

**KILDARE COUNTY COUNCIL**  
**Minutes of meeting of Full Council held at 3:00 p.m.**  
**Monday 26 September 2022 in**  
**Áras Chill Dara, Devoy Park, Naas, Co Kildare.**

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

**Apologies:** Councillor C Kelly, S Moore, F McLoughlin Healy and B Weld

**Also Present:** Ms S.Kavanagh Chief Executive Ms A Aspell, Ms E Wright Mr J Boland (Directors of Service), Ms M Higgins, (A/Director of Service), Mr G Conlon Senior Executive Officer, Ms F Millane (A/Head of Finance), Mr T Shanahan (Meetings Administrator) and Mr J Hannigan(Meetings Secretary) and other officials.

---

The Cathaoirleach welcomed everyone to the September meeting of Full Council and sought the members continued co-operation in adhering to protocols on speaking times to continue the efficient use of the time available.

**01/0922**

**Bereavements**

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

Margaret (Maggie) Kenny, mother of Paul Kenny, Finance

Elizabeth Buggie, mother of Cyril Buggie, Transport, Maynooth MD

A minute's silence was observed.

**02/0922**

**Declaration of Interests**

The Cathaoirleach sought any declarations of interests from the members, as required under Section 177 of the Local Government Act 2001 as amended.

There were no interests declared.

**03/0922**

**Minutes and Progress Report**

The council considered the draft minutes of the special meeting held on 25 July, minutes of the monthly meeting on 25 July 2022, minutes of the in private meeting held on 25 July and the progress report.

**Resolved** on the proposal of Councillor McEvoy, seconded by Councillor Doyle and agreed by the members present, the minutes of the special meeting on 25 July 2022 were adopted.

**Resolved** on the proposal of Councillor McEvoy, seconded by Councillor Doyle and agreed by the members present, the minutes of the monthly meeting on 25 July 2022 were adopted.

**Resolved** on the proposal of Councillor McEvoy, seconded by Councillor Doyle and agreed by the members present, the minutes of the in-private meeting on 25 July 2022. The progress report was noted.

**04/0922**

**Chief Executive's Monthly Management Report**

The members noted the Chief Executives monthly management report.

**05/0922**

**Section 183 Notice for Disposal of Lands**

The members considered the disposal of lands by way of lease pursuant to Section 183 of the Local Government Act 2001, as amended (Statutory notices of 13 September 2022 circulated previously).

- i. Site 9, Kilcullen Business Campus, Kilcullen.
- ii. Site 10, Kilcullen Business Campus, Kilcullen.
- iii. Site 11, Kilcullen Business Campus, Kilcullen.

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

Councillor T O'Dwyer expressed her delight at seeing these units occupied, Councillor Ó Cearúil asked how the income from this was used. He was advised that it was used for further investment in the Area

**Resolved** on the proposal of Councillor T O'Dwyer , seconded by Councillor Ó Cearúil and with the agreement of the members present that pursuant to Section 183 of the Local Government Act 2001 as amended, and the statutory notices issued on 13 September 2022, the council's consent to the Disposal of lands by way of lease at sites 9, 10 and 11 Kilcullen Business Campus, Kilcullen, was given.

#### **06/0922**

##### **Local Property Tax – Consideration of Setting Local Adjustment Factor**

The members considered the report of the Chief Executive on the setting of a local adjustment factor for 2023 and the report on the submissions received during the public consultation which had been circulated.

Ms Millane advised that Local Property Tax was introduced as a tax on residential property and a method of providing sustainable funding for local government. It is administered by the Revenue Commissioners. For 2023 the Department has advised that each local authority will retain 100% of the monies collected.

Equalisation funding no longer exists – previously all local authorities contributed 20% of their yield to equalisation.

The move to 100% local retention does not, however, mean a substantially increased surplus for our own use. Authorities, such as Kildare, with increased yields will only retain a maximum of 22.5% of the pre-variation yield. The remainder will be used to self-fund housing and/or roads expenditure.

There is a baseline review to take place (now planned for Q1 2023) – this will be the first baseline review since 2014 (effectively 2012 as the 2014 adjustment reflected

Irish Water). Kildare's baseline (ie the minimum amount of funding a local authority is entitled to) remains at €11,755,790.

The LPT allocation for Kildare for 2023 (before any decision to vary the rate) is €23,161,639, of which €6.2m (€1.3m in 2022) has been allocated to self-funding. As the members know, self-funding replaces historic Central Government grant funding.

Effectively Kildare has been given an increase of around €600,000 in discretionary funding if there is no variation to the LPT rate despite there being an increase in numbers of properties declared for LPT of around 10%.

