

**Kildare County Council**

**Minutes of Budget Meeting held at 2.00pm on Monday,  
23 November 2015 at Arás Chill Dara, Naas, Co Kildare**

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

**Apologies:** Councillors D Fitzpatrick, S Moore, S O’Neill

**Also Present:** Mr P Carey (Chief Executive), Ms. E. Hanlon (Head of Finance), Messrs J Boland, P Minnock, T McDonnell, N Morrissey, (Directors of Services), Ms S Kavanagh (A/Directors of Services), Ms A Aspell (Meetings Administrator) and other officials.

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**Consideration of Budget**

The Mayor welcomed the members to the meeting for consideration of the Draft Budget 2016 for Kildare County Council.

Due notice of regulation meeting and of the preparation of the budget having been given as required by law, the Council considered the draft budget for the year ending 31 December 2016. The draft budget proposed expenditure of in excess of €136 million and an annual rate on valuation of €68.95.

The Mayor invited the Chief Executive to address the main issues contained in the Draft Budget.

The Chief Executive thanked the Mayor and referred to his report which set the context of the Draft Budget of €136.6m for 2016. The Chief Executive referred to the letter dated 23 November 2015 circulated to the members by the Head of Finance. He explained that the Department of the Environment, Community and Local Government will compensate Kildare County Council in the amount of €633,000 for the reduction in the Global Utilities Valuation. This information was received on Friday afternoon and following consultation with the group leaders, it was proposed to allocate the additional funding in accordance with the report from the Head of Finance.

There is no increase in any charges proposed in this Draft Budget, with the exception of the base year adjustment for Naas and Athy. The Council resolved at last year's Budget meeting that, in order to ease the transition to a single county rate, while avoiding a negative impact on overall local authority revenue, the harmonisation of rates would take place over a five year period. Ratepayers in the county area will remain at 68.95, those in the formal Naas Town Council rating area will move to 68.95 and those in the formal Athy Town Council rating area will move to an effective rate of 59.45. Keeping the rate at 68.95 for 2016 will be the seventh successive year of restraint for the majority of ratepayers in Kildare and this will help in the economic recovery of our towns. There are approximately 5,830 properties in Kildare and the top 12% pay 78% of the rates income.

The Chief Executive informed the members that the staffing embargo is being lifted and that, for the first time in many years, additional staff will be recruited in 2016. He noted the highlights of this budget and thanked the Head of Finance and her team for their work in preparing this positive budget which positions Kildare to proactively support the community and provide strong leadership and balanced development.

The Head of Finance introduced the Revenue Budget 2016 and asked the members to note the 3 year Capital Programme for 2016-2018. Ms Hanlon explained the format and content of the statutory tables and provided background to the expenditure and income through each division, explaining the comparisons between 2015 and 2016.

The Mayor thanked the Head of Finance and the Chief Executive for their work. He said that any amendments proposed to this budget must identify the source of funding and that such amendments will be dealt with after questions from the members.

The Mayor then proposed to go through each division and take questions which the relevant Director of Services and the Head of Finance will address.

**Division A – Housing and Building**

While the members welcomed the increase to the Homeless Services budget, there was a request that a payment of €60,000 be made to Teach Tearmainn, a Women's refuge in Kildare Town, to allow the facility to be used to its full capacity. There was some debate on the issue of supporting Teach Tearmainn. While all members noted their support and commendation for the excellent work of this service, it was noted that the funding agency for Domestic Violence services is now Tusla, who in turn get their funding from the HSE. The Director was asked if there is a provision within the Budget to extend the Homeless Assessment Process which was working very well. There was reference to the Loan Charges and the source of this funding being from the Local Property Tax. The increased provision in the Housing Adaptation Grants for People with a disability was welcomed but the Director was asked why the process of providing adaptations to Local Authority dwellings was so lengthy. The Director was also asked if there was provision in the Budget for the self-help grant scheme and would there be increased rent income because of the Tenant Purchase Scheme scheduled to come into operation in January.

Mr McDonnell, Director of Services, stated that the requirements of meeting obligations under public procurement rules on the council, is a factor in the delay in the provision of works on Local Authority dwellings. He stated that it is not the responsibility of Kildare County Council to fund Domestic Violence refuges; that, in fact, this responsibility was transferred to Tusla and that Kildare County Council has no role in providing funding. Mr McDonnell said that there is budgetary provision for extending the Homeless Assessment process currently in place, but that the Service Level Agreement will need to be agreed and extended.

