyle and N Ó'Cearúil

Also Present: Mr P Carey, Chief Executive, Messrs J Boland, T McDonnell, P Minnock and N Morrissey and Ms S Kavanagh (Director of Services), Ms F Millane (A/Head of Finance), Ms M McIvor (Meetings Administrator), Ms K Keane (Meetings Secretary) and other officials.

01/0519

Vote of Sympathy

The Mayor welcomed the members to the meeting and extended his sympathy to the family of the late:

Mrs Anne Leigh, mother of Orla Leigh Hickey, Finance Department.

A minute's silence was observed.

02/0519

Adoption of Minutes

The council considered the minutes of the monthly meeting of 29 April 2019 together with the progress report.

Councillor McLoughlin Healy stated that she had submitted proposed amendments to the minutes and asked that they be considered by the council. She also asked why Councillor R Power was referred to as The Mayor throughout the draft minutes of the April council meeting.

The Meetings Administrator confirmed the amendments requested by Councillor McLoughlin Healy had been submitted just before the commencement of the meeting and as such, it had not been possible to circulate them to the council in advance. In relation to the councillors query regarding the use of the term Mayor, she referred to the first line of the draft minutes which stated "In the absence of Mayor Seán Power, the Deputy Mayor Robert Power took the Chair as Mayor".

The Meetings Administrator further outlined the detail of the proposed amendments sought by Councillor McLoughlin Healy under the following headings:

- Reference 12/0419 pages 7 & 8 – Reports from the members nominated to External Bodies/ Committees
- Reference 13/0419 pages 8 & 9 – Protocol Committee Report

Councillor Cronin seconded Councillor McLoughlin Healys proposal to amend the minutes as outlined.

Councillor Stafford proposed that the draft minutes as had been circulated be taken as read and no amendments made.

Councillor Moore seconded Councillor Staffords proposal.

The Mayor called for a vote to be taken on the proposal to agree the draft minutes as circulated.

Resolved with 24 members voting in favour of the proposal to agree the draft minutes as circulated, 7 members voting against and one member abstaining, the minutes of the meeting of the 29 April 2019 were adopted as circulated, and taken as read.

03/0519

Chief Executive's Monthly Management Report

The members noted the Chief Executives monthly management report.

Resolved with the agreement of the members that the Chief Executive's monthly management report be noted.

04/0519

Chief Executive's Part 8 Report

The members considered the Chief Executives Part 8 report on the proposed development of a new Machinery Yard & Regional Salt Barn at Jigginstown, Newhall, Naas - Ref. P82019.01

A discussion took place amongst the members with the following queries raised:

- What were the access arrangements to the site for Community Wardens?
- What was the cost of the new yard?
- Would the council retain some of the land on the site in Newbridge to be given towards youth facilities, as a gesture of goodwill?
- Could the site in Newbridge be considered for local authority housing?

Mr Morrissey confirmed that no figures had been put out into the public realm in relation to the cost of the developing the new site and confirmed the proceeds from the sale of the site in Newbridge was going towards funding the new site. He stated if there were any funds remaining following the completion of the new site, these would be retained for use in the Kildare-Newbridge Municipal District area.

Resolved with the agreement of the members that the Chief Executives Part 8 report on the proposed development of a new Machinery Yard & Regional Salt Barn at Jigginstown, Newhall, Naas - Ref. P82019.01, be approved.

05/0519

Section 183 Notices for Lease of Lands

The members considered the following Section 183 Notices pursuant to Section 183 of the Local Government Act 2001, as amended:

- i. Disposal of Land at Flinters Field, Athy to Respond Housing Association.
- ii. Disposal of land at Land Eustace Demesne, Craddockstown Road, Naas to the ESB.
- iii. Disposal of land at Churchtown, Athy, Co Kildare to the adjacent landowner.

