

**Minutes of the Annual Meeting of Naas Municipal District
held at 2:00pm on Monday, 17 June 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), Mr N Morrissey (Director of Services), Ms E Wright (Senior Executive Officer), Mr D Reel (Municipal District Engineer), Mr J Hannigan (Meetings Administrator) and Ms K O'Malley (Meetings Secretary).

Councillor Kelly took the chair in her position of outgoing Deputy Mayor of the previous municipal district committee as the previous Mayor had retired.

NS01/0619

Election of Mayor

Councillor Kelly invited nominations for the position of Mayor of the Naas Municipal District.

Councillor Breen proposed Councillor Martin and this was seconded by Councillor Martin.

Councillor Kelly asked if there were any other nominations.

Councillor Brett proposed Councillor Kelly and this was seconded by Councillor Clear.

Following a vote by the members, with four members voting in favour of Councillor Kelly, two members voting in favour of Councillor Martin and one member abstaining from the vote, Councillor Kelly was deemed elected as Mayor of the Naas Municipal District.

Resolved on the proposal of Councillor Brett, seconded by Councillor Clear with four members voting in favour, Councillor Kelly was deemed elected as Mayor of the Naas Municipal District.

Councillor Kelly remained in the chair as Mayor of Naas Municipal District. She thanked her family and the members for their support noting that the Naas Municipal District had a reputation for working hard and working together. Councillor Kelly welcomed Councillors Sammon, Martin and Clear and paid tribute to former Councillors Hillis, Callaghan, O'Neill and Scully.

She also welcomed Mr M Kenny, Acting Municipal District Manager to the meeting.

The members congratulated Councillor Kelly in her new role as Mayor.

NS02/0619

Election of Deputy Mayor

Councillor Kelly invited nominations for the position of Deputy Mayor of the Naas Municipal District.

Councillor Sammon proposed Councillor Brett for the position and this was seconded by Councillor Kelly.

Councillor Kelly asked if there were any other nominations.

Councillor Breen proposed Councillor Moore for the position and this was seconded by Councillor Moore.

Following a vote by the members, with four members voting in favour of Councillor Brett and three members voting in favour of Councillor Moore, Councillor Kelly deemed Councillor Brett elected as Deputy Mayor of the Naas Municipal District.

Resolved on the proposal of Councillor Sammon, seconded by Councillor Kelly, with four members voting in favour, Councillor Brett was deemed elected as Deputy Mayor of the Naas Municipal District.

The members congratulated Councillor Brett in his new role as Deputy Mayor.

NS03/0619

Minutes

The members considered the minutes of the monthly meeting held on 14 May 2019.

Resolved on the proposal of Councillor Breen and seconded by Councillor Moore that the minutes of the monthly meeting held on 14 May 2019, of the Naas Municipal District be confirmed and taken as read.

NS04/0619

Meetings Calendar

The members considered the meetings calendar for the remainder of 2019 which had been circulated to them.

Resolved on the proposal of Councillor Moore, seconded by Councillor Brett and agreed by all the members that the meetings calendar be agreed for the remainder of 2019.

NS05/0619

Naas Draft Local Area Plan

The Acting Municipal District Manager informed the members that although there were no meetings scheduled for August, a meeting in relation to the Naas Draft Local Area Plan may be necessary. Councillor Moore requested that the Planning Department publish the Draft Local Area programme from start to finish, the Acting Municipal District Manager confirmed that the projected works programme would be sent out.

NS06/0619

Deputation from Naas CBS

Councillor Kelly stated that Naas CBS would welcome the opportunity to update the members on their plans for a 4g pitch and sought the members support to invite them to the September 2019 meeting.

Resolved on the proposal of Councillor Kelly and agreed by all the members that an invitation would issue to Naas CBS to attend the September 2019 meeting.

NS07/0619

Amendment of Standing Orders

The members considered the revised standing orders for the Naas Municipal District which included the amendment to the quorum for the meeting from 4 to 3 due to the reduction in the number of members of the municipal district from nine to seven.

Resolved on the proposal of Councillor Moore, seconded by Councillor Brett and agreed by all the members that standing order number nine be amended to read “The quorum for a municipal district meeting is one-fourth of the total number of municipal district members plus one or, where one-fourth of such total number is not a whole number, the quorum is the next highest whole number plus one. In the case of the municipal district of Naas the quorum shall be 3”.

NS08/0619

Part 8 Naas Inner Relief Road

Mr Morrissey, Director of Services, Roads, Transportation and Public Safety brought the members attention to a letter circulated to them by the Chief Executive in relation to the Naas Inner Relief Road - Dublin Road to Blessington Road - Ref. P82019-07.

Councillor Kelly read out the letter from the Chief Executive which stated that in his opinion, the consideration of the Chief Executive’s Part 8 report in regard to the proposed section of the Naas Inner Relief Road, (East of Naas Town between the R445 Dublin Road and the R410 Blessington Road) which was prepared in accordance with S.179 3(a) and 3(b) of the Planning and Development Act 2000, as amended, should be considered by the full council.

