



Minutes of the Athy Municipal District held at 10.00 am on Monday, 15 February 2021 via Microsoft Teams

Members Present: Councillor A Breslin (Cathaoirleach), Councillors: B Dooley, Keatley and Leigh

Apologies: Councillor V Behan

Officials Present: Ms A Aspell (District Manager), Mr D O'Flaherty (District Engineer), Mr D Reel (A/Senior Engineer), Mr K Kavanagh (Senior Executive Officer), Ms E O'Brien (Senior Executive Engineer), Mr M McLoughlin (Administrative Officer), Mr MI Hurley (Access Officer), Ms K Keane (Meetings Administrator), Ms O Mooney (Meetings Secretary) and other officials.

AY01/0221

Minutes and Progress Report

The members considered the minutes of the monthly meeting of the Athy Municipal District held on Monday 18 January 2021 and the progress report.

Resolved on the proposal of Councillor Leigh, seconded by Councillor Dooley and agreed by all the members that the minutes of the monthly meeting of the Athy Municipal District be adopted and the progress report was noted.

AY02/0221

Vote of Sympathy

The Cathaoirleach extended her sympathies and those of the members to Councillor Vera Louise Behan and David Reel and their families on the recent death of their fathers. A minute silence was observed.



AY03/0221

Update on the Athy Distributor Road

The Cathaoirleach welcomed the recent announcement by the Minister and thanked the members for supporting this project. She thanked those who had previously worked on the project.

Mr Reel advised that the second stage of the tender process would commence, pricing would be sought from contractors and then the preferred contractor would be awarded the job and then forwarded to the Minister for approval. The successful contractor would then present themselves on site and works would commence on the ground. He predicted that works would commence the fourth quarter of 2021. The council were still in discussions with CIE and others in the background.

The following points were raised by the members;

- This matter is to remain as a standing item on the agenda until the project was completed.
- The members had previously been advised that the Minister was holding this project up as new procedures were in place which were causing delays and this was untrue. It was clarified that the documents only arrived on the Minister's desk two weeks previously and he had now signed the documents and was happy to move on with funding for this project and for other road grants for 2021.
- It was very important that the line of communication should be kept open

Mr Reel stated that the main contractor would be responsible for the completion of the project and he may use sub-contractors for some of the works on site.

AY04/0221

Schedule of Athy Municipal District Roadworks

The District Engineer stated that a report had been circulated to the members providing an update on works which had been undertaken prior to and since their January meeting and



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also details of future planned works. He stated that in light of the current COVID-19 restrictions, operations had been restricted to essential maintenance and the crews were currently looking at drainage and signage works and NTA active measures.

AY05/0221

To agree and approve the Athy Municipal District LPT Schedule of Works 2021 (including the agreed list of roads projects)

The Cathaoirleach asked that this matter be deferred until the March meeting. This was agreed by all the members.

AY06/0221

Accessibility Presentation

The Cathaoirleach welcomed Mr MI Hurley, Health and Safety/Access Officer to the meeting. She stated that if the members wished they could ask their questions after the presentation or email him their questions after the meeting. Mr Hurley stated that he would reply to all questions received.

Mr Hurley delivered a presentation to the members highlighting the following points:

- Accessibility to buildings and all services was a legislative requirement under the Disability Act 2005.
- The UN Convention on the Rights of Persons with Disabilities
 - came into force on 19 April 2018.
- The National Disability Inclusion Strategy 2017-2021 was the key framework for policy and action to address the needs of people with disabilities.
- There were five local Local Access Groups in Kildare ie. Naas, Newbridge, Celbridge, Maynooth and Athy.
- The role of the Access Officer was to provide and co-ordinate assistance and guidance to persons with disabilities accessing services provided by the council offices.
- The County Kildare Access Strategy 2020-2022 was a universal approach.
- The objectives for 2021 were detailed.



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- Kildare County Council had achieved winner at the All-Ireland Community and Council Awards 2020 for having the best Disability Access and Inclusion Initiative and had also achieved winner of the overall Grand Prix Award for working to make County Kildare inclusive and accessible to all.
- Working collaboratively with disability advocates would help the council deliver its shared commitment that no section of the community was left behind in the future delivery of council services.

Councillor Leigh said he had listed a motion four to five months ago regarding disabled parking bays and he was told at the time that he would have to wait for Pay Parking Bye-laws to be reviewed in 2022, and asked was this still the case.

Mr Hurley stated that he would do an audit of parking spaces, as vehicle types had changed, but it had to be in line with bye-laws. He added some towns had already been identified to be reviewed and it was only a matter of time that all towns would be reviewed.

