



**Minutes of the Kildare-Newbridge Municipal District
held at 10.30 am on Wednesday, 20 July 2022
in the Council Chamber**

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

Officials Present: Mr J Boland (District Manager), Mr S Deegan, Mr D Hodgins (Senior Engineers), Ms B Cuddy (District Engineer), Ms L Kennedy (LPT Co-Ordinator), Mr K Kavanagh (Senior Executive Officer), Mr M McLoughlin (A/Senior Executive Officer), Mr O Brady (Administrative Officer), Mr S Wallace (Senior Parks Superintendent), Ms K Keane (Meetings Administrator), Ms M Richardson (Meetings Secretary) and other officials.

KN01/0722

Declaration of Interests

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

There were no declarations of interest.

KN02/0722

Minutes and Progress Report

To approve the minutes of the monthly Kildare-Newbridge Municipal District meeting held on Wednesday, 15 June 2022, the special meeting of Kildare-Newbridge Municipal District held on 08 June 2022 and to note the progress report.



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Resolved on the proposal of Councillor Duffy, seconded by Councillor A Connolly with Councillor McLoughlin Healy abstaining, that the minutes be approved and the progress report be noted.

KN03/0722

Municipal District Road Works

To receive an update on the municipal district road works.

Road Resurfacing Works:

Road resurfacing works have commenced at the following locations

- Colgans Cut
- Athgarvan
- Castlefish
- Barrettstown
- Milemill

Road Maintenance:

Surface dressing was carried out at the following locations

- Quinsborough
- Wheelam Cross
- Brownstown to Ballysax
- Athgarvan to Rosetown
- Gormanstown to Grangebeg
- R401 Rathangan to Clonbulloge

LPT:

Rural Road tender received, will be awarded next week with works to commence in the coming weeks.

NTA:

Tender issued for footpath upgrade in Dara Park

Miscellaneous Works:



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Newbridge area: Hedge cutting in Clongorey, Tankersgarden, Blacktrench rd, Allen cross, Milltown, and Hill of Allen, pothole repairs in Athgarvan, Watercuts and general maintenance.

Newbridge Town: Repair to ramps in Barrettstown, Upgrade to road signage ongoing within the town, weed control, gully cleaning, patching at Barrettstown, Ring of Roseberry, verge and hedge trimming. Footpaths in college farm, Connell Drive and Pairc Mhuire. Raising of gullies in Connell drive.

Kildare / Rathangan area: Hedge cutting in Rathangan, Newtown, Rathbride and Monasterevin, patching and pothole repair throughout the area. Preparation of roads for Surface Dressing.

Kilcullen Area: Grass cutting, verge cutting in Kilcullen, Caragh, surface dressing in Gormanstown, Mullaghboy, pothole repairs in Dunlavin and Caragh.
The report was noted.

KN04/0722

LPT 2022 Expenditure

The Mayor advised that the update of LPT expenditure for 2022 had been circulated to the members prior to the meeting.

The following amounts were added by the following members to be allocated to Corporate Services towards the Lajee Civic Reception and agreed by all:

- Councillor N Connolly €250
- Councillor P O'Dwyer €250
- Councillor C Pender €250
- Councillor McLoughlin Healy €250

The report was noted.

KN05/0722

Residual LPT 2021 and 2022

To agree the residual LPT allocations 2021 and 2022.



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Councillor McLoughlin Healy advised that there had been a delay on the project regarding her funding allocation.

The report was noted.

KN06/0722

Footpath Curragh Farm to Keadeen Hotel

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

That the council consider installing a footpath from the new housing development Curragh Farm to the Keadeen Hotel.

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

A report was received from the Roads, Transport and Public Safety Department informing the members that this location formed part of the NTA funded Newbridge Cycle Track Network Project which was currently being designed, and proposals for this area should include improvements for both pedestrians and cyclists.

Councillor Duffy advised that the footpath had not continued and there were various patches of tarmac and grass in the area. He requested a timeline for works.

Mr D Hodgins stated that the documents would be ready to go to Part 8 in Quarter 4 2022 or Quarter 1, 2023. Accessibility audits would be carried out to look for gaps such as this.

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

KN07/0722

Surface Water Drainage Kildare Town

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

That the council provide a report on capacity of surface water drainage in Kildare town, highlighting any potential concerns or pinch points.

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



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A report was received from the Roads, Transport and Public Safety Department informing the members that following a previous notice of motion, agreed by the Municipal District, a working group comprising representatives from Roads, Environment, Water Services and Planning Department put together a very detailed brief for Consultants to examine these issues in detail in light of ongoing challenges as well as informing the forthcoming Local Area Plan. RPS had since been appointed and this work was now ongoing.

It was agreed that this would be a really important piece of work in terms of the future orderly development of Kildare Town. The members would be kept informed on progress.

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

KN08/0722

Footpath South of Loughlion Green

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

That Comhairle Chontae Chill Dara complete the small section of footpath South of Loughlion Green (on the same side) along the R445 in Kildare Town to link up with the footpath that reaches the corner of the L3004.

