

KILDARE COUNTY COUNCIL

**Minutes of Meeting of Council
held at 2.00p.m on Monday 30 May 2016 at
Áras Chill Dara, Devoy Park, Naas, Co Kildare**

Members Present: Councillor B Weld (Mayor), Councillors M Aspell, A Breslin, A Breen, F Brett, K Byrne, B Caldwell, D Callaghan, M Coleman, R Cronin, I Cussen, M Dalton, S Doyle, T Durkan, D Fitzpatrick, B Hillis, I Keatley, C Kelly, P Kennedy, A Larkin, M Lynch, P McEvoy, M McCabe, J McGinley, F McLoughlin-Healy, M Miley Jnr, S Moore, T Murray, J Pender, R Power, S Power, T Redmond, D Scully, M Stafford, M Wall, P Ward and B Young

Apologies: Councillors J Neville, N O’Cearúil and S O’Neill

Also Present: Mr P Carey, Chief Executive, Messrs T McDonnell, P Minnock, N Morrissey, J Boland and Ms S Kavanagh (Directors of Services), Ms M McIvor (Meetings Administrator) and other officials.

The Mayor welcomed everybody to the meeting and called for a few moments reflection.

01/0516

Adoption of minutes

The council considered the minutes of the 25 April 2016 together with the progress report.

Resolved on the proposal of Councillor Kennedy, seconded by Councillor Wall, that the minutes of 25 April 2016 be adopted and the progress report noted.

02/0516

Disposal of Land

0.023Ha. at Kildare, 0.081Ha. at Curraghfarm, 0.018Ha. at Tully East, Kildare

A plot of land 0.023Ha. at Kildare, 0.081Ha. at Curraghfarm, 0.018Ha. at Tully East, Kildare outlined on drawing no. 98B/LR155/736 to be transferred to Patrick and Mary Flanagan for the consideration of €1.00 as per agreement reached during construction stage of Kildare Town by-Pass. In accordance with Section 183 of the Local Government Act 2001, statutory notice dated 13 May 2016 was circulated to the members.

Resolved On the proposal of Councillor Fitzpatrick, seconded by Councillor Caldwell, pursuant to Section 183 of the Local Government Act 2001, the Council consent to the disposal of the land in accordance with the statutory notice dated 13 May 2016.

0.003Ha. at Tully East , 0.004Ha. at Tully West, Kildare

A plot of land 0.003Ha. at Tully East , 0.004Ha. at Tully West, Kildare outlined on drawing no. 98B/LR155/734 to be transferred to Vivienne Barry for the consideration of €1.00 as per agreement reached during construction stage of Kildare Town by-Pass. In accordance with Section 183 of the Local Government Act 2001, statutory notice dated 13 May 2016 was circulated to the members.

Resolved On the proposal of Councillor Fitzpatrick, seconded by Councillor Caldwell, pursuant to Section 183 of the Local Government Act 2001, the Council consent to the disposal of the land in accordance with the statutory notice dated 13 May 2016.

0.047Ha, at Tully East , 0.047Ha. at Tully West, Kildare

A plot of land 0.047Ha, at Tully East , 0.047Ha. at Tully West, Kildare outlined on drawing no. 98B/LR155/735 to be transferred to Mary Rowan for the consideration of €1.00 as per agreement reached during construction stage of Kildare Town by-Pass. In accordance with Section 183 of the Local Government Act 2001, statutory notice dated 13 May 2016 was circulated to the members.

Resolved On the proposal of Councillor Fitzpatrick, seconded by Councillor Caldwell, pursuant to Section 183 of the Local Government Act 2001, the Council consent to the disposal of the land in accordance with the statutory notice dated 13 May 2016.

0.0625Ha at Greenfield, Maynooth, Co. Kildare(exchange of lands)

A plot of land 0.0625Ha at Greenfield, Maynooth, Co. Kildare outlined on drawing no. L/1012B to be transferred to Kildare County Council from Maxol Ltd. In accordance with Section 183 of the Local Government Act 2001, statutory notice dated 3 May 2016 was circulated to the members.

Resolved On the proposal of Councillor Fitzpatrick, seconded by Councillor Caldwell, pursuant to Section 183 of the Local Government Act 2001, the Council consent to the exchange of the land in accordance with the statutory notice dated 3 May 2016.

0.0143Ha at Greenfield, Maynooth, Co. Kildare(exchange of lands)

A plot of land 0.0143Ha at Greenfield, Maynooth Co. Kildare outlined on drawing no. L/1012A to be transferred to Maxol Ltd from Kildare County Council. In accordance with Section 183 of the Local Government Act 2001, statutory notice dated 3 May 2016 was circulated to the members.