Local Property Tax helps fund essential local services such as, public parks; libraries; open spaces and leisure amenities; planning and development; fire and emergency services; maintenance and cleaning of streets and street lighting.

Local authorities may as a reserved function resolve to vary the rate of local property tax within their functional area by a maximum of +/-15%.

Circular Fin 08/2014 Guidance Associated with Local Property Tax (local adjustment factor) Regulations and Statutory Instrument 26 of 2014 Local Property Tax (local adjustment factor) Regulations 2014 outline the requirements of the local authority to take account of the financial position of the local authority and have regard to the following factors:

- The estimation of income and expenditure for the period for which the varied rate is to have effect
- Financial position of the local authority
- Financial effect of the varied rate
- Feedback from any public consultation held

The timing of the requirement to prepare an estimate of income and expenditure falls in advance of the budget meeting. Therefore, in accordance with the circular we have based our estimation on the current year's budget, adjusting for the impact of any information or policies known. This information must be given in a table that is prescribed in Schedule 1 of the Statutory Instrument. (See Table 1 Section 2.1 of the CE Report). The biggest concern is around energy costs – indications from OGP

are that they will increase by about 277% for 2023 for the metered element – at this stage the unmetered (ie most of the public lighting element) is locked in until the end of 2024. The DPER has been clear that the government is not currently considering providing additional funding towards energy costs for 2023. The cost of this energy increase is approximately €2m in Kildare.

The statement of financial position relates to the current year. The members must consider the overall financial position. The legislation requires that this report provide financial information to members as at a date at least one month before the meeting. The most recently completed quarter end information should be, and was used - ie quarter 2, 6 months ended 30/06/2022. The financial position must be given in the table as prescribed in Schedule 2 of the Statutory Instrument. (See Table 2 Section 2.2 of CE Report)

At this stage it is looking likely that 2022 will out-turn reasonably on target – whilst inflation is reducing the amount of works that can be done, the energy increases are only starting to hit and the directors are working to ensure that their overall budgets are maintained.

2023 will be even more difficult as the council must produce a balanced budget;- as it is instructed through Circular 05/2014 not to overspend in either Revenue or Capital, so there will be direct effects to services if inflation, especially energy inflation continues at current rates.

Circular Fin 08/2022 confirms that every local authority has the power to vary the basic rate of LPT by up to 15% - any additional income generated is 100% retained for use by the LA.

In a departure to previous years, each local authority now has the power to vary the LPT rate for a period 'as specified by the Members'. Should the Members choose to vary the rate for the remaining two-year term of the Council, they may do so at this stage. If something happens over the next year and the Members decide to revisit the decision, they may do so by revoking the decision taken and going back to public consultation. This means that any revocation must be done no later than the June 2023 meeting.

Any variation in the local property tax rate will have an impact on the local authority income, on those paying LPT, and on those receiving council services.

The estimation of financial effect shall be set out in a report prepared under the direction of the Chief Executive and must contain:-

1. Potential impact on the LPT revenue in the forthcoming financial year
2. Potential impact on the service delivery plans of the local authority
3. Potential impact on the liable person
4. Any other information the Chief Executive considers necessary.

For reference purposes in section 2.3 Table 3 shows the effect on a liable person with a 7.5%, 10% and 15% variation.

As per Circular Fin 08/2022 70.3% of household bands in Kildare were valued at under €350,000 – therefore every 1% variation amounted to less than €3.15 per annum on the majority of households. Retaining the 10% variation equates to €31.50 pa.

Table 5 shows the effect of LPT variation on the Council based on 2023 figures. Maintaining the current variation generates €5,790,410 for the Members to direct towards services and projects that are priorities in their areas.

Expenditure of these monies, if any are retained, will continue to be facilitated through the municipal district general municipal allocation.

In 2015 it was agreed at CPG, and subsequently at Council, that any retention of the discretionary element of the LPT would be used to fund specific projects and services within each municipal district. It was recommended at the time that these projects be of significant value and it was proposed that spend should be of amounts of not less than €50,000 per project. As a result of this for 2016 Members varied the rate and retained €1.6m for spend within their MDs.

Over the past few years the level of retained LPT has grown to approximately €5.2m in 2022. The funding is extremely welcome and has been well spent, but there are significant overhead costs involved and as such, for 2023 it will be necessary for 10% of any retained LPT to be used to help cover administrative overheads.

The local authority invited views of the public in respect of the potential impacts of any variation in LPT rates on businesses, individuals and on local authority services. Notice of public consultation must be published on the local authority's website, and in one or more newspapers circulated in the local authority administrative area.

Kildare County Council advertised in 3 local papers and on the website – 3 submissions were made within the consultation period (2 in 2022)

The members of the local authority must consider the feedback from the public consultation as part of the decision making process.

