



**Minutes of meeting of Full Council held at 3:00 p.m.  
Monday 29 April 2024 in the Council Chamber  
Áras Chill Dara, Devoy Park, Naas, Co Kildare**

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

**Online:** Councillors, K Duffy F. McLoughlin Healy, C. Kelly P. O'Dwyer and E. Sammon,

**Also Present:** Ms. S. Kavanagh (Chief Executive) Ms. A. Aspell, Ms. M. Higgins, A Dunney and Mr. E. Ryan (Directors of Service) Ms. C. Barrett, (A/Director of Service), , Ms. E. Hanlon Head of Finance, Mr T Shanahan (Meetings Administrator), Mr J Hannigan (Meetings Secretary) and other officials.

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The Cathaoirleach welcomed everyone to the April meeting of the Council.

**01/0424**

**Declaration of Interests**

The Cathaoirleach sought from the members any declarations of conflicts of interest or pecuniary or beneficial interests under Section 177 of the Local Government Act 2001 as amended. There were no declarations.



**02/0424**

**Minutes and Progress Report**

The council considered the draft minutes of the special meeting and the monthly meeting held on 25 March 2024 and the progress report.

**Resolved** on the proposal of Councillor Ó Cearúil seconded by Councillor Caldwell and agreed by the members present that the draft minutes of the special meeting and the monthly meeting held on 25 March 2024 be adopted.

The progress report was noted.

**03/0424**

**Chief Executive's Monthly Management Report**

The members noted the Chief Executives monthly management report.

**04/0424**

**Annual Financial Statements 2023**

The members considered the Annual Financial Statements (AFS) for 2023 and approval of the over-expenditure for the year ended 31st December 2023 (Appendix 9 AFS).

A report had previously circulated to the members.

**Resolved** on the proposal of Councillor Feeney seconded by Councillor Heather and agreed by the members that the Annual Financial Statements for 2023 be noted and that the over expenditure for the year ended 31<sup>st</sup> December, 2023 set out in Appendix 9 of the AFS be approved.

**05/0424**

**Community Heritage Grant Scheme 2024**

The members considered the countywide Community Heritage Grant Scheme 2024 recommendations.



## Kildare County Council

County Kildare	County Kildare Archaeological Society	Printing and distribution of the Society's 2024/25 Journal	€1,500.00
County Kildare	North Kildare Bee Keepers Association	Purchase of additional bee hives and equipment to allow NKBA to cater for the increased numbers of members at weekly training sessions	€1,500.00

**Resolved** on the proposal of Councillor Hamilton seconded by Councillor Liston and agreed by the members present that the countywide Community Heritage Grant Scheme 2024 recommendations be approved.

### **06/0424**

#### **Draft Library Collection Development Policy 2024**

The members considered the Draft Library Collection Development Policy 2024.

The Policy was noted.

### **07/0424**

#### **County Kildare Permeability Guidelines**

The members considered the the County Kildare Permeability Guidelines “Reimagining Permeability in Kildare – Reconnecting our Communities” under Action TM A13 of the Kildare County Development Plan 2023-2029.

The report was noted.

### **08/0424**

#### **Kildare County Council Sustainable Drainage Systems Guidance Document**

The members considered the publication of the Kildare County Council Sustainable Drainage Systems Guidance Document under Action IN A3 of the Kildare County Development Plan 2023-2029.

In response to a query from Councillor Moore asking if this helped housing estates to meet the guidelines, Mr Dunney confirmed that this helped new developments to meet guidelines.



The report was noted.

**09/0424**

**Kildare County Development Plan Annual Monitoring Report and Census 2022  
Kildare Settlement Analysis**

The members considered the Kildare County Development Plan Annual Monitoring Report and Census 2022 Kildare Settlement Analysis.

The report was noted.

**10/0424**

**Amended Annual Service Delivery Plan 2024**

The members considered the amended Annual Service Delivery Plan 2024 (with correction to data, page 123 of the Plan refers).

Mr Shanahan informed the members that subsequent to the March Full Council meeting, the Corporate Services Department were notified by the Building Control Section that an amendment is required to the Annual Service Delivery Plan, adopted on 25 March 2024.

Page 123 of the Plan refers.

Under Performance Standard P1 – “Number of buildings inspected as a percentage of new buildings notified to the local authority”, reported under Corporate Plan Supporting Strategy 1.6. it was stated that the percentage of buildings inspected was 21%. The correct figure should read 32.47%.

**Resolved** on the proposal of Councillor McEvoy seconded by Councillor Moore and agreed by the members present that the amended Annual Service Delivery Plan 2024 be approved.



**11/0424**

**Draft Flag Policy**

Mr Shanahan informed the members that the Flag Policy of the Council provides for a review by the Protocol and Procedures Committee periodically, or as required to ensure fitness for purpose.

The Flag Policy had been considered at meetings of the Protocol Committee and the views of its members are reflected in a revised Flag Policy, the changes recommended by the Committee are

The main changes are:

- Section 1.0 More direct linkage to the Guidelines of the Department of the Taoiseach regarding the National Flag. This is added to ensure at all times the most up to date protocols are being followed.
- Section 2.0 The addition of St Brigid's Day as a day on which the National Flag shall be flown.
- Sub Section 2.2.4 – Full description of the protocol/process involved in the half-masting of the National Flag.
- Section 3.0 – The setting of a time limitation on when Other flags are flown – to be one week.
- Miscellaneous text changes in the interests of coherence, but not affecting operation or decision-making processes.

The members were asked to consider the adoption of the Revised Flag Policy

The members agreed to adopt the recommendations from the Protocol Committee.

Councillor Noel Connolly had submitted the following amendments.

