

KILDARE COUNTY COUNCIL
Minutes of meeting of Council
held at 3.00pm
Monday 23 September 2019
Áras Chill Dara, Devoy Park, Naas, Co Kildare.

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

Apologies: Councillors A Breen and N Ó'Cearuil

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

01/0919

Vote of Sympathy

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

Mr Patrick Cooke, father of Veronica Cooke, Planning Department.

Mr Pat Minnock, brother of recently retired Peter Minnock, Director of Services Planning and Strategic Development.

Mr Fiach Byrne, husband of Caitriona Byrne, Housing Services.

Pat Burke and Kathleen Burke, parents of Maureen Kane School Warden.

Claire MacDonald mother of Paul McDonald, National Roads Officer.

Kathleen Boland, mother of Joe Boland, Director of Services, Environment and Water Services and grandmother of Robbie Boland, Community Department.

A minute's silence was observed.

02/0919

Adoption of Minutes

The council considered the minutes of the monthly meeting on 29 July and the progress report. The Cathaoirleach confirmed Councillor McLoughlin Healy had submitted a proposed amendment to the minutes under 03/0719 Chief Executive's Monthly Management Report as follows – Councillor McLoughlin Healy stated that the 5 days notice being introduced undermined councillors right to ask questions regarding the Chief Executive report at a meeting. She asked that if 5 days notice of queries on the report were required that the report be circulated earlier to give sufficient time to councillors to review and submit those queries in time.

Resolved on the proposal of Councillor Brett, seconded by Councillor Power and agreed by the members present, that the minutes of the monthly meeting on 29 July be adopted, to include the amendment as outlined and the progress report noted.

03/0919

Chief Executive's Monthly Management Report

The members noted the Chief Executives monthly management report.

Following discussion, it was agreed that an agreed timeline for submitting proposed amendments to the draft minutes and queries on the Chief Executives report be referred to the Protocol and Procedures Committee.

Resolved with the agreement of the members that the Chief Executive's monthly management report be noted and the matter of an agreed timeline for submitting queries related to draft minutes and the Chief Executives report be referred to the Protocol and Procedures Committee.

04/0919

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 the Meadowbrook Link Road Project to the residents of Kingsbury housing estate.
- ii. Disposal of the Freehold Title in 6 sites in Newbridge Industrial Estate.
- iii. Disposal of land at Kishavanna, Carbury, Co. Kildare to Osbornes

Councillor Stafford raised a query with regard to the length of the leases stating that 99-year leases are deemed too long, and the council should take this into consideration going forward. Councillor McLoughlin Healy asked what policies were in place in relation to leases and whether the council was getting value for money. She also asked whether leases were being subsidised or were they being signed at market value and whether this was something that should be referred to the Protocol and Procedures Committee to consider. The Cathaoirleach confirmed a request of this nature, would require the submission of a motion.

Ms Kavanagh, Director of Services stated she took on board the point regarding the duration of leases but noted that very few leases were being entered into now by the council.

Resolved on the proposal of Councillor Brett, seconded by Councillor Weld 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 04 September 2019, the disposal of the lands at ii) above in accordance with the statutory notice dated 05 September 2019 and the disposal of the lands at iii) above in accordance with the statutory notices circulated on 12 September 2019.

05/0919

Section 85 Agreement

Pursuant to Section 85 of the Local Government Act 2001 as amended, the members considered the proposed Section 85 agreement with Wexford County Council in relation to the Wexford Bridges Rehabilitation Contract.

Resolved with the agreement of the members present that Kildare County Council enter into a Section 85 agreement with Wexford County Council in relation to the Wexford Bridges Rehabilitation Contract, under Section 85 of the Local Government Act 2001, as amended.

06/0919

Appointment of external members to the Audit Committee

The members considered a report from the Meetings Administrator outlining the requirements of the Local Government Act 2001 in relation to the establishment of an Audit Committee and the

recommendation from the Corporate Policy Group regarding the external appointees to the Audit Committee, including a short bio on each nominee.

Councillor McLoughlin Healy asked how the nominees were identified noting some of the members are returning members and emphasized the importance of the Audit Committee and the need for diversity. The Chief Executive confirmed 2 nominees were returning and 2 nominees were new and stated that the council had consulted the Chamber of Commerce for recommendations noting the huge experience the nominees would bring to the committee.

Councillor McLoughlin Healy stated that consulting with one group only was too narrow a focus. **Resolved** on the proposal of Councillor McEvoy, seconded by Councillor T O'Dwyer and agreed by the members present that Dr Moling Ryan, Mr Charlie Carri, Mr Ken Conway and Ms Deirdre Coughlan Murray be appointed as the external nominees to the Audit Committee.

