



**Minutes of the Kildare-Newbridge Municipal District
meeting held at 10:00 a.m. on 15 January 2020 in
Áras Chill Dara, Devoy Park, Naas, Co Kildare**

Members Present: Councillor M Stafford (Mayor), Councillors A Connolly, S Doyle, K Duffy, N Heavey, F McLoughlin Healy, P O'Dwyer, T O'Dwyer, C Pender, R Power and P Ryan

Officials Present: Mr J Boland (District Manager), Mr Gerry Halton (Senior Executive Officer), Mr J Coppinger (Roads Design Senior Engineer), Mr K Kavanagh (Senior Executive Officer), Ms S Scully, Ms V Cooke (Administrative Officers), Mr D Keogh (Road Safety, Cycling & Sustainable Transport Officer), Ms B Cuddy, (Municipal District Engineer), Mr B Leonard, (Meetings Administrator) and Ms R O'Connell (Meetings Secretary).

KN01/0120

Suspend Standing Orders

Resolved on the proposal of Councillor Stafford, seconded by Councillor Power with all members agreeing that standing orders be suspended for 25 minutes.

KN02/0120

Minutes and Progress Report

The members considered the minutes of the monthly Kildare-Newbridge Municipal District meeting held on Wednesday, 11 December 2019 together with the progress report.

Resolved on the proposal of Councillor Power seconded by Councillor Duffy that the minutes of the monthly meeting of the Kildare-Newbridge Municipal District held on 11 December 2019 be taken as read. The progress report was noted.



KN03/0120

Matter Arising

The below item was raised at the meeting by Councillor McLoughlin Healy.

Item KN18/1219 - Traffic around and between Scoil Bhríde in Kilcullen

Can the council provide reassurance for residents regarding what consideration it has given to and how it intends to manage traffic around and between Scoil Bhríde in Kilcullen, the route to the playground and sports amenity carpark behind the school and the traffic coming through from the link road, Cnoc na Gréine and Castlemartin (to include a map of the proposed/draft traffic management plan) in light of the allocation of monies in the capital programme for the link road in Kilcullen?

Mr G Halton informed the members that this matter referred to the proposed link road in Kilcullen and it should be considered by “the Capital Projects” team.

Councillor McLoughlin Healy stated that she was not satisfied with this answer as she had asked for a detailed report to include a map of the proposed/draft traffic management plan which she had not received.

The District Manager informed the members that he would convey their concerns with regard to the content of the report received for the meeting to the Director of Services and that the map would be circulated before the next meeting.

KN04/0120

Municipal District Road Works

Ms B Cuddy Municipal District Engineer updated the members on the municipal district road works.

She stated that the works at Bourne’s Lane which included resurfacing works and the installation of 3 ramps, was completed. She stated that in relation to LPT/Pay Parking projects/footpath improvements that St. Patrick park overlay would be commencing in the coming weeks and the general upkeep of our towns over the Christmas period, litter picking, leaf sweeping, some small drainage works, and pothole patching was also done.



The report was noted.

KN05/0120

Deputation from Sensational Kids

The Mayor welcomed Ms Karen Leigh, founder and CEO of Sensational Kids and Ms Fiona Faherty, National Fundraising & Communications Manager to the meeting who gave them a presentation on the work that Sensational Kids does.

Ms K Leigh informed the members that Sensational Kids was a registered charity organisation who provided accessible and affordable therapy intervention and assessment services to help the 1 in 4 children in Ireland with special educational needs. It was a non-profit organisation and that she had come here today as she needed their help and support.

She gave an overall view of the work that they do for children with special educational needs/neurodiverse. She informed the members that Kildare had the highest rate of young people aged 0 to 24 years in the State and that Kildare had high levels of child and youth dependency, as over 28% of Kildare's population was aged 0-18 years. There was a high demand for the speech and language therapy service across the Kildare and West Wicklow areas and that 247 children have been waiting at least two years for an initial speech and language assessment.

She informed the members that their Leinster Child Development centre in Kildare town has operated from a 5,000 square foot facility for the past 11 years and that her landlord wanted vacant possession of this premises as he needed to sell the building and has served notice on them. She stated that they need a 10,000+ square feet facility to extend their capacity to meet the growing demand for their services in Leinster and that they had looked at a new premises in Kildare (Beech tree house) which was on the market for €700,000. She stated that Phase 1 was that they had already had funds committed from private individual donors which was €550,000 and that they were requesting a contribution of circa €200,000 in funds towards this project from LPT funding to enable them to complete and secure the purchase of the property. Phase 2 was to secure investment and grants to renovate and extend the property, but they could not get grants from the Community Foundation for Ireland unless



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they owned the building. They had also a back up plan if they could not purchase this building that they would purchase a site as an alternative.

Following discussions amongst the members the following issues were raised:

- This building was an old building, and was the cost to bring it up to standard known
- The structure of an old building could cause problems; a greenfield site could be a better option.
- Had the HSE given any funding to support Sensational Kids

Ms Leigh informed the members that the HSE had given additional grants from dormant accounts. She stated that she never refused any children that needed their support even if they have a problem with payment as they would arrange an agreement with the family on whatever rate they could afford. She stated that if they could not buy the building that they would purchase a site as an alternative. She confirmed that they had to vacate the premises by September.