These are included in a separate report from the Chief Executive.

For reference – the three submissions requested that the Members not contemplate increasing the LPT rate at this time.

The members may decide to set a local adjustment factor by resolution (ie to vary it), or not to vary the basic rate.

Notice of the passing of a resolution to vary the basic rate of local property tax must be received by the Minister and the Revenue Commissioners on or before 15 October.

Statutory notice of variation (where it is varied) must be published within 14 days by the local authority on its website and in one or more newspapers circulating in its administrative area.

The Chief Executive has recommended that Council maintains the status quo – ie maintains, the variation of 10% that was approved by Council for 2022 and that Council approve this for two years.

The general expectation is that energy costs will have a significant impact on our capacity to deliver services, new rates valuations are not being received (we have had no new rates valuations in 2022 other than the globals, which was a decrease); that Covid related costs (which are not being funded centrally) will continue to impact on budgets – this is both in respect of direct and non-direct costs (PPE/cleaning/higher IT/subventions to wholly owned companies).

Whilst the council are still in the early stages of Budget 2023, it is clear that there will be reductions across the services and in order to maintain services/grants etc it will be necessary to have support from the Members.

In 2022 the budget was €178m

The members raised the following points

- LPT funding should be used for spend on projects and not for administration
- Any increase in LPT base rate was significant for older people living on their own and surviving on a state pension and should be set at the base rate.
- Due to the uncertainty families were facing that the rate be set at base rate plus 7.5%
- LPT was introduced as a wealth tax. Services had improved since its introduction
- LPT should be spent on large projects
- Councillors had allocated funds but they were not always delivering on projects
- There needed to be better communication on how LPT allocations were being used to benefit the community
- The Government had underfunded Local Authorities

The Chief Executive informed the members that LPT allocation had been a success and had helped to deliver projects across the various directorates

There were now 60 to 70 Public Realm projects that needed to be delivered, Parks and Playgrounds had projects that needed to be delivered, where possible these would be delivered using existing resources but additional staff or resources will be required to deliver some of the projects. It was this that was being referred to.

Kildare County council was underfunded and had one of the lowest staff per capita of all local authorities. The council were looking at how the communication of LPT funded projects could be improved. It was also clarified to members that if they were to vary their decision regarding the setting of the rate for two years this decision would have to be made by June 2023.

Councillor McEvoy seconded by Councillor Keatley proposed that



the LPT be retained at last years rate ie Base rate plus 10% for two years. There would be no increase to householders.

The members voted with 33 in favour of the proposal 3 against and no abstentions

The motion was carried,

**Resolved** on the proposal of Councillor McEvoy seconded by Councillor Keatley with 33 members voting in favour 3 members voting against and 0 members abstaining that the variation on the baseline LPT rate be base rate plus 10% for the next two years.

### **07/0922**

#### **Bank Overdraft Facility of €4.5million for year ending 31.12.2023**

The members considered a report on the seeking of sanction for continued Bank Overdraft Facility of €4.5million for year ending 31.12.2023. Ms Millane confirmed the amount sought was the same as in previous years and that the councils cashflow operated very well and the request was to ensure there were sufficient funds on a 'given day' basis and was very rarely used.

**Resolved** on the proposal of Councillor Duffy seconded by Councillor Dooley and agreed by the members present to approve a sanction request for a bank overdraft facility of €4.5 million for year ending 31.12.2023.

### **08/0922**

#### **Date of the Statutory 2023 Annual Budget Meeting**

The members considered the date for the statutory annual budget meeting and agreed it would take place in the council Chamber, Áras Chill Dara, on Monday 21 November at 3:00pm. Ms Millane confirmed that as in previous years, an online briefing would take place the previous week, on Monday 14 November at 3:00pm. Councillor McEvoy confirmed that there was a clash with the Protocol & Procedures Committee meeting on the 14 November but that they would be happy to reschedule their meeting to facilitate the budget briefing

**Resolved** with the agreement of the members present that the statutory annual budget meeting would take place on Monday 21 November at 3:00pm and an online briefing would take place on Monday 14 November at 3:00pm.

**09/0922**

**Kildare Diaspora Engagement Strategy**

The members considered the draft Kildare Diaspora Engagement Strategy  
Ms McNabb informed the member that they had already received a copy of the strategy and this covered the period from 2022 to 2026

She outlined the importance of this strategy and how it would help in the economic development of the county. It was about developing partnerships across the world This was to help the council to engage with individuals at national and international level. The development of a database of individuals and groups was a key element of the plan and once identified it will be decided on how best to further develop the relationship. This would help the celebration of Brigid 1500. Councillor Heavey thanked Ms McNabb and her team for the work  
The members suggested that all elements and groups should be considered including youth engagement.