The motion was proposed by Councillor N Connolly and seconded by Councillor Pender.

A report was received from the Roads, Transport and Public Safety Department informing the members that the road at this location is narrow and in order to complete the small section of footpath, land take would be required. If the landowner in question is agreeable to provide the two-metre strip of land and working space, a costing for the provision of this section of footpath could be prepared by the Municipal District office.

Councillor N Connolly queried if there was an opportunity for a narrow path in the interim. Ms B Cuddy advised that a narrow footpath would not be up to standard but the works may be able to take place subject to the removal of a ditch and fencing.

Resolved on the proposal of Councillor N Connolly and seconded by Councillor Pender that the report be noted.



KN09/0722

Flooding at Brannockstown

The members considered the following motion in the name of Councillor T O'Dwyer. That the council investigate the cause of persistent flooding in the village of Brannockstown on the Dunlavin approach road just after the Ballymore Junction where residents have to consistently leave sand bags in place to prevent water coming into the front of the their houses, as the road appears higher then gardens at this location.

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

A report was received from the Roads, Transport and Public Safety Department informing the members that subject to the agreement of the members, the General Services Supervisor would investigate the issue raised and revert to the members. The Municipal District office would continue to carry out routine maintenance in the short term. Councillor T O'Dwyer that there is one particular spot that suffers persistent flooding where the houses are lower than the road.

Resolved on the proposal of Councillor T O'Dwyer, seconded by Councillor Duffy and agreed by the members that the General Services Supervisor investigate the issue and revert to members.

KN10/0722

Speed Ramp Hopkins Haven and Brocan Woods

The members considered the following motion in the name of Councillor Duffy. That the council install a speed ramp outside Hopkins Haven and Brocan Wood Cowpasture, Monasterevin as a traffic calming measure given the number of new houses, crèche and a dangerous bend in the area.

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

A report was received from the Roads, Transport and Public Safety Department informing the members that the location in question is close to the T Junction of the R445. It has two housing estate entrances one each side of the road. It is in a 50kmph speed zone with



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public lighting and there are no plans to install ramps at this location. However, the Municipal District office agree to install additional road markings to remind users of the speed limit and that a T-junction with the R445 is ahead. These works will be subject to available funding.

Councillor Duffy stated that traffic calming was urgently needed in the area as the entrances to the estates were on a bad bend where the traffic coming from the Dublin Road could not be seen.

Ms Cuddy advised that the area needed Garda enforcement of the speed limit and the area was not suitable for speed ramps due to the close proximity of the two entrances. She agreed to meet Councillor Duffy onsite to investigate alternatives for a solution.

Resolved on the proposal of Councillor Duffy and seconded by Councillor Stafford that the report be noted.

KN11/0722

Hill of Allen

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

That given the national and local importance of the Hill of Allen as a key tourist destination for the Kildare-Newbridge Municipal District, the council proceed with the roadworks to achieve the adequate sight lines required for the opening and acquisition of the car park.

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

A report was received from the Roads, Transport and Public Safety Department informing the members that the Municipal District Office have examined this matter on a number of occasions. As advised previously, this car park is in private ownership. Kildare County Council investigated the possibility of purchasing this car park and making it a public car park however this would have included major road works, CPO of private land to provide adequate sight lines etc. There is no funding available to proceed with this matter.

Councillor Stafford stated that he thought progress had been made in this regard and was disappointed to now find it had not.

Ms B Cuddy informed the members that a complete redesign of the road and car park was required due to the bad bends on the road which made it prohibitive to use. None of the area



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was in Kildare County Council ownership. This was beyond the remit of the Municipal District Office and needed to move to another level, possibly through heritage.

The members raised the following points:

- The Hill of Allen was a historical landmark and a source of national funding needed to be identified.
- There was goodwill in the community who were keen to work with the Council for a safe car park.

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

KN12/0722

Public Lighting Thomastown

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

That the council provide an update on the provision of public lighting along the Thomastown - Caragh Road at the wall of Caragh Heights Development opposite Caragh Church, further to a motion listed previously on the matter.

The motion was proposed by Councillor Heavey and seconded by Councillor Power.

A report was received from the Roads, Transport and Public Safety Department informing the members that the Public Lighting Engineer examined the submission from the developer in relation to the proposed public lighting design and specification, and requested the following information:

A lighting reality report for the entire estate whereas the access road was all that was shown on the submission.

A1 duct layout drawing showing the location of micropillars and lighting columns at the back of footpaths.

Until this information was submitted and assessed, the Public Lighting Section could not approve the carrying out of works.

Councillor Heavey stated that this was a very busy road in the village of Caragh and public lighting was essential to light up the area from the community field to the church.



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Councillor Power added that this was the only estate that had been built in the area for the last 10-15 years and that the infrastructure was critical.