Resolved On the proposal of Councillor Fitzpatrick, seconded by Councillor Caldwell, pursuant to Section 183 of the Local Government Act 2001, the Council consent to the exchange of the land in accordance with the statutory notice dated 3 May 2016.

03/0516

Presentation to Former Mayors of County Kildare

The Mayor welcomed the former Mayors of County Kildare to the Council Chamber. He stated that the members were honoured by the attendance of so many former Mayors all of whom gave sterling service to the people of the county during their term or terms as Mayor. He stated that he was pleased to have the opportunity to acknowledge and mark the contribution each and every one of them made during your term. He stated that the first Mayor/Cathaoirleach was elected in 1899 and since then there have been 47 Mayors of the county with some doing a number of terms. He remember former Mayors who are deceased, in particular, those who passed away in recent years, the late Jimmy O'Loughlin, Michael Fitzpatrick, Spike Nolan.

He called on the leader of each of the groups to make their contributions.

Councillors Keatley, Miley,Cussen, McGinley and McEvoy spoke on behalf of their groups and welcomed the Mayors to the meeting and congratulated them on their term as Mayor.

He called on each of the former Mayors to come forward to accept a presentation of a 1916 commemorative pin and a copy of Through Peace and War, Kildare County Council in the years of revolution 1899 – 1926 by Thomas Nelson. The Mayor thanked the staff for organising the event and the canteen for the food.

04/0516

Monthly Management Report

The monthly Management Report was noted by the members

05/0516

Report from the Housing Strategic Policy Committee

Councillor Kennedy gave a presentation on the work of the Housing Strategic Policy Committee stating that it is made up of 8 elected members, 1 trade union official and 2 from the community and voluntary pillar. Homelessness became a priority policy area in 2015. The appointment of tenancy sustainment worker was a priority for members and through innovative collaboration 3 additional workers with expertise were accessed through the voluntary's. In November 2014 the Government launch a Social Housing Strategy and announced a multi –annual funding programme for housing provision. Reviewing and considering Kildare's progress and priorities' under this strategy is a feature of all SPC meetings. 2015 saw the introduction of HAP, which essentially changes social housing delivery for the future. In 2015 the SPC cited the idea of re-introducing a self help scheme. This scheme will be initiated in the near future. In the last quarter of 2015 the SPC began reviewing the allocations and anti social behaviour policies which will be finalised shortly. Many of the policy areas that work was initiated on in 2015 will be implemented in 2016. The tenant purchase scheme is a new national scheme which the SPC have been considering.

The Mayor thanked Councillor Kennedy for his presentation.

06/0516

Presentation from Comhairle na nÓg

Gabriella and Julie from Comhairle na nÓg gave the members a presentation on what Comhairle na nÓg is about stating that they are child and youth councils all across Kildare

with a county panel which consists of representatives from each municipal district. There is a Comhairle council in each county council area it gives children and young people the opportunity to be involved in the development of local services and policies. The benefits of Comhairle na nÓg is for young people under the age of 18 who have no other voting mechanism to impact changes that affect them. Comhairle na nÓg acts as a platform for young people to have a voice, which is important for all young people in Kildare.

They informed the members that this year they are currently working with Leap Card to localise the student leap card which offers discounts from many large retail and transport companies for second and third level students. They are also promoting the #Little Things campaign. This campaign is to help people's mental health by focusing on little things that may help with day-to-day life. Kildare Comhairle na nÓg wishes to localise the Student Leap Card. This means they want more Kildare-based businesses to accept this card and want more people to know about the card and its benefits. To promote the #Little Things campaign, they are creating a photo competition on social media.

The members congratulated them on their presentation and on the leap card initiative and offered them their support.

The Mayor also thanked Mick Farrell from Kildare Youth Services.

07/0516

Annual Report 2015

The draft Annual Report 2015 was considered by the members.

Resolved on the proposal of Councillor Moore, seconded by Councillor McEvoy, the Annual Report 2015 was adopted.

08/0516

Kildare County Parking Policy-Framework Document

The Kildare County Parking Policy was considered by the members.

In reply to Councillor Doyle's query about all day taxi ranks, Mr Morrissey stated that this is a framework document to be used when considering bye-laws. The aim of the framework is to have consistency and uniformity in the county. He stated that the document had already been to each of the Municipal Districts and a meeting was held with the chairs.

Resolved on the proposal of Councillor Doyle and seconded by Councillor McCabe that the Kildare County Parking Policy – Framework Document be adopted.

09/0516

Standing Orders for Strategic Policy Committees

The standing orders for strategic policy committees were considered by the members.

