

KILDARE COUNTY COUNCIL
Minutes of meeting of Full Council held at 3:00 p.m.
Monday 27 February 2023 in the Council Chamber
Áras Chill Dara, Devoy Park, Naas, Co Kildare.

Members Present: Councillor J Neville, (Leas Cathaoirleach), Councillors VL Behan, A Breen, A Breslin, B Caldwell, B Clear, M Coleman, A Connolly, Í Cussen, S Doyle, K Duffy, T Durkan, A Farrelly, A. Feeney, D Fitzpatrick, C. Galvin, P Hamilton, N Heavey, C Kenny, N Killeen, M Leigh, V. Liston, P McEvoy, S Moore, N Ó Cearúil, T O'Dwyer, C Pender, R Power, E Sammon, M Stafford, P Ward and B Weld.

On Line Councillors P O'Dwyer, B Dooley, C Kelly, F McLoughlinHealy, and N Connolly

Apologies: Councillors F Brett, I Keatley, and B Wyse

Also Present: Ms S. Kavanagh Chief Executive, Ms A Aspell, Mr J Boland, Mr E Ryan (Directors of Services), Ms M Higgins, Ms C Barrett (A/Director of Services) Ms F Millane (A/Head of Finance), Ms. Marie Whelan SE, National Roads Office , Ms C O'Grady (Meetings Administrator), Mr J Hannigan (Meetings Secretary) and other officials.

The Leas Cathaoirleach noted the unavailability of the Cathaoirleach and took the chair. He welcomed everyone to the February meeting of Council and sought the members continued co-operation in adhering to protocols on speaking times to continue the efficient use of the time available.

01/0223

Bereavements

The Leas Cathaoirleach extended his sympathy to the families of the late:

Frank Cantwell, Father of Danielle Cantwell, Planning

Savina Smith, Mother of Barry Smith, Maynooth Library

A minute's silence was observed.

02/0223

Declaration of Interests

The Leas Cathaoirleach sought any declarations of interests from the members under Section 177 of the Local Government Act 2001 as amended. There were no declarations.

03/0223

Minutes and Progress Report

The council considered the draft minutes of the monthly meeting held on the 30 January 2023 together with the progress report.

Resolved on the proposal of Councillor Ó Cearúil, seconded by Councillor Durkan and agreed by the members present that the minutes of the monthly meeting on 30 January 2023, be adopted.

The progress report was noted.

04/0223

Chief Executive's Monthly Management Report

The members noted the Chief Executives monthly management report.

05/0223

Section 183 Notice for Disposal of Lands

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

- i. Disposal of 0.08 hectares of land at Ballysax Little, The Curragh, Co. Kildare (Statutory notice of 25 January 2023, circulated previously).

- ii. Disposal of 0.1 hectares of land at The Old Pump Station, Abbeylands, Castledermot, Co. Kildare (Statutory notice of 31 January 2023, circulated previously).
- iii. Disposal of land at Mullarney, Castledermot, Co. Kildare (Statutory notice of 10 February 2023, circulated previously).

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

Resolved on the proposal of Councillor Doyle seconded by Councillor Power and with the agreement of the members present that pursuant to Section 183 of the Local Government Act 2001 as amended and statutory notice issued on 25 January, 2023 that the council consent to the Disposal of 0.08 hectares of land at Ballysax Little, The Curragh, Co. Kildare.

Resolved on the proposal of Councillor Power seconded by Councillor Doyle and with the agreement of the members present that pursuant to Section 183 of the Local Government Act 2001 as amended and statutory notice issued on 31 January, 2023 that the council consent to the Disposal of 0.1 hectares of land at The Old Pump Station, Abbeylands, Castledermot, Co. Kildare.

Resolved on the proposal of Councillor Leigh seconded by Councillor Breen and with the agreement of the members present that pursuant to Section 183 of the Local Government Act 2001 as amended and statutory notice issued on 10 February, 2023 that the council consent to the Disposal of land at Mullarney, Castledermot, Co. Kildare.

06/0223

Part 8, Proposed M4 Eastbound Bus Priority Measures Pilot

The members considered the Chief Executive's Part 8 Report for the Proposed M4 Eastbound Bus Priority Measures Pilot.

Mr.S Cummins SEE NRO played a short video related to the proposed development. He advised the members that they had received the Chief Executives report previously and asked if they had any questions.

The members raised the following matters.

- The proposed changes were to the east bound traffic flow and the roundabout at junction 4 needed to be upgraded to cater for this.
- Would there be sufficient buses available?
- This development could cause difficulties for residents of Leixlip and Maynooth accessing the motorway at peak times.
- Are there proposals to provide park and ride facilities to facilitate users of public transport?
- What noise abatement measures are being put in place?
- There were concerns about having pullins for emergencies at 500 meter intervals.
- It was suggested by members that 1.5 kilometers would be more beneficial.
- If this new lane was defined as a bus lane 24/7, this was overkill.
- This proposal would benefit road users from further west.
- Was it planned to link this to the upgrade of the Dart and Airport link?
- Would 2 lanes be open to traffic at all times?
- This pilot had the potential to remove hundreds of cars from the road thus reducing our carbon footprint.

