

**KILDARE COUNTY COUNCIL**  
**Minutes of meeting of Council**  
**held at 2.00pm**  
**Monday 28 January 2019**  
**Áras Chill Dara, Devoy Park, Naas, Co Kildare.**

**Members Present:** Councillor S Power (Mayor), Councillors M Aspell, A Breen, A Breslin, F Brett, K Byrne, B Caldwell, D Callaghan, M Coleman, R Cronin, I Cussen, B Dooley, S Doyle, T Durkan, D Fitzpatrick, B Hillis, I Keatley, C Kelly, P Kennedy, A Larkin, M Lynch, M McCabe, P McEvoy, J McGinley, F McLoughlin Healy, M Miley 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.

**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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**01/0119**

**Vote of Sympathy**

The Mayor welcomed the members to the meeting and welcomed Senator John Dolan in the public gallery. He extended his sympathy to the family of the late:

Thomas (Tommy) Brady, father of Thomas Brady, Caretaker, Newbridge Library.

Jimmy Martin, brother of Bernard Martin Newbridge Area Office

Ann Houllihan, wife of John Houllihan and sister in law of Mary Quinn

Declan Sweeney, Father to Michelle Eastley and father in Law of Jackie Sweeney.

Rita Kelly Sister of Mairead Waters Local Transport Network and sister in law of Ger Waters Finance Section.

A minute's silence was observed.

#### **02/0119**

##### **Adoption of Minutes**

The council considered the minutes of the monthly meeting of 17 December 2018 together with the progress report.

**Resolved** on the proposal of Councillor Hillis, seconded by Councillor Kennedy and agreed by the members present that the minutes of the monthly meeting of 17 December 2018 be adopted and the progress report noted.

#### **03/0119**

##### **Chief Executive's Monthly Management Report**

The members noted the Chief Executives monthly management report.

Councillor Redmond raised 3 queries in relation to the monthly management report related to homeless presentation figures for Quarter 4 2018 which Mr McDonnell undertook to clarify. Councillor Redmond also noted there was no update in the report related to the Southern Inner Relief road in Athy and enquired regarding the number of estates confirmed on page 42 that require monitoring and works by Kildare County Council. Mr Morrissey confirmed that a full update had been given at the Athy Municipal District Committee in relation to the Southern Inner Relief road in Athy and confirmed that accommodation works had commenced. He also advised that members had been informed of all the estates to be taken in charge a few months previously noting the 20 estates referred to were causing ongoing difficulty with the main issue being in relation to sewerage systems.

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

#### **04/0119**

##### **Section 183 for Disposal of Land at Castlefen, Sallins, Co Kildare**

The members considered the Section 183 for the disposal of land at Castlefen, Sallins to Tuath Housing Association

The Meetings Administrator referred to the report to the members dated 15 January 2019 from the Housing Capital Section.

**Resolved** on the proposal of Councillor Kelly seconded by Councillor Hillis and agreed by all members present pursuant to Section 183 of the Local Government Act 2001 as amended, that the council consents to the disposal of land at Castlefen, Sallins to Tuath Housing Association.

**08/0119**

**Gnó and Mhéara/Mayors Business**

The Mayor confirmed that he and Councillor Kennedy had met with the Association of Chinese Professionals in Newbridge Silverware the previous day and said it had been a very encouraging event. He also confirmed he had officially launched the “Ringing the Ogoni Bells” exhibition in Athy Community Library which was as a result of collaboration between Maynooth University Library and Kildare County Council Library Services and thanked Sister Majella McCarron (OLA) for her involvement in the project and for making the journey to Athy.

The Mayor also attended an event organised by the Decade of Commemoration Committee to mark the 100th anniversary of the first sitting of the Dail and he wished to thank the Ceann Comhairle Deputy Seán O’Fearghail and the Decade of Commemoration Committee for this very inclusive and dignified event.

The Mayor confirmed the launch of the Mid East Action Plan for jobs by Minister Heather Humpries would take place on the 7 February, along with Minister Ring and Minister Creed and that the turning of the sod for the Merits building would take place that day also.

