

KILDARE COUNTY COUNCIL
Minutes of meeting of Council
held at 3:00 p.m.
Monday 21 October 2019
Áras Chill Dara, Devoy Park, Naas, Co Kildare.

Members Present: Councillor S Doyle (Cathaoirleach), Councillors A Breen, V Behan, A Breslin, F Brett, B Caldwell, B Clear, M Coleman, A Connolly, Í Cussen, B Dooley, T Durkan, A Farrelly, A Feeney, C Galvin, P Hamilton, N Heavey, I Keatley, C Kelly, N Killeen, V Liston, V P Martin, P McEvoy, S Moore, J Neville, P O'Dwyer, T O'Dwyer, C Pender, R Power, P Ryan, M Stafford, M Wall, P Ward, B Weld and B Wyse.

Apologies: Councillors K Duffy, D Fitzpatrick, F McLoughlin Healy, N Ó'Cearúil and E Sammon.

Also Present: Mr P Carey, Chief Executive, Messrs J Boland, T McDonnell, E Ryan and N Morrissey (Directors of Service), Ms S Kavanagh (Director of Service), Ms M Mclvor (Meetings Administrator) Ms N Smullen (Meetings Secretary) and other officials.

01/1019

Vote of Sympathy

The Cathaoirleach welcomed the members to the meeting and extended her sympathy to the family of the late:

Mr. Michael Cooney father of Bernie Nolan, Caretaker in Library Headquarters, Riverbank.

Mr. Shem Dawson brother of Paul Dawson, General Operative, Kildare Newbridge Municipal District Office.

Ms Bernadette O'Neill sister of Vera Canavan, Motor Tax.

Mr Jim Kinlon, retired night caretaker.

Mr Johnny Kelly, retired caretaker.

Ms Lavina Cullen sister of Councillor Ann Breen

A minute's silence was observed.

02/1019

Adoption of Minutes

The council considered the minutes of the monthly meeting on 23 September 2019 together with the progress report.

Councillor McEvoy stated that the Protocol and Procedures Committee had agreed the deadline with regard to submitting revision/correction requests for minutes in writing. He confirmed it would be 12 noon on the Tuesday prior to the plenary meeting given the fact the draft minutes were issued on the previous Friday with the agenda. He stated that the Chief Executive's Report was not currently referenced in Standing Orders and the current procedure for noting the report at the meetings would remain unchanged.

Resolved on the proposal of Councillor McEvoy, seconded by Councillor Hamilton and agreed by the members present, that any amendments/corrections to the minutes be submitted in writing to the Meetings Administrator by 12 noon on the Tuesday prior to the monthly meeting.

Councillor Cussen requested an amendment to the minutes on item 14/0919 (page 6) to reflect the discussion in relation to the guidelines on the distribution of retained LPT (18/0919) was taken in advance of the item in relation to the Local Property Tax – local adjustment factor (14/0919). It was agreed that this would be inserted as a note on the September minutes. She also requested an amendment to item 24/0919 (page 15) to include the seconder and the removal of a paragraph which was not relevant to the motion.

Resolved on the proposal of Councillor Brett, seconded by Councillor Moore and agreed by the members present, that the minutes of the monthly meeting on 23 September be adopted subject to the amendments as outlined. The progress report was noted.

03/1019

Chief Executive's Monthly Management Report

The members noted the Chief Executives monthly management report.

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

04/10919

Section 183 Notices for Lease of Lands

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

- i. Disposal of land at 1404 Assumpta Terrace, Ballymore Eustace.
- ii. Disposal of 0.228 hectares of land at Rathcrogue.
- iii. Disposal of 4.62 hectares of land at Ballymakealy, Celbridge.

Councillor Cussen stated that Ballymakealy had a small section of land which was not included in the Section 183 and Ms Kavanagh stated that the piece of land in question would be looked at separately.

Resolved on the proposal of Councillor Coleman, seconded by Councillor Cussen 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 lands at i) above in accordance with the statutory notice dated 07 October 2019, the disposal of the lands at ii) above in accordance with the statutory notice dated 07 October 2019 and the disposal of the lands at iii) above in accordance with the statutory notices circulated on 11 October 2019.

05/1019

Standing Orders

The members considered the suspension of Standing Orders to enable the November plenary meeting to commence at 3:00pm on Monday 25 November 2019.

It was proposed by Councillor McEvoy and seconded by Councillor Breslin that the matter be put to a vote.

Resolved with 11 members voting in favour of the proposal to suspend Standing Orders to enable the November plenary meeting to commence at 3:00pm on Monday 25 November 2019, 18 members voting against and 1 member abstaining, the meeting time reverts to the original time of 2:00 p.m.

06/1019

Draft Polling Scheme 2019

The members considered the Draft Polling Scheme 2019 and report from Maura McIvor, Senior Executive Officer. Councillor McEvoy requested that the scheme be publicised to ensure the public are aware of the changes to polling stations and the new boundaries.

Resolved on the proposal of Councillor Moore, seconded by Councillor McEvoy and agreed by the members present that the Draft Polling Scheme 2019 be adopted and it be publicised to enhance public awareness of the scheme.

07/1019

Draft Strategic Policy Committee Scheme 2019-2024

The members considered the Draft Strategic Policy Committee Scheme 2019-2024.

Resolved with the agreement of the members present that the Draft Strategic Policy Committee Scheme 2019-2024 be noted and be put out to public consultation for the required period.

08/1019

Gnó an Chathaoirleach/Chairs Business

The Cathaoirleach confirmed she had no current business to raise at the meeting.

09/1019

Comhfhreagras/Correspondence

The Meetings Administrator confirmed 9 items of correspondence had been received and circulated to the members which comprised of 4 responses to motions from councillors, and 5 resolutions from other local authorities. She stated that the National Audit Oversight Committee (NOAC) Report for 2018 had recently been published and was available for viewing on the Members Information Portal (MIP). She stated this was the 5th report published by the Commission with 37 indicators measured and that in general performance had improved over the 5 years. She stated the performance in housing loan collection rates was highlighted at 51% and while it is below the national average, work is ongoing on improving the collection rate.

