

**Minutes of Naas Municipal District Meeting held at 3.30 pm on
Tuesday, 19 January 2021
on Microsoft Teams**

Members Present: Councillor F Brett (Mayor), A Breen, B Clear, C Kelly, C Kenny, S Moore and E Sammon.

Officials Present: Mr E Ryan (Municipal District Manager), Mr J Boland (Director of Services), Mr L McNeela (Municipal District Engineer), Ms M Hunt (Senior Executive Officer), Ms P Pender (A/Senior Executive Officer), Mr P Makhuzza (Executive Engineer), Mr U Downes (Senior Executive Scientist), Mr J Mulligan (Senior Executive Engineer), Mr S Deegan (Climate Action Officer), Mr J Hannigan (Meetings Administrator), Ms K O'Malley (Meetings Secretary) and others.

NS01/0121

Minutes and Progress Report

The members considered the minutes of the monthly meeting held on 15 December 2020 together with the progress report.

Resolved on the proposal of Councillor Moore and seconded by Councillor Breen that the minutes of the monthly meeting held on 15 December 2020, of the Naas Municipal District be confirmed and taken as read. The progress report was noted.

NS02/0121

Municipal District Road Works

The Mayor welcomed Liam McNeela who has taken over from David Reel as Municipal District Engineer and wished David well in his new role and thanked him for all his work over the past eight years.

The Municipal District Engineer updated the members on the municipal district road works, making the following points:

- Some footpath works which had rolled over from 2020 were due to commence the previous week however the Covid-19 restrictions meant that these works had to be put on hold.
- A programme was currently being prepared for roads, drainage, footpath and low cost safety improvement works for 2021 which would be based on funding being made available to the municipal district.
- It was hoped that LPT/Paid Parking Funded Works 2021 could be finalised as soon as possible to enable the works to commence.
- The construction of two bus shelters in Sallins, one in Kill and one at the Odeon Cinema in Naas will progress.

In response to a question from Councillor Clear regarding footpath works in Woodlands, the Municipal District Engineer confirmed that it was the dips at the entrance and also other worst parts of the footpaths that required work and agreed to meet Councillor Clear on site to discuss the works. He also confirmed that footpath works planned on the Friary Road were at the junction across from Hedermans Bridge.

NS03/0121

LPT Schedule of Works 2021

The Mayor stated that the LPT Schedule of Works 2021 had not yet been fully agreed and asked that the item be taken at the February meeting. All the members agreed.

NS04/0121

Revised Standing Orders

The members considered the revised Standing Orders for the municipal district of Naas.

The Mayor informed the members that the proposed amendment was to Section 1 of the Standing Orders and confirmed that it was proposed to move the monthly meeting of the Naas Municipal District to the second Tuesday of each month commencing in February, currently the meeting takes place on the third Tuesday of each month.

In relation to a number of questions raised by Councillor Moore on the Standing Orders, Councillor Kelly stated that a review of Standing Orders was being undertaken for all municipal districts and would come before the members at their February meeting, confirming that this was different to the proposed amendment to the Naas Municipal District Standing Orders which was being considered today.

Resolved on the proposal of Councillor Clear, seconded by Councillor Kelly and agreed by all the members that Standing Order number one be amended to read “Meetings of the Municipal District Unless upon any occasion when it is otherwise fixed by statute or by resolution of the municipal district members, ordinary meetings of the municipal district shall be held on the second Tuesday of each month at 3.30 p.m. A schedule of ordinary meetings of the municipal district for the ensuing year shall be approved at the November meeting of the municipal district each year”.

NS05/0121

Finished, Unfinished and Estates under Construction

The Mayor stated that a report had been circulated in advance of the meeting.

In response to questions from the members, Mr Makhuza made the following points:

- The name on reference 4104 would be changed from Castlesize to Castlefen.
- As the Sidings, Sallins had never been taken in charge, a section 180 would need to be completed and the request to have it taken in charge brought before the members to approve.
- When a priority list for 2021 was being prepared, the Building and Development Control Section would try to determine how much was required to finish off each estate if they do not have the bond. In order to do this a request needed to be received to take the estate in charge and a snag list prepared.

