

**Minutes of the Athy Municipal District Meeting
held at 10.00 am on Monday, 28 March 2022
on Microsoft Teams**

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

Officials Present: Ms A Aspell (District Manager), Mr D O’Flaherty (District Engineer), Mr S Deegan, Mr D Hodgins (Senior Engineers), Ms A O’Malley (Administrative Officer), Mr S Wallace (Senior Executive Parks Superintendent), Ms P O’Rourke (Climate Action Officer), Ms S Walsh (Executive Engineer), Mr B McGrath (Meetings Administrator), Ms K O’Malley (Meetings Secretary) and others.

AY01/0322

Declaration of Interests

There were no declarations from the members of pecuniary or beneficial interests under Section 177 of the Local Government Act 2001, as amended.

AY02/0322

Minutes and Progress Report

The members considered the minutes of the monthly meeting of the Athy Municipal District held on Monday, 21 February 2022 together with the progress report.

Resolved on the proposal of Councillor Breslin and seconded by Councillor Behan that the minutes of the monthly meeting held on Monday, 21 February 2022 be confirmed and taken as read. The progress report was noted.

AY03/0322

Municipal District Road Works

A report on the municipal district road works was circulated to the members in advance of the meeting. The District Engineer made the following points:

- The Road Improvement Works and Road Maintenance Works Schemes were being prepared in the last few weeks and were ready to go.
- All Road Improvement and Road Maintenance works were carried out last year.
- Works on the R417 Athy to Carlow Road would be commencing in the next two to three weeks.
- Allocations for 2022 had not yet been received from the Department of Agriculture for the Local Improvement Schemes.
- Allocations had been received from Department of Transport for the Community Involvement Schemes.
- Signage had been upgraded when road surfaces were upgraded.
- A bench had been installed and four planters as part of the Public Realm Works.

In response to a query in relation to the replacement and upgrading of bins, the District Engineer informed the members that there were ten new bins purchased and a decision had to be made on where to allocate them which could be done when discussing LPT.

AY04/0322

Athy Municipal District LPT Schedule of Works 2022

The Cathaoirleach asked that the item be adjourned and proposed that a special meeting take place online at 4.00 pm on Tuesday, 29 March 2022 to agree the Athy Municipal District LPT Schedule of Works 2022. All members agreed.

Resolved on the proposal of the Cathaoirleach and agreed by all the members that the item be adjourned to a special meeting at 4.00 pm on Tuesday, 29 March 2022 on Microsoft Teams.

AY05/0322

Update on the Athy Distributor Road.

This item was adjourned to the April meeting of the Athy Municipal District Committee.

AY06/0322

Taking in Charge of 8-13 Cluain Bearú, Athy

The members considered the taking in charge of 8-13 Cluain Bearú, Athy.

The Cathaoirleach confirmed that there had been a few minor issues with Cluain Bearú. Ms Walsh stated Cluain Bearú was now ready to be taken in charge.

Resolved on the proposal of Councillor Dooley, seconded by Councillor Breslin and agreed by all the members that 8-13 Cluain Bearú, Athy be taken in charge.

AY07/0322

Taking in Charge of Carrighill Lower, Calverstown

The members considered the taking in charge of Carrighill Lower, Calverstown.

The Cathaoirleach confirmed that there had been a few minor issues with Carrighill Lower. Ms Walsh stated there was a small amount of work to be completed in Carrighill Lower and she was liaising with the Municipal District office in this regard.

Resolved on the proposal of Councillor Keatley, seconded by Councillor Leigh and agreed by all the members that Carrighill Lower, Calverstown be taken in charge.

AY08/0322

Taking in Charge of Cluain Ard in Kilmead

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

Can the council update members on the schedule for the taking in charge of Cluain Ard in Kilmead?

A report was received from the Chief Fire Officer informing the members that as per Section 180 of the Planning and Development Act 2000 (taking in charge of estates) the council require a valid Taking in Charge (TIC) request from a majority of the owners to initiate proceedings (to correct defects and get the estate up to a TIC

standard). The council have no record of a valid 'Section 180' request. Please note, this is a procedural issue which needs to be addressed by the owners. Members may be able to assist the owners in the preparation of same and Development Control admin staff can prepare documents in this regard if required. In the interim, to avoid delays, we have called in the bond for this estate to allow us to remediate the estate once we receive the TIC request. Once a valid TIC request is received, we will commence the engagement process with Irish Water to develop and agree a Site Resolution Plan. However, we should point out that there are currently in excess of 100 estates with taking in charge requests submitted to Kildare County Council which are being worked through the statutory process. We are prioritising estates in order of receipt of a valid taking in charge request date.