The Mayor also stated he had accepted an invitation from the Kildare Association in New York to attend the St Patrick Day parade in New York.

The Mayor concluded by expressing his sympathies to Deputy Frank O’Rourke T.D. on the recent death of his mother.

**09/0119**

**Comhfhreagras/Correspondence**

The Meetings Administrator confirmed 12 items of correspondence had been received and circulated to the members to include a Circular from the Department of Housing Planning and Local Government regarding attendance by Elected Members at out of region training events in

2019, 4 responses to motion referrals from full council and 5 motion referrals from other county councils. Councillor Young asked if the council would endorse Monaghan County Councils motion referral regarding the abolition of fees for medical reports for the over 70's related to driving license applications and Sligo County Councils motion referral with regard to supporting the nurses and midwives in their demand for a better health service.

Councillor Cussen noted that the response to her motion related to burials in Kildare did not deal with the Children's Fund element of her motion. Ms McIvor stated clarification would be sought on this matter.

Ms McIvor also referred to the information circulated to the members in relation to the public consultation on proposals to reform the electoral registration process.

**Resolved** with the agreement of the members that Kildare County Council endorse Monaghan County Council and Sligo County Council motion referrals as outlined.

#### 10/0119

#### **Comhdhálacha agus Traenáil/Conferences and Training**

The Meetings Administrator referred to the report dated 24 January 2019 circulated to the members.

**Resolved** on the proposal of Councillor McEvoy, seconded by Councillor Kennedy 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 Councillors P Kennedy and M Aspell at AILG January Training on the 19 January in the Mullingar Park Hotel, Co Westmeath and approval granted for the attendance of Councillors B Caldwell, M Aspell and S Moore at AILG Annual Training on the 21 & 22 February 2019 in the Longford Arms Hotel, Longford and approval granted for the attendance of Councillors M Miley and P Kennedy at LAMA Spring Training Seminar on the 7 & 8 March in the Bush Hotel, Carrick on Shannon, Co Leitrim

#### 11/0119

#### **March Full Council Meeting**

The members considered a request from the Mayor to hold the March meeting of full council in the Curragh Camp.

**Resolved** with the agreement of all members that Kildare County Council seeks permission from the Department of Defence to hold their March monthly council meeting in the Curragh Camp.

## 12/0119

### **Presentation on the Draft Kildare Climate Adaptation Strategy**

The Mayor welcomed Mr Alan Dunney, Regional Co-ordinator of the Eastern and Midlands Climate Action Regional Office to the meeting. Mr Dunney informed the members that climate change was a major factor for all local authorities as it impacts widely on all their services. He also stated that the Climate Action and Low Carbon Development Act 2015 focused on reducing carbon, working towards making our climate resilient, achieving an environmentally sustainable economy by 2050.

Mr Dunney stated that there were twelve actions incorporated in the National Adaption Framework January 2018 and amongst them was the requirement for each local authority to make and adopt local adaptation strategies based on a regional governance approach to adaption planning (30 September 2019). He stated that a business case had been made by the City and County Managers Association (CCMA) and the Local Government Management Association (LGMA) to co-ordinate, report on governance, facilitate, foster, indentify weaknesses, create effective links and develop centres of excellence.

Mr Dunney stated that four geographical/topographical regions had been identified based on climate risk, these were the Atlantic Seaboard North, the Atlantic Seaboard South, the Dublin Metropolitan region and the Eastern and Midlands region. He stated that local authority climate action involved the establishment of regional offices for the four regions and Kildare County Council was within the Eastern and Midlands region catchment area. Mr Dunney stated that funding of €10 million over a period of five years had been announced for the setting up of regional offices and confirmed that service level agreements were in place with the Department of Climate Change and Environment (DCCE) and with other local authorities and that there was ongoing liaison with Central Government and other sectors with a goal to develop centres of excellence.

Mr Dunney informed the members that a past climate events inventory had been circulated to assist local authorities to develop their climate baseline and future vulnerabilities. He stated that the adaptation strategy would identify climate risk vulnerabilities and impacts, identify future risk scenarios, identify long term goals for adapting to climate change, identify and prioritise actions to

achieve goals and allow Kildare to become a climate resilient local authority. He informed the members that a draft strategy would be prepared for the end of February with the intention to go on public display by the beginning of April. He stated that following the public consultation the strategy would be brought before the members for adoption before the end of September.