10/1019

Comhdhála agus Traenáil/Conferences and Training

The Meetings Administrator referred to the report dated 17 October 2019 circulated to the members.

Resolved on the proposal of Councillor Moore, seconded by Councillor Durkan and agreed by all members present having regard to Section 142(5) of the Local Government Act 2001, as amended by Section 53(2) of the Local Government Reform Act 2014 the following retrospective approval was granted for the attendance of Councillor Caldwell at AILG Autumn Training Seminar 2019 in the Hillgrove Hotel, Monaghan on 11 and 12 September, Councillors Caldwell, Cussen, Heavey Kileen, Liston and McEvoy at AILG Module 4 Training 2019 on the 12 October in the Crown Palza Hotel, Dundalk and approval was granted for the attendance of Councillors Brett and Keatley at the LAMA Autumn Training Seminar 2019 on 17-19 October in the Fall Hotel, Ennistymon.

11/1019

Health and Safety Presentation

The Cathaoirleach welcomed Mr Hurley, Health and Safety Officer to the meeting. Mr Hurley gave an overall update on Health and Safety which included the key objectives for 2019, Athy Welfare and Training Facilities, Health and Safety Week (including the Health and Safety Conference 2019 and key achievements for 2019. He provided overall attendance figures for Health and Safety Training, the number of safety meet and greets completed and the total number of safety inspections completed. The Cathaoirleach thanked Mr Hurley for his presentation and commended him and his team for all their work to date.

The Chief Executive thanked Mr Hurley for his presentation and stated it was a legal obligation to promote and implement Health and Safety and the onus was on all local authorities to do so. He stated that the challenge was to imbed and mainstream it and thanked Mr Morrissey, Mr Hurley and the team for their commitment and the work they had done in this regard. He stated that Health and Safety was a standard item listed on the Senior Management Team agenda and was listed on the Corporate Policy Group agenda also. He stated he was satisfied that a very good team was in place and Kildare County Council had reached the required standard.

The Cathaoirleach and the members thanked Mr Hurley for his presentation and for all the positive work taking place in this most important area.

In advance of taking the motions, the Cathaoirleach asked the members that going forward, they would consult with each other when submitting motions to avoid duplication.

12/1019

The Cathaoirleach requested that items 11 and 29 on the agenda be taken together next. The members agreed.

Item 11:

WPDF (wives and partners of the Defence Forces)

The following motion from the Kildare-Newbridge Municipal District Committee was considered.

That the Kildare-Newbridge Municipal District bring forward a motion on behalf of the WPDF (wives and partners of the Defence Forces) to plenary council calling for an emergency meeting with relevant stake holders in relation to the current crisis in the Defence Forces in order to ensure all local representatives are aware of the severity of the situation.

The motion was proposed by Councillor Breen and seconded by Councillor Ryan.

A report was received from the Corporate Services Department informing the members that this was a matter for the members to agree.

Resolved on the proposal of Councillor Breen, seconded by Councillor Ryan and agreed by the members present that the council write to the Minister for Defence, Mr Paul Kehoe T.D calling for an emergency meeting with relevant stake holders in relation to the current crisis in the Defence Forces in order to ensure all local representatives are aware of the severity of the situation.

Item 29:

Contribution of the Defence Forces

The following adjourned motion in the name of Councillors Breen, Breslin, Galvin, Feeney and Wall was considered.

That Kildare County Council notes the importance and contribution of the Defence Forces to the county of Kildare and the hundreds of serving and retired members living, and posted to our county with their families; recognises the ongoing staffing crisis in our Defence Forces where 85% of personnel earn less than the average industrial wage, and calls on the Government to: Ensure that pay and allowances for members of the Defence Forces are fully restored; Take immediate

measures to stop the loss of serving members including a review of core pay; Commit that the unspent allocation for staffing in the Department of Defence budget, due to there being less than 9,500 serving personnel, is used to address the staffing crisis; Ensure that members are paid a living wage, and that suitable and sufficient accommodation is available at barracks for personnel and their families; and commit to allowing staff representative bodies to affiliate to the Irish Congress of Trade Unions.

The motion was proposed by Councillor Wall and seconded by Councillor Hamilton.

A report was received from the Corporate Services Department informing the members that this was a matter for the members to agree.

Resolved on the proposal of Councillor Wall, seconded by Councillor Hamilton and agreed by the members present that that the council write to the Minister for Defence, Mr Paul Kehoe T.D calling for an emergency meeting with relevant stake holders in relation to the current crisis in the Defence Forces in order to ensure all local representatives are aware of the severity of the situation.

13/1019

Road Safety

The following adjourned motion in the name of Councillor Power was considered.

Given the increased levels of traffic on secondary and rural roads over the last year as a result of works on the M7, N7, Naas-Newbridge dual carriageway and others, that the Director of Services for Roads, Transportation and Public Safety implement a works plan supported by extraordinary budget measures to address the impact on road safety, noise and surface deterioration and that he seeks additional financial support from national funds to support this plan.

The motion was proposed by Councillor Power and seconded by Councillor Kelly.

A report was received from the Roads Transportation and Public Safety Department informing the members that the Roads Department had implemented a detailed Annual Road Works Programme which sets out the budgets, municipal district funding, and the main projects involving planning, design and construction of roadworks as proposed by Kildare County Council. The funding source for the Annual Programme was from four main sources – the Department of

Transport Tourism and Sport (DTTAS), Kildare County Council, Transport Infrastructure Ireland (TII) and the National Transport Authority (NTA).

The 2020 Roadworks Programme would take into consideration the condition of secondary and rural roads in the vicinity of the M7/N7 corridor and address the priority areas for restoration and improvements and the outline costs for such improvements. While DTTAS provided an annual Discretionary Grant in addition to a Supplementary Restoration Maintenance Grant, there was no commitment from DTTAS at this time to provide any additional funding for the road network in the vicinity of the M7/N7 corridor.

