

**Minutes of the Athy Municipal District Meeting
Held on Monday, 17 November 2014 at 10.00 a.m.
at Aras Chill Dara**

Members Present: Councillor M. Miley (Cathaoirleach), Councillors A. Breslin, T. Redmond, I. Keatley and M. Wall

Also Present: Mr L. Dunne (A/Area Manager), Mr J. Coppinger (Senior Engineer), Mr D. O'Flaherty (Athy Municipal District Engineer), Mr. G. Duff, (A/Senior Executive Officer), Messrs G. Perry and K Kavanagh (Senior Executive Officers, Ms M. Dalton (Meetings Administrator), and Mr J. Hannigan (Secretary)

Apologies: Councillor M. Dalton

MY01/1114

Protocol - circulation of reports

The Cathaoirleach informed members that he had received information advising him that the agenda reports had been circulating on social media prior to them being discussed at the meeting. The Cathaoirleach advised that until this morning he had no prior knowledge of this and informed the members that reports were given 3 days in advance to allow members prepare for the meeting on the understanding that they would not be published or discussed in the public forum. The Cathaoirleach and Councillors Wall, Keatley and Breslin informed the meeting that they had not published any reports on social media.

Councillor Redmond referred to the draft budget that had recently been received by post. He understood that this had been circulated to the Chamber of Commerce by unnamed elected members and stated that he was not aware that this was a breach of protocol.

Resolved: it was agreed that when circulating agenda reports the meetings secretary will advise members that they are not for circulation or public discussion until after they had been discussed at the meeting. The matter of agenda reports appearing on social media prior to the meeting was to be referred to the protocol committee with supporting evidence.

AY 02/1411

Confirmation of Minutes

The committee considered the minutes of the meeting held on 13 October 2014 together with the progress report.

Resolved on the proposal of Councillor Wall, seconded by Councillor Keatley, that the minutes be confirmed and taken as read. The progress report was noted.

Matters arising

Car Park Kildangan

The members were advised that a preliminary design was to be prepared by 14 November 2014.

Resolved that the design be circulated to members.

Access to Moone Soccer Club

Councillor Keatley expressed his disappointment with the report received on this item. The members wanted positivity from the council to help this club when submitting their planning application. Mr Coppinger informed the members if access to a development posed a hazard they would recommend a refusal, however he advised the members that they do their best to accommodate people where possible. Following discussion it was agreed that the members arrange a pre-planning meeting for Moone Soccer Club with George Willoughby SEE, Roads Design.

Resolved a pre-planning meeting to be arranged with Transportation Department.

Rural Street Lighting

In response to a query from Councillor Wall regarding installation of rural lighting, Mr Coppinger advised the members that the Roads and Transportation Department do not provide lighting unless they serve a transportation process. Councillor Wall asked if policy had changed in this regard and if so, why were members not aware of this change. Mr Coppinger advised that there had been no change in policy but would investigate the issue and revert back to the members. In the meantime applications for rural street lighting could be forwarded to Roads and Transportation Department.

Resolved that Transportation investigate policy in relation to provision of rural public lighting.

Sewage issues at 1 - 6 Moone and Timolin

A report was circulated to the members from the Water Services Section advising that a new rising main was currently being laid while construction of new tanks as well as the provision of new pumps would commence the following week, it was envisaged that all works would be completed by Christmas.

Resolved to update the members at the next meeting.

Requests for Taking in Charge

Mr. Kavanagh stated that the Council are proceeding on the basis of the circular received from the Department of the Environment, Community and Local Government. There are twenty estates that will hopefully be taken in charge by the end of the year and updated the members on the taken in charge status of the following estates:

Coneyboro

In reply to a question regarding the up to date position on taking in charge of Coneyboro, the members were advised that the old part of Coneyboro was in charge but the undeveloped part of Coneyboro including uncompleted units was not in charge.

Rheban Manor

Mr. Kavanagh advised the members that the original developer had asked for the estate to be taken in charge however, planning do not have a record of a request to take this development in charge, however, he would check with the former town council to see if they have had any such request.