07/0919

Gnó an Chathaoirleach/Chairs Business

The Cathaoirleach expressed her thanks to all those that had organised and worked at the National Play Day event held on the 14 September 2019 and paid particular thanks to the staff in the Parks and Recreation Section for organising such a successful event. She also thanked all those in the library service and the Arts Officer for their work in the hugely popular Culture Night event also which took place on the 20 September 2019.

08/0919

Comhfhreagras/Correspondence

The Meetings Administrator confirmed 10 items of correspondence had been received and circulated to the members which comprised of 7 responses to motions from councillors, 1 motion referrals from Waterford County Council, a letter of thanks from Ms Colm McLoughlin, CEO Dubai Duty Free and a copy of Circular LG07 2019.

Ms Mclvor also noted that there were currently two public consultations ongoing with information available on the website and the Members Information Portal. She confirmed the closing date for the consultation on the Corporate Plan was the 30 September and the 04 October for the Draft Polling Scheme.

Councillor Moore asked that a reminder letter issue to the Department of Defence regarding his motion on moving the venue for the Commissioning Ceremony for army cadets.

09/0919

Comhdhála agus Traenáil/Conferences and Training

The Meetings Administrator referred to the report dated 19 September 2019 circulated to the members.

Resolved on the proposal of Councillor Keatley, seconded by Councillor Liston 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 Councillors Kelly, Hamilton, Liston and VP Martin at AILG Autumn Training Seminar 2019 on the 11 & 12 September in the Hillgrove Hotel, Monaghan and approval was granted for the attendance of Councillors O'Dwyer and Breen at IPI Planning Conference on the 04 October in The Grand Hotel, Malahide and the attendance of Councillor P Ryan the LAMA Autumn Training from the 17/18/19 October in The Falls Hotel, Ennistymon, Co Clare. Approval was granted for the attendance of Councillor Clear and the Creating Economic and Business Opportunities from Climate Change on the 10 & 11 October in the Tullamore Court Hotel and the attendance of Councillors Feeney, Breen, Farrelly and Galvin at the National Social Housing Conference on the 10 & 11 October in Clayton Whites Hotel.

10/0919

Conference and Training Expenses 2020

The members considered a report from the Meetings Administrator in relation to the proposed budget for conferences and training for members which had been considered by the Protocol and Procedures Committee and recommended an annual Members Training budget of €40,000 with a limit of €4,000 per member and an annual Members Conference budget of €28,000 with a limit of €1,000 per member (€500 from June to December).

Resolved on the proposal of Councillor McEvoy, seconded by Councillor Moore that an annual Members Training budget of €40,000 with a limit of €4,000 per member and an annual Members Conference budget of €28,000 with a limit of €1,000 per member, be agreed for inclusion in the 2020 Budget.

11/0919

Draft Traveller Accommodation Programme 2019-2024

The members considered the Draft Traveller Accommodation Programme 2019-2024 and the report from the Housing Department, circulated previously.

Councillor Breslin commended the report and the excellent work by the council on this programme. She welcomed the members that had joined the Local Traveller Accommodation Consultative Committee (LTACC) and Councillor P O'Dwyer as the incoming Chair of the LTACC. **Resolved** on the proposal of Councillor Clear, seconded by Councillor P O'Dwyer and agreed by the members present, the Traveller Accommodation Programme 2019-2024 was approved.

12/0919

Suspension of Standing Orders

To seek the member's agreement to suspend standing orders to enable the October Plenary Meeting commence at 3:00pm on Monday 21 October 2019.

Resolved on the proposal of Councillor Keatley, seconded by Councillor Power and agreed by all members that standing orders be suspended to enable the October Plenary meeting commence at 3:00pm on Monday 21 October.

13/0919

Accessibility Study Group Nomination

The members considered the nomination of a member to the Accessibility Study Group.

Resolved on the proposal of Councillor Caldwell, seconded by Councillor Keatley with the agreement of the members present that Councillor Cussen be nominated to the Accessibility Study Group.

Note: Item 18/0919 Guidelines on the distribution of retained LPT was discussed and agreed at this point in the meeting.