In addition to the provision in section 4, that requests to fly any flag can also be agreed by the majority of members present by way of motion at a Full Council meeting, or at Municipal District meetings to allow the flag to be flown only at a location or locations within the Municipal District.



This was seconded by Councillor Cussen.

The Cathaoirleach noted that while there were other amendments to be proposed, that each one must be disposed of in turn, under Standing Orders.

Councillors raised the following points:

This motion on flying of flags could be at variance with the flag policy. This could have unintended consequences for other groups, if future motions are passed.

Flag policy did not deal with flags being flown at an angle from balconies on public buildings or in a disrespectful way.

Any changes should be left to the incoming council to decide on.

Members supported the amendments proposed by Councillor N Connolly

Ms Kavanagh advised that there was a comprehensive policy in place, the Motions undermined the policy, but this was a matter for the members to decide.

Following further discussion Councillor N Connolly's motion was put to a vote.

With 27 voting for and 6 voting against the motion was carried.

Councillor Connolly's second amendment was read:

That Kildare County Council fly the Palestinian flag for the calendar week in which November 29 falls, in support of United Nations General Assembly resolution 32/40 B of 2 December 1977, to mark International Day of Solidarity with the Palestinian People.

This was seconded by Councillor Pender.

Following a contribution from Councillor N Connolly, this motion was agreed by a majority of the members present.



Councillor Connolly's third amendment was read:

That Kildare County Council fly the United Nations flag for the calendar week in which May 29th falls, in support of United Nations General Assembly Resolution 57/129, of December 11, 2002, which designates May 29<sup>th</sup> as International Day of UN Peacekeepers.

This was seconded by Councillor Pender, and agreed by a majority of the members present.

**Resolved** That the revisions to the Flag Policy recommended by the Protocol and Procedures Committee, and the amendments proposed by Councillor N Connolly be adopted.

#### **12/0424**

#### **Quarterly Update on Climate Action**

The members considered the Quarterly Update on Climate Action.

Ms M Higgins informed the members on the following update on Climate Action:

Ms Higgins informed the members that a comprehensive report had been circulated to the members and drew their attention to the following.

The training programme 2020-2023 completed at the end of March 2024.

Quantitative and qualitative data is currently being explored to help inform the training plan with an anticipated timeframe for completion in April 2024.

All Local Authority Climate Action plans had been adopted

The CARO are working with local authorities in each of the four sub-regions to develop regional energy units to avail of funding for projects that support the decarbonisation of local authority buildings.



**‘Show and Tell’ house:**

The council are working closely with housing section, accessibility officer and Maynooth University to refurbish a house and associated garden to enable a ‘Show and Tell’ home in which the story of fabric retrofitting, biodiversity measures, SuDS and potential for the use of IoT to create a full accessible future proofed home. Local permeability and access to public and private transport modes are also going to be assessed.

SEAI have agreed to pilot Pathfinder funding (approx. €20m between the four Mideast Energy Unit (MEEU) LA’s) for various Energy/Carbon savings related projects. Kildare County Council hopes to apply for ISO 50001 (Energy Management System) certification in Q3/Q4 of 2024, for the organisation as a whole.

Councillor Hamilton advised that the Community fund was oversubscribed and congratulated the team on the work at the Cotton Mills.

Councillor Heavy explained that he felt there was a disconnect between climate control and constituents. People needed to understand, and the council needed to do something to address this communication gap.

Councillor McEvoy said it would be helpful if training was provided as well as briefings or an internal programme explaining where we were at related to climate action, especially recognising that a new council was imminent.

Ms Higgins advised that a behavioural change was required, this was why the show and tell house is used. Libraries were doing great work with communities. She was also in contact with AILG about training programmes.

The report was noted.

**13/0424**

**Kildare County Council’s Anti-Social Behaviour Policy**

The members considered Kildare County Council’s Anti-Social Behaviour Policy.

Ms Scully gave a short presentation to the members on the proposed Kildare County Council’s Anti-Social Behavior Policy She outlined.





The linked strategies and collaborations with other agencies being used and the objectives of the policy.

The properties in scope for the Policy.

How objectives were to be achieved and details of what was considered to be anti-social behavior.

Measures to prevent and reduce anti-social behavior.

The process of handling complaints and statistics on actions taken, including of

- 2 Excluding Orders Granted
- 38 Tenancy Warnings issued on grounds of anti-social behavior
- 1,900 Pre-tenancy Garda checks completed
- 15 allocations deferred on the grounds of anti-social behavior.

The members asked the following questions.

What happens when an anonymous complaint is received.

How does the County Development Plan and lessons learned from designs feed into this, as preventative measures.

Cuckooing was not included in the policy, this should be considered.

There followed a discussion about confidentiality, lack of wrap around services/other agencies for tenants, the role of An Garda Síochána, the difficulty of making complaints and the complexity of addressing anti-social behaviour.

Ms Scully advised the members that Garda checks are carried out on all applicants.

Anonymous complaints will be considered.

A tenant who is evicted, an application will not be considered for a period of time.

In relation to design additional insulation can help with noise abatement.

Cuckooing tenants need permission to take in extra residents. Tenant Liaison Officers deal with this.

**Resolved** on the proposal of Councillor Weld seconded by Councillor Pender and agreed by the members present that Kildare County Council's Anti-Social Behaviour Policy be approved.



#### 14/0424

##### **Draft Kildare Local Economic and Community Plan (LECP) 2024- 2029**

The members considered the Draft Kildare Local Economic and Community Plan (LECP) 2024- 2029.

Ms Higgins informed the meeting that the preparation of this plan had gone through a rigorous process. It had received over 1300 submissions. It had been presented at all Municipal District meetings and set out 48 goals to be achieved.