Mr D Hodgins advised that he would request that the public lighting engineer contact the developer and update the members through the progress report.

Resolved on the proposal of Councillor Heavey and seconded by Councillor Power that the report be noted.

KN13/0722

Junction at Edward Street Newbridge

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

Can the council confirm if there are plans to upgrade the junction at Edward Street, Newbridge at Bank of Ireland?

A report was received from the Roads, Transport and Public Safety Department informing the members that an additional pedestrian crossing was installed at the junction at Main Street/Edward Street/Station Road to facilitate pedestrians crossing from the Bank of Ireland to the Post Office. Any further amendments to the layout of the junction would form part of the NTA funded Newbridge Cycle Track Network Project which was currently being designed.

The report was noted

KN14/0722

Connector Road Kildare Town

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

Can the council provide a progress report on delivery of a connector road between Dublin Road and Melitta Road, Kildare Town?

A report was received from the Roads, Transport and Public Safety Department informing the members that the delivery of a connector road between Dublin Road and Melitta Road in Kildare Town would be developer driven and had been conditioned to be constructed as part of the strategic residential development by Ballymount Properties on the former Magee



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Barracks Site. There was currently no timeline as to when this connector road would be constructed by the developer.

Councillor Doyle queried if a commencement notice had been received and was advised by Mr Hodgins that it had not.

The report was noted.

KN15/0722

Footpath GAA Grounds to Kildangan Village

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

Can the council provide an estimate of the cost and feasibility of delivering the final portion of footpath connecting the GAA grounds in Kildangan to the village?

A report was received from the Roads, Transport and Public Safety Department informing the members that the Municipal District Office cannot provide an estimate for the cost. This is a narrow section of road and would require the cooperation of the landowners. If the landowners were agreeable, this matter could be considered further by way of a motion. Councillor Doyle requested a site visit with the District Engineer who agreed to the request. The report was noted.

KN16/0722

EV Chargers

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

Can the council outline the obligations for householders in terraced or street fronted homes in this municipal district who wish to install an electric vehicle charger outside their home, with particular regard to the need to bury cables under the pathway?

A report was received from the Roads, Transport and Public Safety Department informing the members that if the housing estate or road in question had been taken in charge, the Company installing the unit must apply for a Road Opening Licence to allow for installation. If the estate was not in charge, then permission must be sought from the Developer/landowner. Guidance was available for installers on the SEAI website



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www.seai.ie . For On-Street Charging and Multi Unit Developments with shared parking there were innovative solutions emerging, for example see links below:

- Gully solution
- Oxgul-e <https://energysavingtrust.org.uk/case-study/oxgul-e/>
- <https://www.omroepbrabant.nl/nieuws/3159244/simpel-maar-geniaal-de-dongense-kabelgoottegel-voor-elektrische-autos>
- Gantry type arm solution - <https://electricbrighton.com/faqs/how-do-people-with-no-driveway-charge-their-electric-cars>
- Low powered low impact cost effective large scale on-street charging solution from Trojan <https://www.trojanenergy ltd.com/>

Any new housing developments that were granted were being conditioned to provide the infrastructure allowing for EV charging points to be installed.

The report was noted.

KN17/0722

Resurfacing Logstown Road

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

Can the council confirm if it has plans to resurface the Logstown Road, Kilcullen back toward Carnalway?

A report was received from the Roads, Transport and Public Safety Department informing the members that the Municipal District Office had no plans in the 2022 program for resurfacing of this road.

The report was noted.

KN18/0722

Public Lighting Old Grange

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

Can the council provide an update on the outstanding works and timeline for the new public lighting at Old Grange, Monasterevin?



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A report was received from the Roads, Transport and Public Safety Department informing the members that an application was made for this lighting to the ESB in April of this year. The council were awaiting confirmation from the ESB in relation to the application. The Public Lighting engineer would follow up on this matter with the ESB. The report was noted.

KN19/0722

Footpath Works St Evin's Cemetery

The members considered the following question in the name of Councillor Duffy. Can the council provide an update and timeline on the commencement of the footpath works at St Evin's Cemetery, Monasterevin and Moore Abbey Woods that have been funded from the Outdoor Recreational Infrastructure Scheme?

A report was received from the Parks Department informing the members that a preliminary design had been prepared for the scheme. The council hoped to finalise this before the Autumn and to have the work carried out before the end of the year. These timelines may have to be revised depending on the completion of other projects around the county. Councillor Duffy queried if the grant had a deadline. Mr S Wallace advised that the deadline was June 2023.

The report was noted.

KN20/0722

Pathway Belin Woods to Liffey Linear Park

The members considered the following question in the name of Councillor P O'Dwyer. Can the council provide an update on the connectivity pathway linking Belin Woods to the Liffey Linear Park, Newbridge?

A report was received from the Roads, Transport and Public Safety Department informing the members that this issue was currently being examined by the developer, Glenveagh, who would be issuing survey and design details to Kildare County Council's Planning Section for approval. The report was noted.



