

**Minutes of the Athy Municipal District Meeting held on  
Monday, 9 March 2015 at 10.00 a.m. at Rathstewart, Athy**

**Members Present:** Councillor M Miley (Cathaoirleach), Councillors I Keatley, M Wall, T Redmond and M Dalton

**Members Absent:** Councillor A Breslin

**Officials Present:** Mr J Boland (District Manager), Mr J Coppinger (Senior Engineer), Ms C Lyons (Executive Engineer), Mr D O’Flaherty (District Engineer), Mr G Duff (A/Senior Executive Officer), Ms A Louw (Senior Staff Officer), Mr M McLoughlin (Administrative Officer), Mr S Wallace, (Senior Executive Parks Superintendent), Ms P Berry (Athy Enterprise Centre), Ms A Aspell (Meetings Administrator) and Ms O Mooney (Secretary)

---

**AY1/315**

**Confirmation of Minutes**

The members considered the minutes of the monthly meeting held on 16 February 2015.

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

**Matters Arising**

**Installation of Speed Ramps – Ard Evan Estate, Monasterevin**

Councillor Keatley noted from progress report that the approximate cost of bolt-on ramps on a road which is six metres wide would be €1,500 each and this would be for supply and installation.

**Resolved** that the installation of ramps in some estates in the municipal district be addressed under the 2016 Roadworks Programme.

### **Bus Stop – Monasterevin**

Councillor Redmond asked for an update on this matter. The District Engineer stated that this issue was currently with the Road Design Office to identify a suitable location as the original location was not appropriate. Mr Coppinger stated that bus stops were normally provided by the bus providers and not by Kildare County Council. The members supported this motion.

**Resolved** that the design and costing for this project be brought before the members in due course.

### **Repair of Hill at Barnhill, Castledermot**

Councillor Wall noted that the long term solution to this problem was a land-take. The District Engineer stated that repairs are carried out every Spring. He added that a temporary solution would be to take the clay away.

**Resolved** that as a temporary solution that the clay is taken away from this location.

### **Skate Board Park**

Councillor Wall raised his concerns regarding anti-social behaviour at this location and asked that these issues be dealt with, before they get out of hand. The District Engineer stated that he had money to work on the areas around the Skate Board Park including lighting, bins etc. He added that some areas overlap, in that the Parks Section would look after the maintenance of the park. He stated that he would have a plan in place before anything was done.

**Resolved** that the members be kept informed of progress.

### **Ard na Laoi – Castledermot**

Councillor Wall asked for an update on this matter. The District Manager stated that there were three derelict sites in question. This matter was referred for legal advice and queries raised by the Solicitors have been dealt with by the Environment Section. Legal action will take place.

**Resolved** that an update be forwarded to the members before the next meeting.

### **Pedestrian Bridge Over River Barrow**

The District Manager stated that he had received a very comprehensive and detailed legal advice report which he would be considering. He stated that he was pleased that the members had prioritised this project.

**Resolved** that the members be kept informed.

### **Upgrade of the Road and Footpath at Carlow Road, Athy**

The Cathaoirleach noted report, stating that the National Transport Authority (NTA) had not indicated any intention to increase funding in 2015. However, Kildare County Council would have regular contact with the Authority throughout the year and would try to advance the projects included in the application made for funding for 2015. The Cathaoirleach reiterated that this would be a vital project for Athy and urged that monies be sought to fund this work.

**Resolved** that money be sought to carry out this work.

### **Deputation – Inland Waterways – Meeting 16 February 2015 (Tri-Athy)**

The Cathaoirleach asked for an update on the issue of lifting the rail track/sleepers at the Old Railway line near Tegral. The District Engineer stated that Ms Lyons and himself had a meeting with Tri-Athy during the week. The area in question belongs to Iarnród Éireann and works are under the control of Waterways Ireland. He added that he would continue to liaise with all bodies concerned and that he would keep the members updated.

**Resolved** that the members be kept informed of progress.

## **AY2/315**

### **Social Housing Support: Eviction Threat**

The members considered the following motion in the name of Councillor Redmond:

That this municipal district, forward to the Housing Strategic Policy Committee, recommendations that allow people whom are threatened with eviction and where agreements are signed, where they are awaiting the dreaded eviction, that they get onto the Housing List.

