



**Minutes of the Athy Municipal District Meeting
held at 10.00 am on Monday, 20 June 2022
in the Council Chamber**

Members Present: Councillor I Keatley (Cathaoirleach), Councillors V Behan, A Breslin, B Dooley, M Leigh

Officials Present: Ms A Aspell (District Manager), Mr M Kavanagh (Assistant Engineer), Mr S Deegan (Senior Engineer), Mr C Sweeney (Senior Economic Development Officer), Mr B McGrath (Meetings Administrator) and Ms M Richardson (Meetings Secretary).

AY01/0622

Declarations of Interest

Declaration of pecuniary or beneficial interests under Section 177 of the Local Government Act 2001, as amended.

There were no declarations of interest.

AY02/0622

Minutes and Progress Report

To adopt the minutes of the monthly Athy Municipal District meeting held on Monday, 16 May 2022 and to note the progress report.

The Cathaoirleach advised that an addition should be made to the minutes to include “or enforcement proceedings commenced” at the end of item AY06/0522. This was agreed by the members.

Original text:

He hoped that in 5 months time the estate would be on a Taking in Charge list.

With addition:



Kildare County Council

He hoped that in 5 months time the estate would be on a Taking in Charge list or that enforcement proceedings would have commenced.

Resolved on the proposal of Councillor Leigh, seconded by Councillor Dooley and agreed by all members that the minutes be adopted with the addition as outlined, and the progress report was noted.

AY03/0622

Municipal District Works

To receive an update on the municipal district road works.

- **National Transport Authority (NTA) – Active Travel Measure Updates**
 - No update since last Athy MD meeting. Project Team dealing with this.

- **Department of Transport – Climate Adaption Projects**
 - No projects completed in Athy MD

- **Municipal District Restoration Improvement Works – RI Program**
 - Surveying and preparatory works on all RI and RM for 2022, being carried out.
 - Grading of all RI & RM projects
 - Contractor has completed the resurfacing works on the following roads;
 - R417 Maganey to County Boundary
 - L7071 – Blackditch
 - L7063 – Ricardstown
 - L7065 – Eskerhill
 - L8037 – Timolin
 - L8089 – Bo Choill Road
 - L8012 – Kilrush
 - L8017 - Oldgrange
 - Margins along these newly surfaced roads are reinstated to new levels.
 - Installed passing bays along L8012 – Kilrush



Kildare County Council

- Carried out junction realignments at L8089 – Bo Choill Rd
- Drainage requirements also completed to new road levels.
- **Local Improvement Schemes**
 - Surveyed and adjudicating returned tenders.
- **Community Involvement Schemes**
 - Surveyed and adjudicating returned tenders.
 - Carrying out preparatory works.
- **Signage Works**
 - Continuing our update of signage in the Athy MD
 - Upgrading signage on completed resurfaced roads.
- **Road Markings**
 - Upgrading road junction markings at the present time.
 - Renew all road marking including cats eyes along the newly surfaced section of the R417. – 3.1km
- **Drainage Works**
 - A number of villages have had drainage systems cleaned
 - Jetting drainage lines on various roads
 - Cleaning gullies on a number of roads
 - Carrying out water cuts along roads
- **Road Patching**
 - Carrying out patching along various sections.
- **Street Sweeping**
 - Street sweeping to areas
 - Bin collection



Kildare County Council

- **Community Works**

- Carried out preparatory work for the facilitating of the Tri-Athy Event. This involved cutting back of margins along the entire cycle route. Also, road surface repairs along the route.

- **General Maintenance**

- Install base for seat at Library. Awaiting delivery of seat.
- General cleaning of depot.

The members thanked the Municipal District team for all works done which were greatly appreciated.

AY04/0622

Annual Meeting

In accordance with Standing Order No 2, we propose that the Annual Meeting of the Athy Municipal District Committee take place at 10.00am on Monday 18 July in the Council Chamber. It is also proposed to suspend Standing Order No 1 for the July ordinary monthly meeting, to enable it to commence at 10.30am.

The members agreed.

Resolved with the agreement of the members present that the Annual Meeting of the Athy Municipal District would take place in the council chamber at 10.00am on 18 July and that standing order no 1 be suspended to allow the monthly meeting commence at 10.30am.