KN21/0722

Pedestrian/Cycling Connection Liffey to Belin Woods

The members considered the following question in the name of Councillor Heavey.
Can the council provide an update on any progress made in negotiations to resolve difficulties of pedestrian/cycling connection between existing Liffey Linear Park with the new 80m strip between the River Liffey and Belin Woods Development at Kilbelin Newbridge, without having to cross the Athgarvan Road?

A report was received from the Roads, Transport and Public Safety Department informing the members that Kildare County Council (Planning and Roads Departments) had been in discussions with the developer to discuss the survey work and design issues relating to the delivery of this link. The members would be updated on any progress on this issue.

Councillor Heavey queried if there had been any update.

Mr D Hodgins advised that the team was actively working with the developer towards a solution.

The report was noted.

KN22/0722

Surface Water Ponding Kildare Village

The members considered the following question in the name of Councillor Stafford.
Can the council explain the cause of surface water ponding at the entrance to Kildare Village Retail Outlet?

A report was received from the Roads, Transport and Public Safety Department informing the members that the Municipal District Office were unaware of issues at this location and would require an exact location to be provided to enable further discussion.

Councillor Stafford advised that he would welcome a meeting to discuss further.

The report was noted.

KN23/0722

Pinkeen Stream

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



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Can the council provide an update on progress for the delivery of a safe crossing over the Pinkeen Stream in Kilcullen, for the hundreds of children and families that will be crossing the stream again when the schools reopen?

A report was received from the Roads, Transport and Public Safety Department informing the members that no funding source was available to carry out these works within the Municipal District, however earlier this year Councillor Tracey O'Dwyer sourced funding through a private contractor (they wish to remain unnamed). A site meeting has been held with the contractor in question. They had agreed to provide the two large culverts required to cross the stream and the gabion baskets required for support and the installation of same under the supervision of the Municipal District office. They advised at the time that due to shortage in materials that it would take several weeks if not months to source and deliver culverts of the size required, and the council were waiting on a further update for the delivery of same.

Councillor McLoughlin Healy sought clarification regarding a similar offer from a contractor back in 2020, but that had not been taken up due to procurement requirements. She stated a similar scenario had also arisen with the Courtyard in Newbridge and sought clarification around the procurement needed in these scenarios.

Ms B Cuddy advised that the previous offer had been for a survey but there had been no budget for the actual works. On this occasion all the works would be completed by the contractor as a gift to the people of Kilcullen and confirmed the Municipal District Office would look after the footpath. There would be no procurement issue due to the fact that there was no money involved.

Councillor McLoughlin Healy queried if she was correct in assuming that if there was no cost to the council there was no procurement needed. Ms Cuddy confirmed this was correct. The report was noted.

KN24/0722

Municipal District Meetings

The members considered the following motion in the name of Councillor T O'Dwyer. That with the members agreement the council schedules a maximum of two presentations per Kildare-Newbridge Municipal District meeting, as presentations arise, with presentations



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being shared with Councillors prior to the meeting so as to allow time for meaningful discussion and debate, given that the Kildare-Newbridge Municipal District is the largest municipal district with 11 councillors resulting in a considerable agenda.

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

A report was received from the Corporate Services Department informing the members that this was a matter for the members to decide and any actions to create efficiency in the operation of the meeting was to be welcomed. Reports were issued to members for consideration in advance of meetings and where presentations were to be made, they could be requested in advance for circulation. Consideration should however be given to the management of situations where more than two items of statutory business that were time bound had to come before the members for consideration and where a presentation was included.

The members raised the following points:

- Kildare Newbridge was a very busy Municipal District with the largest membership resulting in many agenda items to go through.
- Meetings were being rushed to get through every item.
- If presentations were available in advance, it would give the members more time to prepare notes and questions in advance of the meeting which would lead to more meaningful debate.
- Hard copies of presentations and maps would be clearer and easier to read.
- It should be ensured that appropriate staff were present at meetings for further discussion on reports provided.
- There were statutory obligations to expedite some decisions during certain time frames so it may not always be possible to limit the presentations to two.
- From a health and safety point of view meetings were too long and should have proper breaks.
- If meetings were separated there was a danger, they could become briefings which would not be minuted and not attended by the public so transparency would be lost.

The District Manager stated that it was an unfair comment to suggest that staff were often not available. It was a rare event that only happened on a very rare occasion. He also



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advised that there may be issues with limiting the number of presentations as there could be significant statutory business which needed to be discussed in a tight time frame.

Councillor Doyle suggested that the motion be taken and monitored with a view to highlighting the matter and reviewing in 6 months' time. This was agreed by members.

Resolved on the proposal of Councillor T O'Dwyer and seconded by Councillor Pender that that the matter be monitored and reviewed in 6 months' time.

KN25/0722

Vacanthomes.ie

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

Can the council confirm how many properties have been submitted through vacanthomes.ie since its inception within the municipal district (or the County if not broken down by municipal district), and what action has been taken on foot of these submissions?