Resolved to update the members on investigation into request for taking in charge.

Oakpark, Narraghmore

Mr. Kavanagh advised that this estate had asked to be taken in charge and the process would not be commenced until conditions of the planning permission have been met. There are a number of houses yet to be built.

Resolved that the members be informed of up to date position at the next meeting.

Old Grange Wood

Resolved that the members be advised when the site resolution plan is received.

Distillery Court

Resolved to ascertain if the bridges on this site could be secured.

AY03/1411

Southern Distributor Road

Mr Coppinger reported to the members that interviews would be held that week to recruit a project engineer and they were currently checking EIS to confirm if they were still relevant.

Resolved the report be noted and item to be kept on agenda

AY 04/1411

Resurfacing Works – R417

The committee considered the following motion in the name of Councillor Breslin;
That the council carries out resurfacing works on the R417 road at Levitstown, Athy.

A report from the Roads, Transport and Public Safety Department was circulated to the members advising that this road has been included in the 2015 Restoration Improvement Grants. The work was dependent on finances being made available from the Department of Transport Tourism and Sport.

Resolved that the report be noted.

AY 05/1411

Resurfacing Works – Calverstown/Narraghmore

The committee considered the following motion in the name of Councillor Breslin;
That the council carries out resurfacing works on the road between Calverstown and Narraghmore.

A report from the Roads, Transport and Public Safety Department was circulated to the members advising that this road had been included in the 2015 Restoration Improvement Grants. The work was dependent on finances being made available from the Department of Transport, Tourism and Sport.

Resolved that the report be noted.

AY 06/1411

Pedestrian Crossing

The committee considered the following question in the name of Councillor Redmond;
Can this municipal district plan a pedestrian crossing point with lights at Teach Diarmada in Castledermot? This is an extremely busy junction and crossing point and safety is a concern here.

A report from the Roads, Transport and Public Safety Department was circulated to the members advising that there are currently no council resources available to undertake the work in the short term. However, the provision of a crossing at this location will be added to the list of schemes for application to the National Transport Authority (NTA) for funding for 2015.

Resolved that the report be noted.

AY 07/1411

Bridge Cleaning

The committee considered the following question in the name of Councillor Miley;
Can the council move immediately to clean under the bridge at Crookstown (KE-R415-001.00) and incorporate a plan for traffic calming on the bridge itself in light of the development of the new school?

Reports were circulated from the Roads, Transport and Public Safety Department and Water Services to the members advising that the issue of cleaning under the bridge was a matter for the Water Services Department (River Greese). Water Services section had inspected the bridge in question on the River Greese and would remove all blockages as soon as possible.

The Roads Design Department will prepare a preliminary design and costing for traffic calming on the bridge. However, this could only be undertaken when limited staff become available. Currently priority must be accorded to projects for which there was approved funding. It should be noted that there were no council resources available to fund any traffic calming works at this location.

Resolved that the report be noted.

AY 08/1411

Traffic accidents at Kill Cross

The committee considered the following question in the name of Councillor Miley;
Can the council work with An Garda Síochána in Monasterevin to find a permanent solution to the continuous traffic accidents that are happening at Kill Cross near the graveyard?

A report from the Roads, Transport and Public Safety Department was circulated to the members advising that the Kildare/Newbridge Municipal District engineer had met and discussed this issue on numerous occasions with An Garda Síochána. Following initial investigations, with input from local residents and local Gardaí, a scheme was drafted and installed in 2013 in an attempt to reduce the speed of approaching vehicles to the location. The scheme consisted of extensive line marking and signage in an attempt to reduce the drivers perceived width of the carriageway. Ramps could not be considered as part of the scheme due to the gradient of the road.

In recent weeks further accidents have occurred. Following discussions with local Garda and residents it was agreed that the approach speed of vehicles was the main issue. Vehicles approaching Monasterevin meet a steep decline as they approach. From observations drivers allowed the vehicle to free wheel once they reached the decline resulting in motorists navigating the road without full control of the vehicle whilst gaining speed.