AY05/0622

LPT (Climate Innovation Fund)

To receive an update on LPT (Climate Innovation Fund).

A report was received from the Director of Services, Environment, Climate Action and Water Services informing the members that a total of 9 applications were received via the consultation portal. One of the applications was duplicated and therefore considered only once. Based on the criteria set, 6 of the groups were unsuccessful as their projects did not meet the criteria. Three groups were successful. It was proposed to fund the successful



Kildare County Council

groups fully given the fund allocated per Municipal District had the capacity to do so. In the case of Athy Municipal District, there was one submission which was unsuccessful. The €25k from LPT remained unallocated. It had been proposed to increase awareness through targeted meetings with local communities and instruction would be provided on application as soon as possible.

The Cathaoirleach stated that a commitment had been given to publicising and clarifying the application process for future applications.

AY06/0622

Tactile Paving

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

That the council carry out a survey of all tactile paving at pedestrian crossings and traffic lights to replace broken and missing tactile paving slabs in Athy Municipal District.

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

A report was received from the Roads, Transportation and Public Safety Department informing the members that reports of damaged or missing tactile paving slabs should be reported to the Municipal District office through the CRM system where the works could be considered as part of the routine maintenance programme. If problems arose following works carried out by the Sustainable Transport Team, then the CRM requests should be directed to that team rather than the Municipal District.

The members raised the following points:

- There were many flaws in the tactile paving with cracked and missing slabs which was greatly affecting accessibility.
- They would continue to use the CRM system to report faults.
- There seemed to have been very little progress since the Access group did a check and created the Walkability Report. Could the findings of this report be circulated to members.

The District Manager advised that she would follow up with Mr M Hurley and Ms C Cashin regarding the Walkability Report.



Kildare County Council

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

AY07/0622

Road Markings Castledermot

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

That the council refresh all the road markings in Castledermot Town.

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

A report was received from the Roads, Transportation and Public Safety Department informing the members that the Athy Municipal District had been refreshing road markings in Castledermot Village on an incremental basis and would continue to do so.

The members requested that the Main Street at the traffic lights, Tullow Road Junction and the Carlow side at Abbeylands be prioritised.

Resolved on the proposal of Councillor Dooley and seconded by Councillor Keatley that the report be noted.

AY08/0622

Footpath Maganey

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

That the council construct a footpath between the 3 counties service station and the old post office, in Maganey.

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

A report was received from the Roads, Transportation and Public Safety Department informing the members that the Roads Programme for 2022 was currently underway and there was no provision to accept additional works for this year. The Municipal District office



Kildare County Council

would examine this request when resources allowed and engage with the Roads Design team if a survey was required.

The members raised the following points:

- There were many businesses in the area and currently staff had to walk on the grass verge to get to work.
- Planning permission had recently been granted in the area so why was this not a condition of planning.
- Making this a condition of planning would drive up the cost of housing.
- A national set of standards were required for rural areas.

Mr S Deegan stated that the National Transport Authority had responsibility for facilities for vulnerable road users and this would be a matter for the Sustainable Transport Team.

Resolved on the proposal of Councillor Behan and seconded by Councillor Keatley that the report be noted.

AY09/0622

Commercial Car Charging Ports

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

That the council liaise with rural businesses with a view to supporting the installation of commercial car charging ports, throughout the municipal district.

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

A report was received from the Roads, Transportation and Public Safety Department informing the members that the Department of Transport published in April, an EV Charging Infrastructure Strategy 2022-2025 and welcomed submissions up to 31 May 2022.

Responses and submissions received as part of the consultation were being considered in the development of the final Strategy for publication. Kildare County Council awaited the final strategy document which would provide much needed detail on the capital funding needed. It was expected that any funding proposal contained in the document would require match funding by this Council which would be a challenge.



Kildare County Council

Councillor Behan stated that some commercial premises had an interest in providing charging ports and this should be promoted across small businesses in rural areas. It should be possible to charge your car while in a restaurant having a meal.

Councillor Keatley added that there were constant queues at the garages especially on Bank Holiday Weekends. He requested that a copy of the strategy document be provided to members when it was available.

Resolved on the proposal of Councillor Behan and seconded by Councillor Keatley that the report be noted.

