

**KILDARE COUNTY COUNCIL**  
**Minutes of meeting of Full Council**  
**held at 3:00 p.m.**  
**Monday 19 October 2020**  
**Newbridge Town Hall, Newbridge, Co Kildare.**

**Members Present:** Councillor M Stafford (Cathaoirleach), Councillors VL Behan, A Breslin, F Brett, B Caldwell, A Connolly, N Connolly, B Dooley, S Doyle, K Duffy, T Durkan, A Farrelly, A Feeney, C Galvin, P Hamilton, N Heavey, I Keatley, C Kelly, C Kenny, N Killeen, M Leigh, V Liston, P McEvoy, F McLoughlin Healy, S Moore, N Ó'Ceairúil, J Neville, P O'Dwyer, T O'Dwyer, C Pender, R Power, E Sammon, B Weld and B Wyse.

**Apologies:** Councillors A Breen, M Coleman, Í Cussen, D Fitzpatrick, C Galvin, and P Ward.

**Also Present:** Mr P Carey, Chief Executive, Ms A Aspell, Mr J Boland, Mr T McDonnell and Mr E Ryan (Directors of Service), Ms B Sweeney (A/Head of Finance), Ms F Millane Financial Accountant, Ms C Barrett (Chief Fire Officer), Mr L Dunne (Senior Executive Officer), Mr Simon Wallace (Senior Superintendent Parks) Ms K Keane (Meetings Administrator) and Mr J Hannigan (Meetings Secretary).

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The Cathaoirleach welcomed everyone to the October meeting of full council.

**01/1020**

**Bereavements**

The Cathaoirleach extended his sympathy to the family of the late:

William Lynch Father of Patrick Lynch Housing

John Fanning, Foreman Leixlip and son of retired employee Brendan Fanning IT

Mary O'Sullivan former Athy Town Councillor

The Chief Executive extended his sympathies to the family of the late Mr Fanning who had died as an in-service member of his staff. He also extended his sympathy to his partner and his 2 young children. He stated that from talking to Mr Fanning's colleagues, he was an extremely hard worker and always willing to take on whatever task was required. Mr Carey added that the thoughts and prayers of the entire council were with the Fanning family at this incredibly difficult time.

The Cathaoirleach spoke of the work carried out by Mary O'Sullivan, former Athy Town Councillor and extended his sympathies to her family.

## 02/1020

### Minutes and Progress Report

The council considered the minutes of the monthly meeting held on 21 September 2020 together with the progress report.

The Meetings Administrator advised that an amendment of the minutes of the council meeting held on Monday 21 September had been submitted by Councillor Nuala Killeen in accordance with Section 11 of Standing Orders, and sought the members approval to its inclusion as follows – “Councillor Killeen expressed her concerns with this scheme and queried the length of social leasing contracts over five council term cycles. She noted the costs were at up to 95% of market rent yet we were facing into the biggest recession we have seen in 30 years. Councillor Killeen asked if that was a good accounting decision as there was no clarity that funding would be available to pay the rent should a different administration be in charge within the 25 years. She also stated she had a concern that the council would be asked to approve loans to cover the cost of this commitment, and that in her view this was not a good use of public money to be added to item 24/092, Enhanced Long Term Social Housing Scheme”.

This was agreed by all members present

**Resolved** on the proposal of Councillor Durkan, seconded by Councillor Doyle and agreed by the members present, that the minutes of the monthly meeting held on the 21 September with the amendment as submitted by Councillor Killeen be adopted. The progress report was noted.

## 03/1020

## Chief Executive's Monthly Management Report

The members noted the Chief Executive's monthly management report for October.

### 04/1020

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

- i. Disposal of Land at Oldtown Demense, Naas – Proposed disposal of 0.0466 ha. of land
- ii. Disposal of land at Kilgowan - Proposed disposal of 0.106 ha. of land

The disposal of the lands at Oldtown Demesne was proposed by Councillor Brett and seconded by Councillor Kelly

Councillor Brett urged the members to support the section 183 Notice it was an important step in providing access to the De Burgh Lands for the people of Naas. Councillor Kelly informed the members that this Section 183 notice could be withdrawn at a later date if necessary. Councillor Moore explained that the proposed disposal was an important part of stage 1 negotiations. The DeBurgh lands were close to the centre of Naas and this would help secure public access to the lands.

Councillor McLoughlin Healy enquired that former Councillor Vincent P Martin had proposed that a valuation and brief description of the land be provided to the members with all S183 notices, and that this had been agreed by council. The Cathaoirleach asked the Meetings Administrator to check this matter.

The disposal of the lands at Kilgowan was proposed by Councillor Keatley and seconded by Councillor Behan

**Resolved** on the proposal of Councillor Brett seconded by Councillor Kelly and agreed by the members present that pursuant to Section 183 of the Local Government Act 2001 as amended: the Section 183 Notices for the Disposal Land at Oldtown Demense, Naas – Proposed disposal of 0.0466 ha. of land was approved

**Resolved** on the proposal of Councillor Keatley seconded by Councillor Behan and agreed by the members present that pursuant to Section 183 of the Local Government Act 2001 as amended: The Section 183 Notices for the Disposal of land at Kilgowan - Proposed disposal of 0.106 ha. of land, was approved.