14/0919

Local Property Tax – local adjustment factor

The members considered the Chief Executives report on options for setting the Local Property Tax (LPT) local adjustment factor that had been circulated previously. Ms Millane confirmed for 2015 and 2016 Kildare County Council reduced the local property tax base rate by 7.5%. Since 2017, Kildare County Council had not varied the local property tax base rate. The funds retained were included in the General Municipal Allocation and the municipal districts agreed and controlled the allocation of expenditure on projects of their choosing. She stated that the estimations detailed in this year's report were based on estimates on this year's budget. She noted the estimated LPT income for 2020 was based on the provisional allocation of local property tax to Kildare County

Council as set out in Circular Fin 05/2019. Should council decide not to reduce the LPT, then additional funds of €3,259,520 would be available to the council in 2020 to improve services to the public. Should council decide to increase the base rate 100% of any increases will be retained ie. each 1% increase would generate €217,301 towards the improvement of services and would equate to a €4 cost per household. In relation to the public consultation, she noted that 27 submissions had been received this year, an increase on last year's activity. Out of the 15 local authorities that had dealt with this item to date, she confirmed 6 were increasing it by the maximum of 15%, 3 have maintained their increases and the Dublin authorities have reduced theirs.

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

- LPT funding has been very important for local communities and it is incumbent on the members to get the most value from LPT for its citizens
- Important not to trivialise the increases as there are large numbers of people who do not have the ability to pay
- The tax has been spent very well to date and given the council has declared a Climate Emergency, funding will be required to effect the changes needed to support climate change.
- Opposed to any increases to vary the base rate given peoples inability to pay this tax
- Propose no increase to vary the base rate on the grounds that the way we spend these monies be optimised first.
- What percentage of the monies raised through increasing the base rate, goes towards an equalisation fund.
- Consideration be given to assigning LPT monies towards works on estates not yet taken in charge.
- Any proposed increase be linked to the climate change agenda.
- Important that the council does not lean on LPT funding for standard functions.
- The council needs to consider the implications of Brexit in deciding to increase or decrease the base rate.

Ms Millane stated the Department had been very clear that the way councils vote on this matter would be taken into consideration for any future funding allocations by them. She confirmed all increases are retained by Kildare County Council and any potential arrangement whereby a certain % is put towards climate change items, was a matter for the members.

The Chief Executive stated the council had set out what had been achieved to date across all community's and most people are supportive of LPT when they see projects being delivered in their areas. He noted the establishment of the public realm team, with the members support, had assisted greatly in progressing numerous projects.

The Cathaorileach advised the members that any motions from the floor had to submitted in writing to her.

Motion 1

Councillor McEvoy proposed:

That the base rate be varied by +10% on the basis that there is a climate change plan to be delivered on and that the council is facing economic pressures in 2020 and that the existing practise of allocating funds to local decided projects.

Councillor Liston seconded Councillor McEvoy's motion.

Motion 2

Councillor Cussen proposed:

That the council makes a 15% reduction when setting the local adjustment factor.

Councillor Caldwell seconded Councillor Cussen's motion.

Motion 3 (amendment to Motion 1)

Councillor Power stated that nationally, Fianna Fail were proposing no increase but in a personal capacity given the success of the LPT programme to date and the fact that the council had declared a climate emergency, Councillor Power proposed an amendment to Councillor McEvoy's motion:

That the base rate be varied by +10% on the basis that there is a climate change plan to be delivered on that 50% of this increase in revenue would be ring-fenced for projects tackling climate change, and that the council is facing economic pressures in 2020 and that the existing practise of allocating funds to local decided projects..

Councillor Martin seconded Councillor Powers motion.

Motion 4

Councillor McLoughlin Healy proposed:

That the council remain at the base rate until such time as the new guidelines for LPT have been proved to be effective and that a fund be ringfenced from LPT to fund projects focused on action on climate change from the €3,259,529 that will still be available to the Municipal Districts at base rate.

Councillor Ryan seconded Councillor McLoughlin Healy's motion.

Motion 5

Councillor Stafford proposed:

That the council increase the local property tax base rate by 10%.

Councillor Duffy seconded Councillor Stafford's motion.

At this point, the Cathaoirleach proposed a short recess to which the members agreed.

Following resumption of the meeting, Councillor McEvoy, Councillor Power and Councillor Stafford withdrew their motions.

Motion 6

Councillor Keatley proposed:

That a 7.5% increase be applied to the local property tax base rate.

Councillor Stafford seconded Councillor Keatley's motion.

The Meetings Administrator confirmed that there were now 3 motions before the council for consideration which would be taken in order of their submission ie. Councillor Cussen, Councillor McLoughlin Healy and Councillor Keatley.

A vote was taken on Councillor Cussen's motion to a 15% reduction in setting the local adjustment factor.

Resolved with one member voting in favour of the motion and the majority of members voting against, the motion fell.

A vote was taken on Councillor McLoughlin Healy's motion to remain at the base rate until such time as the new guidelines for LPT have been proved to be effective and that a fund be ringfenced from LPT to fund projects focused on action on climate change from the €3,259,529 that will still be available to the Municipal Districts at base rate.

Resolved with 14 members voting in favour of the motion, 19 members voting against and 5 members abstaining, the motion fell.