The Cathaoirleach thanked Mr Hurley for his comprehensive presentation and congratulated him and his team on achieving the award for All-Ireland Community and Council Awards 2020 and the overall Grand Prix Award.

AY07/0221

Flooding on the Cardington/Milltown Road

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

That the council take the necessary action to eradicate the persistent problem of flooding on the Cardington/Milltown Road.

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

A report was received from the Roads Transportation and Public Safety Section informing the members that there was an issue in this area which may have been compounded by a



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planning application. This would require a comprehensive survey of the area to plan an outcome.

The Cathaoirleach asked whether it was feasible to do a survey on the road and resolve this problem.

The District Engineer stated that the whole area needed to be reviewed and the survey would be carried out shortly.

Resolved on the proposal of Councillor Breslin, seconded by Councillor Leigh that the report be noted, and survey be carried out shortly.

AY08/0221

Flooding on the roadway between the old houses in Prusselstown and Prusselstown Green Estate, Athy

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

That the council takes the necessary action to eradicate the problem of flooding on the roadway between the old houses in Prusselstown and Prusselstown Green Estate, Athy.

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

A report was received from the Roads Transportation and Public Safety Section informing the members that this work would be carried out in the near future as part of the Drainage Maintenance Program.

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

AY09/0221

Road Repairs – Duke Street/Leinster Street, Athy

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

That the council work with the various service operators to make safe the manholes on Duke Street/Leinster Street that are causing damage to the road surface and that are unsightly



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

A report was received from the Roads Transportation and Public Safety Section informing the members that the issue had been reported to Water Services and Irish Water on a number of occasions and there were more locations than Duke Street and Leinster Street in Athy. There were also issues with some of the Telecom Companies.

Councillor Leigh stated that he had received many complaints regarding potholes, and it was important to look at a strategy to fix up the streets. The Cathaoirleach said there was blue paint on footpaths near Urban 29 and she was wondering whether footpath repairs were going to be carried out there.

The District Engineer stated that he had spoken with Irish Water and they were replacing manholes in some areas and he had contacted some of the utility services to look at other footpaths. These works would be funded by Transport Infrastructure Ireland (TII).

Resolved on the proposal of Councillor Leigh, seconded by Councillor Breslin that the report be noted, and that Irish Water replace manholes in some areas and utility services be contacted with regard to fixing footpaths in other areas.

AY10/0221

Flood Relief Scheme on the River Lerr, Castledermot at the bridge

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

That the council carry out a flood relief scheme on the River Lerr, Castledermot at the bridge as a matter of urgency.

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

A report was received from the Senior Executive Engineer, Flood Risk Management informing the members that Castledermot was included in the Office of Public Works Flood Risk Management Plans (FMPs), which were adopted by the Council in 2018, as an Area of Further Assessment (AFA). The OPW were currently carrying out a Scheme Viability Review of a number of AFA's including Castledermot. This review would inform how a flood



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scheme may be progressed, i.e. either through the OPW tranches or as a possible Minor Works scheme overseen by the Council. The River Lerr in Castledermot was maintained on an annual basis by the Drainage Channel Maintenance Team, within the constraints of Environmental and Health & Safety requirements.

Councillor Keatley stated that works had been carried out by the council and the Barrow Drainage Board on gullies. He asked for the area of water near the bridge be cleaned as it was only a matter of time before flooding was a serious issue.

Councillor Dooley stated he had met with various groups and Tidy Towns and it was clear what had to be done. The growth in the river had to be removed in order to allow the water flow freely.

Ms O'Brien stated she had received feedback from Inland Fisheries, but she would contact them again to survey the situation and try to resolve the problem during the summer months. She stated that the members could meet with Inland Fisheries on site when the meeting was arranged if required.

Resolved on the proposal of Councillor Keatley, seconded by Councillor Dooley that the report be noted and that the members be informed when Inland Fisheries would be on site in order to meet with them.

AY11/0221

Creation of a biodiversity land bank along any part of the N78 from the roundabout in Athy to the T-junction of the R448

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

That the council through the CARO office investigate the creation of a biodiversity land bank along any part of the 11km N78 from the roundabout in Athy to the T- junction of the R448. The N78 along this stretch has large amounts of unused land that if managed would create an area of enormous biodiversity wealth to the countryside.

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



A report was received from the Senior Executive Parks Superintendent informing the members that this section of road in its existing condition provides biodiversity value. Maintenance may not increase this. The maintenance of this section of road was carried out by TII. Any proposals regarding its management would have to be discussed with them.

