

**Minutes of Naas Municipal District Meeting held at 3.30 pm on
Tuesday, 16 July 2019
in the Council Chamber, Áras Chill Dara, Naas**

Members Present: Councillor C Kelly (Mayor), A Breen, F Brett, B Clear, V P Martin, S Moore and E Sammon.

Officials Present: Mr M Kenny (A/Municipal District Manager), Ms E Wright (Senior Executive Officer), Mr D Reel (Municipal District Engineer), Mr E Fagan (Administrative Officer), Mr J Hannigan (Meetings Administrator) and Ms K O'Malley (Meetings Secretary).

NS01/0719

Minutes and Progress Report

The members considered the minutes of the annual meeting held on 17 June 2019 together with the progress report.

Resolved on the proposal of Councillor Brett and seconded by Councillor Breen that the minutes of the annual meeting held on 17 June 2019, of the Naas Municipal District be confirmed and taken as read. The progress report was noted.

NS02/0719

Matters Arising

Vacant Housing Report

Councillor Moore requested that the Vacant Housing Report be reviewed to include the number of dwellings the council have in stock in the Naas Municipal District. He stated that the report given provided very little information.

The Meetings Administrator stated that he would relay Councillor Moore's request to the Housing Department.

NS03/0719

Municipal District Road Works

Mr Reel, Municipal District Engineer updated the members on the municipal district road works. He stated that He stated that footpath works from the Town Hall to the Dunnes Stores site on Naas Main Street were substantially completed.

Mr Reel informed the members that in relation to the Naas Municipal District Road Improvement Works 2019, the first package of works (Works Package 1) was at construction stage with construction to be complete by the mid July 2019. It included the following works locations:

SECTION A: L6039 Crab Road

SECTION B: L20113 Bishopscourt, Kill

SECTION C: L20102 Alasty

SECTION D: L6012 Sherlockstown, Sallins

SECTION E: L60601 McLoughlins Lane, Boleybeg

SECTION F: L6035 Naas Rugby Club to the Red House

SECTION G: L6043 Craddockstown

SECTION H: L2004 Digby Bridge

SECTION I: L200610 Osberstown Cottages, Sallins

In relation to the second package of road improvement projects, Mr Reel stated that these were at construction stage with construction to end by mid August 2019. It included the following works locations:

SECTION A: L6011 Turnings-Sherlockstown-Daars

SECTION B: L20042 Blackhall, Clane

SECTION C: R407 Bodenstown-Clane

SECTION D: L6076 Castlefish (Nicholastown)

SECTION E: Bishopshill, Ballymore Eustace

SECTION F: Dunshane

SECTION G: Walterstown, Sallins

SECTION H: L2023 Punchestown, Naas

Mr Reel informed the members that the emergency drainage works at Main Street, Sallins and Lakelands, Naas were completed.

He stated that the Naas Municipal District had recently completed the first round of surface dressing works in the Naas District including:

R412 – Dunlavin Road (south of Brannockstown)

L2023 – Punchestown Road (Between Beggars end and Watchouse Cross)

L2009/L2018/L2019/L2021 – Boston Hill, Tuckmilltown, Oughterard

L2020 – Military Road

In relation to the Local Property Tax (LPT)/Carpark Funded Works 2019, Mr Reel stated that the LPT/Carpark funded works programme for 2019 had been agreed by the Naas Municipal District Councillors. He stated that the Naas Municipal District was delivering the road and footpath improvement elements of this programme on an ongoing basis.

Mr Reel stated that €40,000 had been assigned to footpath works on the Killashee Road towards the school and informed the members that this would not be enough to complete the works stating that a scheme would have to be designed and put to tender towards the end of the year to get a detailed cost. He informed the members that a preliminary estimate of cost to complete the work was in the region of €150,000.

NS04/0719

Payment of Allowance to Mayor

The members considered payment of allowance to the Mayor of the Naas Municipal District in accordance with Circular Letter LG 01/2018.

