

## KILDARE COUNTY COUNCIL

### **Minutes of Monthly Meeting of Kildare County Council held at 2.00p.m on Monday, 21 September 2015 at Áras Chill Dara, Devoy Park, Naas, Co Kildare**

**Members Present:** Councillor B Weld (Mayor), Councillors A Breslin, A Breen, F Brett, K Byrne, B Caldwell, R Cronin, W Crowley, I Cussen, M Dalton, S Doyle, T Durkan, D Fitzpatrick, B Hillis, I Keatley, A Larkin, P McEvoy, P Kennedy, J McGinley, F McLoughlin-Healy, M Lynch, M. Miley Jnr, S Moore, T Murray, J Neville, F O'Loughlin, S O'Neill, J Pender, R Power, S Power, T Redmond, D Scully, M Stafford, M Wall, P Ward and B Young

**Apologies:** Councillors Lawless, O'Cearuil and O'Rourke

**Also Present:** Mr P Carey, Chief Executive, Messrs P Minnock, T McDonnell, E O'Sullivan and N Morrissey (Directors of Services), Ms E Hanlon (Head of Finance), Ms A Aspell (Meetings Administrator) and other officials.

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**01/0915**

#### **Adoption of minutes**

The council considered the minutes of the annual meeting of 25 June 2015 and the minutes of the monthly meeting of 27 July 2015 together with the progress report.

**Resolved** on the proposal of Councillor Wall, seconded by Councillor Kennedy, that the minutes of the annual meeting of 25 June 2015 and the monthly meeting of 27 July 2015 be adopted and the progress report noted.

### **Matters Arising**

Councillor McGinley queried why it was not possible to leave the swimming pool at Maynooth University open and what progress has been made to date. The Chief Executive advised that he is committed to working towards development of a swimming pool in North Kildare. He further advised that he is awaiting a submission from the Department of the Environment, Community and Local Government and will update the members in due course.

Councillor Cussen wished to clarify that it was not permitted to purchase a chain of office using Local Property Tax money.

The meetings administrator advised that the provision of a chain of office is a budgetary matter for consideration by relevant municipal districts for 2016.

**02/915**

### **Disposal of Land**

To approve disposal of the following land:

#### **36 River Forest, Leixlip, Co Kildare - (conversion of shared ownership loan to annuity loan)**

The council considered statutory notice dated 7 September 2015 which had been circulated to the members pursuant to Section 183 of the Local Government Act 2001 signifying intent to dispose of the current value of the rented equity (up to and in line with inflation) at the date of the redemption of the Shared Ownership Loan on the property at 36 River Forest, Leixlip, Co Kildare.

**Resolved** on the proposal of Councillor Miley, seconded by Councillor McEvoy, that pursuant to Section 183 of the Local Government Act 2001, the council consent to disposal of the land in accordance with the terms set out in the statutory notice.

#### **23 Park View, Clane, Co Kildare - (conversion of shared ownership loan to annuity loan)**

The council considered statutory notice dated 7 September 2015 which had been circulated to the members pursuant to Section 183 of the Local Government Act 2001 signifying intent to dispose of the current value of the rented equity (up to and

in line with inflation) at the date of the redemption of the Shared Ownership Loan on the property at 23 Park View, Clane, Co Kildare.

**Resolved** on the proposal of Councillor Miley, seconded by Councillor McEvoy, that pursuant to Section 183 of the Local Government Act 2001, the council consent to disposal of the land in accordance with the terms set out in the statutory notice.

**51 Coney Meadows, Coneyboro, Athy, Co Kildare - (conversion of shared ownership loan to annuity loan)**

The council considered statutory notice dated 7 September 2015 which had been circulated to the members pursuant to Section 183 of the Local Government Act 2001 signifying intent to dispose of the current value of the rented equity (up to and in line with inflation) at the date of the redemption of the Shared Ownership Loan on the property at 51 Coney Meadows, Coneyboro, Athy, Co Kildare.

**Resolved** on the proposal of Councillor Miley, seconded by Councillor McEvoy, that pursuant to Section 183 of the Local Government Act 2001, the council consent to disposal of the land in accordance with the terms set out in the statutory notice.

**933 St Patrick's Park, Celbridge, Co Kildare - (conversion of shared ownership loan to annuity loan)**

The council considered statutory notice dated 7 September 2015 which had been circulated to the members pursuant to Section 183 of the Local Government Act 2001 signifying intent to dispose of the current value of the rented equity (up to and in line with inflation) at the date of the redemption of the Shared Ownership Loan on the property at 933 St Patrick's Park, Celbridge, Co Kildare.

**Resolved** on the proposal of Councillor Miley, seconded by Councillor McEvoy, that pursuant to Section 183 of the Local Government Act 2001, the council consent to disposal of the land in accordance with the terms set out in the statutory notice.

**1 Cyprian Avenue, Rheban Manor, Athy, Co Kildare – (conversion of shared ownership loan to annuity loan)**

The council considered statutory notice dated 7 September 2015 which had been circulated to the members pursuant to Section 183 of the Local Government Act 2001 signifying intent to dispose of the current value of the rented equity (up to and

in line with inflation) at the date of the redemption of the Shared Ownership Loan on the property at 1 Cyprian Avenue, Rheban Manor, Athy, Co Kildare.

