

**KILDARE COUNTY COUNCIL**  
**Minutes of meeting of Council**  
**held at 2.00pm**  
**Monday 25 March 2019**  
**Áras Chill Dara, Devoy Park, Naas, Co Kildare.**

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

**Apologies:** Councillor D Fitzpatrick

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

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**01/0319**

**Vote of Sympathy**

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

Eileen Butler, mother of Amanda O'Rourke.

Benny Dowling, brother of Carmel Hutchinson, Athy Library

Kathleen Toolan, mother of Margaret Burke, Athy Customer Service Office.

Margaret Bathe, mother of Julie O'Donoghue, Kilcullen Library and mother of Frank Bathe, Waterworks

Carmel Pierce, mother of Ciara Pierce, Planning.

Harry Lyons former County Secretary and father of Clodagh Lyons Roads Transportation and Public Safety and Ronnie Lyons, former staff member Roads Transportation and Public Safety  
A minute's silence was observed.

### 02/0319

#### Adoption of Minutes

The council considered the minutes of the monthly meeting of 25 February 2019 together with the progress report.

**Resolved** on the proposal of Councillor Wall, seconded by Councillor Kennedy and agreed by the members present that the minutes of the monthly meeting of 25 February 2019 be adopted and the progress report noted.

### 03/0319

#### Chief Executive's Monthly Management Report

The members noted the Chief Executives monthly management report.

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

### 04/0319

#### 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 to Suncroft GFC at Suncroft, Co Kildare.
- ii. Lease of land at Monasterevin to Monasterevin Tidy Towns CLG.
- iii. Disposal of land of the Freehold Interest in Site 15/Unit 14 in Newbridge Industrial Estate, Newbridge W12 EV72 to the current occupier, formerly CCL Laundry Linen Services Limited.
- iv. Lease of Land at Castledermot to Castledermot Amenity Group.

**Resolved** on the proposal of Councillor Miley Jnr, seconded by Councillor Kennedy and agreed by the members present, pursuant to Section 183 of the Local Government Act 2001, as amended, that the council consents to the disposal of the land at i) above in accordance with the statutory notice dated 19 February 2019, the lease of land at ii) above in accordance with the statutory notice circulated on 7 March 2019, the disposal of land at iii) above in accordance with the statutory notice circulated on 12 March 2019 and the lease of land at iv) above in accordance with

the statutory notice circulated on 21 March 2019.

**05/0319**

**Audit Committee Annual Report 2018**

The Mayor welcomed Mr Denis Doherty, Chair of the Audit Committee to the meeting. Mr Doherty thanked the members for the invitation to attend and also thanked the members of the Audit Committee for their co-operation and hard work over the last 12 months. The Chief Executive also welcomed Mr Doherty acknowledging the work carried out by the committee under his Chairmanship which had resulted in the clean bill of health given to the council by the Local Government Auditor.

Councillor McLoughlin Healy thanked Mr Doherty for his work and for attending the meeting and went on to outline the issues as had been raised in the Local Government Audit Report and sought Mr Doherty's opinion in this regard. The Chief Executive reminded the members that it was the Audit Committee's Annual Report that was before them for noting and that all the issues raised in the Local Government Auditors report had been dealt with previously. The Chief Executive confirmed that the statutory role of the Local Government Auditor was very clear and reiterated that the subject matter of the Local Government Auditors report had been dealt with in the council chamber noting that at all times, any problems identified had been dealt with. Councillor McLoughlin Healy pointed out that the Audit Committees statutory obligation was to review any financial statement and she was entitled to raise queries arising from the Local Government Auditors report.

Mr Doherty responded by stating this was the tenth Audit Committee Annual Report under his Chairmanship. He confirmed that the Audit Committee takes the Local Government Auditors report very seriously and any issues raised form part of the following years work programme. He noted that for example, when the Audit Committee was set up originally there was no such thing as a Property Interest Register but that Kildare County Council had been to the forefront in establishing this. He confirmed a lot of work had gone into the whole area of value for money noting a Procurement Officer was now in place in Kildare which was a positive step in this regard. Mr Doherty stated that in recent years, a large number of reports have been produced comparing local authorities and Kildare County Council has always been in the upper quartile and complimented the staff and management in this regard.

He also pointed out that it was a remarkable achievement that the accumulated deficit of this council has declined year on year to the point there was currently no arrears issues.

**Resolved** with the agreement of the members, the Audit Committee Annual Report 2018 was noted.

**06/0319**

**Gnó and Mhéara/Mayors Business**

- i) To consider holding a reception to acknowledge the work done by Sr Consilio

The Mayor proposed to honour the work done by Sr Consilio by holding a reception in Áras Chill Dara to mark her contribution in this regard.

**Resolved** on the proposal of the Mayor and with the agreement of the members present, to hold a reception to acknowledge the work done by Sr Consilio.

The Mayor confirmed he had attended the AGM of Kildare Failte in Mondello and complimented the work Mr David Mongey and Ms Áine Mangan were doing in promoting Kildare. He confirmed he had attended the contract signing for the housing development at Anne Street in Prosperous noting that Kildare County Council is a long way ahead of other local authorities in delivering social housing and complimented all those involved in this regard.