The Kildare/Newbridge Municipal District Office will be installing an anti skid surface at the bend in the coming two weeks subject to weather conditions. In addition, further measures will be examined in consultation with an NRA Road Safety Engineer. It should be noted from discussions with An Garda Síochána that it was agreed that speed enforcement at this location was required. Due to limited Garda resources the level of enforcement required was not possible. The municipal district engineer suggested a fixed speed camera should be considered at this location. As this was not the normal type of enforcement further discussions will be required with An Garda Síochána.

Resolved that the report be noted.

AY 09/1411

Safety issues at Pike Cross

The committee considered the following question in the name of Councillor Keatley;
Can the council address the safety issues at Pike Cross, Graney, Castledermot?

A report from the Roads, Transport and Public Safety Department was circulated to the members advising that the council had resurfaced, erected signage and delineated this junction in the last two years. The safety issues at this junction related to sight distance coming from the Bigstone direction. In the long term the hedges needed to be removed to improve sight distance. In the interim the hedges at the junction could be cut back to improve the sight distance.

Resolved that the report be noted.

AY 10/1411

Roadways in Ashville, Athy

The committee considered the following question in the name of Councillor Keatley;
Can the council bring the roadways in Ashville, Athy up to a proper standard?

A report from the Roads, Transport and Public Safety Department was circulated to the members advising that there were some repairs required on the main artery road into Ashville/Mansfield Grove. These sections of road would be repaired as a matter of urgency.

Resolved that the report be noted.

AY 11/1411

Odour in Oak Park, Narraghmore

The committee considered the following motion in the name of Councillor Keatley;
That the council move to resolve the ongoing pollution of the green area and the foul odour that is causing untold hardship and illness in Oak Park, Narraghmore.

A report from the Planning and Economic Development Department was circulated to the members advising that Oak Park, Narraghmore has not been taken in charge. The conditions of the planning permission required this development to connect to the new municipal plant in Narraghmore. The municipal plant in Narraghmore was not in the permanent control of the county council and in its current condition was not capable of dealing with the additional loading from Oak Park. This matter was referred to Water

Services/Environment Departments for their observations. The developer of Oak Park was still trading and any maintenance issues with the treatment facility remain the responsibility of the developer.

Councillor Keatley said that it has been experience that once the Council decide to commence with taking in charge, that the estate is treated as if it was in charge. He referred to the sewerage situation in Oakpark and advised that the developer is not co- operating in this regard and the situation has been going on for too long and becoming intolerable for some residents. Mr Dunne advised that Environment Section will serve nuisance abatement notices on the developer. Councillor Keatley felt that this was just another legal process while raw sewage through continues to overflow. He asked that the bond be called in and that tankering of the waste commence. Mr Dunne informed the members that in the short term, tankering would be organised but that it would require consultation with the planning department as well however he understood the urgency of the situation.

Resolved that Planning and Environment Department would investigate this issue and organise with the Water Services Section to carry out tankering of waste in the interim. Update members at next meeting.

AY 12/1411

Memorial for Sir Ernest Shackelton

The following motion in the name of Councillor Redmond was withdrawn.

That this council erect a suitable memorial to our famous Antarctic explorer and son Mr Earnest Shackelton.

AY 13/1411

Walking/Cycling Tracks- Lowtown to Graiguenamanagh

The committee considered the following motion in the name of Councillor Miley;

That the municipal district receives an update on progress on the proposed upgrades of the walking/cycling tracks from Lowtown to Graiguenamanagh.

A report from the Parks Superintendent was circulated to the members advising that Waterways Ireland has completed preliminary designs for the upgrade of the canal towpath from Lowtown to Graiguenamanagh. They are currently undertaking consultation with the various local authorities involved in the project and proposing to make a presentation of the proposed project to elected members of the council at the November monthly meeting.

Once the consultation was complete Waterways Ireland intended to lodge a planning application for the proposed works early in 2015.

Resolved that the report be noted.