**05/1020**

**Gnó an Chathaoirleach/Chairs Business**

The Cathaoirleach congratulated Kildare native Katie Phelan on winning the word boxing championship.

The Cathaoirleach raised the issue of correspondence issuing from the Cathaoirleach on behalf of the council, on non-council related business. He sought the members views and proposed that this item would be referred to the Protocol and Procedures Committee to further consider it.

Councillor McLoughlin Healy expressed her view that the members had not abused the use of non council business when it was available and it had not been necessary to remove it. The Cathaoirleach confirmed it had been removed with a view to managing the use of council time on matters it could affect and given time constraints at meetings, and that this had been agreed by the council in adopting the standing orders in July.

**Resolved** that the matter of letters issuing from the Cathaoirleach on behalf of the council on non-council business, be referred to the Protocol and Procedures Committee to consider the matter further.

**06/1020**

**Comhfhreagras/Correspondence**

The Meetings Administrator confirmed three items of correspondence had been received and circulated to the members, with the progress report.

Councillor Connolly welcomed the Departments request to support gender balance and diversity in Local Government noting there was a very tight timeframe in which to respond.

Councillor Feeney outlined that there were actions that could be undertaken to help encourage diversity and inclusion and suggested a Training Programme for Transition Year students and using the PPN to interact with new citizens.

With the members agreement, Councillor Feeney undertook to work with the Meetings Administrator to compile a submission to the Department within the required timeframe.

**07/1020**

### **Conferences and Training**

The Meetings Administrator referred to the report dated 15 October 2020 circulated to the members. The Meetings Administrator confirmed there were 4 requests for approval for training and 1 request for approval for further education training this month:

Councillor N Connolly and Councillor F McLoughlin Healy, Introduction to Fraud and Control in Organisations (online event) on the 12 November.

Councillor N Connolly and Councillor F McLoughlin Healy Introduction to Data Protection and GDPR (online event) on the 12 November,

Councillor N Connolly and Councillor F McLoughlin Healy, Understanding the Financial reports of Public Bodies (online event) on the 17 November.

Councillors N Connolly and V Liston, Understanding Local Government Finance (online event) on the 01 December

Councillor Bill Clear Advanced Diploma in Planning and Environmental Law at the King's Inns, Dublin (and online event)

**Resolved** on the proposal of Councillor Keatley, seconded by Councillor Stafford 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 approval was granted for the attendance of Councillor N Connolly and Councillor F McLoughlin Healy at Introduction to Fraud and Control in Organisations (online event) on the 12 November, the attendance of Councillor N Connolly and Councillor F McLoughlin Healy at Introduction to Data Protection and GDPR (online event) on the 12 November, the attendance of Councillor N Connolly and Councillor F McLoughlin Healy at Understanding the Financial reports of Public Bodies (online event) on the 17 November, the attendance of Councillors N Connolly V Liston, and Councillor F McLoughlin Healy at Understanding Local Government Finance (online event) on the 01 December and approval was granted for the attendance of Councillor B. Clear at Advanced Diploma in Planning and Environmental Law at the King's Inns, Dublin.

The Cathaoirleach sought the agreement of the members to consider item 7 and 23 together  
The members agreed

**08/1020**

**Working Hubs**

The following adjourned motion in the name of Councillor Naoise Ó Cearúil was considered. That the council examines the possibility of remote working hubs throughout the county via the Economic Development, Enterprise and Planning SPC and that these hubs would be council owned or rented properties, to allow people to work remotely.

The motion was proposed by Councillor Naoise Ó Cearúil and seconded by Councillor Kelly

A report was received from the Local Enterprise Office informing the members that the merit of this motion is clear. The members may recall that the Mid East Regional Enterprise Plan to 2020 set out clear objectives for the provision of remote working hubs. To this end Kildare, Meath and Wicklow County Councils have been working towards the delivery of a network of hubs across the region.

In Kildare there are 3 Hubs that are currently being delivered;

- Merits Building, Naas
- Equine Innovation Space, Kildare
- Athy Food & Drinks Hub, Old Model School, Athy

In addition, the Business Support Unit, under the direction of the Head of Enterprise are supporting and collaborating with a number of privately owned enterprise spaces. In particular, the Head of Enterprise is -

- Currently reviewing fit out of space in Athy Enterprise Centre
- Collaborating with the up and running Venture Hub, Cookstown, Ballytore, Co Kildare
- Collaborating with Ballymore on ready to launch Remote working hub.
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Councillor Ó'Cearúil spoke of the importance of increasing capacity and speed in providing remote working hubs due to the requirement for people to work from home and how the use of hubs could support this. He stated that he believed employers would be willing to pay to use this facility. He welcomed the developments as outlined in the report but stressed the need to deliver on what was in progress and the need to expand this to all parts of the county and of the need for excellent broadband service to support this.