The Mayor stated he had attended the Student Enterprise Awards in Killashee House Hotel with the Chief Executive and Ms Jacquie McNabb and thanked all the councillors who also attended this very worthwhile event.

The Mayor concluded by reporting on this Saint Patrick Day visit to New York that he had taken part in along with Ms S Kavanagh, Director of Service and Ms Á Mangan, CEO of Kildare Failte. He stated that he had never previously understood how much the council travelling to America meant to the Kildare Association in New York and confirmed there could be no better ambassadors for the county than Ms Kavanagh and Ms Mangan and thanked them both for their work in this regard. He confirmed a full report on the visit and been uploaded to the councils website and encouraged the members to read it. He stated the travelling party specifically wore the St. Brigids cross noting the wonderful opportunity that exists for the county through a St. Brigids Day which Mr Mongey had previously spoken to the council about.

The Mayor concluded by confirming it had been agreed at the Protocol Committee meeting earlier that day that a sub group of members be agreed who would liaise with the Corporate Services and ICT departments in relation to technical/equipment requirements for the new council.

**Resolved** that Councillors S Doyle, D Callaghan, M Lynch, T Durkan and P McEvoy would liaise with the Corporate Services and ICT Departments with regard to the technical/equipment requirements for the new council.

**07/0319**

**Comhfhreagras/Correspondence**

The Meetings Administrator confirmed 4 items of correspondence had been received and circulated to the members which related to two motion referrals from other local authorities, correspondence from both the Department of Housing, Planning and Local Government and the Office of the Minister for Business, Enterprise and Innovation relating to Councillor Lynch's motion regarding waste reduction and recycling. Councillor Lynch indicated he was not satisfied with the response received. The Mayor asked that he put his concerns in writing to the Corporate Services Department who would query the matter further on his behalf.

**08/0319**

**Comhdhálacha agus Traenáil/Conferences and Training**

The Meetings Administrator referred to the report dated 25 March 2019 circulated to the members. **Resolved** on the proposal of Councillor Larkin, seconded by Councillor Weld 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 granted for the attendance of Councillor J Neville at AILG Module 1 Training 2019 on the 19 January in the Mullingar Park Hotel, Co Westmeath, Councillor P Kennedy at AILG Annual Training Seminar 2019 on 21 & 22 February in the Longford Arms Hotel, Councillor B Caldwell at LAMA Spring Training Seminar 2019 on 7 & 8 March in the Bush Hotel, Carrick on Shannon, Co Leitrim, Councillors T Murray, P Kennedy and M Aspell at AILG Module 2 Training 2019 on the 23 March in The Arklow Bay Hotel, Arklow, Co Wicklow and approval granted for the attendance of Councillor T Redmond at the IPI Annual Planning Conference 2019 on 04 and 05 April in the Landmark Hotel, Carrick on Shannon, County Leitrim.

**09/0319**

**Polling Information Cards**

The Meetings Administrator confirmed that in accordance with the requirements of Article 55 of the Local Elections Regulations 1995 the agreement of the members was requested to the issue of polling information cards to electors who can vote at local elections only.

**Resolved** with the agreement of the members present that Kildare County Council sends polling information cards to local electors, pursuant to Article 55 of the Local Elections Regulations 1995.

**10/0319**

**Housing Strategic Policy Committee (SPC)**

The Chair of the Housing Strategic Policy Committee, Councillor Paddy Kennedy gave a report to the members on the work of the SPC and outlined the work programme for the year ahead which included Rebuilding Ireland, Homelessness, Rapid Build Housing and Affordable Homes.

Councillor Kennedy informed the members that motions referred to the Housing SPC since the last presentation to the members included a motion for a quantity of social houses to be made available for elderly emigrants and a motion for the council to review its commitment to mixed tenure development as a basis for public housing. He stated that a presentation had been received by the SPC members from Home for Life, a new mortgage to rent provider and also from Professor Tony Fahy in relation to mixed tenure development. Councillor Kennedy stated that the major challenges facing the council with regard to housing availability included the housing market, Rebuilding Ireland, homelessness, changes in social housing options/delivery and resources. Councillor Kennedy thanked the staff of the council's Housing Department for their dedication, commitment and hard work which contributed towards improving services offered.

The Mayor and members thanked Councillor Kennedy for his presentation.

**11/0319**

**Annual Roads Programme 2019**

The Meetings Administrator referred to the 2019 Proposed Roads Works Programme report circulated previously by the Roads Transportation and Public Safety Department.

**Resolved** with the agreement of the members that the Annual Roads Programme 2019, be noted.

12/0319

**Part 8 on proposed Grand Canal Greenway**

The members considered the Chief Executives Part 8 report on the proposed Grand Canal Greenway (P82018.12). Mr Minnock outlined the route of the Greenway confirming the application was being made by Waterways Ireland with an inspection due to be made by them in mid-April with the success of the project dependent on the council's position. He confirmed 115 submissions had been received, covering 7 differing categories but that approximately half of the submissions related to the Naas Sallins link.

During the course of a debate on the proposal, the members expressed their concerns around the Royal Canal issues and construction methodology, types of surfaces used, width of road crossings, ecological assessment and funding requirements.