A report was received from the Housing Department informing the members that entries were removed from the Vacanthomes.ie website as they were dealt with. It should be noted many entries were duplicates, had insufficient addresses or were properties that the Vacant Homes Officer would already be aware of. Since the beginning of 2022, there had been 72 entries on the vacant homes website. Of these, 16 had insufficient addresses, 25 had already been submitted and the Vacant Homes Office had followed up on, 5 were repeat entries and 25 were new entries and would be investigated further.

The Vacant Homes Officer would carry out an assessment exercise on the vacant properties in order to identify the registered owners of the property. The Vacant Homes Officer would then contact the owner or financial institution in order to discuss with them the schemes available to bring the property back into use such as the Repair and Lease and the Buy and Renew Schemes. Where warranted a compulsory purchase could be considered to enable the properties to be brought back into beneficial use.

Councillor N Connolly sought clarification on how many units had been brought back into use and how many compulsory purchase orders had been initiated.

The meetings administrator advised that she would pass on the member's comments to the housing department for clarification.

The report was noted.



KN26/0722

Item 27 was taken at this point

Item 27

Tree Preservation Order Caragh

The members considered the Chief Executive Report on the Proposed Tree Preservation Order at Caragh - Section 205 of the Planning and Development Act 2000, as amended.

Following a presentation by the Planning department and a detailed discussion amongst the members, Councillor Peggy O'Dwyer proposed that the Chief Executives report on the proposed Tree Preservation Order at Caragh be approved.

Councillor Fiona McLoughlin Healy seconded the proposal.

All Elected Members (11 no.) agreed to make the Order, as outlined above, at the Kildare-Newbridge Municipal District meeting held on 20 July 2022.

Resolved on the proposal of Councillor Peggy O'Dwyer, seconded by Councillor Fiona McLoughlin Healy and with the unanimous agreement of the members, a Tree Preservation Order for 17 no. trees at Caragh, Co. Kildare in accordance with the amended draft Tree Preservation Order and map contained in Schedule 1 of the Chief Executive's Report dated 14 July 2022, was approved.

KN27/0722

Approved Housing Bodies

The members considered the following question in the name of Councillor McLoughlin Healy. Can the council clarify the list of the Approved Housing Bodies in the district that are or have been in engagement with the regulator since 2019, including a list of the type of issues being addressed and the council's role in the engagement, and whether it is aware of the of the closed process by which board members are selected and appointed to their boards?

A report was received from the Housing Department informing the members that the Regulation Office in the Housing Agency was established as the interim regulator for the



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AHB sector in 2014. Subsequently, The Approved Housing Bodies Regulatory Authority (AHBRA) was established in February 2021 to provide regulation of the sector.

Engagement between the AHBs and the regulator is a matter between these parties and Kildare County Council has no role in this function. It is not possible to provide a list of this engagement or the issues addressed as this is a matter between the AHBs and the Regulator. It is the view of the Housing Agency that the Regulatory Assessment Reports submitted to the Regulator are confidential and not for circulation.

The role of the local authority is to provide support for funding applications by the AHB and I refer to circular 15/2016 which advises “only those AHBs who have signed up to the Voluntary Regulation Code by 1 June 2016 will be eligible for funding from the Department of Environment, Community and Local Government under Capital Assistance Scheme, Communal Facilities, Capital Advance Leasing Facility and New P&A Agreements with AHB. From 1 January 2017, in addition to the requirement to have signed up to the Code, only those AHBs that are able to demonstrate commitment to and engagement with both the VRC and the Financial Standard and Assessment Framework, having undergone a satisfactory assessment as part of the annual assessment process by the Regulation Office will be considered eligible for funding under the above schemes.”

Circular 08/2022 revoked circular 15/2016 and states that “AHBs must have received a satisfactory outcome in their most recent assessment under the Voluntary Regulation Code (VRC) to be considered eligible for new funding. AHBs should provide evidence of this in support of their application for new funding”

The local authority does not engage with the AHB regarding their status or recommendations of the Regulatory Office and the role of the local authority is to support when appropriate only those AHB’s with a satisfactory assessment for new funding.

Under the Capital Loan and Subsidy scheme there is a Management and Maintenance Subsidy payable to the AHB on submission of a satisfactory annual compliance submission to the local authority. The subsidy is not considered to be new funding and ensures that properties are maintained to a suitable standard.

In addition, the renewal of a lease under a Payment and Availability Agreement is not new funding but ensures the continued provision of housing support for an existing tenant.

With reference to the appointment of board members for an AHB, the local authority has no statutory or other involvement in this process.



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Councillor McLoughlin Healy sought clarification on the following questions:

- Was Kildare County Council aware of engagement between the Approved Housing Bodies and the Regulator as the report does not say that the council were aware which was disappointing as the question was not fully answered and therefore there was a lack of transparency.
- Does the council check if evidence has been made available to the AHB voluntary regulator
- Are Annual Compliance Reports regarding the governance of AHBs in place and adhered to.
- Specific skillsets were required on the Boards of AHBs and positions should be advertised rather than cherry picked.

