# Minutes of the Maynooth Municipal District Meeting held on Friday, 05 April 2019 at 10:00 am in the Council Chamber, Áras Chill Dara, Naas, Co Kildare

Members Present: Councillor T Durkan (Cathaoirleach), Councillors R Cronin

D Fitzpatrick, P McEvoy, J McGinley, T Murray, N O'Cearúil,

P Ward and B Weld.

Officials Present: Ms M Hunt (A/District Manager), Mr J Deane (District Engineer),

Mr M Dowling (Executive Planner), Ms E Wright, Ms A Aspell, Mr G

Halton (Senior Executive Officers), Mr S Wallace (Senior Executive

Parks Superintendent), Mr E Fagan Administrative Officer),

Mr G Maher (Senior Staff Officer), Ms A Gough (Meetings

Administrator), Ms N Smullen (Meetings Secretary).

#### MY01/0419

# **Minutes and Progress Report**

The members considered the minutes of the monthly Maynooth Municipal District meeting held on Friday, 01 March 2019 together with the progress report.

**Resolved** on the proposal of Councillor McGinley seconded by Councillor Ward that the minutes of the monthly Maynooth Municipal District meeting held on Friday, 01 March 2019 be taken as read. The progress report was noted.

# MY02/0419

### **Matters Arising**

# Kilbrook Estate, Kilshanroe (MY05/0319)

Councillor Fitzpatrick asked if there was any update in relation to the financing of the wastewater treatment plant in Kilbrook Estate and the Meetings Administrator stated there was a report on item (MY05/0319) on page one of the progress report which stated Kildare County Council was paying for public lighting in relation to Kilmurray Brook Estate and did not pay for maintenance of the wastewater treatment plant.

# Joint Committee with Coillte (MY30/0319)

Councillor Weld asked if there was any update on the formation of a joint committee with council officials, other stakeholders and Coillte. He requested that an update for the Maynooth Municipal District in May and asked if an update was available before then that it be emailed to the members. Councillor Murray stated that she had attended the meeting with Coillte and the main issue was the condition of the wall and gaining access to the Donadea Forest Park. She stated that the representative from Coillte was open to suggestions to help solve these problems but that a joint committee was needed and asked for a report back in relation to setting up the committee.

# **Carton Avenue Preservation Society Presentation (MY07/0219)**

Councillor McGinley stated that the members had been advised at the FebruaryMaynooth Municipal District meeting, in the reply to Councillor Durkan's motion:

"That the design of the access from Lime Tree Hall to Carton Avenue is the subject of a compliance submission which is currently being accessed by the Planning Authority." He stated that in view of the very strong opposition by all of the councillors to what had been proposed he thought that the issue would have come back to the councillors for their input before any alterations were carried out on the avenue. Councillor McGinley stated that the Carton Avenue Preservation Society's views had been ignored by council officials and he questioned the value of the deputations when the council did not reply to the Carton Avenue Preservation Society. He stated that according to the developer the council had agreed for works on the avenue to go ahead without any consultation with the members and he had hoped the Director of Services for Planning and Strategic Development would be in attendance at the meeting that day. Councillor McGinley stated that the council had let the members and the Carton Avenue Presentation Society down by not reverting to them in relation to planned works on the avenue and stated he would like a reply as to what is happening in relation to alterations on the avenue. Ms Hunt A/District Manager informed the members that she would note Councillor McGinley's comments and concerns and refer them to the District Manager. Councillor Weld asked if the Director of Service for Planning and Strategic Development could be asked to address the issues raised by attending the meeting that day and the A/District Manager stated the Director of Service for Planning and Strategic Development was not available. Councillor Durkan suggested that the members continue with other items on the agenda while the Meetings Administrator sought a representative from the Planning and Strategic Development Department to attend the meeting. The

A/District Manager informed the members that the Planning and Strategic Development Department had advised that there was no official acting for the Director of Service for the Planning Department available to attend the meeting. Councillor Weld stated that if no one was available on that day that an urgent meeting should be held the following week for a briefing and an update on issues raised by Councillor McGinley. Councillor Cronin stated that it was inappropriate for a draft code of conduct to be issued to the members as part of the progress report. She asked what discussions had taken place with the developer and stated no works should proceed until the members and the public were consulted.

Councillor Ó Cearúil stated it was unacceptable that no official from the Planning and Strategic Development Department was available to attend the meeting that day and stated a briefing was not sufficient and a statutory meeting was required for decisions to be made. Councillor Cronin asked that no further works be carried out by the developer and the A/District Manager stated the council could not prevent the developer from carrying out works on the avenue. Councillor Durkan proposed a Special Meeting of the Maynooth Municipal District Committee be held on Friday 12 April to discuss the issues raised in relation to Carton Avenue. He asked that the Director of Services for Planning, Senior Planners, officials from the Parks Department, the District Manager and other relevant bodies be in attendance at the meeting. It was agreed by all members that a Special meeting be held on Friday 12 April.

**Resolved** on the proposal of Councillor McGinley, seconded by Councillor Ó Cearúil and agreed by all members present that a Special meeting be held on Friday 12 April.

### Work Programme for the Public Park in Prosperous (MY33/0319)

Councillor Weld asked why additional consultants were being appointed when a plan for the design of the park had already been drawn up and asked why the works could not proceed on a phased basis. Mr Wallace stated that there were issues with the drainage on the site and a plan was needed to facilitate this. He stated that the consultants were being appointed by the Roads, Transportation and Public Safety Department to examine the drainage issue and once this was resolved works on the site could proceed.

Councillor Weld asked if a timeframe for the drainage issue to be addressed was known and

Ms Wright stated she would follow up on the matter to establish an indicative time line and revert to Councillor Weld.

### Old Bakery site in Kilcock (MY33/1218)

Councillor Ward asked if there was any update with identifying the owner of the Old Bakery site and Mr Fagan stated that the owner had been identified and he would ask the Environment Section to revert to the members on same.

# **Entrance to Moyglare Hall (MY20/1218)**

Councillor Ó Cearúil asked when the second entrance to Moyglare Hall would be opened up and the District Engineer stated motion 8 on the agenda would address this matter.