**Resolved** on the proposal of Councillor Heavey seconded by Councillor Killeen and agreed by the members present the Kildare Diaspora Engagement Strategy, was adopted.

**10/0922**

**Residents Association Grants Policy**

The members considered the proposed revision of Residents Association Grants policy and the report which had been circulated.

The members were informed that a sub group of the Community and Economic Development SPC had been set up to look at the criteria being used to calculate the amount of the grants being paid to Residents Associations and groups from private estates. The current practice was to use the number of houses in the estates as a factor when calculating the amount to be paid.  
The grants were mainly used to have green areas in estates maintained and it was proposed to use the area of green space in the estate as the factor when calculating the amount of grant to be paid.

Any new estates applying for funding must be taken in charge.

The objective was to make the calculation more equitable.

Councillors T O'Dwyer, I Cussen, C Kelly and J. Shannon AO Community were members of this sub committee.

The members raised the following points

- They had concerns about the certification of the area of green space and how this would be carried out
- Who would carry out this certification
- Concerns about estates not taken in charge being excluded
- Why were local authority estates excluded
- How much would it cost the residents association to provide the certificate.
- Could building control have a role to play in this.
- Could the area be established from Ordnance Survey Maps
- Could the as constructed drawing submitted to the council be used

The members were informed that a lot of research had gone into this proposal This was the first time the Residents Association Grants Scheme had been reviewed. Local Authority estates would be reviewed also. If the changes were agreed the scheme would be reviewed next year to see if it met the objective of making the grants more equitable.

Councillor Keatley proposed an amendment to Section 4 of the scheme  
Private Estates

“Any new estates applying for grant funding must be taken in charge or be paying Local Property Tax and not being maintained by the developer”

This was seconded by Councillor Doyle and agreed by all the members

**Resolved** on the proposal of Councillor I Cussen, seconded by Councillor T O'Dwyer and agreed by the members present that the revision of the Residents Association Grants policy including the amendment be adopted.

**11/0922**

**Section 141 Reports from Other Bodies**

The members considered reports from members appointed to Other Bodies pursuant to Section 141 of the Local Government Act 2001, as amended. The following reports were received at the September meeting

- Drehid Community Liaison Committee
- AILG
- Kildare Town Heritage Company Limited by Guarantee
- Eastern Midland Regional Assembly
- County Kildare Heritage Forum

The Cathaoirleach asked that the members direct any questions they had on the reports to the members appointed to the relevant body.

The reports were noted.

**12/0922**

**Nomination of Two Members to County Kildare LEADER Partnership CLG**

The members considered the request for nomination of members to County Kildare LEADER Partnership CLG.

The members were advised that there were two vacancies on the board of the County Kildare LEADER Partnership CLG to be filled for the forthcoming term of the board.

Kildare previously had 4 nominees who had served on the board Councillors Anne Breen, Anne Connolly, Fiona McLoughlin Healy and Evie Sammon and the term of office of those appointments would end in October 2022.

The Constitution had changed in line with Corporate Governance advice and they were now seeking only two nominations from the council.

The members thanked the councillors who had previously served and expressed disappointment that the number had reduced from 4 to 2. The reduction in the number of councillors was a loss to the board in the members view.

It was confirmed that Councillors Breen and A Connolly were seeking nomination to the board.

It was proposed by Councillor Doyle seconded by Councillor Breslin and agreed by all members present that Councillors Breen and A. Connolly be nominated by Kildare County Council to the board of County Kildare LEADER Partnership CLG

**Resolved** on the proposal of Councillor S Doyle seconded by Councillor A Breslin and agreed by the members present, the nomination of two members Councillor Anne Breen and Councillor Ann Connolly to County Kildare LEADER Partnership CLG was agreed.

### **13/0922**

#### **Gnó an Cathaoirleach/Cathaoirleachs Business**

The Cathaoirleach confirmed he had attended a number of events over the last month to include the following

10 September 9/11 Commemoration event Donadea

11 September 100 year anniversary an Garda Síochána Naas

13 September New Arts Strategy public consultation in Keadeen, Newbridge

17 September Lajee Cultural event in Newbridge

23 September Sensational Kidz in Kildare Town

4.00 pm to 10.00pm Various events with Culture night

He also welcomed a delegation of 27 people from Lexington Kentucky led by Mayor Linda Gorten to Kildare and they had attended a number of events.

### **14/0922**

#### **Comhfhreagras/Correspondence**

The Meetings Administrator confirmed six motion referrals had been received from other local authorities and had been circulated to the members with the Progress Report. The correspondence was noted.