A discussion ensued amongst the members and a number of issues were raised. Mr Boland confirmed that the RSES does contain a number of measures in relation to climate change and the County Development Plan review will take climate change into account also. He confirmed that the €10 million funding as assigned by Central Government was divided between the 4 authorities and also confirmed a training package would be delivered through the Strategic Policy Committee. Mr Boland stated the council was in a position of leadership locally on this issue and requested the member's assistance to get the message out.

The Chief Executive thanked Mr Boland and his team for all the work that went into the successful bid for the Regional office and the large amount of work being done in this area. He also thanked the members for their support and positive comments. He noted that local authorities are up front and centre on this issue and was very proud that Kildare County Council was in a leadership role in this regard but noted the council also has to look at its own activities and stressed the importance of engaging positively with the local communities.

The Mayor also thanked Mr Boland and Mr Dunney and their team for their work noting that citizen engagement and behavioural change are key issues and the council needed to show leadership, provide education and show commitment in this regard

### **13/0119**

#### **Nominations from the Public Participation Network (PPN)**

The members considered the following nominations from the Public Participation Network (PPP) to the Strategic Policy Committees (SPCs).

- Majella O'Keeffe - Economic Development Enterprise and Planning Strategic Policy Committee.
- Joe O'Carroll – Local Community and Culture Strategic Policy Committee.

**Resolved** on the proposal of Councillor O'Neill seconded by Councillor Weld and agreed by all members present that Majella O'Keeffe be nominated to the Economic Development Enterprise and Planning Strategic Policy Committee and Joe O'Carroll be nominated to the Local Community and Culture Strategic Policy Committee.

## **Tuarascáil agus Moltaí ó Choistí**

### **Committee Reports and Recommendations**

**14/0119**

Reports from the members nominated to External Bodies/Committees

- i. AILG
- ii. IPBMI
- iii. Drehid Liaison Committee
- iv. County Joint Policing Committee

The Meetings Administrator referred to the reports previously circulated to the members.

Councillor McLoughlin Healy stated she did not feel very well informed by these reports and asked that in future, when reference is made to information being available on-line, the associated links be given in the report. The Mayor noted the comments made and stated that the legislative requirement is that the reports be noted but added if there was any particular information needed or sought by any member that this could be followed up on.

**Resolved** with the agreement of the members that the reports from the members on AILG, IPBMI, Drehid Liaison Committee and the County Joint Policing Committee, be noted.

**15/0119**

### **Swimming Pool in North Kildare**

That this municipal district seeks full council's approval that Kildare County Council makes an application to the Large Scale Sport Infrastructures Fund, which is now open and has a closing date of 17 April 2019, for a swimming pool at the north Kildare preferred Leixlip Amenity Centre.

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

A report from the Economic Community and Culture Department stated that this was a matter for the members to agree however it had always been the council's position that from a strategic point

of view, the county should have 3 public swimming pools; 1 in the south of the county, 1 mid county and 1 in the north of the county.

Two public swimming pools are already in situ so the pool for the north of the county is the one outstanding and Kildare County Council will definitely be making an application to the Large Scale Sports Infrastructure Fund for this project. The issue is then whether the pool should be in Leixlip or in Maynooth. There are a number of factors that would sway the project towards Maynooth;

1. The original site for the pool was Leixlip but the land at the Leixlip Amenities facility is now almost fully allocated. Kildare County Council are working with Maynooth University to secure a site.
2. In terms of funding the council has set aside capital funding of €2million euro for a project in the Maynooth area
3. The Large Scale Sports Infrastructure Fund encourages partnership and the council feels that an application with Maynooth University would be well received
4. The council is aware that funding has already been allocated for a public swimming pool in Lucan; It is suggested that its proximity to Leixlip would work against any application for a pool in Leixlip

Based on all of the above Ms Kavanagh stated she was suggesting to the councillors that the council make 1 application to the Large Scale Sports Infrastructure Fund for a pool in North Kildare and the application should be for a public swimming pool in Maynooth.