Mr Cummins informed the members as follows

- this was a pilot scheme and if successful would benefit commuters from as far away as Longford as well as those along the route.
- The data from the pilot would be reviewed.
- Park and Ride facilities could be looked at.
- Noise abatement would be put in place.
- It was hoped to have procurement in place by 2025.

Councillor Coleman proposed that the pullin specification be changed from every 500 meters to every 1500 meters. This was seconded by Councillor Ó Cearúil. The members were informed that this was a technical and safety specification. These pullins were only to be used for vehicles that had broken down. It was illegal to stop on a motorway.

Councillor Coleman withdrew his proposal.

Resolved: On the proposal of Councillor McEvoy seconded by Councillor Hamilton and agreed by all members present that the Chief Executives Part 8 Report for the Proposed M4 Eastbound Bus Priority Measures Pilot be approved,

07/0223

Draft Allocation Scheme for Social Housing

The members considered the Draft Allocation Scheme for Social Housing.

A copy of the scheme had been circulated to the members for their consideration.

The members were informed that this was the first scheme in which the council had an opportunity to use the Public Sector Duty when designing the scheme.

Section 42 of the Irish Human Rights and Equality Commission Act 2014 imposes a statutory obligation on public bodies in performing these functions to have regard to the need to eliminate discrimination, promote equality and protect human rights of people availing of their services.

The scheme had been considered by the Housing SPC and Corporate Policy Group. Kildare had the highest refusal rate in the country. This was now dealt with under the scheme.

The scheme also dealt with allocation of house type based on composition of family.

The members raised the following;

- They had concerns about the allocation based on family composition, there could be quite wide age differences where family members had to share bedrooms. This needed to be considered.
- Coding of medical conditions and homelessness needed to be included in the policy.
- There was no mention of grandchildren in the policy.
- The issue of AHB's not allowing pets
- Had AHB more rights than the council?

Members were advised that AHB's were governed by the Residential Tenancies Board rules whereas the Council were guided by the Public Sector Duty. The issue of not allowing pets could be brought up with the AHBs

Resolved on the proposal of Councillor Durkan seconded by Councillor Doyle and agreed by the members present that the Draft Allocation Scheme for Social Housing be approved.

08/0223

Kildare Age Friendly Strategy 2023 -2027

The members considered the draft Kildare Age Friendly Strategy 2023 -2027 which has been circulated and received a presentation from Ms C Cashin in relation to the strategy. She outlined the communication and consultation methods used to help inform the development the strategy. She outlined the key actions of

- Supporting Social Inclusion
- Embedding Age Friendly Principles
- Practicing Good Communication

had come out of this and further explained how the following key actions had been identified

- Developing Age Friendly Towns
- New Right-Sizing Policy
- Proactive engagement with minority communities
- Expansion of OVK Befriending Service
- Digital skills training programmes
- Age Friendly Business Recognition Scheme
- Engagement with HSE and promotion of healthy lifestyles

Further engagement with Kildare Age Friendly Alliance and ongoing evaluation would take place.

The members raised the following points.

Where did the funding come from and was there an overlap with the HSE?

Some elder citizens liked to pay by cash, those applying for driving licences could not pay using cash. Tickets for county GAA matches were only available online.

Public Transport was also moving to card only transactions. Not being able to pay by cash could add to their isolation. They asked that these matters be raised with relevant organisations.

An important part of the Age Strategy was interaction with young people.

Could an accessibility audit of footpaths and pedestrian crossings in Naas be carried out similar to other towns. It was important that accessibility was for everyone.

Public swimming facilities were important, they provided an ideal opportunity for suitable exercise for those over 55.

Rightsizing of accommodation needed to be considered as people cannot afford to rent.

Did they link in with an Garda Síochána?

Ms Cashin thanked the members for their contributions and confirmed that they did link in with An Garda Síochána

Resolved on the proposal of Councillor Ó Cearúil seconded by Councillor Caldwell and agreed by the members present that the Kildare Age Friendly Strategy 2023 - 2027 be approved.

09/0223

2023 Tenant Support Scheme

The members considered the 2023 Tenant Support Scheme which had previously been known as the self help scheme and applies to Kildare County Council tenants. A copy of the scheme and application form had been circulated in advance of the meeting.

The scheme was noted.

10/0223

Gnó an Cathaoirleach/Cathaoirleachs Business

Councillor Neville confirmed that Councillor Brett had attended a number of events over the last month as follows.

