

KILDARE COUNTY COUNCIL
Minutes of meeting of Full Council
held at 3:00 p.m.
Monday 25 January 2021 on
Microsoft Teams

Members Present: Councillor M Stafford (Cathaoirleach), Councillors A Breen, A Breslin, F Brett, B Caldwell, B. Clear, M Coleman, A Connolly, N Connolly, Í Cussen, B Dooley, S Doyle, K Duffy, T Durkan, A Farrelly, A Feeney, D Fitzpatrick, N Ó'Ceairúil, 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, J Neville, P O'Dwyer, T O'Dwyer, C Pender, R Power, E Sammon, P Ward, B Weld and B Wyse.

Apologies: Councillor VL Behan.

Also Present: Mr P Carey, Chief Executive, Ms A Aspell, Mr J Boland, Ms S Kavanagh and Mr E Ryan (Directors of Service), Ms C Barrett (A/Director of Service), Ms F Millane (A/Head of Finance), Ms B Sweeney (Financial Accountant), Ms C O'Grady (Meetings Administrator), Ms K Keane (Meetings Secretary) and other officials.

The Cathaoirleach welcomed everyone to the online January meeting of full council. He confirmed the Press were attending via email on Teams and advised all attendees that recording was prohibited. He outlined the protocols around online meetings and asked for everyone's cooperation on same.

01/0121

Bereavements

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

Anna Marie Nolan, sister of Ailish Nolan Environment.

Kathleen Byrne mother to Joe Byrne Water Services, Grandmother to Ken Darcy Environment and mother in law to Helen Dowling Economic Community & Cultural Development.

A minute's silence was observed.

Minutes and Progress Report

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

Councillor Farrelly enquired if the members had agreed with the draft letter to issue to the Minister for Housing based on his December motion. The Meeting Administrator confirmed the draft letter had been circulated to the members as requested and sought the members agreement to issue the letter. The members agreed.

Resolved on the proposal of Councillor S Moore seconded by Councillor F Brett and agreed by the members present, the minutes of the monthly meeting on 21 December 2020 were adopted. The Progress Report was noted. The letter following Councillor Aidan Farrelly's motion in December to issue to the Minister for Housing, Local Government and Heritage.

03/0121

Chief Executive's Monthly Management Report

The members noted the Chief Executive's monthly management report for December. Councillor McLoughlin Healy asked if going forward, an update could be included on the management of ongoing risks to the council. Mr Boland confirmed that the intent of the Audit Report was to keep members informed regarding ongoing risk and stated the Local Government Auditor had been very pleased with the councils' approach to risk management. Mr Boland agreed that an update could be given quarterly via the CE report. Councillor Moore confirmed that currently, each section is coming before the Audit Committee and going through their individual risk registers in great detail.

Resolved on the proposal of Councillor Caldwell seconded by Councillor Brett that the report be noted and that an update on the management of ongoing risk to the council be provided in the Chief Executives report on a quarterly basis.

04/0121

Section 183 Notice for Disposal of Lands

The members considered the statutory notice of the 10 December, 2020 pursuant to Section 183 of the Local Government Act 2001, as amended:

- i. Transfer of Land at Wren Fireplaces Ltd – Unit in Newbridge Industrial Estate.
- ii. Transfer of Land at Steamroom and Shower Company of Ireland Ltd – Unit in Newbridge Industrial Estate.

The Cathaoirleach confirmed the members had received the statutory notices setting out the details of the proposed disposals.

Resolved on the proposal of Councillor K Duffy seconded by Councillor S Moore and agreed by the members present that pursuant to Section 183 of the Local Government Act 2001 as amended and statutory notice issued on 13 January, 2021 that the council consent to the Transfer of Land at Wren Fireplaces Ltd – Unit in Newbridge Industrial Estate.

Resolved on the proposal of Councillor K Duffy seconded by Councillor S Moore and agreed by the members present that pursuant to Section 183 of the Local Government Act 2001 as amended and statutory notice issued on 13 January, 2021 that the council consent to the Transfer of Land at Steamroom and Shower Company of Ireland Ltd – Unit in Newbridge Industrial Estate.

05/0121

Annual Financial Statements 2019

Ms Sweeney confirmed that the following reports on the audit of the Annual Financial Statements 2019 were before the members for noting:

- i. Audit Committee Report in accordance with Section 121 Local Government Act 2001, as amended (report attached).
- ii. Unmodified Audit Opinion (opinion attached).
- iii. Local Government Audit Service Statutory Audit Report (report attached).

Ms Sweeney confirmed the council had again received an Unmodified Audit Opinion meaning no adjustments were required which was very welcome. She stated that the Local Government Audit Report was a positive report and detailed the areas the council had improved in and areas that could still be improved on. Ms Sweeney noted the Property Interest Register had been highlighted again and that this was due to be upgraded in 2021. She confirmed the Local Government Auditor had met with the Audit Committee the previous week to discuss the reports.