TII advised that there was currently no residual funding contained in the TII budget for non-national road repairs. It was assumed that all National traffic would be accommodated by the traffic management requirements for the M7 project, (two lanes open etc), and no diversion of traffic as part of the scheme was envisaged. Some diversions were carried out at nighttime/weekend closures with low traffic volumes and no damage was anticipated. With regard to damage due to the contractor using local roads to access the site, the contract required the contractor to make good his damage, based on condition surveys before and after the works.

Notwithstanding the above, Kildare County Council would carry out an impact analysis, based on the original pre-project analysis, and a case for additional funding support would be prepared if deemed necessary.

A lengthy discussion took place amongst the members and the following points were made:

- The council was asked to ask Transport Infrastructure Ireland (TII) for support to address road issues
- The upgrading and works on infrastructure over the last few years had a knock-on effect on secondary and rural roads in terms of safety, increasing traffic levels, surface deterioration in road conditions and noise pollution
- Hedgerows had been removed and not replaced which was adding to noise problems

Mr Morrissey stated that hedgerows would be replaced and the amount increased in areas where needed. He stated that the council met with TII on a monthly basis and would continue to look for further funding.

Resolved on the proposal of Councillor Power, seconded by Councillor Kelly and agreed by all members that the report be noted.

14/1019

The Cathaoirleach requested that items 14, and 20 on the agenda be taken next. The members agreed.

Choice Based Lettings (CBL)

The following adjourned motion in the name of Councillor Stafford was considered.

That the council conduct a review of its present model of Choice Based Lettings (CBL) and furnish a report on its effectiveness in relation to the following - managing applicant's expectations, reduction in the number of refusals, number and types of properties offered, offering feedback and provision of assistance to vulnerable groups.

The motion was proposed by Councillor Stafford and seconded by Councillor Keatley.

A report was received from the Housing Department informing the members that Kildare County Council had introduced a Choice Based Letting Scheme (CBL) for certain council properties within its administrative area from the 14 December 2018. To date, 39 properties had been advertised on the website with 2,191 expressions of interest for these properties in the following municipal districts:

Athy Municipal District:	7 properties
Breakdown of properties:	1 x 1 bed house, 4 x 2 bed apartments, 2 x 3 bed houses
Celbridge-Leixlip Municipal District:	3 properties
Breakdown of properties:	2 x 2 bed apartments, 1 x 3 bed house
Kildare-Newbridge Municipal District:	5 properties
Breakdown of properties:	1 x 1 bed apartment, 2 x 2 bed apartments, 1 x 3 bed house, 1 x 4 bed house

Clane-Maynooth Municipal District: 9 properties
Breakdown of properties: 2 x 2 bed apartments, 2 x 2 bed houses,
4 x 3 bed houses, 1 x 4 bed house

Naas Municipal District 15 properties
Breakdown of properties: 5 x 1 bed houses, 6 x 2 bed apartments,
2 x 2 bed houses, 1 x 3 bed house,
1 x 4 bed house.

To date, only 1 applicant had refused a property that was offered on CBL. For general allocations 64 refusals were recorded for 2019 to date. Tenancy support was provided where required (subject to available resources) on a case by case basis for allocations to vulnerable groups. Choice Based Letting had operated very successfully in the county to date and as the use of this system increased in the coming months a further review would be carried out in conjunction with the Housing Strategic Policy Committee (SPC) to monitor its success and effectiveness.

A lengthy discussion took place amongst the members and the following points were made:

- That the council review the CBL system to determine if it was successful
- That the council look at managing applicant's expectations in terms of their chances of getting a house
- That the council explore if it was possible to put a cap on applicants on the list in terms of a cut off point to ensure the newer applicants on the list were not being allocated houses before others who had been longer on the waiting list
- That more support be made available for applicants who did not have access to the intranet
- The fact that people were on the housing waiting list for 12-13 years was not acceptable

Mr McDonnell stated that he accepted in general what had been said in terms of applicants who had not been on the list as long as others who were being housed before them. He stated that on average there were 55 applicants per property and confirmed the council would look at how they could manage expectations in terms of the newer applicants.

Resolved on the proposal of Councillor Stafford, seconded by Councillor Keatley and agreed by all members that the report be noted.

Item 20:

Choice Based Letting (CBL) System

The following motion in the name of Councillor Farrelly was considered.

That the Housing Department identifies the steps it takes to decide, how unit(s) are chosen to be allocated through the Choice Based Letting System, the grounds/criteria on which a successful applicant is chosen for allocation, the nature of 'checks' conducted on applicants (e.g. Gardaí) and equality of access for all potential applicants.

The motion was proposed by Councillor Farrelly and seconded by Councillor Killeen.

A report was received from the Housing Department informing the members that the units selected for allocation through the Choice Based Letting System were a combination of units for which demand had not been high on previous occasions and where it was considered the units may be suitable for allocation through this scheme. The Housing Department considered the list of applications submitted having regard to Kildare County Council's Allocations Scheme as adopted in 2016. Garda checks, checks with the Tenant Liaison Officer and any information received in relation to the applicant were conducted prior to allocation of a property. Applicants had equality of access to this system once they were on the Social Housing List. The Library Service throughout the county offered access to computer facilities for those applicants who may require it. Choice Based Letting had operated very successfully in the county to date and as the use of this system increased in the coming months a review would be carried out in conjunction with the Housing Strategic Policy Committee (SPC) to monitor its success and effectiveness.

A lengthy discussion took place amongst the members and the following points were made:

- The report was lacking detail in terms of managing the expectation of applicants
- Further detail on what criteria was used to allocate units was requested
- Detail of the type of Garda vetting checks carried out on applicants was requested
- Was the council communicating the outcome to unsuccessful applicants?
- Was the Scheme of Letting Priorities now redundant?