NS06/0121

Urgent Repairs on the Kill to Killeel Road

The members considered the following motion in the name of Councillor Brett.
That the council carry out urgent repairs on the Kill to Killeel Road at Oldmilltown.

The motion was proposed by Councillor Brett, seconded by Councillor Moore.

A report was received from the Roads, Transportation and Public Safety Department informing the members that the Naas Municipal District Office had assessed this location and would carry out repairs in the coming weeks.

Councillor Brett accepted the report.

Resolved on the proposal of Councillor Brett, seconded by Councillor Moore that the report be noted.

NS07/0121

Naming of Bridges on the Sallins By-Pass

The members considered the following motion in the name of Councillor Kenny.
That the council consider naming of the two new bridges across the River Liffey on the Sallins By-Pass (R407) after a legendary Queen and King of North Kildare: Buan and Mesgegra - the Buan Bridge and the Mesgegra Bridge.

The motion was proposed by Councillor Kenny, seconded by Councillor Breen.

A report was received from the Roads, Transportation and Public Safety Department informing the members that Kildare County Council would consider the names provided if naming the new bridges on the R407 Sallins Bypass.

Councillor Kenny thanked officials for the report and stated that he hoped his suggestion would be taken into consideration.

Councillor Kelly stated that a submission had been received approximately a year ago from the Naas/Clane Historical Society for the whole naming of the bridges of

underpasses and some suggestions were received, confirming that she would send the information to Councillor Kenny.

The members agreed that they would like an input into the naming of the bridges and pieces of sculptures in the area and the Mayor asked the Municipal District Manager to take note of that request.

Resolved on the proposal of Councillor Kenny, seconded by Councillor Breen that the report be noted and the Municipal District Manager to take note of the request from the members to have an input into the naming of the bridges and pieces of sculptures in the area.

NS08/0121

Gritting of Footpaths in the Town

The members considered the following motion in the name of Councillor Clear. That the council considers gritting footpaths in the town centre particularly when temperatures reduce below zero.

The motion was proposed by Councillor Clear, seconded by Councillor Kelly.

A report was received from the Roads, Transportation and Public Safety Department informing the members that Kildare County Council carried out salting of routes in accordance with its 2020/2021 Winter Maintenance Plan. It was always the council's policy to attempt to maintain the principal roads within the county to keep them open for traffic and free from ice. This included a significant number of roads in the Naas Town area. The available resources in relation to winter maintenance were at full capacity and the gritting of footpaths in the town centre would be considered when resources allow.

Councillor Clear stated that this came to light recently when there was freezing weather conditions noting that elderly people were house bound because of it. He informed the members that in Thurles, a trailer is pulled behind the gritters which is for the gritting the footpaths and asked that the Municipal District Engineer to examine that option and a costing to be prepared.

The members made the following points:

- What was meant by “when resources allow” and where would these resources be provided from.
- In the past shopkeepers were obliged to grit on front of their shop however this seems to have stopped.
- A uniform response to queries in relation to footpath gritting was required.
- If the gritter moved more slowly it may reach part of the footpath.

Mr McNeela stated that this matter could be examined when a review was being completed before next winter and confirmed that the resources referred to in the report were staff resources.

Resolved on the proposal of Councillor Clear, seconded by Councillor Kelly that the report be noted and the gritting of footpaths in the town to be examined as part of the review before next winter.

NS09/0121

Donation to Friends of Naas General Hospital Group

The members considered the following motion in the name of Councillor Moore. That members now agree that all car parking payments made in error by motorists over the non-payment Christmas 2020 period into off-street parking meters, be pooled and donated to the Friends of Naas Hospital Group.

The motion was proposed by Councillor Moore, seconded by Councillor Kenny.

A report was received from the Roads, Transportation and Public Safety Department informing the members that with the members agreement, the funds collected could be donated to a registered Charity. Friends of Naas Hospital Group was currently not a registered Charity. However, if Friends of Naas Hospital Group could confirm that they were tax compliant, in writing, the donation could be processed. Alternatively, members may agree to an alternative registered Charity to receive the donation.