A report was received from the Corporate Services Department informing the members that Section 143 of the Local Government Act 2001, as amended refers to the payment of an allowance to a Cathaoirleach. Part IV of Circular LG01/2018 sets

out the maximum amount of an allowance payable to Cathaoirligh of Municipal Districts. The extract was circulated to the members in advance of the meeting. Councillor Moore proposed that the payment of the allowance to the Mayor remain at €12,000 per annum as it was in the previous term.

Resolved on the proposal of Councillor Moore, seconded by Councillor Brett that the payment of the allowance to the Mayor of the Naas Municipal District remain at €12,000 per annum.

NS05/0719

LPT Grant Funding

The members considered the approval of LPT grant funding of €5K to Naas GAA Féile U14 Boys Football.

Resolved on the proposal of Councillor Moore, seconded by Councillor Clear and agreed by all the members that €5K be awarded to Naas GAA Féile U14 Boys Football.

NS06/0719

Pedestrian Crossing at the Dew Drop Inn, Kill

The members considered the following motion in the name of Councillor Breen. That the Roads, Transportation and Public Safety Department report on the outcome of discussions with the National Transport Authority as to whether or not approval has been issued to provide the signal controlled pedestrian crossing at the Dew Drop Inn, Kill, in advance of the completion of the Naas to Kill Cycle scheme.

The motion was proposed by Councillor Breen, seconded by Councillor Clear.

A report was received from the Roads, Transportation and Public Safety Department informing the members that the Roads Section has had preliminary discussions with the NTA regarding funding for the full design of the Naas to Kill Cycle Scheme, including the option to provide the signal controlled pedestrian crossing at the Dew Drop Inn, Kill, in advance of completion of the full cycle scheme. The issue would be raised at the next meeting with the NTA, the date of which was not confirmed at this time.

Councillor Breen stated that she would like to see a more definite response that the signal controlled pedestrian crossing would be installed and asked that the item remain on the progress report.

Ms Wright stated that the review of the pedestrian crossing would take place at the end of July when the three lanes on the M7 were opened.

Resolved on the proposal of Councillor Breen, seconded by Councillor Clear that the report be noted and the item remain on the progress report.

NS07/0719

Overhead Cables in Ballymore Eustace

The members considered the following motion in the name of Councillor Sammon. That the council underground the overhead cables in the village of Ballymore Eustace.

The motion was proposed by Councillor Sammon, seconded by Councillor Breen.

A report was received from the Roads, Transportation and Public Safety Department informing the members that due to limited resources it was not possible to undertake this project currently.

Councillor Sammon stated that Ballymore Eustace was the only town in Kildare to get to the Ireland's Best Kept Towns presentation and informed the members that the overhead cables kept coming up as an issue when being judged. She queried if the reason it was not possible to undertake the project was due to lack of funding or resources and requested a costing on the works.

Mr Reel stated that it was very expensive to take apart a footpath for ducting and rewiring and informed the members that 200-300 metres completed in Naas cost in the region of €300,000.

Councillor Moore asked Mr Reel to examine premises on Main Street Naas that had a downpipe feeding onto the street as they were very dangerous in frosty weather.

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

NS08/0719

Kerry's Cross on L2026, Ballymore Eustace

The members considered the following motion in the name of Councillor Sammon. That the council undertake a safety audit at Kerry's Cross on L2026, Ballymore Eustace.

The motion was proposed by Councillor Sammon, seconded by Councillor Brett.

A report was received from the Roads, Transportation and Public Safety Department informing the members that the Naas Municipal District Office had discussed this junction with An Garda Síochána and had recently made a number of improvements in terms of signage and road markings under the Low Cost Safety Improvement Scheme.

Councillor Sammon queried if it was in fact Perrystreet Crossroads the report from the Roads Department had been referring to and confirmed that huge works had been completed at Perrystreet Crossroads and the residents were delighted but that it was Kerry's Cross she was referring to in her motion which was a different cross. She explained where Kerry's Cross was. Mr Reel apologised for the confusion and it was agreed that he would meet Councillor Sammon on site and discuss the matter with the landowner.

