

**Minutes of the Athy Municipal District Meeting held at 10.00 am on Monday , 18 February, 2019 in the Athy Municipal District Building, Rathstewart, Athy**

Members Present: Ms A Breslin (Cathaoirleach), Councillors B Dooley, I Keatley, M Miley, T Redmond and M Wall

Officials Present: Mr N Morrissey (District Manager), Mr J Coppinger (Senior Engineer), Mr D O'Flaherty (District Engineer), Mr L Dunne (Senior Executive Officer), Mr J Murtagh (Executive Engineer) , Ms A Louw (Assistant Staff Officer), Mr S Wallace (Senior Executive Parks Superintendent), Ms P Berry (Marketing Officer), Ms A Cummins (Meetings Administrator) and Ms O Mooney (Meetings Secretary)

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**AY01/0219**

**Minutes and Progress Report**

The members considered the minutes of the monthly meeting of the Athy Municipal District held on Monday, 21 January 2019 together with the progress report.

**Resolved** on the proposal of Councillor Keatley, seconded by Councillor Redmond that the minutes of the monthly meeting of the Athy Municipal District held on Monday 21 January 2019 be taken as read. The progress report was noted.

**AY02/0219**

**Matters Arising**

**Update of Sewage systems and capacity for future development - Athy Municipal District (AY19/1018, AY03/0119)**

Councillor Miley thanked the Director of Services, Water Services for the comprehensive report on capacity of sewage systems for future development in towns and villages in the Athy Municipal District. He asked what plan would be put in place to find a resolution to this issue and queried whether one, two or three villages could be selected and upgraded on a phased basis.

Councillor Redmond expressed concern regarding sewage capacity at Calverstown and asked that this matter remain on the progress report until resolved.

Councillor Wall asked for an update on the meeting with Irish Water. Councillor Keatley stated that a more detailed report was required in how to deal with the sewerage issue in these villages/towns before this report was brought to Irish Water.

Councillor Dooley asked that Irish Water be invited to meet with the members and explain what it would take to upgrade these sewage systems on a phased basis.

Mr Dunne noted the members concerns. However, the report sets out the requirements and the finance required to carry out the works. He added the report would be brought before Irish Water as any works would come require their funds. He stated he would request Irish Water to meet with the members.

The District Manager added he was engaged at management level regarding this problem which was an issue in all rural parts of the county and said he would continue to keep this matter as a priority item with the Management Team.

Councillor Miley added that schools were losing teachers in some of these villages due to lack of development and reduction of children using these schools.

The District Manager stated that all the members comments were noted.

### **Flood Alleviation Works on the R415 at Fontstown Cross (AY22/0119)**

Councillor Miley asked for an update on the drainage works at this location as at the last meeting, the members were informed that work was scheduled to be carried out in the coming weeks.

### **Road Markings and Signage for Rural Areas (AY09/1218)**

Councillor Wall asked when the report would be available from the District Manager. He stated that a signage policy needed to be put in place.

**HSE Invitation (AY21/0919, AY03/1118, AY02/1218, AY03/0119)**

Councillor Wall stated he was very disappointed that the HSE did not attend their meeting scheduled earlier that morning. Councillor Redmond stated that he would raise this issue at the Housing Forum which was due to take place shortly and he would come back to the Meetings Administrator with the outcome. The meeting was to be re-scheduled.

**AY03/0219**

**Update on Athy Municipal District Works**

A report from the District Engineer was circulated to the members at the meeting. Councillor Redmond asked whether the programme of works under LPT would be included in this report in the coming months. The District Engineer stated that the LPT works would be included in the Annual Roadworks Programme which would be circulated shortly.

Councillor Keatley asked that jetting be carried out on the surface water drains at The Paddocks.

The report was noted.

**AY04/0219**

**Athy Distributor Road**

Mr Coppinger stated that the preliminary contract had commenced. He stated he met with Irish Rail last week and those issues were moving forward and the process had begun in regard to the abandonment of the railway line which was required before the council can progress their main contract. Councillor Redmond asked whether another leaflet drop would be undertaken. Mr Coppinger stated that maybe in the summer when there would be more information to give. Councillor Dooley asked whether the building of the new bridge would stop any activities on the River Barrow. Mr Coppinger stated that the gas mains would be moved and a steel frame would be put in over the river and then the bridge would be built off that. The contractors would not be touching the river.