Councillor Power proposed that the plan be adopted.

It had been considered by EMRA and the Municipal Districts and was given a clean bill of health. The approach taken was from the bottom up, and was a clear vision of what we want for our communities.

This was seconded by Councillor Farrelly, stating it was ambitious but achievable.

Councillor Quinn advised that he had sat on the LCDC and was delighted to see this get this point.

**Resolved** on the proposal of Councillor Power seconded by Councillor Farrelly and agreed by the members present that the Draft Kildare Local Economic and Community Plan (LECP) 2024- 2029 be approved.

#### 15/0424

##### **Polling Information Cards**

The members considered the issuing of polling information cards pursuant to Article 55 of the Local Election Regulations 1995, as amended.

**Resolved** it was agreed by the members present that the issuing of polling information cards pursuant to Article 55 of the Local Election Regulations 1995 be approved.

#### 16/0424

##### **Bereavements**

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

Patrick Duffy, Father of Patrick Duffy, Newbridge Municipal District Office

Rita McCann, Former Staff Member



Mary Loftus RIP Sister of Cllr. Michael Coleman

A minute's silence was observed.

**17/0424**

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

The Cathaoirleach informed the members that he had attended the following events:

The opening of Naas Library and Cultural Centre

He asked the members to consider not sending in motions for the May meeting, noting this had been observed in May 2019. If agreed the meeting would only deal with statutory items.

Councillor McLoughlin Healy disagreed and Councillor N Connolly advised that he had already submitted his motion for the May meeting.

The Cathaoirleach explained that it was agreed at CPG to stream the May meeting via the council YouTube channel. This was a pilot screening and would not be recorded and would inform next steps regarding future measures.

The Cathaoirleach informed the members that a request had been received from the Georgian Ambassador for a friendship agreement, for the Kakheti region.

Councillor McLoughlin Healy asked what a Friendship agreement was.

The Chief Executive explained that it was an informal process to explore if there were areas of economic or tourism benefits that could be explored. Twinning was covered under legislation; friendship was more informal.

Councillor McLoughlin Healy asked if there was foreign travel involved then a report should be submitted outlining the economic and tourism benefits. Councillor Liston advised that this friendship approach was exploratory to see what benefits could accrue.

Ms Kavanagh advised that there was no funding in place and there was no intention to travel. It was exploring the possible economic and cultural. She suggested to examine and scope this out.



Councillor McLoughlin Healy disagreed but it was agreed by the remaining members that a scoping exercise be undertaken to look at possible economic, cultural and educational links.

**18/0424**

### **Comhfhreagras/Correspondence**

The Meetings Administrator confirmed eight items of correspondence had been circulated to the members along with the progress report. These included two referrals and one notice from other Local Authorities, two acknowledgements from motion referrals three Local Government circulars.

- Resolution from Clare County Council re Extension in Retirement Age to 70 for certain Schemes.
- Resolution from Westmeath County Council re Regulations on Farmers
- Notice from Laois County Council of the preparation of a Draft Local Area Plan for Portlaoise 2024-2030.
- Acknowledgement from Minister of State Ossian Smyth T.D relating to CCTV Guidelines for the purposes of prevention, detection, and prosecution of waste offences.
- Acknowledgement from Returning Officer, Eithne Coughlan re Closure of Schools on Polling Day.
- LG 04-2024 Elected Members Training.
- LG 05-2024 Statement of Internal Financial Control dated 25.3.24.
- Circular F.7A-24 (Candidate Spending Limits - Guidance).

The correspondence was noted.

**19/0424**

### **Conferences and Training**

The Meetings administrator advised that there were no conference or training events listed.



**20/0424**

**Áras Chill Dara Biodiversity Action Plan**

The following motion in the names of Councillors Íde Cussen, Noel Heavey, Pádraig McEvoy, Peggy O'Dwyer and Brendan Wyse was considered by the members.

That Kildare County Council prepares an Áras Chill Dara Biodiversity Action Plan, similar to the collaborative plans prepared with over twenty local communities, to maintain the Áras in a more biodiversity-friendly manner and act as a society leader. This plan should seek to support pollinators and other wildlife, as well as surface-water control and pollution prevention, and exemplify climate action to the general public.

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

A report from Mr E Ryan, Director of Services, Corporate, People and Cultural Services stated that the Local Biodiversity Action Plans referenced require significant commitment and resources both internally and externally and are generally for a much broader area through a partnership approach with local communities who are the “owners” of the plan and more significantly its actions. It has been agreed that the Facilities Management Team will meet with the Biodiversity Officer and Heritage Team to review current landscaping elements and maintenance practices with a view to agreeing a range of practical and straight forward nature positive biodiversity options for implementation.

Councillor McEvoy outlined how the council had made strides towards addressing the climate and biodiversity emergency. Dáil Éireann set the stage, and Kildare County Council followed key steps to sign the EU Covenant of Mayors on Climate and Energy, which committed to taking action to cut CO<sub>2</sub> and other greenhouse gas emissions by at least 50% by 2040. By December last, the council adopted the sectoral baseline emissions measurements and the Climate Action Plan towards 2029.

He advised that the members noted the policy guidance on sustainable drainage systems, biodiversity was mentioned throughout.



Kildare's Local Economic and Community Plan is grounded in a principle advocating for a sustainable and resource-efficient economy to mitigate climate change by respecting the ecological limits of the natural environment.

He explained the impact of loss of Biodiversity and how public awareness has grown about the interconnectedness of what is referred to as the 'triple planetary crises': climate change, pollution, and biodiversity loss. He talked about recent events around the world.

To address these challenges, we needed to work together

The agreed legislation mandates local authorities to implement policy changes and to show leadership in finding solutions.