#### MY03/0419

# **Presentation from Kildare County Childcare Committee**

The Cathaoirleach welcomed Ms McNamara, Chief Executive Officer of Kildare County Childcare Committee to the meeting. Ms McNamara informed the members that the Kildare County Childcare Committee provided subsidised childcare for children in County Kildare. She stated their aim was to promote a quality accessible childcare provision for all children from birth to the age of 14 which was affordable and was child and family centred. Ms McNamara stated that services generally had not kept pace with the population growth throughout Kildare and the demand for childcare was exceeding services available. She stated childcare facilities in Kildare were dominated by the private sector with 96% of facilities being provided by private companies. Ms McNamara stated that services providers needed to consider the needs of parents as well as children and stated recruitment and retention of staff was a major challenge for them. She stated Kildare County Council was the most important source of support they had (82%) and stated Maynooth, Prosperous and surrounding areas were poorly serviced and waiting lists for facilities were increasing. Ms McNamara informed the members that they were working with the Department of Children and Youth Affairs (DCYA) and local agencies in developing a Childcare Working Group and Kildare County Council had agreed to be represented on the Childcare Working Group. She stated Tulsa would be available to offer family support to all service providers and they would work with the County Kildare Leader Programme (CKLP) and Kildare County Council in addressing areas where there were a lack of childcare services.

Councillor Ó Cearúil thanked Ms McNamara for her presentation and stated it was clear from the presentation that childcare places was one of the major issues facing Maynooth and Kildare generallly. He asked what the council needed to do to address the fact that the

majority of childcare services were operated by private companies. Ms McNamara stated that the Maynooth area lacked childcare facilities and stated there should be a childcare facility available per every 70 houses. She stated previoulsy there were grants available but it had been difficult to get stakeholders to avail of them. Councillor McGinley thanked Ms McNamara for her presentation and noted Maynooth had been identified as a problem area and stated he had submitted a motion regarding this issue previously and the developer had stated there was no demand for childcare facilities. Councillor Cronin thanked Ms McNamara for her presentationa and stated it was important that childcare facilities were recognised as educational establishments. Councillor McEvoy thanked Ms McNamara for her presentationa and stated it revealed the lack of clarity countywide and highlighted the importance of the need analaysis. He stated it would be beneficial for Ms McNamara to link up with the Economic, Planning and Strategic Development Strategic Policy Committee (SPC). Ms McNamara stated she welcomed the possibility of strengthening their links with the council. Councillor Durkan thanked Ms McNamara for her presentationa and stated that it was important to work on implementing policies to ensure there was one childcare facility available per a specific number of houses and stated it was something relevant for the Maynooath Local Area Plan (LAP) and the Kildare County Development Plan (CDP).

#### MY04/0419

# Municipal district road works

The District Engineer informed the members that the Municipal District Office was still working on the completion of works from the 2018 list of road's projects. He stated that and proposed works on Millicent Bridge would be advertised via a public consultation process. He stated that the list of roads projects for 2019 were being discussed and designed and that there were insufficient funds to carry out works on footpaths in some housing estates due to the fact works on all footpaths within estates needed to be completed fully before commencing others, he stated this could be discussed further with the members. The District Engineer stated that the drainage works on Rathcoffey Road were awaiting a final design and stated he would keep the members informed of progress. Councillor McGinley asked to what extent the footpath on the canal side of Newtown Road would be widened and the District Engineer stated that it had been a long term challenge given the fact there was insufficient space to widen the footpath. He stated he had met with various landowners and it would not be possible to widen the footpath to the standard minimum width of 1.8 metres

but he would construct a sub optimal path within the available road corridor in line with agreements with individual land owners.

#### MY05/0419

The Cathaoirleach requested that items 18 and 29 on the agenda be taken next. All the members agreed.

#### Item 18

### Accidents related to speeding in Kilshanroe

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

Can this municipal district committee be provided with an update from the Municipal District Engineer with regard to accidents related to speeding in Kilshanroe?

A report was received from the Roads, Transportation and Public Safety Department informing the members that they did not have current statistics on road accidents/collisions related to speeding. This information was recorded and retained by An Garda Síochána who enforced speed limits. The Road Design Section carried out a site inspection in December 2018 in Kilshanroe and confirmed that the speed display signage in place was operating correctly (speed limit is 50kph) and the appropriate road markings were in place. A further inspection during school closing time was scheduled to take place on 03 April 2019 by the Road Safety Officer to examine driver behaviour/parking etc. during school pick up time.

Councillor Fitzpatrick asked when the outcome of the inspection would be known and Ms Wright stated that the Road Safety Officer and the Chief Technician would work with the school to address parking issues and the Roads, Transportation and Public Safety Department would follow up in relation to speeding issues with An Garda Soichána. The report was noted.

#### MY06/0419

#### Item 29

# Tonnage figures submitted by Bord Na Móna

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

That the council as a matter of urgency check that the tonnage figures submitted by Bord Na Móna for the purpose of Community Gain be checked immediately in light of the figures that were discussed as part of the recent oral hearing.

The motion was proposed by Councillor Fitzpatrick and seconded by Councillor Weld.

A report was received from the Environment and Water Services Department informing the members that the Environment Section had been in contact with the facility to confirm the position regarding tonnage levels in relation to Community Gain.

Councillor Fitzpatrick stated that he had obtained figures for funding for Community Gain over previous years and each year the figures were decreasing even though the tonnage entering the Drehid Facility were increasing. He stated he had attended the oral hearing recently and Bord Na Móna agreed that tonnage entering the facility is increasing. He asked that the council investigate the matter to ensure Bord Na Móna is adhering with requirements and the community are getting maximum gain.

A discussion took place and the following points were made:

- 1. Councillor Weld supported the motion and noted it was odd that tonnage figures were increasing and funding for the community was decreasing.
- Councillor McEvoy supported the motion and stated there was not adequate transparency or shared view with regard to the figures and he asked that the council write to An Bord Pleanála to establish the current situation with regard to the community funding figures.
- 3. Councillor Fitzpatrick stated that he was asking the council to ensure calculation of funding for Community Gain was correct.