**AY05/0219**

**Update on Old Grange Cross**

The District Engineer stated there had been an improvement with the new lining at this location for the interim. However, there were still visibility issues and these would not be fully resolved until the junction was staggered in the long term. Councillor Miley asked that

the long term solution be followed up and that hedge cutting be carried out and put on the priority list for the cutting season. Councillor Keatley asked whether the council were making an application to the Department of Transport for funding to stagger the junction. He asked that this matter remain on the agenda until resolved. The District Engineer stated it would require a design and land acquisition. The District Manager said he had made an application for two new engineers and he was waiting for approval for these. He asked that this matter be left on the progress report for further updates. The members agreed to this once the design and land acquisition for the staggering of this junction was looked after by these new recruits.

### **AY06/0219**

#### **Election Posters - Local Elections 2019**

The members considered the following item which had been submitted from the Protocol Committee:

With regard to the upcoming local elections 2019, that each Municipal District contact their own Tidy Towns groups or relevant community organisations asking them to identify areas they would like to keep 'poster free' and seek their views in relation to having a cap on the number of posters, per candidate, per Municipal District.

Councillor Wall noted that this item came from a motion raised by Councillor Redmond some time ago. There had been a long debate on this subject and it was decided that each municipal district should consider this issue themselves and make a decision.

Councillor Redmond stated he would like to move away from posters which would reduce waste, use of ties and nails etc. He asked that the members make a decision of this matter today and work with the Tidy Towns.

Councillor Miley stated there was criteria in place for posters and he stated that internet and social media would be a bigger challenge.

Councillor Wall stated that under the Election Act, if people want to put up posters they are entitled to.

The Cathaoirleach suggested that the members should meet with representatives of the Tidy Towns committees and discuss this matter in full.

The Meetings Administrator requested that the members email [meetings@kildarecoco.ie](mailto:meetings@kildarecoco.ie) with the contact details of the Tidy Town's groups or relevant community organisations to enable the Corporate Services Department to contact them.

### **AY07/0219**

#### **Scheduling of Taking in Charge of Estates**

The members were circulated with a report from the Building and Development Control Section informing them that they were currently working to have estates brought up to a taking in charge standard. The list of the estates that the Building and Development Control Section propose to be taken in charge in the coming six months in this municipal district were as follows:

- Branswood, Athy
- Corran Ard, Athy
- Moore Abbey Court, Monasterevin
- Distillery Court, Monasterevin
- Togher Wood, Monasterevin
- Kildoon, Nurney
- Castleraven, Nurney

The following estates were proposed to be taken in charge by the end of the year;

- St. John's, Castledermot
- Castlewood, Kilkea
- Abbeylands, Castledermot
- Lugatana Park, Calverstown
- Castlegate, Nurney

The report was noted.

### **AY08/0219**

#### **Taking in Charge of Castleraven and Cois na hAbhainn Estate**

The members considered the following motion in the name of Councillor Breslin:

That the council confirms the up to date status of the taking in charge of Castleraven and Cois na hAbhainn estate.

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

A report was received from the Building and Development Control Section informing the members that it was proposed to progress the taking in charge of Castleraven in the first half of this year.

**Resolved** on the proposal of Councillor Breslin, seconded by Councillor Redmond that the report be noted.

### **AY09/0219**

#### **Cost of Taking in Charge Estates**

The members considered the following motion in the name of Councillor Keatley:

That the Building Control Section do a full estimation of cost of taking in charge not including waste water infrastructure of any estates that have been requested by the residents, in the Athy Municipal District.

The motion was proposed by Councillor Keatley and seconded by Councillor Redmond.

A report was received from the Building and Development Control Section informing the members that the council do not have the resources to cost what works are outstanding in each of the housing estates that had been requested to be taken in charge by residents and had provided a report to the Athy Municipal District which outlined the estates that were a priority for taking in charge in 2019.

Councillor Keatley asked that the council try to establish a costing on estates to be taken in charge. He asked that a list be drawn up minus any bonds for these estates and a sinking fund be put in place. He added that some estates may only need minor works which would enable the estate to be taken in charge.

Councillor Redmond added there were issues in Coneyboro that needed to be sorted out before it could be taken in charge. Mr Murtagh stated they were currently looking at this estate and were engaging with the developer.

Councillor Keatley asked that the members submit their list of estates to the Building and Development Control Team as they needed to know how much it would cost to get whatever works are required carried out to enable the estates to be taken in charge.

Mr Murtagh stated he would look at the list but it would take some time to go through them all. The members to be kept updated.

**Resolved** on the proposal of Councillor Keatley, seconded by Councillor Redmond that the report be noted and that the members submit their list of estates to the Building and Development Control Section for review.