**Resolved** on the proposal of Councillor Naoise Ó Cearúil seconded by Councillor Kelly and agreed by the members present that the report be noted.

### **Co-working Hubs in Libraries**

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

That the council explore the opportunity to use space within existing library buildings to pilot creating and expanding co-working hubs across the county to promote remote working, reduced the commuting trend, assist those with limited broadband availability and improve our communities work/life balance.

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

A report was received from the Library Services Department informing the members that the library network provides bookable access to study/workspace, public access pcs, laptops, printing, scanning, photocopying, 3D printers, resources, wi-fi, bookable meeting rooms and access to the Work Matters Programme.

Unfortunately, in the current Covid environment the library network under public health guidelines are restricted in terms of services/occupancy in particular at Level 3 to Level 5. The library service are currently investigating a pilot bookable study/workspace in one location, which can be progressed when the county moves back to Level 2.

Councillor Duffy informed the members that this could be piloted using an existing site. Kildare was a commuting county and facilities like this would improve quality of life and make the county more attractive to those involved in the global economy. He also believed that if the pilot were successful that it would stimulate commercial organisations to expand these hubs

Councillor McEvoy informed the members that research had been carried out by 3 Regional Authorities and once completed, it would be circulated to the members,

Councillor Keatley informed the members that the Economic Development, Enterprise and Planning SPC were putting together a works programme that could be used to seek EU funding and that this would be discussed with the Chief Executive when agreed by the members of the SPC

Councillor Power updated the members on the development and potential of the Merits building.

Mr Carey informed the meeting that the council would be looking to expand the use of hubs with the model being used was the multifaceted hybrid model. He noted that the key partners in this were NUI Maynooth and UCD at Lyons Estate. The delivery of these projects will be a mixture of joint ventures and these developments were now a policy of Enterprise Ireland.

**Resolved** on the proposal of Councillor Duffy, seconded by Councillor Durkan and agreed by the members present that the report be noted and that Councillor McEvoy would circulate the research when completed.

**09/1020**

**Appeals Committee**

The following adjourned motion in the name of Councillor Suzanne Doyle was considered. That the council appoint an Appeals Committee to review and adjudicate on applications for reinstatement of a housing number.

The motion was proposed by Councillor Doyle and seconded by Councillor Ó Cearúil

A report was received from the Housing Department informing the members that the current position was that members previously agreed to refer a motion to the Housing SPC to consider the appointment of an Appeals Committee to adjudicate on issues arising with regard to housing applications and the current appeals process. The Housing SPC has included this issue on its current work programme.

Councillor Doyle thanked Ms A Aspell and Ms F Byrne for their assistance in facilitating the meeting. She informed the meeting that there were 46 appeals 17 of which had been successful She asked that the number of appeals be included in the monthly report and to check with the Department of the need to carry out reviews annually.

Councillor Durkan supported Councillor Doyle and highlighted some anomalies that could affect the result of the review. Councillor Mc Loughlin Healy asked who sat on the appeal panel Ms A Aspell informed the members that the Administrative Officer and the Senior Executive Officer, Housing adjudicated on appeals and if members of the public were unhappy with the outcome, they could appeal to the Office of the Ombudsman.

She also informed the members that they received quarterly updates in the Chief Executives Monthly Management Report and that the Housing department would put together an information sheet on how to submit an appeal following a Housing Needs Assessment. She also confirmed that it was a requirement of Central Government that a Housing Needs Assessment be carried out annually



**Resolved** on the proposal of Councillor Doyle seconded by Councillor O’Cearúil and agreed by the members present that the report be noted and that the Housing department would put together an information sheet on how to submit an appeal following a Housing Needs Assessment

**10/1020**

**Technical Advisory and Assessment Group (TAAG)**

The following joint motion in the names of Councillors Peggy O’Dwyer and Brendan Wyse was considered.

That the council provides a status report in relation to the Technical Advisory and Assessment Group (TAAG) to include progress made on projects under the group's remit and currently assigned staffing levels.

The motion was proposed by Councillor Peggy O’Dwyer and seconded by Councillor Wyse. A report was received from the Roads, Transportation and Public Safety Department informing the members that the Technical Advisory and Assessment Group (TAAG) was established to advise on matters referred from the members, in the context of whether requests and proposals from members are technically warranted. The number of requests submitted overwhelmed the available capacity, and unfortunately, there was a backlog of work. The work process has now been refined as follows: Requests were assigned to the relevant Municipal District Engineer, Traffic Section, or Road Design section as appropriate.

Requests were assessed against current road and traffic standards, warrants and guidelines. Should a proposal be contrary to a design standard or warrant, it will not be further considered. Should there be merit in a request or proposal, then the matter is considered in terms of financial resources available.