St Brigid's day celebrations in London on the 1st Feb with a visit to St Bride's Church in Fleet St which has a long association with St Brigid and is known as the Journalists Church. He read out a letter of thanks from the Rector of St. Bride's.

Councillor Brett also attended the Ceremony of Light on Saturday 4 February in Kildare Town Square where Adi Roche was honoured by Solas Bhríde with a presentation of a lighted lantern to honour her work and compassion for the child victims of the Chernobyl nuclear disaster.

On the evening of Sunday 5th February he attended the Eimear Quinn concert in the Cathedral in Kildare Town

On Wednesday the 8 February he presented medals to the Kildare National schools that took part in the St Brigid's tournament in Hawkfield. Leas Cathaoirleach

Councillor Joe Neville also attended this event, presenting medals to the afternoon participants.

The Leas Cathaoirleach and the Chief executive had met with the Polish Ambassador in Aras Chill Dara on Wednesday 1st February, 2023.

11/0223

Comhfhreagras/Correspondence

The Meetings Administrator confirmed five items of correspondence had been circulated to the members along with the progress report. These included four motion referrals from other local authorities along with an acknowledgement with thanks from the Chief of Staff of the Irish Defence Forces, Lieutenant General Seán Clancy for the Book of Condolence for Private Sean Rooney.

She also noted that Ethics Declarations had been circulated and were due to be completed and returned by 28 February, 2023.

The correspondence was noted.

12/0223

Conferences and Training

The Meeting Administrator referred to the conference and training report which had been circulated in advance of the meeting and had been recommended by Corporate Policy Group. Retrospective approval for attendance at AILG Module 1 in person briefing on the electoral reform act in the Raddission Blu Hotel, Limerick by Cllr E. Sammon at a cost of €80 plus travel and subsistence was requested. The notification of this event was too late for inclusion on the January agenda.

Approval was requested for the following training events and for attendance by the members listed below.

LAMA Spring Seminar at the West Lodge Hotel, Bantry. Co. Cork on 2nd to 4th March 2023 at a cost of €180 plus travel and subsistence. Councillors Caldwell, Moore and O'Cearúil to attend.

AILG training on CARO Climate Action Plans at Clayton Whites Hotel, Wexford on 23rd March, 2023 at a cost of €80 plus travel and subsistence. Councillor Heavey to attend.

AILG training on CARO Climate Action Plans at the Fairways Hotel, Dundalk on 25th March, 2023 at a cost of €80 plus travel and subsistence.

AILG 2023 annual training conference in Hotel Kilkenny, Kilkenny on 19th and 20th April, 2023 at a cost yet to be notified plus travel and subsistence. Councillors, Kelly, Caldwell, Moore and Clear to attend.

Resolved on the proposal of Councillor Doyle, seconded by Councillor McEvoy and agreed by all councillors that the events and attendance by named members be approved.

13/0223

Planning System Requirements and Enforcement Methods

The following motion in the names of Councillors Peter Hamilton, Íde Cussen, Ciara Galvin and Anne Breen was considered by the members.

That the council complete a review and update the planning system requirements and enforcement methods based on the latest biodiversity and pollinator support guidelines to support planting of native species and to eliminate invasive species in all future planning applications.

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

A report from Mr E Ryan, Director of Service, Planning and Strategic Development stated that Planning Enforcement procedures are set out in the Planning and Development Act 2000 (as amended) and cannot be amended to reflect requirements which are not governed by conditions of planning permissions.

A review of Planning System requirements in the form of a review of Planning Legislation is underway at a national level currently for the full planning function.

As a standard condition on all Planning Applications, Kildare County Council requires the applicant to provide “native species only” as a boundary treatment.

This practice has been in situ for several years in Kildare County Council planning.

Councillor Hamilton informed the meeting that non native planting had taken place in Maynooth. Hedgerows were being removed in Maynooth as part of site clearing. The planting of native species was important to support biodiversity. In the County Development Plan, Objective 4 detailed Community and Tidy Towns Planting. Objective 26 stated what needed to be done. Ground rules needed to be put in place and action taken.

Councillor Cussen informed the meeting that Chapter 15 dealt with Leylandii and Laurel. How quickly were the council going to move.

Mr Ryan advised the members that the council was governed by national regulations. If the planning reference for the Maynooth site could be given he would have it checked out. There was funding available to deal with invasive species. The planning Department were always open to suggestions to tackle these type of issues.

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

14/0223

Bus Stops on the R445

The following motion in the names of Councillors Chris Pender and Bill Clear was considered by the members.

That the council engage with the NTA and other relevant bodies to ensure active travel measures including pedestrian crossings are installed at all bus stops on the R445.