### **AY10/0219**

#### **Taking in Charge of the Fairgreen Estate in Timolin**

The members agreed to take items 9 and 11 together:

The members considered the following question in the name of Councillor Dooley:

Can the council inform the members if it has any plans to take in charge the "Fairgreen" estate in Timolin?

The members considered the following question in the name of Councillor Breslin:

Can the council give the up to date position in relation to the taking in charge of Fairgreen Estate, Timolin?

A report was received from the Building and Development Control Section informing the members that there were no plans to take this estate in charge as there was a wastewater treatment plant on site. Irish Water had no protocol to take developer provided infrastructure not connected to a public sewer in charge. Condition 46 of Planning Ref 04/2285 stated that the temporary treatment plant should be decommissioned and removed once the public foul sewer became available. The public system did not happen, therefore, the treatment plant was still a requirement. Development Control would contact the developer to determine his plans to complete the development including snags and wearing course.

A discussion ensued and the members asked what discussions had taken place with the developer. Mr Murtagh added that the council had been in contact with the developer and they cannot take this estate in charge until the wastewater issue was sorted. He added that

the sewerage system would not be taken in charge but other works could be carried out and if the bond was in place, the estate would be brought up to standard and taken in charge.

The report was noted.

**AY11/0219**

**Taking in charge of Castleraven, Nurney; The Friary, Castledermot; Fairgreen, Timolin; Corran Ard, Athy**

The members considered the following question in the name of Councillor Wall:

Can the council update this committee on the taking in charge of the following estates; Castleraven, Nurney, The Friary Castledermot, Fairgreen, Timolin and Corran Ard Athy?

A report was received from the Building and Development Control Section informing the members of the following;

Castleraven, Nurney: It was proposed to progress the taking in charge of Castleraven in the first half of this year.

The Friary, Castledermot: The receiver had carried out repairs to street lights and provided an additional two lights. They had not reinstated the bond. Building and Development Control had advised the developer that they had until the 15 February to reinstate the bond or the council would be proceeding with enforcement proceedings. There are no plans to take this estate in charge.

Fairgreen, Timolin: There are no plans to take this estate in charge as there was a wastewater treatment plant on site. Irish Water have no protocol to take developer provided infrastructure not connected to a public sewer in charge. Condition 46 of Planning Ref 04/2285 stated that the temporary treatment plant should be decommissioned and removed once the public foul sewer became available. The public system did not happen, therefore, the treatment plant was still a requirement. Development Control would contact the developer to determine his plans to complete the development including snags and wearing course.

Corran Ard: Building and Development Control have received the bond payment and are progressing the taking in charge of this estate to be complete in 2019.



Councillor Wall stated that an email was to issue to the receiver last Friday to re-instate the bond for the Friary, Castledermot and he asked whether this had been done. Mr Murtagh confirmed that an email did issue but he had received no response to date.

In regard to Castleraven, Nurney, Councillor Wall stated there was a private wayleave issue and asked had the matter been resolved. Mr Murtagh confirmed it had.

The report was noted.

**AY12/0219**

**Reconstruction of Stone Wall along the Railway Bridge on the L8075**

The members considered the following motion in the name of Councillor Dooley:

That the stone walls along the railway bridge on the L8075, area known as Ardreich, be reconstructed, having been removed several months ago.

The motion was proposed by Councillor Dooley and seconded by Councillor Redmond.

A report was received from the Roads Transportation and Public Safety Section informing the members that this issue should be referred to Irish Rail/CIE as they are the owners of the wall.

Councillor Dooley stated that several people living along this road had contacted Irish Rail asking that the wall be repaired but pressure was required from the council.

The District Engineer confirmed that the council had made contact and the repairs were supposed to be carried out last year. He stated that Irish Rail were not going to rebuild the stone wall but were going to install concrete barriers.

Councillor Dooley stated that the wall was a protected structure and concrete barriers would look undesirable. He requested that a letter issue to Irish Rail asking them to reconsider their proposal.

The District Engineer stated he would write to Irish Rail asking them to re-instate the stone walls and not the concrete barriers.

**Resolved** on the proposal of Councillor Dooley, seconded by Councillor Redmond that a letter issue to Irish Rail asking that the stone wall be re-instated along the railway bridge on the L8075.

**AY13/0219**

**Fire Brigade Service in Athy**

The members considered the following motion in the name of Councillor Dooley:

That the council consider moving from a retained fire brigade service in Athy to a full time crew, similar to Dublin's fire brigade.