On behalf of the members of the Audit Committee, Councillor Moore stated the committee were very pleased with the contents of the report and had a very good meeting with the Auditor and commended the work of the Chair of the Committee Dr Moling Ryan, and all the members for their work in this regard. He also thanked Ms Sweeney, Ms Millane and the staff of the finance department for their continued hard work which had culminated in a very positive report.

Councillor McLoughlin Healy acknowledged the unmodified opinion noting it would be appended to the AFS as a statutory requirement, however she noted that the Audit Report was very much about what other improvements could be made and in particular referenced the Assets Register which was outstanding still despite previous assurances by the council that it would be completed.

The Chief Executive welcomed the report stating it was an excellent report and that a very detailed discussion had taken place between the Auditor and the Audit Committee, He noted that this process was a year on year process and the council were on a continuous upward curve. He stated that Kildare County Council had a very high standard of financial oversight and assured the members that any areas that required follow up, were being followed up.

Ms Sweeney confirmed the Assets Register issue was a national issue and confirmed that the issue was being worked on by an Internal Auditor Group and that the Audit Committee had agreed this item to be a priority item for the year ahead. Ms Sweeney stated the Chair of the Audit Committee was available to attend a meeting of council, if required to do so.

Resolved on the proposal of Councillor Moore, seconded by Councillor Duffy and agreed by the members present, that the reports on the audit of the Annual Financial Statements 2019 were noted.

06/0121

Gnó an Cathaoirleach/Cathaoirleachs Business

The Cathaoirleach sought the members agreement to holding the February meetings of council on-line.

Resolved with the agreement of the members that all meetings of council take place on-line in February.

07/0121

Comhfhreagras/Correspondence

The Meetings Administrator confirmed two items of correspondence had been received, including one motion referral from another local authority, a copy of the correspondence that issued to Irish Water on foot of a motion from Councillor T O'Dwyer and the draft letter related to Councillor Farrelly's December motion all of which had been circulated with the progress report.

The Cathaoirleach reminded the members of the deadlines for submitting their Political Donation Statements and their Declaration of Interest forms.

The Meetings Administrator also confirmed that the NOAC Performance Indicators Report 2019 had been published in December 2020. A copy of a press release was circulated to the members on 17th December and the report was uploaded on the Members Information Portal. She further advised that the Kildare County Council Annual Report 2019 has been updated to include the NOAC service indicators for Kildare (Appendix 11) and had been uploaded to the website and to the Notice Board on the Members Information Portal for their information also.

Resolved with the agreement of the members, that the draft letter issue to the Minister for Housing, Local Government and Heritage.

08/0121

Conferences and Training

The Meetings Administrator confirmed there was one online conference for approval this month titled the 17th National Health Summit, costing €125 per attendee which had been agreed by CPG for listing at full council.

Resolved on the proposal of Councillor Moore, seconded by Councillor Kelly and agreed by the members that the 17th National Health Summit conference be approved.

09/0121

Draft Irish Language Scheme 2021-2024

Councillor Cussen welcomed the scheme noting a lot of submissions had been received and incorporated into it, which had informed a number of specific actions throughout. Councillor O'Cearuil commended the council on the work that had gone into the scheme.

Resolved on the proposal of Councillor Cussen, seconded by Councillor Ó'Cearúil and agreed by the members present that the Draft Irish Language Scheme 2021-2024 be noted and referred to the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media for final approval.

10/0121

Draft Litter Management Plan 2020-2023

Councillor Doyle, Chair of the Environmental Services and Water SPC sought the members approval to defer this item to the February meeting of council as the draft plan that had been circulated was not the most up to date plan.

Resolved on the proposal of Councillor Cussen, seconded by Councillor Breen and agreed by the members that the consideration of the draft Litter Management Plan 2020-2023 be deferred to the February meeting of full council.

11/0121

Draft Library Development Plan 2020-2022

Ms Marian Higgins, County Librarian presented the Draft Library Development Plan 2020-2022 to the members stating that it concentrated on a shorter period this time. She outlined the important role the Library Service had played during recent months noting it was a key council asset which was a very friendly service and totally customer driven.

A lengthy discussion took place and all the members thanked and congratulated Ms Higgins and her team for the great work they do, especially the adaptability and versatility they had shown since the pandemic began which had proved invaluable for citizens of Kildare. They also acknowledged that they were instrumental in providing accurate information and keeping their members connected during what was a very difficult time for all.

