

KILDARE COUNTY COUNCIL

Minutes of meeting of Council

held at 2.00pm

Monday 29 April 2019

Áras Chill Dara, Devoy Park, Naas, Co Kildare.

Members Present: Councillor R 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, D Fitzpatrick, B Hillis, I Keatley, C Kelly, P Kennedy, A Larkin, M Lynch, M McCabe, P McEvoy, F McLoughlin Healy, M Miley Jnr, S Moore, T Murray, J Neville, N O Cearúil, S O'Neill, J Pender, T Redmond, D Scully, M Stafford, M Wall, P Ward, B Weld and B Young

Apologies: Councillor J McGinley and S Power

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.

In the absence of Mayor Seán Power, the Deputy Mayor Robert Power took the Chair as Mayor.

01/0419

Vote of Sympathy

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

Violet Willoughby, mother of George Willoughby.

A minute's silence was observed.

02/0419

Adoption of Minutes

The council considered the minutes of the monthly meeting of 25 March 2019, the minutes of the

Protocol Committee meeting of 25 March 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 March 2019 be adopted and the progress report noted. On the proposal of Councillor Wall, seconded by Councillor Moore and agreed by the members present the minutes of the Protocol Committee of 25 March 2019 be adopted.

03/0419

Suspension of Standing Orders

Councillor Brendan Weld proposed a suspension of standing orders to allow the Chief Executive to make a comment concerning recent correspondence from the Planning Department to the elected members regarding submissions on planning applications and access protocols. The Meetings Administrator confirmed that in accordance with Standing Order No 25, at least two-thirds of the members present would need to vote in favour of the proposed suspension of standing orders.

Resolved with 30 members voting in favour of the suspension of standing orders, no members voting against and with 4 abstentions, the motion to suspend standing orders to allow the Chief Executive to make a comment concerning recent correspondence from the Planning Department to the elected members regarding submissions on planning applications and access protocols, was approved.

Councillor Weld referred to recent correspondence from the Planning Department with regard to the Planning and Development (Amendment) (Fees) Regulations 2018 and Circular PL 11/2018 which set out the background and context in which the new regulations were issued and asked the Chief Executive to clarify its content around access protocols to the planning staff.

A lengthy discussion ensued amongst the members with the following points being made:

- The aim of the changes in legislation was to remove the €20 fee for making representations on a planning file, not to restrict access to planning staff.
- Communication with the planning department staff is critically important in the planning process
- High turnover in planning staff makes communication all the more important
- The letter was reaffirming the requirements of national legislation

- How do councillors get in contact with planners, should it be by phone/email/in person, clarification needed on this?
- Can councillors approach planners directly?
- Standardising the process is to be welcomed
- Unrecorded verbal conversations cannot be taken into account on a planning file, submissions have to be in writing.
- Is the recent communication legislative policy or executive policy?

The Chief Executive thanked the members for their input noting that the planning process is a quasi-judicial process however, he reiterated the fact that the council has sought to establish a culture of trust which the executive are not looking to change on foot of the recent communication and confirmed there was no intention to exclude anyone from the process.

Mr Minnock stated the letter to the members was to outline the changes on foot of the recent legislation and to attempt to standardize the process and create an understanding for all concerned and to ensure all relevant information is given at the start of the process. He outlined the current planning application process and noted that following discussion at the Rural Housing Committee, there had been a significant increase in pre-planning meeting requests which was a positive step. He emphasized the need to have a structured open and transparent assessment process to ensure uniformity in how cases are dealt with. Mr Minnock confirmed that both he and Ken Kavanagh, Senior Executive Officer would be available to take any queries from councillors in this regard. Following a further enquiry from Councillor Weld on whether the letter issued was legislative or executive policy, Mr Minnock confirmed it was both. The Chief Executive emphasised that it was not the intention of the executive to exclude anybody and asked for the members understanding in this regard. The Mayor suggested that the matter be suspended until after the local elections.

Resolved on the proposal of Councillor Weld and with the agreement of the members present, the matter was suspended until after the local elections.