He referenced a recent publication by KPMG on the ecosystem services economy.

Biodiversity information from the council's Heritage and Climate Action teams aligns with County Development Plan objectives and national and regional policy guidance. The council has supported biodiversity action plans across 23 communities, The plans focus on making areas wildlife-friendly, raising awareness, collecting evidence, and developing local capacity. The initiatives empower groups working with the Biodiversity Officer and others to make timely, informed decisions that showcase seasonally appropriate nature-friendly practices in their communities.

Implementing climate and biodiversity action at Áras Chill Dara would be coherent with advocacy of official policies and provide leadership on practical solutions for the public, elected representatives, and officials across the organisation. He commended the agenda report commitment to biodiversity-friendly action at Áras Chill Dara, and those involved in making the commitment.

Councillor Cussen supported the motion and talked about how Residents Associations could be encouraged to make their areas more Biodiversity friendly.

The other members supported the motion and raised the following

Letting grassed areas grow/cutting less often



Planting more wildflowers

No spray should be used in public spaces.

Moss should be encouraged as biodiverse f

**Resolved** on the proposal of Councillor McEvoy seconded by Councillor Cussen and agreed by the members that the report be accepted, and that Facilities Management Team will meet with the Biodiversity Officer and Heritage Team to review current landscaping elements and maintenance practices with a view to agreeing a range of practical and straight forward nature positive biodiversity options for implementation.

#### **21/0424**

#### **Twinning With a Town in Gaza**

The following motion in the names of Councillors Brian Dooley and Naoise Ó Cearúil was considered by the members.

That Kildare County Council consider twinning with a town in Gaza supporting the redevelopment of the town and developing cultural links.

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

A report from Ms M Higgins, Director of Services, Climate, Community, Environment and Water stated that for a specific town in County Kildare, to enter a twinning arrangement with a town in Gaza, consideration must be given to common interests like geographical location, population size, economic and tourism activities including exploratory visits to confirm if the twinning arrangement is compatible.

An independent community led committee would need to be formed to establish and manage the twinning proposal and any twinning events if a local twinning committee is not already in place. If that committee wish to explore a twinning partnership with a town in Gaza, a submission in writing or a presentation should be made to the Twinning Liaison Committee requesting their consideration of the twinning



arrangement. The Twinning Liaison Committee undertake exploratory visits, etc to confirm if the twinning arrangement is compatible. Currently the Irish Government Security Status for the area in question is “Do not travel”.

Due to the complex environment in Gaza, taken in context with section 4.3 of the Kildare County Council Twinning Policy, it is not possible to progress this motion.

Councillor Dooley expressed his disappointment but acknowledged the complexities of the and cited examples of where communities had twinned or engaged in friendship agreements with communities. He advised that we needed to support with action not rhetoric.

Councillor Ó Cearúil gave examples of where Twinning agreements had been set up in the past successfully, and how they could be explored online in the initial phases.

Members raised the following points:

Supported the motion, noting that Twinning was a reserved function.

They gave examples of other local authorities who had entered into agreements.

Small steps make a difference in the current climate.

The council should adopt a town.

This should be a decision of the incoming council.

The members should identify a town that they wished to twin with, to progress this and report to the Twinning Liaison Committee, when ready.

No contact had yet been made with the relevant Committee.

Ms Higgins advised that she had written her report based on the wording of the motion. That Kildare County Council consider twinning with a town in Gaza supporting the redevelopment of the town and developing cultural links. Twinning was underpinned by legislation. The council needed to follow the protocols in place. There





was no budget for Twinning, but perhaps if there was an amendment it might be possible to progress a motion.

Ms Kavanagh advised that she had listened to the discussion, Gaza was a war-torn area but the discussion is focussed upon twinning, which is underpinned by legislation, and it was inevitable the process would involve costs. It was imperative, under the Policy, that when considering twinning arrangements, they should identify a town with similarities and links. The Twinning Committee could then scope and considerate it.

Based on the discussion Councillor Ó Cearúil put forward the following amendment That Kildare County Council explore twinning with a town in Gaza supporting the redevelopment of the town and developing cultural links.

This was proposed by Councillor Brett and seconded by Councillor Kelly.

This was agreed by all present.

Councillor Ó Cearúil was happy to contact the relevant committees to commence this exploration and raised the potential for funding through the EU CERV programme.

**Resolved** on the proposal of Councillor Dooley seconded by Councillor Ó Cearúil and agreed by the members that Kildare County Council explore twinning with a town in Gaza.

## **22/0424**

### **Protocols for Farm Inspections**

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

That the council develop new protocols for farm inspections in liaison with the farming community.

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

A report from Ms M Higgins, Director of Services, Climate, Community, Environment and Water stated that the primary purpose of agricultural inspections is to assess



compliance with the European Union (Good Agricultural) Regulations which provide a set of measures to ensure the protection of waters, including drinking water sources, against pollution caused from nitrogen and phosphorus from agricultural sources. This is a key agricultural measure in Ireland's River Basin Management Plan for preventing and reducing water pollution from nutrients arising from agricultural sources.

These regulations, commonly referred to as the GAP Regulations, give legal effect to Ireland's Nitrates Action Programme under the Nitrates Directive.

Kildare County Council encourages each farmer to familiarise themselves with the requirements of these Regulations.

Kildare County Council's work is guided by the EPA's National Agricultural Inspection Programme (NAIP).

Agricultural inspections are prioritised in water bodies which require agricultural actions to improve water quality, as agriculture is deemed a significant pressure in that waterbody.

A risk based approach has been developed by the EPA to assist Local Authorities in the selection of the appropriate farms. A 'Coloured Flag' system for waterbodies has been developed which summarises the impacts from agriculture to support Local Authorities in targeting agricultural inspections.