Resolved on the proposal of Councillor McEvoy and seconded by Councillor Keately, the Standing Orders for Strategic Policy Committees were adopted.

10/0516

Mayors Business

In accordance with standing orders, the Mayor proposed that the annual meeting shall be held on the last Friday in June, which is 24 June 2016.

Resolved on the proposal of Councillor Wall, seconded by Councillor Kennedy, that the annual meeting be held at 2pm on 24 June 2016.

11/0516

Votes of Sympathy

The Mayor and members expressed sympathy to the family of the late

Tommy Skehan, Retired Director of Services

Raphael Clarke a Volunteer with Kildare Civil Defence

Ray O'Brien former member of Newbridge Town Council

Councillor S Power stated that it was with great sadness that he had learned of the death of Tommy Skehan. He was a proud Kilkenny man who enjoyed every moment he spent in Kildare. He said he found him very help and a very good official who gave local government a good name. On behalf of the Fianna Fáil he offered his deepest sympathies to Tommy's Wife Kathleen and family. Councillor McEvoy expressed his sympathies on behalf of the Independent group to Tommy's family. On behalf of the Labour group Councillor McGinley offered his condolences Kathleen and family and stated that Tommy was a joy to work with and a great public servant.

Councillor McLoughlin-Healy extended her sympathy to Ray's wife and family and stated that he was a great support to her.

Councillor Hillis extended his deepest sympathies on behalf of the Fine Gael group to Tommy's wife Kathleen and family. Councillor Cussen extended her sympathies on behalf of the Sinn Féin group to Tommy's wife and family.

Councillor Moore extended his sympathies to Kathleen and family and said that Tommy did a great job when he was Manager of Naas Town Council and Director of Planning.

The Chief Executive joined with the Mayor and members extending his sympathies to Tommy's wife and family and stated that he was a lovable rogue and stated that he was fondly remembered in every County that he worked in. He also offered his sympathies to Ray O'Briens family and his daughter Aileen who is a former employee of Kildare County Council and to the family of Raphael Clarke was a Volunteer with Kildare Civil Defence.

Ar dheis Dé go raibh a anam dilis

Mayor asked for a minutes silence at this point.

12/0516

Correspondence

The Meetings Administrator read a letter from Claire Doyle Crowley thanking the Mayor, Councillor Weld and the members for their kind words, visits, cards and messages following the death of her husband Councillor Willie Crowley. She also read a letter from the County Kildare Association of New York Inc thanking the Mayor and Mr J Boland for attending the St. Patrick's Day parade and festivities and a letter from Lexington Sister Cities Commission thanking the mayor for his hospitality in welcoming the Lexington delegation to County Kildare.

13/0516

Conferences and Training

The Meetings Administrator referred to report dated 18 May 2016 circulated to the members in accordance with Section 142(5) of the Local Government Act 2001, as amended by Section 53(2) of the Local Government Reform Act 2014 and sought retrospective approval for members' attendance at conferences and training.

Resolved on the proposal of Councillor Dalton, seconded by Councillor Moore, with all the

members in agreement, attendance at the following was retrospectively approved: Councillors Kennedy, Aspell and Miley at the Annual AILG Conference in Inishowen Gateway Hotel, Buncrana on 5 and 6 May 2016. Councillor Kennedy at the AILG Training in the Arklow Bay Hotel, Wicklow on 10 May 2016.

14/0506

Upgrading of Newbridge from a hinterland metropolitan

The following motion in the name of Kildare/Newbridge Municipal District (Councillor Mark Lynch) was considered

That this council immediately writes to the relevant agency and government department to request that Newbridge is upgraded from a hinterland metropolitan area or economic cluster to a primary economic growth town for correct addition into the upcoming County Development Plan 2017 - 2023 and that a response is required as a priority to the same as there are tight deadlines for the publishing of the plan.

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

Mr Minnock stated this motion was premature at the moment as work had commenced on the preparation of new Regional Spatial and Economic Strategies, which will run concurrently with the preparation of a National Planning Framework. However, the national and regional processes will not have concluded prior to the adoption of the County Development Plan 2017-2023. He stated at the moment there is only one primary growth area.

Councillor Lynch stated that it was very important that the members had their say before the County Development Plan is approved and that Newbridge should be included as a primary growth town.

Mr Minnock stated that the members could write to Jim Conway of the Eastern Midlands Regional Authority(EMRA) to consider Newbridge as a primary growth town but that this would not change its status for the County Development Plan.

Resolved on the proposal of Councillor Lynch and seconded by Councillor Redmond that a letter issue to Mr Jim Conway of EMRA to consider Newbridge as a primary growth town.