04/0419

Chief Executive's Monthly Management Report

The members noted the Chief Executives monthly management report.

Councillor Cussen stated she had sent in a number of queries on the Chief Executive report by email prior to the meeting. Ms Kavanagh confirmed that in relation to the Public Realm query, work was starting on the tendering process and she would revert with a definitive timeframe on this. Mr Boland confirmed he had issued correspondence to Councillor Cussen previously with regard to her query.

Resolved with the agreement of the members that the Chief Executive's monthly management report be noted and any outstanding responses to Councillor Cussens queries be responded to.

05/0419

Section 183 Notices for Lease of Lands

The Mayor noted the Section 183 listed at no 3 iii on the agenda had been withdrawn.

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

- i. Disposal of land at Ballymakealy, Celbridge to Celbridge Athletic Club under a 99 year lease.
- ii. Disposal of land at Rickardstown, Newbridge to Sarsfield GAA under a 99 year lease.

Resolved on the proposal of Councillor Kennedy, seconded by Councillor Redmond 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 16 April 2019 and the disposal of land at ii) above in accordance with the statutory notice circulated on 17 April 2019.

06/0419

Annual Financial Statements

Ms B Sweeney, Financial Accountant outlined to the members that the accounts before them were for noting and that there had been an increase in spend in both Housing and Roads. She confirmed that the revenue surplus was €231k for 2018, resulting in a reduction in the cumulative deficit at the end of 2018 of €505k, which was down from €1.8 million in 2014. She also noted there had been a slight increase in collection rates on commercial rates, rents and loans in 2018. Ms Sweeney confirmed that the Local Government Auditor intended commencing his audit in July and members would be advised of the start date once notification was received.

Councillor McLoughlin Healy enquired in relation to the housing loan collection rate and asked why the development contributions debtor figure rose from €1.6m to €8m and whether related party transactions were declared in the formulas prescribed.

Councillor Moore stated he wished to thank the Finance Committee for their work and commended the Finance Department in reducing the revenue surplus figure as outlined. He also acknowledged that the council had now found a system to work with people who were in mortgage arrears and thanked the council in this regard.

Ms Sweeney confirmed the housing loan collection rate figure of 51% was an improvement on the previous year's figure of 43% and the issue had been a historical one due to the types of loans that had been given out. She confirmed the debtor figure on development contributions was due to the increase in building activity in the county and the hope of an increase in collection rates for this reason. Ms Sweeney concluded by confirming that the accounts were prepared in accordance with the Accounting Code of Practise and having regard to the relevant legislation which does not require related party transactions to be declared.

Councillor McLoughlin Healy stated there was nothing to preclude the council from including related party transactions and it would be good governance to include them and asked that her comments be put on record in this regard.

Resolved with the agreement of the members, the Annual Financial Statements (AFS) for 2018 was noted and the over expenditure for the year ended 31 December 2018 was approved.

07/0419

Draft Annual Report

The members considered the Draft Annual Report 2018 and the Progress Report on the Corporate Plan 2015-2019.

Resolved on the proposal of Councillor Kennedy, seconded by Councillor Miley and agreed by the members present, the draft Annual Report 2018 was agreed and the Progress Report on the Corporate Plan 2015-2019 was noted.

08/0419

Gnó and Mhéara/Mayors Business

The Mayor confirmed a presentation had been made to Sr Consilio the previous week to honour her outstanding work and remarkable achievements over the last 50 years and the event had been very well received.

The Mayor noted that the Irish Guide Dogs Association were in attendance in the building that day and acknowledged the great work this organisation does.

The Mayor also confirmed 5 students, one from each Municipal District, had recently been awarded scholarships by Coiste Gaeilge to attend the Gaeltacht.

- i) To consider holding a presentation to Colm McLoughlin, CEO Dubai Duty Free.

The Mayor proposed to make a presentation to Colm McLoughlin, CEO Dubai Duty Free in Áras Chill Dara on 26 June 2019.

Resolved on the proposal of the Mayor and with the agreement of the members present, to make a presentation to Colm McLoughlin, CEO Dubai Duty Free in Áras Chill Dara on 26 June 2019.