All the members thanked Ms K Leigh for her presentation and stated that they would support her in whatever way they could as Sensational Kids do exceptional work for these children.

KN06/0120

The Mayor requested to take items 5 and 22 next and all the members.

Item 5

Presentation on the Kildangan Railway Bridge Footpath Scheme

The Mayor welcomed Mr J Coppinger, Roads Design Senior Engineer to the meeting who gave a presentation in respect of on the Kildangan Railway Bridge Footpath Scheme.

Mr J Coppinger informed the members that Kildangan was in the Athy Municipal District and now had moved into the Kildare-Newbridge Municipal District area. He stated that the problems were as follows:



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- It was a narrow bridge with inadequate room for two-way traffic and causes difficulties when large vehicles meet.
- Pedestrians including children were mixing with live traffic on the bridge and wheelchair users with children were being overtaken by live traffic as there was no safe access for pedestrians crossing the bridge.
- Agricultural vehicles and HGV's frequently cross the bridge.

Part 8 was granted in 2017 and the estimated total cost was €900,000 for the work to be completed. He stated that he had secured funding of €450,000 which he received from Athy Municipal District (€150,000), Development Levies (€150,000) and NTA funding (€150,000) and an additional funding required was €450,000. He was seeking €150,000 from Kildare-Newbridge Municipal District LPT funding.

Mr J Coppinger stated that since the project went for tender in 2017 construction inflation costs had increased and confirmed that Athy Municipal District had given €150,000 of their LPT funding to this project and was asking for the same amount from Kildare-Newbridge Municipal District.

Following discussion amongst the members the following issues were raised:

- Could the cost be reduced for this project?
- Had Irish Rail given any funding to this project?
- Was there any other bodies or resources giving funding towards this project?
- This project needed to commence due to safety issues at the bridge and that they would support him with funding
- Had the council got a starting and completion date for the works?
- Why is LPT a required avenue for funding?

Mr J Coppinger informed the members that Irish Rail was a semi-state body who had given small amount of funding for surfacing works etc. He informed the members that if he had funding of €150,000 from this municipal district, he could go back to the NTA and ask them to match this figure. He also stated that the project was a legitimate improvement to the



Kildare-Newbridge Municipal District and that projects of local interest need local part funding. He had received funding from NTA, Capital funds and Department of Transport to fund this project. He stated that if he does not get the funds required in the coming weeks this project would not commence.

The members asked Mr J Coppinger could they have a detailed costing on the project and that they would be having a special meeting amongst themselves to discuss the LPT required and that they would come back to him. They asked that the council look at other sources for the funding before LPT be decided on.

Item 22

Kildangan Bridge upgrade project

The members considered the following question in the name of Councillor Duffy.
Can the council confirm what is the status of the Kildangan Bridge upgrade project, including target commencement and completion dates for the works and provide a copy of the proposed works to the members?

A report was received from the Roads, Transportation and Public Safety Department informing the members that the presentation scheduled for the Municipal District meeting would provide an update for the members.

The report was noted.

KN07/0120

LPT and List of Roads Projects

The members agreed to have a special meeting amongst themselves before the next meeting in February to discuss LPT allocation for 2020.

All members agreed that as per agreement at the December 2019 meeting that the unspent balance of the 2019 LPT amount be allocated to the Kildare-Newbridge Municipal District Engineer to commence the list of roads projects that needed to be done.

Resolved on the proposal of Councillor Doyle, seconded by Councillor McLoughlin Healy with all members agreeing that the unspent balance of the 2019 LPT amount be allocated



to the Kildare-Newbridge Municipal District Engineer to commence the list of roads projects that needed to be done.

KN08/0120

The Mayor requested to take items 6 and 8 together and all the members.

Item 6

Pedestrian Crossing

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

That the council provide a suitable form of assisted road crossing to safeguard pedestrians who have to cross the Naas-Newbridge Road, in order to visit the Willow Brook Nursing Home as it is very difficult for passengers using the public bus service to safely cross the road at this location.

The motion was proposed by Councillor Breen and seconded by Councillor Doyle.

Councillor Breen informed the members that there was a problem when getting off the bus for people going to Tougher's industrial park and to Willowbrook Nursing home. She stated that it was very unsafe location for people to cross the road and especially for people with disabilities.

Mr G Halton informed the members that this would require a technical assessment and that he would put in on the TAAG list.

Resolved on the proposal of Councillor Breen, seconded by Councillor Doyle that the report be noted.

Item 8

A Pedestrian Crossing

The members considered the following motion in the name of Councillor P O'Dwyer.

That the council provide a pedestrian crossing, for the pedestrians who cross the dual carriage way to access bus services and Tougher's business park.



The motion was proposed by Councillor P O'Dwyer and seconded by Councillor Doyle.

Mr G Halton informed the members that this could be referred to the TAAG for an assessment and that it had been put on the list.

Councillor Connolly stated that TAAG was not an answer and asked that this item be put on the progress report.

Resolved on the proposal of Councillor P O'Dwyer, seconded by Councillor Doyle that the report be noted.

KN09/0120

Bus stop/shelters

The members considered the following motion in the name of Councillor P O'Dwyer.

That the council consider providing a bus stop/shelters on both sides of the dual carriage at Tougher's Business Park.

