



**Minutes of Naas Municipal District Meeting  
held at 3.30 pm on Tuesday, 14 February 2023  
in the Council Chamber**

**Members Present:** Councillor E Sammon (Mayor), Councillors F Brett, B Clear, C Kelly, C Kenny, A Breen, and S Moore

**Officials Present:** Ms E Uí Fhatharta (A/District Manager), Mr D Reel (District Engineer), Mr M McLoughlin (Senior Executive Officers), Ms S Walsh (Executive Engineer), Ms V Cooke (Administrative Officer) Mr C O'Toole (Staff Officer) Mr J Hannigan (Meetings Administrator), Ms J Fogarty (Meetings Secretary) and others.

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**NS01/0223**

**Declaration of Interests**

There were no declarations from the members of pecuniary or beneficial interests under Section 177 of the Local Government Act 2001, as amended.

**NS02/0223**

**Minutes and Progress Report**

The members considered the minutes of the monthly meeting of the Naas Municipal District held on Tuesday 10 January 2023 together with the progress report.

**Resolved** on the proposal of Councillor Brett and seconded by Councillor Kelly that the minutes of the monthly meeting held on Tuesday, 10 January be confirmed and taken as read. The progress report was noted.



**NS03/0223**

**Mayors Business**

The Mayor informed the members that she was given an invitation to attend a Twinning event in Wales for St David's Day on March 1. As she is unable to attend the Mayor proposed that the Deputy Mayor attend in her absence. The meeting's administrator confirmed that he would check with Community Twinning to see if they had funding for this visit.

The councillors all agreed on the proposal of Councillor Sammon and seconded by Councillor Breen that Councillor Kenny as Deputy Mayor would attend the event.

**NS04/0223**

**Municipal District Road works**

The Municipal District Engineer updated the members on the municipal district road works.

**Road Resurfacing**

The Naas Municipal District Restoration Improvement (RI) and Restoration Maintenance (RM) works programme for 2023 will be developed in line with the 2023 allocation from the Department of Transport.

**Footpaths**

A tender has been awarded for works at the following locations which will commence construction in the coming weeks:

- Roselawn (footpath improvements) - Complete
- Sundays Well (footpath improvements) - Tender Stage
- St Brigid's Terrace, Kill (footpath improvements) - Tender Stage
- River Lawns, Kill (footpath improvements) - Tender Stage
- Mill lane raised table (footpath improvements) - Tender Stage
- Blessington Road (footpath improvements) - Tender Stage
- Ballymore Eustace (uncontrolled crossings) - Tender Stage



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### **LPT/Carparks Funded Works**

The Naas Municipal District Local Property Tax (LPT)/Carparking works programme for 2023 will be developed in line with the 2023 allocation, as agreed with the Naas Municipal District Councillors.

### **Drainage**

The Naas Municipal District drainage programme for 2023 will be developed in line with the 2023 allocation from the Department of Transport.

### **Low-Cost Safety Improvement Works**

The Naas Municipal District Safety Improvement Works programme for 2023 will be developed in line with the 2023 allocation from the Department of Transport.

Councillor Kelly asked how is the funding divided into the 5 municipal districts?

Mr D Reel advised it is divided by road length in each Municipal District.

### **NS05/0223**

#### **LPT Schedule of Works 2023**

The Mayor suggested to the members that the item to agree and approve the Naas Municipal District LPT Schedule of Works 2023 be adjourned to the March meeting.

**Resolved** on the proposal of Councillor Sammon, seconded by Councillor Brett and agreed by all the members that the item to agree and approve the Naas Municipal District LPT Schedule of Works 2023 be deferred to the March meeting.

### **NS06/0223**

#### **Taking in charge of Monread Crescent**

The members considered the taking in charge of Monread Crescent (conventional housing element), Naas, Co. Kildare ref. DC9813

Ms S Walsh informed the members that they had received a copy of the report recommending the taking in charge of Monread Crescent. The members welcomed the taking in charge.