Councillor Moore acknowledged the support of the members and confirmed that Friends of Naas Hospital Group were a community group. In response to a question from Councillor Moore, Ms Pender confirmed that close to €2,300.00 was collected.

It was agreed that Councillor Moore would liaise with Friends of Naas Hospital Group to request the letter confirming that they were tax compliant in order that the donation could be processed.

Resolved on the proposal of Councillor Moore, seconded by Councillor Kenny that the report be noted and Councillor Moore to liaise with Friends of Naas Hospital Group to request the letter confirming that they are tax compliant in order that the donation could be processed.

NS10/0121

Naas-Sallins transport Strategy

The members considered the following motion in the name of Councillor Moore. That members agree that it would be improper and unfair to make judgements of a lasting nature and without the support and cooperation of Residents Associations, on proposals within the Naas-Sallins Transport Strategy, that are in time frames beyond the term of this elected body.

The motion was proposed by Councillor Moore, seconded by Councillor Kelly.

A report was received from the Roads, Transportation and Public Safety Department informing the members that councillors along with the general public and other interested stakeholders had been given the opportunity to contribute to the Naas/Sallins Transport Strategy during the two phases of the non-statutory public consultation. This transport strategy was not a statutory document and as such was not required to be approved by the councillors. However, the recommendations outlined in this transport strategy would inform the next iteration of the Naas and Sallins Local Area Plans (LAPs) and members would have an opportunity to contribute to and vote on the LAPs in due course.

Councillor Moore raised concerns that as the LAP was a statutory document and if the Naas/Sallins Transport Strategy in its current form was incorporated into the LAP, it would become a legal document. He also stated that residents' opinions should be taken into consideration.

The members made the following points:

- A number of submissions received were dismissed.
- It appeared as if the members did not have a view on it however if it was feeding into the LAP it would become statutory.
- Would the members have an opportunity to go through it item by item.
- Any residents association registered with the PPN had been notified and given an opportunity to make a submission on the Naas/Sallins Transport Strategy.

The Municipal District Manager stated that the intention was not to adopt the Naas/Sallins Transport Strategy and incorporate it straight into the LAP and confirmed that it would be up to the members when the LAP was being reviewed to decide what should be omitted or included.

Resolved on the proposal of Councillor Moore, seconded by Councillor Kelly that the report be noted.

NS11/0121

Ramps on Monread Avenue

The members considered the following question in the name of Councillor Kelly.
Can the council confirm when will the ramps on Monread Avenue be repaired?

A report was received from the Roads, Transportation and Public Safety Department informing the members that the Naas Municipal District Office would assess the ramps on Monread Avenue and carry out repairs as required in the coming weeks.
The report was noted.

NS12/0121

Digital Notice Board

The members considered the following question in the name of Councillor Kelly.
Can the council update members on the progress of the installation of a digital notice board on Main Street Naas?

A report was received from the Roads, Transportation and Public Safety Department informing the members that there was no progress to report on the installation of a digital notice board in Naas which were considered as part of the Naas & Sallins Transport Strategy. Installation of the digital notice board would have to be considered in the context of funding sources, resources etc.

Councillor Kelly sought clarification on the funding sources, resources required noting that having information boards was vital.

Ms Pender made the following points:

- Funding sources were not identified at present.
- The cost was in the region of €1.4m.
- The Traffic Team were looking to see if civil works were completed that could reduce cost.
- The installation of digital notice boards was part of the Naas & Sallins Transport Strategy however were not a priority in the strategy.

The report was noted.

NS13/0121

Bicycle Parking at Monread Community Centre

The members considered the following question in the name of Councillor Kenny.
Can the council confirm if it has any plans to provide bicycle parking i.e. bicycle lockers and Sheffield stands at the Monread Community Centre?

A report was received from the Roads, Transportation and Public Safety Department informing the members that the Naas Municipal District Office undertakes to liaise with the Community Section regarding the provision of bicycle stands at this location. The report was noted.

NS14/0121

Sallins Village Road Safety Assessment

The members considered the following question in the name of Councillor Kenny. Can the council confirm if it has any plans to carry out a road safety assessment in Sallins Village - between the new Clane Road roundabout on the Sallins bypass, down to and including the Osberstown Road junction?