The motion was proposed by Councillor Pender and seconded by Councillor Clear. A report from Ms C Barrett, A/Director of Services, Roads and Transportation and Public Safety Department stated that the delivery of active travel measures is dependent on the provision of funding from the National Transport Agency (NTA) and the appropriateness of pedestrian crossings in the context of the timescale of other active travel measures being considered which will determine how projects will be prioritised. The Council will make contact with the NTA in this regard.

Councillor Pender informed the meeting that the R445 ran through two municipal districts. He advised there was a large industrial estate and nursing home on this road and some of those working there needed to use public transport to get to work. Bus shelters and safe crossing points were needed on this road.

Councillor Clear informed the meeting that safe crossings were needed.

It was suggested that buses on this route should go into the Industrial Estate as part of their route. The bus stop at the Bundle of Sticks roundabout should be reviewed.

Ms Barrett informed the meeting that the council were in constant communication with the NTA and she would follow up on the points raised by the members

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

15/0223

Inclusion of Adequate Insulation when Fitting Air to Water Heat Systems

The following motion in the names of Councillors Carmel Kelly and Anne Connolly was considered by the members.

That the council include adequate insulation adaptation to units when fitting air to water heat systems in the retrofit program of local authority housing and that all proposed adaptations have regard to the issue of fuel poverty within households.

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

A report from Ms A Aspell, Director of Services, Housing and Corporate Services stated that the Energy Efficiency Retrofit Programme (EERP) is funded centrally by the Department of Housing, Local Government and Heritage. The EERP was rolled out as part of the Just Transition Programme to reduce greenhouse gas emissions and provide tenants with greater comfort and warmth in their homes. The requirements of the scheme are that all houses under the retrofit programme meet a BER standard of B2 post completion of the works. This takes into account insulation works and any adaptations to retrofitted houses required to meet this standard. Achievement of BER B2 has been achieved on all units retrofitted by to date by Kildare County Council. To date, over 200 Local Authority owned properties have

been retrofitted in Kildare. Our experience to date is that the majority of householders are satisfied with the works however a small number have raised concerns regarding the running cost. This analysis was reported to the November 2022 meeting of the Council.

Notwithstanding the above and following on from the November meeting, the Housing Department has committed to undertake a detailed review and assessment of energy usage on a number of properties over the course of the coming year. This will involve specific monitoring of the new air to water heating systems to establish their exact electricity usage over a reasonable period of time. Reports will be provided to the Strategic Policy Committee on the outcome of this analysis.

In 2022 the ESRI produced a report which provided data on the incidence of fuel poverty by the type of heating used, it found that households using solid fuel and oil heating had a greater incidence of fuel poverty (Energy Poverty and Deprivation in Ireland). Rising energy costs have a disproportionate impact on low- income households, this is being addressed by the Department of Social Protection through the payment of increased fuel allowance.

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

16/0223

Multifunctional Pedestrian Barriers

The following motion in the name of Councillor Colm Kenny was considered by the members.

That the council trial multifunctional pedestrian barriers which also act as cycling footrests at traffic signal controlled busy intersections which have high frequency bike traffic i.e. near schools or Maynooth University.

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

A report from Ms C Barrett, A/Director of Services, Roads and Transportation and Public Safety Department stated that the Sustainable Transport Section is prioritising the implementation of a network of segregated active travel corridors in the county, subject to funding being made available from the National Transport Authority. The

aim is to separate cyclists from general traffic where possible and the section is concentrating on the design of these infrastructure projects.

We are aware of trials of cycle footrests in the Greater Dublin Area and will await the findings and learnings from these pilots before developing a countywide policy through the Transport Strategic Policy Committee (SPC).

Councillor Kenny informed the meeting that he was happy with the report and that the objective of this motion was to make it safer for cyclists at intersections and to encourage more cyclists. He asked if perhaps funding could be obtained from the NTA or from LPT to fund a pilot in Kildare.

Ms Barrett informed the meeting that the NTA were funding a pilot in the Greater Dublin Area. Segregation of cyclists and motorist was the preferred option

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

17/0223

International Open Local Government Partnership Programme

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

That the council provide an update on its participation in the international Open Local Government Partnership programme, and its plans for activity and outcomes this year.

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

A report from Ms A Aspell, Director of Services, Housing and Corporate Services stated that on foot of a resolution, proposed by Councillor Liston, seconded by Councillor Hamilton, and agreed by the members present at a meeting of full council in January 2022, it was agreed that Kildare County Council would apply to the international Open Government Partnership programme. At that meeting the Chief Executive outlined that, "should the council be successful in being approved for the programme, Kildare County Council would be the first Local Authority to sign up to this initiative". Therefore, it was unclear at the time of passing of the resolution exactly what would be entailed for a Local Authority engaging in the programme.