A vote was taken on Councillor Keatley's motion that a 7.5% increase be applied to the local property tax base rate.

Resolved with 19 members voting in favour, 5 members voting against and 13 members abstaining, that in accordance with the Finance (Local Property Tax) Act 2012 (as amended) the members agreed to increase the base rate of Local Property Tax by 7.5% for the year 2020 in respect of relevant residential properties situated in the administrative area of Kildare County Council.

15/0919

Annual budget meeting

The members considered the request to hold the statutory annual budget meeting at 2:00 p.m. on Monday 18 November 2019 and a briefing on the draft budget at 2:00 p.m. on Monday 11 November 2019.

Resolved with the agreement of all members present that the statutory annual budget meeting be held at 2:00 p.m. on Monday 18 November 2019 and a briefing on the draft budget be held at 2:00 p.m. on Monday 11 November 2019

16/0919

Budgetary reports

The Meetings Administrator referred to the budgetary reports for the six months up to 30 June 2019.

Resolved that the report be noted by the members.

17/0919

Overdraft of €4.5m for the year ended 31 December 2020

The members considered the continued overdraft of €4.5m for the year ended 31 December 2020.

Resolved on the proposal of Councillor Moore seconded by Councillor Duffy and agreed by all members present that the continued overdraft of €4.5m for the year ended 31 December 2020 be approved.

18/0919

Guidelines on the distribution of retained LPT

The members considered the proposed guidelines on the distribution of retained Local Property Tax.

Resolved with the agreement of the members present that the guidelines on the distribution of retained Local Property Tax be approved.

19/0919

Division of retained LPT between the Municipal Districts

The members considered the report in relation to the division of retained Local Property Tax between the Municipal Districts. Ms Millane advised that this report was prepared following a request from the members to re-examine the distribution of the retained LPT in light of the changes to the municipal district boundaries. She confirmed the Finance Committee had considered the matter and the following options were compiled and considered by the Corporate Policy Group.

- a) To divide the LPT, 50% divided equally and 50% * number of councillors
- b) To divide the LPT taking account of the Mean House Price (Airo Report Census 2016) and number of councillors
- c) To continue to distribute the LPT equally between the 5 municipal districts

A discussion ensued on the merits of the options put forward to the members for consideration.

Councillor Power proposed that the LPT be divided - 50% equally and 50% by the number of councillors as set out in option a).

Councillor Powers proposal was seconded by Councillor McEvoy.

Councillor Wall proposed that the council continue to distribute the LPT equally between the 5 municipal districts as set out in option c).

Councillor Walls proposal was seconded by Councillor Keatley.

The Meetings Administrator confirmed that as there were two motions before the council for consideration, a vote would be taken starting with the motion received first which was Councillor Powers motion.

Resolved with 22 members voting in favour of option a) To divide the LPT- 50% divided equally and 50% by the number of councillors, 16 members voting against and no abstentions, the motion was passed.

20/0919

Draft Climate Change Adaptation Strategy and Chief Executive's Report

The members considered the Draft Climate Change Adaptation Strategy and the Chief Executive's Report on submissions received on the Draft Strategy. The Cathaoirleach welcomed Mr Boland, Director of Service, Mr Alan Dunney, Regional Co-ordinator and Ms Breda Maher, Regional Executive from the Eastern and Midlands Climate Action Regional Office to the meeting.

Mr Boland thanked the members for their support in bringing the Strategy to this point and stated the challenge now was to build capacity and organisational focus and achieve higher levels of ambition and looked forward to working in partnership with the members and the local communities in this regard.

Ms Maher gave an overview of the Draft Climate Change Adaptation Strategy for Kildare to include:

- An outline of the Adaptation Framework
- The purpose of the strategy
- Details of the overall process to date including submissions, comments and the Chief Executive's Report
- The implementation of the strategy

Mr Dunney gave an overview of the Covenant of Mayors for Climate and Energy to include:

- A general outline of the background of the Covenant
- Requirements and benefits of having the Covenant in place

- Progress to date including lighting upgrades, solar pv, sustainable energy communities and the LED Public Lighting Project

The Cathaoirleach thanked Mr Boland, Ms Maher and Mr Dunney for their presentations and all the work that had gone into the Strategy.

Resolved on the proposal of Councillor McEvoy, seconded by Councillor Keatley and agreed by the members present that the Draft Climate Change Adaptation Strategy for Kildare County Council was approved.

21/0919

Signing of the EU Covenant of Mayors on Climate and Energy

The Cathaoirleach welcomed the school children in attendance to the meeting to witness the signing of the EU Covenant of Mayors on Climate Energy and proposed a 5 minute recess to formally sign the Covenant.

Resolved that the EU Covenant of Mayors on Climate and Energy be formally signed and agreed.