Mr McDonnell informed the members that the council had made a phenomenal number of allocations this year. He stated that it was Government policy for local authorities to adopt the CBL Scheme. He stated that the council were obliged to confirm applicants were Garda vetted

before a property could be allocated to them. Mr McDonnell confirmed that anyone wishing to apply and who did not have access to online facilities themselves, could avail of services through the Library Service and that the Housing Department staff were always on hand to assist anyone who needed it. He stated that units were chosen in areas where there was less of a demand for social housing. Councillors Stafford and Farrelly asked that they both be invited to the next Housing Strategic Policy (SPC) meeting to discuss the matter further.

Resolved on the proposal of Councillor Farrelly, seconded by Councillor Killeen and agreed by all members that the report be noted and that Councillors Stafford and Farrelly be invited to the next Housing SPC meeting.

15/1019

Historic Monuments Advisory Committee 2014-2019

The following motion in the name of Councillor Moore was considered.

That a summary of the work of the Historic Monuments Advisory Committee 2014-2019 and the process for reinstating the Committee under Section 22 of the National Monuments Act be outlined to members.

The motion was proposed by Councillor Moore and seconded by Councillor McEvoy.

A report was received from the Housing Department informing the members that works to the following recorded monuments had been carried out in different phases, as funding allowed, since 2012:

Donacumper Church, Celbridge

Work to South wall and east gable

Work to west gable

Previous phase of work to South wall and south entrance prior to 2012

Grey Abbey, Kildare Town

Works to east gable

Works to North wall and buttresses

Works to South and East walls

Tipper Church, Naas

Works to enclosing walls and work to remove substantial vegetation

Clane Friary

Works to Easter tomb and North wall

Works to South wall

Maintenance work generally:

Preventative maintenance works had been carried out to various monuments including trimming and removal of vegetation and tree pruning to prevent damage. Funding had also been spent on the preparation of conservation framework plans for various sites to allow ministerial consent to be obtained for future phases of work to various monuments.

An advertisement was being prepared for expression of interest from the public in relation to joining the new Historic Monuments Advisory Committee. This should appear in local papers within the next few weeks. Once expressions of interest had been received, they would be assessed, and a recommendation made to the Planning Strategic Policy Committee (SPC) for members to be invited to the committee.

Councillor Moore welcomed the progress and ongoing work to date and the fact that an advertisement was being prepared for expression of interest from the public to join the new Historic Monuments Advisory Committee. Councillor Cussen asked what qualifications applicants needed to have in order to apply for a position. Mr Creighton stated applicants with an interest in history or archaeology would be desirable but applications would be accepted from everyone and then shortlisted. He stated a representative from each municipal district would be chosen and further details would be included in the Chief Executive's Monthly Management Report.

Resolved on the proposal of Councillor Moore, seconded by Councillor McEvoy and agreed by all members that the report be noted and further details included in the Chief Executive's Monthly Management Report.

16/1019

Council owned Houses

The following motion in the name of Councillor Ryan was considered.

That the council provide a report regarding how many houses are currently within its ownership that are up to disability standard.

The motion was proposed by Councillor Ryan and seconded by Councillor Doyle.

A report was received from the Housing Department informing the members that all new housing constructed by Kildare County Council, which commenced on or after 01 January 2012, complied with the requirements of the Building Regulation Part M 2010 – Access and Use. Housing constructed prior to 2012 had to comply with previous Part M 1997 and Part M 2000 – Access for People with Disabilities. These documents set out minimum standards for accessibility.

In addition, several existing dwellings have had adaptations, alterations and extensions carried out to facilitate people with specific disabilities based on an Occupational Therapists report.

Councillor Ryan stated the report did not answer any of the questions she had asked.

A discussion took place amongst the members and the following points were made:

- How many habitable houses did the council have which were available on a full- time basis and fitted to the required disability standard?
- How many Occupational Therapists did the council employ?

Mr McDonnell stated that he did not have the precise figure for the number of houses available but any houses the council were currently building had 12% fitted to the required disability standard and any houses bought by the council had 10% available and were fully habitable in terms of disability. He stated that the council did not employ Occupational Therapists but did have two employed on a private contract.

Resolved on the proposal of Councillor Ryan, seconded by Councillor Doyle and agreed by all members that the report be noted.

17/1019

Severe Weather Warnings

The following motion in the name of Councillor Tracey O'Dwyer was considered.

That the council provide an update on their readiness to deal with severe weather warnings and keeping the road network operational, during any prolonged cold spell.

The motion was proposed by Councillor O'Dwyer and seconded by Councillor Durkan.

A report was received from the Roads, Transportation and Public Safety Department informing the members that winter service arrangements commenced on 14 October and would continue to operate until 30 April 2020, subject to weather conditions as that time. Consequently, an engineer's roster was now operative whereby temperatures were monitored on a 7-day 24 hour basis. Health and Safety Tool Box Talks had been held in each municipal district with the council's Winter Salting Teams in preparation for the winter period. Since February 2019 Kildare County Council had increased the number of salting routes from 9 to 10 which amounted to 26.6%

of their Non-National Road Network. The council's Severe Weather Assessment Team meet once every month and more often when weather conditions were expected to impact on public safety.

They also continue to analyse and improve their Severe Weather Response Plans.

If a Severe Weather incident was forecasted Kildare County Council issued warnings to the public via their Web Site, Facebook, Twitter, KFM and the MapAlerter App.

Resolved on the proposal of Councillor Tracey O'Dwyer, seconded by Councillor Durkan and agreed by all members that the report be noted.

18/1019

Housing Adaptation Grants

The following joint motion in the name of Councillors Breslin, Wall, Breen, Feeney and Galvin was considered.

That the council calls on the Minister for Housing, Planning and Local Government to increase the funding allocated to the council for Housing Adaptation Grants for council tenants as currently, there is a large discrepancy between the funding awarded to the council for private households and local authority tenants.