Mr O Brady stated that there had been no intent on the part of the housing department to not answer the question and that in endeavouring to answer the question fully, it may have been misinterpreted. He confirmed the following:

- The council were aware of engagement between the AHBs and the Regulator.
- Evidence was checked before any new funding was given
- New applications for funding would not be supported without checking that they are compliant with the Voluntary Regulation Code

The report was noted.

KN28/0722

Protected Structure Process Bord na Mona Buildings

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

That the council initiate a protected structure process on what was the former Reading and Recreational Barracks for Officers in the Bord Na Móna buildings in Newbridge.

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

A report was received from the Planning Department informing the members that the addition of a structure to the Record of Protected Structures (RPS) was provided for under Sections 54 and 55 of the Planning and Development Act 2000 (as amended). While it was not possible to include an addition to the RPS at this stage of the County Development Plan



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2017-2023 review process, the Planning Department would consider the merits of additional structures located around the County, including the Reading and Recreational Barracks in the Bord na Móna buildings, following the adoption of the Plan.

Councillor P O'Dwyer stated that the building was an important part of local history and was used by local artists.

Ms A Granville agreed that the property did merit protection under Section 55 of the Planning and Development Act 2000 and could be investigated after the County Development Plan was adopted.

Resolved on the proposal of Councillor P O'Dwyer and seconded by Councillor N Connolly that the report be noted.

KN29/0722

Draft Census Data and Local Area Plan

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

That the council provide a report on the implications of first draft census data for towns within the municipal district with particular emphasis on growth figures for the pending Local Area Plan in the municipal district.

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

A report was received from the Planning Department informing the members that the Population and Housing targets contained in Table 2.8 of the Draft County Development Plan 2023-2029 were not based on 2016 census data, or an estimated population in 2021, but on Central Statistics Office (CSO) housing completion rates [in County Kildare] and the Section 28 Ministerial Guidelines on Housing Supply issued by the Government in December 2020.

The targets were based on ESRI research which provided a robust, up-to-date and independently developed housing demand projection, to inform policy and investment with regard to housing at national and local levels. The ESRI data provided an integrated model of housing demand that took into account demographic, economic and housing market factors, including inter-county migration, at individual local authority level. Therefore the



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publication of preliminary CSO 2022 results had no direct implications on these targets for the settlements of Kildare Town, Newbridge, Monasterevin and Kilcullen.

The members raised the following points:

- No recent Central Statistics Office figures had been available in the preparation of the draft County Development Plan (CDP)
- Should the County Development Plan be reviewed now based on first draft census data
- Was there anything to prevent the council reviewing the information by looking at the census figures and the new information at hand.
- Kildare is the fourth largest county in the country and regard had to be had to this in preparing the draft CDP
- The social housing need was higher in the Kildare-Newbridge Municipal District than in other parts of the county and people should be able to acquire a home in their native place.
- It appeared SHDs were already overreached before they started which would cause huge problems for the future.
- Some members would support the idea of doing a mini census for Newbridge.
- A number of vacant homes needed to be brought back into use.
- Non-social housing needs also needed to be addressed as new employers would not be attracted into the county if housing was not available.

Ms Granville responded as follows:

In terms of the query regarding the SHDs overreaching the Draft CDP targets 'before it was adopted', this was not the case. The targets set out in the Draft CDP were for the period 2023-2029 and any permission for development which was constructed and completed prior to that date would not reduce the settlements target as it would be considered in the context of the existing development plan targets.

Each of the LAPs in the county required a localised and bespoke approach to new residential development, based on the recent growth rates in each of the towns. The LAP for Kildare Town for example, (which was next on the KCC LAP programme) would address



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extant permissions having regard to local housing demand and with consideration also given to “unmet demand” which relates to the social housing demand etc. Lands under construction at this time and/or at the time of the preparation of the LAP *may* be considered existing residential depending on the stage of the construction of the particular site. The Development Plan guidelines make provision for such localised considerations.

Councillor Doyle stated that she still was not reassured on the criteria being used in the review process. Councillor Duffy added that there was a knowledge gap and that it might be beneficial to have some briefing sessions offline. Ms Granville advised that she had completed workshops with other Municipal Districts which proved very useful for the Naas and Athy LAPs and that it was intended to arrange same with the Kildare Newbridge members in September. She also confirmed she would circulate the ESRI reports to the members following the meeting for review.

Resolved on the proposal of Councillor Doyle, seconded by Councillor Pender and agreed by the members, the report was noted.

KN30/0722

Special Development Contribution

The members considered the following motion in the name of Councillor N Connolly. That Comhairle Chontae Chill Dara introduce a Special Development Contribution or a Supplementary Development Contribution to fund the provision of the Newbridge South Orbital Relief Road to include a condition that should this road be funded by other means, the funds be used to provide a public swimming pool in the municipal district.