Councillor Dooley said he had spoken with Mr Wallace and he added that as part of the development of the Southern Distributor Road that maybe some works could be carried out on the N78 and that more ornamental planting would be examined in the vicinity of the roundabout as part of the new ring road to benefit biodiversity and pollinators.

Councillor Keatley stated that there was a huge opportunity to enhance this road and maybe carry out works in conjunction with Athy Tidy Towns.

Resolved on the proposal of Councillor Dooley, seconded by Councillor Keatley that the report be noted and that more ornamental planting would be examined in the vicinity of the roundabout as part of the new ring road to benefit biodiversity and pollinators.

AY12/0221

Flooding Issues at Kilkea Upper, Castleroe on the L8086

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

Can the council confirm if it has any plans to resolve the flooding issues at Kilkea Upper, Castleroe on the L8086?

A report was received from the Roads Transportation and Public Safety Section informing the members that work along this road would be carried out as part of Routine Maintenance.

The report was noted.

AY13/0221

Sightlines at Corballis Crossroads, Castledermot

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



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Can the council confirm if it has any plans to improve the sightlines at Corballis Crossroads, Castledermot?

A report was received from the Roads Transportation and Public Safety Section informing the members that there were no plans to improve sightlines at this junction. If work were to be carried out, it would require a design and a source of finance identified.

The report was noted.

AY14/0221

Cleaning of a drain on waste ground at the rear of houses in Kingsgrove, Athy

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

Can the council confirm if it has any plans to carry out works to clear out a drain on waste ground at the rear of houses in Kingsgrove, Athy?

A report was received from the Roads Transportation and Public Safety Section informing the members that there were no plans to carry out any work on this drain. The drain was located on private property and up to now, had not given any trouble.

The Cathaoirleach noted the area in question was between two housing estates and she was afraid it would start flooding the back gardens of properties in those estates.

The District Engineer stated that the area in question was on private property. However, he said he would look at it again and see if anything could be done.

The report was noted.

AY15/0221

Receipt of HAP – Athy Municipal District

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

Can the council confirm how many people are currently in receipt of the HAP in the Athy Municipal District?



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A report was received from the Housing Section informing the members that there were currently 440 HAP tenancies in the Athy area.

The report was noted.

AY16/0221

Supplementary Item – Standing Orders – Athy Municipal District

The Meetings Administrator asked that this matter be deferred to the March meeting. This was agreed by all the members.

AY17/0221

Bye-laws – Use of signage by businesses – Athy Municipal District

The members considered the following question in the name of Councillor Leigh:
Can the council advise of any laws or byelaws that apply to the use of signage by businesses in the Athy Municipal District?

A report was received from the Planning Section informing the members that signage was legislated for under the Planning and Development Act, 2000 (as amended) and the Roads Act, 1993 (as amended). The issue of signage was a complicated area and each case was considered and dealt with on a case by case basis. Different legislation applies depending on the location of the signage for example public or private land. There are certain exemptions for signage outlined in Part 2 of the Planning and Development Regulations 2001 and also restrictions as outlined in Article 9 of the Regulations.

Councillor Leigh stated that maybe a better system could be implemented.

Mr McLoughlin stated that it would still depend on the Planning and Roads Acts. However, if signs were identified, the council could take a look at them on a case by case basis.

The report was noted.



AY18/0221

Presentation – Athy Flood Relief Scheme

Ms O'Brien was welcomed to the meeting. She stated that River based flooding in Athy occurs on the Rivers Barrow and Moneen. The Flood Risk Management Plans (adopted by the Council in 2018) include a proposed scheme for Athy which would protect the 99 properties affected by flooding in a 1 in 100 year event (or 1% Annual Exceedence Probability event). The proposed schemes comprises of hard defences on both sides of the Barrow in the town centre and along the Moneen, close to the Municipal District Office. Typical hard defences, such as walls and embankments had limited opportunities to provide additional biodiversity gains such as habitat creation and can cut off access to the river. There are examples where flood defences can be incorporated into terraces, raised walkways and public realm projects. This was what the Council (in conjunction with OPW) are hoping to achieve in Athy. The council were currently working on appointing a consultant for the scheme. Once appointed the council would begin the design and statutory planning process. A big part of this would be community engagement. The council would be seeking the assistance of the elected members in identifying community groups and ensuring a robust consultation process.