15/0516

Derelict sites guidelines

The following motion in the name of Councillor Lynch was considered

That this council either creates new byelaws or updates its derelict sites guidelines to enable the council to fast track possession of any homes within the county which are sitting idle and which can be used for appropriate housing to alleviate the housing waiting list. Due to the growing housing crisis the council should have the powers to take possession of suitable empty homes; and particularly target those owned by NAMA, liquidators or the banks which are sitting idle within the county in a similar process to the derelict sites format but in a much faster process.

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

A report from Mr Boland stated that this is a very worthwhile motion and really should be considered. There are already CPO powers available under derelict sites legislation and, accordingly, there is no need for additional bye laws. Indeed, in many of these cases, the sale can be negotiated without the need for enforcement. The recent acquisition (by agreement) of 10 such houses in Athy was very successful in a number of respects addressing issues of dereliction, rehousing 10 applicants from the housing list, creation of employment locally, represented good value. Accordingly, the proposal as outlined in this motion could well be of help and assistance in addressing ongoing social housing constraints, particularly in the south of the county where there would seem to be a higher incidence of vacant houses in disrepair. Notwithstanding the foregoing, the sanction of the Department of the Environment Community and Local Government would have to be obtained in order to provide the necessary funding stream. In addition, any such refurbished units would have to meet stringent construction standards.

Councillor Lynch stated that there are 6145 vacant houses in Kildare and as a council we have the power to go and make an offer on these to alleviate the housing crisis. Councillor Stafford raised his concerns on the use of the Derelict Sites Act, stating that there is a difference between derelict and vacant. He stated that did not think that the council could use its powers under the Derelict Sites Act if a property was vacant.

Councillor Wall supported the motion and welcomed the acquisition of the 10 houses in Athy. Councillor Moore stated that the derelict sites act is weak and that the legislation is weak. He stated that the legislation should be changed to include houses that are idle for 12 months.

Councillor Cussen agreed with the motion and stated that the derelict sites act is not currently working and a new one is required by January. Councillor McLoughlin-Healy enquired how close were the council to having a database list.

Mr Boland stated that the derelict sites register is about actively engaging with property owner. He stated that with the 10 houses in Athy the council did not have to invoke the Derelict Sites Act. He stated that the council could use the Compulsory Purchase Order route that is quicker than the normal CPO route but these 10 houses were acquired by agreement.

Resolved on the proposal of Councillor Lynch and seconded by Councillor Redmond that the report be noted

16/0516

Council Lands to Voluntary Bodies

The following motion in the name of Councillor Redmond was considered

That Kildare County Council give out all lands we are sitting on which was bought or given for housing on to voluntary bodies to build homes and call on the new housing minister to facilitate fast tracking of local authority builds by way of emergency legislation.

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

A report from Mr. T McDonnell stated that the Council had carried out a review of all land holdings in the context of delivery under the Social Housing Strategy 2020 and the Director of Housing is currently briefing each municipal district in this regard. The Council has met with a number of approved housing bodies and has provisionally agreed on the delivery of units on two sites subject to planning and final agreement on funding under Capital Advance Leasing Facility and payment and availability agreements. The Council has received approval from the Department of Housing, Planning and Local Government to construct social units on a number of sites (Athgarvan, Kilcock, Kildare, Naas, Newbridge, Prosperous and Rathangan) and is working with the National Treasury Management Agency on the delivery of units in Naas under a Public Private Partnership. The Council has held a number of discussions with approved housing bodies in respect of other sites

in the county and will revert to the relevant municipal districts as appropriate. It is the Council's intention to optimise the delivery of social housing through direct build, social leasing, house purchases and Part V directly or in conjunction with approved housing bodies to ensure the best use of resources and to maximise funding.

Councillor Redmond stated that the council were not going to meet the strategy for 2017 and asked that the Chief Executive open up all lands owned by the council to approved housing bodies to provide housing.

Mr McDonnell stated that he had undertaken to meet with all the Municipal Districts, he had met with Naas and Athy, he would be meeting Celbridge-Leixlip and Kildare –Newbridge in June and Maynooth in July. He stated that not all lands that are owned by the council are suitable for building.

A discussion ensued between the members with some raising their concerns about giving over all the land that the council owns to housing bodies. The members agreed to note the motion.

Resolved on the proposal of Councillor Redmond and seconded by Councillor Cronin that the report be noted.