4. Councillor Ó Cearúil stated that there was a difference of €300,000 funding which the community were not availing of and there was no representative from the Environment Section available at the meeting to comment on the matter, he asked that this item remain on the progress report.

**Resolved** on the proposal of Councillor Fitzpatrick, seconded by Councillor Weld that the report be noted and that this item remain on the progress report.

#### MY07/0419

#### **Election Posters**

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

With regard to the upcoming local elections 2019, that this Municipal District confirm what has been agreed to in relation to areas to be kept 'poster free' so that all candidates running in the local elections can be advised accordingly.

A report was circulated to the members detailing requests from the various Tidy Towns and Community Councils within the Maynooth Municipal District.

Councillor McGinley stated that the Tidy Towns Competition was due to commence in June and stated it was important to take on board the relevant input received from all groups. Councillor Durkan stated that the boundaries would be divided with the new electoral areas and suggested that councillors deal with their areas of remit. Councillor Murray stated she agreed with mandate received from Maynooth Community Council and stated she agreed generally with information received. Councillor Ward noted that Kilcok Tidy Towns requested the Square in Kilcock to be kept poster free and he stated he agreed with this. Councillor Cronin stated she was a member of Maynooth Community Council and stated she respected the Tidy Town's Committees requests. She stated she did not agree with keeping Clane Village poster free as it was important to advertise new candidates.

Councillor O'Cearúil stated that it was important other candidates running for election abided to the boundaries with their posters. The Meetings Administrator informed the members that the purpose of the exercise was to get suggestions from the members and not to make a policy on election posters.

The Cathaoirleach called for a vote to be taken on the suggestions received in relation to areas to areas to be kept 'poster free' so that all candidates running in the local elections can be advised accordingly.

**Resolved** on the proposal of Councillor Durkan, seconded by Councillor McEvoy with five members voting in favour, two against and two abstaining that Maynooth Main Street, and the Square covering the area from the Presentation Girls School to St. Mary's Boys School be kept poster free. The Square in Kilcock to be kept poster free, Clane Village to be kept poster free and posters in Allenwood not to be displayed within the speed limits of the village.

#### MY08/0419

# **Commercial site in Chambers Park, Kilcock**

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

That the council contact KPMG to request them to undertake work to improve the current unsatisfactory appearance and condition of the vacant commercial site in Chambers Park, Kilcock and to request an update from them on the timeline for the commencement of sale process of these units.

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

A report was received from the Roads, Transportation and Public Safety Department informing the members that Building and Development Control staff had engaged with Capita Asset Services (Ireland) Ltd. who was acting for and on behalf of ACC Loan Management Ltd. in relation to the proposed sale of the commercial properties on the open market. The council had agreed to withdraw the Enforcement Notice to facilitate the sale of the commercial units. The agreement currently in place was that Kildare County Council would get 50% of the sale proceeds from the sale of the commercial units. The Building and Development Control Section had contacted Capita Asset Services (Ireland) Ltd. regarding the general unsatisfactory condition of the units and requested that this be addressed.

Councillor Ward noted that the council had contacted Capita Asset Services (Ireland) Ltd. and asked what they were going to do in relation to the unsatisfactory condition of the units, the lease agreement and the sale of the units and asked if a timeframe was known.

Mr Halton stated he would liaise with the Building and Development Control Department and revert to Councillor Ward.

**Resolved** on the proposal of Councillor Ward, seconded by Councillor Ó Cearúil that the report be noted and that the Building and Development Control Department revert to Councillor Ward as to what action Capita Asset Services (Ireland) Ltd. were going to take in relation to the unsatisfactory condition of the units, the lease agreement and the sale of the units and a timeframe for same.

### MY09/0419

### Sale of private parking spaces within public open space amenities

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

That the council report on the housing estates in the Maynooth Municipal District where developers have sold private parking spaces within public open space amenities and the implications involved for the taking in charge process.

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

A report was received from the Roads, Transportation and Public Safety Department informing the members that the only estate the Building and Development Control Section were aware where this had happened was Hayfield Manor in Maynooth. The developer sold the parking spaces without making the Building and Development Control Section aware of their intent. Kildare County Council would not be taking these in charge, may require a wayleave over these spaces and were awaiting the proposed taking in charge drawing to review. The Building and Development Control Section highlights this as an issue at all start up meetings now.

Councillor Murray stated that rather than highlight this as an issue at start up meetings the Planning and Strategic Development Department should develop a policy to prevent it happening. Councillor McEvoy stated the council should alert the developer not to sell car parking spaces as this would inhibit the taking in charge process for estates. Councillor McGinley stated that the developer had not abided by the County Development Plan and stated it was an enforcement issue which should be addressed with the developer.

Mr Halton stated that when an estate was taken in charge the council requested that the ownership of all public spaces was transferred to Kildare County Council. He stated that in this particular case unless the residents requested the taking in charge process it could not proceed. Councillor Murray confirmed the residents were requesting the estate to be taken in charge. Mr Halton stated that under the Planning and Development Act 2000 the developer and/or the residents could ask for the estate to be taken in charge. Councillor Ó Cearúil asked if an estate could not be taken in charge whilst car parking spaces were owned privately and Mr Halton stated it would be decided on by the members at full council. He stated there were a number of estates which had been taken in charge where lands and amenities still belonged to developers.

Councillor Ó Cearúil stated that a concise policy was required for the taking in charge of estates and it would be a matter to be forwarded to the Economic, Planning and Strategic Development Strategic Policy Committee (SPC). Councillor Murray agreed that policy needed to be formulated to ensure consistency with the taking in charge process.

Resolved on the proposal of Councillor Murray, seconded by Councillor McEvoy that the report be noted.

#### MY10/0419

# Section 38 proposed yellow lines/parking restrictions at Church Street

The members considered the Road Traffic Act 1994 – Section 38 proposed yellow lines/parking restrictions at Church Street, Kilcock, Co. Kildare.

**Resolved** on the proposal of Councillor Ward, seconded by Councillor Durkan and agreed by all members present that the Section 38 proposal for yellow lines/parking restrictions at Church Street, Kilcock, Co. Kildare be approved.