Mr L McGree, Senior Planner responded to the issues raised taking all the members comments into consideration and proposed the inclusion of a further condition, numbered No 9 to address these concerns as follows:

The proposed Greenway shall be constructed and maintained in accordance with the detailed requirements of the following national standards:

- a) Outline Funding Criteria for the development of National and Regional Greenways, published by the Department of Transport Tourism and Sport on the 19th July 2018.
- b) Greenways and Cycle Routes Ancillary Infrastructure Guidelines, published by the Department of Transport, Tourism and Sport.
- c) Great Outdoors, A Guide for Accessibility, published by the Irish Wheelchair Association and Sport Ireland on the 19th February 2019.
- d) Greenway Design and Brand Guidelines, published by the published by the Department of Transport, Tourism and Sport on 23rd July 2018.
- e) Rural Cycleway Design (Offline), published by Transport Infrastructure Ireland on 23rd July 2018.

Reason: In the interest of the proper planning and sustainable development of the area.

**Resolved** with the agreement of the members that the proposed development be carried out as recommended in the Chief Executives report to include the modification as outlined by Mr L McGree by the inclusion of Condition No 9 which states:

The proposed Greenway shall be constructed and maintained in accordance with the detailed requirements of the following national standards:

- a) Outline Funding Criteria for the development of National and Regional Greenways, published by the Department of Transport Tourism and Sport on the 19th July 2018.
- b) Greenways and Cycle Routes Ancillary Infrastructure Guidelines, published by the Department of Transport, Tourism and Sport.
- c) Great Outdoors, A Guide for Accessibility, published by the Irish Wheelchair Association and Sport Ireland on the 19th February 2019.
- d) Greenway Design and Brand Guidelines, published by the published by the Department of Transport, Tourism and Sport on 23rd July 2018.
- e) Rural Cycleway Design (Offline), published by Transport Infrastructure Ireland on 23rd July 2018.

Reason: In the interest of the proper planning and sustainable development of the area.

### **13/0319**

#### **Draft Kildare Age Friendly Strategy 2019-2021**

The members considered the Draft Kildare Age Friendly Strategy 2019-2021.

**Resolved** on the proposal of Councillor McGinley, seconded by Councillor Wall and agreed by the members present, the Kildare Age Friendly Strategy 2019-2021 was adopted.

### **14/0319**

#### **Draft Diversity Charter**

The members considered the Draft Diversity Charter.

**Resolved** on the proposal of Councillor Miley Jnr, seconded by Councillor McGinley and agreed by the member present, the Draft Diversity Charter was adopted.

### **15/0319**

#### **Economic Development, Enterprise and Planning Strategic Policy Committee (SPC)**

The Chair of the Economic Development, Enterprise and Planning Strategic Policy Committee, Councillor Suzanne Doyle gave a report to the members on the work of the SPC and outlined the work programme for the year ahead which included Economic Development objectives of the Local Economic and Community Plan (LECP) / Regional Action plan for Jobs and Local Economic and Development Plan (LEDP) 2017-2020, policy on the Business Support Scheme, consideration of policy towards best practice in design by means of an annual awards scheme, strategy for attracting foreign direct investment, policy on Retail Incentive /Attracting Retail, monitoring of National Planning Framework and Regional Spatial and Economic Strategy, signage policy in



conjunction with the Transportation and Environment SPC and an audit of the Kildare County Development Plan 2017-2023 objectives. She stated that the policy for the Shop Front Grant Scheme had been implemented successfully, the policy for design aid for single rural housing had been suspended, policy on the renaming of new housing estates had been implemented, the policy on best practice in design support awards and retail incentives and signage was ongoing. Councillor Doyle stated that a review of the Part 8 process had been updated and was due to go live on the council's website in Quarter 4, 2019. She stated that discussions had taken place in relation to sustainable development goals for the council, research on feedback from the business community in relation to their interaction with Kildare County Council, strategy for attracting foreign direct investment and numerous referrals which had been received from the members. Councillor Doyle thanked the members of the SPC for all their hard work and commitment in this area.

The Mayor and members thanked Councillor Doyle for her presentation.

## **Tuarascáil agus Moltaí ó Choistí** **Committee Reports and Recommendations**

### **16/0319**

Reports from the members nominated to External Bodies/Committees

- i. Dublin Mid-Leinster Regional Health Forum
- ii. Eastern Midlands Regional Assembly
- iii. Kildare Heritage Forum
- iv. Kildare Heritage Town Co Ltd

The Meetings Administrator referred to the reports that had been circulated to the members.

**Resolved** with the agreement of the members present that the reports from the members of the Dublin Mid-Leinster Regional Health Forum, Eastern Midlands Regional Assembly, Kildare Heritage Forum and the Kildare Heritage Town Co Ltd, be noted.

**Tairisceana Reatha Feidhmeanna na Comhairle Contae**  
**Current Motions Kildare County Council Functions**

**17/0319**

**Capital Programme Delivery**

The following adjourned motion from December 2018 in the name of Councillor Doyle was considered.

That the members receive a report on the capital programme delivery for the period of this council to date, giving details of costs i.e. all associated costs of capital projects from conception to delivery, including all design and consultancy fees of each project and the timelines for each on a matrix that can be clearly considered.