17/0516

Pay-by-weight bin charge

The following motion in the name of Councillor Cussen was considered

That the members of Kildare Co Council state their opposition to the introduction of a pay-by-weight bin charge system which was imposed by Minister Alan Kelly in the dying days of the Government. Recognising that the introduction of green bin charges will discourage people from recycling their household waste and recognising the particular difficulties this will cause for the carers across the state who cannot recycle medical waste material, for example nappies, disposable sheets, wipes and plastic syringes, that we write to the Minister requesting that the imposition of these charges be stopped and an Independent Commission be appointed to poverty proof the measure and assess its impact upon carers as well as other groups such as those on low incomes, those in receipt of state benefits and those who suffer from ill health or a disability.

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

A report from Mr J Boland stated that he advised that this matter had been raised by Councillor Cussen on a number of occasions at Municipal District, Strategic Policy Committee and full Council level. He assured the members that this matter had been raised with Department officials on a number of occasions at her request and advised that he had received the following interim response:-

The Department is aware that the move to pay-by-weight could have a significant impact financially on households in this situation. We have met with groups who represent persons with special needs and have been in contact with the HSE and the waste management industry to discuss the issue and to try to find a workable and fair solution to this important matter. We are currently investigating a number of possibilities as a matter of urgency.

The report stated that he anticipated that a more detailed response would be received prior to the Council meeting and, certainly, this will be circulated. The members will also be aware that changes have been made to the proposed introduction of the pay-by-weight system. These are currently being assessed and an up-date regarding the import of such changes will also be available for the Council meeting.

Resolved on the proposal of Councillor Cussen and seconded by Councillors Lynch that this motion be adjourned to June meeting of Kildare County Council.

18/0516

Lengthy Procurement and Tendering process for new social housing

The following motion in the name of Councillor Cronin was considered

That Kildare County Council write to Minister for Housing, Planning and Local Government, Simon Coveney, and to Minister for Public Expenditure and Reform, Pascal Donohoe requesting a review of the current and lengthy Procurement and Tendering process with a view to cutting project times to allow for fast delivery of new social housing.

The motion was proposed by Councillor Cronin and seconded by Councillor Cussen

A report from Mr T McDonnell stated that the award of a contract for the construction of new social housing follows a 4 stage approval process as set out by the Department of Housing, Planning and Local Government (DHPLG). This approval process is a shortened version of a more detailed approval process for capital works as described in the Capital Works Management Framework

and the Public Spending Code, both of which are designed to ensure value for money and compliance with public procurement rules. The Government Contracts Committee for Construction (GCCC) which is a subset of the Department of Public Expenditure and Reform (DPER) are continually reviewing and revising the Capital Works procurement processes and the Office of Government Procurement, again part of DPER, has established Framework Agreements for design teams specifically to service the delivery of social housing.

The purpose of the DHPLG approval processes is to ensure that the correct type of housing is built where it is needed, to the right standard and delivers value for money. The DHPLG recently reviewed the approval process and has rolled out a new set of procedures. They also introduced a single stage approval process for small schemes (up to 15 units and €2m). The Programme for Government further increased this threshold to €5m. Each scheme, regardless of the DHPLG approval process must have regard to procurement rules and the relevant statutory consents (Part 8 or Planning Permission, Disability Access Certification & Fire Safety Certification where relevant) all of which are set out in Act's, Regulations, or Directives.

The proposal to write to the Ministers for Housing, Planning and Local Government and Public Expenditure and Reform is a matter for the members.

Councillor Cronin stated that there was a lot of talk of housing projects but yet there was no shovel in the ground. She stated that there are 1037 homeless families in the state, figures show that this is an 90% increase in homelessness. She stated that she would be in favour of local authorities being a major player in the provision of social housing as 80,000 families are renting in the private sector and receiving help from the government.

In reply to Councillors Cronin's query if the increase to €5 million would have an impact, Mr McDonnell stated that it would as it would put more risk on the council.

Resolved on the proposal of Councillor Cronin and seconded by Councillor Cussen that a letter issue to Minister for Housing, Planning and Local Government, Simon Coveney, and to Minister for Public Expenditure and Reform, Pascal Donohoe requesting a review of the current lengthy procurement and tendering process with a view to cutting project times to allow for fast delivery of new social housing.

19/0516

New flag protocol

The following motion in the name of Councillor McCabe was considered

That Kildare County Council would implement the new flag protocol for flying the Irish National Flag and set the standard for all Kildare based State and Semi State Agencies to follow. This would require a programme to assist and encourage this outcome throughout the County and in so doing Kildare County Council would become the Standard Bearer Nationally. The new protocol is that once the flag lit it can fly 24/7.