09/0419

Comhfhreagras/Correspondence

The Meetings Administrator confirmed 6 items of correspondence had been received and circulated to the members which related to motion referrals from other local authorities. She also referred to information that had been circulated to the members in relation to Directly Elected Mayors and the revisions to meeting dates in June due to the requirement to hold statutory meetings within a statutory timeframe after the local elections. Ms McIvor also reminded the members regarding the relevant dates in relation to the supplementary register which was Tuesday 07 May and Thursday 10 May for the postal and special vote.

Councillor Redmond enquired with regard to motion referrals received from other counties. The Mayor confirmed that the members could re-raise any of the referrals if they wished to support them and seek the support of the council in this regard.

10/0419

Comhdhálacha agus Traenáil/Conferences and Training

The Meetings Administrator confirmed there were no conferences or training events for approval.

Environmental Services and Water Strategic Policy Committee (SPC)

As the Chair of the Environmental Services and Water Strategic Policy Committee was absent, Councillor Íde Cussen gave a report to the members on the work of the SPC and outlined the work programme for the year ahead. She also detailed the policy issues that had been discussed at the SPC and the action outcomes to include issues regarding Tidy Towns, Draft Waste Bye-Laws, the

EU Covenant of Mayors, Environmental Awareness Officer's Report a presentation from the ISPCA – Kildare Dog Warden Service, Kerdiffstown Project, the Litter Management Plan 2020-2023 and the Eastern & Midlands Waste Enforcement Regional Lead Authorities. Councillor Cussen confirmed a number of motion referrals had also been dealt with by the SPC regarding the waiving of fees for Childrens burial plots, a proactive tree policy, the initiation of a Trees and Leaves Programme and the development of a pilot initiative and a voluntary protocol around election posters.

The Mayor and members thanked Councillor Cussen for her presentation and thanked the members of the SPC and Mr Boland, Director of Service for a very productive work programme.

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

12/0419

Reports from the members nominated to External Bodies/Committees

- i. Kildare and Wicklow Education and Training Board
- ii. K-Leisure
- iii. Leixlip Amenity Centre
- iv. Social and Environmental Panel for the Midlands District of Coillte Teoranta

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

Councillor Cronin asked that the report from the members nominated to the KWETB be read into the record. The Mayor stated the report was before the members for noting and there was no requirement to read the report into the record. Councillor Lynch asked why the timeline section of the report ended at September 2018. The Mayor stated that the report circulated dated April 2019, had been submitted in that format. Councillor Doyle stated it had been agreed previously that reports would not be read into the record but that questions could be raised.

Councillor McLoughlin Healy asked where in legislation it stated the report could not be read into the record.

Following discussion, the Meetings Administrator confirmed that Section 141 (1) of the Local Government Act 2001 as amended referred to the duty of members appointed to other bodies which stated:

"Where one or more than one member of a local authority is elected, appointed or nominated by that authority to another body, whether established by or under statute or otherwise, it is the duty of that member or members to represent the authority and to present a report to it on the activities and operation of that body".

Resolved that the reports from the members nominated to the Kildare and Wicklow Education and Training Board, K-Leisure, Leixlip Amenity Centre and the Social and Environmental Panel for the Midlands District of Coillte Teoranta, be noted.

13/0419

Protocol Committee Report

The Meetings Administrator confirmed a recommendation was received from the Protocol Committee that the wording of Standing Order No 21 related to recording equipment, be amended as follows:

No cameras of any kind or sound recording or communication equipment may be used at meetings of the council without the prior approval of the council.

To be replaced with:

No cameras of any kind or sound recording or communication equipment may be used at meetings of the council, *other than the councils own recording equipment*, without the prior approval of the council.

A report was received from the Corporate Services Department stating this was a matter for the members to agree and if agreed, would form part of the Standing Orders being brought to the incoming council for approval.

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

Why would the council be recording the meeting?

Support the principle but it was a matter for the next council to decide.

Intention of the recommendation is facilitation by removing the barrier of the current wording of the Standing Order.

Who will do the recording?