The motion was proposed by Councillor N Connolly and seconded by Councillor P O’Dwyer.

A report was received from the Planning Department informing the members that requesting a Special Development Contribution to have an alternative use if unused for a specific set of works is not permitted under S48 (12) of the Planning and Development Act 2000 (As Amended)

A special Development contribution is facilitated by S48(2) as follows



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(c) A planning authority may, in addition to the terms of a scheme, require the payment of a special contribution in respect of a particular development where specific exceptional costs not covered by a scheme are incurred by a local authority in respect of public infrastructure and facilities which benefit the proposed development.

A special Development Contribution is for specific works and if these specific works are not commenced within 5 years of final payment or completed within 7 years of final payment, the Special Development Contribution shall be refunded to the applicant with interest. It cannot be used elsewhere.

The second option of a Supplementary Development Contribution scheme S49 is in respect of “public infrastructure project or service” This does not extend to a public swimming project.

The definition of “public infrastructure project or service” is set out in S49(7) of the Act as

- (a) the provision of particular rail, light rail or other public transport infrastructure, including car parks and other ancillary development,*
- (b) the provision of particular new roads,*
- (c) the provision of new surface water sewers and ancillary infrastructure,*
- (d) the provision of new schools and ancillary infrastructure.*

Prior to the meeting Councillor N Connolly had sent notice of an amendment to the wording of his motion. The new wording to read:

That Comhairle Chontae Chill Dara introduce a Special Development Contribution or a Supplementary Development Contribution to fund the provision of the Newbridge South Orbital Relief Road.

The amendment was proposed by Councillor N Connolly and seconded by Councillor P O'Dwyer and agreed by all members.

Ms A Granville stated that this was being given ongoing consideration and she would revert to members when further information was available.

Resolved on the proposal of Councillor N Connolly and seconded by Councillor P O'Dwyer that the report be noted.



KN31/0722

Items 31 and 33 were taken together

Item 33

Old Court House, Eyre Street, George's Street and Town Hall area Newbridge

The members considered the following motion in the name of Councillor McLoughlin Healy. That the council expedite plans for the redevelopment of the Old Court House, Eyre Street, George's Street, Town Hall area of Newbridge by exploring options for one way and car free sections during the month of August to facilitate and trial how such an initiative may impact long term plans to change the layout and enjoyment of this area for businesses and residents.

The motion was proposed by Councillor McLoughlin Healy and seconded by Councillor A Connolly.

Ms M Hunt stated that public realm supported the idea but the Roads Department were of the opinion that this would be premature before the ABTA.

Resolved on the proposal of Councillor McLoughlin Healy and seconded by Councillor A Connolly that the report be noted.

Item 31

Benches at Market Square Newbridge

The members considered the following motion in the name of Councillor Stafford. That the council review its policy of installing benches and seating at Market Square, Newbridge as part of the tactical urbanism project for the area and remove same in light of continuous anti-social behaviour until an alternate proposal is advanced.

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

A report was received from the Planning Department informing the members that the Public Realm team had been in discussion with the Municipal District Office following the recent tragic events on Eyre Street/Market Square and a meeting was to be held with local



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representatives, community groups and An Garda Síochána. A proposal would be tabled for consideration for the relocation of the benches to the forecourt area and with an improved line of sight from Georges Street.

The members raised the following points:

- Waiting 10 years for a civic building was not an option
- The area needed to be recaptured for a positive use
- Having the Peter McVerry unit so close by was doing a disservice to everyone including the service users
- There are real issues in the area and it needed a targeted multi-agency approach.
- It was unacceptable that local businesses had to put up with the anti-social behaviour in the area.
- Benches and seating should be relocated closer to George's Street to make them more visible.
- The installation of additional benches with planters had exacerbated the issue of anti-social behaviour in the area.
- All benches should be removed and possibly reintroduced in a year or two to allow a clean break as squares can be just open spaces and don't have to be cluttered.
- Seating should be the last item to be installed in an area. The area outside the TSB in Naas showed how seating such as this can work.
- The area always had an issue with anti-social behaviour but there was a need to try make the space work for everyone.
- Policy can not be dictated by anti-social behaviour. Poplar Square in Naas works well as a Public Realm space. Spaces such as this encourage a sense of community.
- The location was creating complexity. There was no reason not to trial putting them to the front of the space rather than removing them entirely. A decision should be deferred until such time as this had been tested.
- Kildare County Council needed to be proactive in finding a solution to the problems.

Ms M Hunt stated that the wooden benches had been installed by Public Realm on a temporary basis during Covid. The permanent bench had been installed by the Municipal



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District Office. She advised that she would speak to the District Engineer regarding the relocation of all seating.

Resolved on the proposal of Councillor Stafford and seconded by Councillor Duffy that the report be noted.

KN32/0722

Red House Hotel

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

That the council provide a summary of reports/correspondence relating to how or why

The Red House Hotel, Ladytown (presently listed as derelict) has not been brought forward as a completed project.