The Meetings Administrator brought the members attention to Section 8 of Statutory Instrument No. 231 of 2014, Local Government (Performance of Reserved Functions in Respect of Municipal District Members) Regulations 2014 and confirmed that the members may decide to refer the matter to the Corporate Policy Group (CPG) for consideration as to whether the full council or municipal district make the decision on the Part 8.

The members agreed to adjourn the meeting to consider the letter in-committee.

The meeting reconvened and Councillor Brett proposed that the matter be referred to the CPG for consideration. The Meetings Administrator stated that the proposal was required in writing. Councillor Kelly requested a seconder for the proposal and as no one seconded the proposal, it fell.

The members indicated that they were prepared to vote on the Part 8 proposal. The Acting Municipal District Manager stated that if the members were going to reject the Chief Executive's Part 8 Report, he advised them that they were obliged to state the reasons for their decision.

Councillor Breen stated she could not understand how after 25 years this road had been proposed for the same area and requested a roll call vote.

Councillor Moore stated that over the past seven years he had asked Kildare County Council to reconsider the route selection but this had not been done. He also stated that the road chosen in 1992 was in rural Naas with a much lower population than there was today and as such, for that reason he was voting against it.

Councillor Clear stated that he believed the design of the road was unsafe especially for school going children given the fact that trucks would also be using the road and felt that the road was not designed for children travelling to school on bikes.

Councillor Sammon agreed with Councillor Breen and Councillor Moore stating that she did not think a route that was proposed 25 years ago was right for Naas at this time.

Councillor Martin stated that the lack of answers he received at meetings in relation to the matter had solidified his decision to vote against the proposal.

Mr Morrissey stated that he was flabbergasted by the decision noting that the reasons given against the proposal did not make sense and confirmed that the route was selected following an independent and scientific process and to say that a route was picked 25 years ago, and stuck to, was not correct. Mr Morrissey stated that a significant amount of money had been spent engaging experts to examine the options and to design the optimum route. He also stated it appeared that the council's engineering experts in the field had been ignored by the members. He confirmed that while the road had been designed up to a point that some specific details needed to be finalised following the approval of the Part 8. The members would have an input into this. He added that he had made this point clear at all times. Mr Morrissey reiterated that it was disappointing as the matter should have been referred to the CPG and stressed again the benefits the road would bring for the local community.

Mr Morrissey informed the members that an allocation of €4.5 million funding from LIHAF would now be lost as well as future development levies and local property tax allocation. Mr Morrissey stated that the funding had been lost to Naas and as such, state funding for Naas would be difficult to secure in the future. He also stated that housing and traffic matters were significant problems in the town and this decision would adversely impact the construction of housing and increase traffic congestion on local roads which would continue to negatively impact the Naas community.

The Acting Municipal District Manager stated that the objectives regarding the road had been in the council plans since 1992. He confirmed that it had been part of a number of Town Development Plans and also the County Development Plan. He also stated that conditions on planning permissions for housing schemes in the area

phased development on the basis of the provision of the road. The road offered many opportunities to the town and agreed with Mr Morrissey that the matter should at least have been referred to the CPG for an overall view.

The Acting Municipal District Manager advised the members of Section 15 of the Planning and Development Act, as amended, which stated that it shall be the duty of Planning Authority to take such steps within its powers as may be necessary of securing the objectives of the Development Plan. In this case the road had been designed and funding had been allocated by the Department of Housing, Planning and Local Government, through LIHAF, to facilitate its construction.

The Acting Municipal District Manager also advised the members that their decision could leave the council open to Judicial review.

Mr Morrissey stated that rejecting this proposal would have implications for other projects in the town.

Councillor Breen proposed that a roll call vote take place, this was seconded by Councillor Moore and the members agreed.

The Meetings Administrator outlined the options open to the members in relation to the Chief Executive's Part 8 Report for the proposed Naas Inner Relief Road - Dublin Road to Blessington Road - Ref. P82019-07.

1. To accept the Chief Executive's report
2. To accept the report with modifications
3. To decide not to proceed with the development

Following Councillor Breen's request for a roll call vote in respect of the matter, the following member voted in favour of the Part 8 as proposed;
Councillor Brett.

The following members voted not to proceed with the development;

Councillors Breen, Clear, Kelly, Martin, Moore and Sammon.

The Meetings Administrator stated one member had voted in favour of accepting the Chief Executive's Part 8 Report for the proposed Naas Inner Relief Road - Dublin Road to Blessington Road - Ref. P82019-07 and six members had voted not to proceed with the development as proposed in the Chief Executive's Part 8 Report for the proposed Naas Inner Relief Road - Dublin Road to Blessington Road - Ref. P82019-07, thus the members decision was not to proceed with the development.

Resolved With six members voting not to proceed with the development as proposed in the Chief Executive's Part 8 Report for the proposed Naas Inner Relief Road - Dublin Road to Blessington Road - Ref. P82019-07, and one member voting to accept the Chief Executive's Part 8 Report for the proposed Naas Inner Relief Road - Dublin Road to Blessington Road - Ref. P82019-07, the members decision was to reject the Chief Executive's Part 8 Report and not to proceed with the development.

The meeting concluded.