The members considered a report from the Housing Section advising that qualification for social housing is assessed in accordance with the Social Housing Assessment Regulations

2011. These regulations require a housing authority, in determining a household's need for social housing support, to have regard to cases where the mortgage on the household's existing accommodation was unsustainable under the terms of the Central Bank's 2011 Code of Conduct for Mortgage Arrears. This means that where a household provides, a written confirmation from the lender to a housing authority, that the mortgage had been deemed unsustainable, under the Code of Conduct for Mortgage Arrears, the housing authority may carry out a needs assessment, even though the household may remain the legal owners of the property at that point in time. There is no scope in the legislation for any deviation from the regulations.

Councillor Redmond stated that he had met with many people, who are under terrible stress and are awaiting eviction. He added that the Council need to assist where possible. He requested that this matter be referred to the Housing Strategic Policy Committee in order to discuss this issue further. The members supported this motion and agreed that eviction was a terrible situation to be put in. The Cathaoirleach added that the Council needs to be sympathetic, as this issue is only going to intensify, and he appealed to the Housing Section to process cases as quickly as possible. Mr McLoughlin stated that they can only work within the regulations, but that the Council would assist in whatever way they can. **Resolved** that this matter be referred to Housing Strategic Policy Committee and that the criteria for social housing support be put prominently on the council website.

### **AY3/315**

#### **Mortgage to Rent Schemes**

The members considered the following question in the name of Councillor Wall:

Can the council confirm the number of mortgages to rent schemes that they have had an involvement in, are they offering this scheme to their own tenants, are they aware of any other potential schemes or assistance for their tenants who may be in difficulty with their rent/mortgages at this time?

The members considered a report from the Housing Section advising that the council is in constant contact with the Housing Agency and approved housing bodies in assessing and reviewing potential mortgage to rent cases. Irrespective of whether the household has a mortgage with a local authority or with a private financial institute. The main points of the

scheme were outlined in the report. To date the Council has completed seven mortgage to rent cases through approved housing bodies. A number of cases with local authority mortgages are progressing although none have completed. Borrowers who have difficulties with their mortgage repayments are always advised to make contact with the lending institute initially to explore their options.

Councillor Wall stated that he was disappointed to confirm that only a small number of mortgage to rent cases had been progressed, even though this scheme was established three years ago. He added that something needs to be done with regard to this scheme. Mr McLoughlin stated that it takes time to roll out a scheme such as this and that the Housing Section was assessing all cases as sympathetically and promptly as possible.

**Resolved** that the Housing Section write to Minister Alan Kelly, Department of the Environment, Community and Local Government asking him for statistics to assess if this scheme was working nationally.

#### **AY4/315**

##### **Update on Community and Economic Development Issues**

Ms Berry gave the members a comprehensive update of community issues/events coming up in the near future.

- St. Patrick's Day – Ms. Berry said it was likely that RTE would be filming live in Athy for St. Patrick's Day this year. She added that Castledermot would be having a parade on a smaller scale this year. All other towns are being encouraged, with Ms Berry's support, to establish a promoters group, in order to help with arranging events in their towns.
- Tidy Towns - A meeting was arranged with residents' associations and tidy towns last week.
  - A networking meeting has been arranged for the 20<sup>th</sup> March next in Castledermot in order to share ideas and assist in the 2015 application process for tidy towns and networking for all groups in the Municipal District.
  - Tidy Towns have contacted An Taisce and they now have bags, gloves and some litter pickers available, and are committed to help as much as they can with clean-ups in Athy.

- Ulster TV will be conducting an interview by the River Barrow in Athy on 9 March 2015 at 2.00 p.m. to highlight events for 2015 and the Cathaoirleach would be attending.

Councillor Redmond enquired whether there were other events happening outside of Athy Town. Ms. Berry stated that Castledermot are trying to do similar things that Athy are doing on a smaller scale. Monasterevein has a great tidy towns group and she would be helping with their works. Ms Berry stated that they were trying to set up promoter groups within the Municipal District in order to create more festival events.