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**Resolved** on the proposal of Councillor Sammon, seconded by Councillor Kelly, and agreed by all the members that the taking in charge of Monread Crescent (conventional housing element), Naas, Co. Kildare ref. DC9813 be approved.

### NS07/0223

#### **Update on the current taking in charge status of Primrose Gardens, Naas**

The members agreed to take item 6 and 7 together.

#### **Item 6:**

The members considered the following motion in the name of Councillors Carmel Kelly, Anne Breen, Evie Sammon, Fintan Brett and Colm Kenny

That the council provide an update on the current taking in charge status of Primrose Gardens, Naas, outlining whether the taking in charge request had been received from the developer, what information in relation to infrastructure or infrastructure upgrades are necessary to bring the developer to an acceptable taking in charge standard, what level of engagement has there been between the council and the developer, why are significant delays being experienced in bringing the estate to a taking in charge standard and what actions can be taken by the council and residents to expedite the taking in charge of this estate?

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

#### **Item 7:**

The members considered the following question in the name of Councillor Clear  
Can the council confirm what the current situation is regarding the taking in charge of Primrose Gardens Estate, Naas?

A report was received by the Roads, Transportation and Public Safety Department informing the members that on the 14 April 2021, Kildare County Council received a taking in charge request, for Primrose Garden Naas, from the Developer Blackpadd Construction Limited. Kildare County Council requested Blackpadd Construction Limited to provide the following information:



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- CCTV surveys of the storm and foul lines along with matching as-constructed drawings. As-constructed drawings to be carried out in accordance with our Taking in Charge Policy 2008. All storm attenuation/petrol interceptors/flow control devices to be shown on the as constructed. Data sheets and Organisation and Method manuals required for same.
- Pumping station report
- Leak detection survey
- Confirmation that all landscaping has been carried out in accordance with approved landscaping plans.
- Confirmation that all public lighting is in working order and installed in accordance with your planning permission.
- Taking in Charge (TIC) Map. This is the display map that will be used when the estate is advertised for TIC.
- Vesting Map. This is the legal land transfer map that will be used by the solicitors for the vesting of the areas when TIC to the council. Sample map attached along with guidance notes on production of map.
- Contact details of the solicitor that will be acting on your behalf for the purposes of vesting the common areas in the council upon TIC.
- Confirmation that the registered owner, of the lands to be transferred, will complete land transfer upon TIC.

Kildare County Council met with Blackpadd Construction Limited in October 2021 to complete a snag list. Blackpadd Construction were advised by the council that the wearing course cannot be laid until the council are confident that the sub-surface infrastructure is to a taking in charge standard.

Blackpadd Construction Limited have continued to engage with the council regarding ongoing maintenance issues since October 2021, however a number of issues remain outstanding. The council continue to raise issues such as public lighting faults and surface water ponding to Blackpadd Construction Limited when reported to the local authority. In October 2022 Blackpadd Construction Limited confirmed that the necessary investigative surveys were progressing. In January 2023 Blackpadd Construction Limited advised that the investigative surveys were complete however, their appointed



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contractors had not yet provided the relevant reports. Blackpadd Construction Limited confirmed that Airtricity were appointed in December 2022 to inspect and repair faulty lights in Primrose Garden. On the 31 of January 2023, Blackpadd Construction Limited advised the council that they continue to follow up with their contractors regarding the outstanding investigative survey reports. The council were advised to expect a comprehensive status report on this outstanding information w/e 10 February 2023. On the 1 of February 2023, Blackpadd Construction Limited confirmed Airtricity had repaired the ongoing public lighting issues in the Primrose Garden.

Kildare County Councils Development Control Engineers are engaging with Blackpadd Construction Limited on a weekly basis in an effort to progress the taking in charge. The residents should continue to report any issues within the estate to the local authority to ensure that these are captured and addressed through the taking in charge process.

Councillor Kelly said that the residents are very frustrated with the delay, she noted the estate is 17 years old and still not taken in charge. She asked is there any penalties on the developer if he doesn't finish an estate before they move onto another estate?