AY 14/1411

Local Authority Houses

The committee considered the following motion in the name of Councillor Wall;
That the council confirm if they have contacted the Department of Environment, Community and Local Government about the possibility of building local authority houses in the Athy Municipal District and if they have submitted plans for houses outside of the district in other parts of the county.

A report from the Housing Department was circulated to the members advising that they are in constant contact with officials in the Department of Environment, Community and Local Government in respect of the delivery of social housing throughout the county. The council has received approval for the delivery of 20 units in Kilcock and had identified a number of sites throughout the county, including the Athy Municipal District, with the potential to deliver further social housing directly or in conjunction with approved housing bodies. The council continued to work with landlords through the Rental Accommodation Scheme and approved housing bodies through the Social Housing Leasing Initiative and with private developers in respect of the delivery of units through Part V of the Planning and Development Act. The delivery of units was dependant on capital funding from the Department of Environment, Community and Local Government.

Councillor Wall asked that Kildare County Council be prepared to develop every available parcel of land and Mr. Perry confirmed that they had already engaged with the housing agency. He stated that a construction plan will allow the Council to include areas of special needs and look to have integration on schemes. He also advised that the Council have purchased six of the derelict sites in Athy.

Resolved that the report be noted.

AY 15/1411

Rebates for Servicing of Gas Boilers

The committee considered the following question in the name of Councillor Breslin;

When will tenants receive rebates for monies paid for servicing of gas boilers in the Athy area that did not take place?

A report from the Housing Department was circulated to the members advising that following a review of all former Athy Town Council files, 285 properties had been identified as incurring a €2 weekly charge for boiler servicing. In the majority of cases this charge has been applied from January 2013 and continued to date. In order to complete the rebate as seamlessly as possible, it was proposed that the 285 households will be credited with the appropriate rebate the first week in January 2015. In cases where the tenant had continued to incur the boiler charge the rent would also be reduced by €2 at this time. Where accounts were in credit a refund may be requested. Further information was required on an additional 20 properties which would be credited as above if appropriate.

Resolved that the report be noted.

AY 16/1411

Skateboard Park

The committee considered the following questions in the names of Councillor Wall and Councillor Breslin

Question - Councillor Wall

Can the council confirm the up-to-date position with the skateboard park for the town of Athy?

Question - Councillor Breslin

Can the council confirm when works will commence on the skateboard park in Athy?

A report from the Parks Superintendent was circulated to the members advising that work commenced on the skate park for Athy on 10 November 2014. Construction of the facility is expected to be complete in 6 weeks subject to weather conditions.

The members welcomed the report from Mr Wallace.

Resolved that the report be noted.

AY 17/1411

Irish Water

The members considered this motion but advised the meeting that it was difficult to understand.

That this municipal district, immediately, in the strongest terms possible, signify to the Minister of the Environment, Community and Local Government by way of letter that we do not accept water charges in South Kildare.

Councillor Redmond submitted the following amendment to the motion

That this municipal district, immediately, in the strongest terms possible, signify to the Minister of the Environment, Community and Local Government, by way of letter, that we do not accept the new company, namely Irish Water in Athy Municipal District.

The members asked Councillor Redmond to clarify exactly what he meant, they acknowledged that there were issues with the company but the motion was unclear. Councillor Redmond informed the members that he was fundamentally opposed to Irish Water. On the proposal of Councillor Wall, seconded by Councillor Redmond, the members agreed to suspend standing orders for 15 minutes to discuss the issue.

Following the adjournment the following motion in the name of Councillor Keatley was considered by the members:

That Athy Municipal district members take a vote of no confidence on how Irish Water had conducted their business to date.

Councillor Redmond advised that he did not agree with the wording. As there was no member seconding Councillor Redmond's amended motion, Councillor Keatley's amended motion was put to the members. The amendment was proposed by Councillor Keatley and seconded by Councillor Wall and following a vote the amended motion was carried.

Resolved that a letter issue to the Minister for the Environment and Local Government informing him of the motion adopted by the members.

AY 18/1411

Graveyard in Athy

The committee considered the following motion in the name of Councillor Miley;

That the municipal district receive an update on the graveyard in Athy on any proposed upgrades and continue to maintain and clean the area.