What is the cost to the public purse and is there a budget for this work?

Suggestion that the issue be referred back to Protocol and considered in total rather than in a piecemeal fashion.

Councillor Cronin proposed a roll call vote, this was seconded by Councillor McLoughlin Healy and agreed by 6 members as required under Standing Order No 20.

Resolved on the proposal of Councillor Cronin, seconded by Councillor McLoughlin Healy and with 12 members voting in favour of the proposal - Councillors D Callaghan, R Cronin, Í Cussen, M Lynch, F McLoughlin Healy, N Ó Cearúil, S O'Neill, J Pender, R Power, T Redmond, M Wall and B Young and 21 members voting against the proposal - Councillors M Aspell, A Breen, K Byrne, B Caldwell, M Coleman, B Dooley, S Doyle, T Durkan, D Fitzpatrick, I Keatley, C Kelly, P Kennedy, A Larkin, M McCabe, P McEvoy, T Murray, J Neville, D Scully, M Stafford, P Ward, B Weld, with one abstention by Councillor Hillis and 6 members absent, the recommendation from the Protocol Committee was defeated.

14/0419

Referral from the Kildare-Newbridge Municipal District Committee

That this Municipal District Committee refers the following motion to full council for approval at their next meeting;

That the Finance Department put forward a range of options that can be considered to improve the equity of the LPT distribution.

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

A report from Ms F Millane, A Head of Finance stated that the distribution of any retained LPT for 2020 and subsequent years was a matter for the new council and should be agreed at the September meeting when council votes on any variation of the LPT rate.

The Finance Department proposes bringing a number of options to the Finance Committee for discussion, with final recommendations from that Committee being referred to CPG and Full Council for the September meeting.

Councillor Doyle stated that while she acknowledged this issue was a matter for the next council, what she was seeking was the equitable distribution of LPT monies and asked that consideration be given to distribution by seat in an electoral area and that the management needed to look at resourcing issues.

Following discussion amongst the members, they agreed to consider any options put to them by the Finance Committee and CPG.

Resolved on the proposal of Councillor McCabe, seconded by Councillor Doyle and agreed by the members present that the report be noted and consideration be given to any options put to them by the Finance Committee and CPG.

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

15/0419

Children First E-Learning Programme

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

That all Kildare county councillors complete the Children First E-Learning Programme as a mandatory obligation for their roles as public representatives.

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

A report was received from the Economic, Community and Cultural Development Department informing the members of that this proposal is very worthwhile and should be commended. The only issue is whether it should be "mandatory". We can address this by including suitable training in the induction training programme for the new council.

Councillor Pender thanked the Director for the positive response and welcomed the fact it would now form part of the induction training programme for the new council. She also stated her view

that the training should be mandatory as councillors are often contacted on sensitive cases involving children and this training is necessary to fulfil their role as an elected representative.

Resolved on the proposal of Councillor Pender, seconded by Councillor O'Neill and agreed by the members present that the report be noted.

16/0419

Banner on website to highlight Seachtain na Gaeilge events

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

That the council commits to ensuring that the Kildare County Council website will run a banner to highlight all Seachtain na Gaeilge events for 2020 and future years.

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

A report was received from the Finance and ICT Department informing the members that The council is happy to highlight all Seachtain na Gaeilge event for 2020 and future years as requested as long as a list of events is made available to the Irish Officer and the ICT Department at least 7 days prior to Seachtain Na Gaeilge commencing to enable us make the requested information available.

Councillor Cussen welcomed the report and enquired regarding the possibility of a booklet of events being printed to outline Seachtain Na Gaeilge events similar to what is done for Heritage Week.

Resolved on the proposal of Councillor Cussen, seconded by Councillor O'Neill and agreed by the members present that the report be noted and the possibility of a booklet be considered.

17/0419

Equality in funding in sport

The following motion in the name of Councillor McLoughlin Healy was considered.

That the council promote equality in how boys and girls, men and women, are funded in sports by adding the following question, where applicable, to applications for council funding "can you demonstrate how you intend to use this funding for the benefit of both male and female members of your club/group?".