The following points were raised by the members;

- The Tier terrace looked very well and a pilot scheme would be exiting.
- The area from the back of the Courthouse to Barrow Key – a design had been carried out for this area and would this be used.

Ms O'Brien stated that the plan was to tie in with Public Realm and get feedback. Her aim was to provide protection, but the council could work with other groups and speak with Public Realm. She confirmed that the works were funded by the Office of Public Works.

The Cathaoirleach asked that this presentation be circulated to them after the meeting and thanked Ms O'Brien for her presentation.



AY19/0221

Reverse Vending Machine – Athy

The members considered the following motion in the name of Councillors Dooley and Leigh:

That the council look to install a Reverse Vending Machine in the town of Athy, and pilot this as a programme for the rest of the county, taking on board the success that the machine has had in Carrickmacross with a total collection of in excess of 100,000 plastic bottles in its first year.

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

A report was received from the Environment Section informing the members that reverse vending machines, (RVM's) were automated machines that utilise advanced technology to identify, sort, and collect used beverage containers for recycling or reuse. These machines were usually located in retail outlets and typically offer incentives for recycling used drinks containers, for example, in the form of money back, or an instore discount voucher.

With such a proposal as that outlined in the Notice of Motion, there were commercial and logistical issues (storage and location) to be considered.

There was the cost of the machine itself, and the used bottles need to be compacted and baled onsite and removed on a regular basis. The reward for the public using the device, therefore, also needs to be established. The typical installation was in a grocery retailer and consequently they had a prominent role here.

While the use of an RVM would help to promote the “reuse, reduction, and recycling of waste” message, there was a question whether this would result in an overall increase in plastic bottle recycling as it may simply lead to a diversion away from the domestic recycling bin. There was undoubtedly a “feel good” factor in such an initiative. However, the operational issues and the ongoing responsibility for the management of the RVM need to be resolved.

The Naas Municipal District previously set aside LPT funding for a reverse vending machine and the Naas members were directly involved in trying to locate a suitable venue



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and business /retailer responsible to manage and operate the RVM. The Councillors may wish to discuss with their counterparts in the Naas Municipal District.

The following points were raised by the members;

- There was evidence that this incentive works and works well in European countries.
- The project could work in conjunction with “In It to Bin It” Team and LPT funding could be put aside with support from this group.
- Athy Town Promoters and larger retailers might assist and support this incentive.

Mr Kavanagh advised the members that there needed to be an incentive for the public to redeem plastic bottles and you would have to find a retailer who would be willing to provide the location for the machine. They would also need to manage the collection of the waste generated.

Resolved on the proposal of Councillor Leigh, seconded by Councillor Breslin that the report be noted and it was agreed by all the members that this matter be referred to the Athy Promoters Group for review and discussion.

AY20/0221

Calverstown Tidy Towns – Renovation of the stream area, the wall and the paving in the Village Centre

The members considered the following motion in the name of Councillor Keatley:
That the council assists Calverstown Tidy Towns with the renovation of the stream area, the wall and the paving in the village centre that is in need of upkeep and repair as recommended by successive Tidy Towns reports.

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

A report was received from the District Manager informing the members that subject to the identification of funding, this request would be considered further.

The following matter were raised by the members;



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- The centre of the town was now dilapidated – previously it had received Pride of Place Award.
- Issues regarding ownership – local person had claimed ownership and was not allowing the local Tidy Towns group on to the property .This area had been always a public area and was maintained by the local tidy towns group.
- The piece of land was now in disrepair and the local community just want to maintain the area and to access the stream.
- The District Manager had agreed to meet the member(s) on site to discuss the issues of concern.

Resolved on the proposal of Councillor Keatley, seconded by Councillor Leigh that the report be noted and the District Manager to meet the member(s) on site to discuss the issues of concern.

AY21/0221

Use of Pollinator window boxes – Athy Municipal District

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

That the council promote the use of pollinator window boxes in this municipal district in line with the council's Sustainable Energy Plan.

This motion was adjourned to the March meeting.

AY22/0121

St Michael's New Cemetery – Surface of Front Part of Cemetery

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

Can the council confirm if it has any plans to bring the surfaces in the front part of St Michael's New Cemetery, Athy up to the same standard as the back part?

A report was received from the Environment Section informing the members that works were planned for a number of cemeteries including Athy. These were subject to capital funding being available and Covid pandemic restrictions on such works taking place being relaxed.



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Mr Kavanagh stated that money had been set aside, and hopefully once restrictions had been lifted, works would be carried out this year.

The report as noted.

The meeting then concluded.