A report was received from the Roads, Transportation and Public Safety Department informing the members that Kildare County Council would be entering into discussions with the National Transport Authority (NTA) regarding a Road Safety Assessment in Sallins Village.

The report was noted.

NS15/0121

Poplar Square Disabled Parking Bays

The members considered the following question in the name of Councillor Breen. Can the council confirm if the disabled parking bays currently in Poplar Square are large enough for use as intended?

A report was received from the Roads, Transportation and Public Safety Department informing the members that the disabled parking bays at Poplar Square would be reviewed and modified to ensure they comply with standards.

The report was noted.

NS16/0121

Winter Service Plan

The members considered the following question in the name of Councillor Sammon.

Can the council confirm that all routes outlined on the Winter Service Plan for Roads in this municipal district 2020 – 2021 are being gritted?

A report was received from the Roads, Transportation and Public Safety Department informing the members that yes, Kildare County Council can confirm that salting is carried out on all routes outlined in the Winter Service Plan for Roads 2020-2021. A copy of the Winter Maintenance Plan and associated route map is available on Kildare County Council website.

The report was noted.

NS17/0121

Traffic Study

The members considered the following question in the name of Councillor Clear.

Can the council confirm when will it commence the traffic study which was allocated €20,000 under the July stimulus allocations?

A report was received from the Roads, Transportation and Public Safety Department informing the members that the NTA provided allocations in the July Stimulus (2020) to Kildare County Council and clarified that this stimulus was not intended for Studies (i.e. typically for works only) and as a result the Municipal District Office reallocated the funds to appropriate works agreed by the NTA. Subsequently, Kildare County Council had been in discussions with the NTA and intend to progress a Sallins Village Traffic Management Measures Project in 2021.

The report was noted.

NS18/0121

Crossing in Kill

The members considered the following question in the name of Councillor Clear.

Can the council confirm when will the crossing in Kill be operational?

A report was received from the Roads, Transportation and Public Safety Department informing the members that the Naas Municipal District Office were awaiting the

design to be finalised following which the works would be tendered and constructed. It was hoped that these works would be complete in Quarter 2 of this year (subject to COVID restrictions).

Mr McNeela confirmed that the final design came through last Friday and the tender documents were being prepared.

The report was noted.

NS19/0121

Open Air Trading

The member considered the following motion in the name of Councillor Breen. That the council explain and clarify the regulations with regard to open air trading, both on public property and on private property in this municipal district and what mechanism is in place to take action if the regulations are not being adhered to.

The motion was proposed by Councillor Breen, seconded by Councillor Moore.

A report was received from the Corporate Services Department informing the members that the Casual Trading Act 1995 (the Act) states that casual trading in public places requires the person carrying out this activity to hold a casual trading licence and to comply with the terms of said licence. Trading without a licence is an offence and is subject to a range of penalties set out in Section 14 of the Act:

a) on summary conviction—

(i) in the case of a first offence, to a fine not exceeding £50,

(ii) in the case of a second offence, to a fine not exceeding £250,

(iii) in the case of a third or subsequent offence to a fine not exceeding £1,000,

or

(b) on conviction on indictment, to a fine not exceeding £10,000 together with, in the case of a continuing offence, a fine not exceeding £500 for each day or part of a day on which the offence is continued after the first such day or to imprisonment for a term not exceeding 6 months or to both the fine or fines and the imprisonment.

In addition, under Section 9 of the Act it is an offence to provide false information in relation to an application for the grant of a casual trading licence. An Garda Síochána also have powers under Sections 10 – 12 inclusive of the Casual Trading Act 1995 and the council has engaged with Gardaí in this regard during 2020, where relevant.

The members will recall that they received information in December 2020 advising of the need for review of all bye laws arising from new EU regulations related to Casual Trading. They were also made aware that the council is taking ongoing legal advice in relation to these new regulations. This advice also seeks to advise on enforcement processes.