Resolved on the proposal of Councillor Hillis, seconded by Councillor Moore and agreed by the members present, pursuant to Section 183 of the Local Government Act 2001, as amended, that the council consents to the disposal of the land at i) above in accordance with the statutory notice dated 24 April 2019, the disposal of land at ii) above in accordance with the statutory notice circulated on 29 April 2019 and the disposal of land at iii) above in accordance with the statutory notice circulated on 26 April 2019, be approved.

06/0519

Quarterly Budgetary Reports

The members considered the quarterly budgetary reports to 31 March 2019.

Resolved with the agreement of the members, the quarterly budgetary reports to 31 March 2019 were noted and approved.

07/0519

Scheme of Priority for Affordable Purchase Arrangements

Ms A Aspell, Senior Executive Officer, Housing made a presentation to the members in relation to the Scheme of Priority for Affordable Purchase Arrangements and confirmed that a scheme of priority must be adopted by every local authority by 18 June 2019, otherwise the local authority would be acting ultra vires. She confirmed the scheme had been discussed at the Housing SPC and was before the members today for adoption. She stated that the Minister for Housing, Planning and Local Government commenced Part 5 of the 2009 Act in June 2018, in order to place the new scheme of affordable purchase on a statutory footing. The affordable purchase scheme is targeted at low to middle income households, who would not otherwise be eligible for State Housing Support, and who are unable to purchase a property on the housing market. Ms Aspell outlined details in relation to eligibility, the financial assistance available, the affordable dwellings fund, delivery and equity share.

Following a lengthy discussion amongst the members during which they expressed dissatisfaction

with numerous elements of the scheme, Ms Aspell confirmed it was not in the councils remit to amend the scheme with the exception of consideration of the distance to be permitted from the site to both education and employment, and reiterated the fact that the scheme had to be adopted by the 18 June 2019.

The Chief Executive noted the scheme was challenging for the local authority and presented a significant funding challenge with the risk burden being fully carried by the council. He stated there was no question it would be oversubscribed but that there would be an opportunity to review it at a later date.

Councillor McLoughlin Healy proposed that the Scheme of Priority for Affordable Purchase Arrangements be adopted today with a view to revisiting it again in 6 months time.

Councillor Keatley seconded Councillor McLoughlin Healys proposal.

Resolved on the proposal of Councillor McLoughlin Healy, seconded by Councillor Keatley and agreed by the members present that the Scheme of Priority for Affordable Purchase Arrangements be approved and its operation be revisited in 6 months time.

08/0519

Progress Report on the Kildare County Development Plan 2017-2023

The Chief Executive stated the council had adopted the Kildare County Development Plan 2017-2023 in February 2017 and was required to submit a 2 year progress report to the members of the council. Councillor McEvoy stated the Economic Development, Enterprise and Planning SPC had agreed that the next council would have a special meeting to go through the review in more detail. Councillor Weld stated he was happy the new council would have a further discussion on the review but wished to note the Fine Gael group's unhappiness with the changes made to the plan in relation to the Rural Housing guidelines without consulting or agreeing these changes with the elected members. On a point of information, Councillor Keatley confirmed the RSES was adopted last Friday which was now to come into effect by 28 June. He noted it was encouraging to see that a large number of climate action items are included in the RSES which was a very positive step. Mr Minnock stated the council had a 6 month timeline from 03 May to either consider a variation of the Core Strategy or to carry out a full review of the County Development Plan. He confirmed a variation would take up to 40 weeks and a full review would take up to 99 weeks.

The Chief Executive stated he noted the points being made by the members and further noted that rural housing was only one component of the progress report.

Councillor McLoughlin Healy sought clarification on the status of the town of Newbridge and whether a submission had been made that it be a “Key Town”. Mr Minnock confirmed the submission had been made but this request had not found its way into the final report. Councillor McCabe stated Newbridge was designated a Green Town Hub.

Resolved with the agreement of the members that the Chief Executives 2-year progress report on the Kildare County Development Plan be noted and a special meeting be arranged with the new council to go through the report in more detail.

09/0519

Draft County Heritage Plan 2019-2025

The Draft County Kildare Heritage Plan 2019-2025 was considered by the members.