Councillor Larkin noted the contents of the report however stated that the issue of a swimming pool in Leixlip had been discussed ad nauseum for years and he did not want the discussion to detract from any other proposals. He stated he was of the understanding that the preferred site had always been the site in Leixlip and which had been budgeted for over the years. He noted there was a lot of development pending in the Leixlip area through Strategic Housing Developments and expansion announcements by large companies and noted the Minister had stated previously that the case for a swimming pool in Leixlip would be reviewed seriously when funding became available again.



Councillor Ó'Ceairúil noted Councillor Larkins comments and confirmed that the Maynooth community had also been putting money aside for such a facility over a long number of years. He stated that Maynooth had a pool previously and that the pragmatic approach would be to work with Maynooth University in providing a new pool as outlined in the report from Ms Kavanagh.

Councillor McGinley proposed an amendment to the motion.

The Meetings Administrator read out the amended motion as follows:

That this municipal district seeks full council's approval that Kildare County Council makes an application to the Large Scale Sport Infrastructures Fund, which is now open and has a closing date of 17 April 2019, for a swimming pool in north Kildare on the basis of what is proposed by Ms S Kavanagh, Director of Services.

The amended motion was proposed by Councillor McGinley, seconded by Councillor Ó'Ceairúil.

A lengthy debate took place amongst the members with Ms Kavanagh cautioning that if the council put in 2 applications, there was a very strong possibility that neither application would succeed. She also noted that a significant amount of work was required in preparing these applications and the suggestion that 2 applications be made did not take into account the resourcing that would be required to carry this out. She stated that asking the members to adjudicate between their colleagues was very unfair and an impossible decision for members to make.

Following some further debate and a short recess, the amended motion was taken.

The Mayor called for a show of hands in relation to the amended motion.

**Resolved** with 20 members voting in favour of the amended motion, 8 members voting against the amended motion and 2 abstentions, the amended motion was carried.

## **Tairisceana Reatha Feidhmeanna na Comhairle Contae**

### **Current Motions Kildare County Council Functions**

**16/0119**

#### **Development Levies Scheme**

The following adjourned joint motion in the name of Councillors Brett, Durkan, Hillis, Neville, Scully and Weld was considered.

That the council carry out a full review of the development levies scheme.

The motion was proposed by Councillor Scully and seconded by Councillor Hillis.

A report was received from the Planning and Strategic Development Department which stated that the Development Contributions Scheme for the period 2015-2022 for Kildare County Council was adopted by the members in November 2015 after an extensive consultation process, and became effective from the date of adoption. The scheme took account of the changes in Local Government structures around that time and the transfer of water services provision to Irish Water. It also had regard to the "Guidelines for Planning Authorities on Development Contributions", issued by the then Department of the Environment, Community and Local Government.

The revised scheme included reductions in development contribution charges for commercial, industrial and agricultural developments as well as for developments in town centres. The contributions collected under the scheme part fund the council's capital programme and also provides matching funding for projects partly funded by Central Government. The revenue has been used to fund a range of key public infrastructure such as roads that are necessary to support economic development, and for specific community benefit purposes such as recreational areas, parks etc. There is no statutory requirement to review the scheme at this time and consequently a review of the scheme is not currently included in the work programme for 2018/2019.

Councillor Durkan stated that a number of anomalies had arisen since the scheme was adopted in 2015 in relation to exempt developments, applications of levies to garages/extensions and works related to the Nitrates directive. Councillor Lynch raised the issue of quarries and there was also a discussion around the question of rates charged for the extractive industries as it was felt that

quarries have a hugely degrading impact on local roads without making the significant contribution that would be required to redress this damage.

Following a lengthy debate, the Chief Executive noted that the issues being raised were more about clarification than a review of the scheme. He undertook to ensure that any individual issues raised by the members in relation to in-house items, decisions by the Board or decisions by other local authorities that might impact on Kildare, would be examined.

The Mayor proposed that the motion be adjourned for a month and a report made available on all the issues raised for the next meeting.