**Resolved** on the proposal of Councillor Miley, seconded by Councillor McEvoy, that pursuant to Section 183 of the Local Government Act 2001, the council consent to disposal of the land in accordance with the terms set out in the statutory notice.

**25 Allen Manor, Kilmeague, Naas, Co Kildare – (conversion of shared ownership loan to annuity loan)**

The council considered statutory notice dated 7 September 2015 which had been circulated to the members pursuant to Section 183 of the Local Government Act 2001 signifying intent to dispose of the current value of the rented equity (up to and in line with inflation) at the date of the redemption of the Shared Ownership Loan on the property at 25 Allen Manor, Kilmeague, Naas, Co Kildare.

**Resolved** on the proposal of Councillor Miley, seconded by Councillor McEvoy, that pursuant to Section 183 of the Local Government Act 2001, the council consent to disposal of the land in accordance with the terms set out in the statutory notice.

**0.116 ha. of land at Yellowbogcommon, Kilcullen, Co Kildare (surplus land from the N9/N10 Kilcullen to Waterford Scheme)**

The council considered statutory notice dated 2 September 2015 which had been circulated to the members pursuant to Section 183 of the Local Government Act 2001 signifying intent to dispose of 0.116 ha. of land at Yellowbogcommon, Kilcullen, Co Kildare in accordance with drawing no. NRO135/437/02.

**Resolved** on the proposal of Councillor Miley, seconded by Councillor McEvoy, that pursuant to Section 183 of the Local Government Act 2001, the council consent to disposal of the land in accordance with the terms set out in the statutory notice.

**0.935 acres and 0.133 acres of land at Ballyvass, Castledermot, Co. Kildare (surplus land from the N9/N10 Kilcullen to Waterford Scheme)**

The council considered statutory notice dated 3 September 2015 which had been circulated to the members pursuant to Section 183 of the Local Government Act 2001 signifying intent to dispose of 0.935 acres and 0.133 acres of land at Ballyvass, Castledermot, Co. Kildare in accordance with drawing no. NRO135/343/100.

**Resolved** on the proposal of Councillor Miley, seconded by Councillor McEvoy, that pursuant to Section 183 of the Local Government Act 2001, the council consent to disposal of the land in accordance with the terms set out in the statutory notice.

**0.0148 ha. of land at Basin Street, Harbour View, Naas, Co Kildare (land swap)**

The council considered statutory notice dated 3 September 2015 which had been circulated to the members pursuant to Section 183 of the Local Government Act 2001 signifying intent to dispose of 0.0148 ha. of land at Basin Street, Harbour View, Naas, Co Kildare in accordance with drawing no. L/1247 for the purpose of a swap of lands identified on the Compulsory Purchase Order for the Corban's Lane/Friary Road Scheme in accordance with Drawing No. L/1265.

**Resolved** on the proposal of Councillor Miley, seconded by Councillor McEvoy, that pursuant to Section 183 of the Local Government Act 2001, the council consent to disposal of the land in accordance with the terms set out in the statutory notice.

**03/0915**

**Management Report**

The members considered the monthly Management Report.

**Resolved** that the monthly management report be noted.

**04/0315**

**Section 85 Agreements**

The members considered report dated August 2015, which had been circulated, recommending that, pursuant to Section 85 of the Local Government Act 2001, approval be given to agreement with Longford County Council to carry out rehabilitation works to LD-N55-005.00 Fowlards Bridge in County Longford.

**Resolved** on the proposal of Councillor Hillis, seconded by Councillor Keatley, and agreed by all members, that in accordance with Section 85 of the Local Government Act 2001, agreement with Longford County Council for the purpose of bridge rehabilitation works to LD-N55-005.00 Fowlards Bridge, Co Longford be approved.

**05/0914**

**Financial Report**

The members considered the financial reports for the 6 months ended 30th June 2015 which were previously circulated. Ms Hanlon gave a brief overview and the members noted the report.

**Resolved** that the report be noted.

**6/0914**

**Local Property Tax (LPT)**

The Head of Finance referred to the Chief Executive's report on the consideration of setting a local adjustment factor for 2016 together with the Chief Executive's Report on submissions received which was circulated to the members previously.

Councillor Power asked for clarification on the €137,998 compensation that may be made available. Ms Hanlon clarified that in 2015 the Department of the Environment, Community and Local Government committed €500m to the LPT fund, however actual LPT receipts were less. For 2016, if the Council decide to reduce LPT by 7.5%, the department will pay an additional compensation amount of €137,998 to Kildare County Council. If, however, the council decide to reduce LPT by more than 7.5% the maximum amount that the Department will pay is €137,998.

In response to a query from Councillor Moore as to whether the €137,998 is to be spread over the five municipal districts or central exchequer, Ms. Hanlon advised that the Chief Executive has given a commitment that if the Local Property Tax is reduced by 7.5%, additional funds of circa €80,000 will be given to the municipal districts to bring the total LPT fund available to the municipal districts to €1.663m the same as for 2015.