The Cathaoirleach stated she had to leave the meeting and the Leas Chathaoirleach took the Chair.

Tuairisceana Reatha Feidhmeanna na Comhairle Contae Current Motions Kildare County Council Functions

22/0919

Online Application Process

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

That the council move to offer an online application process, where possible, across all departments of the local authority as an environmentally friendly way of doing business.

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

A report was received from the Information Systems Department informing the members that the nature of the applications would determine the appropriate application process. Currently a number of on-line applications processes are facilitated through the councils CRM system. The

council is currently out to tender for a new CRM system which should offer a more advanced functionality to support on-line application processes.

Councillor Durkan welcomed the report noting it was timely given the previous items related to climate adaptation noting some application forms can be up to 30 pages long. The Chief Executive stated the council was in full agreement with using the CRM system to facilitate as many on-line applications as possible.

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

23/0919

Climate Action Discretionary Grant Fund

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

That the council establish a pilot Climate Action discretionary grant fund (c. €25K) to encourage and support community initiatives, with allocation criteria to be developed through the Environmental Services and Water Strategic Policy Committee.

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

A report was received from the Water and Environmental Services Department informing the members that it is agreed that this is a worthwhile suggestion and would fit well with a number of proposed actions as set out in the Draft Climate Adaptation Strategy. It will be vital to get local communities actively involved and working in partnership with the local authority to encourage local innovation and to build local capacity. This, of course, will be subject to the forthcoming budgetary process.

Councillor Martin thanked the Director for the report stating that existing grant schemes were not expressly for climate action items noting it would be a once off scheme and that the Environmental SPC could review it over time.

Mr Boland stated the amount seemed to be reasonable and the matter could be considered during the forthcoming budgetary process.

Resolved on the proposal of Councillor Martin, seconded by Councillor Liston and agreed by the members present that the report be noted and the matter considered during the forthcoming budgetary process.

24/0919

Campaign for Dog Licences

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

That the council in recognition of its current campaign to encourage dog owners to Buy a Dog Licence initiates a "Free Microchipping to 200 dogs who are licensed in the County".

The motion was proposed by Councillor Cussen and seconded by Councillor Caldwell.

A report was received from the Water and Environmental Services Department informing the members that The Environment Department is again running a campaign to encourage dog owners to buy a licence for their dog.

It will involve the following-

- a leaflet drop to every household in the county
- a radio campaign on KFM over two weeks
- extensive use of social media

There will also be an interview with a dog warden on KFM in the coming week to help highlight the issue. The council is currently in discussion with the ISPCA in relation to the free microchipping proposal and this will be progressed subject to agreement in relation to costs. Given the total estimated costs, it is probable that a target of 100 dogs will be more realistic. The council fully accepts the need to increase the licencing rate and is in discussions with its service provider the ISPCA, in order to strengthen enforcement arrangements.

Councillor Cussen accepted the report but expressed her disappointment that the target number was not higher.

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

25/0919

Emergency Accommodation and Own Door Accommodation

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

That the Chief Executive prepare a report in tabular form showing the number of families in 'own door' accommodation in Kildare, the length of time that these families have been experiencing homelessness by 6 monthly intervals and details of those families in other emergency accommodation and that going forward, the Housing Department publish these and other relevant details pertaining to the homelessness crisis in Kildare by way of presenting a monthly Homeless Report to members.

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

A report was received from the A/Director of Housing which detailed the number of families in 'own door' accommodation and families in other emergency accommodation in Kildare and their length of time in this accommodation.

It confirmed that homelessness is a standing item on the agenda for the Housing Strategic Policy Committee. Monthly reports are provided to the Department of Housing, Planning and Local Government and published on their website. Reports can be accessed via the following link:

<https://www.housing.gov.ie/housing/homelessness/other/homelessness-data>

Councillor Farrelly thanked Ms Aspell for the report noting that since the election, the majority of queries he had received related to the housing crisis and homelessness. He asked that information relating to homelessness in Kildare be provided monthly via the Chief Executives report.

Resolved that the report be noted and statistics on homelessness in Kildare be included in the monthly Chief Executives report.

26/0919

Review of the policies around public parking

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

That the council review the policies around public parking in the context of urban renewal, cycling and pedestrian amenity with associated benefits to health and wellbeing, changing economic models and the transition towards carbon-neutral societies.

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

A report was received from the Strategic Projects and Public Realm Department informing the members that if the motion is supported by the members, the matter will be referred to the Planning and Roads SPCs for joint consideration, following the adoption of the revised SPC scheme and the establishment of the new committees.

Councillor McEvoy noted the contents of the report stating that the policies needed to be reviewed and more emphasis placed on alternatives to public parking and the associated benefits.