Queries were raised in relation to making meeting rooms available in capital projects and making them available to community groups in the evening time and the availability of bicycling parking spaces. Ms Higgins confirmed that they were endeavouring to accommodate different size meetings rooms into the Newbridge project and she took the bicycle spaces comment on board. Ms Higgins concluded by stating that the delivery of library services and the range of capital projects ongoing currently was very much a team effort and thanked the executive and the Local Community and Cultural SPC for their advocacy. She also thanked the members for their continued strong support and confirmed she would pass on their appreciation and thanks to all the library staff.

Resolved on the proposal of Councillor Kelly, seconded by Councillor Breen and agreed by the members that the Draft Library Development Plan 2020-2022 be adopted.

12/0121

Decade of Commemoration Committee

Ms Higgins gave a comprehensive presentation to the members on the work of the Decade of Commemoration Committee noting that Kildare was the first county to put a Historian in Residence in place and thanked the members for their support of the Committee. She confirmed that since the pandemic began, the Committee has pivoted its work to an online facility.

Councillor McEvoy thanked the members of the Decade of Commemoration Committee for their regular service noting there was very good representation from all the Municipal District Committees. Councillor Killeen commended the Committee for their inclusiveness noting that history relates to everybody's history. Councillor Peggy O'Dwyer thanked the group for the dignity and respect they gave to all in the work they do.

The Cathaoirleach thanked Ms Higgins and the Decade of Committee members for their work and wished them well in their work for the coming year.

13/0121

Protocol and Procedures Committee Referral

To consider report in relation to Standing Orders for Municipal District Committees

A report from Ms C O'Grady stated that the Protocol and Procedures Committee had reviewed the Standing Orders for the Municipal District Committees and proposed to council that each Municipal District Committee consider for adoption the draft Standing Orders at their February Municipal District meeting. A draft set of standing orders had been circulated and she confirmed that a report outlining the proposed amendments would be issued to each committee for their February meeting and that it was recommended that Standing Orders for Municipal District Committees should be consistent across all the Municipal Districts.

The Cathaoirleach proposed that any queries on these Standing Orders be referred to the municipal district and the members agreed

Councillor McLoughlin Healy raised a number of queries in relation to the requirements of standing orders and whether the council were operating ultra vires in this regard.

Councillor McEvoy confirmed that in reviewing the standing orders, the Protocol Committee had carefully reviewed the national guidance issued on remote attendance and the Guidelines that had issued previously from the Department in relation to Standing Orders, and there was no legal concerns on what was coming before the members.

Resolved with the agreement of the members that Standing Orders for the Municipal District Committees would be listed on their February agendas for the consideration and adoption by each Municipal District Committee.

14/0121

List of all external consultants hired by the council

The following adjourned motion in the name of Councillor Fiona McLoughlin Healy was considered by the members.

That the council provide a list of all external consultants hired by the council in the last 5 years, providing a summary of the purpose of the engagement and the cost.

The motion was proposed by Councillor Fiona McLoughlin Healy and seconded by Councillor Noel Connolly.

The Cathaoirleach confirmed the motion had been deferred from the January meeting and the report for today's meeting was unchanged from the December report and asked Councillor McLoughlin Healy had any further information been provided in the interim.

Councillor McLoughlin Healy confirmed that at the December meeting she had agreed to reduce her motion to a 2-year timeframe ie. 2019 and 2020 and that she had been in contact with Ms Millane and understood receipt of the list was imminent.

Ms Millane confirmed that the list was not under compilation currently as even allowing for a reduction in the time period sought, and restricting it to the various sections, this still involved quite a number of line items and that individual invoices would have to be taken out and examined and this would take a considerable amount of time and resources to compile. Ms Millane clarified the resource requirement would fall to the individual sections and given the volume of line items involved, could divert 2 or 3 people working full time, for a period of a month.

Councillor Neville stated that using resources for this purpose was not practicable and asked Councillor McLoughlin Healy the purpose of the request as he sat on the Finance Committee and

was satisfied that robust procedures were in place. He also referenced the role of the Audit Committee and the Local Government Audit report and the level of oversight provided through these channels.

Councillor McLoughlin Healy stated she did not intend to divert resources in this way, and she was happy to work with Ms Millane off-line on it. She noted that the members did have a right to ask for this information under the Freedom of Information Act but that she would liaise further with Ms Millane.

Resolved on the proposal of Councillor McLoughlin Healy, seconded by Councillor Noel Connolly and agreed by the members present that the report be noted and Councillor McLoughlin Healy would liaise further with Ms Millane outside the meeting.

15/0121

Liaise with the Department on the current and projected capacity of schools

The following joint motion in the names of Councillors Tim Durkan, Angela Feeney, Darragh Fitzpatrick, Pdraig McEvoy, Naoise Ó Cearúil, Paul Ward, Brendan Weld, and Brendan Wyse was considered by the members.