The motion was proposed by Councillor Doyle and seconded by Councillor O’Cearúil

The Meetings Administrator confirmed the report as requested had been circulated to the members as an attachment to the agenda reports.

Councillor Doyle thanked the executive for the report noting it was timely given the current council was coming to the end of its term. She noted the disparity on spend in different areas in different municipal districts stating the council needed to look at equitable distribution of investment. She noted the commitment of the council in the area of housing where €160 million had been spent over the last 5 years noting most of these costs tend to be in the pre-delivery stage and this needed to be looked at. Mr McDonnell stated he had received a letter in the last few days from the Minister for Housing Planning and Local Government outlining ways in which the Department would further streamline the project process ie. standard internal layouts for social housing and confirmed he would circulate the letter to the members for their information.

Councillor Doyle stated the report contained a lot of valuable information which should be reflected on and utilised in assisting the incoming council in their future work plans.

**Resolved** on the proposal of Councillor Doyle, seconded by Councillor O’Cearúil and agreed by the members present that the report be noted.

18/0319

### **International Travel and Subsistence Expenses**

The following adjourned motion from December 2018 in the name of Councillor McLoughlin Healy was considered.

That the council provide a report of all international travel and subsistence expenses incurred by councillors and executives between 2014 to present; to include a report of intended benefits to the tax-payers of the trip and any and all reports provided by executive or councillors on their return.

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

A report was received from the Corporate Services Department informing the members that International Travel & Subsistence Payments from June 2014 to December 2018 have been made as follows:

- a) Official visit to New York - St Patrick's Day
- b) Memorandum of Understanding - Kildare Co Co & Guangzhou, China
- c) Urbact Programme
- d) Twinning
- e) Professional requirements in relation to specialist areas of work
- f) Training & Conferences
- g) Other

As advised previously, information associated with all international travel is not held centrally, and the information below has been collated from various sources.

#### **a) Official visit to New York - St Patrick's Day invitation**

2015	Mayor Fiona O'Loughlin & Mr Peter Carey CE
2016	Mayor Brendan Weld & Mr Joe Boland DoS
2017	Mayor Ivan Keatley & Mr Peter Carey CE
2018	Mayor Martin Miley & Mr Niall Morrissey DoS

Total Travel & Subsistence Payments have been made in the amount of €24,037 Members have previously received a report following each visit.

#### **b) Memorandum of Understanding – Kildare County Council & Guangzhou, China**

2017 Councillor Paddy Kennedy & Mr Peter Minnock DoS

2018 Mayor Seán Power & Mr Niall Morrissey DoS

Travel & Subsistence payments have been made in the amount of €4,867. A report was presented to the members following each visit.

### **c) Urbact Network Programme**

The network is a European exchange and learning programme financed by the European Commission as part of its programmes on interregional cooperation. The aim of the network is to stimulate innovation in urban regeneration by encouraging towns and cities to identify, transfer and disseminate good practice.

#### Urbact Programme - Naas

2015	Hungary	S Kavanagh
2015	Hungary	M Foley
2016	Holland	Cllr Callaghan
2016	Holland	S Kavanagh
2016	Spain	S Kavanagh
2016	Portugal	Cllr Brett
2017	Slovenia / Croatia	Cllr Brett
2017	Estonia	Cllr R Power
2018	Belgium	S Kavanagh
2018	Italy	Cllr R Power
2018	Italy	S Kavanagh

#### Urbact Programme - Athy

2018	France	H Dowling
2018	France	AM Conneelly
2018	Cyprus	H Dowling
2018	Cyprus	Cllr Breslin

Travel & Subsistence Payments have been made in the amount of €8,579. Reports have been made available to the members of each municipal district following each visit.

### **d) Twinning**

<u>Year</u>	<u>Location</u>	
2015	Omaha, USA	Cllr Lawless
2016	Badlippspring, Germany	Cllr Aspell
2016	Bressure, France	Cllr Neville
2016	St Davids, Wales	Cllr Brett
2017	Argrentre du Plessis, France	Cllr Kennedy
2017	Argrentre du Plessis, France	Cllr Stafford
2017	Badlippspring, Germany	Cllr Aspell
2017	Lexington, USA	Cllr Miley
2017	Lexington, USA	Cllr Brett
2017	Lexington, USA	Cllr Weld
2017	Lexington, USA	Cllr McCabe
2017	Lexington, USA	Mr Carey CE
2017	Lexington, USA	Mr Minnock
2018	Ocala, USA	Cllr Aspell
2018	Badlippspring, Germany	Cllr Kennedy
2018	Dillingen, Germany	Cllr R Power
2018	Bressure France	Cllr Neville

Travel & Subsistence payments have been made in the amount of €13,373. A report was presented to full council following the Lexington visit and reports were made available to the members of each relevant municipal district committee following other visits.