**Resolved** on the proposal of the Mayor and agreed by the members present that the motion be adjourned for a month and a report on the issues raised be available for the next meeting.

#### **17/0119**

#### **Utility Providers on Infrastructure**

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

That the council prepare a report on the level of activity being carried out by utility providers within the county with an assessment of the impact of this work on our road and path surfaces and that a request for funding from Central Government be made to ameliorate this burden or that we develop a policy that will adequately levy this activity.

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

A report was received from the Roads Transportation and Public Safety Department informing the members that there were 1,231 road opening licences approved by Kildare County Council in 2018 in respect to works carried out by utility providers and giving a breakdown per Municipal District: The licence applications are examined, assessed and approved by the technical staff based in each municipal district. If the proposed works are likely to restrict road traffic or pedestrian traffic, a traffic management plan will be required indicating the measures which will be taken to facilitate the safe movement and flow of traffic including pedestrians. Applications are made through the Map Road Licensing (MRL) system which is a national system supported by the Roads Management Office (RMO). Utilities are charged fees under the standard agreed terms of the Road Opening Licences and include the following:

- i) Processing Fee: charged to cover costs incurred by the Local Authority in respect to administering and operating the process
- ii) Long Term damage: charged by the Local Authority to compensate for long term deterioration of the road structure.

The City and County Mangers Association (CCMA) has agreed to implement a national deposit scheme, commencing February 2019, applicable to the following utilities: Irish Water, Gas Networks Ireland, Eir, Virgin Media, ESB Networks, SIRO and eNEt. In summary, the above Utilities and Telecoms providers will be part of a National Bond Scheme, administered on behalf of the Local Authorities by the Road Management Office (Donegal County Council). The bond payable will be based on the area of road opened annually by the utility nationally. The central objective of the scheme was to aggregate deposits from the utilities on a national basis and to streamline the administration of such deposits nationally.

Local Authorities would have access to the national bond where there is a breach of a licence relating to defective reinstatement, subject to certain terms and conditions. Local Authorities would also have the powers to carry out remedial works, and recoup the costs from the national bond scheme, where it was satisfied that a defective reinstatement was a hazard/potential hazard to road users. The Roads Department had recently increased its resources – technical and administrative – in order to manage the high number of road opening licence applications and increase the annual inspection regime.

Councillor Doyle welcomed the content of the report especially around a national scheme being established and asked whether there was a figure available in relation to the bond/deposit. She stated that she felt that more could be done to minimise the impact of these works and if something was not done shortly, the roads would continue to deteriorate. Councillor Redmond supported the motion stating this was a significant issue of concern in the Athy Municipal District and a large amount of complaints had been received in this regard. Councillor Brett also supported the motion and stated he was delighted to see a national deposit scheme being put in place. Mr Morrissey confirmed that the level of activity had been outlined in his response to the motion and the council is aware of the significant challenge the issue of road opening licenses is causing. He stated that a number of months ago, a decision was made to allocate the function of managing road opening licenses to the Celbridge-Leixlip Municipal District Engineer's Office and the council

had very much started to police these road opening licenses. Mr Morrissey stated he had attended a meeting the previous week regarding overall national Broadband projects and had raised all the concerns of the members at that meeting and noted the Minister did say that there was to be a national scheme where one duct was shared by all the utility providers. He also stated he had raised the issue of the quality of reinstatement works and the utility providers gave an undertaking to control their sub-contractors in this area.

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

### **18/0119**

#### **Vacant Sites**

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

That the council provide a preliminary assessment and quantification of the number and location of potential vacant sites that could be used for residential development in our municipal areas and receive a report by the Chief Executive on the application of the Vacant Site levy provisions in our municipal districts.

The motion was proposed by Councillor O'Neill and seconded by Councillor Pender.

A report was received from the Planning and Strategic Development Department informing the members that the Urban Regeneration and Housing Act 2015 (Vacant Sites Levy) aims to incentivise urban regeneration and facilitate increased activity in the housing construction sector. Under the provisions of the Act, each Planning Authority is required to identify vacant sites that fall within the established parameters, maintain a register of vacant sites and apply a levy in respect of such sites. The sustainable development of vacant sites in Kildare is being promoted through the targeted application of the Act in towns that are the subject of a statutory Local Area Plan. The provisions of the Act applies to all land in County Kildare that are the subject of statutory Local Area Plans, which are either zoned for residential development or have been specifically designated as "Regeneration Sites".