That the council, in liaison with the Department of Education and Skills, inform members as to the current and projected capacity of schools in the county particularly in those areas experiencing continuous population growth.

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

A report was received from the Planning, Strategic Development and Public Realm Department informing the members that statistics in relation to the current enrolment figures for schools throughout County Kildare are available for viewing on the Department of Education & Science's website. In relation to the projected capacity of schools in the county, the Forward Planning Department of Kildare County Council liaises with the Department of Education & Science on an ongoing basis via the Local Area Plan and Development Plan making process in order to ensure that adequate lands are zoned in appropriate locations to cater for future educational demands, which may include extensions to existing educational facilities or the provision of new educational sites.

The members are advised that the Department of Education in a letter to the Director of Planning in Kildare on 15 January, 2021 advised that they are about to embark on a process nationwide, at

both primary and post-primary level, to identify where the pressure for new school buildings or expansions will arise in the coming years. As part of this exercise, the Department uses a Geographical Information System (GIS) to analyse the relevant demographic data. The GIS uses data from a range of sources, including the Central Statistics Office, Ordnance Survey Ireland, the Department of Social Protection and the Department's own databases of school enrolments. With this information, the Department carries out nationwide demographic exercises at primary and post primary level to determine where additional school provision is expected to be needed.

A key piece of the analysis is the anticipation of school place requirements that are expected to materialise as a result of residential development that has been granted planning permission or is at pre-planning stage. Kildare County Council has been requested to nominate a point of contact to liaise directly with the Department of Education in order to progress the demographic exercise for 2021 and are happy to update members as this analysis progresses later in the year.

Councillor Feeney stated the members associated with the motion had combined concerns on this issue due to the fact that the council were under significant development pressures as a result of our proximity to Dublin. She stated that demand for school places was building and the council had to ensure that the county was ready to take that growth and plan for the required school places, and special needs school requirements. Councillor Feeney asked who the designated person in the council was as referenced in the report and when would the data as outlined be made available to the members. A lengthy discussion ensued with the following points made by the members

- Strategic Housing Developments (SHD's) were not providing the necessary infrastructure
- Schools situation in the Celbridge area was at crisis point
- School place figures give by the Department lagged behind actual figures that were presented to the members
- Sustainable development was needed, not just housing developments delivered through SHDs
- Rural schools were losing numbers and struggling to survive, school enrolment process a factor also
- Lack of pre-school places in the county was a significant issue

Mr Ryan endorsed the concerns of the members and agreed that there was a need for developing sustainable communities as part of the SHD process. He confirmed the point of contact was the

A/Senior Planner Ms C O'Donnell and confirmed in relation to the Celbridge issue, he had been in contact with the receiver and the Department the previous week but noted that there was a long lead in time for sites for schools and we needed to be pursuing more than one site. He confirmed the social infrastructure audits were being carried out currently and individual schools were being contacted in this regard.

Councillor Feeney thanked the Director for his report and asked that an update be provided to the members on this issue every 3 months, which the members agreed.

Resolved on the proposal of Councillor Feeney seconded by Councillor Durkan and agreed by the members present that the report be noted, and a quarterly update be given to the members on this item.

16/0121

Saint Brigid 1500 celebration

The following motion in the name of Councillor Suzanne Doyle was considered by the members. That the council sets a date for the Saint Brigid 1500 celebration and establish an organising committee to ensure that the occasion is appropriately marked.

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

A report was received from the Economic, Community & Cultural Department informing the members that discussions are already under way with Solas Bhríde to plan for a celebration in 2024. An organising committee will be established to progress matters associated with the project.

Councillor Doyle acknowledged the report noting the motion was in the main to promote the concept and thanked the members, Kildare Failte, Solas Bhríde and the Decade of Commemoration Committee for the work they were doing in this regard.

Ms Higgins stated the Committee were planning for a fitting 1500 plan and that a steering committee was being established to ensure this happened given the importance of the occasion and the huge opportunity for tourism and economic development for the county.

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

17/0121

Part 8 Road Projects with pedestrian/cycling facilities

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

That the council provides the members with a list of all Part 8 road projects in Kildare and advise what stage they are at.

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

A report was received from the Roads, Transportation & Public Safety Department setting out a list of approved/completed Part 8 projects with pedestrian/cycling facilities as requested, to include details in relation to Greenways, the Grand Canal Towpath, the Maynooth Eastern Ring Road, the Naas to Kill Cycle Scheme, Dublin and Kilcullen Road Naas and the Athy Distributor Road.

Councillor Clear noted that it appeared there were nine Part 8 with cycleways and queried why the Naas to Sallins Greenway was not on the list. He stated it was important to establish what projects were in hand and what projects were not being advanced and why. The members supported Councillor Clear noting their disappointment that cycleways discussed previously were not on the list and were not being advanced such as the Caragh to Naas cycleway, the Athgarvan to Newbridge cycleway and the Maynooth Road project.