**e) With respect to professional requirements in relation to specialist areas of work International travel was undertaken as follows:**

2015	Spring Bulb Exhibition	S Wallace	Keukenhoff, Holland
2017	Research associated with assessment of planning application for proposed proton therapy cancer treatment clinic development	P Minnock M Holligan G Willoughby	Newport, Wales
2017	Research associated with assessment of planning application for proposed proton therapy cancer	M Kenny P Conlan	Northumberland England

	treatment clinic development	F Breen
2017	Source bulb planter	P O'Rourke Birmingham, UK
2017	Kerdiffstown Landfill remediation project	A Dunney Birmingham, UK
	Design Team meeting – offices of Jacobs International	
2018	Research associated with proposed Shackleton Museum	N Morrissey Oslo, Norway
2018	Green Flag Judging	S Wallace London, UK

Travel & Subsistence payments have been made in the amount of €3,630.

#### **f) Training & Conferences**

Staff was approved to undertake courses as follows:

2015	LGMA Leadership Training for Directors of Services	E O' Sullivan Boston, USA
2015	IPA Leadership Course for Directors of Services	S Kavanagh Warwick, England
2016	Training on Traffic Management Systems	J Walsh Poole, England
2017	IPA Leadership Course for Directors of Services	N Morrissey Warwick, England

Travel & Subsistence payments have been made in the amount of €5,602.

#### **g) Other:**

2016	Representative following Tidy Town Success	Cllr Keatley (Mayor) Bratislava, Slovakia
2016	Representative following Tidy Town Success	J Boland, DoS Bratislava, Slovakia
2018	Attendance at Convention of Mayors	Cllr R Power (Mayor) Naas MD Metz, France

Travel and subsistence payments have been made in the amount of €1,903.

The report confirmed it should be noted that Travel & Subsistence payments have been made in accordance with all current relevant circulars issued by the Department of Public Expenditure &

Reform (DEPR) and Department of Housing, Planning and Local Government. All staff who have undertaken international travel have received the prior approval of the Chief Executive.

Councillor McLoughlin Healy noted the contents of the report stating it was of value to councillors adding she was looking for assurances that the schemes were fair and transparent especially with regard to how the people are selected to take part. She outlined a number of queries to include had the council made any payment for return trips and did they fund anyone else other than the councillors and officials to go on these trips. She also enquired what the Urbact programme was and where the reports on this programme could be found.

Ms Kavanagh confirmed the Urbact Programme was originally in Naas and this had been the first time the council had secured an Urbact programme with the theme being to reinvigorate Naas town and its retail business. She stated the reports on Urbact had been presented to the Naas Municipal District Committee but she would circulate them to all the councillors. Ms Kavanagh confirmed Athy had now secured an Urbact programme.

Mr McDonnell confirmed the council did not fund any return trips and that only councillors and officials had been funded to go on these trips. He also noted there had been an error in the original report circulated which had listed Councillor R Power as partaking in a trip to Croatia under Urbact Naas which was incorrect.

Councillor McLoughlin Healy stated that the County Twinning Committee had not provided annual reports adding there had also been issues around student exchanges and asked that this committee comply with their requirements and submit its annual reports as required.

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

### **19/0319**

#### **All Island Pollinator Plan**

The following joint motion in the names of Councillors McEvoy, Kennedy, Larkin and Murray was considered.

That the council partner with the All Island Pollinator Plan as a practical action to mitigating the effects of Climate Change.

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

A report was received from the Planning and Strategic Development Department informing the members that the All Ireland Pollinator Plan 2015-2020 is about everyone, from farmers to local authorities, to schools, gardeners and businesses, coming together to try to create an Ireland where pollinators can survive and thrive.

Kildare County Council is committed to the implementation of the National Pollinator Plan and will seek to become a council partner in its implementation. In order to do so, each local authority is required to complete a framework for councils/local authorities. Prior to the signing of this framework Kildare County Council's obligations will need to be discussed with the Transportation and the Parks Departments.

It is expected that many of actions to be taken by local authorities to support the All Ireland Pollinator Plan are low cost or cost-neutral.

Councillor McEvoy sought the members support to this motion stating it was something the council should endorse as it had significant merit.

**Resolved** on the proposal of Councillor McEvoy, seconded by Councillor Larkin and agreed by the members present that the report be noted.

### **20/0319**

#### **Ownership of Racecourse Road in Naas**

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

That the council validate when, if ever, it purchased, took in charge or accepted ownership of the private road, known as Racecourse Road, linking the Dublin and Tipper Road in Naas.

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

A report was received from the Roads Transportation and Public Safety Department informing the members that this road is in Kildare County Councils charge since 2010, it is numbered as the L80176 on the PRS (Public Roads System).

Councillor Moore stated he was happy with the report.

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



**21/0319**

**Ban Use of Glyphosates**

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

That the council bans the use of glyphosates in public areas within their remit in County Kildare and that the Parks Department provide: (a) a report to members outlining the usage of glyphosates in these areas, with associated costs annually and (b) a report to members detailing the results of the pilot costing and trials carried out in Newbridge as was agreed by the Environmental Services and Water SPC in 2018.