The members mentioned the following:

- Residents want answers.
- This is having an impact on people's mental health.
- Can the Council put a hold on the developer selling the last 6 houses?
- How can the council make the developer comply?
- Is there a bond? what was it when it started and how much is worth now?

Ms S Walsh said the following:

- Airtricity will be on site to complete an audit of the public lighting in the next two weeks.
- After the audit she is optimistic things will move forward
- The bond is not sufficient to complete the works.

The members asked for this item to be put on the progress report and to be left on it.



**Resolved** on the proposal of Councillor Kelly, seconded by Councillor Clear and agreed by the members that the report be noted.

**NS08/0223**

**Five-axel truck ban for the centre of Naas**

The members considered the following motion in the name of Councillor Clear

That the council commence the introduction of a five-axel truck ban for the centre of Naas taking into account that some trucks need to deliver locally.

The motion was proposed by Councillor Clear, seconded by Councillor Kelly

A report was received from the Roads, Transportation and Public Safety Department informing the members that this HGV ban should be considered as part of the overall Road Reclassification process for Naas, which will include the upgrading of approximately 135 signs across 20 junctions with an estimated cost of in excess of €200,000. Please note that there are significant signage requirements for a truck ban in Naas that will need to be considered at all 20 junctions and both resources and funding will need to be identified to progress this scheme.

Councillor Clear said he was happy with the report but noted that when he walked the Sallins Road recently, he had counted 12 construction trucks pass him by, he said that these were not delivery trucks and that there is a ring road and it's not being used by these construction trucks. He believed it is not safe for school children to have this number of trucks going through Naas.

**Resolved** on the proposal of Councillor Clear seconded by Councillor Kelly and agreed by the members that the report be noted.

**NS09/0223**



### **Upgrade the Inner Rathasker Road**

The members considered the following motion in the name of Councillor Kenny  
That the council remediate and upgrade the inner Rathasker Road to facilitate active travel, walking and cycling, particularly to the new estates and linking to the South Ring Road.

The motion was proposed by Councillor Kenny, seconded by Councillor Sammon

A report was received by the Roads, Transportation and Public Safety Department informing the members that the Sustainable Transport Section has received it's 2023 Active Travel Grants allocation from the National Transport Authority and it does not include any funding for schemes outside the specified projects. As this route is not considered to be a commuting route, and the parallel Kilcullen Road is being funded by them, it is unlikely that funding will be provided by the NTA in the future.

Councillor Kenny made the following points:

- A lot of people are using this Active travel area and its poorly lit.
- The road is being resurfaced and that the area could do with a good clean up.
- Can a costing be provided for streetlights?

Mr D Reel said that this is not a Local Improvement Scheme and that the members might consider allocating some LPT funding for it. There is a funding allocation needed for it, not a huge amount of money needed.

**Resolved** on the proposal of Councillor Kenny seconded by Councillor Sammon and agreed by the members that the report be noted.

**NS10/0223**





**Remove the 60km sign at Watch House Cross**

The members considered the following motion in the name of Councillor Sammon

That the council remove the 60km sign at Watch House Cross and replace with a prepare to stop sign.

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

A report was received by the Roads, Transportation and Public Safety Department informing the members that the 60kph sign is a statutory sign and is required under legislation. Any change to this would have to be in accordance with the Speed Limit review. This junction has Junction Ahead, 60kph speed limit, Stop Ahead, and Stop signs and also Prepare to Stop and Stop Road markings, coming from the side roads. On the main road there are Slow Junction Ahead and 60kph speed limit signs and also SLOW road markings in advance of the junction. There are proposals for Roads Design to further review this junction.

Councillor Sammon asked is it possible to relocate the signs by swapping them around? Or can rumble strips be put down?

Mr D Reel said that the signs cannot be moved around. He said a review was carried out on the junction, there are 8 different signs there. Road users are ignoring the signs unfortunately.