The motion was proposed by Councillor Breslin and seconded by Councillor Wall.

A report was received from the Housing Department informing the members that Kildare County Council currently operated the Housing Adaptation Grant for Persons with a disability, the Housing Aid for Older Persons Grant Scheme and the Mobility Aid Scheme. These schemes were specifically designed to support older persons and persons with a disability to remain in their own home by providing support for essential works. In 2019 the allocated budget was €3,115,912, with €623,182 being provided from Kildare County Council's revenue budget.

Kildare County Council also operated a similar scheme to support adaptations to council owned properties, this scheme specifically targeted people with disabilities and provided support to facilitate adaptations required to enable the tenant to remain in the property. In 2019 the allocated budget was €450,000 with €50,000 of this budget being provided from Kildare County Council's revenue budget. This budget was fully committed for 2019 and additional funding of €543,681 had been sought to meet priority applications approved. While a resolution in support of the motion was a matter for the members, the Housing Department was supportive of the allocation of additional funding for adaptation works to meet the needs of their tenants.

A lengthy discussion took place amongst the members and the following points were made:

- Only 42 housing adaptation grants had been successfully completed this year compared to 72 last year
- Children were living in inadequate situations
- Keeping tenants in their homes was beneficial in freeing up hospital beds and keeping them with their loved ones
- People who commenced works themselves awaiting a reply on their grant application could not benefit from the scheme
- It was asked if there was a limit to the amount of grants which could be allocated
- It was asked if adaptations were incorporated into houses when getting them ready for new occupants and if more work of this nature could be done at this stage
- It was asked if it was possible to prioritise single bed units

Mr McDonnell stated that the Department of Housing, Planning and Local Government (DHPLG) set the amount for each local authority and the council had to match that amount. He stated that some of the older houses would not meet the required standard and there was no need to adapt all houses before allocation. Mr McDonnell stated that the council's target was to have 12% of housing stock fitted to the required standard and there were very few single bed units available. He stated that a letter would be sent to the DHPLG in advance of the 2020 budget asking that more than €50,000 to be provided from Kildare County Council's revenue budget.

Resolved on the proposal of Councillor Breslin, seconded by Councillor Wall and agreed by all members that the report be noted and that a letter be sent to the DHPLG in advance of the 2020 budget asking that more than €50,000 to be provided from Kildare County Council's revenue budget.

19/1019

Solar Powered Big Belly Bins

The following motion in the name of Councillor Behan was considered.

That the council install "solar powered big belly bins" in public areas through the county as part of climate emergency measures.

The motion was proposed by Councillor Behan and seconded by Councillor Power.

A report was received from the Environment Department informing the members that a solar-powered waste compactor was a smart device which read a waste bin's fill-level in real-time and triggered an automatic compaction of the waste, effectively increasing the bin's capacity by up to 5-8 times. The compaction mechanism ran on a battery, which was charged by the solar panel. Two of these bins had been installed in Maynooth on a trial basis and the council was currently assessing the merits or otherwise of this initiative. Initial feedback was not positive for the following reasons:

- The compacted weight was very heavy and there were complaints from the crew about lifting /emptying
- The cost was expensive, each bin cost €5000 [a standard bin was €500] and there was also a yearly service charge. There seemed to be only one supplier which was not very satisfactory from a procurement perspective. The public had complained about hygiene as they must use a handle to open and close

The matter was currently being assessed but in the interim, it was not considered feasible to roll out on a countywide basis.

A lengthy discussion took place amongst the members and the following points were made:

- There were various types of big belly bins which included one for cans and one for plastics
- Had the council used recycle or general waste bins in Maynooth and how long had they been used for
- What did the bins weigh and how long would it take for them to pay for themselves?
- The bins in Maynooth had plenty of advertising space (on the three sides)
- Different locations in terms of rubbish type would have to be considered
- Were there public/private opportunities to resource and maintain the bins

Mr Boland informed the members that he had an open mind in relation to arguments for and against the bins and would take all the members points on board. He stated that he was not in favour of the drawer type bins and that simple separation might be more effective but that there was an annual service charge for this which was expensive. He confirmed that Dún Laoghaire Rathdown County Council had been using the big belly street bins since 2014 and stated the

Environment Section would liaise with them to gather more information in relation to how they were working.

Resolved on the proposal of Councillor Behan, seconded by Councillor Power and agreed by all members that the report be noted and the Environment Section liaise with Dún Laoighre Rathdown County Council to gather more information in relation to how the big belly bins were working.

20/1019

The Cathaoirleach requested that item 27 on the agenda be taken next. The members agreed.

Item 27:

Irish Nurse and Midwives Organisation

The following adjourned motion in the name of Peggy O'Dwyer was considered.

That Kildare County Council host an event for the nurses and midwives of the Kildare branch to mark 100 years of the role of the Irish Nurse and Midwives Organisation.

The motion was proposed by Councillor Peggy O'Dwyer and seconded by Councillor Durkan. A report was received from the Corporate Services Department informing the members that if the members agreed, this matter could be referred to the Decade of Commemoration Committee for further consideration.

A brief history of the Irish Nurse and Midwives Organisation was given by Councillor Peggy O'Dwyer and the motion was fully supported by the members who acknowledged the incredible work carried out by nurses.

Resolved on the proposal of Councillor Peggy O'Dwyer, seconded by Councillor Durkan and agreed by the members present that the report be noted and the matter be referred to the Decade of Commemoration Committee for further consideration.

21/1019

Housing Waiting List

The following motion in the name of Councillor Doyle was considered.

That in circumstances where housing applicants seek to have a previous housing waiting list number reapplied and are unsuccessful, that this decision be subject to an independent appeals

committee if requested, and furthermore that the policies associated with this practice be reviewed.

The motion was proposed by Councillor Doyle and seconded by Councillor Durkan.