- If funding is available, then works can be designed and programmed.
- If there is no funding available, then the proposal will be listed for consideration in future years, subject to provision of appropriate funding

The list of outstanding submissions to the TAAG group is currently under review. Items which are deemed to have been dealt with will be closed out and a response issued. Remaining items will be allocated to the Municipal District offices where they will be assessed in the above manner with an update provided to each Municipal District meeting in November.

Councillor P O’Dwyer welcomed the report noting the explanation that TAGG was established to advise on items such as requests for yellow boxes, traffic calming, signing and lining referred from

the members. The idea was that all referrals would be assessed in the context of whether requests and proposals were technically warranted. Councillor P O'Dwyer enquired if TAAG still existed.

Councillor Wyse informed the members that important projects were sent to TAAG and enquired if funding had been lost for schemes that might have qualified under Town and Village Renewal Schemes. Councillor Wyse also asked if a project was assessed and it was agreed that it was needed but no funding was available, where did the project go after that.

Following discussion, the following points were raised by the members:

- The correct place for this type of project to be dealt with was at Municipal District office level
- TAGG was an open and transparent system where projects would be assessed in a consistent manner and why were the council moving away from this system.
- What happened to projects that were referred to TAGG where no funding was identified

Mr McDonnell informed the members that TAAG was set up as a mechanism to deal with the volumes of requests being submitted but had suffered because of the volume of request received and the loss of staff resources. He noted there were engineering warrant standards that were used when assessing projects that were referred to TAAG. These standards were used for all similar types of projects. If a project was warranted and funding was available, then projects were carried out but if there was no funding available, then projects did not proceed. He confirmed that the TAAG projects were moving back to the Municipal District Engineer and details of these would be brought to the December Municipal District meetings.

**Resolved** on the proposal of Councillor Peggy O'Dwyer seconded by Councillor Wyse and agreed by the members present that the report be noted and that the TAAG list would be presented at the December Municipal District meeting.

### **11/1020**

#### **Covid Pandemic Memorial**

The following joint motion in the name of Councillors Joe Neville and Tracey O'Dwyer was considered.

That the council commission a permanent memorial outside the council office to commemorate those people of Kildare who died during the Covid Pandemic and especially those frontline staff who passed away.

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

A report was received from the Corporate Services Department informing the members that it is beyond doubt the last seven months have been an extremely difficult and emotional time for the people of this county, country and worldwide due to the loss of life associated with the Covid pandemic. It has been especially difficult for those families that have lost loved ones, both covid and non-covid related, who have been unable to mourn them in the traditional way due to the current restrictions in place. Sadly, the pandemic is ongoing, and bereavement and loss is still being faced by our citizens.

The matter of commissioning a permanent memorial to commemorate those people of Kildare who died during the Covid Pandemic, especially those frontline staff who passed away, is a matter for the members to agree. The elected members adopted a Civic Memorial Policy in February 2018, which sets out the policy for Kildare County Council in this regard. The policy outlines the criteria, the options, cost/funding requirements and the general procedures for Civic Memorials in Kildare. It also allows for public consultation on proposals which are of interest to a locality. Given the pandemic is ongoing, a decision on the most appropriate time to progress the matter should be considered also.

The Executive would be happy to assist and support the members in any future deliberations on this matter. Councillor Neville informed the members that memorials were common across Europe. It was important that those who lost their lives and the frontline workers were remembered. He believed that plaques should be erected in each of the municipal districts.

Councillor T O'Dwyer agreed that any monument or memorial should not only remember those who died but those who were to the forefront in fighting this pandemic. Wording on the memorials would be agreed at a later stage.

The members agreed in principle to the proposal, to be further considered at a later date.

The Meeting Administrator advised the members that she would circulate a copy of the Civic Memorial Policy after the meeting.

**Resolved** on the proposal of Councillor Neville seconded by Councillor Tracey O'Dwyer and agreed by the members present that the report be noted, and that the members agreed in principle with the proposal.

## 12/1020

### **Covid Emergency Response Task Force**

The following joint motion in the name of Councillors Veralouise Behan, Bernard Caldwell, Michael Coleman, Anne Connolly, Brian Dooley, Daragh Fitzpatrick, Noel Heavey, Carmel Kelly, Naoise Ó Cearuil, Robert Power and Paul Ward was considered.

That in light of the continued challenges of Covid-19, the council reconstitute an interagency Covid Emergency response task force with a focus on the more vulnerable members of our communities and ring fence a dedicated budget for same in the upcoming budget to deliver tangible projects that alleviate isolation and wellbeing challenges therein.

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

A report was received from the Community and Culture Department informing the members that the Community Response Forum, which is made up of representatives of over 30 agencies, has met on 16 occasions since being established in March.

The Forum was established to discuss and address issues affecting our more vulnerable members of our society across a range of services. There is an emergency Covid fund budget of €94,390 available of which €80,000 has been distributed to 65 groups to date. The Community Helpline, which was established in conjunction with the Forum, continues to provide a Monday to Friday Service from 9.00am to 5.00pm daily. If members feel that a particular sector of society is not represented on the Forum, it is perfectly acceptable to add to the membership if deemed appropriate.