The motion was proposed by Councillor McCabe and seconded by Councillor Kennedy

A report from Ms M McIvor stated that the Department of the Taoiseach recently published new guidelines in relation to displaying the National Flag. Section 5 deals with the occasions and times when the National Flag is flown. This provides that the National Flag may be flown by night as well as by day as long as it is properly illuminated at all times, preferably by spotlight. Previously the protocol limited the flying of the National Flag to daytime - from sunrise to sunset.

In light of the new guidelines we will firstly look at which of our public buildings currently fit the criteria, i.e. have a flag pole and are properly illuminated, to allow us fly the National Flag day and night. We will also assess the cost and look at providing the required facilities at other local authority public buildings, however, there may be issues with some of the older buildings. Consideration can then be given to devising and rolling out a programme as suggested.

Councillor McCabe welcomed the report and stated that with 2,300 schools receiving the flag for the 100th Anniversary of 1916, it was important to show the significance of the flag . He mentioned how towns abroad took great pride in their National Flag and have it flying on many building. He wants Kildare to lead the way on this and called on the members to promote where possible the flying of the National Flag in accordance with the protocol, particularly in schools.

Councillors Kennedy , Cussen and Larkin supported the motion. Councillor Coleman stated that thought had to be put in to this because the flag has to be illuminated at full and half mast and if the light fails it must be replace straight away. The Mayor stated that the council would proactively implement the protocol.

Resolved on the proposal of Councillor McCabe and seconded by Councillors Kennedy that the report be noted.

20/0516

Efficiencies or otherwise achieved through current procurement system

The following motion in the name of Councillor Doyle was considered

That the Council be given a report on efficiencies or otherwise achieved through current procurement system having regard to both cost and time including a comparative analysis with previous system, from all departments.

The motion was proposed by Councillor Doyle and seconded by Councillor Miley

Mr B Higgins gave a comprehensive report outlining the relevant legislation and guidelines. He also detailed the various issues to be considered in relation to public procurement.

Mr Higgins' report also stated that since 2011 the procurement unit has delivered a number of tenders and frameworks across a broad range of goods, services and works related areas that cumulatively has delivered an estimated €5-€6million in savings over this time. The areas that have been delivered on include: road resurfacing framework, road marking framework, minor works and civils framework, plant hire, legal services framework, demolition and dangerous structures framework, advertising framework, vehicle servicing framework, pay parking and pay parking machines frameworks, grass cutting and landscaping framework, out of hours emergency services, tree surgery services, waste management services, fuel, stationery, paper etc

Councillor Doyle stated that the tendering process is time consuming and sometimes the council end up retendering due to time elapsing. She enquired if the council would be better taking a little bit more risk.

Ms Kavanagh stated that the council have to comply with the procurement process and get good value for money, she stated that the best price is not always the best quality of service. She stated that the council has achieved cost saving through the procurement process.

Resolved on the proposal of Councillor Doyle and seconded by Councillor Miley that the report be noted.

21/0516

No confidence in the Mayor

The following motion in the name of Councillor McLoughlin-Healy was considered
That the Council support a motion of no confidence in the Mayor.

The motion was proposed by Councillor McLoughlin-Healy and seconded by Councillor Lynch.

Councillor McLoughlin-Healy stated that at the full council meeting in November she tabled a motion requesting a breakdown of the grants that had been allocated by the 1916 Decade of Commemorations Committee. The breakdown of grants provided by the Council revealed at least one project with whom the then Chair of the Committee was personally involved . She did not declare any potential conflict of interest. She stated that the Mayor is on the committee and knew of the conflict of interest.

In response to the motion the former Councillor O'Loughlin was allowed to speak longer than her permitted time going unchecked. Following on from this meeting the Mayor then called a meeting which was attended by the heads or representatives from each political grouping in the Council and Council Officials. The Chair of the Decade of Commemorations committee was present as the motion was discussed and was not asked to remove herself from the discussion. She stated that she on the other hand had not been given the opportunity to reply.

Councillor McLoughlin-Healy stated that at the meeting the Mayor requested others to leave the decision to the Fine Gael group as to whether motions would be seconded before they could be debated. She stated that the intent of the meeting called by the Mayor went against every principle of openness and transparency that as a party Fine Gael profess to support. She stated that she had no other option but to submit the motion of no confidence, as the Mayor refused to meet with her to discuss the issue. She stated that the intent of the motion was to expose unacceptable and anti-democratic actions by the Mayor's actions in dealing with the Decade of Commemoration motion, it was never intended to be a personal attack.

Councillor Lynch stated that he seconded the motion so that it could be heard as every one had the right to have their motions heard but he did not support it.

Councillor McGinley stated that in his 23 Years as a councillor he had never come across this situation and stated that it was disgraceful.