### **15/0922**

#### **Conferences and Training**

The members considered the conference and training report that was circulated in advance of the meeting.

**Approval Sought for Training**

Training	Details	Host	Venue	Date	Councillors Attending	Fee Contribution
<b>AILG-OPR Webinar</b>	Planning that Revitalises Ireland's Towns and Villages	AILG-OPR	online	30 Sept	Cllr F Brett	Nil

**Retrospective Approval Sought for Training**

Training	Details	Host	Venue	Date	Councillors Attending	Fee Contribution
AILG Autumn Training	Celebrating Local Government	AILG	Knightsbrook Hotel Trim	14-15 Sept	Cllr Bernard Caldwell Cllr Carmel Kelly Cllr Fintan Brett	€145 Plus Travel and Subs

**Resolved** on the proposal of Councillor McEvoy seconded by Councillor Sammon and with the agreement of the members the conference and training report as circulated was approved.

**16/0922**

**Climate Action Strategic Policy Committee**

The members received a report from the Chair of the Climate Action Strategic Policy Committee Councillor Bill Clear.

Councillor Clear outlined the membership of the committee and the key policy areas they were currently concentrating on. He informed the members that the committee had a major role in assisting and advising the council in relation to functions of a strategic statutory nature, the development of work programmes, the establishment of priorities for particular services, consideration of the needs of people with disabilities and the integration of sustainability principles to particular services along with the strategic monitoring of local authority services.

He confirmed they had completed an Energy Master Plan. He outlined the partnership between Local Government, LGFA & Camogie Association and explained how this feeds into the LA Climate action Charter and the Climate Action Plan.

He informed the members of the uptake on the Climate Action fund which was funded by the members LPT allocations. He advised that there was a further campaign to seek applications for suitable projects. They were organising workshops to help attract the right type of project.

Mr Boland thanked the members for their support.

The report was noted

### **17/0922**

#### **Transportation Strategic Policy Committee**

The Cathaoirleach confirmed the presentation from the Chair of the Transportation Strategic Policy Committee was deferred to the October meeting of council.

### **18/0922**

#### **Workers Participation in Local Government**

The following motion in the names of Colm Kenny, Brian Dooley, Evie Sammon, Mark Leigh, Noel Connolly, Aidan Farrelly and Padraig McEvoy was considered by the members.

That Kildare County Council writes to the Minister for Local Government and other representative bodies including the AILG to establish a code of practice for employers to encourage and facilitate workers to participate in local government.

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

A report from Ms A Aspell, Director of Service, Housing and Corporate Services stated that subject to the members agreement, a letter can issue as requested.

Councillor Kenny informed the meeting that while his employer in theory supported him in his role as a public representative it was difficult to get time off to attend certain meetings and he had to on occasion, take annual leave or make up the time off taken to attend statutory meetings of the council.

Members made the following points

- They supported the motion and understood the difficulties encountered by Councillor Kenny.

- Some employers were supportive of employees serving as public representatives and encouraged it.
- It could be perceived by an employer that having an elected member as an employee could be negative.
- It could be difficult for small business to give time off to carry out their role as a councillor.
- Councillor McEvoy had requested that AILG carry out a survey of elected members based on employment type as historically elected members came from a limited range of employments. There was a need to broaden this out.
- It was difficult to retain or encourage people to put their name forward because of the demands on their time.
- The introduction of maternity leave would help attract more people into politics.

**Resolved** on the proposal of Councillor Kenny, seconded by Councillor Sammon

that a letter issue to the Department and other representative bodies including AILG asking that a code of Practice be set up

### **19/0922**

#### **Review of SPC Procedures**

The following motion in the name of Councillor Peggy O'Dwyer was considered by the members.

That the council undertake a review of SPC procedures to identify the reasons for prolonged vacancies and mid-term resignations from SPC committees.

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

A report from Ms. A. Aspell Director of Housing and Corporate Services stated that currently there are 6 vacancies across the 6 Strategic Policy Committees. The Public Participation Network advised in August that they had some movement with the PPN representatives and now had three vacancies to fill. They were going through the democratic election process within the PPN to select new nominees and



it is hoped that new recommendations on their 3 vacancies will be put to council at the October meeting. There are also 3 longstanding vacancies to be filled to represent the Development/Construction sector. These vacancies are filled through the business National Pillar with nominations coming from the CIF through the National Pillar co-ordinator. To date no nominations have been received despite initial contact and reminders. We have again initiated contact with the National Pillar to seek nominations and they are engaging with CIF. Any nominations received will be referred to the Corporate Policy Group and will be put to Council for decision at the plenary meeting.