The Forum continues to meet monthly but can be recalled to meet more regularly should circumstances change.

Councillor Behan informed the members that it was important that this valuable resource which had delivered a number of projects be kept going and it was important that the elected members support it and that there was a budget to support the work of the forum. Councillor McLoughlin Healy asked that details of the 38 existing member groups on the forum be circulated to the members.

Mr Dunne advised the members that the Forum continued to operate, there was great cooperation among the members and new groups could be added to the forum if needed

**Resolved** on the proposal of Councillor V Behan seconded by Councillor B Caldwell and agreed by the members present that the report be noted and that a list of the groups represented on the Forum be circulated to the members

### **13/1020**

#### **Action Plan for Homelessness in Winter 2020**

The following joint motion in the name of Councillors Nuala Killeen and Chris Pender was considered.

That the council outline the action plan for homelessness for winter 2020 detailing the proposed allocation of additional Cold Weather beds in addition to the current allocation. Requesting that the following detail be provided;

How will they adequately record; the numbers seeking homelessness assessments, homeless accommodation, the offers of emergency accommodation and transitional. Detail the numbers of refusals of emergency accommodation and how it is proposed to report this to members.

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

A report was received from the Housing and Corporate Services Department informing the members that one of the themes outlined in the Mid-East Region Homelessness Action Plan 2018-2020 is to Support Rough Sleepers. One of the actions under this theme is to ensure that a cold weather initiative is in place in the three counties in the region [Kildare, Meath, Wicklow]. In this regard, Kildare County Council works in partnership with The Peter McVerry Trust to ensure that cold weather beds are available.

The Housing Department, through its Homeless Team, continued to work with The Peter McVerry Trust in identifying capacity for this year's Cold Weather Initiative. Eight beds have been identified to date and they will be ready from 2 November 2020 and the council continue to engage with the service provider to identify additional cold weather beds. The Homeless Team will engage with our service providers, and those in need of emergency accommodation, to ensure that individuals and or families assessed as homeless will be accommodated throughout the winter period. Covid-19 does pose an additional challenge this year in terms of provision of cold weather beds due to

the requirements for social distancing. Public Health guidance will be adhered to by the service provider in this regard.

Homeless presentations are adequately recorded on the PASS system and also on a Housing Portal linked with the iHouse national housing system. While there are no records of refusals of emergency accommodation provision, it is not anticipated that any individuals assessed as homeless will be refused emergency accommodation throughout the period the Cold Weather Initiative is in operation. The out of hours freephone number [1800 804 307] operated by the Peter McVerry Trust on behalf of Kildare County Council will also be operational throughout this period.

Councillor Killeen informed the members of the importance of being proactive in engaging with the homeless stating there were enough unique challenges faced by the Homeless team which were added to by the pandemic. She advised that in her opinion the system was broken giving an example of person with medical issues being released from hospital back to the homeless services. She noted homeless people were being transported between Dublin and Kildare and were mixing with other people which was not desirable during the Covid 19 pandemic. She believed there were issues with recording system itself as not all homeless people were being recorded on the system. Councillor Killeen stated that she believed it took too long from when people first presented until they were recorded on the system.

Following discussion, the following points were raised:

- The homeless numbers were increasing
- The members acknowledged the work of The Peter McVerry Trust
- The members commended the work being carried out by Councillor Pender on behalf of the homeless
- The lack of a Hostel for women in the county was causing extra hardship
- Could a visit to the Fr Peter McVerry hostel in Kerdiffstown be arranged

Ms Aspell informed the members that the Cold Weather initiative would commence from 1 November until the end of March 2021. There was engagement with all stakeholders. Extra temporary beds had been added but Covid 19 guidelines posed extra challenges. There was a decrease in the number of families presenting homeless but an increase in the number of single cases.

Research indicated that shared accommodation might be better than having a hostel for women and that anyone who presented as homeless was being recorded on the new system HAP 2 which was a national system. She confirmed that stakeholders across the region were meeting fortnightly and that the Peter McVerry Trust were limiting access to their Kerdiffstown facility because of Covid 19 concerns but the visit could be arranged at a later date noting that the facility had been visited previously by some members of the Naas Municipal District.

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

### 14/1020

#### **Cultúrlann a bhunú/Establishing a Cultural Centre**

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

Tacaíonn Comhairle Contae Chill Dara le Cultúrlann a bhunú agus aontaíonn sí ceann a bhunú sa Chontae laistigh den dá bhliain atá romhainn.

(That the council establish a cultural centre and undertake to have this built/completed within the next two years.)

The motion was proposed by Councillor Noel Connolly and seconded by Councillor Feeney.