A report was received from the Housing Department informing the members that in most instances' applicants were removed from the housing waiting list for failure to respond to the Housing Needs Assessment, but where a household subsequently came back with the required information within a reasonable time frame, then their application could be reactivated without affecting the original date of qualification. Mitigating factors, such as illness, would be taken into consideration at any time. An applicant could appeal a decision to close their housing application to the Senior Executive Officer in the Housing Department. Where they were dissatisfied with this decision, they could make a complaint to the Ombudsman. The Ombudsman was independent, free of charge and was tasked with examining the decisions of any public body.

A lengthy discussion took place amongst the members and the following points were made:

- If applicants could present reasonable evidence why they were unable to respond to the needs assessment, their case should be considered by an independent committee and not the Ombudsman
- Lack of flexibility in terms of one case where an applicant was informed that they had to be off the list for two years before they could go back on the list
- Some cases had sent in change of details to the council, but their information had not been updated on the housing list
- An independent committee should meet annually to review the list to ensure it was accurate
- One of the main reasons for not qualifying to be placed on the list was rate of income and if someone had been refused because they earned too much and then lost their job, they could not appeal the decision
- Who would constitute the independent appeal committee and where would it come from?
- What did the review affect in terms of delivering housing?
- Could the matter be referred to the Housing Department with a view to setting up an appeal process

Mr McDonnell stated that the council were obliged to review the housing list annually and stated Kildare County Council had to abide by the regulations when income circumstances changed. He stated that unfortunately in a lot of cases individuals did not update the council with their change in circumstances but that applicants could appeal a decision to the Senior Executive Officer in the Housing Department. Mr McDonnell stated that there was currently an appeal procedure in place and any views from the members could be brought to the Housing Strategic Policy Committee (SPC). The Cathaoirleach stated a report from the Housing SPC to confirm how the appeal process was set up would be helpful and an independent group of people would be appropriate to form such a committee.

Mr Carey stated that there was no problem carrying out a review of the housing list, but the appeals procedure was governed by conditions imposed on the council.

Resolved on the proposal of Councillor Doyle, seconded by Councillor Durkan and agreed by all members that the report be noted and the motion referred to the Housing SPC for a report on how the appeals process can be set up to address the concerns raised.

22/1019

The Cathaoirleach requested that item 25 on the agenda be taken next. The members agreed.

Item 25:

Climate and Biodiversity

The following motion in the name of Councillor Hamilton was considered.

That given the climate and biodiversity emergency declared in June, that the council in the budget planning process aim to protect an allocation of at least between one and two percent of the total council budget for specific climate mitigation actions based on the adaptation and mitigation planning processes that are in progress.

The motion was proposed by Councillor Hamilton and seconded by Councillor Liston.

A report was received from the Water Services and Environment Department informing the members that this would be a matter for the members in the context of the forthcoming budgetary process. The following points may be of some assistance, some of the suggestions raised e.g. retrofitting of fleet, infrastructure etc will be matters for the capital account rather than the revenue account. It was agreed that community activation projects would be very important. In this context,

there would be scope for each municipal district to allocate LPT funding for this purpose. As outlined at the last plenary meeting, other spending priorities might usefully include the following: training and capacity building to include elected members, staff and community groups, availability of match funding to draw down grants e.g., climate action fund etc as well as the recruitment of specialist staff e.g. climate action awareness officer, energy efficiency specialist etc. The council would as far as resources would allow, include provisions under these headings in the forthcoming budget. Some of such costs may be offset by grant funding e.g. Department of Communications Climate Action and Environment may fund some of the training plan costs while there may also be resulting savings in terms of energy efficiency. In addition, as part of the forthcoming budgetary process, each Directorate had been requested to identify its extent of climate -related spend including, in particular, actions arising from the Climate Adaptation Strategy and Covenant of Mayors.

A lengthy discussion took place amongst the members and the following points were made:

- Now that Kildare County Council had adapted their Climate Change Adaptation Strategy and the EU Covenant of Mayors on Climate and Energy had been signed, how were the council planning to use it
- A proposal to allocate between 1-2% when looking at the overall budget for 2020
- Stronger efforts should be made to ensure funding was backed and available
- Funding for projects should be put aside for next year
- Consideration should be given to increasing funding for Tidy Towns
- Encourage land owners to convert lands to forestry and planting
- SPC's needed to get involved in the process

Mr Boland welcomed the motion stating it was very timely. He stated he appreciated the member's frustrations and noted that building capacity was the key to ensuring the Government's plans were implemented. He stated that the council were taking positive steps to progress matters further and there were 7 different categories involved as follows:

- Over 100 actions in the Climate Adaptation Strategy
- Training and capacity building – a cost involved
- Resources – recruitment of staff – a Climate Action Awareness Officer and an Energy Specialist

- Match funding – a significant grant - €5 million in EU funding
- The Capital Programme
- Community capacity building via local projects and getting communities on board
- Business opportunities – may be some Local Enterprise (LEO) funding available

Mr Boland stated he would look further in to the matter to establish what funding was available. The Cathaoirleach asked if an assessment could be carried out to ascertain what was currently being spent and Mr Carey stated that when work had been carried out on the budget, more information would be available. He stated that the council would exceed its target on public lighting alone over the next two years and given the fact additional LPT had been agreed by the members, it was within the members gift to propose projects for funding. Mr Carey stated that he hoped some of those projects would include Climate Action matters. He also stated that the Local Community Development Committee (LCDC), LEO and the LEADER approved funding for various projects.

Resolved on the proposal of Councillor Hamilton, seconded by Councillor Liston and agreed by the members present that the report be noted.

23/1019

M4 Motorway

The following motion in the name of Councillor Durkan was considered.

That a full update is given on the capacity analysis of the M4 Motorway way between Leixlip, Celbridge, Maynooth and Kilcock to include noise reducing tarmac, junction capacity at Leixlip, Celbridge, Maynooth and Kilcock, provision of extra interchanges and upgrading of current interchanges.

The motion was proposed by Councillor Durkan and seconded by Councillor Hamilton.