The motion was proposed by Councillor Dooley and seconded by Councillor Wall.

A report was received from the Chief Fire Officer informing the members that the crew in Athy Fire Station currently operate the Retained System. This means that the fire-fighters in Athy live and work in the community and respond to the station on the activation of their alerter. Retained fire-fighters are paid a fixed annual sum for their availability and are then paid for each call or training event that they attend. The normal crewing for the station was a crew of ten. A minimum of six personnel are required to attend the station for all calls although the fire engine can mobilise with a crew of five personnel.

An Area Risk Categorisation (ARC) was carried out for all stations in Kildare in 2014. This Risk Categorisation considered population, population density, incident statistics, number of dwellings and specific building risks and was based on the area covered by the Athy Fire Station. This ARC process was carried out in accordance with national guidance. The outcome of the Area Risk Categorisation for the Athy Fire station ground was an Area Risk Categorisation of D1 or low risk. The "Keeping Communities Safe" document sets out the performance standards for all fire stations based on their risk classification. Athy Fire Station and its crew meet all of these performance targets. Due to the population, population density etc for Dublin most of their stations scored a Risk Categorization of A1/A2- High Risk. the performance targets for this category can only be met with fulltime resources.

The crew in Athy Fire Station are trained to the same national standards as the Dublin Fire Brigade, they respond using the National PDAs and in accordance with the National Standard Operational Guidance used by all Fire Services in Ireland.

Athy Fire Service currently costs approximately €400,000 per annum to run. A full time model providing six fire-fighters per shift would require a staff of 36 with an associated staff

cost of in the region of €2.6 million plus ongoing pension provisions. Assuming the current staff became fulltime and addition 26 staff would be required and would need to be trained and equipped. Training and equipping a new recruit costs about €15,000 per person, so an additional staff of 26 staff would cost €390,000. The current station was not constructed to accommodate a full time staffing and would require modification and extension, depending on the construction costs at the time of tender this could cost in the region of €0.5 to €1 million in capital expenditure.

Councillor Dooley stated that the retained fire-fighters at the fire station in Athy had 266 call outs last year. Volunteers/first responders were on call 365 days a year and they had 120 call outs last year totalling to over 400 call outs last year. He was looking for the ten retained fire-fighters to be upgraded to full-time fire-fighters.

Councillor Wall stated that the retained fire-fighters always go above and beyond the call of duty and also thanked the new first responders in the community.

Councillor Redmond stated he had two motions previously on the matter and asked the Regional Health Forum to use Athy as a pilot scheme as Athy had highly qualified retained staff to help with other issues as well. He sincerely thanked the fire and ambulance services for their assistance at the terrible tragic accident which occurred in Athy earlier in the week.

Councillor Keatley complimented the current retained fire-fighters and first responders for all their great work to date.

The District Manager stated that he welcomed the debate but the motion only referred to the fire service and did not include first responders and ambulance service so therefore, the report only covered the fire service. He added the current fire service was adequate and he stated that if the members want a pilot scheme then they would have to discuss this matter at budget time. He stated that under the Working Time Act, the staff are only allowed to work certain times and there would be huge financial implications to change to full time staff and also the current facility for Athy Fire Station did not cater for full-time staff.

**Resolved** on the proposal of Councillor Dooley, seconded by Councillor Wall that the report be noted.

**AY14/0219**

**Hedgecutting - Athy Municipal District**

The members considered the following question in the name of Councillor Keatley:

Can the council give a completion date for any hedge cutting in the interest of public safety, in the municipal district as requested by the members and the public over the last number of years?

A report was received from the Roads Transportation and Public Safety Section informing the members that a letter had been sent to the landowner and it appears the landowner had indicated that hedgerow had been cut. Kildare County Council inspected the hedge and it was not up to Kildare County Council's specification. Kildare County Council would be sending a letter under Section 70 of the 1993 Roads Act to compel the landowner to cut the hedgerow and would keep the municipal district committee updated.

The report was noted.

**AY15/0219**

**Road Drainage Works in Calverstown and Kilmeague**

The members considered the following question in the name of Councillor Keatley:

Can the council give a completion date for road drainage works to be completed in Calverstown and Kilmeague?

A report was received from the Roads Transportation and Public Safety Section informing the members that works on these jobs should be completed before the end of March 2019.

The report was noted.

**AY16/0219**

**Grant Applications**

The members considered the following motion in the name of Councillor Keatley:

That the council provide a list of towns and villages in the Athy Municipal District that will be ready for applications to the Town and Village Renewal Scheme and other Government and European funding schemes in 2019.