Councillor Wall congratulated Ms Berry on her hard work on all projects to date and understood that she was currently working on a database for community events. He stated that the networking meeting on 20<sup>th</sup> March was an excellent initiative. Councillors Keatley and Dalton asked Ms Berry to check that she had all the groups accounted for on her database as there might be pockets of groups who might not yet be identified.

The Cathaoirleach stated that there were great improvements made in Athy and surrounds. He added that he hoped the St. Patrick's Day Parade this year would be a great success.

### **AY5/315**

#### **Schedule of Municipal District Works for 2015**

##### **Roadworks Programme 2015**

The meetings administrator circulated a draft report to the members before the meeting. The District Manager referred to circular letter LG 27/2014 and stated that, in order to comply with the circular, the schedule of municipal district works must be adopted by 31 March 2015. He stated that it would be necessary to identify projects and to agree expenditure for the remainder of the year.

The District Engineer stated that the footpath repairs outlined had been highlighted by members over recent months and that some would be sent out to contract and some would be dealt with in-house.

Mr Coppinger circulated a comprehensive report on the roadworks programme for 2015 to the members at the meeting. He stated that he was sorry the members had not received the report before the meeting. He added that the projects under Table 9 on the report had to be amended.

Councillor Wall raised the issue of the footpaths in Castledermot indicating that the members had been told that money would be available for this project and later told that the money was actually being used for another footpath 50% of the work having already been completed. The Cathaoirleach stated that there was no allocation for The Friary, Castledermot even though the members had sought funding.

The District Engineer stated that in many cases, funds can roll over from year to year, where projects have not been completed within the year of the budget allocation. Kildare County Council can apply for funding for projects and for roll over of funds, but the final decision lies with the National Transport Authority [NTA]. Mr Coppinger stated that the NTA can give an indicative allocation at the early stages of design and this can change over the course of the year.

The Cathaoirleach re-iterated that the road and footpath repairs should have been funded by NTA and he requested that a second allocation of money be sought from the NTA.

The Cathaoirleach vacated the chair and the Leas-Cathaoirleach took the chair.

**Resolved** on the proposal of Councillor Keatley, seconded by Councillor Dalton that the retained Local Property Tax funds for footpath repairs be adopted.

**Resolved** that a special meeting of the municipal district be held at 11am on 30 March 2015 to adopt the remainder of the Schedule of Works 2015, including the roadworks programme and the members asked that a full list of community grant applications be circulated to them before that meeting.

**AY6/315**

**Southern Distributor Road**

Ms Lyons stated that tenders were due in this week and that consultants would be appointed by the end of the month. Once consultants have been appointed they will commence working on the project by the beginning of April 2015. Third Party meetings have commenced with landowners etc.

Councillor Redmond asked whether she could meet with the Directors of Tegral in the coming months and she stated that she would.

The Cathaoirleach resumed the chair.

**Resolved** that this matter remain as a standing item and members kept updated.

**AY7/315**

**Provision of Playing Pitches in Athy**

The members considered the following motion in the name of Councillor Wall:

Given the impending development of the Southern Distributor Road in Athy and previous motions and correspondence with the council, that the local authority identify, promote and develop community playing pitches in the town.

A report was circulated to the members from Mr Wallace, Senior Executive Parks Superintendent advising that any additional open space required for recreational needs in Athy would need to be identified as part of the Local Area Plan for the town first and zoned accordingly. Resources would then have to be identified to acquire and develop the land.

The members noted the report. Councillor Wall stated that this matter had been discussed previously during consideration of the Athy Development Plan. He stated that clubs in the town needed pitches and he reiterated that the clubs should be consulted, in tandem with plans for the Southern Distributor Road project, in this regard.



Councillors Dalton and Keatley supported this motion and they added that the route for the Distributor Road would actually remove two current pitches and both clubs affected would need replacement pitches.

Mr Coppinger stated he would take the members comments on board and the issue will be investigated. The District Manager stated that his advice would be to try and resolve matters before the council would start the statutory process.