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

A report was received from the Economic, Community and Cultural Development Department informing the members of that the use of herbicides is used to control weed growth in grass maintenance and also in planting areas mainly on roundabouts. Grass areas are sprayed 3 times from March to October and spot treatment of roundabouts is done monthly. The current annual cost of this is €12,000 approximately. A pilot study was not undertaken in Newbridge as it was not possible to source machinery last summer to carry out weed control using hot water or hot foam which are the two main alternative methods to herbicide currently available. However, the Parks Department in Dun Laoghaire Rathdown County Council carried out a similar trial in 2017 using hot water and hot foam to control weeds on planted and paved areas. The conclusions from that were that the hot foam offered more effective control of weeds than hot water. The control using hot foam lasted 3-4 weeks. Both methods were labour intensive and required more frequent treatment and were therefore more expensive than herbicide control.

The use of either method involved the purchase of a specialist machine cost of €40K and purchase of material in the case of foam.

Banning the use of glyphosates will increase the cost of grass cutting in Kildare. The annual total cost of this is €250K which accounts for close to half of the annual Parks Improvements revenue budget. There is no scope within existing staff or financial resources for this cost to increase.

Kildare County Council is committed to the All Ireland Pollinator plan which includes an objective to reduce the use of pesticides, alter grass cutting rotas and use of alternative methods for weed

control and reduce herbicide use. It would be preferable to examine a work programme over a number of years to implement these objectives within available resources than ban glyphosate.

Councillor Cussen noted the contents of the report and took it that Kildare County Council were willing to examine the issue but that staffing and resourcing would have to be considered. She expressed her disappointment that the Newbridge pilot had not gone ahead and asked that the council improve their practises and resources in this most important area and continue to identify and embrace suitable alternatives.

Following a discussion amongst the members, the following points were made:

- The importance of the pollinator plan, implications for food sources if reductions not introduced
- Extra budget to be allowed for this item in 2020
- Spray glyphosates contribute to cancer
- Products are licensed by the EU for the next five years
- Report has already been considered at the Environment Services and Water SPC and a presentation from Mr Gordan Rennick received on same.
- The council should be encouraging community groups and Tidy Towns groups to grow more wild flower/meadow areas
- Cost to the council in this area should not be assessed on a financial basis only, cost to the environment must also be considered.
- Anyone using these pesticides has to register their usage which is a control mechanism in itself.
- Cost should not be an impediment and a structured budget over a number of years to address this item, be considered.

Ms Kavanagh noted the members concerns and confirmed there was no unwillingness to take this matter on but the council could not impose a blanket ban as requested in the motion and something like this would have to be introduced on a phased basis. The Mayor also noted that the motion as written could not be considered as there were budget implications arising from it.

Councillor Cussen proposed an amendment to the motion which was submitted to the Mayor and the Meetings Administrator for the consideration of the members:

The Meetings Administrator read the amended motion into the record.

That the council reduces the use of glyphosates in public areas within their remit with budget provision made for 2020.

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

**Resolved** on the proposal of Councillor Cussen, seconded by Councillor Caldwell and agreed by the members present that the council reduces the use of glyphosates in public areas within their remit with budget provision made for 2020.

### **22/0319**

#### **Implementation of policies of County Development Plan**

The following joint motion in the names of Councillors Miley and Doyle was considered.

That Kildare County Council implements the policies in Chapter 6 of our County Development Plan as adopted and not augment these policies, and that both the social and commercial need to live in a rural area is recognized and facilitated with a positive presumption in assessing planning applications eligibility having regard to the policies of the council.

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

A report was received from the Planning and Strategic Development Department informing the members that the matter is under consideration by a sub-committee of the Economic Development, Enterprise and Planning Strategic Policy Committee (SPC), established following a resolution of full council, with two members representing each of the five municipal districts respectively. On conclusion of their deliberations, the sub-committee will report to the SPC and full council in due course.

Councillor Miley Jnr clarified that the motion should have referred to Chapter 4 of the County Development Plan. He noted the contents of the report and expressed his frustration on the issue noting the sub-committee had been established and had met three times to date with very little progress made. He reiterated the fact that rural housing should be seen as a positive noting that rural communities are continuing to be eroded and the council needed to revert to implementing its County Development Plan as adopted by the members of the council.

Following a discussion amongst the members, the following points were made:

- Frustration at the lack of progress being made by the cross-party sub-committee
- The Department had advised the EMRA group there would be no repercussions to rural housing from the National Planning Framework (NPF) review
- How was Section 19 of the NPF framework review being implemented when it was still only at draft stage
- Problems arising due to the fact there are different utilities involved ie. Irish Water
- The potential for rural communities to be destroyed due to schools losing teachers and/or closing due to the population decline
- The impact the lack of investment in public infrastructure is having in rural areas
- The issue impacts on all municipal districts of the council and the situation as it currently stands is creating a rural/urban divide

Mr Minnock stated another meeting of the sub-committee was scheduled for later that week where local regional and urban policies along with the 31 objectives in the CDP were being considered. He also noted that analysis was ongoing on the identified case studies and agreed a conversation needed to be had with Irish Water in relation to infrastructure.

The Chief Executive noted the member's comments and confirmed that it had been agreed that a sub-committee be set up to examine the matter and that it would be prudent to let that committee finish out its work in advance of making any further decisions.

Councillor Miley gave examples of one-off rural housing planning/refusal statistics in adjoining counties and confirmed what was being sought was that the people who satisfy the criteria of the Rural Housing Policy in Kildare County Council's own County Development Plan, be granted planning permission.