A report from the Environment Department was circulated to the members advising that they had commenced the preparation of an environmental enhancement programme for St. Michael's Cemetery (new), Athy. It was envisaged that this would encompass upgrading of car parking areas, completion of footpaths and landscaping works, which the council would endeavour to carry out on a phased basis. The members will be updated further as matters progress.

Mr. O'Flaherty stated that although sanitary services now comes under the umbrella of environment, the roads have continued cleaning the bins and leaves during the transfer over. Councillor Miley asked that this practice continue while the changeover is going on.

Resolved that the report be noted.

AY19/1411

Suspension of Standing Orders

On the proposal of Councillor Miley and seconded by Councillor Wall Standing Orders were suspended

AY 20/1411

Water Services in the Town

The committee considered the following motion in the name of Councillor Wall;
That the council confirm their plans for the care of the water services within the town of Athy following the dissolution of Athy Town Council.

A report from Water Services was circulated to the members advising that this matter is currently being discussed with Irish Water. Mr. Dunne advised that the issues in Athy are the same for the rest of the County and confirmed that services will be maintained by Irish Water. Councillor Miley referred to major leaks in certain parts of the town and he asked that there be a dedicated official to deal with this issue for Athy

Resolved that the report be noted and members informed of progress in relation to the provision of sufficient staff to provide services that are expected in the town.

AY 21/1411

Barrow Drainage Board

The committee considered the following motion in the name of Councillor Keatley:

That the council confirm that funding previously granted to the Barrow Drainage Board will be ring fenced in the Athy Municipal District annual budget in order to continue the important work on the River Barrow.

A report from Water Services was circulated to the members advising that proposals have been submitted regarding the retention of the Barrow drainage crew (as a direct labour crew) and continuation of current work programmes discussions are at a very advanced stage with both Offaly and Laois County Councils. The elected members will be kept informed of progress.

The members requested that any finance coming from the Barrow Drainage would be ring fenced for Athy Municipal District. Councillor Keatley also thanked the area office for attending those sites out of hours. The motion was passed unanimously.

Resolved that the report be noted and any finance coming from the Barrow Drainage would be ring fenced for Athy Municipal District.

AY 22/1411

Irish Water

The committee considered the following question in the name of Councillor Redmond;

Can the council detail to the councillors what the council's responsibility is since the introduction of Irish Water, to include contracts between the council and Irish Water, how many staff have left the council to join this company, has Irish Water written to this council to find out the PPS numbers or other data of our tenants or those on the RAS scheme and, if so, I would like to know the answer forwarded to Irish Water?

A report from Water Services was circulated to the members advising that the council are now agents for Irish Water. Elected members were now required to contact the dedicated Irish Water customer line if making reps in relation to water/wastewater services. This is similar to other utilities.

A report from Human Resources was also circulated to the members advising that five staff were currently working directly for Irish Water.

A further report from the Housing Department was circulated to the members advising that they had received a request to supply names and addresses of tenants and this was being considered in the context of the legal imperative to comply and the methodology for transfer of this information. A decision would be made this month in relation to this matter.

The members expressed their frustration when trying to contact Irish Water and when trying to get updates on work and when trying to deal with emergencies and thanked the fire service and area office for their recent help when dealing with flooding emergencies. Councillors Wall and Breslin supported this motion.

Resolved that housing department clarify situation in regard to the PPS numbers whether on RAS or rent allowance. The report was noted.

AY 23/1411

Meetings Calendar 2015

The meetings administrator informed the members that the calendar of meetings for 2015 had been circulated and that there was also an addition of the municipal district budget meeting on 5 October 2015.

Resolved that the meetings calendar for 2015 be approved.

AY 24/1411

Corporate Plan 2015-2019

The meetings administrator informed the members that the council is in the process of preparing its Corporate Plan for 2015-2019. In doing so, the council has contacted various groups that have involvement with the council for their views and submissions and are to be received by 21 November 2014. She stated that any comments or feedback would be welcome.

Resolved: This item was noted by the members.

The meeting concluded.