Councillor Scully stated that Councillor Weld was an outstanding public representative and every Councillors had every opportunity to speak their mind.

On the proposal of Councillor Keatley and seconded by Councillor McEvoy and agreed by the members that standing orders be suspended and the public gallery be cleared.

When the meeting reconvened Councillor Cussen stated that if she is asked if the meeting took place she will state it did. She said that if there was only one Sinn Fein member on the council she would like someone to second their motion.

Councillor Durkan stated that the Mayor had carried out his duties in a most exemplary fashion and commended him on his service to the county.

Councillor McEvoy stated that he would not support the motion and as the current chair of the Decade of Commemoration Committee he stated that, the Decade of Commemorations Policy, which included funding provisions, was adopted by Kildare County Council in February 2015. The Department of Arts, Heritage and the Gaeltacht granted €30,000 in March 2015 to supplement the €14,400 that Kildare County Council allocated to events. An open call issued for applications from community groups and there was no lobbying of officials by any of the elected members. A €600 grant was approved for the “Bluebells and Buskers” cultural subgroup of the Rathangan Community Association to highlight work by Rathangan-born poet William A. Byrne, who replaced UCG English Lecturer Thomas McDonagh following his executing in 1916. The application sought support towards estimate costs of €2,300 for catering, printing, room costs and sound hire for the upcoming event. Mr Brian O’Loughlin, the brother of then-chair of the committee, former Councillor O’Loughlin, was listed as the “Contact Person” on the application form.

He stated that the grant was transferred directly to the bank account of the Rathangan Community Association Limited, a charitable company limited by guarantee and with published audited accounts. Considering the Local Government Act 2001-2014, Section 176-(3)a, Mr Brian O’Loughlin had no beneficial interest in the context of the grant decision by Kildare County Council. By extension, former Councillor O’Loughlin was not a connected person and hence, there was no “conflict of interest” to be declared as part of the process.

Councillor Miley stated that he would not be supporting the motion and that the position of Mayor is an integral part of the county and an attack on the Mayor is an attack on the County. He thanked Councillor McEvoy for clarifying the legal issue. Councillor Fitzpatrick stated that he agreed with what the other councillors had said and stated that the Mayor was a good friend and councillor.

Councillor Scully stated that he had no doubt that Councillor Weld was a competent Mayor and totally refuted what Councillor McLoughlin-Healy was saying. Councillor Moore expressed his shock and disappointment at the motion and the way it was worded in one line and no backup documentation to support it. He stated that the Mayor does an excellent job and he had always been treated fairly by him and others.

Councillor Keatley stated that he wanted to clarify some issues, he stated that a meeting was held on the 7 December to discuss how to conduct full council meetings to make them more efficient and effective. He stated that every month Fine Gael have meetings and not once has Councillor McLoughlin-Healy brought up her grievance.

Councillor Cronin stated that she believes in equal treatment for everybody and that she did not like to see people marginalised. She stated that she was shocked when she was told not to second Councillor McLoughlin-Healy's motions. She stated that she has seen the way that Sinn Fein were treated at the first meeting and the way Councillor McLoughlin-Healy has been treated and stated that respect should be shown to all.

Councillor Young stated he was surprised at the motion adding that a motion of no confidence, if not political, needed documentary proof. Councillor Wall stated that he had full confidence in the Mayor and added that the most important day for him was when he became mayor. Councillor Brett stated that he was not supporting the motion as the Mayor was one of the hardest working councillors.

Councillor Stafford stated that a motion of no confidence is used to state that a person is not deemed fit to hold the office, this is a very serious charge. He stated that there was no merit in the motion and asked Councillor McLoughlin-Healy to withdraw the motion.

Councillor McLoughlin-Healy requested to amend her motion. The meetings administrator read the following amended motion “that this council supports a condemnation of the actions of the Mayor” as this motion was not seconded it fell.

At this point of the meeting the Mayor read the following statement into the record

“The last week has been very difficult for me, both on a professional and personal level. It has also caused a great deal of upset and distress to my family, my wife and three children. While it is my name and my integrity that has been called into question, they too have been affected by this and I just want to take this opportunity to acknowledge that and thank them for their unwavering support.

I was first elected to Kildare County council in 2004 and since then I have worked tirelessly for the people of County Kildare, often during times of great personal difficulty. While I may not have gotten everything right in the last 12 years, I know that I have always acted in the best interests of my constituents and my county. I have served as an elected representative without fear or favour.