AY10/0622

Pay Parking Review

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

Can the council provide a date for the Pay Parking Review in Athy?

A report was received from the Roads, Transportation and Public Safety Department informing the members that the Roads Department planned to review Parking Bye Laws in order as outlined in the review schedule previously circulated to members. A draft review of the Athy Parking Bye Laws was presented to the members in an “in committee” meeting in 2018. The members agreed at the time to postpone the review of the bye laws due to the Emily Square Development. Following the agreement of the Part 8 for Emily Square, other developments in Athy were added to the reasons for not moving forward with the parking bye law review. These include:- The Atrium at the back of The Heritage Centre, re-configuration of the junction at Meeting Lane/Offaly Street, Edmund Rice Square car park, the re-development of the Dominican Site, the Athy Distributor road.

Following this agreement, a number of other Municipal Districts requested the review of their Parking Bye Laws. The schedule of Works for the review of Parking Bye Laws were circulated to all Members in 2021. The list and order of review is:

Kildare Town

Newbridge

Monasterevin

Celbridge



Kildare County Council

Leixlip

Kilcock

Castledermot

Athy

Maynooth

Clane

Sallins

Johnstown

Naas

It should also be noted that the Parking Framework Document was currently under review by the Transportation SPC which may also impact the review of Parking Bye Laws.

The report was noted.

AY11/0622

Sightlines at Primary Health Care Centre

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

Can the council confirm if it has surveyed the sightlines of the entrance to the primary health care centre Athy, as per a previous question?

A report was received from the Planning Department informing the members that an inspection of the entrance was carried out in July 2021 where it was concluded that the boundary fencing impaired the sightline towards Castledermot when exiting the development onto the R418. Condition 7 of planning permission 18/583 requires a Stage 3 Road Safety to be carried out by the applicants which would examine and address this issue. The applicants were advised of same in July 2021.

The report was noted.

AY12/0622

Remedial Works St Dominics Park

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



Kildare County Council

Can the council confirm what the up to date position is in relation to remedial works being carried out to the back lanes of St. Dominic's Park, Athy?

A report was received from the Roads, Transportation and Public Safety Department informing the members that the Athy Municipal District office were waiting on Respond to complete works. The Athy Municipal District office would carry out interim repairs.

Councillor Breslin requested that clarification be provided on a timeframe for completion of works.

Mr M Kavanagh stated that he would follow up with Respond and that the Municipal District office would tidy the area in the interim.

The report was noted.

AY13/0622

Footpaths William Pearse Tce

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

Can the council confirm what plans it has to carry out reinstatement/remedial works to the footpaths in William Pearse Tce, Castledermot?

A report was received from the Roads, Transportation and Public Safety Department informing the members that there were no plans to carry out works on the footpath in William Pearse Terrace at the present time.

Councillor Breslin stated that this was an old estate with many elderly residents and had accessibility issues due to the footpaths.

Mr M Kavanagh advised that he would revert to the Municipal District Engineer with the Councillor's comments.

The report was noted.

AY14/0622

Leinster Loop Routes

The members considered the following question in the name of Councillor Behan



Kildare County Council

Can the council report back on its recent representation to cycling Ireland with regards to the Leinster loop routes in the Athy Municipal District?

A report was received from the Roads, Transportation and Public Safety Department informing the members that Transport Infrastructure Ireland (TII) was currently developing a National Cycle Network Plan (NCN) and details of the Leinster Loop were submitted to the project team for consideration as part of the NCN study.

The project team advised that the inclusion of the Leinster Loop in its entirety would not be compatible with the objectives of the NCN which were primarily focussed on delivering strategic connectivity between urban areas and key destinations for all cycle users. The project team noted that from the information available on its website, the Leinster Loop was designed for experienced and fit cyclists.

Notwithstanding the above, the NCN corridors may possibly incorporate some short sections of the Leinster Loop, but it was not currently possible to know this for certain as the NCN corridors were still being finalised.

The draft NCN was currently out for public consultation if any of the members wished to make a submission. Following a review of all submissions, the NCN corridors would be finalised.

Councillor Behan stated that the Leinster Loop should be attracting holidaying cyclists.

Mr S Deegan advised that feedback from the public consultation would go into forming the National Report.

The report was noted.