#### MY11/0419

The Cathaoirleach requested that item 8 and 23 on the agenda be taken next. All the members agreed.

#### Item 8

# Traffic management measures for Moyglare Hall

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

That the council put in place appropriate traffic management measures to prevent cars from using the Moyglare Hall through road as a "rat run" to the new schools, prior to the opening of the new road and the schools.

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

A report was received from the Roads, Transportation and Public Safety Department informing the members that the Roads Design Section advised that the Moyglare Hall Road was designed to the Design Manual for Urban Roads and Streets (DMURS) specification and that no additional traffic calming measures were required. Permeability to the new school was part of the planning condition of the development.

Councillor McGinley stated that he had an issue with the last sentence of the report "permeability to the new school was part of the planning condition of the development" as he had checked the planning conditions and there was no mention of permeability. He stated appropriate traffic management measures were required to discourage cars from using the Moyglare Hall through road as a "rat run."

Ms Wright stated she would speak to the Senior Engineer in Roads Design with regard to to the planning condition in relation to permeability to the new school.

**Resolved** on the proposal of Councillor McGinley, seconded by Councillor Ó Cearúil that the report be noted and the Senior Engineer in Roads Design be consulted in relation to the planning condition in relation to permeability to the new school and revert to the members.

#### Item 23

### **New entrance to Moyglare Hall**

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

Can the council ensure that traffic calming measures are put in place on the road which will be the new entrance to Moyglare Hall prior to its opening?

A report was received from the Roads, Transportation and Public Safety Department informing the members that the Road Design Section advised that the Moyglare Hall Road was designed to the Design Manual for Urban Roads and Streets (DMURS) specification and that no additional traffic calming measures were required. Permeability to the new school was part of the planning condition of the development.

The report was noted.

#### MY12/0419

### Remedial works at the "Mill Pond" Staplestown

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

That the council carry out further remedial works at the "Mill Pond" Staplestown, due to continuous flooding.

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

A report was received from the Roads, Transportation and Public Safety Department informing the members that the council was endeavouring to address the increasing problem of flooding at this junction. The problem appeared to be caused by a restriction on the outflow of surface water form this pond through adjacent land owners' property. A meeting was planned for the 02 April with the relevant landowner and the council would do what it could to prevent future flooding at this location.

The District Engineer informed the members that the meeting had taken place and the council were working towards solving the problem.

**Resolved** on the proposal of Councillor Weld, seconded by Councillor McEvoy that the report be noted.

#### MY13/0419

# **Junction at Timahoe Crossroads**

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

That the council carry out emergency work at the junction at Timahoe Crossroads as an accident at this location has left it in a dangerous condition.

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

A report was received from the Roads, Transportation and Public Safety Department informing the members that council officials had visited this location and identified there was a requirement for the reconstruction of the boundary wall. The council would require assistance from the neighbouring landowner for the construction of the foundations for the reconstruction of the wall.

Councillor Weld welcomed the report and stated the landowner was willing to allow the council access to the area.

**Resolved** on the proposal of Councillor Weld, seconded by Councillor McEvoy that the report be noted.

#### MY14/0419

### Damaged traffic signs and unused poles/signs in Kilcock

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

That the council examine the number of damaged traffic signs and unused poles/signs in Kilcock and provide a timeline for the repair and/or removal of these.

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

A report was received from the Roads, Transportation and Public Safety Department informing the members that the council would commit to carrying out a review of signage in Kilcock during week beginning 15 April.

**Resolved** on the proposal of Councillor Ward, seconded by Councillor Ó Cearúil that the report be noted.

#### MY15/0419

The Cathaoirleach requested that items 12 and 16 on the agenda be taken next. All the members agreed.

#### Item 12

# Bend on the Dunboyne Road

The members considered the following motion in the name of Councillor Ó Cearúil.

That the council carry out a road safety review of the bend on the Dunboyne Road and an action plan is devised to address any issues.

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

A report was received from the Roads, Transportation and Public Safety Department informing the members that Whilst the council would consider that a road safety audit of the bend on The Dunboyne Road would presently be premature, it would be appropriate to develop a long term plan for The Dunboyne Road to ensure that it can safely accommodate the predicted volumes of traffic which will be created by the Moyglare Link Road, currently under construction.

Councillor Ó Cearúil stated that he appreciated the fact the District Engineer had met with Cairn Homes Ltd. and the residents last month. He stated the bend was the most dangerous part of the road especially in severe weather during the winter months. He asked for the possibility of a feasibility study be looked into.

**Resolved** on the proposal of Councillor Ó Cearúil, seconded by Councillor Ward that the report be noted.

#### Item 16

### Dangerous bend on the Dunboyne Road

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

That the council outline what traffic calming measures are to be put in place at the dangerous bend on the Dunboyne Road, in preparation for the opening of Lyreen Avenue and the anticipated large increase in traffic.

The motion was proposed by Councillor Murray and seconded by Councillor Ward.

A report was received from the Roads, Transportation and Public Safety Department informing the members that whilst the council would consider that a road safety audit of the bend on the Dunboyne Road would presently be premature, it would be appropriate to develop a long term plan for The Dunboyne Road to ensure that it could safely accommodate the predicted volumes of traffic which would be created by the Moyglare Link Road, currently under construction.

Councillor Murray stated she had submitted motions previously in relation to the road and stated there was a major issue with cars speeding and a large number of cars were using the road to avoid paying toll charges. She stated that concerns in relation to the dangerous nature of the road had been listed on all submissions during public consultation for the development and stated it was the responsibility of the members and the council to do something about this now. Councillor McGinley stated the developer of Castle Park was willing to remove the bend on the road as part of phase 2 of the development. He asked if the council could ask Mason Homes to resubmit their request to do this.

The District Engineer stated that he acknowledged all points made and stated it was desired to line the road up from housing units to meet the eastbound traffic on the M4. He stated this would be a significant project and it could be added to the list of projects for completion but there was no further guarantee than putting it on the list at this stage.