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

A report was received from the Economic, Community and Cultural Development Department informing the members of that the grant application forms for the 2019 grants have already been circulated but if the members are in agreement with this motion, we can amend the forms for future grant funding.

Councillor McLoughlin Healy welcomed the report stating in some instances it can be difficult to get training facilities/pitches for girls clubs and that if the council is administering national funding, it should be for the benefit of all.

Councillor Scully stated he understood the merit of the motion however he voiced concern around the wording of the motion and any potential unintended consequences of same citing examples of boys only sporting clubs/teams and queried whether they could be disadvantaged due to this additional requirement being introduced.

Councillor McLoughlin Healy pointed out that the use of the wording “where applicable” would overcome any negative potential and stated there was nothing controversial in the motion.

Ms Kavanagh stated the intent of the motion was clear noting that Kildare Sports Partnership already take account of inclusivity in all their applications and the matter would be given due consideration in advance of the next round of grant applications in 2020.

Following further debate, Councillor McLoughlin Healy requested a roll-call vote but did not receive the required support as required for under Standing Order No 20. Following this, the Mayor requested a show of hands vote.

Resolved on the proposal of Councillor McLoughlin Healy, seconded by Councillor Redmond with 13 members voting in favour of the proposal, no members voting against it and with 12 members abstaining, the motion was passed.

18/0419

Nomination of elected members to outside bodies

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

That Kildare County Council will only nominate elected members to outside bodies that have not already served two consecutive terms on the same body or board in question.

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

A report was received from the Corporate Services Department informing the members that Schedule 10, Section 18 of the Local Government Act 2001, as amended sets out the legislative basis for nominations to a committee and/or a body. This is a matter for the elected members of the new council to determine given it will be their role to nominate and approve any such appointments.

Councillor Cronin noted the report and stated there was no mention of time limits within Schedule 10, Section 18 of the Local Government Act and that Kildare County Council should make their own bye-law on the matter, which would be good practise and would encourage new members onto Boards which would bring a fresh perspective.

Councillor Fitzpatrick stated he would not be supporting the motion as experience was absolutely necessary on these Boards.

A lengthy debate took place among the members with the following points being raised:

- Why did the motion only refer to Outside Bodies and not to Committees of the Council?
- Members are looking to restrict the powers of other members
- Motion is looking to restrict membership on Boards which goes against the mandate councillors are given by the public at election time
- Motion is seeking to limit councillor's powers and is coming from a position of cynicism and suspicion and is limiting opportunity.
- The motion is not about casting aspersions, it is about good governance.
- The motion is not about limiting powers, it is about spreading the power.

Mr McDonnell confirmed it was the member's decision on who is appointed to Boards and furthermore, it was the relevant Bodies role to ensure proper corporate governance, not the members of Kildare County Council who are elected on to these Boards.

Councillor Redmond stated the importance of the work members do on Boards citing the recent event whereby members of An Garda Síochana had reason to visit the KWETB offices that was in his opinion due to the Board not doing their job.

On a point of order, Councillor Durkan asked the Mayor to request Councillor Redmond to

withdraw his comments. Councillor Murray supported Councillor Durkans request that Councillor Redmond withdraw his comments given he was implicating the Board members with said comments. The Mayor asked Councillor Redmond to withdraw his comments given they were factually incorrect. Councillor Redmond stated he was withdrawing his comments in relation to the members of the KWETB Board only.

Resolved with 6 members voting in favour of the motion, 18 members voting against and with no abstentions, the motion fell.

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

19/0419

Ministers attending official events in Kildare

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

That the council write to the Department of the Taoiseach requesting that when a Minister is attending official events in County Kildare that the Mayor and members are notified in advance of such events.

Councillor Doyle confirmed Councillor Miley had given his written consent to her to move his motion.

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

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

Councillor Redmond confirmed that at a recent opening of a primary care centre in the South of the County by the Minister for Health, not all elected members or TDs from South Kildare had been invited. He confirmed the HSE had issued the invites and that this was unacceptable in his view.