The motion was proposed by Councillor P O'Dwyer and seconded by Councillor McLoughlin Healy.

A report was received from the Roads, Transportation and Public Safety Department informing the members as discussed there were safety issues relating to the bus stops at Toughers which the Roads Section would examine with the NTA. The Roads Section cannot agree to install bus shelters at this location while discussions were taking place with the NTA.

Councillor P O'Dwyer stated that this was a large industrial estate and she was looking for a bus shelter to be installed there.

Councillor T O'Dwyer stated that if one bus shelter was put up on private land within the industrial estate there would be no need for anyone to cross the road. This would provide a safe drop off and collection point for all users.



Mr G Halton informed the members that he would write to the NTA and ask if a bus shelter could be installed at this location.

Resolved on the proposal of Councillor P O'Dwyer, seconded by Councillor McLoughlin Healy that the report be noted and that Roads Department would write to the NTA and ask if a bus shelter could be installed at this location .

KN10/0120

Footpath link from Ridgewood Manor on Melitta Road in Kildare town to Maryville

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

That this council include an objective in the Roads Programme 2020 for a footpath link from Ridgewood Manor on Melitta Road in Kildare town to Maryville, this would require a short new footpath to the front of business park adjacent to housing estate to achieve a seamless pedestrian link for residents.

The motion was proposed by Councillor Doyle and seconded by Councillor Pender.

A report was received from the Roads, Transportation and Public Safety Department informing the members there was approximately 220m of footpath required at this location, the council could prepare a cost on this and include for consideration as part of the LPT/Paid parking funding for 2020.

Councillor Doyle stated that she was satisfied with the report.

Resolved on the proposal of Councillor Doyle, seconded by Councillor Pender that the report be noted.

KN11/0120

Four way stop sign at the Carna/Shesoon crossroads

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

That the council install a four way stop sign at the Carna/Shesoon crossroads.

The motion was proposed by Councillor Doyle and seconded by Councillor Pender.



A report was received from the Roads, Transportation and Public Safety Department informing the members this junction was on the programme of works for 2020. Several options were being examined including an all stop. The council would revert to the members when a decision had been made.

Councillor Doyle stated that she was satisfied with the report.

Resolved on the proposal of Councillor Doyle, seconded by Councillor Pender that the report be noted.

KN12/0120

Public car park for the town of Kilcullen

The members considered the following motion in the name of Councillor T O'Dwyer

That the council provide a public car park for the town of Kilcullen.

The motion was proposed by Councillor T O'Dwyer and seconded by Councillor McLoughlin Healy.

A report was received from the Roads, Transportation and Public Safety Department informing the members to provide a car park as requested would require land, adequate infrastructure, funding, enforcement resources etc. The members would also need to consider if the proposed car park was to be pay parking which would require a parking bye-law. If it was not to be a pay parking car park, the members would need to consider how issues around enforcement and how the car park was going to be maintained and funded in the long term, were going to be addressed.

Councillor T O'Dwyer informed the members that in the Kilcullen LAP 2014-2020 it stated that public parking was provided along the Main Street and at Market Square. The provision of public parking would be carried out at appropriate locations if required. She asked that if the council progress this, they would need to talk to the landowners and the members would look at funding for this.



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Councillor Stafford stated that in Rathangan the church car park was used for public parking and asked if the church car park in Kilcullen was used for public parking.

Councillor T O'Dwyer informed the members that the car park in the church grounds in Kilcullen was used for private parking only.

Resolved on the proposal of Councillor T O'Dwyer, seconded by Councillor McLoughlin Healy that the report be noted.

KN13/0120

Road safety audit at Mountrice Cross

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

That the council carry out a road safety audit at Mountrice Cross on the R414 within the 60 km zone to improve safety for road users and residents as there has been several accidents on this stretch in the last 6 months.

The motion was proposed by Councillor Duffy and seconded by Councillor Ryan.

Mr G Halton informed the members that a Roads safety audit needed to be carried out at this location.

Councillor Duffy stated that the council had an onus and a duty of care to carry out a road safety audit out at this location as there had been several accidents there. He stated that it was not good enough that there was no report given for his motion and as per standing order the Director of Services should be at this meeting to answer his motion and noted he was not.

Councillor Connolly stated that this issue needed to be addressed and that some of the LPT money should be allocated to signage as speed was the main issue.

Following discussions amongst the members the following issues were raised:

- That having no report for their items at the meeting was not acceptable
- The area was an 'accident black spot' and needed to be addressed.



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- What was the council going to do?
- Could flashing lights or warning lights be installed at this location

Ms B Cuddy informed the members that an upgrade of the road markings could be carried out at this location but that a bigger scheme would be needed at this location. She stated that she could include it in the Low Cost Accident Scheme, but funding would have to be sought.

Resolved on the proposal of Councillor Duffy, seconded by Councillor Ryan that the report be noted.

KN14/0120

Road surface water drainage

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

That the council inspect, clear and improve the existing road surface water drainage on the L7055 Nurney Road in Monasterevin where significant surface water is retained on the road during heavy weather events.

The motion was proposed by Councillor Duffy and seconded by Councillor Doyle.

A report was received from the Roads, Transportation and Public Safety Department informing the members that the Municipal District Office agree to examine the issue and revert to the members.