Current vacancies are

Climate Action SPC	PPN Environmental/Conservation vacancy	nominee selected, to go to October CPG and Council
Climate Action SPC	PPN Community/Voluntary vacancy	Awaiting a new nominee
Economic Development, Enterprise and Planning SPC	PPN Environmental/Conservation vacancy	Awaiting a new nominee
Economic Development, Enterprise and Planning SPC	Development/Construction vacancy	Awaiting nominee
Housing SPC	Development/Construction vacancy	Awaiting nominee
Transportation, Safety and Emergency Services SPC	Development/Construction vacancy	Awaiting nominee

A new SPC scheme is adopted for each council term, the current one being the 2019-2024 scheme which was adopted by the council in December 2019 following review of the previous scheme, request for feedback from members of the previous SPC's and public consultation.

While there is no provision in the scheme in relation to exit interviews when a person steps down from the SPC we could, subject to the agreement of the members, ask the nominating pillar to follow up with them on the reasons for same and forward any issues of relevance that could be considered by the CPG or in the new scheme.

Councillor P O'Dwyer advised that she had raised this motion as she was concerned at the number of external vacancies on Strategic Policy Committees and how could this be resolved. Did the council carry out exit polls with members from external bodies who resigned from Strategic Policy Committees?

- The following points were raised
- Maybe for some it was a box ticking exercise
- Maybe the times of the meetings needed to be looked at
- Some sectoral representatives had been absent from the start

Ms Aspell informed the meeting that the various sectors represented on the SPCs were engaged with from the start and that she would ask the secretary of each SPC to arrange exit interviews with any member who resigned from an SPC committee

**Resolved** on the proposal of Councillor O'Dwyer, seconded by Councillor Duffy and agreed by the members present, the report was noted and that exit interviews would be conducted with committee members who had resigned

## **20/0922**

### **Commemorative Badges**

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

That the council create commemorative badges for the War of Independence and the Civil War in Kildare, similar to what Kildare County Council did in 2016.

The motion was proposed by Councillor Behan and seconded by Councillor Ann Connolly.

A report from Ms M Higgins, A/Director of Service, Economic Development and Community and Culture stated that the County Kildare Decade of Commemorations Committee oversees the annual programme. There is no provision for such a project in the 2022 Budget, but it could be considered for inclusion in the 2023 Programme.

The idea of creating commemorative badges as a means of marking the Centenary of the War of Independence and Civil War in County Kildare will be raised at the next meeting.

This commemorative project would be required to be fully funded from the Local Property Tax allocation for the Decade of Commemorations Programme, as the production of commemorative medals or pins is ineligible for national, Decade of Centenaries, funding.

Councillor Behan accepted the report but felt that if the funding could be found that this was a simple way to commemorate the War of Independence and the Civil War.

**Resolved** on the proposal of Councillor Behan, seconded by Councillor A Connolly and agreed by the members present, the report was noted.

## **21/0922**

### **County-Wide Road Safety Campaign**

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

That the council run a county-wide road safety campaign that highlights the dangers of interacting with mobile phones for texting, social media use or any other reason, whilst driving.

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

A report from Ms E Wright, Director of Service, Roads Transportation and Public Safety stated that the Roads and Transportation Department is participating in working groups focussed on road safety issues with the Road Safety Authority (RSA), members of An Garda Siochana, the National Transport Authority and Department of Transport.

The RSA is planning a radio, digital and social media campaign to go live at the October bank holiday weekend. The campaign aims to highlight the changes in fines for some offences and it is expected that use of a mobile phone while driving will be one. With the support of our Road Safety Officer, we will actively engage with the RSA to assist in amplifying this campaign via our Communications Department to ensure that the message is disseminated widely throughout the County.

Councillor Wyse welcomed the report and informed the members that using mobile was a scourge. In his experience there were 2 to 3 drivers out of every 10 using their mobiles whilst driving. This needed to be stopped. Drivers distracted by their phones were contributing to the increase in traffic accidents.

Ms Wright informed the meeting that Road Safety Week was from the 3 to the 9 October and the council would be actively promoting road safety across all platforms **Resolved** on the proposal of Councillor Wyse, seconded by Councillor P O'Dwyer and agreed by the members present, the report was noted.

## **22/0922**

### **Monitoring for Continuous Improvement of Energy Use**

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

That Kildare County Council ensures that all steps are taken technically, and through policy and actions, to ensure that energy use is optimised, without waste, across all of the Council and its operations, and that this is demonstrated through monitoring for continuous improvement.

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

A report from Mr J Boland, Director of Service, Environment, Water Services and Climate Action stated that energy efficiency of council buildings and other areas of energy usage are reviewed on a continuous basis. The council takes a proactive approach, particularly in our buildings, in order to minimise wastage wherever possible and use of technology now plays a key part in this.