Councillor Doyle requested that a vote be taken on the motion so that the council would revert to the status quo on rural housing planning applications pre-September 2018 and that the sub-committee be allowed to finish out their work and report back to council.

The Mayor called for the members to vote on the motion as proposed and seconded.

**Resolved** with 24 members in favour of the motion, 0 members voting against the motion and 5 abstentions, that Kildare County Council implements the policies in Chapter 4 of our County Development Plan as adopted and not augment these policies, and that both the social and

commercial need to live in a rural area is recognized and facilitated with a positive presumption in assessing planning applications eligibility having regard to the policies of the council, the motion was carried.

**23/0319**

**Catchment Flood Risk Assessment and Management Studies (CFRAMS)**

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

That the council write to the insurance regulator and all home insurance providers who offer policies within County Kildare, voicing our concern, disappointment and opposition to the apparent misinterpretation of the current Catchment Flood Risk Assessment and Management Studies (CFRAMS) maps by the insurance industry and the fact that this misinterpretation is now affecting house sales within County Kildare.

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

The following report was received from the Director of Services for Water, Environmental and Climate Change:

I am to advise that the attached correspondence was forwarded to the following arising from a similar Notice of Motion listed for the meeting of 27 March 2017.

- Director of Corporate Services, Office of Public Works;
- Insurance Institute of Ireland
- Secretary General, Department of Public Expenditure and Reform
- Chief Executive Officer, Irish Insurance Federation
- Chief Executive Officer, Insurance Ireland

I only have a record of receiving replies from the Office of Public Works as well as the Insurance Institute and copies are attached for your information.

The council shares the concerns of Councillor Durkan in this matter and is regularly contacted by individual householders who are having difficulty in securing insurance. On some occasions, the council is in a position to give a “letter of comfort” in cases where alleviation works have been carried out and this, indeed, has been helpful in a number of cases.

It is disappointing, in particular, to have no record of receiving a response from Insurance Ireland. Therefore, I have again written to its Chief Executive requesting that a response will issue for the April meeting. I am also proposing to refer the matter to the Financial Services Ombudsman.

Councillor Durkan thanked the Director for the report and asked that a complaint issue to the Financial Services Ombudsman as outlined to include copies of all previous correspondence in the matter.

**Resolved** on the proposal of Councillor Durkan seconded by Councillor Stafford and agreed by the members present that a complaint issue to the Financial Services Ombudsman as outlined to include copies of all previous correspondence in the matter.

### 24/0319

#### **Condition of Trees and Hedging to Complement or Replace Bollards**

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

That the council reaffirms its commitment to the environment and the greening of the county and requests that (where possible) in place of the installation of bollards that appropriate trees are used and that in place of walls and railings that hedging is used and that any future council works or planning permissions take this seriously into account.

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

A report was received from the Economic, Community and Cultural Development Department informing the members that Kildare County Council where practical uses or conditions trees and hedging to compliment or replace bollards, walls and railings and will continue to do so where and when feasible depending on the site requirements.

Councillor Lynch stated that walls were continuously being built and these permanent structures were not always needed and asked both the Planning and Parks Departments to take this into account when conditioning planning permissions and developing projects.

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

**25/0319**

**Naming of New Housing Estates**

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

That the council stringently implement its policy in respect of the naming of new housing estates as per Chapter 17 of the County Development Plan 2017/23: (17.4.2) and engage with developers who are not adhering to this policy forthwith to conserve Kildare's cultural heritage.

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

A report was received from the Planning and Strategic Development Department informing the members that Chapter 17.4.12 of the County Development Plan 2017–2023 sets out the adopted council policy regarding the naming of housing estates within the county. This is outlined below and is the policy being followed.

“Names of residential and other developments shall reflect local heritage by incorporating local place names or names of geographical, historical or cultural significance to the site location. Names of developments shall include the use of the Irish language.

In order to ensure the above and to avoid confusion and duplication, the naming of developments will require the prior agreement of the Planning Authority.

Proposed names shall be submitted to the Planning Authority and agreed prior to launching any advertising campaign for the development.”

Councillor Cronin stated she had submitted this motion as a result of an estate in Kilcock being named Ledwill Park after Captain Ledwill who was a Captain in the British army and stated she was very concerned by this and proposed that the council write to the developer outlining the councils objection to this name.

Following a discussion on the matter, the following points were made:

- Further liaising required in relation to suitable local place names to take account of local history and heritage
- Too many similar place names being used

- The policy document on naming housing estates needs to be reviewed to allow for the councillors input
- Naming of estates needs to be inclusive of Irish Language
- The names of new housing estates goes to the Municipal District for approval
- That the policy be referred to the Economic Development, Enterprise and Planning SPC for further discussion

Councillor Cronin reiterated her request that the council write to the developer of the estate in question outlining its objection to the name. The Mayor confirmed this request was not contained in the motion as proposed thus could not be done.

Mr McDonnell confirmed it was not possible to review the policy on Naming of Housing Estates without varying the County Development Plan but suggested the council could request the Planning Department to prepare a protocol on the naming of housing estates in advance of the review of the County Development Plan.