**Resolved** on the proposal of Councillor Murray, seconded by Councillor Ward that the report be noted and works on the Dunboyne Road be added to the list of projects for completion.

#### MY16/0419

### **Lady Chapel Junction**

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

That the council carry out road safety improvement works at Lady Chapel Junction,

Maynooth given the number of accidents recently.

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

A report was received from the Roads, Transportation and Public Safety Department informing the members that plans were in motion to construct a build-out at this junction to stagger the alignment on The Taghadoe-Baltreacy route.

Councillor Durkan asked if the camera could be adjusted slightly on the Maynooth Road to Rathcoffey Road area as you pass Lady Chapel Junction. The District Engineer stated that the junction had been reviewed and there had been no recorded accidents of cars veering from one side of the road to the other.

**Resolved** on the proposal of Councillor Durkan, seconded by Councillor Ó Cearúil that the report be noted.

#### MY17/0419

# **Road Safety Audit at Cloncurry Cross**

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

That the council carry out a road safety audit at Cloncurry Cross as a matter of urgency and issue a statement on the outcome of the audit.

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

A report was received from the Roads, Transportation and Public Safety Department informing the members that there were outstanding engineering challenges with Cloncurry Cross, Killeighter Cross and The Old Bog Road which would require actions over the medium and long term. These issues should be referred to the Technical Assessment and Advisory Group (TAAG) team for prioritisation and action.

Councillor Durkan stated that he accepted works on three junctions was a large volume of work. The District Engineer stated that audits had been rotated between short term and long term and short term solutions of resurfacing and anti-skid surfacing had been carried out.

Resolved on the proposal of Councillor Durkan, seconded by Councillor Ó Cearúil that the report be noted.

#### MY18/0419

# Junction on the R403-R407 at Manzor's Village Inn

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

That the council carry out a survey on the junction on the R403-R407 at Manzor's Village Inn, Clane with a view to improving the design of the junction given reports of HGV movements using the junction.

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

A report was received from the Roads, Transportation and Public Safety Department informing the members that this was a long standing issue which would require careful design and traffic modelling, as the junction was an unusual layout and prone to congestion. This issue should be referred to the Technical Assessment Advisory and Advisory Group (TAAG).

Councillor McEvoy noted the case would be referred to the TAAG and stated he had received a number of representations from pedestrians in relation to their safety when using the junction because of lorry movements. Ms Wright stated the Roads, Transportation and Public Safety Department were monitoring technical resources for the TAAG and stated no commitments or timelines could be given at this stage.

**Resolved** on the proposal of Councillor McEvoy, seconded by Councillor Murray that the report be noted.

#### MY19/0419

### Entrance to the sewerage pumping station on Station Road, Straffan

The members considered the following question in the name of Councillor McGinley. Can the council provide a footpath either side of the entrance to the sewerage pumping station on Station Road, Straffan in the interest of pedestrian safety, to be funded from the council's own resources or Local Property Tax Fund?

A report was received from the Roads, Transportation and Public Safety Department informing the members that this would be an appropriate project for LPT funding in 2020. The report was noted.

#### MY20/0419

### Traffic control measures at the Summerhill Junction, Kilcock

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

Can the council provide an update on the provision of traffic control measures at the Summerhill Junction, Kilcock?

A report was received from the Roads, Transportation and Public Safety Department informing the members that the council was awaiting confirmation of the site start date form the developer but understood that the works were imminent The report was noted.

### MY21/0419

#### Jake's Law

The members considered the following question in the name of Councillor Ó Cearúil. Can the council confirm what progress is being made with implementing Jake's Law in housing estates throughout this municipal district?

A report was received from the Roads, Transportation and Public Safety Department informing the members that work was progressing on the Draft County Wide Speed Limit Review. It was anticipated that the formal public consultation process would get underway in Quarter 3, 2019. The implementation of Jake's Law, through the inclusion of housing estates in charge, formed part of this review.

The report was noted.

### MY22/0419

#### County speed limit review

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

Can the council provide an update on progress made to date in relation to the county speed limit review and when will it go to public consultation?

A report was received from the Roads, Transportation and Public Safety Department informing the members that work was progressing on the Draft County Wide Speed Limit Review. It was anticipated that the formal public consultation process would get underway in

Quarter 3, 2019. The implementation of Jake's Law, through the inclusion of housing estates in charge, formed part of this review.

The report was noted.

#### MY23/0419

# **Upgrading of the Moyglare Road and Mill Street Maynooth**

The members considered the following question in the name of Councillor Durkan. Can the council provide a full update and timeline in relation to the upgrading of all sections of the Moyglare Road and Mill Street Maynooth?

A report was received from the Roads, Transportation and Public Safety Department informing the members that Maynooth Corridor - Phase 6 - Moyglare Road: works commenced on site on 25 March and were expected to continue for the next 5-6 months. Maynooth Corridor - Phase 5 - Mill Street: The council had still unresolved issues with the foundations for the footbridge which had delayed the issue of the tender documents. The council was still targeting a start date on site for July, to finish by September 2019. The report was noted.

#### MY24/0419

# Barriers on the Greenway at Jackson Bridge

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

Can the council request Waterways Ireland to remove the barriers that have been erected on the Greenway at Jackson Bridge to allow access to all users?

A report was received from the Roads, Transportation and Public Safety Department informing the members that the council agreed with the councillor's views and if agreed by the members would forward the request to Waterways Ireland. Councillor Murray stated reasonable signage rather than barriers would be suffice. The members agreed that a request be forwarded to Waterways Ireland to remove the barriers at Jackson Bridge to allow access to all users.

The report was noted.

#### MY25/0419

# Public bike scheme for Maynooth

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

Can the council advise if there is any update available to the members on the introduction of a public bike scheme for Maynooth?

A report was received from the Roads, Transportation and Public Safety Department informing the members that Kildare County Council met with two bike scheme operators in 2018 and were supportive of a trial introduction in Maynooth. The council had not had any further engagement with the operators on future proposals to date. Kildare County Council would shortly trial secure bike lockers at a public car park in Naas, with support from the National Transport Authority (NTA), and would review the operation at the end of 2019. The report was noted.