The motion was proposed by Councillor Keatley and seconded by Councillor Redmond.

A report was received from the Economic, Community and Cultural Development Section informing the members that under the Town and Village Renewal Scheme 2018, funding was secured for the provision of a Health Check assessment and development of an associated Town Renewal Plan for Castledermot. It was envisaged that the Health check would commence in Q2 2019, with projects and priorities identified by the Community going forward for funding under the Town and Village Renewal Scheme 2020.

An application for funding was submitted under the Rural Regeneration and Development Fund 2019 for the redevelopment of Emily Square and the redevelopment of the Shackleton Museum (subject to Part 8 approval). A decision was imminent on this application, and if successful would enable works to commence in Quarter 4 2019.

Currently there was a Health check assessment being carried out in Monasterevin and a Town Renewal/ Public Realm Plan being developed through funding provided by the Athy Municipal District. Once the Town Renewal Plan had been completed, projects identified would be submitted for funding under the Rural Regeneration and Development Fund or the Town and Village Renewal Fund, depending on the nature and scale of the projects identified.

Councillor Keatley stated he was unhappy that it would be 2020 before the health check for Castledermot would be funded. Minister Ring announced that funding in the amount of €2.7 million would become available and having this funding in place would be very beneficial. He added that LPT money was allocated to get applications ready and it was important to ensure that smaller towns are ready to draw down this funding.

Councillor Redmond asked for an update on the Town Renewal Plan for Castledermot and how much it would cost to upgrade the Shackleton Museum and Emily Square.

Councillor Wall noted there was €2.7 million and €80,000 of LPT money available and it was important to have the Part 8 ready to draw down this money. He asked that a breakdown of these monies be given to the members. He noted that the second public consultation process would commence on Tuesday 19 February 2019 for the Shackleton Museum and he added that the council would have a world class museum in the county once developed.

Councillor Miley asked whether the upgrading of Emily Square would be prioritised due to its current condition.

The District Manager commended the members on the Part 8 for Emily Square and Shackleton Museum which were ready but there were no details yet as to how it would operate. He said he was looking for a meeting quickly in regard to the €2.7 million funding whereby the council had to match 30% of the funding for the two projects. In regard to Public Realm Plan, a team of four would be in place who would report directly to the Chief Executive and that tenders would come in during March 2019.

Councillor Keatley asked who was the contact person in regard to this team as community groups had contacted him requesting to submit applications under this scheme.

The District Manager said the contact person was Ms Mairead Hunt, Senior Executive Officer, Economic, Community and Cultural Development Section.

Councillor Redmond asked for a breakdown of exactly where the €80,000 would be spent.

The District Manager said the money would be spent in a meaningful way but he was unable to give specific detail at this time.

**Resolved** on the proposal of Councillor Keatley, seconded by Councillor Redmond that the report be noted.

### **AY17/0219**

#### **Flooding on the L8054 Ballyhade Castledermot**

The members considered the following motion in the name of Councillor Miley:

That the council alleviate flooding on the L8054 Ballyhade Castledermot (location provided).

The motion was proposed by Councillor Miley and seconded by Councillor Wall.

A report was received from the Roads Transportation and Public Safety Section informing the members that drainage works at this location would be alleviated in the near future as part of Road Maintenance Operations.

**Resolved** on the proposal of Councillor Miley, seconded by Councillor Wall that the report was noted.

**AY18/0219**

**Upgrade the Road L8017 at Old Grange**

The members considered the following motion in the name of Councillor Miley:

That the council move immediately to upgrade the road L8017 at Old Grange.

The motion was proposed by Councillor Miley and seconded by Councillor Wall.

A report was received from the Roads Transportation and Public Safety Section informing the members that the L-8017 had been included in the councils 3 year plan for restoration improvement works. This job was listed for 2020, finances permitting.

Councillor Miley stated that drainage cuts need to be considered for this road.

**Resolved** on the proposal of Councillor Miley, seconded by Councillor Wall that the report be noted.

**AY19/0219**

**Safety Measures at Kildangan Bridge**

The members considered the following motion in the name of Councillor Wall:

That the council confirm the up to date position with safety measures at the bridge in Kildangan.

The motion was proposed by Councillor Wall and seconded by Councillor Redmond.

A report was received from the Roads Transportation and Public Safety Section informing the members that the works licence prepared by CIE was with the councils' insurance providers for consideration. The Roads Department expects that a tender would issue in Q2 2019, subject to the requirements of the works licence being agreed with CIE.