Resolved on the proposal of Councillor Doyle seconded by Councillor Redmond and agreed by the members present that the council write to the Department of the Taoiseach requesting that

when a Minister is attending official events in County Kildare that the Mayor and members are notified in advance of such events.

20/0419

Health Service cuts to services

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

That the council asks that the cut to the social work position in St. Brigid's Hospice be reversed and the 50 or so families who received a letter in the last fortnight be given a surety that their services continue with an in-house social work team and that the HSE management in Kildare immediately meet with councillors on these serious cuts.

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

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

Councillor Redmond stated this was a very difficult situation for the families involved and that funding needed to be found to continue this service and confirmed the matter had been raised at the recent meeting of the Regional Health Forum.

Resolved on the proposal of Councillor Redmond seconded by Councillor Lynch and agreed by the members present that the council asks that the cut to the social work position in St. Brigid's Hospice be reversed and the 50 or so families who received a letter in the last fortnight be given a surety that their services continue with an in-house social work team and that the HSE management in Kildare immediately meet with councillors on these serious cuts

21/0419

Location of the commissioning ceremony of Defence Forces Officers

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

That the members agree to write to the Minister for Defence requesting clarification as to why the commissioning ceremony of Defence Forces Officers was recently held in Dublin Castle and not as traditionally held on the Curragh in the Defence Forces Training Centre in Kildare and if he, or

his Department, have created a change in policy that the annual commissioning ceremony be transferred to a Dublin venue.

The motion was proposed by Councillor Moore 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.

Councillor Moore stated his disappointment that this event had been moved from the Curragh to Dublin Castle noting however it may have had something to do with the numbers being commissioned. Councillor Stafford confirmed it was his understanding that it was on the basis of the large numbers being commissioned and the size constraints of the facility on the Curragh, that the ceremony had been moved.

Resolved on the proposal of Councillor Moore seconded by Councillor Pender and agreed by the members present that the members write to the Minister for Defence requesting clarification as to why the commissioning ceremony of Defence Forces Officers was recently held in Dublin Castle and not as traditionally held on the Curragh in the Defence Forces Training Centre in Kildare and if he, or his Department, have created a change in policy that the annual commissioning ceremony be transferred to a Dublin venue.

22/0419

History of Caragh Orphanage

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

That Kildare County Council engages with local researchers to uncover a fuller picture of the history of the Caragh Orphanage and arrange for the instalment of a plaque at the Cock Bridge in honour of the children who suffered there.

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

A report was received from the Kildare Library and Arts Services informing the members that considerable research has been undertaken by Dr Andrew Rynne in his booklet - The Caragh Orphanage - A Scandal without Precedent. This has been digitised in 3 articles on Kildare Library Services EHistory website for universal access with the author's permission. Kildare Library

Services also hosts a newspaper online which provides access to the actual legal case - The Kildare Observer. Kildare Library Service would welcome any researchers who might be focussing on this topic.

With respect to a plaque an application can be made to the Civic Memorial Committee as a matter for consideration in order to progress.

Councillor Power stated the work done by Dr Andrew Rynne on this issue was well documented and it was not a new revelation however, he felt that what had happened at Caragh Orphanage needed to be remembered and asked that Kildare County Council give whatever assistance it could give with regard to this matter as it was owed to the children that both lived and died there.

Resolved on the proposal of Councillor Power seconded by Councillor Doyle and agreed by the members present that the report be noted and an application be made to the Civic Memorial Committee for the installation of a plaque at the Cock Bridge in honour of the children who suffered there.

23/0419

Green Ribbon campaign

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

That the council and its' members support the Green Ribbon campaign to help put an end to the stigma surrounding mental health by wearing the ribbon and distributing to others where possible for the month of May. For more information and further supply of green ribbons please visit this site: <https://seechange.ie/green-ribbon/>.

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

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

Councillor O'Neill thanked the members for their ongoing support on this issue noting the continued need to reduce the stigma around mental health issues.

Resolved on the proposal of Councillor O'Neill seconded by Councillor Kelly and agreed by the members present that the council and its' members support the Green Ribbon campaign to help put an end to the stigma surrounding mental health by wearing the ribbon and distributing to others where possible for the month of May.