#### MY26/0419

The Cathaoirleach requested that item 28 on the agenda be taken next. All the members agreed.

### Catchment Flood Risk Assessment and Management Studies (CFRAMS)

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

That the council provide a timescale for the implementation of the Catchment Flood Risk

Assessment and Management Studies (CFRAMS) recommendations for the Meadowbrook

Stream and the Joan Slade River in Maynooth.

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

A report was received from the Environment and Water Services Department informing the members that the progress of these schemes was dependent on the Office of Public Work's (OPW's) prioritisation of schemes. A steering group had been established with Kildare County Council and the OPW to progress schemes within Kildare. It should be noted that the OPW together with Kildare County Council, was committed to delivering all of the schemes within the Flood Risk Management Plans over the next eight/ten years.

Councillor McGinley asked where the Catchment Flood Risk Assessment and Management Studies (CFRAMS) recommendations for the Meadowbrook Stream and the Joan Slade River in Maynooth were in terms of priority and if there was a timeline for implementation of the recommendations. Mr Fagan stated the Office of Public Works (OPW) held responsibility for the prioritisation of works and stated a Steering Group with the council had been established with the OPW. He stated he would discuss specifics with the engineer.

Resolved on the proposal of Councillor McGinley, seconded by Councillor Ó Cearúil that the report be noted and Mr Fagan to discuss specific details in terms of prioritisation for the implementation of recommendations for the Meadowbrook Stream and the Joan Slade River in Maynooth.

#### MY27/0419

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

Can the council liaise with "Carbury Mushrooms" regarding the poor air quality surrounding the facility?

A report was received from the Environment and Water Services Department informing the members that Kildare County Council was aware of odour complaints in the vicinity of Carbury Mushrooms Ltd., and had been in contact with the facility in relation to the matter. The company had confirmed that plans were in hand to address the issue and had been requested to provide details/timescale in this regard.

The report was noted.

#### MY28/0419

### **Trees in Staplestown Cemetery**

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

Can the council carry out a survey of the trees in Staplestown Cemetery, due to the concerns of local people?

A report was received from the Environment and Water Services Department informing the members that the trees in the cemetery would be examined to determine their condition. The report was noted.

#### MY29/0419

### **Dumping/litter cases**

The members considered the following question in the name of Councillor McEvoy. How many dumping/litter cases were investigated in the Maynooth Municipal District in 2018?

A report was received from the Environment and Water Services Department informing the members that the issue of illegal dumping/littering continued to be an issue throughout Kildare. There were 208 cases investigated in the Maynooth Municipal District in 2018. The Environment Section would be in contact with the members in relation to arranging a meeting of all stakeholders to tackle the issue of illegal dumping. The report was noted.

#### MY30/0419

### Supports available to Tidy Town Groups

The members considered the following question in the name of Councillor McEvoy. What council supports are available to Tidy Town Groups seeking to improve sustainability through the reduction of waste generated within their communities?

A report was received from the Environment and Water Services Department informing the members that as part of the council's commitment to climate action, a workshop was held at Kildare County Council's Offices, Áras Chill Dara, on Wednesday 13 February 2019. The workshop was attended by the County Kildare Tidy Towns Network and focused on building climate resilience whilst focusing on two areas of the competition i.e. "Sustainable Waste and Resource Management" and "Nature and Biodiversity." There were currently 38 active Tidy Town Groups throughout the county. The workshop, which was facilitated by Mr Gavin Harte (independent energy consultant with the Sustainable Energy Authority of Ireland (SEAI) focused on assisting local Tidy Town Groups. It provides an opportunity for Tidy Town Groups to incorporate climate action measures into their annual work programmes.

Also on 02 February 2019, a Tidy Towns Conference was organised in Trim, Co. Meath where a number of Tidy Town Groups from Kildare were in attendance. There were various speakers including Ms Debbie Nesbit who gave a presentation on 'Sustainable Waste and Resource Management.' Ms Nesbit is a Chartered Waste Manager and Chartered

Environmentalist with over 16 years experience. She had also been an independent member of the National Tidy Towns Adjudication panel since 2007. It should also be noted that a number of workshops were also offered to Tidy Town Groups in 2018 on topics including recycling and conscious cups (reusable cup initiative). The report was noted.

#### MY31/0419

### **Update on the Vacant Sites process**

Mr Dowling, Executive Planner attended the meeting and informed the members that the intention of the legislation was to deliver houses in applicable towns within the Maynooth Municipal District. He stated that this involved identifying relevant towns and sites within those towns which had a statutory Local Area Plan (LAP) and these would include, Maynooth, Kilcock and Clane. Mr Dowling gave an outline of the various steps involved in the process. He stated that 15 sites had been identified in Kilcock, 9 of those had been issued with Section 7 notices and a number of submissions had been received and actively considered by the Planning Authority. Mr Dowling stated 21 sites had been identified in Maynooth and were at an advanced stage of assessment and there were a number of sites in Clane which were at the initial research stage. He invited questions from the members.

Councillor Ward asked if a Section 7 notice was issued on a site and submissions were then submitted as part of the planning permission for that site, if the vacant site fee was then inactiave. He also asked if the builder would still be subject to the vacant site fee up until work had commenced on the site. Mr Dowling stated the builder would remain subject to the vacant site fee until works commenced on site and he would also have the right to appeal. Councillor Ward asked what type of submissions would prevent lands being listed as vacant sites Mr Dowling stated that if land was farmed it would not be considered vacant and would be exempt from the vacant site fee.

#### MY32/0419

# Rebuilding Ireland Home Loan Scheme

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

Can the council provide a comprehensive update to this municipal district committee on the current status and operation of the Rebuilding Ireland Home Loan Scheme in Kildare, including the current funding issues and the average time-frame from application to offer (or otherwise), for this municipal district?