Mr M McLoughlin advised he will seek an update on the review that was carried out and revert back to the members.

**Resolved** on the proposal of Councillor Sammon seconded by Councillor Kelly and agreed by the members that the report be noted.

**NS11/0223**

**Yellow box at the entrance/exit to Sallins Railway Station**



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The members considered the following motion in the name of Councillor Breen  
That the council install a yellow box on the main road at the entrance/exit to Sallins Railway Station at Railway Cottages.

The motion was proposed by Councillor Breen, seconded by Councillor Kelly

Councillor Breen said that residents requested a yellow box there to alleviate the traffic congestion when people are trying to get in and out of the train station.

A report was received by the Roads, Transportation and Public Safety Department informing the members that the Naas Municipal District Office will assess the provision of a yellow box junction at this location in line with the relevant technical guidance document.

**Resolved** on the proposal of Councillor Breen seconded by Councillor Kelly and agreed by the members that the report be noted.

### **NS12/0223**

#### **Kerdiffstown Road resurfaced**

The members considered the following question in the name of Councillor Brett  
Can the council confirm if the Kerdiffstown Road, adjacent to the entrance to Kerdiffstown House, will be resurfaced following recent multiple pipelaying activities?

A report was received by the Roads, Transportation and Public Safety Department informing the members that the road openings in question are licenced under the Road Opening Licence system (MRL) and the area in question is temporarily reinstated. The Naas Municipal District Office are awaiting the contractor's return to complete the permanent reinstatement.

The report was noted.

### **NS13/0223**

#### **Salting routes in the municipal district**



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

Can the council confirm if any alterations or additions will be made to the salting routes in the municipal district based on accident data collected following the recent heavy frost?

A report was received by the Roads, Transportation and Public Safety Department informing the members that any review of the Winter Maintenance Plan is conducted on a countywide basis. It is not proposed to review the plan until the end of the current winter season. As advised previously, there is a limit to the length of roads that are treated and if new routes were to be considered other routes may have to be removed.

The report was noted.

### **NS14/0223**

#### **Parking situation at the car park on New Row**

The members considered the following question in the name of Councillor Breen

Can the council provide an update on the parking situation at the car park on New Row, Naas?

A report was received by the Roads, Transportation and Public Safety Department informing the members that the area within New Row car park is not in charge of Kildare County Council. As reported to the member in Naas Municipal District meeting on the 13 December 2022 - The right of way at New Row as referred to by Councillor Breen 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 area may be in use by the public and those businesses/property owners in the vicinity, however it is not in the charge of this council, indeed it is not registered with Land Registry.

The report was noted.

### **NS15/0223**

#### **The McInerney Canalside Green Belt Lands**



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The members considered the following question in the name of Councillor Moore  
Can the council confirm when Naas community can expect the lands, previously known as The McNerney Canalside Green Belt Lands and understood to be transferred to Naas Town Council via a liquidator and ministerial approval, to be transferred to Kildare County Council? A report was received by the Roads, Transportation and Public Safety Department informing the members that our solicitors are engaging with the receiver for the above site. The council are unable to give an indication at this time as to when the transaction will be completed, however every effort is being made to resolve in the short-term.

Councillor Moore said he was not happy with the report and wanted this noted on the progress report.

The report was noted.

### **NS16/0223**

#### **Clean the bollards in Sallins Village**

The members considered the following question in the name of Councillor Kelly  
Can the council confirm if it plans to clean the bollards on the cycle track through Sallins Village as many are barely visible at night-time due to the level of dirt accumulated? A report was received by the Roads, Transportation and Public Safety Department that the Naas Municipal District Office continue to replace bollards and clean the cycleway and will plan for the cleaning of the bollards that are part of the Sustainable Transport/Public Realm project. Please note that there is a significant maintenance requirement associated with such projects, that should be reflected in the maintenance budget for the Municipal District.

Councillor Kelly asked if the bollards could be changed to the orange bollards because the black ones are not visible to road users when they are dirty, or can they be removed completely? She said that the members were not informed about a cost for maintenance when they were originally put in.