The report was noted.

AY09/0322

Update on the Sustainable Transport and Active Travel Team Projects

Mr Hodgins updated the members on the Sustainable Transport and Active Travel Team projects stating that the major project in Athy was the cycle lane scheme connecting the Carlow Road Junction with the Distributor Road.

He stated that the following three schemes were being carried out across the whole county:

- Vulnerable Road Users Scheme
- Safe Routes to Schools Scheme
- Cycle parking scheme at Schools or Sports Grounds

The Cathaoirleach thanked Mr Hodgins for his presentation stating that there were simple ways to improve safety of children cycling to school.

AY10/0322

Trees Blocking Roads

The members considered the following motion in the name of Councillor Leigh. That Kildares Fire Service outline their role regarding trees blown down by high winds that are blocking roads.

The motion was proposed by Councillor Leigh, seconded by Councillor Dooley.

A report was received from the Chief Fire Officer informing the members that the primary legislation that covered the work of the Fire Service was the Fire Services Acts 1981 and 2003. Section 10 of the Act sets out the functions of the Fire Authority. In accordance with this section the Fire Authority was required “to make provision for the prompt and efficient extinguishing of fires in buildings and other places of all kinds in its functional area and for the protection and rescue of persons and property from injury by fire.” Windblown trees were not a fire service emergency. The ERCC (East Region Control Centre), which mobilises the crews in Kildare, had instructions to direct calls for windblown trees to the relevant Municipal District office by day and to the Out of Hours Service at night.

The members made the following points:

- On 20 February 2022 a number of trees had fallen as result of a storm and they were trying to establish the role of the Fire Service in these such situations.
- Ivy was weakening trees and contributing to them falling during storms.
- Trees in rural areas were causing a lot of these issues.
- Members of the public were often first on site and the local response was very important and it was important to acknowledge this.
- It would be beneficial if the members could find out who to ring when reports were received of trees blocking a road as it was often a collaborative effort to unblock a road.
- The Municipal District Office were always willing to assist in such instances while ensuring the safety of workers was taken into consideration.
- Often trees that fall onto roads were from private properties and were the responsibility of the landowner.

The District Engineer stated that the Municipal District Office were a backup service and when reports of trees blocking roads were received, if possible they would carry out an assessment of the situation while being mindful of the safety of workers prior

to carrying out any work however they were not an emergency service and this did not fall under their remit.

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

AY11/0322

Pedestrian Crossing from the Railway Station, Athy

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

That the council provide a pedestrian crossing from the Railway Station, Athy to the footpath across the street.

The motion was proposed by Councillor Leigh, seconded by Councillor Dooley.

A report was received from the Roads, Transportation and Public Safety Department informing the members that the Road Design Team would investigate the installation of a pedestrian crossing along with the new footpath to be delivered as part of the Athy Distributor Road works on the eastern side of Church Road.

The members made the following points:

- This was probably the only train station in the country without a pedestrian crossing.
- People had returned to using trains and this location could be quite dangerous.
- A pedestrian crossing should be installed close to the bus stop.
- It was hoped the Road Design Team would revert to the members with a design as soon as possible.

Mr Deegan stated that the installation of a pedestrian crossing could be looked at with the new footpath to be delivered as part of the Athy Distributor Road.

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

AY12/0322

Road Markings to highlight the Leinster Loop Cycle Route

The members considered the following motion in the name of Councillor Behan. That the council use road marking to highlight the Leinster Loop Cycle Route in this municipal district, similar to those used in the Carlow and Kilkenny sections.

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

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 had established an Advisory Group, the membership of which includes the Department of Transport, National Transport Authority and the City and County Managers Association (represented by Kildare County Council Director of Roads and Roscommon County Council Director of Roads). The Strategic National Cycle Network Plan was being developed in consultation and coordination with the NTA's development of the regional and county cycle network plans. NCN would also interface with urban road networks, cross border and the Eurovelo route. It was anticipated that up to 10 national cycle corridors would be identified and ensuring connectivity would be a key issue. There would be consistent signage and markings on the routes identified. If the members were in agreement, the issue of signage and road markings of the Leinster Loop would be brought to the next NCN meeting, scheduled to take place on 23 March.