Farmers can access the map viewer at <https://gis.epa.ie/EPAMaps/Water>. The map viewer can also be used by farmers to inform themselves on the status of water quality in their area.

Agricultural inspections may also be carried out in response to a complaint alleging that agricultural pollution of waters is taking place or in response to an odour complaint.

From a legislative point of view, agricultural inspections are carried out to ensure compliance with:



- European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2022 (Nitrates Directive)
- The EU Water Framework Directive
- Local Government (Water Pollution) Acts 1977, as amended.
- Drinking water source protection – farms close to a drinking water source may be inspected to ensure protection of that source from contamination.
- To secure objectives set out in Ireland’s River Basin Management Plan

The number of agricultural inspections is expected to increase in the coming years to reflect targets set for each Local Authority by the EPA to drive compliance with the GAP Regulations.

Kildare County Council can examine a collaborative agreement with the IFA in the context of farm inspections. The Director of Services has recently (28 March) written to local IFA management representatives in this regard.

Councillor Behan welcomed the report and advised that a collaborative approach was needed on this. She referred to the impact of nutrients on watercourses, mentioning reports from the IPA and the impact on the River Greise.

Councillor N Connolly advised that he had visited an agri sustainable farm and recommended that the members look it up.

The members raised the following.

Councillor Keatley advised that Inspections were important but communication with farmers around them was also important.

Ms Higgins advised that the council had a good working relationship with the IFA, she awaited their response. It was in everybody’s interest that there were strong protocols in place. She was waiting for training to be arranged by the EPA.

**Resolved** on the proposal of Councillor Behan seconded by Councillor O Cearúil and agreed by members that the report be noted.



### 23/0424

#### **Communication of Data from Census 2022 with Community Groups**

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

That Kildare County Council, in partnership with All-Island Research Observatory (AIRO), hosts a series of workshops in Kildare to communicate the data from Census 2022 with community groups, community services and other key stakeholders to support them in their work.

The motion was proposed by Councillor Farrelly and seconded by Councillor Killeen. A report from Ms M Higgins, Director of Services, Climate, Community, Environment and Water stated that AIRO are currently finalising work on Census 2022 profiles as part of the development of the Local Economic and Community Plan (LECP) for Kildare County Council. When this work is complete briefing sessions will be organised.

Councillor Farrelly advised that the councillors had just approved the LECP, and it is excellent in how it interprets and uses data. Data provided by AIRO needs to be usable by community groups. Councillor McEvoy suggested webinars be arranged to show groups how to interpret the data.

Ms Higgins agreed that it was very important that the data be open to as wide an audience as possible.

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

### 24/0424

#### **Creation of a Memorandum of Understanding**

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

That Kildare County Council establish a proactive and cooperative relationship through the creation of a Memorandum of Understanding (MOU) with entities such as EIR, ESB, TFI, NTA, Management Companies and any other relevant authorities. This



MOU will outline the roles, responsibilities, and cooperative strategies among the parties for the removal of litter, tackling dereliction, and the swift removal of graffiti from public and private spaces within the jurisdiction of Kildare County by (a) Establishing clear channels of communication and response mechanisms between Kildare County Council and the participating bodies for reporting and addressing instances of litter, dereliction, and graffiti. (b) Coordinating efforts and resources to efficiently and effectively remove litter, address dereliction, and erase graffiti. (c) Developing a shared funding or resource-allocation model to support the objectives of the MOU, including the possibility of grants, service in-kind, or other financial arrangements.

The motion was proposed by Councillor Pender and seconded by Councillor Killeen. A report from Ms A Aspell, Director of Services, Housing and Regeneration and Ms M Higgins, Director of Services, Climate, Community, Environment and Water stated that existing legislation, eg, the Litter Pollution Act (LPA), already addresses the issue of littering. The LPA specifically outlines prohibitions related to littering including placing advertisements on and defacement of certain structures. The Act also outlines the obligations placed on individuals, businesses, mobile outlets, landowners etc to prevent litter.

The council has measures in place for the collection and disposal of litter as well as measures to promote awareness of the polluting effects of litter including publicity, advisory and educational services.

Vacancy and dereliction are dealt with in accordance with current legislation. Kildare County Council has committed considerable resources to addressing vacancy and dereliction in the county with the establishment of the Regeneration Team. The team have successfully completed the compulsory acquisition of several vacant properties and have commenced a programme of inspections with the intention of adding additional properties to the derelict sites register where appropriate.

In terms of tackling dereliction, in order to create a MOU as described in the motion, an agreement would be required at a national level. Subject to the agreement of the Council a letter requesting same can be issued to the relevant Government Department.



Councillor Pender stated that it needed more than the Litter Pollution Act to deal with the issue. It needed an agreement with NTA TFI and private and/or semi state companies to resolve the issues.

Councillor Clear supported the motion and informed the meeting of the difficulty with getting graffiti removed.

Ms Higgins advised that our responsibility was dealt with under the act, but that her team do engage with organisations to get solutions.

Ms Aspell informed that the vacant properties team were using CPO legislation to deal with dereliction.

Councillor Pender advised the council were limited by legislation. Dun Laoghaire Rathdown were using MOUs with set deadlines and penalties when they were not met.

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

#### **25/0424**

#### **Development of a Tourism Passport**

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

That Kildare County Council develop a tourism passport and map similar to Wicklow County Council to encourage visitors and natives alike to explore the county.

The motion was proposed by Councillor N Connolly and seconded by Councillor Cussen

A report from Mr A Dunney, Director of Service, Planning, Enterprise, Economic Development and Emergency Services stated that Kildare County Council and Kildare Failte (Into Kildare) welcome this suggestion and will review the Wicklow Tourism Passport and Map including communicating with our colleagues in Wicklow to



ascertain costs, value, take-up, public interest and the general workings of the scheme, across the county.