It was noted that there were two motions (agenda items 19 and 23) relating to local property tax before the Council and it was agreed to take both motions at this stage.

The following motion proposed by Councillor Cronin and seconded by Councillor Young:

That this council budgets for a reduction of 15% in the Local Property Tax for Budget 2016.

Councillor Cronin referred to the reduction in the budget since 2008 and referred, in particular, to the non-collection of income from development levies and commercial rates and queried why these are not followed up. She strongly supported a reduction in LPT of 15%.

The following motion in the name of Councillor Pender was proposed by Councillor Pender, seconded by Councillor Cronin.

That the council reduce the rate of Local Property Tax by 15%.

Councillor Pender asked the members to bear in mind that a third of Irish families are in debt with back to school costs etc and we should be putting money back into people's pockets. She also referred to the deficit in regional road maintenance of €2.663m and asked where the discretionary local property tax has gone. She felt that we should be compelling Government not to exploit low income families and asked that whatever is retained is used for homeless people and the housing crises.

The following amended motion was proposed by Councillor McEvoy and was seconded by Councillor Kennedy:

That a 0% discount be applied to the Local Property Tax rate for 2015/2016.

Councillor McEvoy said that in 2014, the first round of LPT was introduced and was reallocated from central Government to local authorities. He said that if we recommend 7.5% we will only get the same level of service as last year, therefore, he proposed a 0% reduction as a counter motion.

The following amendment to the motion was proposed by Councillor O'Loughlin and seconded by Councillor Scully.

That this Council budgets for a reduction of 7.5% in the Local Property Tax for the coming year.

Councillor O'Loughlin said that, while she had sympathy with what individual groups have expressed in relation to priorities, it is the view of the Fianna Fail members that a reduction in the rate of 7.5% was the fairest way forward. She felt that this enabled members to make decisions about the type of project that they wanted to prioritise.

Councillor Scully advised that the Fine Gael group will also be proposing a reduction of 7.5% to be ring fenced in the various districts.

There were contributions from several members outlining issues such as homelessness, community development, social inclusion and the continuation of the members discretion on where funding was spent.

The Chief Executive thanked the members for their comments and deliberations. He said that the last year had been a challenge, but it had shown local government in action. He said that it was the work programmes and discretion around works that delivered services locally and that excellent work has been done in roads, public lighting, taking in charge of estates etc as a result of the decisions taken by elected members at municipal district. He said it was real subsidiarity in action and it broadened the tax base. He refuted comments made about collection of outstanding monies, saying that the council is working very hard in this regard. He said that ideally the Council should be going for a 0% reduction as there is a huge programme of works to be undertaken which will bring massive challenges, however, he strongly urged the members to consider at a minimum a reduction in the rate of 7.5% as the vast majority of people would have a preference to see works completed.

At this stage the Mayor indicated that he intended to put Councillor McEvoy's amended motion to the floor by a roll call vote, which had been requested by six members as prescribed by standing orders.

Motion proposed by Councillor McEvoy and seconded by Councillor Kennedy was put to the floor.

That a 0% discount be applied to the Local Property Tax rate for 2015/2016.



A roll call vote of the 37 members present was taken with:

7 members voting for the proposal: Councillors Crowley, Dalton, Doyle, Kennedy, Larkin, McEvoy and Murray.

30 members voting against the proposal: Councillors Breen, Breslin, Brett, Byrne, Caldwell, Callaghan Cronin, Cussen, Durkan, Fitzpatrick, Hillis, Keatley, Lynch, McGinley, McLoughlin-Healy, Miley, Moore, Neville, O'Loughlin, O'Neill, Pender, Power R, Power S, Redmond, Scully, Stafford, Wall, Ward, Weld, Young.

The motion was defeated.

The Mayor then put the amendment to the motion proposed by Councillor O'Loughlin and seconded by Councillor Scully to the floor

That this Council budgets for a reduction of 7.5% in the Local Property Tax for the coming year.

A roll call vote of the 37 members present was taken with:

25 members voting for the proposal: Councillors Brett, Caldwell, Callaghan, Crowley, Dalton, Doyle, Durkan, Fitzpatrick, Hillis, Keatley, Kennedy, Larkin, McEvoy, McLoughlin-Healy, Miley, Moore, Murray, Neville, O'Loughlin, Power R, Power S, Scully, Stafford, Ward, Weld.

12 members voting against the proposal: Councillors Breen, Breslin, Byrne, Cronin, Cussen, Lynch, McGinley, O'Neill, Pender, Redmond, Wall, Young.

**Resolved** on the proposal of Councillor O'Loughlin, seconded by Councillor Scully, with 25 members voting in favour of the proposal and 12 members voting against with no abstentions, that this council seeks to reduce the local property tax by 7.5% whilst having regard to the protection of budgets and services across each area and ensuring any retained surplus is strictly ring-fenced for discretionary use in each municipal district

**Resolved** Pursuant to Section 20 of the Finance (Local Property Tax) Act 2012 (as amended) Kildare County Council has decided to vary downwards the basic rate of local property tax by 7.5 per cent for the period 1st November 2015 to 31<sup>st</sup> October 2016 in respect of relevant residential properties situated in the local authority's

administrative area.