On a point of clarification, Mr McDonnell was asked if funding could be provided to Teach Tearmainn as part of a Service Level Agreement with the HSE. Mr McDonnell stated that the HSE and Kildare County Council have separate statutory roles in relation to Homelessness and that funding towards the provision of Domestic Violence services was the role of the HSE. The Chief Executive intervened to make it clear that the provision of funding to Teach Tearmainn is not the statutory responsibility of Kildare County Council. Members stated that in their opinion there was a moral obligation on Kildare County Council to support this service and the Chief Executive was asked if the members were precluded from providing this funding and if there were implications if they did so. The Chief Executive stated that he was not undermining the service but where do we stop? The funding is a matter for the HSE. The Head of Finance advised the members that there is an implication in diverting funding in the manner proposed and cautioned the members that the Local Government Auditor may take issue with such a decision.

The Mayor stated that the matters raised will be decided before the adoption of the Budget through the amendments that have been submitted.

Mr Mc Donnell confirmed that there is provision for a self-help scheme. The issues in relation to the Tenant Purchase Scheme will become clearer as the scheme is rolled out. The repayment of Loan Charges are a legal requirement of Kildare County Council and must be funded in accordance with Circular Fin 12/2015.

### **Division B – Road Transportation and Safety**

During consideration of this division, the members asked the Director for the timeline on the replacement of sodium lamps with LED. The extension of the salting routes and the provision of additional public lighting were welcome initiatives. The members asked the Director for the up to date position on the rural public lighting policy which was promised through a motion of the Council, following discussion at Municipal District level. The issue of pay parking and enforcement was raised and there was concern at the reduction in the school warden budget. Caragh Bridge, Celbridge Bridge and other bridges in the county which require investment were raised, but the Mayor stated that this was not the appropriate forum and that such matters should be discussed at municipal district.

Mr Morrissey, Director of Services, addressed the issues raised by the members. He stated that he had just received a comprehensive report and analysis on Public Lighting and that he would revert to the members on this issue following consideration of the report. He said that he will be examining the condition of all the bridges in the county and will revert on a Municipal District basis. The issue of pay parking has been discussed in depth at the Strategic Policy Committee meetings and has been examined in terms of Value for Money. A report will be prepared for Council but it would appear that the recommendation will be to contract the service. Mr Morrissey said that he was not aware of a rural policy on public lighting but that he will check the position and revert to the members.

Several members stated that it will be very important that they see the figures because the comparators to date would indicate the provision of the pay parking service in house as being the most cost effective option.

Mr Morrissey stated that he had no representations for additional school wardens. He noted the response of the members and said that this would be examined on a case by case basis.

### **Division C – Water Services and Division E – Environmental Protection**

During consideration of these divisions, the members referred to the item on the Barrow drainage and requested quarterly reports to the Municipal District. The Director was asked to explain the cost in relation to water and waste water debt management, given that this

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service is now provided by Irish Water. The radical change with the introduction of pay by weight was discussed and a request to increase resources to incentivise rather than enforce be considered. The decrease on education in relation to litter management was a concern. The members noted that the Litter Management Plan will be before them for approval at the November meeting of Council. The members were concerned that the introduction of pay by weight would lead to increased illegal dumping and that this will be a huge challenge for Council. The members requested clarity around the training budget for firemen. It was stated that some fire fighters had to pay for their own training.

Mr Boland assured the members that they would receive the reports requested in relation to the Barrow drainage. He agreed with members regarding education and the introduction of pay by weight and he was disappointed that despite all the efforts to promote awareness, the problems with litter are pervasive.

Ms Hanlon confirmed that Kildare County Council still collect commercial water on behalf of Irish Water and that is the reason for the expenditure on debt management.

The Chief Executive stated that the expenditure under the heading referred to retained fire fighters. He said that specific issues should be dealt with through the appropriate channels. The Mayor ruled any further discussion on specific cases out of order.