Resolved on the proposal of Councillor McEvoy, seconded by Councillor Clear and agreed by the members that the report be noted and the motion referred to the Planning and Roads SPCs when established, for joint consideration.

27/0919

Blueway and Greenway Projects

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

That the council do everything in its powers to promote and develop the planned Blueway and Greenway project and set aside appropriate funding for same.

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

A report was received from the Community, Culture and Economic Development Department informing the members that Kildare County Council is fully supportive of these strategically important infrastructure projects as they add huge value to the county in terms of tourism, enterprise and accessibility. It will be necessary to secure additional resources in order to ensure these projects get the support they will need and this may be under a number of budget headings but the Executive is aware that the elected members are hugely supportive of these projects and will work with the members to ensure their success.

Councillor Connolly noted the contents of the report stating this development would provide a huge boost to the local economy in the small towns and villages along the route. Ms Kavanagh confirmed that the council is very supportive of both projects and that the Local Enterprise Office and Kildare Fáilte were working hard to support the projects in every way they could.

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

28/0919

Health and Safety checks on Emergency Accommodation

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

That the council outlines its procedures in relation to the health and safety checks that are carried out on emergency accommodation used by Kildare County Council, in advance of families being referred there.

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

A report was received from the Housing Department informing the members that Emergency accommodation used by Kildare County Council to provide temporary accommodation for homeless families is in the form of hotels, bed and breakfast facilities and Supported Temporary Accommodation. The National Quality Standards Framework is being introduced nationally for Supported Temporary Accommodation providers, however, health and safety in hotels and bed and breakfast facilities are not being monitored in 2019 as part of this framework. Health and safety checks are not carried out on hotels and bed and breakfasts, as responsibility for health and safety rests with the accommodation provider. Engagement with the Supported Temporary Accommodation Providers in relation to the National Quality Standards Framework is ongoing in Kildare and an agreement with all providers will be in place in advance of the July 2020 deadline.

The Cathaoirleach requested a suspension of Standing Orders for 30 minutes to enable the meeting conclude. All members agreed to the suspension of Standing Orders.

Councillor Ryan stated it was not good practise housing vulnerable families in hotels given the close proximity to alcohol consumption and the lack of facilities available to them. She noted the local authority was spending a lot of money on this type of accommodation and the accommodation needed to be of a better standard as the council had a duty of care to these families.

Following enquiry, Ms Aspell confirmed the hotel and B&B sector had their own regulatory code that they were obliged to adhere to. She stated she took on board the members concern and if they had any particular concern, they could speak with her at any time. Ms Aspell confirmed a copy of the Mid-East Regional Homeless Plan had been circulated to the members stating Kildare County Council was responsible for rolling out this plan. Ms Aspell also confirmed she would revert

to the members with details of who the B&B sector are governed by as Hotels come under Fáilte Ireland.

Resolved on the proposal of Councillor Ryan, seconded by Councillor Caldwell and agreed by the members present that the report be noted and confirmation given to the members of who the B&B sector are governed by.

29/0919

TAAG Projects

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

That the council adds a sub-section to the Roads and Transportation section of the council's website, relating to the Technical Advisory and Assessment Group (TAAG). The new section should describe the work that TAAG does and should contain a list of current and proposed TAAG projects and their status, as well as a list of completed projects along with any reports generated in relation to those projects.

The motion was proposed by Councillor Wyse and seconded by Councillor McLoughlin Healy.

A report was received from the Roads, Transportation and Public Safety Department informing the members that the establishment of the Technical Advisory and Assessment Group (TAAG) in 2017 was for the purpose of ensuring a consistent county-wide approach and assessment structure to referrals from elected members and other sources. The mechanism for feedback to the members was via a regular report to each Municipal District on the outcome of assessments, recommendations, and an outline of costs, where relevant. Due to resource constraints and demands for technical resources on a number of on-going capital projects throughout the county, TAAG assessments and feedback to members has been curtailed. The operation of the TAAG is under discussion within the Roads Department in the context of future resources and pending the appointment of technical staff following interviews for engineering staff held in early September.

Councillor Wyse noted the contents of the report and stated that no update reports had been going to the Municipal Districts and the outcome of these assessments should be made available online so the public can check on progress themselves. Councillor McLoughlin Healy supported the motion stating a similar process as that used for KLIPS should be used and that irrespective of slow progress, this information would be valuable to the general public.

Mr Morrissey stated a lot of work had gone into trying to get a workable system of dealing with the volume of queries related to roads matters. He confirmed funding has been sought for two additional engineers to form part of the TAAG team. He stated the council would not be making this list available online noting the commitment given was to provide the members with a quarterly report. Following further enquiry, Mr Morrissey stated the council would not be putting the quarterly reports on-line either given the volume of queries it would generate which would result in less resources to deal with the actual requests.