Ms Barrett confirmed the Naas to Sallins Greenway had not gone through Part 8 yet and that the Maynooth project was a developer led project. She stated that it was recognised that there was a need to invest more in cycling adding that the list did not include the NTA 5 year programme. Ms Barrett confirmed the council was working with the NTA however the resourcing issue had to be recognised as whilst the finance might be available, the availability of staff resources had to be considered also.

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

18/0121

Cost of TIC estates by Municipal District

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

That members be given a summary report per Municipal Area of the approximate net cost to Kildare County Council of the taking in charge of housing developments that will no longer receive developer finance or have no bond insurance.

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

A report was received from the Roads, Transportation & Public Safety Department informing the members that given the level of construction activity under way in the county, and the need to monitor these sites on an ongoing basis, the Development Control Section unfortunately does not have the resources to carry out surveys to prepare approximate costings as outlined in this motion.

In addition to ongoing monitoring of active building sites, the technical staff in the Development Control Section are working in each municipal district area to progress several estates to taking in charge standards before bringing them to the relevant municipal district meeting. If the councillor could advise of specific estates within his own municipal district which are of interest, the Development Control Section will endeavour to enumerate the potential cost of works to bring them to a taking in charge standard.

Councillor Moore stated he was not happy with the report and requested a further report for the next meeting.

Resolved on the proposal of Councillor Moore seconded by Councillor Durkan and agreed by the members present that a further report be provided for the next meeting.

19/01/21

Suspension of Standing Orders

The Cathaoirleach advised the members that the time was approaching 6 o'clock. Councillor Kelly seconded by Councillor Hamilton proposed a suspension of standing orders for 30 minutes to enable the business of the meeting to conclude. The Cathaoirleach proposed a 5 minute break and asked the members with motions remaining to confirm if they were agreeable to accepting the reports as submitted on their motions, in order to expedite the remaining business of the meeting.

Resolved on the proposal of Councillor Kelly seconded by Councillor Hamilton and agreed by Cathaoirleach and agreed by all the members present, that standing orders be suspended for 30 minutes to enable the business of the meeting to conclude.

20/0121

National Public Lighting Energy Efficiency Programme

The following motion in the name of Councillor Peggy O'Dwyer was considered by the members. That the council gives an update on when the National Public Lighting Energy Efficiency Programme will commence in Kildare.

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

A report was received from the Roads, Transportation & Public Safety Department informing the members that the Eastern Region, which includes Kildare, appointed Consulting Engineers to provide consultancy services for stages 1-3 on 19 January 2021. It is expected the tender for the Works Contract (Stages 4 and 5) will be issued between May 2021 and June 2021.

The tender documents for the North West Region are expected to return May/June 2021 hence the timing for Eastern Region tendering is arranged to avoid overlapping. It is envisaged that the same suppliers may be involved in the tendering process.

The Eastern Region tender return is expected in July/August 2021 and the award of tender for the Works contract is expected November/December 2021. Currently, a date when the works will commence in Kildare is not available. A commencement date is subject to completion of the tendering process, appointment of a preferred contractor and submission of a works programme from the successful contractor.

Councillor Peggy O'Dwyer confirmed she was happy with the report.

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

21/0121

Environmental Poster Competition

The following motion in the name of Councillor Íde Cussen was considered by the members. That the council considers running an Environmental Poster Competition for school going children and youth from age 4 – 18 on "Design an Anti-Dog Fouling Poster & Slogan for Kildare County Council".

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

A report was received from the Water and Environmental Services Department informing the members that the Environment section is currently looking at engaging with schools on a number of environmental issues during Covid. This proposal will be included as part of that programme. It is hoped that entries from a competition such as that suggested in the notice of motion, might be used by Kildare County Council as part of future environmental awareness campaigns.

Councillor Cussen confirmed she was happy with the report.

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

22/0121

Committee of Cathaoirligh and Mayors

The following motion in the name of Councillor Vanessa Liston was considered by the members. That the council form a committee of Cathaoirligh and Mayors to support knowledge sharing, coordination and collaboration across all municipal districts.

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

A report was received from the Corporate Services Department informing the members that The establishment of a committee of council is set out in Section 51 of the Local Government Act 2001 as amended. The act states as follows:

51.(1) If a local authority considers it appropriate, it may by resolution establish either or both—
(a) one or more than one committee to consider matters connected with the functions of the authority referred to it by the authority and to assist and advise the authority on those matters,

As set out, the decision to form such a committee is a matter for the members to consider and agree. The Corporate Services Department will provide administrative support where required.