### **Division D – Development Management and Division F – Recreation and Amenity**

The members asked the Director if he was satisfied that he had adequate staff resources given the likely increased activity and workload in the coming year. The issue of boundary treatments for unfinished estates was raised, given the programme for the taking in charge of such estates. The increase in funding towards Building Control Enforcement costs was noted. Members welcomed the recent appointment of Ms Kavanagh to the Economic Development and County Promotion role. The increase in the Heritage Services budget was noted and the members also commended the excellent work of the Local Enterprise Office. It was noted that the Maynooth Municipal District assign some of their Local Property Tax fund to the unfinished estates and the members agreed that, should this funding be recouped from developers, that it revert to the Municipal District fund. The additional funding for the Library service and the increase in General Development Promotion work was warmly welcomed by the members.

Mr Minnock, Director of Services, stated that, given the commitment to the provision of additional resources, he was satisfied that the Planning Department was poised to deal with the increased activity. He said that the commitment to appoint a Sports Inclusion Disability Officer to support the team who already target disadvantaged communities will be of huge benefit. Mr Minnock said that there are now 21 playgrounds in Kildare and commended the

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work of Mr Wallace. He said that the additional staff in the libraries will enable the team to recover ground that was lost during the economic downturn. Overall, he considered this a very positive Budget and looked forward to expanding the services in 2016.

### **Division G – Agriculture and Education**

The members noted the increase in the operation of the Dog Warden Service and the reduction in the Control of Horses code. It was also noted that the funding for the administration of the Higher Education Grants scheme has significantly reduced because that function has been taken over by Student Universal Support Ireland (SUSI).

Mr Boland informed the members that the Veterinary Officer had given a comprehensive presentation at the Strategic Policy Committee regarding the control of horses and the challenges involved in dealing with this area.

### **Division H – Miscellaneous Services**

The members raised questions regarding vacancy refunds and the high level of vacancy in commercial properties in the county. Questions were raised regarding the provision of funding for chairs of office and allowances for Strategic Policy Committee chairs. The Meetings Administrator clarified that two Municipal Districts, Naas and Celbridge/Leixlip, decided that they may wish to use chairs; hence the budget provision.

The Head of Finance said that an average of 29% of properties are vacant in Kildare and that we are not at an equilibrium of supply and demand in that supply is greater than demand. Ms Hanlon concluded therefore that it would be penal to impose this 20% reduction on the allowance and that it could be counter-productive to small businesses.

The Mayor proposed to deal with the amendments.

The Meetings Administrator read the amendments in the order that they were submitted. It was proposed by the Mayor and seconded by Councillor Keatley to suspend standing orders to allow time for the amendments to be copied and circulated to the group leaders to allow full consideration of the proposals.

The meeting resumed and the first amendment was proposed

#### **Amendment 1**

The following amendment was proposed by Councillor Pender and seconded by Councillor Young:

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That Kildare County Council fund the opening of the two unopen units for Domestic Violence services in Teach Tearmainn costing €60,000, funded by decreasing the amounts below:

H0905 - €10,000

D0905 - €50,000

Six members supported a roll call vote.

Councillors Breen, Breslin, Byrne, Cronin, Crowley, Cussen, Lynch, Pender, Redmond, Wall and Young voted in favour of the amendment (11)

Councillors Brett, Caldwell, Callaghan, Dalton, Durkan, Hillis, Keatley, Kennedy, Larkin, Lawless, McEvoy, McGinley, McLoughlin-Healy, Miley, Murray, Neville, O'Cearuil, O'Loughlin, R Power, S Power, Scully, Ward and Weld voted against the amendment (23)

There were no abstentions

**Resolved** The amendment was defeated.

### **Amendment 2**

The following amendment was proposed by Councillor Redmond and seconded by Councillor Cussen:

That sixty thousand euros be directed from the code A0502 homeless services and directed to Teach Tearmainn womens refuge in Kildare.

Six members supported a roll call vote.

The following members voted in favour of the motion

Councillors Cronin, Cussen, Lynch and Redmond (4)

The following members voted against the motion:

Councillors Breen, Breslin, Brett, Byrne, Caldwell, Callaghan, Crowley, Dalton, Durkan, Hillis, Keatley, Kennedy, Larkin, Lawless, McEvoy, McGinley, McLoughlin-Healy, Miley, Murray, Neville, O'Cearuil, O'Loughlin, R Power, S Power, Scully, Wall, Ward and Weld. (28)

Councillors Pender and Young abstained (2)

**Resolved** The amendment was defeated.

### **Amendment 3**

The following amendment was proposed by Councillor McLoughlin-Healy and seconded by Councillor Durkan:

That the Council re-allocates 60,000k from the €6,917,573 currently allocated to Housing Maintenance budget, to the Kildare-Newbridge MD for consideration for allocation to Women's Refuge, Teach Tearmainn. This will allow the MD to fully asses all options for alternative sources of funding and/or full examination of proposed spend.