Resolved on the proposal of Councillor Duffy, seconded by Councillor Doyle that the report be noted.

KN15/0120

Pedestrian crossing at the entrance to the GAA pitch

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

That the council provide a pedestrian crossing at the entrance to the GAA pitch, Newtown Road, Rathangan.

The motion was proposed by Councillor Connolly and seconded by Councillor Stafford.



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A report was received from the Roads, Transportation and Public Safety Department informing the members that the request has been placed in TAAG and the location shall be assessed as to whether 1) a pedestrian crossing can be provided in accordance with technical guidelines/standards and, 2) a warrant exists for a pedestrian crossing at this location. The members would be informed when the assessment has been carried out.

Councillor Connolly accepted the report.

Resolved on the proposal of Councillor Connolly, seconded by Councillor Stafford that the report be noted.

KN16/0120

Scoil Eimhin Naofa, Drogheda Street, Monasterevin

The members considered the following motion in the name of Councillor McLoughlin Healy. That the council conduct a cost-benefit analysis of solutions to deal with the serious traffic threats to students at Scoil Eimhin Naofa, Drogheda Street, Monasterevin to include an examination of the possible options for traffic calming, a safe pedestrian crossing and/or a school warden.

The motion was proposed by Councillor McLoughlin Healy and seconded by Councillor Ryan.

A report was received from the Roads, Transportation and Public Safety Department informing the members that there has been no change to the council's position in this matter. It would be considered as part of the review of project priorities when they are reviewed. There was no update at present.

Councillor McLoughlin Healy stated that Councillor Ryan and herself had met with the group and it was a very positive meeting.

Councillor McLoughlin Healy stated that there was no yellow box for traffic on the street and this results in a backup of traffic during school peak times. She stated that there was no flow of traffic and it was dangerous for the pupils. The signage was hidden behind the trees and that if the footpath was taken out and put behind the trees, it might help the situation.



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She stated that she had met with Ms B Cuddy out on site at this location to investigate the issue and the students at Scoil Eimhin Naofa would benefit from an examination of either traffic calming, a safe pedestrian crossing and/or a school warden to help with the situation.

Following discussions amongst the members the following issues were raised:

- That the Road Safety, Cycling & Sustainable Transport Officer had refused to meet with the group
- There was a serious issue at this location, and it was only getting worse.
- The principal of the school was coming out to help to alleviate with the traffic congestion at this location.
- Sport Utility Vehicles (SUV's), Heavy Goods Vehicle (HGV's) and cars were illegally parked there.
- Restriction of HGV's around the school needed to be addressed

Mr D Keogh informed the members that his role was to promote road safety education and awareness on the roads.

Councillor McLoughlin Healy stated that if there was an interim school warden to alleviate the traffic as the traffic was very dangerous at this location.

Ms B Cuddy informed the members that she would investigate this matter and would speak to the Roads Department on the possibility of a yellow box being located there and that she would keep the members informed.

Resolved on the proposal of Councillor Connolly, seconded by Councillor Ryan that the report be noted.



KN17/0120

Removal of park benches the Market Square area of Newbridge

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

That the council remove the park benches in the Market Square area of Newbridge as a deterrent to the consistent anti-social behaviour and dumping that occurs in this area.

The motion was proposed by Councillor Stafford and seconded by Councillor Doyle.

A report was received from the Roads, Transportation and Public Safety Department informing the members that this issue was discussed with Tidy Towns, who requested that the benches were not to be removed as it was not a solution to the issues in the area. The Municipal District Office had no issues either way and if there was a general consensus to have them removed, the Municipal District Office could examine the request.

Councillor Stafford stated that anti-social behaviour and littering was an issue in this area, and he accepted that the Tidy Towns were reluctant to move the benches but that the council needed to declutter the area. He stated that this area goes onto a residential estate and that the residents in College Farm were eager to have them moved.

Following discussions amongst the members the following issues were raised:

- Removing the benches would not solve the anti-social behaviour at this location.
- There was a lack of Garda resources in the town.
- A dedicated drugs unit was needed for Newbridge town.
- An holistic approach to anti-social behaviour was needed to be addressed in the town.

Resolved on the proposal of Councillor Stafford, seconded by Councillor Doyle that the report be noted.



KN18/0120

Install bike parking lockers

The members considered the following question in the name of Councillor P O' Dwyer. Can the council confirm if it has any plans to install bike parking lockers in Newbridge, similar to those installed in Naas?

A report was received from the Roads, Transportation and Public Safety Department informing the members that the Municipal District Office had no plans or funding to install bike parking lockers at this present time.

Councillor P O'Dwyer asked why there was no plans to install bike parking lockers in Newbridge.

Ms B Cuddy stated that she was not sure, but this Municipal District had no funding for them and does not know if there was any funding for them in the future.

The report was noted.

KN19/0120

Suspend Standing Orders

As it was approaching 1 p.m. the Mayor proposed to suspend standing orders for 45 minutes to enable the business of the meeting to conclude.

Resolved on the proposal of Councillor Stafford, seconded by Councillor Power with all members agreeing that standing orders be suspended for 45 minutes.



KN20/0120

The Mayor requested to take items 18 and 26 together and all the members.