Further to communication with Open Government Partnership (OGP) Local, an application was submitted in May 2022 which was successful. While there has been some communication with OGP Local during the intervening period, it has only been possible to confirm a Kildare County Council point of contact in recent weeks [Ms Miriam O'Brien, A/Administrative Officer, Corporate Services]. Ms O'Brien has engaged with the EU Senior Programme Officer at OGP Local, who provided an overview of their work with Local Government and suggested some contacts to guide us in the co-creation planning process. Our point of contact is currently gathering information in this regard.

Further updates with regard to the programme can be incorporated into the Chief Executive's report.

Councillor Liston accepted the report and thanked the Director for the update. She enquired if it would relate to the lifetime of this council. She also asked about the commencement date and the process.

Ms Aspell informed the meeting that updates would be provided via the Chief Executives report. She would come back to Councillor Liston on the time frame and process.

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

18/0223

CRM Software Update

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

That the council provide an update on the rollout of the proposed CRM software update, when Councillors would be provided access to the system and whether there is a documented protocol for its administration regarding CRM Key Performance Indicators (KPI) and responses.

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

A report from Ms A Aspell, Director of Services, Housing and Corporate Services stated that it had been planned to progress the Member's CRM Portal following a testing pilot with elected members in August 2022, however, the enactment of legislation relating to other areas of work of the section had to be given priority for a period of time. However, there is a period of approximately four weeks available now before further activities arising from that legislation will again dominate the work of the team involved in the CRM Project and, in that window, the project can be progressed with the cooperation of members.

An in-person workshop to review functionality and capture feedback would be the most efficient approach. This workshop will be organised, feedback documented/agreed to define development needs, and then costed to determine next steps and the timeline to go live with the portal.

The current CRM system (Dynamics) went live in April 2021 and all representations are assigned an SLA of ten working days within the CRM system. The CRM has resulted in a much-reduced processing time at the point of capturing and assigning cases, for emailed representations especially. When the Portal is live members are encouraged to communicate via e-mail in an effort to maximise the effectiveness and efficiency of the system.

To support achievement of targets, all staff using the CRM system, immediately upon login, are presented with the "My Work" dashboard which displays cases assigned to their team, to them individually and also shows cases that are nearing (at 80% of) the ten-day target and those that have failed the Service Level Agreement (SLA). These display in a basic graphic "traffic light" system of amber and red. This system is also supplemented by auto-generated email reminders to staff and supervisors upon assignment of the case and at other milestones.

Significant improvement in response times have been noted since the operational effects of Covid 19 have eased and in the first six weeks of 2023, 525 representations have been replied to with an average of period of five working days to respond.

Councillor Duffy thanked the Director and was happy to see progress in the short term. The introduction of this would reduce double handling, allow members to check progress and help to deliver a better service.

Councillor McLoughlin Healy asked that Councillors CRMs get preference over TD's. Councillors were elected to deal with the local issues. Doing this will free up TD's to carry out their role.

Resolved on the proposal of Councillor Duffy, seconded by Councillor T O'Dwyer and agreed by members that the report be noted.

19/0223

Channels of Communication with the Department of Education

The following motion in the name of Councillor Aidan Farrelly was considered by the members.

That Kildare County Council outline the channels of communication it has with the Department of Education with regard to forward planning, capacity issues, the development of new and upgrade of existing schools in the county and that the Council include in the report the most recent information it has received from the department with regards to updates on capacity issues and new school developments in Co. Kildare.

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

A report from Mr E Ryan, Director of Service, Planning and Strategic Development stated that the Forward Planning Department and the Department of Education meet throughout the year to discuss relevant plans and projects. The Department of Education engages with Kildare County Council's statutory plan making process through the preparation of detailed reports for various land use plans including, most recently, the Kildare County Development Plan. The Kildare County Development Plan (CDP) incorporated data on projected population trends and submissions made by the department were fully considered as part of the Kildare CDP, which was adopted in December 2022. In relation to Local Area Plans (LAP), further consultation takes place during the preparation of draft LAPs, as part of locally tailored Social Infrastructure Audits to ensure sufficient and appropriately located land is zoned for school requirements within the settlement over the plan period. In relation to the actual delivery of schools, this is a matter for the Department of Education and is outside the remit of Kildare County Councils Planning Department.

Councillor Farrelly informed the meeting that councillors are receiving calls from parents seeking assistance in finding school places for their children. He believed the Department of Education were getting their planning wrong.

The members raised the following points.

It was their job to agree the Local Area Plan and County Development Plan. Social Partners needed to work with the council.

The members needed to meet with the Department. There were 11% more school places needed. The speed at which the population was growing required regular meetings with the council.

Mr Ryan advised that the council consult with the Department and had received comprehensive reports from them. He was hoping to get a demonstration of their GIS system. If members had concerns about particular towns he would ask them to probe the data.

Councillor Farrelly said he wanted the members to meet with the Department and wanted regular meeting between the Department of Education and the Planning Department.