**07/0915**

**Budget 2016**

The members agreed to receive a pre-budget briefing in committee on 16 November 2015.

**Resolved** that the statutory budget meeting take place on Monday, 23 November 2015 at 2.00pm.

**08/0915**

**County Kildare Municipal Art Collection Purchase Policy**

The members received a presentation from Ms Lucina Russell, Arts Officer, outlining Kildare County Council's Municipal Art Purchasing and Donations Collection Purchase Policy and also referring to other events undertaken by the Arts Office; including culture night, film projects, art collection from local and international artists, etc. She thanked the members and asked for their continued support. Mr. Minnock also asked for the endorsement of the members to the policy.

Several members complimented the Arts Officer on the work of the Arts Office especially on local events like cultural night and the support given to local and emerging artists.

The Mayor thanked the Arts Officer for her presentation and for the work that she did especially regarding cultural night.

It was agreed to take Councillor Lynch's motion at this stage as it also related to the Arts Programme:

That this council resolves that all future artwork's funded or part-funded in any way by this council should first have the project passed by either the municipal district or full council before commencement. All councils should first pass the initial artwork proposal and not just shown final stages of artwork or plans of same.

The members were circulated with a report from the Community and Culture Section which advised on how the Arts Service progresses, implements and funds its programme of works. These are communicated to the Council through the LCDC, Strategic Policy Committee, full Council and municipal district level on arts and cultural policy.

Councillor Lynch was dissatisfied with the lack of information available to the members about various artworks in the county. He said that the members need to have a say particularly on budgetary concerns.

Councillor Stafford stated that emerging artists need to be supported and the purchase of their works by the council not only provided monetary assistance but also benefitted their reputation. He asked if a catalogue could be made available to the members of each piece and where it is located, how many have been purchased with the assistance of the Arts Council, and if any works have been donated to the County Council. Councillor Doyle also agreed with the publication of a catalogue. Councillor Stafford also stated that at the Strategic Policy Committee meeting it was agreed that Councillor Kevin Byrne be included on the selection committee.

Councillor Moore proposed an amendment to Councillor Lynch's motion as follows: That this Council resolves that members be made aware of all future funded or part funded pieces of art in excess of €30,000 before commissioning or positioning. This was seconded by Councillor McEvoy.

Councillor Crowley said that the context of Councillor Lynch's motion was being distorted. He felt that the motion was not interfering with the process but was merely asking for transparency and communication.

The Chief Executive paid tribute to the Arts Office for the work they are doing. He said that Kildare County Council has a very strong record in support of the arts referring to film, youth theatre, artists in residence etc and their impact on the quality of life for the residents of the county. He said that the fifteen libraries across the county are also part of the promotion of arts and culture. He said that art by its

nature can be contentious which, in turn, encourages debate and dialogue, which is a good thing.

In response to queries from the members regarding the tendering process and the process involved for emerging artists, the Arts Officer said that the process depended on what was commissioned as there are many different sections and different levels of funding available. She said that all commissions are open to artists including international artists and referred to options for emerging artists also. In response to a query from Councillor Redmond regarding public consultation, Mr. Minnock advised that the process would involve the Arts Scheme, e-tenders and committee adjudication. He said that the committee is normally made up of artists, the Arts Officer and other professionals and those committees are appointed as the panel assessing the artworks. In relation to emerging artists, he said that the Arts Office is currently preparing a document for processing, commissioning and dealing with emerging artists. The Arts Officer also advised that not all funds are spent on finished pieces of art, indeed most of the money is spent on advisory and developmental roles, arranging artists bursary awards etc.

Councillor Moore asked that the provision of information boards for artwork pieces be considered. The Arts Officer undertook to investigate this and the possibility of publishing a catalogue.

**Resolved** on the proposal of Councillor Doyle, seconded by Councillor McEvoy that the County Kildare Municipal Art Collection Purchase Policy be adopted.

**Resolved** that the amended motion be agreed on the proposal of Councillor Moore, seconded by Councillor McEvoy, with 26 members voting in favour.

**09/915**

**Higher Education Grant Scheme 2015/16**

**Resolved** that the Higher Education Grant Scheme 2015/2016, which had been circulated, be noted.

**10/915**

**Mayor's Business**

At the outset the Mayor asked that standing orders be adhered to and reminded the members that no food or drink are allowed in the chamber and also the use of photography, audio visual equipment, or mobile phones is prohibited.

The Mayor congratulated the staff who organised and participated in the Annual Play Day which took place on 19th September and was a great success attended by a large crowd.

The Mayor welcomed Mr Niall Morrissey, Director of Services for Roads, Transportation and Public Safety and also thanked Ms Sonya Kavanagh for her hard work while acting in the position. The Chief Executive also thanked Ms Kavanagh and wished her well in her new position in Economic Development and County Promotion.