The members made the following comments:

- Could they get a report on the NCN meeting of 23 March 2022.
- Many people that book cycling holidays use these routes, cycling clubs also cycle these routes.
- Road markings on cycle loops were in place in Carlow and Kilkenny.
- Kildare County Council should use this resource to develop the neighbourhood for cycling.
- The regional roads were in good condition and this was why cyclists were using them.

- Cycling should be taken into consideration when roads were being marked.
- The members asked that the item remain on the progress report so an update from the NCN meeting that took place could be provided.
- A route map would be beneficial.

Mr Deegan undertook to follow up with the Director of Services to report on the NCN meeting.

Resolved on the proposal of Councillor Behan, seconded by Councillor Keatley that the report be noted and Mr Deegan to follow up with the Director of Services for an update on the NCN meeting that took place. This item to remain on the progress report.

AY13/0322

Anti Skid Surface on the L4009, R417 junction in Maganey

The members considered the following motion in the name of Councillor Behan. That the council install an anti-skid surface on the L4009, R417 junction in Maganey.

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

A report was received from the Roads, Transportation and Public Safety Department informing the members that work on the L4009 was included in the 2022/2023 Restoration Improvement/Restoration Maintenance projects from junction R417 to Knockroe.

Councillor Behan stated that it was important for this work to be carried out as the hill was very dangerous and cars had driven down the hill and gone straight across the road. The District Engineer confirmed that the road would be surface dressed this summer from the railway bridge down to the junction.

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

AY14/0322

Remedial Works on the road at Paudeenstown, Athy

The members considered the following motion in the name of Councillor Breslin.
That the council carry out remedial works to the road at Paudeenstown, Athy.

The motion was proposed by Councillor Breslin, seconded by Councillor Keatley.

A report was received from the Roads, Transportation and Public Safety Department informing the members that this work would be considered under the general road maintenance plan for 2022.

Councillor Breslin asked if additional signage could be installed at this location as she had received complaints from people living on the road who were having difficulty with people parking across their driveways. The District Engineer confirmed that the Municipal District Office would edge, patch and surface dress the road during the summer and that he would speak to the Parking Fines Office in relation to parking bye-laws to see if a long term solution could be identified to resolve the issue of people parking across driveways.

Resolved on the proposal of Councillor Breslin, seconded by Councillor Keatley that the report be noted and the District Engineer speaks to the Parking Fines Office in relation to parking bye-laws to see if a long term solution could be identified to resolve the issue of people parking across driveways.

AY15/0322

Additional Street Lighting in William Pierce Terrace, Castledermot

The members considered the following question in the name of Councillor Behan.
Can the council confirm if it has plans to provide additional street lighting in William Pierce Terrace, Castledermot given that there a number of poorly lit footpaths?

A report was received from the Roads, Transportation and Public Safety Department informing the members that the distance between the streetlight was determined by

design standards. There was no funding within the current (2022) revenue budget for the installation of any additional public lighting. The request for lighting at this location was recorded on the Kildare Lighting Infrastructure Priority Schedule (KLIPS) system. A design and costing, €26,500, had been obtained and awaits funding to progress.

The report was noted.

AY16/0322

St Joseph's Terrace and St Dominics Terrace, Athy

The members considered the following question in the name of Councillor Dooley. Can the council outline what the timeline is for works to begin on the back lanes of St Joseph's Terrace and St Dominics Terrace, Athy?

A report was received from the Roads, Transportation and Public Safety Department informing the members that 'Respond' had outstanding works to complete at this location. Until such time as these works were complete, the Municipal District Office was unable to provide a timeline. Once these works were complete the work on the back lanes would be costed and specifications would be issued to the members.

The report was noted.

AY17/0322

Resurfacing Works in Castleroe West, Maganey

The members considered the following question in the name of Councillor Dooley. Can the council confirm if resurfacing works will be carried out in Castleroe West, Maganey this year?

A report was received from Roads, Transportation and Public Safety Department informing the members that work on the L4009 was included in the 2022/2023 Restoration Improvement/ Restoration Maintenance from junction R417 to Knockroe. The report was noted.