AY15/0622

Independent Living Homes

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

That the council identify another Athy Town Centre site under public ownership with the intention to start the process similar to the Dominican Site in Athy, where Cluid have initiated planning for 26 elderly independent living homes.

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



A report was received from the Housing Department informing the members that while the council does not have another town centre site in Athy at present, should the opportunity arise to acquire a suitable site the council will certainly consider the provision of housing for older persons or for other categories of special needs housing.

The members raised the following points:

- A town centre site similar to the Cluid site was needed as Athy had an aging population who needed to be close to services.
- Sites in the area were underused and underdeveloped.
- It was imperative that sites be found. There were 2 sites on the Kildare Road and another in Clonmullion that could possibly be looked at.

The District Manager advised that she was conscious of the need. Town centre sites would be looked at as the need was for age friendly accessible dwellings. She advised that the members comments would be noted and passed on to the Vacant Homes Officer.

Resolved on the proposal of Councillor Dooley and seconded by Councillor Breslin that the report be noted.

AY16/0622

Casual Trading Bye Laws

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

That the council commence the process of enacting Casual Trading Bye Laws for Athy Municipal District.

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

A report was received from the Corporate Services Department informing the members that Section 6 (1) of the Casual Trading Act 1995, as amended, (the Act) provided a statutory requirement on each local authority to make bye-laws in relation to the control, regulation, supervision and administration of casual trading in its functional area. The making of Casual Trading Bye-Laws was a reserved function of the Municipal District members in accordance with Article 31, Part 1, Schedule 3 of the Local Government Reform Act, 2014.



Kildare County Council

The minimum process/period required for the making of bye laws was set out in Section 6(6) of the Act which required a process as follows:

- A resolution by members to commence a public consultation process, involving display of Draft Bye Laws;
- A 6-week consultation period;
- A resolution to make bye laws;
- A four-week appeal period following the decision/resolution to make bye laws, after which, no appeal standing, bye laws were then made.

However, the existing market at Emily Square, Athy, as with Market Square, Kildare Town were permitted based on a market right, bestowed by Royal Charter in 1515. This was a strong legal right and there were a significant history of legal challenges where elected members had sought to introduce bye laws to regulate such markets. Advice given to the Council, and advice published by the Dept Business Enterprise and Innovation cautioned extensive consultation, beyond the statutory minimum where markets existed, and regulation was proposed.

The Kildare-Newbridge District had just made bye laws and both Celbridge-Leixlip and Naas Municipal Districts had ongoing reviews, with public consultation recently having closed for the former and with site inspections and assessments (as well as briefings with members) to be arranged for the latter.

Corporate Services could commit to briefing Athy Municipal District members on the process and gathering their feedback in June/July to start a process of drafting bye laws but it was likely that due to other commitments, a public consultation process would not commence until October/November 2022.

Councillor Breslin thanked Mr Shanahan for his work in providing the report and stated that as the process was time consuming, it needed to commence as soon as possible. There was a need for the market to be regulated.

The District Manager advised that this was a matter for the members to agree.

Resolved on the proposal of Councillor Breslin, seconded by Councillor Behan and agreed by all members that a conversation take place in June/July to commence the process.



AY17/0622

Social Housing Waiting Lists

The members considered the following question in the name of Councillor Leigh.
Can the council provide the waiting list numbers for Social Housing for the different areas in Athy Municipal District?

A report was received from the Housing Department informing the members that applicants were asked to provide three Areas of Choice when they were applying for social housing with Kildare County Council and it was important to understand that the figures provided below reflected all current choices made by all applicants. This could mean that an applicant had nominated 3 areas and was therefore included in three towns or villages listed below.

The Council currently had the following number of applicants awaiting social housing in the Athy Municipal District area:

Athy	931
Ballitore	060
Castledermot	111
Narraghmore	025
Kilberry	043
Castlemitchell/Castlerheban/Churchtown	017

Councillor Leigh queried whether people currently in HAP properties had been included. The District Manager advised that they were.
The report was noted.

AY18/0622

Horse Bye Laws

The members considered the following motion in the name of Councillor Breslin.
That the council enacts Horse Bye Laws for all towns and villages in the municipal district, similar to the bye laws in place for Athy Town.



Kildare County Council

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

A report was received from the Environment Department informing the members that for clarity, the byelaws for Athy town were introduced in 2016 and related to a defined area of Athy town.