Resolved on the proposal of Councillor Sammon, seconded by Councillor Brett that the report be noted and Councillor Sammon to meet Mr Reel on site.

NS09/0719

Truck (5 Axle Ban)

The members considered the following motion in the name of Councillor Clear. That the council commence the process of a Truck (5 Axle Ban) for the centre of Naas with the exception of local deliveries, where a permit system should be

introduced under the Road Traffic (Control of Parking) Regulations 2006 Section 4(2).

The motion was proposed by Councillor Clear, seconded by Councillor Moore.

A report was received from the Roads, Transportation and Public Safety Department informing the members that a consultant had been appointed to prepare a report on a Transport Strategy for Naas which was anticipated to be delivered in September 2019. Any consideration of such a control measure would be contingent on: An appropriate alternative route being in place; Statutory signage in place on public roads (Sign number RU046 - prohibitions and restrictions on prohibited vehicles by reference to total number of axles) in accordance with S.I. No. 638/2006- Road Traffic (Control of Traffic) Regulations 2006; and prior consultation with An Garda Síochána as the enforcement authority in this matter

Councillor Clear stated he hoped that when the Transport Strategy for Naas was prepared that a Truck (5 Axle Ban) for the centre of Naas would be included as part of the strategy stating that it would make the town safer for cyclists, reduce emissions and be less noisy.

Resolved on the proposal of Councillor Clear, seconded by Councillor Moore that the report be noted.

NS10/0719

Footpath Cleaning in Naas

The members considered the following motion in the name of Councillor Clear. That the council introduce footpath cleaning in Naas for the period of the Tidy Towns competition, with particular emphasis on the footpaths and lanes as at present, this is done by Tidy Towns Volunteers.

The motion was proposed by Councillor Clear, seconded by Councillor Martin.

A report was received from the Environment Department informing the members that

the Environment Department's Street Cleaning Team provide a street/footpath cleaning service on a 7 day week basis on all main thoroughfares in the town. No additional capacity was available to extend the service currently. The matter could be considered as part of the budget process 2020.

Councillor Clear stated that there was a crew present in the early hours of the morning followed by a sweeper truck picking up litter but then it was left up to the Tidy Towns group. He further stated that it was the footpaths that needed cleaning not the roads.

Mr Fagan stated that a service was provided 7 days a week and footpaths were cleaned 4/5 days a week and if this was to change it would have to be considered as part of the budget process.

Councillor Clear stated that he had never seen the footpaths being cleaned during the day in Naas and noted that the footpaths in Maynooth and Newbridge were cleaned during the day.

Mr Fagan stated that it was done differently in other municipal districts and informed the members that it was being reviewed in the Naas area and may be brought under the Municipal District Engineer's remit.

Resolved on the proposal of Councillor Clear, seconded by Councillor Martin that the report be noted.

NS11/0719

Metal Signage Posts

The members considered the following motion in the name of Councillor Brett. That the council remove the redundant metal signage posts at the Monread Road roundabout and the Punchestown Road junction at Johnstown Village.

The motion was proposed by Councillor Brett, seconded by Councillor Moore.

A report was received from the Roads, Transportation and Public Safety Department informing the members that the Naas Municipal District Office would assess this issue and remove any redundant poles.

Resolved on the proposal of Councillor Brett, seconded by Councillor Moore that the report be noted.

NS12/0719

Public Parking in Naas

The members considered the following motion in the name of Councillor Moore. To enable members evaluate the changes made in the management of Public Parking in Naas, that the Roads Department provide the details of the number of parking spaces in each of the public parking sites, the gross income for each site for years 2014, 2015, 2016, 2017 and 2018 and the management costs for each year and the net available surplus for distribution.

The motion was proposed by Councillor Moore, seconded by Councillor Sammon.

A report was received from the Roads, Transportation and Public Safety Department informing the members that given the volume of information sought, the Pay Parking Section would prepare a report and issue to the members in advance of the next scheduled municipal district meeting.