Councillor Redmond supported this motion and added that the council should identify appropriate open space for pitches. Councillor Dalton stated that clubs were very supportive of this project and would be interested in liaising with the council to work on solutions. Councillor Wall thanked the members for their support. He suggested an appropriate open space would be Barrowhouse.

**Resolved** that, in tandem with plans for the Athy Southern Distributor Road, the District Manager convene a meeting with all the clubs affected by this project including Bridge United, Athy GAA, Athy Rugby Club as this is a major recreational issue for the town.

#### **AY8/315**

##### **Appropriate Parking at M9 Exits**

The members considered the following motion in the name of Councillor Miley:

In light of the large number of cars parking at exit 2, 3 and 4 on the M9 motorway, that the council request the NRA to put appropriate parking in this area.

A report was circulated to the members from the roads and transportation section advising that if the members were in agreement, a request would issue to the National Road Authority (NRA).

**Resolved** that letter issue to NRA regarding appropriate parking at M9 exits.

**AY9/315**

**Flooding in Kingsgrove, Athy**

The members considered the following motion in the name of Councillor Redmond:

As agreed by Athy Town Council, that we manage to fix the area that floods in Kingsgrove near house (details supplied) as it floods when it rains and also the drains to be cleared in this estate and that we receive a time frame for this also.

A report was circulated to the members from the roads and transportation section advising that this appears to be a legacy issue from Athy Town Council. This would be listed as one of a number of drainage issues from the original Athy Town Council area. The list would now comprise of drainage issues from all of the new Athy Municipal District including Athy Town, Monasterevin, Kildangan and Nurney areas.

**Resolved** that report be noted.

**AY10/315**

**Installation of Lighting at the rear of Timolin Terrace**

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

That the council install lighting at the rear of Timolin Terrace for the purpose of security and safety.

A report was circulated to the members from the roads and transportation section advising that the Municipal District Office indicated that there was no funding available to provide the requested lights. The Public Lighting Unit would investigate the possibility of providing lighting to the rear of Timolin Terrace and would report to the Municipal District. However, the provision of lights would be dependent on the availability of funding.

**Resolved** that the members be kept informed.

**AY11/315**

**Repair of Potholes in Gorteenooona, Monasterevin**

The members considered the following question in the name of Councillor Redmond:

Can we fix the potholes in Gorteenooona in Monasterevin that are very bad?

A report was circulated to the members from the roads and transportation section advising that this work would be listed on a repair list that was being compiled for the extended area of the Municipal District.

**Resolved** that report be noted.

#### **AY12/315**

##### **Flood Relief Works at Plunketstown, Castledermot**

The members considered the following question in the name of Councillor Keatley:

Can the council carry out flood relief works at Plunketstown, Castledermot to help reduce the flooding risk of the road and nearby houses?

A report was circulated to the members from the roads and transportation section advising that this work is on a list of drainage schemes due to commence this year.

**Resolved** that report be noted.

#### **AY13/315**

##### **Provision of Disabled Parking at Moone School**

The members considered the following question in the name of Councillor Miley:

Can the council put provisions in place at Moone School for disabled parking?

A report was circulated to the members from the roads and transportation section advising that there was no finance for this work in the current year. This was a project that would be considered for the LPT.

**Resolved** that report be noted.

#### **AY14/315**

##### **Identification of any plans for Woodstock Castle and White's Castle**

The members considered the following motion in the name of Councillor Wall:

That the council confirm if they have made any plans for the historic site at Woodstock Castle, Athy and any such plans be linked to White's Castle in the centre of the town given the importance of both sides to the town.