Mr D Reel said that there is a limit on what the council can do with the budget, he said that there were special sweepers used to clean them and that there was a cost associated with maintaining them.

The report was noted.



**NS17/0223**

**Parking bays on the the Ballycane Road**

The members considered the following question in the name of Councillor Kenny  
Can the council confirm if it plans to reline parking bays on the north-western side of the Ballycane Road beside the Church of the Irish Martyrs?

A report was received by the Roads, Transportation and Public Safety Department informing the members that this work will be included in the next package of road markings within the Naas Municipal District.

The report was noted.

**NS18/0223**

**Electronic information signs**

The members considered the following question in the name of Councillor Sammon  
Can the council confirm if it has further explored the use of electronic information signs for off-street parking in Naas Town?

A report was received by the Roads, Transportation and Public Safety Department informing the members that since the issue of the provision of variable message signage (VMS) and tactical signs for car parks in Naas was discussed in December 2021, no capital funding has been identified to implement this technology.

The revenue budget for the maintenance of existing Intelligent Transport Systems (ITS) including traffic signals is insufficient to cover the scope of the contracts for existing infrastructure and therefore the provision of new additional technology is not anticipated in the short term.

The report was noted.

**NS19/0223**

**Compulsory purchase of the Market House**

The members agreed to take item 20 and 21 together.



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### Item 20:

The members considered the following motion in the name of Councillor Clear  
That the council commence the compulsory purchase of Market House, Harbour View, Naas.

### Item 21:

The members considered the following motion in the name of Councillor Moore  
That the council, using the new offer of a Government €150m Scheme and Government Guidance to Councils on compulsory Purchase Orders to purchase vacant derelict buildings in a designated Regeneration Area of town centre Naas, immediately move to avail of this 'once off offer' and acquire the 'shovel-ready' building and site, known as the Market House (a protected structure) for a development of suitably designed apartments to reduce the number of housing applicants on the Naas Housing List.

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

A report was received by the Housing Department informing the members that Kildare County Council were informed of the third round of funding support under the Urban Regeneration and Development Fund (URDF) on the 30 January last. This round of funding has been designed to enable residential and mixed-used development to be delivered within existing built-up footprints of URDF qualifying towns; Naas is one of five towns in Kildare that meet the required criteria for this funding. Noting the above, a cross directorate team has been established to assess this new funding call and to identify suitable sites / buildings across the five towns with a focus on reducing vacancy and dereliction in the five town centres.

With respect to Naas, the Strategic Projects and Public Realm team are currently developing a revised business case for the Town Centre Masterplan, which will be submitted to the Department before end Q1 2023

The members made the following points:

- The house is up for sale at a very high price.
- Can a CPO be commenced by Kildare Co Council?



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- A charity could make good use of the building.
- That Tidy Towns clean it regularly.
- It's a protected structure.

Councillor Moore said that there was very little in the report that answered whether the council are going to buy the house. He said this was a once off offer from the Government and the council should take it. He stated the house was once a family home and it could be made useful again for the people of Naas by reducing the number of people on the housing list.

Councillor Sammon asked can the members be briefed on a revised business case?

Ms P Pender said that it was not the norm to brief members, and that the council have not secured funding for it yet, also stating if it is not used for housing there might not be any funding for it.

Ms V Cooke said that the council needed to look at the area as a whole and not just at the house in question, that the council want to work with everyone to get the best possible results as quickly as they can.

The Mayor asked the members to put the motion to a vote with 6 voting for the motion, no objections and 1 abstaining from the vote.

**Resolved** on the proposal of Councillor Clear seconded by Councillor Sammon and agreed by the members that the report be noted.

### NS20/0223

#### Stallholders discount at the Naas Potato Market

The members considered the following motion in the name of Councillor Moore



That the council allow stallholders signing up and presenting stall sites before 01 June 2023 a 50% discount for six months to encourage the early development of the Naas Potato Market.