Six members supported a roll call vote.

The following members voted in favour of the amendment:

Councillors Cronin, Cussen, Lynch, McLoughlin-Healy, Pender and Redmond (6)

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The following members voted against the motion:

Councillors Breen, Breslin, Brett, Byrne, Caldwell, Callaghan, Crowley, Dalton, Durkan, Hillis, Keatley, Kennedy, Larkin, Lawless, McEvoy, McGinley, Miley, Murray, Neville, O'Cearuil, O'Loughlin, S Power, Scully, Wall, Ward, Weld and Young. (27)

There were no abstentions.

**Resolved** The amendment was defeated

### **Amendment 4**

The following amendment was proposed by Councillor S Power and seconded by Councillor Miley

That we re allocate €60k to the homelessness budget with the intention of spending it on Domestic Violence and that €40k be deducted from the housing maintenance budget and a further €20k be deducted from the local roads improvement works budget.

Six members supported a roll call vote.

The following members voted in favour of the amendment:

Councillors Caldwell, Callaghan, Cronin, Crowley, Cussen, Dalton, Keatley, Lawless, Lynch, McLoughlin-Healy, Miley, O'Cearuil, O'Loughlin, Pender, S Power, Redmond, Wall, Ward and Young (19)

The following members voted against the amendment:

Councillors Breen, Breslin, Brett, Byrne, Durkan, Hillis, Kennedy, Larkin, McEvoy, McGinley, Murray, Neville, Scully, and Weld. (14)

There were no abstentions

**Resolved** The amendment was carried

### **Amendment 5**

The following amendment was proposed by Councillor O'Loughlin and seconded by Councillor Miley:

That Kildare County Council allocates €50,000 funding to support works needed to maintain boundary walls/fences etc. in housing estates that have been taken in charge from AO401

**Resolved** With five members voting for and 28 members voting against, the amendment was defeated.

### **Amendment 6**

The following amendment was proposed by Councillor McGinley and seconded by Councillor Byrne:

That €10,000 be removed from Maynooth MD Local Property Tax allocation under Division B, Roads and Transport, for Local Roads, and reallocated to Division E, Environmental Services for Maynooth Tidy Towns Committee Projects.

**Resolved** With 13 members voting in favour and 18 members voting against, the amendment was defeated.



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### **Amendment 7**

The following amendment was proposed by Councillor O'Cearuil and seconded by Councillor Miley:

That the increased provision in Local Roads Improvement Works by €150,000 be divided equally among the Municipal District.

**Resolved** This was agreed by the members

### **Amendment 8**

The following amendment was proposed by Councillor Lynch and seconded by Councillor Redmond.

That this Council agrees to reduce the SPC chair allowances by 50% to a generous €5,000.

The Meetings Administrator clarified that the allowance is €6,000, and not €10,000 as implied in the wording of the amendment.

Councillor Lynch withdrew the amendment.

### **Amendment 9**

The following amendment was proposed by Councillor Crowley and seconded by Councillor Young:

Proposal ref Programme 8 Division H

In order to encourage landlord to return vacant properties to use, in accordance with the provisions of Section 31 of the Local Government Reform Act 2014 which allows Councils to vary the level of rates refunds on vacant properties, this council agrees to apply a rate refund of 80% on vacant properties save in cases (1) where demonstrable hardship can be demonstrated e.g. owner residing overhead vacant shop (who would be offered a waiver) and (2) where a landlord can demonstrate having made active efforts to return properties to use as in properties have been advertised for letting and rents reduced.

Six members supported a roll call vote.