Fuarthas tuarascáil ón Roinn Seirbhísí Leabharlainne ag cur in iúl do na mbaill go glactar mar chúram mar chuid den gclár caipitiúil, le comaoin don bPlean Corparáideach, An Plean Forbartha Contae agus an Plean Sóisialta agus Eacnamaíoch Áitiúla, in éineacht leis an bpolasaí náisiúnta, soláthar forbartha aon bhonneagar cultúrtha. Is sampla amháin é soláthar cultúrtha sa chontae ná an líonra leabharlainne. Faoi láthair, tá cúig leabharlann déag agus Rannóg Staidéar Áitiúil agus Cartlainne a gcuireann réimse athraitheach spásanna cultúrtha, imeachtaí, áiseanna agus cláir. Freastaltar do chruinnithe beaga mar ghrúpaí scríbhneoireacht chruthaitheach, grúpaí staire áitiúla, scannánóirí óga agus cruinnithe móra mar ceolchoirmeacha, léachtaí, ceardlanna, amharclann agus léiriú.

A report was received from the Library Services Department informing the members that provision for the development of any cultural infrastructure is undertaken as part of the Capital Programme with consideration for the Corporate Plan, County Development Plan, Local Economic and Social Plan in tandem with National Policy. One example of cultural provision in the County is the library network. There are currently 15 libraries and a Local Studies and Archival Dept which provide a varying range of cultural space, activities, resources and programmes. Accommodating small

gatherings such as creative writing groups, local history groups, young film makers to larger gatherings with concerts, lectures, workshops, theatre and performance.

Tabhair Councillor O'Conghaille buiochas don Chomairle chun an freagra. Dúirt sé go raibh suim aige sa teanga

Councillor Connolly thanked the council for the report stating he was delighted to see the Irish language used and the effort and progress being made throughout the island of Ireland in its use. He noted how important the use of the language was and its promotion and any schemes to promote the use of this and to promote our culture by the council is welcome. He stated that he was looking for a cultural centre and a county that supported and encouraged the use of the language.

Dúirt Comhairleoir Aingel Ní Fheintheadha

Ba mhian leis tacaíocht a thabhairt don tairiscint seo and molaim í. Tá sé thar a bheith tábhachtach go mbéadh béim curtha ar a leithéid-cúrsaí ealaoín is cultúir, go mórmhór ag an am atá inniu ann leis an paindéim, tá sár-spreagadh agus ionspóid le fáil iontu agus a lán tuilteannais ag baint leo. Aontaím go bhfuil sár-oibre déanta ag na leabharlainn ó thaobh réimse imeachtaí de agus ba chóir é sin a rá. Maidir leis an tslí ar féidir linn na healaíona a chothú, is fíor dá mbéadh cultúrlann curtha ar bun, bhéadh deis ann freisin chun éagsúlacht a cheiliúradh agus turasóirí a mhealladh isteach san chontae.

(Councillor Feeney supported the motion and stressed the importance of holding and supporting cultural events. She also acknowledged the work of the Libraries in this area.)

Dúirt Comhairleoir Ó Cearúil

Aontaíom leis an rún, tá a lán obair déanta ag Sult na Solláin agus tá suíomh sna Solláin ann cheana féin. Bheadh sé deacair an Cultúrlann a thógáil le linn 2 bhliain ach ba chóir dúinn iarracht a dhéanamh"

(Councillor Ó Cearúil supported the motion and acknowledged the work of Sult na Solláin. He felt that two years was a very optimistic time frame to build a cultural centre)

Councillor Kelly informed the members that Sult na Solláin were seeking access to the 33 acres of amenity land in Sallins.

Dúirt Comhairleoir O Niadh go raibh Ollscoil Maighd Nua ag cuidiú leis an obair ach an méid is fear a beith gaelscoileanna i rith an chondae agus is é seo an slí ceart

(Councillor Neville acknowledged the work of Maynooth University and believes that having Irish schools throughout the county was the best approach)

Councillor Heavey supported the initiative to keep the Irish language and culture alive



Councillor N Connolly thanked the members for their contributions saying two years might be a short time frame but it would be great to see progress in this regard.

**Resolved** on the proposal of Councillor Noel Connolly seconded by Councillor Feeney and agreed by the members present that the report be noted

### **15/1020**

#### **Progress on design manual for one off houses**

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

That with a review of the County Development Plan pending, the council confirms what progress has been made on a “design manual” with regard to “one off houses” in the countryside.

The motion was proposed by Councillor Weld and seconded by Councillor Durkan

A report was received from the Planning, Public Realm and Strategic Development Department informing the members that Chapter 16 (Rural Design) of the Kildare County Development Plan 2017-2023 provides significant guidance in relation to, inter alia; the siting, layout, design and boundary treatment related to one-off housing.

Notwithstanding the above however preliminary work has commenced on reviewing and updating our current guidelines.

To this end a comparison of other design guidance in Development Plans for Wicklow, Meath, Laois, Kilkenny, Tipperary, Clare, Cork and Galway has been undertaken in order to determine any gaps in our current guidelines and to highlight those parts of our guidelines that require further attention, including cluster developments.

A review of our rural design guidelines which is ongoing will inform the review of the Kildare County Development Plan 2017-2023 due to commence in Q1 2021.