Councillor Moore thanked the Roads Department for the report and for the commitment given to provide the information at the next municipal district meeting.

Resolved on the proposal of Councillor Moore, seconded by Councillor Sammon that the report be noted.

NS13/0719

Radar Speed Sign at Entrance to Sallins Village

The members considered the following motion in the name of Councillor Kelly. That the council prioritise the installation of a Radar speed sign on the Naas side of the entrance to Sallins Village on the R407.

The motion was proposed by Councillor Kelly, seconded by Councillor Brett .

A report was received from the Roads, Transportation and Public Safety Department informing the members that the Naas Municipal District Office was currently working with the Traffic Management Section on the provision of speed feedback signs in Sallins.

Mr Reel stated that he had received approval from the Director of Services to order the signs and confirmed that they would be delivered in the following 3/4 weeks.

Resolved on the proposal of Councillor Kelly, seconded by Councillor Brett that the report be noted.

NS14/0719

Right of Way at New Row, Naas

The members considered the following motion in the name of Councillor Kelly.
That the council receive an update on the previous motion (NS08/0119) Right of Way at New Row, Naas.

The motion was proposed by Councillor Kelly, seconded by Councillor Sammon.

A report was received from the Roads, Transportation and Public Safety Department informing the members that in January 2019, the following report was provided to the members:

‘In *Walsh v. Sligo C.C.* [2013] 4 I.R, the Supreme Court drew a distinction between a “public road” and a “public right of way”. As the trial judge explained, a distinction must be made between a public road and a public right of way. The latter may exist over any particular route, but it is not a public road unless and until it is taken in charge by a local authority pursuant to statute. The right of way at New Row as referred to by the councillor is not in the ownership of Kildare County Council and has not been taken in charge in accordance with Section 11 of the Roads Act 1993.’
The Roads Department advises that there is no further update on this issue at this time.

Councillor Kelly stated that Kildare County Council were already cleaning and maintaining this area. Ms Wright stated that the area may be in use by the public but was not in the charge of Kildare County Council and confirmed that the Roads, Transportation and Public Safety Department were not diverting resources to examine a public right of way (not in charge) to determine the views/agreement of businesses/owners who use and have access to the laneway. The Roads Department has diverted its resources to work and projects that have funding for 2019.

Resolved on the proposal of Councillor Kelly, seconded by Councillor Sammon that the report be noted.

NS15/0719

Coughlanstown Road, Ballymore Eustace

The members considered the following question in the name of Councillor Sammon. Can the council provide an update on the progress of slope remediation works on Coughlanstown Road, Ballymore Eustace?

A report was received from the Roads, Transportation and Public Safety Department informing the members that the procurement procedure had commenced and the submitted tenders were currently being assessed by the Tender Evaluation team. On completion of the evaluation and identification of the preferred bidder, a statutory standstill period was required prior to the awarding of the tender. A source of funding for the proposed works had not as yet been finalised or confirmed. The report was noted.

NS16/0719

Naas School Wardens

The members considered the following question in the name of Councillor Sammon. Can the council provide an update on the number of School Wardens for Naas schools?

A report was received from the Roads, Transportation and Public Safety Department informing the members that there were four school wardens in Naas town based at the following locations:

1. Mercy Convent, Sallins Road
2. Ballycane National School
3. St. Corbans Boys National School (Main Street, Naas)
4. St. Corbans Boys National School (outside the school)

The report was noted.

NS17/0719

Variable Speed Message Signs

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

Can the council outline to the members the costs associated with providing variable speed message signs at locations in the municipal district where speeding has been identified as problematic in municipal district motions?

A report was received from the Roads, Transportation and Public Safety Department informing the members that the cost was approximately €4,500 per sign. This may vary depending on location, works required to install the pole and associated civil works.

The report was noted.

NS18/0719

Wardens at Monread Park

The committee agreed to consider items number 17 and 24 of the agenda together.