To date, detailed assessments have been carried out of all zoned and undeveloped land in Newbridge, Kilcock, Kildare Town, Celbridge, Sallins, Maynooth and Monasterevin. Statutory notices have been served on owners and occupiers of lands in Newbridge, Kilcock, Celbridge and Kildare Town. There are a number of steps set out in the legislation which must be followed in

each instance and many of those served with notices under section 7(1) of the Act have appealed their inclusion on the register and the Planning Authority is currently working through the established appeal process. It is the intention of the Planning Department to issue notice in relation to lands in Sallins, Maynooth and Monasterevin before the end of Quarter 1 2019. Sites in other urban areas such as Naas and Leixlip will be identified as part of their ongoing Local Area Plan reviews. Levies will become payable in the first instance from January 2020, depending their date of registration. The Vacant Sites Register is publicly available to view on the council's website as is constantly being updated as new properties are added.

Councillor O'Neill noted the contents of the report and stated no information has been provided in relation to the Naas Municipal District and it appeared that the council had only applied for 13 sites in the Kildare-Newbridge Municipal District. She also enquired in relation to the 13 sites that are detailed on the councils website as one of these sites is owned by the council. Councillor O'Neill also asked once levies are collected, how these monies are spent.

Mr Minnock confirmed the council chose the towns with current Local Area Plans to commence this process but will have to revisit this again when varying the County Development Plan for the RSES. Mr Minnock stated the best outcome for a vacant site was for it to be developed, not collect a levy and that a lot of pre-planning discussion was taking place in relation to numerous sites.

Councillor Stafford queried the phasing of C2 lands for development.

Following some debate, Councillor O'Neill stated the members had not been adequately involved in the implementation of the Act as intended. Mr Minnock proposed that the matter would be discussed with the members, and any queries dealt with at each individual Municipal District meeting.

**Resolved** on the proposal of Councillor O'Neill, seconded by Councillor Pender and agreed by the members present that the report be noted and the matter be brought to each municipal district meeting for discussion.

### **19/0119**

#### **CCTV for illegal dumping**

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

That the council increase the use of CCTV in known black spots for illegal dumping, to accelerate and strengthen the work of waste enforcement officers and that the Department of

Communications, Climate Action and Environment be petitioned to increase the penalties attached to such breaches that would provide for prison sentence in cases of serious breaches.

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

A report was received from the Environmental and Water Services Department informing the members that the use of CCTV is an enforcement measure used where there are ongoing issues of illegal dumping. It should be noted that the use of CCTV is intended for vehicle registration identification and any sites selected have to be assessed to ensure they are suitable for camera placement. The council avails of both fixed and mobile cameras. The fixed cameras are located at for example, bottle bank locations. Mobile cameras are generally used at known rural black spot areas. The use of fixed CCTV cameras yielded 52 fines in 2017 and 119 in 2018

In order to deal with the scale of dumping in the county the council has further increased its staffing resources with 7 community wardens and 2 environmental overseers now in place. It should be noted that the Environment Section investigated 1937 cases of illegal dumping/littering and issued 508 litter fines in 2018. The council also utilises financial assistance from the Department of the Environment through the anti dumping initiative. Locations selected here can fall into the black spot category. In order to address issues on a local basis, the Environment Section is arranging, on a pilot basis, a meeting with all stakeholders in the Athy Municipal District to consider best practice going forward.

It should be noted that Kildare County Council has adopted new byelaws in December 2018 (Kildare County Council Waste Management (Segregation, Storage and Presentation of Household and Commercial Waste) Byelaws 2018) to commence from March 2019 which will increase the council's enforcement powers. Under the byelaws, the council will have the ability to request details from households and commercial customers to provide evidence of their kerbside collection (or having an alternative service for the disposal of their refuse e. g. direct to a civic amenity site, etc). Plans are also being finalised for a booklet drop to all households giving advice on how to segregate waste and to inform the public regarding proof of a refuse collection service and avoiding the use of the "man in the van" operator. Members of the public can help by reporting any incidents of litter to the council's litter report free phone number is 1800 243 143 or the

council's 'Fix Your Street' online facility is particularly helpful to allow the public make reports to the council.