Councillor Liston stated her motion was in an effort to capitalise on the huge opportunity there was for sharing ideas across the Municipal Districts and to encourage co-operation especially with a view to common funding opportunities. The Cathaoirleach supported the motion and sought the members views. Following debate on what the benefit would be of this committee and what its

terms of reference would be, the Cathaoirleach proposed that he would co-ordinate an initial, informal meeting of the Cathaoirligh and Mayors as a starting point.

Resolved on the proposal of Councillor Liston seconded by Councillor Pender and agreed by the members present that the Cathaoirleach would co-ordinate an initial, informal meeting of the Cathaoirligh and Mayors.

23/0121

Winter Preparation Programme/Plan

The following motion in the name of Councillor Aoife Breslin was considered by the members. That the council outline its winter preparation for the county including salting routes for the area and if they have or will consult with local community groups in preparation for such events.

The motion was proposed by Councillor Breslin and seconded by Councillor Stafford. A report was received from the Roads, Transportation & Public Safety Department informing the members that the objective of the Winter Maintenance Plan is to keep all principal roads in the County open to traffic and free from ice, providing safe travel for users. The season operated from mid-October to end of April, approximately 200 days. Following a review of the Council's Winter Maintenance Plan in 2018/2019, Kildare County Council increased its salting programme, effective from Spring 2019, adding an additional 70km to the routes, increasing from 9 salting routes to 10. A total of 680km is treated, representing 27% of Kildare road network with TII providing salting services to 143km of Road (National Primary Roads), a combined total of 31% road network being treated. The plan is reviewed annually, with the latest amendments affecting the 2019/2020 season.

The plan and associated route map (links below) indicate what routes are treated on a nightly basis, sometimes two runs are required on a night, typically 11pm and 4am. In severe weather, this is extended to include daytime operations. Covering 10 salting routes requires 25 personnel minimum to ensure an efficient service, plant availability and appropriate budget. Kildare provides a budget of €690,000 to the Winter Maintenance Plan with an allocation also received from TII of €35,000.

In times of Severe Weather, (similar to March 2018) Winter maintenance activities are extended to include daytime operations and at times Kildare County Council do respond to treat other locations

outside of the primary routes in Winter Maintenance plan. This is done generally following requests from public, elected members and local communities.

Councillor Breslin confirmed that she was happy with the report.

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

24/0121

Breakdown of Housing Adaptations Grants scheme

The following motion in the name of Councillor Aidan Farrelly was considered by the members. That the council provide a detailed breakdown of the application processes for each scheme of the Housing Adaptation Grants scheme administered by the council, to include a summary of the number of applicants in 2019 and 2020, a breakdown of successful/unsuccessful and the approximate timeline from point of application to decision.

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

A report was received from the Housing and Corporate Department informing the members that the Housing Department administers three grant options to assist people with a disability and older people in carrying out works which are necessary for the purposes of rendering a house more suitable for their accommodation needs. All schemes are subject to a household income means test. The grants available are:

1. Housing Adaptation Grant for People with a Disability
2. Mobility Aids Grant
3. Housing Aid for Older People Grant

The Housing Adaptation Grant for a Person with a Disability is available to assist in the carrying out of works which are reasonably necessary for the purposes of rendering a house more suitable for the accommodation of a person with a disability who has an enduring physical, sensory, mental health or intellectual impairment. The maximum available grant is €30,000.

The Mobility Aids Grant Scheme is for older people and/ or people with a disability to address mobility problems in their home. The maximum grant under the scheme is €6,000.

The Housing Aid for Older People Scheme is available to assist people aged 66 years or older living in poor housing conditions to have essential repairs carried out so that they can continue to live in their home. The maximum grant under the scheme is €8,000.

Updates on applications are provided to the Members on a quarterly basis (CE Report) and details were given of applications received and processed by the Council over the past two years.

A standardised application process was introduced nationally in January 2020 and applicants must submit the application with supporting documentation to be considered for the various schemes. The Members were provided with information and details of the new application form. Supporting documentation to accompany an application includes evidence of household income, doctor's certificate, LPT payment (if applicable) and specialist trade contractor reports (for the Housing Aid Grant). All applications are initially assessed by the Housing Department. The typical timeframe for processing applications is subject to a valid application being received by the Council. Where an incomplete application has been received, the application is returned to the applicant specifying the outstanding documentation required. For Housing Adaptation Grants, an occupational therapist report is sought and can be submitted by the applicant or arranged by the Council. These applications are prioritised based on current medical need**.

In the case of private adaptation grants, approval letters are generally issued within 6-8 weeks of receipt of a valid application. For Council owned properties, works for approved applications in the Priority 1 category are progressed by the Architects Department, subject to available funding (Priority 2 approvals are placed on a waiting list).

All works proposed under a Housing Aid Grant are assessed by the Architects Department and are processed in date order of receipt of the application.