A report was received from the Housing Department informing the members that the Rebuilding Ireland Home Loan was introduced in February 2018. Approval was given by the Department of Housing, Planning and Local Government (DHPLG), and approved by the elected members, for a loan facility of €15 million. To date 311 loan applications had been received, 70 of which had received approval to a value of €15 million. As Kildare County Council had now fully committed this €15million, loan applications could only be advanced as funding became available. Internally funding became available as current loan offers expired. Nationally local authorities were liaising with the Department of Housing, Planning and Local Government (DHPLG) regarding additional funding. Generally loan applications were processed within a 12 week period. However, many applications may experience delays due to incomplete information or further information required. Initially the overwhelming response to the scheme created a backlog of applications but that had been addressed. At present the council continued to accept applications but a waiting list was in place and applications were processed in date order as and when funding became available.

Councillor Ward asked if individuals making applications were advised of the delays as the website currently stated 12 weeks but in reality this was not being met and applicants were waiting much longer. Ms Aspell stated she would ask the relevant team in the Housing Department to look at the website with a view to changing it to reflect an accurate processing timeframe for applications.

The report was noted.

#### MY33/0419

### Affordable homes

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

How many affordable homes does the council envisage it will deliver in the Maynooth Municipal District in 2019?

A report was received from the Housing Department informing the members that The Department of Housing, Planning and Local Government (DHPLG) had just recently published regulations and guidelines in relation to affordable housing, with further guidelines awaited, at time of writing with regard to preparation of a scheme of priority for allocation of affordable units. During the course of 2019 the elected members would consider a scheme of priority to allow for the allocation of affordable units. While a submission had been made to the DHPLG with regard to the provision of affordable units on sites in the ownership of Kildare County Council, the sites currently under consideration were not within the Maynooth Municipal District.

The report was noted.

#### MY34/0419

### Ledwill Park, Kilcock

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

That the council inform the developer that Ledwill Park, Kilcock does not meet with the council's policy in respect of the naming of new housing estates as per the County

Development Plan 2017/23 and suggest a more appropriate name that reflects the local heritage of Kilcock.

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

A report was received from the Planning and Strategic Development Department informing the members that the policy of Kildare County Council with respect to the naming of new housing developments was contained in chapter 17 of the Kildare County Development Plan 2017-2023. The following was the text of the policy adopted by the members:

"Names of residential and other developments shall reflect local heritage by incorporating local place names or names of geographical, historical or cultural significance to the site location. Names of developments shall include the use of the Irish language. In order to

ensure the above and to avoid confusion and duplication, the naming of developments will require the prior agreement of the Planning Authority. Proposed names shall be submitted to the Planning Authority and agreed prior to launching any advertising campaign for the development." Correspondence was received from the developer in November 2018 in relation to a condition of his planning permission (ref 16-1345) which, for ease of reference was set out below. This condition reflected the council policy referred to above.

5 (i) - Prior to the commencement of development, the applicant/ developer shall submit proposals for the naming (in Irish and in English together with an explanation for the submitted names), signposting or other identifying structures and numbering of the development. The proposed name(s) shall be based on local, historical or topographical features, or other acceptable alternatives. Names capable of giving rise to confusion or with associations foreign to the area will not be permitted. All names shall be subject to prior written consent of the Planning Authority.

The estate name Ledwill Park' (Pairc an Ledwill) was proposed by the developer who submitted documentation, prepared by a local historian, outlining the historical association of a Captain Ledwill and the military barracks in Kilcock in 1795.

Having had regard to:-

- the developer's submitted documentation
- the historical significance of the name 'Ledwill Park' and
- Kildare County Council policy

It was considered that the name 'Ledwill Park' was satisfactory and as such the planning condition was deemed to have been compliant and in accordance with council policy. Accordingly, it was not considered necessary to contact the developer in this instance.

Councillor O Cearúil and Councillor Ward supported the motion. Councillor McEvoy stated that there was a process involved when changing the name of an estate based on fact rather than history and in this case the correct procedures had been followed. Mr Maher stated Councillor McEvoy was correct and stated once the council had issued notification that the planning condition was deemed to have been compliant and in accordance with council policy it could not be made incompliant. He stated the council would contact the developer

Minutes Maynooth Municipal District 05 April 2019

to ascertain if he would consider changing his proposal for the name and the members agreed.

**Resolved** on the proposal of Councillor Cronin, seconded by Councillor Ó Cearúil that the report be noted and the Planning and Strategic Development Department contact the developer to ascertain if he would consider changing his proposal for the name of the estate.

#### MY35/0419

# **Community Grant Awards**

The Cathaoirleach asked the members if their circumstances met any of the requirements under Part 15 Section 177 of the Local Government Act, as amended for members to disclose a pecuniary (i.e. financial) or other beneficial interest, of which they have "actual knowledge" that they or a connected person has in a matter that arises at a meeting of the local authority.

Councillor Durkan, Councillor Murray and Councillor Cronin all stated they were members of the Maynooth Community Council but were not members of the executive committee.

Councillor Ó Cearúil stated he was a member of the St. Patrick's Day Committee.

The members considered grant awards under the various grant schemes administered by the Economic, Community and Cultural Development Department.

A report was circulated to the members outlining that an allocation of €10,000 had been included in the Community Grant Awards and no applications had been received for Christmas lights under the additional €10,000 LPT set aside specifically for this purpose therefore these funds would be held over for further applications later in the year. 42 applications had been received under the Community Grant Scheme and a total of €31,075 had been recommended to 33 out of the total applications received (see Appendix A attached).

Councillor Cronin stated she had spoken to the District Manager and had requested that grant for the St. Patrick's Day Committee be held until further information was available. The Meetings Administrator stated the St. Patrick's Day Committee was not on the list and Councillor McGinley agreed that the grant for the St. Patrick's Day Committee should be dealt with at a separate meeting. Councillor McEvoy asked that the grant award for the St.

Patrick's Day Committee be brought before the Maynooth Municipal District Committee by way of an agenda and stated it was public money. Councillor Cronin stated receipts of sponsorships and invoices should be available for inspection by councillors. Councillor Durkan reiterated the fact that the St. Patrick's Day Committee was not on the list.

Resolved on the proposal of Councillor McGinley, seconded by Councillor Ó Cearúil and agreed by all members present that the grant awards for the 33 items listed under the Community Grant Schemes be approved.