Item 18

St Brigid Primary Schools campus

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

Can this council get a progress report on the resurfacing of Academy Street and road safety improvements for areas in the vicinity of St Brigid Primary Schools campus?

A report was received from the Roads, Transportation and Public Safety Department informing the members that the 2020 roads programme was being examined at present. Academy Street was included for consideration. The Municipal District Office would update members once the programme was agreed.

The report was noted.

Item 26

Academy Street, Kildare Town

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

Can the council confirm that all Irish Water and utility works have been carried out on Academy Street, Kildare Town and that no further impediments exist in relation to the resurfacing of this road?

A report was received from the Roads, Transportation and Public Safety Department informing the members it was the Municipal Districts Offices understanding that Irish Waters works were completed, and Academy Street was included for consideration as part of the 2020 roads programme.

The report was noted.



KN21/0120

Junction close to Fr Moore's well

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

Can this council get a progress report on road safety improvement works at the junction close to Fr Moore's well?

A report was received from the Roads, Transportation and Public Safety Department informing the members that this was with the ESB at present. The council sent a follow up email on the 06 January requesting an update. Until the pole was moved, the council cannot carry out any works.

The report was noted.

KN22/0120

"School ahead" or "Children crossing" signage

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

Can this council receive a report on how many schools in this municipal district area have no "School ahead" or "Children crossing" signage on the approach to the school?

A report was received from the Roads, Transportation and Public Safety Department informing the members his information is not readily available. At present the Municipal District Office do not have the resources to carry out the audit required.

The report was noted.

KN23/0120

Lighting at the entrance and exits on motorways

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

Can the council provide a report on why the majority of overhead lighting at the entrance and exits on motorways in this municipal district area, is not working?

A report was received from the Roads, Transportation and Public Safety Department informing the members that this issued by TII, and available on Kildare County Council website at the following link:

<http://kildare.ie/CountyCouncil/RoadsandTransportation/PublicLighting/Information%20Note%20on%20Turning%20off%20of%20Motorway%20Route%20Lighting%20Final.pdf>



Councillor Ryan stated she was not happy with the report.

The report was noted

KN24/0120

The Road Sign Rathangan Footbridge

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

Can the council confirm if it has any plans to remove the Road Sign Rathangan Footbridge - Funded by NDP Plan 2000 - 2006' at the Spencer Bridge, Rathangan?

A report was received from the Roads, Transportation and Public Safety Department informing the members that the Kildare-Newbridge Municipal District would arrange for it to be removed.

The report was noted.

KN25/0120

Second bridge for Newbridge

The members considered the following question in the name of Councillor McLoughlin Healy.

Can the council provide the Phase 0 high level cost-benefit analysis report it completed for the Department of Transport as part of the application to the Department/NTA for the second bridge for Newbridge?

Mr G Halton informed the members that the Phase 0 report was not available at this time. Currently Kildare County Council was carrying out some of the background research with a view to completing a Phase 0 report in 2020 as resources become available.

Councillor McLoughlin Healy stated that Mr Morrissey had informed the members that Phase 0 was done last November 2019 for funding for the second bridge.

Mr G Halton and the District Manager stated that they would clarify the matter and come back to the members.



The report was noted.

KN26/0120

Zebra crossings in the municipal district

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

Can the council indicate if it regularly reviews the optimum location of zebra crossings in the municipal district (ie pedestrian crossings without traffic lights) with reference to changes in population, new development and change of nature of business ie. in Rathangan, 3 of the 4 zebra crossings in the town are on the Rathangan Bridge?

Mr G Halton informed the members that the council does try to assess the optimum location for road crossing facilities when they were proposed, or a perceived need arises. However, over the last 10 years, the local authority has not been in a position to review and optimise these facilities due to lack of funding and the diversion of resources to other priority functions and projects.

Councillor Stafford stated that he wanted written reports going forward for all the next municipal district meetings.

Mr G Halton stated that he would endeavour to do this.

The report was noted.

KN27/0120

Houses purchased in Kilcullen, Athgarvan and Newbridge

The members considered the following motion in the name of Councillor T O'Dwyer.

That the council confirm how many houses were purchased by Kildare County Council in Kilcullen, Athgarvan and Newbridge in the last 12 months that are currently being worked on by the Housing department to prepare them for allocation to people on the housing list and confirm when they will be ready for allocation.

The motion was proposed by Councillor T O'Dwyer and seconded by Councillor Pender.



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A report was received from Housing Section informing the members that the following table provides the information requested. The Capital/Maintenance Section were currently preparing units for allocation and it was anticipated that the majority of those not already completed would be finalised by the end of Quarter 1, 2020. Please note that no units were purchased in Athgarvan.

Town	Purchased	Works Completed	Ongoing
Newbridge	43	25	18
Kilcullen	8	3	5

Councillor T O'Dwyer stated that she had spoken to Ms S Scully and that she would arrange to meet with her privately.

Resolved on the proposal of Councillor T O'Dwyer, seconded by Councillor Pender that the report be noted.

KN28/0120

Marquees/trading stalls erected on footpaths in towns

The members considered the following motion in the name of Councillor McLoughlin Healy. That the council develop a Bye-Law for Newbridge and the wider municipal district to control the size and placement of marquees/trading stalls erected on footpaths in towns, to ensure accessibility and the safety of the public.