Resolved on the proposal of Councillor Wyse, seconded by Councillor McLoughlin Healy and agreed by the members present that the report be noted.

30/0919

Programme of Tree Works

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

That the council is provided with a quarterly report of all tree cutting, tree planting, hedgerow removal and maintenance that clearly demonstrates the Kildare County Council is meeting its commitment to preserve hedgerows and is planting a minimum of three trees for every one removed.

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

A report was received from the Parks Department informing the members that an annual programme of tree works involving tree pruning, removals and planting are carried out once per year. A planting programme is carried out usually between January and March. Tree pruning or felling works are carried out in either Spring or Winter each year in one programme. Both programmes are based largely on requests we receive throughout the year from elected representatives, community groups and the public. Only emergency works are carried outside of these programmes of works and are small scale in comparison with the quantities involved with the annual programmes. Considerable staff time is taken up with tree requests involving logging, answering and inspecting them. Therefore, it is proposed that reporting on this is confined to once per year as quarterly is too onerous given the staff resources available and the extent of other works that are also form part of the Parks Section annual works programme.

Regarding replanting trees, most of this is carried out in housing estates and open space within these. Most of the planting is semi mature trees which is the most practical given the locations. It

is also not practical or possible within the budget available to always replant more than has been removed. This may be due to insufficient or appropriate locations to plant, sufficient tree planting already in place, resistance from the public to planting or additional planting, budgetary constraints and costs in planting and getting trees particularly semi mature established after planting. While there would be no objection in principle to setting a standard for replanting, further consideration would have to be given to the practicalities of this given the constraints outlined.

Councillor Hamilton noted the contents of the report were very general with no hard commitment given and enquired about the tree planting replacement programme. Ms Kavanagh stated the response was based on the general maintenance programme and did not take into account the Strategic Housing Developments or major road construction projects and confirmed that the Parks Department are at all times very conscious of the need to preserve trees where possible. She also noted that the budget is low for this area which would be up for discussion during the budgetary process. Councillor McLoughlin Healy referred to a report she had previously received from the Parks Department outlining statistics in relation to tree planting throughout the county. The Cathaoirleach asked that this report be circulated to all members.

Resolved on the proposal of Councillor Hamilton, seconded by Councillor Liston and agreed by the members present that the report be noted and tree planting report referred to be circulated to all members.

31/0919

Additional Supports for Estates not yet Taken in Charge

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

That the Director of Services for Roads, Transportation and Public Safety consider what additional supports could be made available for residents in housing estates which have not yet been taken in charge by the local authority, where the developers are no longer active, but who are liable for the local property tax (LPT) despite the fact that no one has responsibility for dealing with problems arising in the estate such as lighting, footpaths, green areas.

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

A report stated that the Development Control Section had a limited budget to assist residents in unfinished estates. Our budget is allocated to progress a small number of estates toward the

taking in charge standard and to maintenance where public health and welfare are at risk. In unfinished estates where the developers are no longer active the Development Control Section actively respond to the concerns of residents in relation to sewerage blockages in the common area, street lighting repair, pump station maintenance etc as the issues arise. Kildare County Council do not maintain the green areas as it is the responsibility of the resident association who can avail of grants to assist in maintaining the green areas.

Councillor Duffy acknowledged the contents of the report stating that notwithstanding the suggestion that councillors allocate LPT funding to this area, the council should be providing basic services in this regard. Councillor Keatley supported the motion stating there were numerous estates in the rural areas of the Athy Municipal District that needed to be taken in charge and that more emphasis was needed on estate management.

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

32/0919

Preventative Approach in preparation for Halloween

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

That the council adopt a more preventative approach to deal with the accumulation of rubbish in preparation of bonfires, particularly in known black spots.

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

A report was received from the Environmental Services Department informing the members that the council is proactive in relation to Halloween bonfires and this has resulted in a reasonable level of success to date, though, regrettably there are usually challenges. The key initiative relates to encouraging a community - led approach and this is always best .The organisation of a local Halloween festival by the Athy Municipal District, for example, has been an outstanding example of such and, indeed, has transformed activity to being much more fun-filled and enjoyable for everybody as opposed to being an excuse for anti-social activity .This model has been successfully replicated in the Celbridge-Leixlip Municipal District while the Clane-Maynooth

Municipal District have similar plans for 2019 . Clearly, the leadership role of the elected members, officials and other community representatives will be key to this approach.