AY18/0322

Installation of Bus Shelter in Castledermot

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

Can the council provide a timeframe for the installation of a bus shelter in Castledermot?

A report was received from the Roads, Transportation and Public Safety Department informing the members that the Sustainable Transport Team had prepared designs for a new bus shelter to be installed along the existing In-Bound bus stop. These designs had been submitted to the municipal district office for their inspection/comments and requested that they liaise with the owners/occupiers of the commercial premises fronting onto the existing bus stop and make them aware of the proposals and get their comments. Once an update was received from the municipal district office on this, the Section 38 public notices could be published and the procurement process to appoint a contractor could commence. The council anticipate that the installation of the new shelter is estimated to be completed by Quarter 2 this year, pending supply chain issues for new bus shelters having been resolved by the NTA's appointed contactors.

The report was noted.

AY19/0322

Resurfaced Lanes in St Michael's Cemetery

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

That the council finish the edges of the resurfaced lanes in St Michael's cemetery with a cement curbing.

The motion was proposed by Councillor Dooley, seconded by Councillor Leigh.

A report was received from the Environment Department informing the members that the recent works at St Michael's Cemetery were nearing completion, with the edging yet to be finished with seeded top-soil. When completed, the newly surfaced paths and roads would provide a tidy and efficient system of access throughout the

cemetery. The installation of kerbing only serves to create a costly nuisance in terms of narrowing the space, damaging tyres, and causing surface water drainage problems. The council would urge the members to wait for the works to be complete and review then as to whether further improvements are required.

The members made the following points:

- It was the older part of the cemetery that kerbing was being sought for.
- It would be great to see the proposed design for the completion of the recent cemetery works that were being carried out.
- The members were willing to wait for the works to be completed and review then, as to whether further improvements were required.
- The new part of the cemetery was kerbed and there had been no reports of damage to cars there.
- Could litter that had been dumped in the cemetery be removed.
- There was a nice stone used in Crookstown Cemetery which potentially could be used for the kerbing.

The Meetings Administrator confirmed that he would relay the members comments to the Environment Department.

The Cathaoirleach asked that the item remain on the progress report.

Resolved on the proposal of Councillor Dooley, seconded by Councillor Leigh that the report be noted and the Meetings Administrator to relay the members comments to the Environment Department. The item to remain on the progress report.

AY20/0322

CCTV Cameras in St Michael's Cemetery

The members considered the following motion in the name of Councillor Dooley. That the council install CCTV cameras in St Michael's cemetery to stop domestic rubbish being placed in cemetery bins.

The motion was proposed by Councillor Dooley, seconded by Councillor Behan.

A report was received from the Environment Department informing the members that the council and its local cemetery caretaker continue to work with the local community with regard to the proper use of the bins in St Michael's Cemetery Athy. However, as reported at previous municipal district meetings, the processing of data through CCTV poses a risk to the rights and freedoms of individuals, and the council must have a legal basis for the processing of personal data through the use of CCTV. The General Data Protection Regulations (GDPR) significantly increase the obligations and responsibilities for organisations and businesses in how they collect, use and protect personal data. Organisations are required to be fully transparent about how they are using and safeguarding personal data, and to be able to demonstrate accountability for their data processing activities.

Recognisable images captured by CCTV systems are "personal data" and are subject to the provisions of the Data Protection Acts. In addition to the cost of CCTV, and legal issues around GDPR and potential breaches of privacy, the operation of CCTV can give rise to some practical operational difficulties (eg personal identification). The council were keen to work with the members in coming up with an alternative solution.

The members made the following points:

- A number of reports of domestic rubbish being put in bins in cemeteries had been received.
- A suggestion was made that the Athy Municipal District members and relevant staff have a meeting to identify how to address the issue going forward.
- On occasions the bins were too heavy and the trucks collecting them could not lift them, and there had been instances of clay being placed in the bins.

Ms O'Malley made the following points:

- Issues in relation to restrictions related to CCTV had been confirmed to the members previously.
- She would revert to the Senior Executive Officer in relation to arranging a meeting with the members on the issue of domestic rubbish being placed in cemetery bins.

Resolved on the proposal of Councillor Dooley, seconded by Councillor Behan that the report be noted and Ms O'Malley revert to the Senior Executive Officer in relation to arranging a meeting with the members on the issue of domestic rubbish being placed in cemetery bins.