Councillor Wall stated that many of the members had met with the community of Kildangan due to the condition of this bridge. He noted it was good news that the Part 8 had been

approved for this project but he asked were the council to confirm that a tender would issue in Quarter 2 of 2019.

Councillor Redmond asked for a costing of the work to be carried out on this bridge.

Councillor Dooley requested that CIE come to a meeting with the members and give them a full update on the situation.

As the Cathaoirelach had to leave, Councillor Redmond took the chair at 11.45 am.

The District Engineer said the council were carrying out preliminary works until the legal matter were sorted out. He stated that there was a sequence of works to be put in place thereafter and he hoped that this would be resolved by the end of the year.

**Resolved** on the proposal of Councillor Wall, seconded by Councillor Redmond that the report be noted.

### **AY20/0219**

#### **Traffic Management Issues at Scoil Mhichil Naofa, Athy**

The members considered the following question in the name of Councillor Miley:

Can the council work with the management of Scoil Mhichil Naofa on traffic management issues around the school?

A report was received from the Roads Transportation and Public Safety Section informing the members that the council can work with the management of Scoil Mhichil Naofa in relation to traffic management issues at the school.

Councillor Miley said this problem had to be alleviated such as parking and drop-off points.

The District Engineer stated that the Gardai, Roads Safety Officer and the Traffic Warden looked at the issues at this location two years ago and it was an enforcement issue but he said the Board of Management of the school should also review this in regard to timing of children leaving the school and drop off points.



Councillor Redmond stated he had correspondence from the Board of Management received last January and he would forward same to the members after the meeting. The report was noted.

**AY21/0219**

**Installation of final connection of footpath on the L8054 Castledermot between the Friary Estate and Behan's Garage**

The members considered the following question in the name of Councillor Miley:

Can the council install the final connection of footpath on the L8054 Castledermot between The Friary housing estate and Behan's Garage?

A report was received from the Roads Transportation and Public Safety Section informing the members that the council had carried out extensive footpath and road works in this area. A design was required for the final section as there was land acquisitions involved.

Councillor Miley complimented the District Engineer on the works carried out so far but stated the final part of the footpath needed to be finished.

Councillor Breslin resumed the chair at 11.55 am.

The report was noted.

**AY22/0219**

**Upgrade of Footpath from Carlow Gate to the town centre in Castledermot**

The members considered the following question in the name of Councillor Wall:

Can the council upgrade the footpaths from Carlow Gate to the town centre in Castledermot?

A report was received from the Roads Transportation and Public Safety Section informing the members that this had been included in the councils' footpath works in 2019. Money from the LPT had been included to finance this project.

The report was noted.

**AY23/0219**

**Location of the Final Meeting of the Council**

The members considered the following motion in the name of Councillor Redmond:

That this council hold its final meeting in Castledermot the ancestral home of democracy in Ireland.

The motion was proposed by Councillor Redmond and seconded by Councillor Wall.

Councillor Redmond stated that every year, the council hold one of their meetings outside the building and he asked that the final meeting of this committee be held in Castledermot Community Centre.

Councillor Miley asked that one of the meetings be held in the Tanyard, Ballitore.

The Meetings Administrator stated that the March, April and May meetings were due to be held in Aras Chill Dara due to the Corporate Policy Group meeting taking place before these meetings. She stated she would clarify the position and come back to the members.

**Resolved** on the proposal of Councillor Redmond, seconded by Councillor Wall that the final meeting of this committee be held in Castledermot Community Centre and this was agreed by all the members and the Meetings Administrator to come back to the members with regard to possibly holding a meeting in the Tanyard, Ballitore.

**AY24/0219**

**New Charter for the Historic Market in Athy**

The members considered the following question in the name of Councillor Redmond:

Can the council immediately set about developing a new charter for the historic market in Athy?

A report was received from the Corporate Services Section informing the members that the traders from the Tuesday market in Athy were being invited to a meeting on the 1 March 2019 in the Municipal District Office to discuss Emily Square and the market.

Councillor Redmond was happy with the report and stated he would like to attend the meeting on the 1 March next.

The District Manager stated that Ms Ann Marie Gough was organising the meeting noting it was an informal meeting with the traders only.

Councillor Miley said it was important to regularise the market and maybe the members could attend a follow-up meeting with the traders and the council in due course.

The report was noted.