From an enforcement perspective , the various Departments [mainly roads, environment, fire /civil defence, community and housing] will work together in terms of coordinating their respective roles; stockpiles of bonfire material are often seized [where safe and feasible to do so], the inevitable clean-ups [which are very costly] are carried out while the emergency services will always be primed. Also bear in mind that it is an offence to burn waste under both Litter Pollution Act and Waste Management Acts. The essential point here is prevention rather than reaction is key while the proactive and responsible role of individual communities is really the single most important aspect.

Councillor O'Dwyer stated she was happy with the report.

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

33/0919

Amendment of resolution

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

That the council agrees to amend the resolution of council on the 23 June, reference 07/1619 from - *That the council defers any decision to charge or pay parking at electric charging points until there is sufficient charging points in the county. Currently there are 12 charging points county wide but this number needs to grow substantially if we are to favour electric cars over petrol/diesel but in the event of pay parking being introduced, the first two hours should remain free – be referred to the Transportation, Safety and Emergency Services SPC for consideration.*

to

That the council defers any decision to charge or pay parking at electric charging points until there is sufficient charging points in the county. Currently there are 12 charging points county wide but this number needs to grow substantially if we are to favour electric cars over petrol/diesel but in the event of pay parking being introduced, the first two hours should remain free – be considered by the members of the plenary council.

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

A report was received from the Meetings Administrator informing the members that this motion to amend a resolution of the council is covered under standing order 13. Where the resolution sought to be amended falls within 6 months of the date of its adoption (adopted in June), it is a requirement that written assent of not less than 6 members of the council is received. This requirement has been met.

The amendment to the resolution is sought due to the fact that the Strategic Policy Committee Scheme is currently under review and no meetings of the SPC's can take place until such time as the revised Scheme has been adopted by the members and the new committees established.

A report was also received from the Roads, Transportation and Public Safety Department informing the members that this issue was referred to the Transportation, Safety and Emergency Services SPC, following the resolution by the members in June 2019. Kildare County Council is awaiting clarification on future funding for the installation of electric vehicle charging points following a recent announcement by Minister Richard Bruton, T.D. It is anticipated that the terms and conditions of the funding will be available at the end of September 2019. For clarification, there are 12 EV designated charging points identified in current Bye Laws in the following towns: Naas, Sallins, Newbridge, Kildare, Celbridge, Leixlip, Maynooth, Clane, Athy and Kilcock. There are four of these designated charge points installed at this time in Naas and Athy.

Councillor Clear stated it had been custom and practise that electric cars were not charged for parking whilst charging. Mr Morrissey stated the perception was that it was free but that was not the case as the need to charge was to ensure there was a turnover in the spaces. He also confirmed the bye-laws for each town would have to be amended to enable this request.

Resolved on the proposal of Councillor Clear, seconded by Councillor Farrelly and agreed by the members present that the report be noted and a report provided to the members on the timelines of all the bye-laws in operation in the county.

34/0919

Cost Rental Housing Scheme

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

That Kildare County Council identify specific land banks where a cost-rental housing scheme could be implemented as a means of making the rental market more affordable and accessible to individuals and that it considers whether a partnership approach or any other model would be appropriate and indicate how soon the roll out of such a scheme throughout the county could be achievable in a Kildare County Council context.

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

A report was received from the Housing and Corporate Services Department informing the members that the State's first cost rental housing scheme is currently under construction. The development is being constructed by Tuath and Respond Housing Associations in a joint venture with Dun Laoghaire Rathdown County Council and the Housing Agency. This is a pilot project, which had been identified under the Rebuilding Ireland Programme, with cost rental housing forming part of delivery of a mixed tenure development. It is the intention that this scheme will form the model for delivery of similar developments nationwide. It is anticipated that guidance will issue by the Department of Housing, Planning and Local Government with regard to delivery of cost rental properties nationally, once there has been an opportunity to analyse the pilot project in some detail. The project in Dun Laoghaire Rathdown is expected to complete in 2021. The premise of a cost rental scheme is that tenants pay rent that covers the cost of building, managing and maintaining the home. The scheme is aimed at people who do not qualify for social housing, but who earn less than €50,000 per year for an individual and €75,000 per year for a couple. In the absence of guidance from the Department of Housing Planning and Local Government it would be premature at this time to identify lands for delivery of cost rental.

Councillor Killeen noted the contents of the report and stated she had been in contact with the Department of Housing who had indicated details of any such sites should be sent into them directly. She asked if the council could identify a site whereby Kildare could take the lead on this initiative. Ms Aspell responded that the council will be in discussions with the Land Development Agency but that guidance is awaited from the Department of Housing Planning and Local Government before any further progress could be made in this matter.

Resolved on the proposal of Councillor Killeen, seconded by Councillor Farrelly and agreed by the members present that

The meeting concluded.