He proposed the following amendment to add to his motion “and to seek the following; a briefing between Council members and the Department of Education Officials and that quarterly meetings take place between Kildare County Council planning officials and Department of Education Officials

This was seconded by Councillor Killeen and agreed by all the members.

Resolved on the proposal of Councillor Farrelly, seconded by Councillor Killeen and agreed by the members that the amended motion be adopted, that the report be noted and that a letter issue to the Department of education seeking a briefing between Council members and the Department of Education and that quarterly meetings take place between Kildare County Council planning officials and Department of Education Officials

20/0223

Webcasting of Council Meetings

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

That this council request the Chief Executive to give effect to the vote of the full council in July 2019, that webcasting of council meetings be introduced.

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

A report from Ms A Aspell, Director of Services, Housing and Corporate Services stated that the Chief Executive's monthly report for the January [2023] meeting included the following update on the Council Chamber Audio Visual (AV) upgrade: "It is planned to have the RFT for the Chamber AV project up on eTenders next week. Once the RFT is on eTenders, under procurement rules, we will need to wait six weeks before making a final decision. It is hoped to have a preferred vendor selected by the beginning of March."

In order to provide for 'Webcasting' the Council Chamber Audio Visual capability has to be revamped. The tender to select a vendor to provide this AV capability has been a long arduous tender process which is understandable when one considers the cost and technical challenges of such a project.

The tender response submission closing date was Monday, 20 February, the council are currently reviewing submissions and hope to be in a position to select a preferred vendor in March. Further updates on progress will be included in the monthly Chief Executive's report.

Councillor McLoughlin Healy stated that 4 years was not a reasonable timeframe for a decision made by the majority of the council to be put into effect.

Councillor Galvin said that the last 4 years was not a term like any other term due to covid and enquired as to the possibility of public access to meetings as had happened when the meetings were online.

The meeting administrator informed the members that the current surface hub was a stop gap measure and was very limited and not suitable as a means to invite the public to the meeting. It was in place to facilitate attendance by members who could not attend meetings in person. The pandemic had impacted on progress on this issue and on the delivery of a new AV system that would provide the facility to integrate meetings in person and online and provide for webcasting. The council

had to specify the system requirements and go through the proper procurement procedures to deliver on this. The process was progressing and updates are being provided in the CE report.

Councillor McLoughlin Healy informed the meeting that this building cost millions and the members were informed that it was future proofed so that modifications like this could be carried out. She stated that the Protocol committee had delayed this. Her next step would be putting down a motion under Section 140 of the LG Act compelling the Chief Executive to carry out the instruction of the members.

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

21/0223

Audit of Areas where Persistent Parking on Footpaths Occurs

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

Go ndéanfadh Comhairle Contae Chill Dara iniúchadh ar áiteanna inár mbailte agus sráidbhailte ina bhfuil páirceáil leanúnach ar chosáin d'fhonn aghaidh a thabhairt ar na bunchúiseanna trí mhéadú ar pháirceáil agus ar bhearta eile taistil ghníomhaigh. That Kildare County Council carry out an audit of places in our towns and villages where there is persistent parking on footpaths with a view to addressing the underlying reasons through the expansion of parking and other active travel measures.

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

A report from Ms C Barrett, A/Director of Service, Roads Transportation and Public Safety stated that parking in ten towns is regulated by parking bye-laws, which will be reviewed over the next two years at which time the members will have the opportunity to examine. While enforcement of seven parking bye-laws is carried out by APCOA on our behalf, all other towns and villages outside of the pay parking byelaws, including three maximum stay parking bye-laws are enforced by Kildare County Council Community Wardens and An Garda Síochána who have prime

responsibility in this regard. It is not possible to implement measures at all locations where inappropriate motorist behaviour is the main issue. The Roads, Transportation and Public Safety Directorate are willing to work with the members to examine reasonable measures that can be implemented.

Councillor Connolly accepted the report and would follow up on any issues offline.

Resolved on the proposal of Councillor N Connolly, seconded by Councillor Neville and agreed by the members that the report be noted.

22/0223

Public Realm Activation Projects

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

That the council prepare a programme of public realm activation projects for the summer season.

The Chair noted that Councillor Power had left the meeting and had authorised Councillor Doyle to move his motion.

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

A report from Mr E Ryan, Director of Service, Planning and Strategic Development stated that the Strategic Project and Public Realm team are working on several priority projects which are subject to timeline targets to ensure funding is secured. Work continues on projects which will improve tourism and local economies with the delivery of the Barrow Blueway, Grand Canal Greenways Phase 1 and 2. Across the five Municipal Districts projects such as the Kildare Market Square; Emily Square; Shackleton Museum; Wonderful Barn; Naas Town Centre Masterplan; Maynooth Town Centre Masterplan and various Healthchecks and Town Renewal Plans continue to progress. There are currently no plans to provide additional street furniture or structures to facilitate events over the summer period, as the team's focus is on delivery of previously agreed projects where funding is already secured or agreed in principle.