The Mayor advised that there will be a Health and Safety presentation to the members at the October monthly meeting of full council.

The Mayor advised that it is proposed to take some video footage at the start of the October meeting of the council as part of a project being undertaken on the Corporate Plan by graduates from the local government Graduate Programme. This was agreed by the members.

**11/0915**

**Votes of Sympathy**

The Mayor and members expressed sympathy with the following:

Mr Jim Hannigan, father of Josh Hannigan, Corporate Services

Mrs Elizabeth (Betty) Maguire, mother of Susan Gogan, Finance Department

**12/0915**

**Conferences and Training**

**Resolved** with all members present in agreement, that attendance at training and conferences, as outlined hereunder, be approved having regard to the Conferences and Training report submitted.

**Conferences**

1st-2nd October 2015

AILG Autumn Seminar

Inchydoney, Clonakilty, Co. Cork - €125 per delegate

Nominees: Councillors Caldwell, Byrne, Crowley, Kennedy, Miley and O'Loughlin

9th-10th October 2015

LAMA Autumn Seminar

Hotel Kilkenny, College Road, Kilkenny - €180 (Estimate)

Nominees: Councillors Power, Kennedy, Weld, Dalton, Miley, Brett and O'Loughlin

**Training**

6th October 2015

Module 5 - Roads, Transportation & Urban Traffic Planning

Tullamore Court Hotel, Tullamore, Co. Offaly - €50 per delegate

Nominees: Councillors Larkin, Kennedy, McLoughlin-Healy, Pender and O'Loughlin

14th-15th November 2015

Module 6 - New Regional Assembly Structure and their relationship with local authorities and governance (part 2) ethics

Red Cow Hotel, Dublin - €50 per delegate

Nominees: Councillors Hillis, McLoughlin-Healy and Dalton

**13/0915**

**LED Lighting**

The members considered the following motion from Councillor McGinley:

That a Capital Programme be put in place for the replacement of all sodium public lighting lamps in housing estates and traffic routes throughout the county, with Light Emitting Diode Lamps (LED), for the following reasons:

The white light LED's give a better light and are more energy efficient than the orange sodium lamps

- Unlike sodium lamps the LED does not fail but decreases output until it needs to be replaced after 15 years approximately
- The LED lamp requires only half the power consumption of a sodium lamp for the same amount (or higher) light output.
- The manufacture of sodium lamps is stopping worldwide next year in favour of LED's so it is better to get a replacement programme in place now.

Also, developers of all housing estates under construction should be advised to install LED lamps instead of sodium, where it is not already a condition of planning.

The motion was proposed by Councillor McGinley and seconded by Councillor Byrne.

A report was circulated to the members from the Roads and Transportation Section advising that the public lighting section of the council is currently in the process of establishing an accurate inventory of all the public lighting stock within the county. This inventory is also currently being reconciled with the ESB's un-metered register (UMR) for lights under Kildare County Council's name upon which the public lighting energy bills are based. This is a lengthy and arduous process considering the Council has almost 22,000 lights and starting from a point where there was no formal asset data set maintained. When this process is complete the accurate inventory data set will allow the council to develop informed strategic capital programmes for the replacement and renewal of public lighting assets within the county. Globally

manufacturers are phasing out the production of sodium lanterns and replacing production with the manufacture of LED's and other energy efficient lighting technologies. A move over to LED's or other energy efficient technologies such as fluorescent lighting in the county is inevitable as a result of this change in global manufacturing output. Currently for new housing estate planning applications the Council's Transportation Department, in its planning reports, requests energy efficient LED fittings. There are however planning permissions which were granted for housing estates yet to be constructed which will not have been conditioned for LED's as they were granted prior to this practice commencing.

Councillor McGinley said that the sodium lamps now need to be replaced stating that other counties have already adopted this resolution. He did not understand why it should have to go through such a lengthy process before a capital programme is drawn up for their replacement. He said that the LED lights are more environmentally friendly and more efficient using half the power of sodium lights. He considered that it should be a condition of all planning permissions to install LED lights and advise developers that this is now the Council's policy.

Councillors Larkin and Caldwell supported the motion and reiterated the environmental issues with yellow sodium lighting and the advances in technology with LED lighting. Councillor Neville advised that, although he is not against the motion, he had received objections to the LED lights from a security and safety point of view. He said that lights are more dispersed in older estates and the LED lighting would give a darker effect in such estates. Councillor Cussen felt that LED lights could be quite bright and this should be considered in the context of the aesthetics of housing estates and she asked for a costing on same. Councillor Brett also asked that the planning authority would ensure that no trees are allowed within 10 metres of any public lighting.

Ms Kavanagh thanked the members for their comments and advised that, in terms of costing the installation, the council need to identify the number of lights and the locations and that a policy needs to be produced and she asked that this motion be deferred to the budgetary process.



**Resolved** on the proposal of Councillor McGinley, seconded by Councillor Byrne to defer this item for consideration as part of the budgetary process.