The motion was proposed by Councillor McLoughlin Healy and seconded by Councillor Doyle.

A report was received from Corporate Services informing the members that in order to control the size and placement of marquees/trading stalls in Newbridge and the wider municipal district of Kildare Newbridge the members would have to agree to introduce casual trading bye-laws. The towns involved for the Kildare Newbridge municipal district are Kilcullen, Kildare, Monasterevin and Newbridge.

Legislation



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- Casual Trading Act 1995.
- Casual Trading Act 1995 (Section 2(3)) Regulations 2004 [additional exemptions e.g. some fruits and potatoes].
- Guidelines issued by Minister for Enterprise, Trade and Employment for local authorities for the carrying out of their functions under the Casual Trading Act 1995 [July 2006].

Kilcullen

No on street trading takes place in the town of Kilcullen, nor had there been any requests for traders to set up market stalls in the town. There had been no requests to introduce bye-laws in the town.

Kildare Town

- Kildare Town Market was an “ancient market” – confirmed by Charter dated 7 October 1515.
- Traditional Franchise Market – Market Rights.
- Introduction of bye-laws for Kildare Town market had been under consideration for a number of years.
- Discussions were had with traders who wanted a “gentleman’s agreement” with the council. This was unacceptable from a legal perspective.
 - Could be challenged as an attempt to interfere with “market right”
 - How would the arrangement be enforced
 - What criteria for selection process for pitches and who would be final arbitrator
 - What legal basis to collect money from traders
 - How would location of pitches be selected.

Monasterevin

No on street trading takes place in the town of Monasterevin, nor had there been any requests for traders to set up market stalls in the town. There had been no requests to introduce bye-laws in the town.

Newbridge



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Bye-laws for a farmers' market were adopted in December 2007. Goods to be sold were limited. The market traded for approximately 1.5 years and then disbanded. Retailers on George's Street reactivated the market for 6 months in 2013 but again it was disbanded in August 2013.

In conclusion if the members agree to introduce casual trading bye-laws the following would have to be decided

- (i) The locations of the trading areas in each town, bearing in mind that the area in Kildare Town cannot be reduced.
- (ii) How many licences will be issued for each town?
- (iii) What type of products can be sold?
- (iv) The cost of the licences

Councillor McLoughlin Healy informed the members that there was a number of traders located between Penny's and Michael Murphy's, thus bye-laws were needed for that area and asked how these could be implemented.

Ms A M Gough informed the members that the bye-laws for Celbridge, Maynooth and Naas towns had been implemented. She informed the members in order to control the size and placement of marquees/trading stalls in Newbridge and the wider municipal district of Kildare-Newbridge, the members would have to agree to introduce casual trading bye-laws. She stated that it was up to the members what type of trading they wanted in these areas.

Following discussions amongst the members the following issues were raised:

- The members agreed to have their own informal meeting about the Bye-Laws for Newbridge town.
- Pop up shops had been installed at Christmas and Halloween times on footpaths etc which was causing difficulties for people with disabilities.
- Could the Public Realm team be included in the bye-law discussion and can the members receive a design on it?



- Could they have a copy of the Bye-Laws for Celbridge, Maynooth and Naas town that had been implemented for these areas

Ms AM Gough informed the members that she would send them the bye-laws that had been implemented for these areas and the procedures for making bye-laws. She also stated that she would inform the members of the information she required in order to draw up the bye-laws and requested that they come back to her with their requirements.

The District Manager stated that the council would be reviewing the market in Kildare town in conjunction with the Public Realm.

Resolved on the proposal of Councillor McLoughlin Healy, seconded by Councillor Doyle that the report be noted and Bye-laws be drawn up for Newbridge Town, Ms Gough to inform the members of what details were required to draw up the bye-laws.

KN29/0120

2019 Local Property Tax (LPT) grants

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

That the council provide a report on the 2019 Local Property Tax (LPT) grants that were allocated in the Kildare-Newbridge Municipal District but were not approved by members at a statutory meeting and recorded in the minutes.

The motion was proposed by Councillor Stafford and seconded by Councillor Doyle.

A report was received from District Manager informing the members that at the meeting of the Municipal District held on 16 January 2019, the LPT allocations was approved by the members. As part of the allocation, a total of €135,000 was set aside for discretionary community grants with €15,000 to be assigned to each councillor for discretionary community related expenditure. It was, therefore, a matter for each member to decide how his/her discretionary amount was allocated, subject to it being community related.

This matter was discussed with the Head of Finance. The correct procedure was that each individual allocation should have been approved by the Municipal District by resolution.



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However, this may not have been fully understood by some staff and some members and, accordingly, a number of grants were paid directly following requests from individual members on the basis that these were “community-related”. A schedule was attached setting out the position. (See report attached)

The Kildare-Newbridge Municipal District made the decision to introduce a discretionary element/amount per member and in truth, such ‘discretionary’ allocations had generally proven to be problematic over the years for a range of reasons including the foregoing. Accordingly, and with the adoption of the LPT Guidelines in September 2019, with effect from the 2020 financial year this would no longer be possible (Guideline No. 6).

Any outstanding amounts €3,750 brought forward from 2019 should, however, be allocated by resolution, preferably at the January Municipal District meeting in order that all matters could be closed.