### **AY25/0219**

#### **Domestic Refuse Collection - Athy Municipal District**

The members considered the following motion in the name of Councillor Breslin:

That the members of the Athy Municipal District be given a report on the implementation of the new regulations in relation to domestic refuse collection in the municipal district.

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

A report was received from the Environment Section informing the members that the Council adopted new Waste Management (Segregation, Storage and Presentation of Household and Commercial Waste) Byelaws 2018 in December last year. These byelaws would become operative from Friday, 1 March next. The byelaws would ensure the orderly segregation, storage and presentation of waste. The activities covered therein are already correctly managed by the public at large (including commercial premises). However, if it was found that there are individuals/businesses who are non compliant with the requirements, the Council would have strengthened powers of enforcement under the byelaws. The new bye-laws make provision for the imposition of a fixed payment in respect of a contravention of a bye-law as an alternative to a prosecution, as provided for in Section 206 of the Local Government Act 2001. The Environment Department was finalising a local promotional campaign to highlight provisions contained within the byelaws. In addition, the Area Community Warden/ Waste Enforcement Teams would be actively monitoring compliance.

The Cathaoirleach stated that the biggest blight in the county at the moment was domestic dumping but that now the council would have the right to question homeowners on how

they dispose of their rubbish. She added the cleaning up costs borne by the council were huge and this had to be remedied.

Councillor Redmond welcomed the introduction of these bye-laws as the problem was only growing and the community had to be accountable for their actions.

Councillor Wall asked how do we find the offenders and were the council currently knocking on doors. He added that the charges should be increased.

Councillor Miley added that individuals were getting rid of rubbish during the night and that men were collecting rubbish in vans within estates and dumping it illegally. He added that there was video evidence of illegal dumping at the Moat of Ardscull and he asked that this be followed up.

Councillor Dooley added that larger fines would have to be addressed at national level as a €4,000 maximum fine was not large enough. He suggested going back into schools to educate children on the whole issue of litter. He asked that an information leaflet be circulated to the community and the free call number used more frequently.

Mr Dunne welcomed the comments of the members. He added the council work closely with An Gardaí Síochána to identify offenders. However, the penalties are a national matter. He stated a leaflet drop/booklet would be issued to all households. The new byelaws would give the council more authority to call to households and the council propose to utilise this. The Litter Wardens would continue to go through rubbish bags and would issue fines to those names found in these bags. He stated that any complaints received would be followed up.

**Resolved** on the proposal of Councillor Breslin, seconded by Councillor Redmond that the report be noted.

### **AY26/0219**

#### **Athy Civic Amenity Recycling Centre**

The members considered the following question in the name of Councillor Dooley:

Can the council petition the management of the Athy Civic Amenity recycling centre, AES, for extended or increased opening hours?

A report was received from the Environment Section informing the members that the Athy Civic Amenity Centre at Dublin Road (Gallows Hill) opens 3 days per week currently (Thursday, Friday and Saturday). The centre was operated on behalf of the council by AES (Bord na Mona). Based on the current intake of materials and associated costs in running the centre, it was not proposed to extend the opening hours at this time.

Councillor Dooley stated it cost the council €3 million to clean up illegal dumping last year. He asked that the recycling centre be utilised and advertised better. He asked if AES would consider working on a Sunday as part of their three days open.

Mr Dunne stated he proposed to look at costing a pilot scheme for two to three months in regard to this recycling centre and he would come back to the members with more details of this scheme.

The report was noted.

### **AY27/0219**

#### **Installation of Speed Reduction Measures in the new St Michael's Cemetery, Athy**

The members considered the following question in the name of Councillor Breslin:

Can the council consider the installation of some type of speed reduction measures in the new St. Michael's Cemetery, Athy?

A report was received from the Environment Section informing the members that the request would be investigated by the Environment Technical Team.

The Cathaoirleach acknowledged the great work done in the cemetery but noted graves were being damaged and the issue of speed had to be reviewed.

Mr Dunne stated he would review the situation in regard to speed reduction measures within the cemetery.

The report was noted.

**AY28/0219**

**Athy Town Development Plan**

The members considered the following motion in the name of Councillor Wall:

That the council update the members on the Athy Town Development Plan and its current status.

The motion was proposed by Councillor Wall and seconded by Councillor Miley.

A report was received from the Planning Section informing the members that following the adoption of the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midlands region, Kildare County Council would be required to incorporate the RSES and the National Planning Framework into the County Development Plan either through a review or a variation of the Development Plan. This process must commence within 26 weeks of the adoption of the RSES. Preparation work on the Local Area Plan (LAP) had commenced, and the LAP would advance on foot of the review/variation of the Development Plan. The Athy Town Development Plan continues to have effect until such time as the Athy Local Area Plan replaces it.