It is noted however that a passport was previously produced/printed for Kildare Tourism (c. 2015) and that take up was slow with significant budgetary challenges in its production and operation.

It should also be noted, that a visitor's map has been developed for both Athy and Naas Municipal District areas and this was made possible with support from the elected members in each of the two Municipal Districts. There is also a heritage map for Kildare Town Acorn Trail, which is a passport of local heritage attractions, and is available from the Kildare Heritage Centre. This trail identifies local heritage attractions such as St Brigid's Cathedral, Grey Abbey, Black Abbey and St Brigid's Well with each participant entered into a draw each month with the chance to win a virtual reality experience for them and the whole family at the Kildare Town Heritage Centre.

Noting the above we will explore the possibility of incorporating a digital option into future work programmes. This however will be subject to additional research and discussions with Visit Wicklow, regarding the value and viability of such a product.

Councillor Connolly welcomed the report and had suggestions on how this could be carried out

- Public Consultation via social media seeking what should be included.
- The council should be looking for hidden gems and developing mobile Apps and QR codes.

The members agreed and also suggested that the potentials of spiritual tourism be further considered (Bridget 1500).

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



**26/0424**

**Strategic Energy Zones**

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

That the council outline in detail what is the status of the plan towards the designation of areas in County Kildare as Strategic Energy Zones as mentioned in the most recent CDP and confirm what areas have been designated.

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

A report from Ms M Higgins, Director of Service, Climate, Community, Environment and Water and Mr A Dunney, Director of Service, Planning, Enterprise, Economic Development and Emergency Services stated that Regional Policy Objective (RPO) 7.35 of the Regional Spatial and Economic Strategy for the Eastern Midlands Region states that "EMRA shall, in conjunction with Local authorities in the Region, identify Strategic Energy Zones (SEZs) as areas suitable for larger energy generating projects, the role of community and micro energy production in urban and rural settings and the potential for renewable energy within industrial areas".

While it is an objective of the Kildare County Development Plan (KCDP) 2023-2029 to "Co-operate with the Eastern and Midland Regional Assembly (EMRA) in identifying Strategic Energy Zones" it is noted that the EM RSES (as per above) notes that EMRA shall identify SEZs as opposed to this being a function or statutory requirement of the CDP to do so.

Furthermore, it is envisaged that SEZs would be identified as areas of **national** priority for renewable energy investment as well as to provide a test bed for new technologies and developing solutions and capture. In this regard, significant evidence based environmental and energy assessments would likely be required to inform the identification and feasibility of such locations.





Noting the above, Kildare County Council will seek an update on RPO 7.35 from the Eastern and Midlands Regional Assembly and report on same to the Elected Members.

Councillor O'Dwyer advised there were no planning guidelines. She noted the report and advised that an urgent update was needed. Councillor McEvoy advised that this was not listed on the Assembly work programme. There was a good working relationship between the local authorities and the Regional Authority.

Councillor O'Dwyer advised that there needed to be a quick response.

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

#### **27/0424**

#### **Housing Development Targets**

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

That Kildare County Council welcomes the acknowledgement by the Taoiseach and Government that the housing development targets set in 'Housing for All' are inadequate and must be revised upwards by at least 50 per cent and, pursuant to section 130 of the Local Government Act 2001, determines that it is the policy of this Council:

- That, in consequence, the targets handed down by the Government to this Council, and adopted in its Housing Delivery Action Plan, are also inadequate and need to be increased.
- That such amended targets need to be further increased to take account of the reality that an ambitious target for an overall expansion in housing supply can only be met by significantly expanding the delivery of local authority housing.
- That the social housing delivery targets set out in the Kildare County Council Housing Delivery Action Plan should accordingly be and are hereby doubled.



The motion was proposed by Councillor Heather and seconded by Councillor Breslin . A report from Ms A Aspell, Director of Services, Housing and Regeneration stated that the council has received a Housing for All delivery target of 2,416 social housing units for the period 2022-2026; to date we have achieved or exceeded these targets and we continue to deliver a pipeline of properties to meet targets over the period 2024-2026 and consider all opportunities to deliver additional units.

Our Housing Delivery Action Plan outlines challenges which the council faces in delivering targets, chief of which is the availability of suitable serviced and zoned land in areas of high demand at an affordable cost; this will remain a significant challenge if targets are increased. In addition, availability of staff resources to deliver on increased targets will be a challenge, particularly given ongoing issues across the local authority sector in terms of recruitment and retention of staff. Current resources approved by DHLGH are on the basis of achieving targets as set out under Housing for All. Other constraints/risks are set out in our Housing Delivery Action Plan, which was prepared in July 2022, following is link to the plan: [Kildare County Council Housing Delivery Action Plan.pdf \(kildarecoco.ie\)](https://www.kildarecoco.ie/Assets/Files/Housing%20Delivery%20Action%20Plan.pdf)

As the members will appreciate, we rely on capital funding from the Department of Housing, Local Government and Heritage to deliver social housing and therefore cannot set our own delivery targets.

Councillor Heather advised that he was seeking to get some action. He was seeking to get targets revised upwards, and nationally it was inevitable that this was going to be needed.

Councillor Breslin advised that it was a lack of available land and staff. Resources were not being provided centrally, and she asked that a reminder be sent to the Minister.

Ms Aspell advised that the council that seeking available sites was very much in our programme but that costs in the market were a major challenge and this is even more of an issue where affordable units are concerned.



Councillor Heather advised that those at the bottom of the ladder were being excluded from housing, they needed to be looked after.