Councillor Stafford informed the members that numerous projects were funded last year by the 2019 LPT grants but that there had been a lot of criticism by this council and by the public about how this process was dealt with. He stated that the LPT allocation was done in an open and transparent way as it had been done for previous years. However he stated that since the meeting in April 2019, grants had been paid to certain projects which had not been approved in advance by members at a statutory committee meeting.

Cllr Doyle acknowledged that some of her projects had not gone before the MD members however they were for community-based projects/improvements, which was what the discretionary fund per councillor was to be used for.

A lengthy discussion took place amongst the members with the following points made:

- Were no receipts issued to the council when the LPT grants had been paid out to these groups?
- How were the payments paid to the community groups in question?
- The full council passed new LPT rules/guidelines last September 2019 about the LPT.



Councillor McLoughlin Healy asked were the members informed if they had to bring grants to the Municipal District meeting to be approved before it was to be paid out and was it the staff's understanding that the discretionary fund had to be agreed at the Municipal District meeting. Was there any clarification or procedure given to the staff who was paying out the fund?

The District Manager informed the members that he had spoken to the Head of Finance who informed him that there was a procedure in place and payments should have been approved at the Municipal District meeting before they were paid out to the community groups. He stated requests for payment that had gone to the Finance department might not have stated that they were LPT payments.

Councillor Pender stated that he had queried payments from the Economic, Community and Cultural Development section, and he had received copies of receipts for them.

Resolved on the proposal of Councillor Stafford, seconded by Councillor Doyle that the report be noted.

KN30/0120

Suspend Standing Orders

Resolved on the proposal of Councillor Doyle, seconded by Councillor Stafford with all members agreeing that standing orders be suspended for a further 20 minutes to enable the business of the meeting to conclude.

KN31/0120

Replace the existing Curragh Post Primary School

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

That the council confirm if they are liaising with the Department of Education and Science and the Department of Defence with regard to looking for a suitable site for a new second level school to replace the existing Curragh Post Primary School.

The motion was proposed by Councillor Connolly and seconded by Councillor Doyle



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A report was received from Planning Department informing the members that a new site was required for the replacement of the existing Curragh Post Primary School and it was understood that the Department of Education and Skills had commenced the site identification process. It was also understood that in line with protocols for the use of State property assets, the Department had written to the Department of Defence enquiring if that Department was in a position to provide a site that could be suitable for a new school. The Department of Education and Skills (DES) had also been in contact with Kildare County Council in regard to identifying a potential site. The council would seek to assist the DES in planning for the development of the new school.

Councillor Connolly stated that it was important that a new post primary school be provided to replace the existing building and requested that the members be kept updated on progress. Ms Cooke informed that members that the identification of a site for the development was a matter to be decided between the Department of Defence and the Department of Education and Skills.

Councillor Doyle informed the members that the council had to be proactive in progressing this matter as the existing school was oversubscribed. The location on any new school would impact on traffic movements within the area.

Councillor Connolly asked that this be kept on the progress report and advised that she would put a motion to the next municipal meeting asking that a letter issue to the department seeking an update.

Resolved on the proposal of Councillor Connolly, seconded by Councillor Doyle that the report be noted.

KN32/0120

Demolish historic buildings in the Curragh Camp

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

That this council write to the Department of Defence seeking confirmation of any plans that they have to demolish historic buildings in the Curragh Camp, now or in the future.



The motion was proposed by Councillor Ryan and seconded by Councillor Pender.

A report was received from Planning Department informing the members that if the members resolved to adopt the motion, the council would write to the Department of Defence as detailed in the motion.

Resolved on the proposal of Councillor Ryan, seconded by Councillor Pender with all members agreeing that the report be noted, and that a letter issue to the Department of Defence as detailed in the motion.

KN33/0120

Public parking in and around Market Square, Kilcullen

The members considered the following question in the name of Councillor McLoughlin Healy.

Can the council provide some certainty in the form of answers to previous queries regarding the public parking in and around Market Square, Kilcullen which included; whether and how soon the barrier at the over ground public parking spaces can be removed; whether the owners could charge in the future for access to these public parking spaces; and whether there were ever public underground parking spaces promised as part of the planning application for the Market Square apartment block?

A report was received from the District Manager informing the members that regarding the parking spaces in question the relevant planning conditions were attached herewith. He also attached an extract from the further information submitted by the applicant (Item 11). There was no requirement to make the underground spaces available for public use.

In order to assist with the delivery of the project, the council had undertaken to look at the feasibility of providing new/additional parking in the immediate area. However, for reasons already outlined there really could be no certainty of a successful outcome (see report attached).

Councillor McLoughlin Healy sought clarification on the following:

- Who was responsible for this item i.e. the Public Realm team or the Planning Department?



- Who was responsible for providing public liability insurance for the over ground car park?
- There was a barrier erected to the underground car park and no barrier was permitted and she was seeking clarity.

Ms Cooke advised that as the car park was privately owned, it was not the responsibility of the council and would be the responsibility of the owner and that the owners could charge for parking if they wished. The works on The Square are the responsibility of the Public Realm team. It was for the Planning Department to bring an enforcement action for the barrier.

The report was noted.