Certain trading is exempted from the requirement to hold a licence, as set out in Section 2 of the Act:

- a) the selling of printed matter or pious or religious objects at or in the immediate vicinity of a church or place of worship on days on which service or other religious ceremonies take place therein;*
- b) Selling to a person at the place where he resides or carries on business;*
- c) Selling during the period 1st May to 30th September in any year, by-*
 - i. The grower (within the meaning assigned to that expression by the Casual Trading Act 1995 (Section 2(3) Regulations 2004) or*
 - ii. Subject to the condition specified in relation to this paragraph by those Regulations being satisfied, a servant or agent of the grower, of one or more of the following fruits and vegetables, namely –*
 - a) Strawberries, raspberries, blueberries, gooseberries, blackberries, loganberries, tayberries, currants*
 - b) Potatoes having loose skins and which have been harvested prior to maturity.*

Section 6 of the Act requires the council to make bye laws in relation to the control, regulation, supervision and administration of casual trading in its functional area. To this end many of the municipal districts in the county have in place Casual Trading Bye-Laws. Clane-Maynooth and Celbridge-Leixlip bye laws permit (subject

to licence) casual trading (i.e. regular weekly trading for example) *and* also trading at one-off events. In the case of the Naas Municipal District, the bye-laws permit trading *at events only*.

A full copy of the bye laws are available here:

<http://kildare.ie/countycouncil/YourCouncil/GovernanceandCompliance/CasualTrading/>

The emergency motion passed at the December 2020 Naas Municipal District meeting, seeking a full review of the bye-laws for Naas Municipal District is noted. In recognition of this motion and of the powers of the members to review and make bye laws, the elected members will receive an online survey on 26 January seeking feedback from them, to initiate the process of reviewing the bye laws for the Naas Municipal District. The closing date for responses to this survey is 23 February, and after this we will review feedback, consult with members and other Council Departments, and will draft new bye laws to formally put on public display. In relation to trading from private property, planning permission may be required. Where the appropriate planning permission for trading on private property is not in place, Planning Enforcement action for the unauthorised use of the lands will be taken.

Councillor Brett made the following points:

- Casual trading was not permitted in the Naas Municipal District under current bye-laws.
- In relation to trading from private property, planning permission may be required. Where the appropriate planning permission for trading on private property was not in place, Planning Enforcement action for the unauthorised use of the lands would be taken.

Councillor Breen stated that she had received complaints from traders in the town regarding casual trading at the canal where a vendor was selling coffee while there were coffee shops in the town paying rates and asked what the council were going to do about it.

The Municipal District Manager stated that the council would follow up on this and confirmed that the Environment Section had examined the location and sent a report to him which he forwarded to the Enforcement Section.

In response to a question from Councillor Kelly, Mr Shanahan stated that when the members submit their feedback through the online survey, the Corporate Services Department would communicate with other council departments and when the draft bye-laws go to public consultation, traders would get the opportunity to provide their opinion.

Resolved on the proposal of Councillor Breen, seconded by Councillor Moore that the report be noted and the Municipal District Manager to follow up on the matter of casual trading at the canal.

NS20/0121

Update on Public Realm Projects

Councillor Brett asked the members if they had any questions on the report which was circulated in advance of the meeting.

In response to a question from Councillor Clear, Ms Hunt stated that she sought clarification from the department who confirmed that the pedestrian crossing at Poplar Square was not considered essential work under the most recent covid-19 restrictions.

The report was noted

NS21/0121

Endangerment Notices

The members considered the following motion in the name of Councillor Breen.

That the council ensure, that where and when warranted, endangerment notices are served, reinforced, and acted upon with regard to the deteriorating condition of any protected structure in this municipal district.

The motion was proposed by Councillor Breen, seconded by Councillor Kelly.

A report was received from the Planning and Strategic Development Department informing the members that they would investigate all complaints in respect of protected structures to prevent them becoming or continuing to be endangered in accordance with Section 59 of the Planning and Development Act, 2000.

Councillor Breen made the following points:

- She was worried about St David's Castle, its curtilage and grounds, as it was a protected building as well as Market House and would like to know what plans the new owners of St David's Castle had and would they be preserving the curtilage and grounds.
- Has anyone been inside the castle to examine its current state and the condition of the spiral staircase and vaults.