Councillor Wall stated that he had discussions with the Planning Section in this regard. He noted that Kildare/Newbridge Municipal District had extended their plan for two years and he asked why this was allowed to happen. He had been contacted by people who want to develop land in the town and because of the current status of zoning they were unable to do so.

Ms Louw stated that the Kildare/Newbridge Municipal District had submitted a motion previously to extend their development plan.

The District Manager stated there was a lack of resources in the Planning Section and they had to prioritise plans. He stated the response to this motion was clear and the existing plan was in place. He stated that a material contravention can still be considered. He stated that if the members had a viable project in mind, they should bring it to the council's attention and the council would engage.

Councillor Wall thanked the District Manger for his positive reply. He added there were a number of significant housing developments in the pipe-line for Athy and suitable lands should be identified for recreational use.

**Resolved** on the proposal of Councillor Wall, seconded by Councillor Miley that the report be noted.

### **AY29/0219**

#### **Benefits to Residents of Sheriff Hill in Moone from LPT funding**

The members considered the following question in the name of Councillor Redmond:

Can the council give an account of the benefits that residents of Sheriff Hill in Moone have received in their community from paying property tax?

A report was received from the Acting Head of Finance informing the members that Local Property Tax (*LPT*) was the mechanism by which the Department of the Environment, Community and Local Government now fund Local Authorities' General Purpose Grant (*GPG*). It was important to ensure that Council and the public understand that the LPT did not form a 'new' income stream for the Local Authority – it replaces the centrally funded GPG. Similar to rates, the LPT/GPG contributes to the funding of all the Council's services that are not directly grant assisted. The areas of expenditure were approved by Council at the Annual Budget Meeting in November. Local property tax rates are set by Central Government – it was, however, a function of Council to determine whether these rates should be varied by +/-15%. This determination was made in September after a public consultation period in July/August. This retained money was assigned to the municipal district committees and it was the municipal district committees who determine the areas of expenditure for this money.

The report was noted.

### **AY30/0219**

#### **Parks Section Works Programme 2019**

Mr Wallace circulated the 2018 and 2019 programme to the members at the meeting. The report gave details of the tree planting programme, Castledermot playground, tree works in Athy, open space strategy, replant at Monasterevin roundabout on M7, preparation of plans for Athy Entrance Roads, Village improvements at Kilberry and Castleroe, supervision of grass and roundabout maintenance, tender for supply and bulb planting, memorial garden

for Andrew Meadows, upgrade of Works Depot, enhancement works at Moat of Ardsull, reinstatement works in Woodstock Castle, Athy and William Pearse Park, Castledermot, prepare events for Family Play Day, Prepare designs for playgrounds in new developments and develop policy for tree pruning, removals and planting.

Mr Wallace stated that the installation of the outdoor gym in Moone was tendered and would be in place in April 2019. He added that the playground in Churchtown would be completed in next couple of months.

Councillor Miley asked whether the playground in the Timolin Housing Estate would be done and Mr Wallace stated that it would be done soon.

The District Manager stated that he and Mr Wallace would be meeting with the TII and would discuss the issue of roundabouts.

Mr Wallace confirmed that there were no plans at present to upgrade the playground in the People's Park as he was concentrating on the playground in Castledermot at present.

The Cathaoirleach thanked Mr Wallace and his team for attending the meeting and updating the members on his programme of works for 2019.

The report was noted.

### **AY31/0219**

#### **Invitation to Turas Nua to attend Athy Municipal District Meeting**

The members considered the following motion in the name of Councillor Redmond:

That this council invites management of Turas Nua for the Athy area to attend the Athy Municipal District meeting to discuss the very serious issues brought to councillors attention.

The motion was proposed by Councillor Redmond and seconded by Councillor Wall.

Councillor Redmond stated that he had been contacted by many people who were raising serious concerns regarding their treatment by Turas Nua which needed to be addressed.



He asked that the council write to the management of Turas Nua and request a meeting with them in order to clarify matters.

**Resolved** on the proposal of Councillor Redmond, seconded by Councillor Wall that a letter issue to the management of Turas Nua inviting them to meet with the members who wish to discuss their concerns.

### **AY32/0219**

#### **Other Business**

A minutes silence was passed for Ms Marion Reid who tragically lost her life last week in Athy Town.

The meeting then concluded.