**14/0915**

**Unauthorised Illegal Halting Sites**

The members considered the following motion from Councillor Moore:

That the council move to establish a Shared Services Programme with adjacent authorities to create new bye laws and provide a Ready to Go Action Plan with the same team of site inspectors/investigators, legal advisors, site security team, equipment resources, with powers of authorisation to quickly take the appropriate action, including obtaining court orders, to prevent the sequences of unauthorised illegal halting sites popping up in such a regional area and within the counties represented.

The motion was proposed by Councillor Moore and seconded by Councillor Dalton. A report was circulated to the members by the Housing Department advising that the Council is acting in accordance with the existing legislation and relevant powers to address the issue of illegal halting sites. Each case is being addressed on an individual basis with relevant appropriate actions and responses as required under the legislation outlined above.

Councillor Moore referred to the long delays in having unauthorised dwellings removed and asked that, in an effort to tackle the problem, the council combine resources with neighbouring counties. He felt that those who live in these dwellings are not interested in being re-housed for the most part.

A discussion ensued with contributions from several members on the best practice to be adopted in helping communities that are continually affected by these illegal settlements, referring to issues around the environment, public health and security. Councillors Pender and Cussen referred to the issue of homelessness and the fact that some of these families have no other option than to live on the side of the road, as the private rental market is so expensive and the travelling community experience greater difficulty in accessing housing compared to the settled community.

In reply to the members comments, Mr McDonnell advised that the housing department is working to bring this to a successful resolution, however, the issue is circumscribed by legislation. He said that the housing department do liaise with other local authorities, but that local authorities are also housing authorities in their own right and may wish to tackle this problem independently.

**Resolved** that the report be noted.

**15/0915**

**Pay Parking Review**

The members considered the following motion from Councillor McLoughlin- Healy: That the council give an update on the county-wide pay-parking review, including in the cost-benefit analysis (as previously agreed), the community wardens' role regarding litter and dog-fouling, the optimum price point at which traffic management tips over into deterring shoppers from coming into our town centres and the deadline for final report and the process from there.

This motion was proposed by Councillor McLoughlin-Healy and seconded by Councillor Stafford.

A report from the Roads and Transportation Section was circulated to the members advising that the Transportation, Safety and Emergency Services Strategic Policy Committee is in the process of considering a county-wide parking review which will incorporate consideration of the cost of pay parking regulation. The review is ongoing with the intention of being completed in early 2016. A recommendation will come from the SPC to the Corporate Policy Group and then full council when they have completed their deliberations. The review will not include a direct answer to the Councillors question regarding "the optimum price point at which traffic management tips over into deterring shoppers from coming into our town centres" as this information is not readily reckonable, however, It is suggested that in a town where (a) parking space occupancy levels are consistently high, and (b) parking rates of public and private parking spaces are comparable, the cost of parking is not acting as a deterrent.

The members also considered a report from the Environmental Services Section which referred to litter and dog fouling, and the dual functions of the councils existing wardens.

Councillor McLoughlin-Healy referred to the amount of income from pay parking and drew a comparison with the town of Naas which has only taken in half of the income compared to Newbridge. She said it was her understanding that the review was to come back to council before Christmas in order for the members to be ready for the new system. In terms of optimum price point, she accepted that it might not be readily reckonable, however, she hoped that the council is doing a comparative analysis of what the ideal price points are. She added that turnover of spaces was key as we do not want to deter people from coming into the town and enquired as to why the review is delayed until 2016.

Councillor Moore felt that it was not possible to have a countywide ruling and as rule does not fit all. He said that the council should be looking at a countywide management structure that deals with parking on a barrier basis using swipe cards and cctv. Availability of spaces and also an indication of who owns car parks would be beneficial as there is a bad history of clamping in private car parks.

Councillor Scully said that this issue has been debated at SPC level and they are reviewing parking policy in the county. He referred to the different regimes in the various towns in the county and advised that it is proposed to put forward a policy document for the members to consider, on foot of which it is hoped to agree some uniformity across all the towns.

In response to the members comments, Ms Kavanagh said that the adoption of pay parking bye-laws is for each municipal districts to consider. She said it would be helpful if there was some level of consistency across the county, especially for visitors, although she did accept that one size does not fit all. The timeframe is scheduled to tie in with the pay parking contract which was signed in July 2015 so the Council has until early next year to put prepare a policy. She advised that a further meeting of the SPC is scheduled in November and she will revert to the

members in due course.

Councillor McLoughlin-Healy said that she never intended to look for a one size fits all option for towns rather the optimum required for each area. She asked that Newbridge be represented at the SPC meetings.

**Resolved** that the report be noted.

**16/0915**

**Funding for Community and Cultural Projects**

The members considered the following motion from Councillor Young:

In the interest of transparency and accountability, in the event that money is retained by the council from the Local Property Tax, the council recommends that the municipal district committees should publicise the availability of such money for spending in the districts and invite applications for grants from community and cultural groups active in the district. The council also recommends that 66% of any retained Local Property Tax funds be allocated to community projects providing services in the districts, that the criteria for the allocation of funds to community projects will include the degree to which such projects meet social needs in and the degree to which they are already funded and that application procedures should be similar to the procedures already used by the council in the disbursement of grants in general.