The primary monitoring mechanism is the SEAI M & R [Monitoring and Reporting] system. In brief, this involves submitting meter readings, fuel consumption etc to SEAI on an ongoing basis as part of a structured reporting system for the broader public sector. It is pleasing to note that the Councils performance has been particularly encouraging, a reduction of 33% having been achieved by 2020 on our 2009 baseline, which met the public sector target.

The targets for 2030 [now compared to 2018 baseline] is far more stretched as follows:

- 50% energy efficiency
- 51% reduction in carbon footprint

In this context, our Energy Management Team in conjunction with the various departments has compiled an ambitious 'register of opportunities' for further actions, [for example phased upgrade of traffic management infrastructure to LED, eco-driving of vehicles, photovoltaic panels at depots, upgrades to fire stations, libraries, arts centres, new energy efficiency machinery yard etc.]

Current and proposed actions focus to a large extent on our top 20 energy users, all of which have been identified.

In addition, the Council in conjunction with counties Meath and Wicklow are close to finalisation of the proposed new Mid-East Energy Bureau. In turn, this will present further opportunities in terms of learning as well as, in particular, SEAI 'Pathfinder' funding for energy saving projects of scale (e.g., major retrofits). I would caution that such will require matching capital funding which, in turn, will have implications in terms of the Councils capital account.

For further information, our A/Head of Finance has set out the following expected impact on Budget 2023:-

The current pricing of the metered electricity contract is in place until the end of September 2022. While efforts are still being made by the Office of Government Procurement (OGP) on behalf of the sector to introduce fixed prices for the remainder of the contract, such has not been possible yet due to the continued deterioration of the market. A flexible daily price will apply from the start of October until a fixed price can be put in place. Based on current rates the OGP are predicting increases of over 250% in the costs of electricity under the metered contract (this translates as a year-on-year increase of approximately €2m).

The unmetered electricity contract (which constitutes the majority of Kildare's public lights) is fixed until mid-2023. The current supplier is indicating that they will pull out of this contract if there isn't some flexing of prices by January. The OGP are suggesting that this could be as much as a 100% increase in costs. This element of the electricity contract will also be affected by the roll-out of Public Lighting Energy Efficiency Project (PLEEP), so an estimate of increases in the unmetered contract will not be made until timescales of the roll-out are confirmed.

The Department of Housing, Local Government and Heritage has indicated that DPER do not intend increasing subventions to the sector to assist with the increased cost of energy.

Councillor Liston informed the meeting that the motion was a response to both our current energy crisis costs, and climate crisis but triggered by community concern with the extent of lighting used in the building from early in the morning. From 5am all lights are on in the Council building.

The report says that the Council has made huge progress and itemises some of these. We see 33% energy efficiency improvement over 11 years (2020 on 2009 baseline). That is 3% per year.

While the report outlines ongoing progress it is not provided in a way that reflects the sense of urgency or ambition that is required in the current situation.

The council have 8 years to make 50% efficiency and 51% carbon reduction. This is a massive challenge.

Where can we get more visibility on this strategic plan for reaching these targets specifically?. To what extent are we expecting Mid-East Energy Bureau will assist in achieving our goals, when will that be fully set up? We can all save energy more.

There is a huge visual dissonance of lights on in the Council building from 5.00 am when staff start arriving that I understand. On the one hand - can more smart technology be used to avoid and reflect better the ethos of energy savings within the Council. On the other hand - the question raised by the community is a huge opportunity for a collaborative approach and solidarity in us all meeting our goals given the urgency of the situation not just in terms of energy prices, energy security but also the climate crisis. Data is submitted to SEAI Monitoring and Reporting and there is visibility on that.

Can the council have a strong communication programme both internally and externally on energy saving?

The members raised the following

- Increased energy costs could have an impact on the council's ability to provide services.
- Could the switch to LED street lights be speeded up. This was in train since 2019.

Mr Boland informed the members that the council is making good progress but more ambition was needed. Energy usage and consumption was a major cost to the council. The cost of energy for lighting was fixed to 2023.

The ability to apply for Pathfinder funding was significant. The council was very conscious of energy costs and uses as the costs were considerable.

Communication will now be progressed in the context of the overall plan and he was open to suggestions on how this could be improved

The changeover to LED for public lighting was being led by Kilkenny County Council and the rollout in Kildare would commence in March 2023 and would continue right through to 2024

Ms Aspell informed the members that the use of energy and switching on and off of lights in council buildings was constantly monitored. The lights were on when staff were in the building and the council is always looking at how this can be improved.