A report was circulated to the members from Mr Keaney, Senior Executive Planner, advising that White's Castle and Woodstock Castle are included on the Register of Protected Structures for County Kildare. White's Castle is also located within the Athy Architectural Conservation Area and Zone of Archaeological Potential. Any works proposed for either of these Protected Structures must be supervised by a Conservation Architect as they are medieval in origin and require consent from the National Monument Service of the Department of Arts, Heritage and the Gaeltacht. The statutory duty of care for repair and maintenance of a protected Structure and its grounds are the responsibility of the owner/occupier. In the case of Woodstock Castle, it is in public ownership and maintained by the Council. However, White's Castle is in private ownership. As a result, the duty of care, for the maintenance and upkeep of the Castle, and its grounds, lies with the owner. Mr Black, Kildare County Council's Architectural Conservation Officer, visited both sites on 3 March 2015 and undertook an initial exterior visual inspection. Interior access was not gained to either castle. The inspection indicated that neither Protected Structure appeared to be in a state of collapse. The Council's Environment Department have also undertaken a recent visual inspection of White's Castle. This inspection also concluded that White's Castle is not derelict and does not appear to be dangerous. The Athy Town Development Plan 2012-2018 recognises that there is a significant potential to develop and improve the amenity of Greenfield recreational areas in the town including the area surrounding Woodstock Castle and the gardens of White's Castle as a tourist and local amenity. A public Right of Way exists linking Edmund Rice Square and Woodstock Castle. The Town Development Plan contains an objective to link the green spaces associated with White's Castle and Woodstock Castle and other key spaces within the town through a network of pedestrian and cyclist routes. The implementation of this objective is subject to design, consent and budget. Due to budgeting priorities and constraints, the Council is not in a position to pursue this objective. The Council is happy to discuss any future development proposals for White's Castle with its owner.

Councillor Wall was very pleased with the report presented to the meeting. He stated that the main problem at Woodstock Castle was illegal dumping and this needs to be remedied.

Mr. Wallace stated that the grounds of Woodstock Castle had been cleaned up before Christmas, and as recently as last week. He added that he was in the process of meeting with the Woodstock Forum and in order for this major problem to cease, the council need to liaise with local people and local residents' associations, with a view to naming and shaming persons causing litter.

Councillor Redmond added that people find it difficult to report litter as they are required to provide their name when making their complaint and they don't want to be known to be reporting a neighbour. Councillor Wall asked what could be done with the grounds of Woodstock in order to keep the area free from rubbish. He suggested that the walkways be maintained, and possibly, the provision of playing pitches, as a solution. The members discussed the possibility of installing CCTV to monitor the area.

**Resolved** that the members be kept informed of any solutions to cleaning up the grounds of Woodstock Castle.

#### **AY15/315**

##### **Upgrade of Bridge and Traffic Calming Measures at Crookstown**

The members considered the following motion in the name of Councillor Miley:

That the council upgrade the bridge at Crookstown to tie it in to the new works done at the new school in Crookstown and develop traffic calming measures in this area.

A report was circulated to the members from roads and transportation section advising that there are no plans to undertake any work on Crookstown Bridge this year. The Municipal District Engineer has had meetings with the project team for the new school in relation to traffic calming works, in close proximity to the bridge and the adjacent field. The school has been conditioned to undertake certain works as part of its planning permission. Agreement on these issues had not concluded as yet.

The Cathaoirleach stated that this bridge is in a terrible condition. Provision of signage system to yield was urgently needed at this location as the bridge was currently one-way traffic. The District Engineer stated that he would contact Road Design regarding provision of such signage.

Councillor Wall supported this motion and asked whether the council could have a look at the planning permission again and follow-up on any outstanding issues if necessary. The District Engineer stated that traffic calming measures would be financed through the project. The wall at the bridge needed to be continued and the District Engineer stated that negotiations were ongoing with the contractor.

**Resolved** that the District Engineer contact Road Design regarding proper yield signage for this bridge and that members be kept informed regarding any progress in relation to ongoing negotiations with the contractor.

#### **AY16/315**

##### **Repair of Entrance Wall to Oak Lawn Housing Estate, Athy**

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

Can the council repair the entrance wall to Oak Lawn housing estate, Athy.

The members considered a report from the roads and transportation section advising that this was an insurance issue as the wall was hit by a private vehicle.

Councillor Keatley asked whether the council had been in contact with the insurance company. The District Engineer stated that they had spoken with the Gardai and were in the process of getting the details required with regard to repairing the wall in question.