A report was received from the Roads, Transportation and Public Safety Department informing the members that the 'M4 Maynooth to Leixlip' was listed as a section of the transport network to be progressed through pre-appraisal and early planning and prioritised for delivery under the National Development Plan 2018–2027. The aim of the project was to assess the needs of the M4/N4 mainline corridor and junctions from Maynooth to Junction 5 Leixlip in terms of catering for future demand from a capacity, safety and operational perspective.

The project was currently in the early stages of Phase 1, Concept and Feasibility (see image below), and was in the process of procuring Technical Advisors to support the delivery of the project through Phases 1 to 4. As highlighted, the project was currently in the early stages of Phase 1 (Concept and Feasibility) and would take a number of years to pass through the various steps required for Phase 1 (Concept and Feasibility), Phase 2 (Option Selection), Phase 3 (Design and Environmental Evaluation) and Phase 4 (Statutory Processes), provided it successfully progresses through each Phase.

Noise

Phase 2 (Option Selection) would examine feasible options for intervention (project) that could address the aim of the project and Phase 3 (Design and Environmental Evaluation) would develop the design of the preferred option identified in Phase 2 and carry out further assessment including evaluation of environmental impacts, such as noise. Should the project successfully progress through these phases, it was at this point, when sufficient information was known and collected on the preferred option that any potential impacts would be assessed and plans for mitigating those effects developed.

A lengthy discussion took place amongst the members and the following points were made:

- Capacity was an issue, design flaws including the slip ways on and off the motorways and motorways were not long enough
- Motorway traffic was forced to merge at 80kph
- More capacity was needed on current junctions or an additional junction at Maynooth was needed
- The installation of filter lanes would be beneficial
- Was there a timeframe for when Phase 2 would commence?
- Would the Environmental Analysis prioritise car movement?
- Widening the motorway is not a long-term solution
- Population of Maynooth continually growing and no additional roads
- Need to plan by way of partnership
- A representative from the National Transport Authority (NTA) should sit on the LCDC
- Could a commitment be given to complete Phase 2 in the next twelve months?

Mr Morrissey stated that he shared the member's frustrations and that the time scales were in place with the statutory process scheduled to commence in 2023. He stated that this was positive

news and consultants were due to be appointed over the next four days to look at alternatives. Mr Morrissey stated there would be no automatic decision in terms of public transport and the council would be meeting with the consultants the following week.

Resolved on the proposal of Councillor Durkan, seconded by Councillor Hamilton and agreed by all members that the report be noted.

24/1019

Speed Limit Bye-Law

The following motion in the name of Councillor Wyse was considered.

That the council makes a special speed limit bye-law in respect of all roads outside primary and secondary schools in County Kildare, that defines the speed limit of those roads to be 30 kilometres per hour, at all times of the day.

The motion was proposed by Councillor Wyse and seconded by Councillor Weld.

A report was received from the Roads, Transportation and Public Safety Department informing the members that Councillor Wyse may include this item as a submission to the Speed Limit Review for the county. The details of the review were as follows:

The Countrywide Speed Limit Review was progressing, and the Transportation Section anticipated, based on current technical resources, the following dates:

- Notice to/response from Garda Commissioner – Quarter 1, 2020
- Public Consultation – Quarter 1/Quarter 2, 2020
- Seek TII Approval – Quarter 2/Quarter 3, 2020
- Adoption of Bye-Laws at County Council Meeting – Quarter 4, 2020
- It was estimated the Bye-Laws will come into force in Quarter 1/Quarter 2, 2021
-

The speed limits on roads in the county would be set in accordance with the "Guidelines for Setting and Managing Speed Limits in Ireland" (March 2015) that was published by the Department of Transport, Tourism and Sport (DTTAS). Any proposed changes to speed limits on roads in the county could be viewed at the Public Consultation stage.

A lengthy discussion took place amongst the members and the following points were made:

- As stated in the Kildare County Development Plan, "The making of Special Speed Limits is a reserved function of the elected members by the making of a Bye Law under the Road

Traffic Act 2004 (as amended) and is subject to the requirements of the guidelines for setting and managing speed Limits in Ireland, 2015. This includes the application of special speed limits in lieu of the default limits, such as 30 kilometres per hour and 40 kilometres per hour zones in areas such as housing estates, town and village centres and around schools. The introduction of special speed limits serves to make areas safer for more vulnerable road users.”

- The 2015 Guidelines stated that the fact that the county wide review was ongoing did not preclude the local authority from separately publishing a special speed limit bye-law. The ongoing speed limit review applied to the 2528 kilometres of road in the entire county
- Rather than wait for this review to be completed, currently estimated to be 2021 at the earliest, it was proposed to prioritise the approximately 20 kilometres of road in front of the locations where the largest population of vulnerable road users gathered every day of the week.
- There were currently speed limits of 30 kilometres per hour in place at many schools in the county. Albeit in a lot of cases, only when schools opened and closed.
- It was proposed to implement a policy decision with the agreement of the elected members independently of the County Wide Speed Limit Review.

Mr Morrissey stated that the Roads, Transportation and Public Safety Department had been endeavouring to advance the County Wide Speed Limit Review for some time now. He stated that there was merit in Councillor Wyse’s proposal, but he did not agree with taking this piece of work out of the main body of the overall review given there was already a number of traffic calming measures in place at schools.

Councillor Wyse proposed that his motion be amended, and the members considered the following amended motion in the name of Councillor Wyse:

That the council considers making a special speed limit bye-law in respect of all roads outside primary and secondary schools in county Kildare which defines the speed limit of those roads to be 30 kilometres per hour at all times of the day as part of the submission process for the County Wide Speed Limit Review on behalf of the elected members.

The amended motion was proposed by Councillor Wyse and seconded by Councillor Weld.