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

#### **28/0424**

#### **Review of Residents Association Grants Policy**

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

That the council carry out a review of the Residents Association Grants Policy.

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

A report from Ms M Higgins, Director of Service, Climate, Community, Environment and Water stated that a review of the Private Residents Association Grants commenced in February 2022. A sub-committee of the Community and Cultural SPC was formed to review the scheme in existence at the time and prepare a report for SPC on improvements to the scheme.

The members of the subcommittee met on numerous occasions and held consultations with several groups. Items considered by the subcommittee included the extent and costs of grass-cutting generally and the level to which Kildare County Council cuts grass in certain areas.

It was agreed to recommend that the calculation of resident's grants be simplified to take account of the open space(s) only, and to disregard both the age of the estate and the number of houses, as these factors did not in practice noticeably affect the maintenance costs of the open spaces. It was further recommended that only professionally certified details of the areas in the estates be accepted for accuracy. Based on representations from elected members, the requirement for professionally certified areas was not pursued given the additional cost that this would put on groups.



These recommendations were considered by the SPC at their meeting on July 07th 2022 with a final policy proposal being agreed by the full council in September 2022.

The policy came into effect in January 2023. Some initial issues occurred in relation to the measuring of the Open Spaces, however, these issues were addressed with support of the staff from the Community Department.

Community staff are available to assist groups who may be experiencing difficulties, the department has produced content to show groups how to apply for the grants and what is required and runs an information evening every year to assist groups.

A further exercise was undertaken by the Community Department to determine the level of additional funding required to equalise the rate per hectare for each municipal district.

As the existing policy only came into effect in January 2023 and is still in the early stages of implementation, the Community Department plan to review the policy towards the end of 2025.

Councillor Feeney suggested the review should be in early 2025. Tweaks were needed to the scheme to resolve issues encountered, it was also noted that the review for local authority estates had not been carried out.

Members raised the following:

Residents Associations had to do extra administration since the introduction of the scheme.

Some estates had overestimated the size of green space resulting in unfairness.

The number of housing estates had increased in Naas Municipal District.

Overall the scheme seemed to be working but a review of the baseline could be done and a budget prepared.

Estates were finding it difficult to get quotes to cut grass.



The review was necessary to make sure the scheme was fair.

New estates needed to be included.

The members were propping up the scheme with LPT allocations, there should be greater funding in the budget.

Ms Higgins advised that the scheme was based on acreage rather than the number of houses but that she would move the review forward and welcomed the members input.

**Resolved** on the proposal of Councillor Feeney seconded by Councillor Breslin and agreed by members that the report be noted and that the review be progressed.

#### **29/0424**

##### **Maximum Weekly Rent Charge on 1-Bedroom Homes**

Councillor Leigh had to leave the meeting and he had given written authorisation for Councillor Breslin to move his motion.

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

That Kildare County Council give consideration to a maximum weekly rent charge on 1-bedroom homes to reflect the space available to tenants in such homes.

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

A report from Ms A Aspell, Director of Service, Housing and Regeneration stated that In accordance with the council's Differential Rent Scheme rents are calculated as a proportion of the principal earners income along with a maximum contribution of €10 per week from any subsidiary income(s) in the household. The exceptions are 1-bedroom dwellings, where a maximum rent of €25.00 applies to tenants who are aged 65 or over, this rule applies equally to HAP tenants. We do not propose to amend the differential rent scheme.

Councillor Breslin informed the meeting that Councillor Leigh accepted the report.



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

**30/0424**

**Sustainable Waste Management Strategy**

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

That the council publish detail of its Sustainable Waste Management Strategy in each Council owned and used building and that the council commence a display of specific information in Kildare County Council owned buildings regarding sustainability, carbon reduction targets, energy usage and reduction measures, carbon and practical measures all users and workers could implement to continue to reduce waste and carbon usage in our buildings in the County.

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

A report from Mr E Ryan, Director of Services, Corporate, People and Cultural Services stated that Over the last number of years Facilities in conjunction with the Climate Action Team and Energy Team have researched and carried out a number of projects around sustainability in Council owned buildings. These projects have covered many areas from small LED lighting upgrades in Libraries to large scale projects such as a 70,000kw Solar PV installation in Áras Chill Dara and the upgrade of all Fire Stations in terms of Energy usage. We have also carried out some in house projects to help reduce waste such as reusable cups in the Canteen, new recycling bins on all floors. At present with the help of our Energy Officer we are carrying out a deep dive energy audit of Áras Chill Dara to see where further savings can be achieved. We will look into measures with regard displaying certain information as suggested.

Councillor Killeen advised with the energy efficiency measures undertaken by the council and the retrofitting of buildings to help achieve carbon neutral targets it was important to display the results . She looked forward to seeing the reports.



Mr Ryan advised that there was a lot of high-level actions had taken place and would continue.

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

### **31/0424**

#### **Electric Vehicle Charging Solutions**

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

That Kildare County Council works to resolve the many issues faced by residents of apartments, townhouses and accommodation without individual parking spaces to put in place appropriate and cost-effective electric vehicle charging solutions as a matter of urgency.

The motion was proposed by Councillor Hamilton and seconded by Councillor Quinn. A report from Ms C Barrett, A/Director of Services, Transport, Mobility and Open Spaces stated that there are no simple solutions to the issues faced by these residents. In most cases electric charging vehicle solutions are impacted by the Electricity Regulations Act 1999 and the use of Private Wires which are defined as private undertakings installing, operating, and owning private electricity infrastructure that crosses over land which is privately or publicly owned.

The Department of Environment, Climate and Communications (DECC) has concluded a public consultation to gather views and consolidate understanding of the role which Private Wires may play in the future Irish electricity ecosystem. Zero Emission Vehicles Ireland (ZEVl) made a submission as part of this consultation process seeking a derogation from the Private Wires legislation for infrastructure that supports EV Charging.