#### MY36/0419

### **Made of Maynooth**

The members considered the following motion in the name of Councillor Ó Cearúil.

That the council develops a "Made of Maynooth" campaign similar to "Made of Athy".

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

A report was received from the Community and Cultural Development Department informing the members that the 'Made of Athy' project was devised by an Athy man, Mr Colm Walsh, who had a background in the music industry and carried out the research on the musical connections with the town and environs. The Arts Service and Athy Municipal District were assisting with the rollout of the project, which was a series of plaques, placed throughout the town. Out of courtesy to Mr Walsh, it was not intended to replicate the project in other towns at present. However, this could be reviewed again when the 'Made of Athy' project was completed, to identify the feasibility of further rollout elsewhere in the county.

**Resolved** on the proposal of Councillor Ó Cearúil, seconded by Councillor McGinley that the report be noted.

# MY37/0419

### **Health Checks**

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

That the council summarise the planned short term actions and estimate timelines from the Health Checks for Clane, Kilcock, Maynooth and Prosperous; and outline the timelines for the Health Checks in Derrinturn, Johnstownbridge and Straffan.

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

A report was received from the Community and Cultural Development Department informing the members that the table below sets out the short term actions, up to date position, and indicative timelines on foot of the recent Health Checks carried out in Clane, Kilcock, Maynooth, and Prosperous:

Town/ Village	Idea	Update	Indicative
Clane	Access audit and Improving pedestrian Crossings	Walkability Audit completed and report under consideration.	timeline Ongoing.
Clane	Town /gateways and Identity	This will progress to further consultation with the Community.	Quarter 2,2019
Clane	Shop Front Mentoring Scheme	Local Enterprise Office will hold information/ mentioning session on Shopfront Grant Scheme.	Quarter 2,2019
Kilcock	Town Gateways and Identity	This will progress to further consultation with the Community.	Quarter 2,2019
Maynooth	Harbour Field – Redesign of the existing Park	Public Consultation Event taking place 5th April at Harbour Field, Maynooth.	Ongoing.
Maynooth	Town /gateways and Identity	This will progress to further consultation with the Community.	Quarter 2,2019
Maynooth	Shopfronts – Kildare County Council mentoring scheme	Local Enterprise Office will hold information/ mentioning session on Shopfront Grant Scheme.	Quarter 2,2019
Prosperous	Town Gateways and Identity	This will progress to further consultation with the Community.	Quarter 2,2019
Prosperous	Walk the block	This project has been referred to LEADER for further contact and development through the Community.	Quarter 2,2019

**Resolved** on the proposal of Councillor McEvoy, seconded by Councillor Murray that the report be noted.

#### MY38/0419

# **Engagements with young people regarding Health Checks**

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

That the members receive a report on engagements made with young people regarding the Health Checks carried out throughout the Maynooth Municipal District.

The motion was proposed by Councillor Cronin and seconded by Councillor Durkan.

A report was received from the Community and Cultural Development Department informing the members that as part of the Health Check process, invitations to all public consultation workshops were issued through the People Participation Network (PPN) to the various groups registered with the PPN in the Maynooth Municipal District; including sports clubs, scout groups, youth clubs, and parents associations. On foot of the Health Check assessments, where further public consultation was warranted, such as for example the redevelopment of the Harbour Field in Maynooth, this consultation was taking place on Friday 05 April from 3:00p.m. until 7:00 p.m. with street entertainment, face painting, stilt walker, magician, and music in an effort to illicit the views and opinions of young people as to what they would like to see in the redeveloped Harbour Field Park.

Councillor Cronin asked if this was the first consultation with young people regarding the Health Checks and the A/District Manager confirmed it was. Councillor Cronin thanked Ms Hunt for all her hard work and help in relation to the Health Checks. Councillor Murray also thanked Ms Hunt and stated she was looking forward to the consultation which was taking place in the Harbour Field that day. Councillor McEvoy asked if was possible to provide quarterly updates to the members on progress with the Health Checks and Ms Hunt stated a team was in place from April and would provide quarterly updates. Councillor Durkan thanked Ms Hunt for the huge volume of work which had been carried out in relation to the Health Checks.

**Resolved** on the proposal of Councillor Cronin, seconded by Councillor Durkan and agreed by all members present that the report be noted and that quarterly reports be provided to the members in relation to the Health Checks in the Maynooth Municipal District.

#### MY39/0419

# **Maynooth Playground**

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

Can the council confirm what progress has been made in getting someone to open and close the Maynooth Playground at night in order to deter anti-social behaviour?

A report was received from the Community and Cultural Development Department informing the members that the Maynooth Planning Alliance was contacted in relation to seeking volunteers to open and close the playground. A promotion by them on social media seeking volunteers was unsuccessful. A suggestion was made to contact the local Community Employment Scheme in relation to the opening and closing of the playground, this was done before but was unsuccessful.

Councillor McGinley asked if arrangements could be made with local council staff or scouts to open and close the playground and Mr Wallace stated he had previously contacted the council area office and stated he would now contact the scouts.

The report was noted.

#### MY40/0419

# **Disability swing for Maynooth Playground**

The members considered the following question in the name of Councillor Ó Cearúil.

Can the council confirm if it has applied for a disability swing for Maynooth Playground and what progress is being made?

A report was received from the Community and Cultural Development Department informing the members that Kildare County Council would not be applying for funding for a disability swing. This was for a number of reasons:

- There was no room within the existing playground layout to accommodate a specific wheelchair swing. This had previously been indicated in reply to a similar motion last year.
- 2. LPT had been provided by Councillor Cronin for the purchase of a bucket seat swing with a harness which would be installed shortly. This would meet

disability needs as did the existing basket swing. These were also in line with best design practice for playground equipment which was inclusive rather than exclusive which a wheelchair swing is.

The council was installing a wheelchair swing in Clane Playground and would prefer to observe how this was used before installing additional types of this equipment.

Work was currently underway on a master plan for the Harbour Field. If the current basket swing and bucket swing did not meet special needs for swings, consideration could be given to a specific wheelchair swing as part of this process and the upgrade of the Harbour Field. The report was noted.

The meeting concluded.