Resolved on the proposal of Councillor Wyse, seconded by Councillor Weld and agreed by the members present that the report be noted and the council considers making a special speed limit bye-law in respect of all roads outside primary and secondary schools in county Kildare which defines the speed limit of those roads to be 30 kilometres per hour at all times of the day as part of the submission process for the County Wide Speed Limit Review, on behalf of the elected members.

25/1019

Kildare Ladies Gaelic Football Association

The following motion in the name of Councillor Connolly was considered.

That the council, in its future planning, provide playing fields/centre of excellence for Kildare Ladies Gaelic Football Association as Ladies Gaelic Football is the fastest growing sport, not alone in Kildare but in Ireland.

The motion was proposed by Councillor Connolly and seconded by Councillor Power.

A report was received from the Community and Cultural Development Department informing the members that the council had, in the past, provided lands to many community and sporting organisations through various transfer and lease arrangements. Through forward planning the council would continue to provide for recreation and amenity facilities but would also have to prioritise land for housing and for the generation of employment.

A lengthy discussion took place amongst the members and the following points were made:

- The Ladies Gaelic Football Association was a fast-growing sport and there were 40 clubs now in Kildare with over 5,000 members involved in the sport
- It was important the council zoned land suitable for multi-sporting activities
- There was a great demand for lands for ladies' sports
- It was important to look at long term infrastructure to go with the demand for suitable lands
- It was important to keep this in mind when preparing Local Area Plans (LAP's) and talk to all clubs to ensue everyone was represented

Ms Kavanagh stated that she would be looking at zonings and costing of lands for sports and recreational use with Mr Ryan, Director of the Planning and Strategic Development Department.

She acknowledged there was huge growth in the sports and recreational activities countywide and stated the issue would be considered in terms of future needs.

Resolved on the proposal of Councillor Connolly, seconded by Councillor Power and agreed by the members present that the report be noted.

26/1019

Cycle Superhighway on the R445

The following motion in the name of Councillor Clear was considered.

That the council look at the feasibility and cost of a cycle superhighway on the road from Naas to Newbridge along the R445.

The motion was proposed by Councillor Clear and seconded by Councillor Farrelly.

A report was received from the Roads, Transportation and Public Safety Department informing the members that to proceed with this project would require the diversion of resources from other projects that were at an advanced stage and funding approved.

A lengthy discussion took place amongst the members and the following points were made:

- It was suggested the feasibility study could be part of the National Transport Association (NTA) studies and LPT funding from Naas and Kildare-Newbridge Municipal Districts could be used towards the cost
- The council needed to determine if roads were wide enough to incorporate cycleways
- Could additional funding to carry out upgrade incorporating on cycle lane on the R445 be sought
- Denmark and the Netherlands had full separation greenways
- A housing scheme had been developed by Fingal County Council where there was a greenfield area from the housing estate to the train station – something the Cycling Forum could investigate

Mr Morrissey stated that it was a favourable project but there were currently over 40 projects being worked on by the council. He stated that required safety measures would have to be considered and confirmed that all new roads being worked on included the provision of a separate cycle lane. Mr Morrissey stated that there were 3 large schemes currently with the NTA which had not yet

been resourced. The Cathaoirleach asked if the motion could be amended to request that a feasibility study be carried out and My Morrissey stated an amendment was not appropriate. The Cathaoirleach asked that if it was appropriate, could any future planning applications granted for sizable developments incorporate a planning condition requesting a feasibility study to be carried out and asked Mr Morrissey if he could revert to her on same.

Resolved on the proposal of Councillor Clear, seconded by Councillor Farrelly and agreed by the members present that the report be noted.

27/1019

Container Loading/Unloading Depot

The following adjourned motion in the name of Councillor Dooley was considered.

That the council explore with Iarnród Éireann the possibility of a container loading/unloading depot in South Kildare which could lead to huge economic development and opportunities both for freight forwarders, industries and businesses, while also reducing the carbon footprint of HGVs.

The motion was proposed by Councillor Dooley and seconded by Councillor Kelly.

A report was received from the Corporate Services Department informing the members that if the members agreed, a letter would be sent to Iarnród Éireann as requested.

Following a discussion amongst the members it was agreed that the council arrange a meeting with Iarnród Éireann to discuss the possibility of building a container loading/unloading depot in South Kildare.

Resolved on the proposal of Councillor Dooley, seconded by Councillor Kelly and agreed by the members present that the report be noted and the council arrange a meeting with Iarnród Éireann to discuss the possibility of building a container loading/unloading depot in South Kildare.

28//1019

Suspension of Standing Orders

The Cathaoirleach proposed to suspend standing orders at 6:00 p.m. for three minutes to facilitate the completion of the meeting.

Resolved on the proposal of Councillor McEvoy, seconded by Councillor Wall and agreed by all members present that standing orders be suspended for three minutes until 6:03 p.m.

29//1019

Commercial Rates

The following motion in the name of Councillor Dooley was considered.

That the council write on behalf of the members to the Commissioner of Valuation and the Minister for Housing, Planning and Local Government introduce a staggered rates incentive, whereby; newly established businesses that wish to occupy a premises, that has been vacant for a period of over 12 months, start paying their rates at 25% of the current price in year one, increasing thereafter by 25% annually and by year 4 will be at full rates payable.

The motion was proposed by Councillor Dooley and seconded by Councillor Behan.

A report was received from the Corporate Services Department informing the members that this was a matter for the members to agree.

Following a discussion amongst the members it was agreed that the council write a letter on behalf of the members to the Commissioner of Valuation and the Minister for Housing, Planning and Local Government, requesting the introduction of a staggered rates incentive, whereby newly established businesses that wish to occupy a premises, that has been vacant for a period of over 12 months, start paying their rates at 25% of the current price in year one, increasing thereafter by 25% annually and by year 4 will be at full rates payable.

Resolved on the proposal of Councillor Dooley, seconded by Councillor Behan and agreed by the members present that the council write a letter on behalf of the members to the commissioner of valuation and the Minister for Housing, Planning and Local Government, as outlined.

The meeting concluded.