Item number 17 – Question Councillor Kelly

Can the council receive a report on the patrolling schedule of wardens at Monread Park, Naas?

A report was received from the Community and Cultural Development Department informing the members that there was no patrolling schedule for the two dog

wardens in the county. The wardens visit sites at various times on various days so as their random pattern does not produce predictive behaviour by dog owners. If there was a serious incident they can be called upon to respond as soon as possible.

Item number 24 – Question Councillor Breen

Can the council investigate the problem with loose dogs, causing danger to people and other dogs, in the Monread Park?

A report was received from the Community and Cultural Development Department informing the members that the Dog Warden visited Monread Park on 02 July 2019. The dogs seen at the time of his visit were under effectual control as per The Control of Dogs Act 1986. The Dog Warden is to visit Monread Park periodically to monitor the situation.

The report was noted.

NS19/0719

Post Box outside the bounds of Áras Chill Dara

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

That the council provide a post box outside the bounds of Áras Chill Dara to facilitate the public leaving post after hours.

The motion was proposed by Councillor Breen, seconded by Councillor Moore.

A report was received from the Facilities Manager informing the members that at the present time there were no plans to install a post box outside the boundary of Áras Chill Dara. Any work required outside the boundary of Áras Chill Dara would have to be carried out by the Municipal District Office.

Councillor Breen stated there was nowhere for people to leave post outside of opening hours which made it very difficult for people who were working particularly when making planning submissions.

Councillor Moore supported the motion stating that there were people who wanted to submit documents but as the gate was closed outside of opening hours it made it impossible for people to access the current post box.

The Meetings Administrator stated that he would convey the members sentiments to the Facilities Manager and the item would remain on the progress report.

Resolved on the proposal of Councillor Breen, seconded by Councillor Moore that the report be noted and the Meetings Administrator to convey the members sentiments to the Facilities Manager. The item to remain on the progress report.

NS20/0719

Invitation to St Laurence's School Girls under 13 Soccer Team and Naas Working Together

The committee agreed to consider items number 19 and 20 of the agenda together.

Item number 19 – Question Councillor Breen

Can this Municipal District Committee invite the St Laurence's School Girls under 13 soccer team to a reception in Áras Chill Dara?

A report was received from the Corporate Services Department informing the members that Municipal Districts may by resolution decide to receive a deputation or in this instance make a presentation (Standing Order number 21 refers). Further information would be required in relation to the reason for the invitation and an item can be included on the September agenda seeking a resolution of the members to this reception.

Councillor Kelly brought the members attention to Standing Order number 21 stating that the request must be made by way of a motion.

Item number 20 – Question Councillor Moore

Can the Mayor and members of the Naas Municipal District agree to receive a deputation and presentation from the Naas Retail Promotion Group, Naas Working Together at its September meeting?

A report was received from the Corporate Services Department informing the members that Municipal Districts may by resolution decide to receive a deputation (Standing Order number 21 refers). An item can be included on the September agenda seeking the members agreement to receive this deputation at their October 2019 meeting.

The report was noted.

NS21/0719

Capital and Revenue Spending

The members considered the following motion in the name of Councillor Moore. That each of the Directors of Services provide Naas Municipal District with details of the proposed capital and revenue spending on services for 2020 and the comparative figures for 2019 and 2018 and their relevance for the same years with the other Municipal Districts in Kildare.

The motion was proposed by Councillor Moore, seconded by Councillor Clear.

A report was received from the Corporate Services Department informing the members that finance budgets and reports were based on the divisions as set out in the budget and were presented at budget time by Service and Sub-Service within the relevant division. Expenditure in general was coded by type (e.g. Housing Maintenance, Community Grants, Burial Ground Maintenance, Fire Service, etc.) and not distinguished by municipal district. It would be a significant body of work for each directorate to break all expenditure down by municipal district. If the councillor identifies a specific area it may be possible to carry out an exercise to analyse expenditure for that service by municipal district, however, it should be noted that this would require a substantial amount of resources to complete. The proposed capital and revenue expenditure for 2020 was not yet drafted and will be brought to

council in due course. Detailed financial information for each municipal district for 2020 would be provided to members, following the adoption of the Budget 2020, in the format of the Schedule of Municipal District Works, which members were required to adopt.