AY21/0322

Parks Works Programme 2022

The members considered the Parks Works Programme 2022.

They thanked Mr Wallace and his team for all their work particularly their work at the Moat of Ardscull, their work in Athy Town and for meeting the people of Athy in relation to the People Park.

In response to queries from the members, Mr Wallace made the following points:

- The €250,000 Sláinte Care Grant for the Peoples Park was not all spent, works had commenced recently.
- The grant was to improve the park for use for exercise, to widen the footpaths and add in additional footpaths for a looped wall. The grant would be used for works that would increase accessibility.
- Communication boards would be put in place for people with disabilities.
- Paving to match what was currently in the playground would be provided.
- It was hoped that works at the Moat of Ardscull would be completed this year.

Mr Wallace responded as follows:

- €60,000 was required every year for weed control since the use of glyphosate was ceased, and there was no funding available from the Department for that.
- Signs for the park were on order.
- It was hoped that people would park in the Community Centre and walk to the park.

The members welcomed the report and agreed that they would organise an opening of the People Park as this would be fitting given the community involvement in the work and the success it had been.

Ms O'Rourke then gave a presentation to the members on works proposed for reduced grass maintenance and use of glyphosate. She highlighted the timeline and targets for these works from 2019 to date and what was planned for the future. She explained the "Demystifying Circular Economy" concept to the members with respect to the project to create renewable gas from waste grass. She finished by clarifying which sites had been selected for the municipal district projects and what would be carried out at each site.

The members made the following points:

- They thanked Ms O'Rourke and her team for the update and the work carried out to date
- The use of cut grass to generate fuel was very interesting
- Members of the public were getting used to the less frequent grass cutting regime
- Could grass collected from Private Housing Estates being used for the fuel generation
- Having a facility in Kildare to compost grass was an added benefit
- Would Ms O'Rourke be available to advise community groups

In response to question from the members, Mr O Rourke made the following points:

- She would be available to advise community groups
- Other local authorities were interested in the outcome of the grass composting
- She would be meeting the company who were composting the grass to review the operation

AY22/0322

Tourist Office in Athy

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

Can the council confirm if plans are in place to provide a Tourist Office in Athy?

A report was received from the Economic, Community and Cultural Development Department thanking the members for their interest in promoting Athy as a tourist destination and informing them that currently in Athy there was the Athy Heritage Centre, a designated Fáilte Ireland Visitor Information Point. The Centre was located at an important tourist area and was a key focal point in the town, especially given the development taking place there. In addition, there were Town Information panels (currently being updated by Kildare Fáilte), an Historic Trail (collaboration between Kildare Fáilte, Fáilte Ireland and Kildare County Council) and a new map for Athy that would be available at other key visitor touch points such as hotels, restaurants and cafés in the town. These information points supplement the research carried out on line by visitors in advance through the information available on the county tourism website www.intokildare.ie.

Fáilte Ireland has advised, and encourage, visitor experiences to become Visitor Information Points and Community Tourist Offices which are supplemented by other visitor points such as accommodation, restaurants, cafés, attractions etc. Fáilte Ireland have closed many of their own tourist offices to facilitate this new model which is community led. Kildare Fáilte supports and collaborates with community groups to promote towns, villages and visitor experiences.

The report was noted.

AY23/0322

Athy Food, Drinks and Skills Innovation Hub

The members considered the following question in the name of Councillor Breslin.
Can the council confirm the up to date position in relation to the development of the Athy Food, Drinks and Skills Innovation Hub at the Model School, Athy?

A report was received from the Local Enterprise Office informing the members that the project team had recently signed off on the design for the Athy Food, Drinks & Skills Innovation Hub. Minor site clearance works were currently underway at the site. A tender process inviting expressions of interest from building contractors with

regard to a prospective Public Works Contract consisting of a programme of refurbishment, conservation works and re-purposing works to the existing Model School was conducted in November 2021 and a panel of suitably qualified contractors has been formed. The Economic Development unit were preparing a comprehensive funding application under Category 1 of the Rural Regeneration and Development fund in advance of the deadline at the end of April. Subject to a successful funding application, the project team would be in a position to proceed with the tender for construction in Quarter 4 2022. The design team were currently finalising a full suite of documentation in preparation for any future tender for construction works.

The report was noted.

The meeting concluded.