24/0419

Upgrade to rail services in Kildare

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

That the council calls on the Minister for Transport, Tourism and Sport to promptly confirm approval to the NTA to purchase sufficient new mainline rail carriages to upgrade rail services to Kildare and to prioritise Kildare in decisions to deploy DART Expansion services in 2023.

The motion was proposed by Councillor Young 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.

Councillor Young asked to amend the motion to include the word County before Kildare in the motion and the members agreed. He further noted he had been in contact with the NTA in relation to funding requirements and that the purchase of 43 carriages referred to at the recent presentation was “subject to funding” and that the purchase of second hand carriages would not solve the problem due to the issues in procuring/enabling same.

Resolved on the proposal of Councillor Young seconded by Councillor Pender and agreed by the members present that the council calls on the Minister for Transport, Tourism and Sport to promptly confirm approval to the NTA to purchase sufficient new mainline rail carriages to upgrade rail services to County Kildare and to prioritise County Kildare in decisions to deploy DART Expansion services in 2023.

25/0419

Dumping on the Curragh Plains

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

That this council seeks a summary of the organised dumping which occurred on the Curragh Plains and while we are aware that this is not toxic waste, we deplore the actions of dumping on this highly sensitive landscape and we write to An Taoiseach, The Minister of Defence and the Minister of Culture, Heritage & the Gaeltacht to advise them of the alleged state organised illegal dumping on a special area of conservation (SAC) that they are tasked to protect and that we request that action is immediately taken by these departments to respond to their own 1999 inter

departmental task force report and that they progress this in a concerted manner to properly protect the Curragh Plains, promote it to Natural Heritage Area status and secure its long term protection.

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

A report was received from the Environmental Services and Water Department informing the members that this is a matter for the members to agree however, the council agrees that the dumping of this construction and demolition waste is unacceptable and this has been communicated to the Department of Defence. A technical assessment of the material has been carried out and subject to further monitoring; it does seem that there is not a danger of environmental pollution. It does, however, remain an unauthorised use and, in this context, the council has taken the matter up with the Department of Defence to inter alia, ensure that all issues are fully addressed and resolved.

Councillor Lynch confirmed this item had been debated at the recent Kildare-Newbridge Municipal District meeting and that he considered it to be a serious case of environmental pollution. He added that it was not acceptable to only note the report and sought the members support to write to the Government Departments as outlined.

The Mayor sought the members approval to the suspension of Standing Orders for 10 minutes to enable the meeting conclude.

Resolved on the proposal of the Mayor and with the agreement of the members present that Standing Orders be suspended for 10 minutes to enable the meeting to conclude.

A discussion ensued amongst the members where the members expressed similar concerns with the following points made and a number of questions raised:

- Was there a threshold for a retrospective EIA and Appropriate Assessment report and had the council sought these reports?
- This illegal dumping happened under the oversight of the Curragh Plains Forum which was unacceptable; and there was an understanding that this Forum was being replaced by a Joint Committee
- Was the site considered unauthorised?

Mr Boland agreed that the matter was a very serious issue, that it was likely to be unauthorised development and was likely to be subject to EIA/AA requirements. He stated the works were wholly unauthorised and wholly unacceptable but noted it was his view that it had not been State authorised. Mr Boland confirmed the EPA was also involved.

Councillor Lynch thanked the Director for his report and referred to an unauthorised fence and gate at the same location and stated that in his opinion, the Curragh did not get the attention it deserved.

Resolved on the proposal of Councillor Lynch seconded by Councillor Pender and agreed by the members present that this council write to An Taoiseach, The Minister of Defence and the Minister of Culture, Heritage & the Gaeltacht to advise them of the alleged state organised illegal dumping on a special area of conservation (SAC) that they are tasked to protect and that we request that action is immediately taken by these departments to respond to their own 1999 inter departmental task force report and that they progress this in a concerted manner to properly protect the Curragh Plains, promote it to Natural Heritage Area status and secure it's long term protection.

The meeting concluded.