Councillor Weld informed the members that he was not happy with the response He advised that what was needed was one design manual for Architect and the public , the information provided was not detailed enough and the lack of clear guidelines was wasting resources.

Following discussion the following points were raised by the members

Public and staff time was being wasted by lack of clear guidelines

The public and architects needed clear guidelines as to what was acceptable

A lot of work went into the reviewing the policy in 2017 this issue of clear guidelines needed to be resolved quickly

Practical support was what was need

The expertise needed to come up with clear guidelines was available inhouse

There should be acceptable and sustainable aspect to the guidelines

There was a need for clarity

Issues with developments needed to be flagged at preplanning meetings

The guidelines being considered were not to stifle design or to encourage a bungalow bliss type approach

Designs for one location might not be suitable in another location in the county.

Mr Ryan informed the members that he had taken note of their concerns and had arranged for a review of other County Development Plans to see what was available but that the members points were well made and any Guidelines should allow for freedom of design. He hoped to have the Guidelines ready for Quarter 1 2021.

Councillor Weld accepted the report

**Resolved** on the proposal of Councillor Weld seconded by Councillor Durkan and agreed by the members present that the report be noted

## 16/1020

### **Update on Social Infrastructure Audits**

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

That the council provides an update to members on the current status of the Social Infrastructure Audits being carried out to inform the County Development Plan review, including existing childcare facilities and capacity in the county.

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

A report was received from the Planning, Public Realm and Strategic Development Department informing the members that High-level Social Infrastructure Audits (SIAs) were carried out to

inform the preparation of Variation no. 1 of the Kildare County Development Plan 2017-2023 (CDP). These were undertaken during October and November of 2019. More detailed and localised assessments are being carried out to inform the preparation of Local Area Plans at a settlement level and further updates to the current databases will be prepared to inform the review of the CDP in early 2021. Regarding the specific reference to existing childcare facilities and capacity, the council notes that during recent survey work for updates to these SIAs variables such as COVID-19 closures and social distancing requirements affect the operational capacity & enrolment figures for such facilities which must now be reflected in the audit of these facilities. Such updates are being incorporated as resources permit.

It is of importance to note that while planning policy documents for the County make provision for adequate childcare facilities in tandem with new development, the operation of these is a matter for the private market to respond to.

Councillor Feeney welcomed the report and welcomed the fact that these audits were taking place as they would be very useful in informing the County Development Plan. She stated it was a matter for the private market to respond to the operation of these facilities and that the business of the council was planning policy for the County. Their role was also in making provision for adequate childcare facilities in tandem with new developments and how decisions are arrived at where repurposing of sites intended for creche provision in large housing developments.

She advised the members that a recent request to have Kildare County Childcare Committee (KCCC) to present at a meeting of the Clane-Maynooth Municipal District meeting was declined due to the fact that the committee was unable to obtain the required data to present. Local County Childcare Committees no longer have access to local childcare information since the information is now held centrally. The KCCC CEO is currently in dialogue with DCYA and Pobal to obtain access to this new system and had asked the elected members to support this.

Councillor Feeney enquired about high level data more detailed and localised assessments that were being carried out, was there any timeframe around when those outputs will be made available?

The following issues were raised

Additional training was need in this area

The level of reporting and paperwork had increased causing some businesses to close

This an area where there was always a demand for services

The council should explore the possibility of organising a pilot training programme with the Department of Family and Social Affairs for childcare workers

Mr Ryan informed the meeting that Covid-19 lockdown had impacted on the accuracy of the data being collected as patterns of behaviour had changed, parents were no longer sending children to creches and this would need to be revisited post pandemic. Data collected was used to help develop Local Area Plans and feed into the County Development plan and he would get an update for the members on when they would be able to get access to the data.

**Resolved** on the proposal of Councillor Feeney seconded by Councillor Breslin and agreed by the members present that the report be noted, and the data presented to members when available.

#### **17/1020**

#### **Amending the County Development Plan**

The following motion in the name of Councillor Suzanne Doyle was withdrawn

#### **18/1020**

#### **Prevention of Waste Removal Advertising on Social Media**

The following motion in the name of Councillor Mark Leigh was considered.

That the council work with all social media sites and advertising sites to prevent the advertising of waste removal from persons operating without a waste collection permit.

The motion was proposed by Councillor Leigh and seconded by Councillor Ó'Cearúil

A report was received from the Water Services and Environment Department informing the members that this proposal has a lot of merit and the issue has also been discussed with the Council's legal advisor. Regrettably, it is a matter of fact that illegal operators are using social media sites as well as other platforms [including newspapers] to advertise unauthorised activity. In the view of the undersigned, the single biggest contributor to fly tipping and illegal dumping in this county is the "man in the van". The members will be aware that all waste collectors are required to have a current and valid waste collection permit.