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

A report was received from the Strategic Projects and Public Realm Department informing the members that the stall holders of the Naas Farmers Market (2022) have been offered and are availing of a 25% discount for the first 6 months, commencing November 2022. The price per stallholder is pitched at a competitive price, making it attractive to stallholders while the market gets established. Promoting expansion of the market by increasing the discount is not necessary, as the market is currently at capacity. Kildare County Council has incurred significant costs on the initial phase of this development. The next phase of development will see an update to the electricity on site, toilet upgrades, sinks, signage, access points to St. David's Church, new gates etc. Without a very significant subvention allocation from Local Property Tax or other funding stream, the proposal outlined would not be viable.

**Resolved** on the proposal of Councillor Moore seconded by Councillor Sammon and agreed by the members that the report be noted.

### **NS21/0223**

#### **Awnings on the perimeter of the potato market**

The members considered the following question in the name of Councillor Kenny  
Can the council confirm if it plans to install awnings on the perimeter of the potato market to protect the Farmers Market and other vendors and performers from inclement weather.  
A report was received from the Planning Department informing the members that there are no plans to install awnings around the perimeter of the site. The placement of fixtures to the walls would require Archaeological and conservation oversight.  
The report was noted.

### **NS22/0223**





**Parklet on Main Street**

The members considered the following question in the name of Councillor Sammon

Can the council confirm when the parklet will be removed from the Main Street in Naas?

A report was received from the Planning Department informing the members that the team are currently examining alternative locations for the Parklet. Until a specific location is determined, a timeline cannot be provided.

Ms P Pender advised the members that the parklet will be removed the following week.

The report was noted.

**NS23/0223**

**No Poo on the Shoe posters**

The members considered the following motion in the name of Councillor Kelly

That the council install the new “No Poo on the Shoe” posters, stencil/restencil the footpaths and request the Community Warden to patrol Sallins Village at certain times to try to minimise the amount of dog litter on the footpaths which has become a serious issue.

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

A report was received from Environment and Water Services Department informing the members that a number of the new posters will be installed at key locations in the village. It is also planned to install a temporary (approx. four weeks) Variable Messaging System which will remind dog owners to pick up after their dogs. This unit is similar to the audio warning unit but is more suited to built-up areas. This will be at a location to be agreed. Stencilling is also planned for areas including near the school, on the Main St. and on the Link Road. The Community Warden will liaise with the Councillor in relation to patrols.

**Resolved** on the proposal of Councillor Kelly seconded by Councillor Sammon and agreed by the members that the report be noted.

**NS24/0223**

**The opening of the new Library in Naas**

The members agreed to take item 26 and 27 together.



**Item 26:**

The members considered the following question in the name of Councillor Clear  
Can the council confirm what the latest information is regarding the opening of the new Library in Naas?

**Item 27:**

The members considered the following question in the name of Councillor Breen  
Can the council provide an update on the opening of the new Library in Naas?

A report was received by Ms G Allen Acting County Librarian informing the members that the contractor has issued a revised programme of works giving May 2023 as the new date for handover of the building.

Allowing for no further delays and time for snagging, IT and furniture installation, the move from the current location and the stocking of shelves we are aiming for the library to open to the public in Summer 2023.

The municipal district members will be kept informed closer to the time when we have a firm opening date and we look forward to welcoming the Cathaoirleach and the Naas Municipal District elected members upon completion.

The report was noted.

**NS25/0223**

**Upgrading of the seating sites**

The members considered the following question in the name of Councillor Moore



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Can the council's planned maintenance and upgrading of the seating sites around the Naas Lakes, include the addition of a number of new Age Friendly Seats be completed before this coming Easter period?

A report was received by the Senior Executive Parks Superintendent, Community and Cultural Development Department informing the members that the Council will review the seating around the Lakes to see what the costs are to include Age Friendly seating. It won't be possible to complete the works by Easter. A more realistic timeframe is the over the Summer and Autumn.

The report was noted.

The meeting concluded.