It is huge honour to be elected to Kildare County Council and for people to put their faith in you. I am very grateful and thankful for the wonderful support that I have had from the people of Kildare North. Being an elected representative is however also a huge responsibility. We have a responsibility to our constituents and to work hard to represent them to the best of our ability and to speak up on matters that are of concern to them. However, we also have a responsibility to council officials and our fellow elected representatives to behave and conduct ourselves in a respectful and fair manner. I have actively tried to do this and I have tried to be inclusive of all elected representatives, from all parties and none. I believe that politics is about bringing people with you, it is about cooperation and team work and working within the rules, protocols and parameters as set by the council, and doing all we can as a council to enhance County Kildare. It is not as has been suggested about cosy cartels, this suggestion not only tarnishes me and my character, it also casts aspersions on those who have worked in cooperation with me.

This motion of no confidence in me as Mayor is a huge blow. In my opinion it calls into question my character, my integrity and my ability to serve in the distinguished position of Mayor. It is a motion in my opinion that is without basis. I want to take this opportunity to strongly refute the allegation that I called a meeting in November the aim of which was to block the motions of a

fellow councillor. The meeting of all group leaders was called to see if we could reach an agreement about how we could as a council work more effectively. This meeting was not designed to suppress or control information as has been alleged. I think that the vast majority of councillors here today will agree that what was agreed by all party and group leaders at that meeting has served us well and has contributed to a well-run chamber. This is not couching what happened at that meeting in positive language, it is in my opinion a statement of the truth as I see it.

I have done my very best to chair council meetings effectively and efficiently and in a professional manner. I believe that I have carried out the duties of Mayor in accordance with the rules of the office. While sometimes people may not like the rules, or take umbrage at my enforcing of the rules and claim that I am trying to censor them, it is my duty as Mayor to ensure that the rules are adhered to and I make no apology for that. This is a democracy and freedom of speech is hugely important. However, there is an onus on all of us to ensure that in the pursuit of truth, transparency and justice we do no harm to those who have done no wrong. Because an individual speaks about the pursuit of truth, justice, equality and transparency does not give any individual the right to say what they want, when they want, irrespective of whether it is truth or fiction. This is something we should all be mindful of as great damage can be done to a person's reputation and once a person's reputation is tarnished it can be difficult to repair.

I do not wish to say much more on this issue, other than to thank the many people who have offered me support over the last number of days. I am humbled by the texts, emails and phone calls that I have received. I want to thank my colleagues in Fine Gael for their support during this very difficult time. This has not been a pleasant matter for any of us. I want to also thank my colleagues in other political parties and Independents who have offered their support to me. I very much appreciate it. I also want to thank all of the staff and officials in Kildare County Council for your help and cooperation and the courtesy which you have shown me, particularly this year during my time as Mayor. I also want to thank my extended family and friends for their support. I never wanted the distinction of being the first Mayor in the history of Kildare County Council to have a vote of no confidence placed in them, but the tremendous level of support that I have received has been a huge source of comfort to me. I only have a few weeks left as Mayor of Kildare, but I will serve the office as I have always done, with integrity and in cooperation with my colleagues from all parties and none."

Councillor McLoughlin-Healy stated that it was a sad day for local government when the opportunity to examine anti-democratic practices in the Council is jettisoned in favour of discrediting the person seeking to expose them.

At this stage the Mayor indicated that he intended to put Councillor McLoughlin-Healy's 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 McLoughlin-Healy and seconded by Councillor Lynch was put to the floor. That the Council support a motion of no confidence in the Mayor.

A roll call vote of the 36 members present was taken with:

1 member voting for the proposal: Councillor McLoughlin-Healy

30 members voting against the proposal: Councillors Aspell, Breen, Breslin, Brett, Byrne, Callaghan, Coleman, Dalton, Doyle, Durkan, Fitzpatrick, Hillis, Keatley, Kelly, Kennedy, Larkin, McCabe, McEvoy, McGinley, Miley, Moore, Murray, Pender, R Power, S Power, Scully, Stafford, Wall, Ward, and Weld.

5 members abstaining Councillors Cronin, Cussen, Lynch, Redmond and Young

Resolved with 1 member voting in favor, 30 members voting against and 5 members abstaining the motion was defeated.

22/0516

Support the National Green Ribbon Campaign

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

I respectfully request that the members of Kildare County Council support the National Green Ribbon Campaign for the Month of May and help reduce the stigma on mental health issues in our County. Further information on the campaign can be found on www.greenribbon.ie"

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

Resolved on the proposal of Councillor Cussen and seconded by Councillor Lynch and agreed by the members, that the members support the National Green Ribbon Campaign for the Month of May and help reduce the stigma on mental health issues in County Kildare.

The meeting concluded.