Councillor Doyle informed the members that it was how we use the spaces that matters. Public spaces utilised for events leads to a carousel effect and this leads to a good deal in the long term. It needed a person to manage these spaces. She accepted the report.

Ms Kavanagh advised that she couldn't disagree with Councillor Doyle and noted the amount of resources being put in to the Brigid 1500 celebrations. As staff come back from Uisce Eireann perhaps they could be utilised. She said it is the direction the council are going in but aren't quite there yet.

Councillor Doyle welcomed the positive support.

Resolved on the proposal of Councillor Doyle, seconded by Councillor Ó Cearúil and agreed by the members that the report be noted.

23/0223

Maintenance Contracts Service Level Agreements

The following motion in the name of Councillor Nuala Killeen was considered by the members.

That the council outline the service level agreements entered into in respect of maintenance contracts and management of open spaces in terms of leased or social units in mixed estates and to outline when directions to set up management companies are issued.

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

A report from Ms A Aspell, Director of Services, Housing and Corporate Services stated that in cases where the council has entered into an agreement to lease an entire estate, the owner/lessor retains responsibility for the management of open spaces.

The council does not enter into a service level agreement for the management of open spaces in mixed tenure development, the following applies:

- Where social units are being acquired in mixed tenure estates and a management company is in place, the council will pay its annual management company fee.

- In the case of leased units in a mixed tenure development the responsibility for the payment of management company fees if any rests with the owner of the property and in accordance with the social leasing programme the owner is entitled to receive a higher lease payment.

The requirement to establish a management company is laid down in the Multi Unit Development Act 2011 as amended and is not a matter for the Housing Department.

Councillor Killeen thanked the council for the report. She asked if there is a disagreement with the management company who does what? If the council are paying a management fee on behalf of tenants what do the council get? She was particularly interested in tenancy agreements and rules on how we deal with this. With regard to open spaces and communal spaces she believed that the tenants were getting different messages and this was causing confusion.

Councillor Neville noted it was easy when estates were fully private or fully public. Ms Aspell said private tenants in estates were the responsibility of the management company and this would be referred to planning. She was unsure as to what the councillor was asking and suggested that this would be taken offline to discuss as it was a complex issue.

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

24/0223

The Cathaoirleach noted that Councillor Stafford's motion was the next item listed on the agenda but as Councillor Stafford had to leave the meeting and had not issued any instruction in relation to moving his motion the motion would be removed from the agenda but may be reentered for the next meeting on fresh notice.

25/0223

Memorial in St Mary's Cemetery Athy

The following motion in the name of Councillor Aoife Breslin was considered by the members.

That the council seek permission from the HSE, to install a memorial, funded by all municipal districts, in St Mary's Cemetery, Athy to acknowledge those mothers and

children who were buried there.

The motion was proposed by Councillor Breslin and seconded by Councillor O Cearúil.

A report from Ms M Higgins, A/Director of Services, Community and Economic Development stated that the Council has received a written response from the HSE advising that the matter is now referred to the HSE Estates Unit for consideration and upon response from same the members will be kept informed of progress. Councillor Breslin welcomed the progress but commented that it had taken two years to get this far. She knew that council officials had done their best and the fault did not lie with them.

Ms Higgins advised that she expected to have a further update from the HSE before the next meeting and will report back via the progress report.

Resolved on the proposal of Councillor Breslin, seconded by Councillor Ó Cearúil and agreed by the members that the report be noted.

26/0223

Data Base of Vulnerable Tenants

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

That the council examine means to implement a system that creates a data base of vulnerable tenants, that would be given priority call out and systematic welfare calls.

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

A report from Ms A Aspell, Director of Services, Housing and Corporate Services stated that the council has several measures in place to meet the needs of vulnerable tenants.

- Employs five Tenant Liaison Officers and two Social Workers who engage with vulnerable tenants on an ongoing basis.

- Where vulnerability is indicated the Maintenance Team prioritises such tenants.
- Aside from the day-to-day interaction of staff across the housing section on tenant related issues, the council has a Housing Welfare Group which meets on a regular basis, this group is comprised of senior staff from across the Housing Department.
- The Tenancy Sustainment Service engages with tenants who previously experienced homelessness and is managing a caseload of 85 tenancies.
- Creating Foundations is a support funded by the HSE which provide supports to newly created tenancies where the tenant has engaged with HSE mental health services, a number of council tenants have benefited from this support. Additional mental health tenancy supports services are being rolled out in the HSE CH07 area, further details are awaited.
- The Housing Department is represented on the Community Living Group which is made up of representatives from the HSE, Local Authorities, Charities and AHBs and deals with issues related to housing and mental health.
- Housing First is managed by the Peter McVerry Trust on behalf of the council and provides extensive supports to tenants who have a history of homelessness coupled with complex needs.