This motion was proposed by Councillor Young and seconded by Councillor Pender.

Councillor Young referred to the breakdown of LPT expenditure last year with 45% allocated to roads. He did not consider the property tax to be an effective form of local taxation, stating that the only way infrastructure can be adequately funded is central government. He felt that where money is available it should go into community schemes primarily and schemes that service a social need. He said that at the municipal district meetings the members were informed that an additional €800,000 is being allocated by the National Transport Agency for roads in Kildare and felt that this is clearly an argument for spending the bulk of property tax on community services. He stated that the big issue is how the decision on this is to be

made adding that the citizen has no influence over how these monies are spent. He proposed that the Council recommends to the municipal districts that the availability of LPT monies is publicised and that decisions on allocations of funding be in accordance with need. He also referred to the absence of services for young people, how the impact of cuts in this area is particularly acute and that the council should be looking at assisting in this area. He asked that submissions be invited and following an agreed criteria, so that there is transparency as to what people are paying for and what services are being funded from LPT.

A discussion ensued with contributions from several members, some proposing that a framework for consultation be developed while acknowledging the discretion of municipal districts to allocate monies within their areas.

Councillors Cussen and Pender supported the motion stating that there was nothing wrong with seeking advice and input from the public. Councillor O'Loughlin said that while she did not disagree with public input, she felt that a situation could arise where submissions and requests for funding could be engineered. She said she was satisfied with the current system and felt that the members had battled hard to retain the 7.5% reduction in the LPT and felt very strongly that the members have complete say on that and to have trust that the right decisions will be made by elected members. Councillor Scully stated that Naas Town Council previously advertised the availability of community grants annually and felt that this should be done again as the public are not always aware of the availability of funding.

Councillor Young said that this was merely a recommendation and disagreed that only elected members should decide on funding. He referred to the need for transparency and the need for groups to be aware of the availability of funding.

**Resolved** on the proposal of Councillor Young, seconded by Councillor Pender, with nine members voting in favour and twenty voting against that the motion was defeated.

**17/0915**

**Tenant Purchase - Co-op Housing Schemes**

The members considered the following motion in the name of Councillor O'Loughlin. That the council explore all possible methods to support those in co-op housing schemes to purchase their homes outright and make the burden lighter on those in shared ownership schemes.

This motion was proposed by Councillor O'Loughlin and seconded by Councillor Fitzpatrick.

A report from the housing department was circulated to the members advising that there is no mechanism at present for persons in properties owned by approved housing bodies to purchase. This issue is being examined again by the Department of Environment, Community and Local Government. The Housing and Finance Departments are actively reviewing shared ownership files with a view to identifying cases to convert to annuity loans. A number of these have already been approved by the credit committee.

Councillor O'Loughlin stated that this should be a priority for the council as there are huge concerns for those who do not have a home and are on the housing list. She said that the council has a duty of care to those who are in private homes and may lose them and also those in shared ownership properties and was glad that the Council is working with those on shared ownership loans to convert to annuity loans. She accepted that the policy is currently under review and no decision has been made, but she reiterated that owning a home is a public right.

Councillor Doyle supported the motion and felt that the opportunity to purchase their property should be afforded those in co-op housing schemes. Councillor Young did not support the motion adding that selling off social housing contributes to the lack of availability of housing for people in need. Councillor Pender did not support the motion stating that she would be concerned that the council would be forcing people into financial burden that they do not need.

In responding to the members comments, Mr McDonnell referred to the discrepancy between social housing by local authorities and social housing owned by approved housing bodies. He said that in terms of existing structure there may be scope for transfers which might address the issue and that the council is in contact with the Department with regard to this matter.

**Resolved** that the report be noted.

**18/0915**

**Bus Shelter Scheme**

The following motion was submitted by Councillor Lawless:

That this council consider a scheme to enable the installation of sponsored bus shelters via private funding. Such a scheme would allow local businesses and employers contribute to the cost of placing shelters at locations where a need has been identified in return for advertising rights on shelters. The operation of the proposed scheme would involve the relevant local stakeholders such as the municipal district engineer and the local members. The current process is convoluted and requires approval from the NTA amongst others. It is also felt many lower traffic volume locations are not accommodated through the current arrangements despite there being local demand and local sponsorship available. Such a scheme would represent a potential “win-win” for local businesses and communities.

As Councillor Lawless was absent from the meeting and no written consent to move the motion in his absence had been submitted, the motion cannot be taken.

**19/0915**

**Levy on Commercial Vacant Properties**

The members considered the following motion in the name of Councillor O'Neill:

That this council devises a policy to implement a levy on commercial properties that are empty in our towns and villages. The rate should be set high enough to motivate landlords to develop and utilise shops/premises. This scheme would be similar to that of the vacant site levy to be introduced in 2018. Exceptions and other terms and conditions would be at the discretion of the policy makers.

The motion was proposed by Councillor O'Neill and seconded by Councillor Cronin.