In 2020, approximately 100 applications made under the Housing Adaptation Grant and Housing Aid Schemes were refused. The reasons for such refusals include - applicant was over the income threshold, no works were recommended, requested documentation not submitted, applicant did not meet age criteria (Housing Aid), application withdrawn, etc. While these grants benefit from an exemption under current Covid Level 5 restrictions, some applications are currently delayed due to the age/medical profile of applicants. In addition, it has also not been possible for some successful applicants to have internal works carried out at their homes at this time. All works are carried out with the consent of applicants and in some cases vacating the property for a short period of time is necessary (i.e., bathroom works) and in the current Covid crisis, this is not an option for all.

In 2020, a grant allocation of €3,139,000 was approved by the Department of Housing, Local Government and Heritage for private homes, and €437,681 for relevant works to the council's

social housing stock. A similar funding allocation is anticipated for 2021, with confirmation expected in February based on advice from the Department of Housing, Local Government and Heritage.

Councillor Farrelly confirmed he was happy with the report.

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

25/0121

Sustainable Transport Team/Cycle projects

The following motion in the name of Councillor Peter Hamilton was considered by the members. That the council provides an outline plan in relation to the resourcing of the sustainable transport team, how it intends to increase the cycling design capacity and produce plans for an ambitious set of cycle projects around the country to maximise draw-down for Kildare on the significant National Transport Authority and other funds now available for this.

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

A report was received from the Roads, Transportation & Public Safety Department informing the members that Kildare County Council has been in extensive consultation with the NTA regarding their 5-year plan. As part of these discussions, the Sustainable Transport team has highlighted Kildare's ambitions to significantly grow cycle infrastructure in the County, along with the need for additional resources to proceed with this and the 5 year plan. It has been agreed with the NTA, that they may fund in the region of 10-12 additional staff for the 5-year plan. Kildare are seeking approval to proceed with resourcing the team now on this basis.

As discussed with the NTA, 2021 would be seen as the year for growing the team and slowly building toward a full complement of both resources and projects.

Councillor Hamilton thanked the Director for the report adding that he hoped that there would be a milestone plan completed in a couple of months.

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

26/0121

Working with Probation Services to engage the use of Community Service

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

That the council explores the possibility of working with the Probation Services to engage the use of Community Service for the purpose of litter picking and other appropriate tasks.

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

A report was received from the Water and Environmental Services Department informing the members that this was piloted by Athy Tidy Towns about three years ago wherein two participants agreed to carry out community service which had been assigned by the courts system.

The Health and Safety responsibility rested with the Tidy Towns Group who, in turn, supplied equipment, boots, gloves, litter pickers etc as well as providing supervision. A record of their service had to be kept and signed off by Tidy Towns in order to ensure compliance with the court order. By all accounts, the project had mixed success.

Realistically, it is unlikely that the council would be best placed to take on such a task in a general way. While there may be some advantages, there are likely to be challenges in terms of the following:

- Providing ongoing supervision
- Being responsible for the health and safety of such participants (which extends well beyond providing boots, gloves etc)
- Providing access to depots, welfare facilities as well as other logistical arrangements

The idea could be explored further with the probation service but, realistically, it might be more appropriate for voluntary bodies.

In addition, there may well be industrial relations or other related employment law aspects which would need to be teased out by the council's HR department.

Councillor Leigh confirmed he was happy with the report.

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

27/0121

Letter to Irish Water

The following motion in the name of Councillor Tracey O'Dwyer was considered by the members. That the council confirm if a letter was sent to Irish Water requesting a meeting on foot of my December motion and if a letter was sent, did Irish Water respond.

The motion was proposed by Councillor T O'Dwyer and seconded by Councillor Heavey.

A report was received from the Corporate Services Department informing the members that correspondence issued to Irish Water as agreed by council at the December meeting, a copy is attached with the Progress Report. No response has been received to date.

Councillor Tracey O'Dwyer stated her disappointment at the lack of a response to date and asked that the same letter issue to Irish Water seeking a response.

Resolved on the proposal of Councillor T O'Dwyer seconded by Councillor Heavey and agreed by the members present that the same letter issue to Irish Water seeking a response.

28/0121

Domestic Waste Collection

The following motion in the name of Councillor Noel Connolly was considered by the members. That the council recognises that Domestic Waste Collection should be in the control and ownership of Local Authorities; that a consistent service should be offered to all homes county wide, including glass and organic waste collection; and commits to the re-municipalisation of Domestic Waste Collection within the next three years.

The motion was proposed by Councillor N Connolly and seconded by Councillor Pender.