These issues are not unique to Kildare and, indeed, are a major problem nationally. In this context, I have been liaising at regional level with our Waste Enforcement Region Lead Authority (Dublin City Council). WERLA has made contact with the main social media providers though with no great success and regrettably, they cannot be compelled to stop taking these adverts. There

was, however, agreement forthcoming from one of the platforms [donedeal.ie]. Our own legal advice expresses the view that the Council cannot compel advertising platforms to cease publishing ads from unlicensed contractors. In this context, it may not necessarily be the advertising that is the offence but rather the actual illegal activity. In addition, such social media platforms typically have conditions stating that the advertisers themselves are responsible for understanding and complying with all applicable laws and regulations. Accordingly, these essentially perform the role of 'hosting' platforms.

That said, the Council has no difficulty in notifying advertising platforms of illegal operators, and it will always be open to them to not accept such advertising. However, there is no element of compulsion and the Council also needs to be careful in infringing civil rights.

In addition, the council is more than happy to progress its own social media campaign cautioning members of the public regarding the use of illegal services. In particular, such unwitting consumers may well be the subject of prosecutions and/or significant fines. If an individual or "man with a van" offers to take away waste cheaply, there is every prospect that this waste will end up being dumped – in the bog, in the field, in the canal or a country lane etc. If this happens the waste can then be traced back to an individual or business and a significant fine will ensue as well as the bill for clean-up costs. If members of the public are approached by someone offering to take away their waste or if they see advertisements for such services, this should be reported to the Council for follow up action. In this context, the Council working with the Gardai in the Athy area took joint action which resulted in the arrest of an individual.

The council remains in discussion with WERLA with a view to escalating the matter to national level.

Councillor Leigh accepted the report.

Councillor Killeen enquired as to how a person could check if a business had a Waste Collection Permit. She was advised that this information was held on the National database which was maintained by Offaly County Council

**Resolved** on the proposal of Councillor Leigh seconded by Councillor Ó Cearúil and agreed by the members present that the report be noted.

**19/1020**

**Change of zoning of lands**

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

That the council explains the implication of a change of zoning to lands previously zoned for residential development.

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

A report was received from the Planning, Public Realm and Strategic Development Department informing the members that in a legislative context, the process by which any land use zoning is applied must accord with the processes set out in the Planning & Development Act, 2000 (as amended). Generally, land will be zoned through the preparation of a County Development Plan or Local Area Plan (or variation or amendment to same) and will accord with the National and Regional Planning policies, at the time of writing, such as the National Planning Framework and Regional Spatial and Economic Strategy. Land-use zoning is informed by an overall development strategy for a settlement (town or village) which, as mentioned above, must consider the hierarchy of plans and a range of other issues such as the provision of physical and social infrastructure, proximity to public transport and housing and population targets.

In general and in non-specific terms, it is not possible to set out the implication of a change of zoning to lands previously zoned New Residential in the absence of a definitive proposal regarding the potential revised zoning and/or the location and legislative environmental considerations etc

Councillor Clear informed the members that it was not clear from the report what would happen if zoning was changed and if lands zoned for development could be subject to a vacant site levy if the lands were not developed. He believed some sites in Sallins were being considered for inclusion on the Vacant Sites register.

Councillor Caldwell stated that in his view, there were deficiencies in the Vacant Sites scheme.

Mr Ryan informed the members that the council were considering a number of sites for inclusion on the Vacant Sites Register but he would need to check the details. He felt that when it came to changing the zoning of land there were many things that had to be considered including the history of the site and that consideration should always be made on a case by case basis.

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

**20/1020**

**Elimination of glyphosates pilots**

The following motion in the name of Councillor Vanessa Liston was considered.

That given the very positive glyphosate phase-out pilot that took place across the county this year, the Parks Department outlines plans for rolling out these actions to all public areas in the coming year with a view to the elimination of glyphosate use as standard practice by 2022.

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

A report was received from the Parks Department informing the members that twenty pilot sites were used in 2020 to pilot glyphosate phase out and introduce a pollinator friendly approach to grass maintenance by reducing mowing. It is proposed to continue these in 2021 and to roll this out to additional sites. In addition, where glyphosate is being used, it is proposed to reduce the strength of glyphosate concentrate on sites also.

Discussions with NUI Maynooth on a research project to investigate alternative weed control methods to Glyphosate are ongoing. This would run for 4 years and cost approximately €40k over that timeframe. If glyphosate use is to be phased out by 2022 this will involve the use of strimming as an alternative. The cost of this is €65k per annum and would require an additional budget to be able to do this.

Councillor Liston informed the members this was a very positive development from the pilot adding that LPT funds had been put aside to do this work. She added that Kildare could be an example as a glyphosate free county and funding should be ringfenced for this project.

Mr Boland informed the members that CARO were supporting this and the research finding would be made available to the members when complete.

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

The Cathaoirleach noted that this was Director of Service, Mr Tadhg McDonnell's last council meeting as he was retiring the following week. He took the opportunity on his behalf and behalf of the elected members to thank him for all his great work in serving the people of Kildare and to wish him well for the future. The Chief Executive also thanked Mr McDonnell for his assistance to him in his time working in the council and for his work for the county and wished him well on his retirement.

The meeting concluded.