The motion was proposed by Councillor Heavey and seconded by Councillor Power.

A report was received from the Chief Fire Officer informing the members that the original development was granted a Fire Safety Certificate, however, in the opinion of the Fire Authority, The Red House Hotel was not built-in compliance with the granted certificate. The nature of any works that may be required to bring the building into compliance with the Fire Safety Regulations would be dependent on the proposed use of the building. Any new development at this location would require a new Fire Safety Certificate.

The members raised the following points:

- Complications with the site needed to be addressed given the current housing emergency.
- The site was currently owned by a Cork company so there were limitations on what could be done without a compulsory purchase order.
- The Red House Hotel was a white elephant for a long time and could not be allowed to lie vacant.
- Was the site listed as derelict and if not, why not?

Mr J Boland (District Manager) that a compulsory purchase order could be progressed through the derelict site list but that was not the fundamental issue. He advised that he would engage with the various departments regarding the issues involved and revert to the members.



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Resolved on the proposal of Councillor Heavey and seconded by Councillor Power that the report be noted.

KN33/0722

Market Square Rathangan

The members considered the following question in the names of Councillors Stafford and A Connolly.

Can the council confirm if it has identified a source of funding for the Market Square redevelopment in Rathangan and a likely timeline?

Report: The design team are currently progressing the detail design stage of the project. No funding source has yet been identified to develop the project post tender stage however, the Public Realm team intend to apply for funding to deliver this project under the next round of RRDF funding.

Councillor Stafford queried when the next RRDF funding would be available. Councillor A Connolly stated that it was now 14 months since the Part 8.

Ms M Hunt advised that the detailed design was almost complete.

The report was noted.

Councillor McLoughlin Healy proposed that standing orders be suspended for ten minutes.

This was seconded by Councillor Pender and agreed by members.

KN34/0722

Vent at Athgarvan Village

The members considered the following motion in the name of Councillor McLoughlin Healy. That the council clarify the purpose of and reason for location of a vent at the corner of the junction in Athgarvan Village and what can be done to address the odour or relocation of the vent?

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



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A report was received from the Water Services Department informing the members that this was a matter for Irish Water and should be referred accordingly to its Head of Asset Strategy/Planning. The following background and commentary may be of help and assistance to the members:

There was an intermittent odour issue in Athgarvan, mainly close to the crossroads, at confluence of the sewer line from the Curragh /Brownstown /Cutbush. Efforts had been made to put measures in place over the years to try to alleviate/abate the issue though the provision of vents on the sewer line. This had some benefit but not fully resolved the issue. There were also plans to upgrade the pumping station and this would incorporate some odour abatement measures but, as things stood, there was no timeline as yet from Irish Water. In any event this would only address odour issues in the vicinity of the plant. If there were complaints locally about odours, it would be best if these were formally logged with Irish Water [1800 278 278 – there was a dedicated line for public representatives] and, in turn, complaints could at least be logged and formally referred to the local authority. The matter could also be raised at the periodic Irish Water clinics. This might also be possibly helpful in terms of influencing Irish Water investment decisions. Please note that the Council had raised this matter with Irish Water on a number of occasions over the years and ultimately it was a matter for that utility to resolve.

Councillor McLoughlin Healy sought clarification regarding an estimated timeline for the pumping station and what the council's remit was regarding odours.

Mr J Boland (District Manager) stated that there was currently no timeline for the pumping station. The service level agreement was that Kildare County Council did ongoing maintenance works on behalf of Irish Water. There may be provision under the Air Pollution Act regarding odours. Mr J Boland to revert to members with clarification.

Resolved on the proposal of Councillor McLoughlin Healy and seconded by Councillor Pender that the report be noted.

KN35/0722

Kildangan Scouts

The members considered the following motion in the name of Councillor Duffy
That the council commence discussions with Kildangan Scouts regarding their proposed use of outdoor space on lands owned by the Council to activate it for the community.



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

A report was received from the Housing Department informing the members that Kildare County Council would meet with Kildangan scout group to assess the short-term use of outdoor space on lands in its ownership at Crosskeys, Kildangan.

Councillor Duffy advised the members that currently Kildangan Scouts had no outdoor space available to them. The lands in question would give them the required space and would also help alleviate some anti-social behaviour in the area.

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

KN36/0722

Derelict Building Kilcullen

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

Can the council confirm if it has explored purchasing the new to market, 405sq.m. derelict building in the heart of Kilcullen to be developed as a youth and community space under the new funding stream to support local authorities purchase vacant building which can be converted and developed for community use under the Town and Village Renewal Scheme?

A report was received from the Planning Department informing the members that a proposal was made to the council in relation to a derelict residential development site in Kilcullen. The proposal was considered however, as it was for the development of housing it was excluded for consideration as the funding was for support of multi-purpose community uses only.

The report was noted.

The meeting concluded.