**Resolved** on the proposal of Councillor Cronin seconded by Councillor Cussen and agreed by the members present that the report be noted and the Planning Department prepare a protocol on the naming of housing estates in advance of the review of the County Development Plan

## **Tairisceana Reatha Nach feidhmeanna na Comhairle Contae iad Current Motions Non-Kildare County Council Functions**

**26/0319**

### **Insurance Reform Programme**

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

That the council, in view of the damage that spiralling insurance costs are causing to community groups, voluntary organisations, charities and small business, calls on the Government to accelerate its insurance reform programme and in particular Kildare County Council calls on the Government to recalibrate the Book of Quantum to reflect international norms, immediately establish a distinct Insurance Fraud Unit within An Garda Síochana and quantify the benefits to policy holders of the reforms being implemented.



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

A report was received from the Finance Department informing the members that is a matter for the members to agree.

Councillor McCabe stated that increasing insurance costs were having a huge effect on business especially in the area of creches and child play centres noting the claims rate in this country is increasing at a phenomenal rate and the book of quantum does not reflect the challenges of the business community.

**Resolved** on the proposal of Councillors McCabe seconded by Councillor McEvoy and agreed by the members present that the council, in view of the damage that spiralling insurance costs are causing to community groups, voluntary organisations, charities and small business, calls on the Government to accelerate its insurance reform programme and in particular Kildare County Council calls on the Government to recalibrate the Book of Quantum to reflect international norms, immediately establish a distinct Insurance Fraud Unit within An Garda Síochana and quantify the benefits to policy holders of the reforms being implemented.

#### **27/0319**

#### **Council's projected Increase in Housing Stock**

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

In light of the council's projected increase in housing stock coming nowhere near the needs of approx. 5,000 people on the councils housing list ie. approximately 600 units through construction and acquisition (Capital Programme 2019 – 2021) and a possible 600 units via Part V (as reported at the Budget meeting), the council calls on the Government to declare the housing crisis an emergency and dramatically increase capital spending to provide at least 10,000 local authority housing units per year for the next five years; increase Part V requirements to 20% in standard developments and 30% in Strategic Development Zones; raise the income threshold for eligibility to public housing to twice the median wage for a single person and three times the median wage for a couple; take aggressive action to return vacant houses into active use.

The motion was proposed by Councillor Young and seconded by Councillor Pender.

A report was received from the Housing Department informing the members that the motion was a matter for the members to consider, however, the following information may be of interest:

- It is Government policy to deliver social housing using a number of different mechanisms, not just construction. In this regard, the national targets published under the Rebuilding Ireland: Action Plan for Housing and Homelessness for the period 2016-2021 is 50,000 additional social housing homes; 67% Build, 13% Acquisition, 20% Leased. The target for 2019 is the delivery of 10,000 additional social homes. The target set for each local authority is based on the annual summary of social housing assessment. Statistics released by the Department of Housing, Planning and Local Government [DHPLG] in relation to 2018 delivery show that Kildare County Council achieved 131% of our build/acquisition/leasing target and achieved 109% of our overall social housing target.
- Any change to Part V will require an amendment of Planning and Development legislation, which is a function of the Oireachtas.
- Income limits for social housing qualification are set down in the Social Housing Assessment Regulations. The Housing Department would support a review of current income limits as they relate to County Kildare, however, this will require an amendment to current legislation, which is a function of the Oireachtas.
- Pillar 5 of Rebuilding Ireland: Action Plan for Housing and Homelessness is “Utilise Existing Housing”. The National Vacant Housing Reuse Strategy 2018-2021 was published last year by the DHPLG and, in addition, Kildare County Council’s Housing Department has developed a Vacant Homes Action Plan [both documents are published on our website]. Any information or queries with regard to potential vacant properties can be logged by anybody on the national vacant homes website [www.vacanthomes.ie](http://www.vacanthomes.ie). During 2018 a Vacant Homes Officer was assigned to the Housing Department and work has commenced on identifying vacant homes in the county and assessing their suitability, or otherwise, for social housing.

As it was approaching 6 o'clock, the Mayor proposed a suspension of Standing Orders for ten minutes to allow the meeting to conclude.

**Resolved** on the proposal of the Mayor and agreed by the members present, to suspend Standing Orders for 10 minutes to allow the meeting to conclude.

Councillor Young outlined his concerns regarding the current operation of the Housing Programme to include problems with HAP, the continuing rise in the number of homeless presenting, rental increases, income thresholds and sought the councils support to the motion.

**Resolved** on the proposal of Councillor Young seconded by Councillor Pender and agreed by the members present that the council calls on the Government to declare the housing crisis an emergency and dramatically increase capital spending to provide at least 10,000 local authority housing units per year for the next five years; increase Part V requirements to 20% in standard developments and 30% in Strategic Development Zones; raise the income threshold for eligibility to public housing to twice the median wage for a single person and three times the median wage for a couple; take aggressive action to return vacant houses into active use.

In advance of concluding the meeting, the Mayor took the opportunity to thank Lynda Doyle for all her journalistic work in covering the council meetings and wished her well in the future.

The Mayor also clarified that the Audit Committee Annual Report 2018 had inadvertently been omitted from the email that issued last Thursday with the agenda reports but confirmed that the report had been available on membersnet since last Friday morning.

The meeting concluded.