Dealing with vulnerable clients is complex, and many of the issues causing vulnerability are not housing related. Engagement and support from external agencies such as Tusla, the HSE mental and public health service is essential. We are awaiting the commencement of the Assisted Decision Making (Capacity) Act 2015, when commenced this act will impact on how the council interacts with clients and customers especially those who may have reduced decision-making capacity.

Further detail on this act can be found at:

https://www.citizensinformationboard.ie/downloads/relate/relate_2016_04.pdf

If members have a concern about a tenancy this matter should be brought to the attention of the Housing Department.

The members asked if this overlaps with the work of the HSE and An Garda Síochána

Were there data protection issues? It was confirmed that the council do not share data.

Would you need tenants permission to share data? New legislation was due to be implemented.

Ms Aspell informed the members that there was a comprehensive policy for dealing with very vulnerable tenants with mental health issues. All that can be done is being done. The council are awaiting the commencement of the Assisted Decision Making (Capacity) Act 2015. When commenced this act will impact on how the council interacts with clients and customers especially those who may have reduced decision-making capacity. Ms Aspell advised that tenants do not always disclose issues when signing up. Nothing is straight forward.

Resolved on the proposal of Councillor Doyle, seconded by Councillor Ó Cearúil and agreed by the members that the report be noted.

27/0223

Signage Warning of the Dangers of Lyme Disease

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

That the council erect signage warning of the dangers of Lyme Disease at all parks, playgrounds and public open spaces.

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

A report from Ms M Higgins, A/Director of Services, Community and Economic Development stated that the Parks Section have no issues in principle about highlighting the dangers of Lyme Disease. However, the best method of communication may not necessarily be through signage. A more effective way maybe through social media and website to reach a wide audience. This is due to the seasonality of the disease and the locations which are relatively specific and not confined to public areas. Another important consideration is to prevent a proliferation of signage that we are asked to erect in park and open spaces to highlight various issues. Any work required would have to be considered in the context of existing

commitments across the county and what level of priority is to be attached to this relative to such commitments.

Councillor Leigh thanked the Director for the report and suggested that the council also advertise this in local media and coordinate activities with Lyme Disease Awareness Day on the 1 May.

Resolved on the proposal of Councillor Leigh, seconded by Councillor Galvin and agreed by the members that the report be noted

28/0223

Changing of Progress Report to Manager's Report

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

That the Progress Report at municipal district meetings be changed to a 'Manager's Report', similar to the Chief Executive (CE) Report for Plenary Meetings.

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

A report from Ms A Aspell, Director of Services, Housing and Corporate Services stated that it is a requirement of the Local Government Act 2014 that a Chief Executive's management report be furnished to each member of the Local Authority. The CE Report is a monthly record of activity ranging from new initiatives or schemes delivered either across the county or within a district, together with new government announcements, legislative changes, statistics. It does not specifically relate to either Municipal Districts or Plenary meetings and altering the Progress Report to a similar format to the CE Report would, in the view of the Executive, result in duplication of reporting.

The Progress Report as formatted and circulated to Municipal District meetings is an essential document flowing from these meetings.

The Council (in accordance with Section 47 of the Local Government Act 2000 (as amended by S40 of the Local Government Reform Act 2014) has an obligation to

ensure that the operation of meetings of Municipal Districts “..... *are organised and operate so as to promote effectiveness and efficiency in the discharge of business*”.

The Progress Report reflects the actions and matters for further information to be provided to members, arising from meetings. It assigns ownership of these actions to relevant teams and managers, thus enabling the Members Services Team to, on the members behalf, pursue the actions for response.

Progress Reports operate in this manner across the Local Authority sector since 2014 and would generally be recognised as a positive governance measure, that enables members to demonstrate their advocacy and delivery for their communities. These reports also inform work programmes within departments. For the reasons set out above it is recommended that the Progress Reports remain in their current format.

Local Authorities are subject to extensive reporting obligations and this information frequently comes before members for review and approval. It is felt that voluntarily adding to this would divert more of our ever-challenged resources towards reporting and away from delivery.

Councillor Moore informed the meeting that his request came about as he had noticed that the progress report had items that members had asked to be included on the report and the answer was no update. He believed that follow up should be the responsibility of the District Manager. Members enquired as to how progress report items were tracked and suggested tracking it using CRM.

Ms Aspell advised that resources needed to be put in place and perhaps there was a software solution.

Ms Kavanagh advised that the council had set up an executive team whose job it was to provide assistance to the Directors with their current workload. There was no way that the District Manager could take on the extra responsibility.

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

The meeting concluded.