The following members voted in favour of the amendment:

Councillors Breslin, Cronin, Crowley, Cussen, Dalton, Lynch, Pender, Redmond, Wall and Young. (10)

The following members voted against the amendment:

Councillors Breen, Brett, Byrne, Caldwell, Callaghan, Durkan, Hillis, Keatley, Kennedy, Larkin, Lawless, McEvoy, McGinley, McLoughlin-Healy, Miley, Murray, Neville, O'Cearuil, O'Loughlin, R Power, S Power, Scully, Ward and Weld. (24)

**Resolved** The amendment was defeated

### **Amendment 10**

The following amendment was proposed by Councillor Young, seconded by Councillor Pender:

Kildare County Council notes that of the money allocated to the Council from the Local Property Tax, which was taken under protest from people in County Kildare, €2,000,000 is to be used to replace funding which was previously provided in its entirety by Central

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Government for items that are not included in the legislation as services to be funded by the Local Property Tax (See Annex B, below) Kildare County Council does not accept that the burden of existing loans should be put onto Kildare homeowners and therefore resolves not to pay €2,000,000 for Voluntary Housing Loan Charges, demanding that this be paid out of Central government funds and instead resolves to ring-fence this money for the construction of housing in the county.

Annex B of the Local Property Tax (LPT) legislation, Section 10 (p B23) Local Authority Funding

Revenue from the LPT will support the provision of local services

Internationally, local services are administered by local authorities and finance by local service charges

In Ireland, local authorities are responsible for, among other services, public parks; libraries; open spaces and leisure amenities; planning and development; fire and emergency services; maintenance and cleaning of streets. and street lighting. These facilities benefit everyone.

Ms Hanlon, Head of Finance stated that there was a legal obligation on Kildare County Council to pay these charges.

Six members supported a roll call vote.

The following members voted in favour of the motion:

Councillors Pender and Young (2)

The following members voted against the motion:

Councillors Breen, Breslin, Brett, Byrne, Caldwell, Callaghan, Dalton, Durkan, Hillis, Keatley, Kennedy, Larkin, Lawless, Lynch, McEvoy, McGinley, McLoughlin-Healy, Miley, Murray, Neville, O'Cearuil, O'Loughlin, R Power, S Power, Scully, Wall, Ward and Weld (28)

The following members abstained:

Councillors Cronin, Crowley, Cussen and Redmond (4)

**Resolved** The amendment was defeated.

The Mayor asked the Meetings Administrator to read out the resolution of the Budget.

As it was 6.00pm, the Mayor proposed and Councillor Keatley seconded the suspension of standing orders to allow the meeting to continue until 6.10pm.

The Meetings Administrator read the Resolution for Budget.

### **Adoption of Budget**

**Resolved** on the proposal of Councillor Keatley, seconded by Councillor O'Loughlin, with 27 members voting in favour, 6 members voting against and no abstentions, that pursuant to Section 103(7) of the Local Government Act 2001, Kildare County Council do hereby adopt for the financial year ending 31 December 2016 the budgets set out in tables A, B, C, D and E of the draft budget presented to the Council amended by

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Increased expenditure of €200,000 in A01 Housing Maintenance

Increased expenditure of €250,000 in A09 Housing Grants

Increased expenditure of €83,000 in A05 Administration of Homeless Services

Increased expenditure of €100,000 in B05 Public Lighting

Increased expenditure of €150,000 in B04 Local Roads Maintenance and Improvements

Increased expenditure of €50,000 in D09 Economic Development and Promotion

Increased income of €633,000 in H11 Agency and Recoupable and on Table E

Increased income of €200,000 in A09 Housing Grants and on Table E

Increased Expenditure of €60,000 in A05 Administration of Homeless Services

Decreased Expenditure of €40,000 in A01 Housing Maintenance

Decreased Expenditure of €20,000 in B04 Local Roads Maintenance and Improvement

and do hereby determine in accordance with the said budget the annual rate on valuation set out in Tables A to E of €68.95 to be the annual rate on valuation to be levied for that year for the purposes set out in those tables.

As it was 6.10pm, the Mayor proposed and Councillor Keatley seconded the suspension of standing orders to allow the meeting to continue until 6.30pm.

### **Base Year Adjustments**

**Resolved** on the proposal of Councillor Keatley, seconded by Councillor O'Loughlin, that in accordance with Section 29 of the Local Government Reform Act 2014, that the Base Year Adjustments in Tables A and C of the Draft Budget 2016 presented to Council between former town rating authorities of Naas and Athy be adopted as presented

### **Vacancy Relief**

**Resolved** on the proposal of Councillor Keatley, seconded by Councillor O'Loughlin, that this council continue to effect vacant premises relief as outlined in Section 14 of the Local Government Act 1946

**Resolved** on the proposal of Councillor Keatley, seconded by Councillor O'Loughlin, that the Capital Budget 2016 – 2018 be noted

The meeting concluded.

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