Councillor Moore stated that he was looking for the figures put forward by each Director of Services for the Naas Municipal District confirming that he did not think that it should be an equal figure as Naas was the county town with services such as the Hospital and Court House and in his opinion should be receiving more money than the other towns. He stated that he wanted to see what Naas was getting compared to other towns.

Ms McIvor stated that accounting was done on a county wide basis not by municipal district and that was why the figures were not available with the exception of the municipal district engineer's offices.

Councillor Moore stated that he could not accept that the Directors of Service did not have a breakdown when requesting money for services.

The Acting Municipal District Manager stated that this was an issue to be dealt with at budget time noting that budget briefings took place in advance of the budget.

It was agreed that Councillor Moore's comments be conveyed to the Finance Department for consideration in conjunction with the budget preparation and briefing. **Resolved** on the proposal of Councillor Moore, seconded by Councillor Clear that the report be noted and Councillor Moore's comments be conveyed to the Finance Department for consideration in conjunction with the budget preparation and briefing.

NS22/0719

Installation of Compost Bins around Naas

The committee agreed to consider items number 22 and 23 of the agenda together.

Item number 22 – Motion Councillor Brett

That the council install compost bins around Naas on a trial basis for 12 months.

The motion was proposed by Councillor Brett, seconded by Councillor Sammon.

A report was received from the Environment Department informing the members that the council currently assists local residents groups with the composting of green waste material in their areas. The Environment Department does not have the resources to extend its current service.

Item number 23 – Question Councillor Clear

Can the council update members what is the policy regarding collection of green waste from Tidy Towns Groups and Residents Associations as previously the council collected this, however there seems to be a change of policy on this as it is no longer collected?

A report was received from the Environment Department informing the members that the council did not have the resources to collect green waste in the county.

Unfortunately, the collection of green waste had proved to be bulky requiring numerous trips to locations to collect. The council will support local residents with the composting of such material in their areas. Interested groups can contact the council's Environmental Awareness Officer for assistance and guidance.

Councillor Brett stated that he was disappointed with the report but welcomed the fact that the Environmental Awareness Officer was helping residents set up their own composting.

Councillor Moore supported the motion stating that there seems to be only one vehicle collecting green waste and suggested that the service be expanded to a second vehicle.

Mr Fagan stated that resources were not available to collect green waste in the county or extend its current service and confirmed that the council support composting through the Environmental Awareness Officer.

Councillor Clear stated that composting was the way forward and an effort should be made to help tidy towns groups and others to compost. He further stated that if people could bring leaves to a collection point that would be beneficial and asked that the Environmental Awareness Officer take the comments on board.

Resolved on the proposal of Councillor Brett, seconded by Councillor Sammon that the report be noted.

NS23/0719

De Burgh Lands

The committee agreed to consider items number 25 and 26 of the agenda together.

Item number 25 – Question Councillor Clear

Can the members get an update report on the situation regarding De Burgh's Lands on the Sallins Road?

Item number 26 – Question Councillor Moore

Can the Municipal District Manager update the members with a progress report on negotiations to acquire the remaining six acres of Oldtown Gardens to complete the community gain of the Woodland Gardens for the people of Naas?

A report was received from the Community and Cultural Development Department informing the members that the council had sought legal advice regarding the De Burgh Lands and the protection of these lands for their intended purposes as an amenity for the people of Naas. The council was not in negotiations to acquire any further lands in this holding so there was no progress to report. If the members

would like a briefing in relation to Old Town Demesne, this could be provided but it should be in-committee as it was in the public interest to protect the council's interest in these lands.

The members agreed to an in-committee briefing taking place as soon as possible in relation to the matter.

The report was noted.

The meeting concluded.