**Resolved** the members be kept informed.

#### **AY17/315**

##### **Inclusion of Coolnaferagh Laneway, Monasterevin and the L80012, Nurney on list of Community Involvement Schemes 2015**

The members considered the following question in the name of Councillor Keatley:

Can the council include Coolnaferagh Laneway, Monasterevin and the L80012, Nurney on the list of Community Involvement Schemes to be completed in the county in 2015?

The members considered a report from the roads and transportation section advising that this work was dependent on the availability of funding for the Community Involvement Scheme in the current year. In 2014, there was a special allocation from the Department of Transport, Tourism and Sport for this work. This had not been repeated in 2015.

Councillor Keatley noted the report. He added that there were many in the community who would be willing to help with funds towards these roadworks. He asked that the District Engineer would make a site visit to the locations mentioned. The District Engineer stated that there were no funds available as yet, but stated that he would certainly meet with communities who are interested in pursuing such schemes.

Councillor Keatley thanked the District Engineer for all his assistance and good work on all his projects. communities who are interested in pursuing such schemes.

**Resolved** that the District Engineer would liaise with communities who are interested in pursuing community involvement schemes.

#### **AY18/315**

##### **Flood Relief Works at Plunketstown, Castledermot**

The members considered the following question in the name of Councillor Keatley:

Can the council carry out flood relief works at Plunketstown, Castledermot to help reduce the flooding risk of the road and nearby houses?

The members considered a report from the roads and transportation section advising that this work was on a list of drainage schemes to be commenced this year.

**Resolved** that this report be noted.

#### **AY19/315**

##### **Potential Site for the Proposed St. Paul's Secondary School in Monasterevin**

The members considered the following question in the name of Councillor Wall:

Can the council confirm the contact they have had with the Department of Education and Skills regarding the potential site for the proposed St. Paul's Secondary School in Monasterevin?

The members considered a report from the Planning Section advising that the council had been in consultation with the Department of Education and Skills regarding a proposed site

for St. Paul's Secondary School since 2011. Consultation and advices given were conducted in accordance with the Memorandum of Understanding between the Department of Education and Skills and the City and County Managers' Association on acquisition of sites for school planning purposes. The Planning Department facilitated a pre-planning meeting regarding the proposed development (PP2831) on the 15<sup>th</sup> December, 2014. A planning application had not been received to date for the proposed development.

**Resolved** that report be noted.

### **AY20/315**

#### **Provision of Permanent CCTV at the new playground at the People's Park, Athy**

The members considered the following question in the name of Councillor Wall:

Can the council investigate putting permanent CCTV at the refurbishment playground at the People's Park, Athy?

The members considered a report from Mr Wallace, Senior Executive Parks Superintendent, advising that CCTV had previously been installed in Celbridge playground but had proved ineffective in controlling any anti-social behaviour in the playground. This was due to the amount of time needed to review footage of any incidents in the playground and the difficulty in identifying any individuals involved. There are no financial resources to put CCTV in the People's Park and there are no staff resources to monitor it. Therefore, it was not proposed to put CCTV into the playground.

The Cathaoirleach stated that there is a problem at this location with anti-social behaviour. Older children occupying swings and exercise machinery and younger children not being able to access them. This is not socially acceptable. If this continues to happen, the community will end up not using the facility because of a small minority of people causing problems. He added that CCTV was required and that it should be connected to the Gardai.

Mr Wallace stated that he would be putting up signage indicating age group of persons to use the facilities. He added that the Gardai may need to get involved as the council do not have the staff resources to police playgrounds. He suggested that maybe if parents could



give us appropriate times of when the problems are being caused then he could check with the Gardai. He added that signage might embarrass persons not to use the facility.

Councillors Dalton and Wall supported the motion and urged that signs would be installed straight away. He added that it would be very hard for parents to approach these older children. He added that the Park and Skate Park need to be promoted correctly.

Mr. Wallace stated that he would continue to monitor and liaise with the Gardai. The Cathaoirleach thanked Mr Wallace and congratulated him on all his good work on getting the Park to its current standard.

**Resolved** that Mr Wallace continue to monitor and liaise with the Garda regarding policing of the People's Park in order to stop anti-social behaviour at this location.

The meeting then concluded.