The council proactively engages with the community to deter illegal dumping and littering. A number of interventions were highlighted such as the council's 'County Kildare Tidy Towns Network', Kildare Town being awarded Ireland's cleanest town in 2017 under the Irish Business Against Litter (IBAL) Anti Litter League. The Network has also entered a special partnership agreement with County Kildare GAA, there was a mattress amnesty event held at the Civic Centre at Athy in November which yielded over 500 mattresses and the council's 'Green Kilometre' pilot initiative was launched in 2017 in the Athy Municipal District area (South Kildare) and the 'Lily White Clean Up Day' (annually each April) is particularly successful in engaging local residents and communities to carry out clean ups in their areas. It will be a matter for members to decide regarding making a petition to the Department regarding penalties. The maximum penalty under litter enforcement is €4000.

Councillor Dooley thanked the Environment Department for the detailed report and acknowledged the great work being done by them in this area but stated the council is now dealing with an escalating problem of fly-tipping in remote areas. A lengthy discussion took place amongst the members with all in agreement that this was an increasing problem and a multi-faceted approach needed to be taken. Mr Boland thanked the members for their contribution noting the council had two crews on the road on a full time basis disposing of rubbish and 300 tonnes of rubbish was collected annually in this regard. He confirmed that CCTV has an important role in addressing the issue but noted it was very expensive and is not a panacea to resolving this issue.

**Resolved** on the proposal of Councillor Dooley, seconded by Councillor Redmond and agreed by the members present that the report be noted and that the Department of Communications, Climate Action and Environment be petitioned to increase the penalties attached to such breaches that would provide for prison sentence in cases of serious breaches

## 20/0119

### Rebuilding Ireland Home Loan (RIHL)

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

That the council provide the members with an up to date report on the Rebuilding Ireland Home Loan (RIHL) scheme to include a breakdown of the applications processed for each municipal



district, detailing how many were successful/unsuccessful and to illustrate the difference between the successful/unsuccessful applications in the report

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

A report was received from the Housing Department informing the members of the number of loans processed, successful and unsuccessful applicants in the county, broken down by area and confirmed that successful applications met all of the RIHL criteria. Those who were declined were declined for one or more of the following reasons:

- ICB/BUS PRO Issue
- Net Income Ratio Outside of Policy
- Repayment Capacity Not Demonstrated
- Repayment Capacity Demonstrated but Not Available to Service Loan
- Unsatisfactory Savings Record / Source of Equity
- Sufficiently Committed
- Income Sustainability Not Evident
- Unsatisfactory Financial Management

A review of applicant's financial information indicate unsatisfactory operation of accounts by way of arrears, unpaid standing orders/direct debits, bank referral fees and missed credit card payments.

Mr McDonnell asked to correct the total figure for unsuccessful applicants in the report circulated to the members from 86 to 72, which he stated was due to a calculation error.

Councillor Wall stated that in Kildare, the rate for approving loans was 48% which was slightly below the national average and noted that 35% of applications had come from outside the county. He also noted that 15% of the applications had come from the south of the county and only one application had been successful in the Athy Municipal District. Councillor Wall wished to compliment all those working in this area and stated that when the scheme was launched it was supposed to help all but it was not proving to be the case. He confirmed the 10% deposit continues to be an issue along with the requirement to be working for 2 years. He also expressed concern for those that are living at home who are not eligible for this loan on this basis.

Mr McDonnell confirmed Kildare County Council has no discretion with regard to the scheme as the Housing Section had asked the Department previously if we could amend the scheme locally

with regard to eligibility etc, but this had been refused. He confirmed that the figures for these loans were presented in the Chief Executives Report monthly and the €15 million loan approved by the members was fully committed but that the council was actively seeking further funding. Mr McDonnell confirmed that the Housing Department would communicate the members concerns as outlined to the Department and stated it could only operate the scheme as per the relevant guidelines in relation to applications from outside the county which were permitted.