A report was received from the Water and Environmental Services Department informing the members that by way of background, the Council did provide a domestic waste collection service up to 2011. It ceased to provide this service from this time for a number of reasons including escalating costs and the involvement of the private sector becoming significantly more embedded which was impinging on market share and feasibility

A number of reports were presented to the elected members at the time and accepted. A particular factor related to the extent to which the council's customer base was comprised of waiver customers i.e., those who were receiving the service either for free or at a reduced rate.

Following a thorough review, the Council ceased providing this service and, in addition, entered into a concession contract for the operation of Sillot Hill (civic amenity site and transfer station) as well as the Athy facility. The culmination of these decisions resulted in the elimination of significant losses and the Council being in a better position to finance other valuable services. Transitional arrangements were also put in place in respect of the Council's then existing customers with the new service provider [AES]

Realistically, it was not now deemed practical to re-enter this market for a number of reasons ie. in light of the extent of competition, it would be really difficult to recapture market share in a meaningful way and there would also likely be very significant costs involved which, in turn, would impinge on the council's ability to provide other key services.

More fundamentally, such would also require significant change in Government policy which is unlikely to be forthcoming in light of the applicability of the EU Competition Directive. As matters stand, approximately 95% of the county is served by a kerb-side collection which also, in the larger towns, includes a recycling and organic element, supplemented by a network of bring/bottle banks.

Suspension of Standing Orders

The Cathaoirleach advised the members that the time was approaching 6.30 and proposed a further suspension of standing orders for 10 minutes to finish this item of business. This was seconded by Councillor Kelly and agreed by all members present.

Councillor Connolly noted the contents of the report but asked that the council put a plan in place to reintroduce the Domestic Waste Collection service by the council as cost cannot be the only factor considered in the matter. He stated that the customer experience had to be taken into account also and concerns raised at the time of privatisation around an increase in fly tipping had come to fruition. Councillor Connolly stated that the council had to have regard to the sustainability and environmental protection issues when considering the matter.

A discussion ensued amongst the members with the following issues raised:

- No indication of cost implication of such a proposal which needed to be looked at

- Remunicipalisation of the services would reduce the amount of fly-tipping
- 30% of the population have no bin at all
- Privatising the service had monopolised the market and had been at the cost of the worker
- Issue needed to be pushed at national level also

Mr Boland responded by stating that there had been a lot of concern in 2010 when this issue was being considered and the fact was that the councils share of the market had become limited given most of our customers were on waivers. He outlined the requirements of the European Competition Directive and suggested the matter be referred to the Finance Committee for further analysis.

Following discussion the members agreed that the matter be referred to the Environment and Water Services SPC and considered as a priority

Resolved on the proposal of Councillor Noel Connolly seconded by Councillor Pender and agreed by the members present that the motion be referred to the Environment and Water Services SPC.

30/0121

Adjournment of meeting

Councillor Kelly stated that as standing orders had already been suspended twice and given there were still a number of items to be dealt with, she proposed that the remaining motions be adjourned to the February meeting. The members agreed.

Resolved on the proposal of Councillor Kelly seconded by the Cathaoirleach and agreed by the members, the remaining motions were adjourned to the February meeting of full council.

31/0121

Adjourned motion - Deferral of payment of councillor travel expenses

The following motion in the name of Councillor Chris Pender was adjourned to the February meeting of full council.

That in light of the switch over to fully online meetings and the fact that many councillors no longer need to travel for council meetings, that this council investigate and implement a voluntary system for the deferral of payment of travel expenses.

Resolved with the agreement of the members, Councillor Pender's motion was deferred to the February meeting of full council.

32/0121

Adjourned motion - Grace period on new housing policy changes

The following motion in the name of Councillor Kevin Duffy was adjourned to the February meeting of full council.

That the council provide a grace period on new housing policy changes that have been recently implemented until they are fully communicated and understood by members and existing applications who are being impacted by these changes; e.g. changes on HAP requirements when the landlord is a family relation – requirement for 3 months full rent before HAP can be approved.

Resolved with the agreement of the members, Councillor Duffy's motion was deferred to the February meeting of full council.

33/0121

Adjourned motion - Register of procurement frameworks

The following motion in the name of Councillor Fiona McLoughlin Healy was adjourned to the February meeting of full council.

That the council provide the register of procurement frameworks employed by the council including details of the start and end date of the framework, outlining any frameworks out of date.

Resolved with the agreement of the members, Councillor McLoughlin Healy's motion was deferred to the February meeting of full council.

The Cathaoirleach concluded by noting this was Mr Henry Bauress's last council meeting to report on as he was retiring and on behalf of the members, wished him well on his retirement and for the future. The Chief Executive echoed the Cathaoirleach's good wishes and wished Mr Bauress well for the future. Mr Bauress thanked the Cathaoirleach, the members and the Chief Executive and the staff of Kildare County Council for their good wishes and the courtesy shown to him over the years.

The meeting concluded.