Kildare County Council currently chairs the region which comprises Louth, Meath, Wicklow and Kildare for the purposes of developing an EV Charging Infrastructure Strategy. The Request for Tenders for a consultant to support the development of this strategy is about to go live on eTenders and the strategy will take approximately eight months to develop. The development of this strategy is also supported by ZEVI. The Request for Tenders asks the consultants, among other things, to examine the issues experienced by the individuals that do not have access to individual off-street car parking and propose solutions.

National guidance currently recommends neighbourhood charging in the form of charging stations in residential areas preferred solution. The issues of making the cost of this charging equitable may be addressed by bundling chargers with more profitable ones or by some form of subsidy scheme.

Councillor Hamilton advised that there was a lack of solutions for apartments and town houses of which there would be over a million by 2030. It was more cost efficient for households to charge vehicles at home than to public hubs There were substantial cost differences for the user.

He enquired about the planning regulations and enquired about a developer who had provided 8 Spaces in Maynooth.

The members raised the following.

Was planning permission required to dig up or provide an overhead cable over a footpath.

In mixed developments apartment owners were not permitted to put up a pole.

Ms Barrett advised that the Department had employed consultants to examine the issues experienced by the individuals that do not have access to individual or off-street car parking to charge their electronic vehicle and to propose solutions. She advised that Kildare County Council had made a submission to the Department on the matter.





National guidance currently recommends neighbourhood charging in the form of charging stations in residential areas preferred solution. The issues of making the cost of this charging equitable may be addressed by bundling chargers with more profitable ones. Planned legislation may address the matter of wires.

Mr Dunney advised that the Planning Department were driving developers to provide solutions. There were possible planning implications for overhead and under footpath charging but they were reviewing the approach taken in another local authority.

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

On the Proposal of Councillor Ó Cearúil and seconded by Councillor Moore and agreed by those present it was agreed to suspend Standing orders for 10 minutes to allow the members to complete the agenda

### **32/0424**

#### **Legal Agreements on CPOs**

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

That the executive provide access to all legal agreements arrived at between the council executive and a person/legal entity from whom the council compulsorily purchases property, where the agreement contains within it a commitment to a subsequent disposal or return of the property for zero or any consideration, in the event of the property becoming surplus to the councils requirements.

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

A report from Ms C Barrett, A/Director of Services, Transport, Mobility and Open Spaces stated that the Council does not hold a database of the legal agreements requested. Quantifying the volume of records associated with this motion would be an onerous task considering the volume of compulsory purchase orders transacted by the local authority in carrying out its statutory functions. As an example, on the recent Athy Distributor Road scheme, there were in excess of 60 land agreements with land



owners. Agreements with landowners contain personal information and are commercially sensitive and it would not be appropriate to release such information even if it was readily available.

Councillor McLoughlin Healy expressed her disappointment with the response. She was enquiring about land that was surplus to requirements following schemes being completed and the land is being returned to the original owner, not all disposals. The information being put before the members through Section 183 does not include legal agreements with the landowner when the land is acquired.

Ms Barrett advised that we cannot share legal agreements for reasons of commercial sensitivity and there was no mention of Section 183 in the motion. She advised that legal agreements were confidential and could not be shared. The Council did not have a database of these, there were 100s of CPO's and the requested action cannot be taken.

**Resolved** on the proposal of Councillor McLoughlin Healy seconded by Councillor Liston that the report was not accepted.

### **33/0424**

#### **Road Safety Authority Collision Data**

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

That the council write to the Road Safety Authority looking for the Collision Data so that our Road engineering teams can formulate plans to improve roads and help prevent any more fatalities on the roads in Kildare. If there is a GDPR issue what steps are they taking to overcome these issues.

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

A report from Ms C Barrett, A/Director of Services, Transport, Mobility and Open Spaces stated that this is a matter for the members to agree.



Councillor Clear informed the meeting that RSA had not shared road collision data for the last 8 years, despite rising road deaths and accidents. This data was required to make our roads safer.

The members supported the motion, stating this data would be very beneficial for safety measures to be implemented. This data could be used to identify blackspots in the county.

**Resolved** on the proposal of Councillor Clear seconded by Councillor N Connolly and agreed by members that a Letter be sent to the RSA seeking collision data to be sent to the council.

### **34/0424**

#### **Policy on HGV Parking in Residential Estates**

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

That the council outline its policy on HGV parking in residential estates, in particular where several parking spaces are being used and disturbance caused to residents with early start ups and clarify what changes to the policy if any, need to be made.

The motion was proposed by Councillor Neville seconded by Councillor Killeen. A report from Ms C Barrett, A/Director of Services, Transport, Mobility and Open Spaces stated that there is no policy currently in place in respect of HGV parking in residential estates. It is not possible to place a blanket ban on HGVs in residential estates, although weight restrictions can be introduced under Section 38 of the Road Traffic Regulations, 1997 following consultation with An Garda Síochána. The making of such restrictions is an executive function with enforcement by An Garda Síochána.

The matter could be referred to the Transportation, Safety and Emergency Services Strategic Policy committee for discussion.

Councillor Neville advised that HGV's were parking in housing estates and using a number of spaces for parking. In some estates there was a scarcity of parking. Parking of these types of vehicles was unsuitable.



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Councillor Moore suggested tolerance for drivers of vans.

Councillor Kileen supported the motion.

**Resolved** on the proposal of Councillor Neville seconded by Councillor Kileen and agreed by members that the item be referred to the Transportation, Safety and Emergency Services Strategic Policy committee for discussion.

The meeting concluded.