**Resolved** on the proposal of Councillor Wall, seconded by Councillor Breslin and agreed by the members present that the report be noted and the Housing Department communicate the members concerns to the Department of Housing, Planning and Local Government.

### **21/0119**

#### **Upgrade of water supply network for North Kildare**

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

That the council calls on Irish Water to upgrade the water supply network for North Kildare – in particular the replacement of the mains pipe that goes through the Castletown House demesne.

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

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

Councillor Young stated that Irish Water needed to look at the network in North Kildare with a view to upgrading it and charging for any excess usage. He also stated that the council needed to contact Irish Water and the local TD's in relation to this matter; especially with regard to the mains going through Castletown and the recent instance of a burst where Celbridge was without water for a significant number of days. Councillor Cussen stated she had attended a meeting with Irish Water that morning and noted that Castletown now formed part of the District Metering Area 1 which in 2017 had 71% unaccounted for water.

On the proposal of the Mayor and agreed by all members, Standing Orders were suspended for 15 minutes to allow the meeting to conclude.

Councillor Coleman stated that the pipe running through Castletown served the whole of Celbridge and confirmed that in relation to the recent water outage referred to, he had received a letter from

Irish Water stating that Irish Water and Kildare County Council were reviewing the incident and that once data was collected, a decision would be made on whether capital funding was required. Mr McDonnell noted the Castletown issue had been debated at the recent Celbridge-Leixlip Municipal District meeting and that there now appeared to be additional information to hand since then.

**Resolved** on the proposal of Councillors Young seconded by Councillor Pender and agreed by the members present that the council calls on Irish Water to upgrade the water supply network for North Kildare – in particular the replacement of the mains pipe that goes through the Castletown House demesne.

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

**22/0119**

### **Phased bans on environmentally unfriendly items**

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

That this council calls on both the Department of Communications, Climate Action and Environment and the Department of Business, Enterprise and Innovation to be both proactive and symbiotic with their investment and energy policies and introduce phased bans on environmentally unfriendly items such as unrecyclable plastic bags and film while setting up investment funds that specifically seek to develop alternatives to these products. This fund could be administered through the Local Enterprise Office and we ask the Departments to issue a response to this investment funding request.

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

A report was received from the Corporate Services Department informing the members that this is a matter for the members to agree. Councillor Lynch stated given the importance of the areas of enterprise and the environment to the county, that Kildare County Council look at seeking funding through the Local Enterprise Office to incentivise such a programme in Kildare.

Councillor McEvoy asked that before it was progressed, if Enterprise Ireland could be contacted to see if they have an initiative on this and to look into whether there was a critical mass of expertise available in Kildare, noting the LEO might have information on this.

The Mayor asked if it was possible that Councillor Lynch carry out some more research in this regard and adjourn the motion to the February meeting.

**Resolved** with the agreement of the members to adjourn the motion to the February meeting.

### 23/0119

#### **Support for Nurses and Midwives**

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

That the council agree that a letter is sent to the Minister for Health expressing this councils support for our nurses and midwives who have balloted for strike action beginning 30 January seeking a safe, fully staffed, functioning health service that values and pays them as essential skilled professionally workers.

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

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

On the proposal of the Mayor and with the agreement of the members, Standing Orders were suspended for a further period of 5 minutes to allow the meeting to conclude.

Councillor Redmond emphasised the importance of showing the nurses and midwives support in this regard stating that currently, the HSE pay agency staff at a higher rate than their own staff and that approximately seven thousand medical procedures were going to be cancelled as a result of these strikes. He also noted that 71% of nursing students in Ireland today are actively considering working abroad when they qualify.

**Resolved** on the proposal of Councillor Redmond, seconded by Councillor Pender and agreed by the members present that a letter is sent to the Minister for Health expressing this councils support for our nurses and midwives who have balloted for strike action beginning 30 January seeking a safe, fully staffed, functioning health service that values and pays them as essential skilled professionally workers.

The meeting concluded.