Resolved on the proposal of Councillor Kelly seconded by Councillor Young and agreed by the members present, the County Heritage Plan 2019-2025 was approved.

10/0519

Presentation from the Decade of Commemoration Committee

Ms Marion Higgins made a presentation to the members on the work of the Decade of Commemoration Committee outlining details of the 2013-2023 strategy and the mid-term review. She confirmed that as 2019 was the anniversary of Kildare winning the All-Ireland Football final, this was being built into the committees programme for the year ahead. Ms Higgins thanked Councillor McEvoy and all the members of the committee for their dedication and hard work. She also confirmed that the *1899-2019 First Election and First Meeting of Kildare County Council* booklet was being launched by the Mayor at the meeting today. Ms Higgins thanked all the councillors for their support and also thanked the Director of Service, Sonya Kavanagh and Head of Enterprise, Jacqui McNabb for their support also.

The Mayor and members commended Ms Higgins and her staff and Councillor McEvoy and all the members of the committee for their dedication and work. The Mayor also thanked Mr Liam Kenny

for his work on the booklet stating his knowledge and passion in his work was commendable. The Chief Executive also expressed his gratitude and congratulations to all those involved in this committee stating the council was very supportive of the work they do and would continue to do so in the future.

Mr Liam Kenny then presented the first copy of *1899-2019 First Election and First Meeting of Kildare County Council*, to Mayor Seán Power as first citizen of Kildare.

At this point, the Mayor welcomed the families of the late Councillor Willie Crowley and the late Councillor Willie Callaghan to the meeting. He stated that the council wished to remember and honour the work they had both done during their time on this council which had sadly been cut short. He stated that the greatest loss of all was to their families acknowledging that attending today was no doubt difficult for them but the members and management thanked them for coming in and presented a presentation piece to both families on behalf of Kildare County Council.

There then followed a presentation to the nine members that were retiring from the council, Councillors K Byrne, D Callaghan, B Hillis, M Lynch, P Kennedy, J McGinley, M Miley, J Pender and S Power and a presentation was made to each of them. The Chief Executive thanked all the retiring members for their work and dedication during their time serving on the council and wished them well in their retirement. He also wished the members seeking re-election, well in the upcoming elections.

The Mayor concluded by stating as councillors, they all had different priorities but they all had the same goal to improve the county of Kildare for its citizens and he hoped that unity of purpose to continue. He thanked all the councillors he had worked with during his time as Mayor and prior to that for their patience, support and friendship. He thanked the Chief Executive Peter Carey and all the Directors of Service for their leadership and support to him during his time on the council. He paid special tribute to Director of Service Peter Minnock who was retiring shortly also noting this was his last council meeting who had worked in local government for over 40 years and who had always been available to the members and a good friend to him throughout the years. The Mayor also thanked Tony Keane, photographer for his wonderful patience and good humour over the last year and the media. He went on to thank the staff in Members Services and in the Managers Office who all had been so helpful, courteous and professional in all their dealings with him and all

the councillors. The Mayor thanked the Deputy Mayor, Rob Power for his support during his term as Mayor. He also thanked the four previous Mayors who had served during this council also, Deputy Fiona O'Loughlin, Councillor Brendan Weld, Councillor Ivan Keatley and Councillor Martin Miley Jnr and thanked them for representing the county in such a positive way noting it had been humbling to experience the huge respect that is given to the position of Mayor of the County and hoped that would always be the case. The Mayor paid tribute to the Chief Executive Peter Carey stating his impact had been enormous since coming to Kildare and commended his great work ethic, dignity and strong leadership. In conclusion, the Mayor thanked his family, friends and supporters and wished everyone well for the future.

The members all joined in thanking Mayor Power for his hard work and dedication during his time on the council and during his term as Mayor and wished him well in his retirement.

The Chief Executive also thanked the Mayor for his dedication to the council and thanked him for all that he had achieved during his time in the council. He also thanked Peter Minnock for his service to the county and wished both the Mayor and Mr Minnock every happiness for the future.

The meeting concluded.