The rest of the municipal district was covered by county byelaws introduced in 2000.

The members raised the following points:

- The bye laws introduced in Athy in 2016 had proven very successful.
- Problems now lay with other areas and there were major issues outside the Athy boundaries.
- There was a need for equine education as there was an element of animal cruelty.
- The countywide byelaws from 2000 clearly were not working as there was no enforcement. Could clarification be provided on the difference between the two sets of byelaws.
- Could the Environment Department provide clarification and a copy of the byelaws.

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

AY19/0622

Waste Water Treatment Facilities

The members considered the following question in the name of Councillor Behan.

Can the council confirm if they have plans to work closely with Irish water to ensure their waste water treatment facilities in this municipal district are up to standard to support the home building objectives in the County Development Plan?

A report was received from the Water Services Department informing the members that upgrading wastewater treatment plants was a matter for Irish Water Capital Strategy/planning/ Delivery.

The elected member should contact Irish Water via the dedicated Local Representative Service Desk in compliance with Irish Water instructions and protocol. The contact details were as follows;



Kildare County Council

Telephone: 0818 178 178

Email: localrepsupport@water.ie

Alternatively, Councillor Behan could raise this issue at the Councilors clinic due to held on 27 June.

The report was noted.

AY20/0622

Signage for Shopfronts

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

That the council adopt a set of guidelines for the types of signage that can be used on shopfronts in Athy Municipal District.

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

A report was received from the Planning Department informing the members that section 15.14 *Shopfronts* of the Draft Kildare County Development Plan 2023-2029 provided advice and guidance with respect the design and advertising on Shopfronts across all towns and villages. Furthermore, Kildare County Council had previously adopted a County Kildare Shopfront Guidance document which was available on the Council website and had informed the Draft County Development Plan policy in this regard.

A second report was received from the Local Enterprise Office informing the members that Kildare County Council established the Shop Front Improvement, Accessibility and Age Friendly to financially assist and support independent business owners to improve the appearance of their shop fronts or commercial properties this scheme was currently administered through the Economic Development Department .

Shop Front grant applications from all of the individual five Municipal Districts were currently evaluated against the same County Kildare Shopfront Guidelines as set out by the Planning and Economic Development Department of Kildare County Council back in 2013 which gave general guidance on signage, lighting, painting and overall compatibility with the streetscape appearance.



The Local Enterprise Office were currently reviewing guidelines from other Local Authorities and would consult with the Planning Department to consider an update of the existing guidelines.

The members raised the following points:

- While some premises received grants and were most aesthetically pleasing a number of businesses had taken shortcuts with cheap signage which lowered the tone. Tacky plastic signage was not appropriate and there was a need to have a standard.
- Could community wardens check these premises as aesthetics and uniformity were important.

The District Manager advised that properties not involved in the shopfront scheme would still be subject to planning enforcement.

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

AY21/0622

Woodstock Castle

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

Can the council outline what plans it has for Woodstock Castle?

A report was received from the Parks Department informing the members that Kildare County Council would like to conserve the castle. A conservation plan was required prior to carrying out any work to the castle and the required permissions. There were no immediate plans to carry this out until a masterplan for the surrounding lands were completed.

Councillor Dooley stated that he would submit the item as a motion for a future meeting as Woodstock Castle was the oldest building in Athy and not enough was being done.

The report was noted.



AY22/0622

Unspent LPT 2021

The members considered the reallocation of unspent LPT in the sum of €32,538 - €30,538 arising from unspent 2021 LPT allocations and €2,000 from the 2022 allocation not being drawn down.

The members proposed that €26,500 of the available unspent LPT be allocated as follows, leaving a balance of €6,038 to be reallocated at a future date.

Youth Diversion Programme - €8,500 [allocation made by each Municipal District at request of County Joint Policing Committee]

Bigstone Community Hall - €3,000

Fairgreen Residents Association Timolin - €4,000

Tri-Athy Festival Grant - €5,000

Gordon Bennett Reliability Trials 2022 - €4,000

Athy Photographic Society - €2,000

Resolved on the proposal of Councillor Breslin, seconded by Councillor Behan and agreed by the members, the aforementioned LPT allocations were approved.

The meeting concluded.