The members considered a report that was circulated by the Head of Finance. Councillor O'Neill referred to the fact that many commercial properties in the county are lying idle and are likely to become derelict. She referred to prime retail spots being bought up by prospectors with a view to making a profit. She did not want people who are struggling to be penalised and asked that this issue be brought to the Strategic Policy Committee for consideration.

Councillor Stafford did not support the motion and referred to the amount of shops and family owned premises that are now lying idle due to economic circumstances. Councillor R Power also did not support the motion but considered that the issue being raised by the motion is best addressed, in the first instance, by the appropriate Strategic Policy Committee. Councillor O'Loughlin also opposed the motion adding that this was not the way to tackle the problem and felt that the council should be exploring empty shop initiatives, flexible town centre planning policy, or possibly converting premises to residential properties. Councillor Crowley said it was an aspiration to revitalise these areas and the motion was trying to address town regeneration. Councillor Moore referred to the fact that there were very few properties for sale with most of them being leased or rented out. He considered that the council should be looking at incentives for people to open businesses like dezoning and would not, therefore, dismiss the motion. Councillor Doyle agreed that consumer patterns have changed and felt that the right place to address this issue is under the County Development Plan and the Economic Development directorate.

**Resolved** on the proposal of Councillor O'Neill, seconded by Councillor Cronin to refer this motion to the Economic Development, Enterprise and Planning Strategic Policy Committee for consideration.



**20/0915**

**Homeless Services**

The members considered the following motion in the names of Councillors Redmond and Cussen.

That council calls for a commitment by Kildare County Council and central Government to increase funding for housing and homeless services in Kildare.

The motion was proposed by Councillor Cussen and seconded by Councillor Redmond.

The members considered a report from the housing department advising that Kildare County Council has an allocation of €86,858,105 to deliver 1,283 housing units during the period 2015-17 and is working with the Department of Environment, Community and Local Government on the delivery of units within the agreed funding mechanisms and pillars of delivery in accordance with the Social Housing Strategy 2020. Homelessness funding is managed on a regional basis with an allocation of €934,267 for the provision of accommodation and related services under Section 10 of the Housing Act 1988, in the Mid-East Region with local authorities required to provide at least 10% of the cost in the revenue budget. The Mid-East Region has requested additional funding from the Department and they have advised that the position will be reviewed at the end of Quarter 3.

Councillor Cussen stated that Kildare had Dublin status with rural resources and that the Council was not looking for anything that was beyond our needs. She said that homelessness had reached an unprecedented level and the allocation for Kildare was poor.

In response, Mr. McDonnell stated that homelessness is concentrated in urban areas. He said that Kildare is part of the Mid East Region along with Wicklow and Meath and these counties, as part of the Greater Dublin Region, are now experiencing a situation different to that previously, and different to that now being experienced in more rural counties. He advised that the council has already exceeded its budget allocation in terms of spend on homelessness this year and this

needed to be looked at in terms of 2016. The targets for 2015 focus on acquisition and construction will follow in subsequent years. In addition, there will be delivery of housing by approved housing bodies not just Kildare County Council.

Councillor Scully stated that housing is a serious issue countrywide and accepted that staff and officials are doing their best. He said that mistakes were made over twenty years ago by allowing the private sector to build social houses. He welcomed the funding being made available to build social housing. Councillor McEvoy said that it is necessary to maintain some degree of economic reality adding that the council must work within the funding that is available. Councillor Redmond referred to the agency staff now working with Kildare County Council in dealing with homelessness and enquired if this will be a permanent arrangement. Councillor Young enquired if funding had been received for this year. He said that over three years, the €86 million will probably build up to 500 units at a cost of €200,000 per unit, yet there are still 6,300 on the waiting list which is completely inadequate.

In reply to the members comments, Mr McDonnell advised that the housing department is doing all it can to tackle homelessness and that there is still more to do. He confirmed that the staff from three charitable organisations currently working with the council to tackle homelessness in the county will be for a period of approximately 6 months.

**Resolved** that the report be noted.

**21/0915**

### **Housing Policy**

The members considered the following motion in the name of Councillor Crowley:  
This council requests the Government to establish an independent body with a mandate to draw up a housing policy and strategy to address the immediate and long term requirements of housing and accommodation requirements based on existing data of age profile and data of future demographic statistics to reflect the changing profile of Irish families and anticipated immigration requirements.

The motion was proposed by Councillor Crowley and seconded by Councillor Caldwell.

The members considered a report circulated by the housing department outlining the work of the Housing Agency. Councillor Crowley said that that the mix of housing is now totally different and the council must get away from the notion of providing three bedroom houses.

Councillor Pender considered that NAMA should be working with the Housing Finance Agency and could become the body that manages the housing crisis. Councillor Scully raised concerns about the proposal to establish yet another organisation to deal with issues that are within the remit of the locally elected members to consider. He did not support the motion. Councillor McEvoy considered that the members should be identifying shortfalls and proposing remedies rather than critically assessing what is not in place.

Councillor Crowley stated that he was not suggesting that control be taken away from the elected members. He welcomed the Directors report and contributions from the members.

**Resolved** that the report be noted.

The meeting concluded.

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