**Resolved** on the proposal of Councillor Liston, seconded by Councillor Kenny that the report be noted

## **23/0922**

### **Policy on Abandoned Vehicles**

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

That the council outline its policy requiring Garda confirmation from a complainant that a vehicle is abandoned, prior to the removal of the untaxed or abandoned vehicle by the council, including when this policy was introduced.

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

A report from Mr J Boland, Director of Service, Environment, Water Services and Climate Action stated that issues in relation to alleged abandoned vehicles are not so straight forward and can involve the following entities / agencies.

1. An Garda Siochana –
  - a. Burnt out vehicles, as this is deemed criminal behaviour
  - b. Vehicles registered outside the Republic of Ireland
  - c. Vehicles on public roads which are causing an obstruction or hazard
  - d. A vehicle with no tax or insurance on a public road
2. Transport Infrastructure Ireland-
  - a. Vehicles allegedly abandoned on motorways
3. Local Authority-
  - a. The Council also handles complaints / referrals which are assigned to its community wardens. There is a structured system in place wherein



it will liaise with the Gardai and motor tax office where required. The warden will carry out a series of prescribed checks, mainly on the physical condition of the vehicle and where warranted, issue a 21-day notice, after which the vehicles can be removed.

The following reports of alleged abandoned vehicles will not be investigated by the Council

- Vehicles on private lands
- Vehicles in private car parks
- Vehicles in estates not taken in charge
- Broken down vehicles
- Poorly parked vehicles
- Vehicles involved in residential parking disputes

Some additional complexities arose recently in the context of the covid pandemic wherein there was a greater tendency not to tax or use vehicles for periods.

As outlined above, the Council will process complaints through its CRM system / environment section. Complaints outlined at (1) & (2) above are really best referred to the primary agency in the first instance in the interests of expediency but, alternatively, these can also be referred to the Council. I do agree with Cllr Clear, however, that said, such should be advisory as opposed to mandatory.

Councillor Clear welcomed the report but was concerned that removing of cars from estates not taken in charge were excluded. He asked that this be referred to the Environment SPC.

**Resolved** on the proposal of Councillor Clear, seconded by Councillor Pender and agreed by the members present, the report was noted and that the issue of not removing cars from estates not taken in charge be referred to the Environment SPC

**24/0922**

**Grant for Accessibility Improvements for Local Businesses**

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

That the council liaise with County Kildare Access Network to explore the possibility of having a grant solely for accessibility improvements for local businesses, as per Objective 3 “Work with local businesses to promote accessibility” County Kildare Access Strategy 2020-2022.

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

A report from Ms M Higgins, A/Director of Service, Economic Development and Community and Culture stated that Kildare County Council has established the Shop Front Improvement, Accessibility and Age Friendly Grant Scheme to financially assist and support independent business owners to improve the appearance of their shop fronts or commercial properties. There is a particular emphasis placed on works that enhance accessibility and/or add age friendly elements to the premises. Applications that incorporate either or both of these elements can qualify for a grant offer up to 75% of eligible costs to a maximum of €5,000. The council will continue to fully promote this aspect of the funding scheme given the benefits that it has for businesses and their customers. The council are also happy to work closely with County Kildare Access Network to further promote this aspect of the funding scheme so as to create even greater awareness of its availability. It is anticipated that the Shopfront scheme will reopen in early 2023 for applications.

Councillor Cussen welcomed the report and informed the meeting that the issue was about accessibility. She asked if LEO would pair with CKAN and the Access Officer to look at the possibility of training modules for local businesses and to improve the visibility of Access Grants and to work to better inform, promote and grow uptake and thereby improve the shopping / business experience for all – Universal Accessibility locally.

Under the shop Front Grant scheme, owners could only apply every 3 years for a grant. This precluded them from seeking grants to improve accessibility. She asked that this be referred to the Community and Economic Development SPC for review

She noted that there was €40,000 per municipal district available for accessibility improvement and wanted to ensure a greater uptake on this

Ms Higgins undertook to work with the Access Officer and CKAN to see how they might improve the promotion and education as to what grants were available to commercial property owners to improve accessibility

**Resolved** on the proposal of Councillor Cussen seconded by Councillor Caldwell and agreed by the members, the report was noted. and that the 3 year rule be referred to the Economic, Community and Cultural Development SPC for review

**25/0922**

#### **Broadcasting of Council Meetings**

The Cathaoirleach stated the next item on the agenda was the motion in the name of Councillor McLoughlin Healy. He confirmed that as Councillor McLoughlin Healy was not in attendance and as she had not issued any instruction to him or the Meetings Administrator in relation to authorising a proposer, in accordance with standing orders the motion is removed from the agenda and will not appear on any agenda unless on fresh notice.

The meeting concluded.