KN34/0120

Drainage Chanel Maintenance Programme for 2020

The update on the Drainage Chanel Maintenance Programme for 2020. The is item was deferred to the February meeting.

KN35/0120

Litter fines issued and prosecutions taken by the council

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

That the council provides a report on the number of litter fines issued and successful prosecutions taken by the council in this municipal district in the last 12 months.

The motion was proposed by Councillor Ryan and seconded by Councillor T O'Dwyer.

A report was received from the Environment Section informing the members that litter management had been a demanding task for the council in recent years and a subject of concern for the people of Kildare and others who travel through the county. While the vast majority of the people of our county were committed to the prevention and eradication of litter from our community, the problem persists. It was important to realise that litter remains a problem that requires a consistent, concentrated approach to address effectively. The co-operation of all community and business sectors was required. Regrettably, the



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council alone cannot eliminate the problem. In this regard, the council continues to actively engage with local groups through the County Kildare Tidy Towns Network, local community clean ups (including the annual National Spring Clean and 'Lily White Clean Up' Day) and School's Green Flag Programme.

The support of the public in reporting litter and illegal dumping incidents was most important to the council's enforcement role (Kildare County Council Litter Report Freephone 1800 243 143).

The public was reminded that it was illegal to give waste to unregistered collectors.

A review of the existing Litter Management Plan would commence this year.

Littering in a public place was an offence which could be subject to an on-the-spot fine of €150 or a maximum fine of €4,000 in court. A person convicted of a litter offence may also be required to pay the local authority's costs and expenses in investigating the offence and bringing the prosecution.

In 2019, a total of 104 litter fines were issued by the Community Warden team within this municipal district area. A total of 10 cases had been referred for court proceedings.

Approximately 850 litter patrols / investigations were carried out countywide in 2019, and that it was hoped to increase this number in 2020. Within the county, the council had also provided support to community groups, Tidy Towns committees etc with local litter clean ups (320) in 2019

Councillor Ryan enquired about the number of fines that were issued and queried the number of cases that went to court.

She also advised that the council incurred costs in sending out teams to clean up after rubbish had been dumped.

Mr Kavanagh informed the members that court cases could be expensive.

The review of the Litter Management Plan was to take place as soon as the Water & Environment Services SPC was scheduled to meet.



Resolved on the proposal of Councillor Ryan, seconded by Councillor T O'Dwyer that the report be noted.

KN36/0120

To plant a municipal forest in our municipal area

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

That in view of the climate emergency, and specifically the catastrophic loss of trees through burning, that this council undertake a feasibility study to plant a municipal forest in our municipal area and the results of this study to be published by the end of June 2020 with a view to commencing planting a municipal forest before spring 2021.

A report was received from Environment Section and Economic, Community and Cultural Development Park informing the members that it was a stated objective of the council's Climate Change Adaption Strategy 2019-2024 to develop a strategy to undertake and implement an active native tree planting programme, and to protect and enhance green infrastructure through the integration of appropriate landscape and planting schemes into all infrastructural and community development projects.

However, the business of forestry and related activities on a commercial basis in Ireland lies within the remit of Coillte. Coillte took over the forestry business formerly carried out by the Department of Agriculture, Food and the Marine when the company left the Civil Service and became a commercial semi state organisation.

Forestry was Coillte's core business where it owns and manages 445,000 hectares of lands, nearly 7% of the total land area of Ireland, 20% of which was managed for biodiversity, and it anticipates that Ireland's forest industry will double in size over the next 10 years.

Teagasc also provides independent forestry research, advisory and training services to private forest owners in Ireland. Their Forestry Programme offers landowners and existing forest owners a number of options in relation to forest establishment with a range of grants and annual premium categories available.



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If the council were to undertake such a study as suggested in the notice of motion, initial funds would have to be sourced for the study itself, and potentially significant funds further along for the acquisition of suitable land and active management of the site.

Councillor Heavey explained that in his opinion there was a huge benefit to the environment in developing this type of project stating that Kildare was below the national average when it came to tree planting.

He asked that a member of staff be identified to carry out desk research on this proposal.

Councillor Connolly supported the motion and following discussion it was agreed that the motion should be referred to the new Climate Action SPC.

Resolved on the proposal of Councillor Heavey, seconded by Councillor Donnelley that the report be noted and that this motion be referred to the new Climate Action SPC

KN37/0120

Caragh Playground

The members considered the following question in the name of Councillor P O'Dwyer.

Can the council give an update on when the outdoor exercise equipment, kick about area, pump rack will be installed in Caragh Playground?

A report was received from Economic Community and Cultural Development Park informing the members that the council were currently having a preliminary design done for the Pump Track. It was hoped to install that this year once the cost meets the budget of €20k the council provided in the Capital programme. There were no immediate plans to progress the outdoor exercise equipment and kick about area.

The report was noted.



KN38/0120

Tree maintenance and pruning scheduled

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

Does the Council have a tree maintenance and pruning scheduled for trees located within Council managed estates in Monasterevin?

A report was received from Economic Community and Cultural Development Park informing the members that a tender for tree works in the Municipal District had been completed.

This includes for tree works in St Evins Park which was requested during the year. The full programme for the municipal district would be issued to all councillors once the appointment of a contractor was complete.

The report was noted.

The meeting concluded.