Councillor Clear stated that the condition of Market House was deteriorating, and the roof was falling in, noting that he could not understand how the owner was allowed to leave it like that.

The Municipal District Manager provided the following responses to the points raised:

- It looked as though historically Section 59 of the Planning and Development Act, 2000 had not been followed up on in Kildare and confirmed that it was the council's intention to use it.
- Planning permission had been granted at Market House four/five years ago, therefore it appeared as if there was intent for improvement to be made however nothing happened.
- St David's Castle went to sale agreed before Christmas and it can take some time for a sale to fully go through.
- He met with the purchaser of St David's Castle and he seemed genuine in his intent for the building and for working with Kildare County Council.
- The staircase and vaults were intact.
- The roof slates were off, and the owner wanted to seal it off to prevent further vandalism.

Resolved on the proposal of Councillor Breen, seconded by Councillor Kelly that the report be noted.

NS22/0121

Section 254 Applications

The members considered the following motion in the name of Councillor Sammon. That the council bring applications for Section 254 licenses for local communication masts to the attention of Naas Municipal District members.

The motion was proposed by Councillor Sammon, seconded by Councillor Kelly.

A report was received from the Planning and Strategic Development Department informing the members that Section 254 applications were available to view through the mapping tool on the online planning system. There was no provision in legislation to bring Section 254 applications to the members.

The members identified that there was a loophole in the legislation, and this was a matter for the legislators to rectify.

Resolved on the proposal of Councillor Sammon, seconded by Councillor Kelly that the report be noted.

NS23/0121

Creche/Childcare Facilities in Approved Housing Developments

The members considered the following motion in the name of Councillor Sammon. That the council update the Naas Municipal District members on the approved housing developments in this municipal district since 2016 which have not yet fulfilled the planning requirement for the provision of creche/childcare facilities in those developments.

The motion was proposed by Councillor Sammon, seconded by Councillor Clear.

A report was received from the Planning and Strategic Development Department informing the members that planning permissions for residential developments that include a creche/childcare facility do not normally have a requirement to complete the facility prior to other aspects of the permission. Where applications granted since 2016 had commenced, there was no obligation on them to have had the childcare facility completed at this stage.

Councillor Sammon informed the members that the point of the motion was not to get at developers who had yet to build creches but to get a list of the developments in which creches were to be built as she had received requests from three childcare providers wondering where they could set up, one of which she had put in touch with Ballymore Properties and were currently in discussion.

The members made the following points:

- Creches should be built before stage two of the developments when the first families were moving in as there was a responsibility to provide these creches, the same as schools, in the areas that houses were being built.
- If the provision of a creche was a condition of planning, developers should not be allowed a change of use.

Ms Hunt informed the members that if they input the word “creche” into the online planning search engine on the council website a list of all developments in which creches were to be included would show up.

Resolved on the proposal of Councillor Sammon, seconded by Councillor Clear that the report be noted.

NS24/0121

Redevelopment in Poplar Square

The members considered the following question in the name of Councillor Breen.
Has the redevelopment in Poplar Square resulted in any significant use by the public?

A report was received from the Planning, Strategic Projects and Public Realm Department informing the members that Poplar Square has been used by the public at various times since its completion however, not to the extent that was anticipated and hoped. Following the success of the Kildare Market Square covid-19 response pilot project, there were numerous requests (from local businesses, the public and elected representatives) to carry out a similar covid-19 response project at Poplar Square. The project was substantially completed in the lead up to Christmas with some outstanding works to be carried out in the months ahead, such as, the installation of age friendly benches, wheelchair accessible tables and pedestrian crossings. The Public Realm team also intend to contact local eateries and businesses to see if there is more that can be done to encourage them, and the public, to engage more with this public space once current restrictions are lifted. For example, outdoor heaters and umbrellas (subject to availability) may help to encourage greater use of the space during the colder months.

Councillor Breen raised the following concerns:

- How much the restructuring of Poplar Square cost and what effect it had on local businesses in Poplar Square.
- Complaints regarding parking from elderly people who were unable to walk from the carparks around the town had been received.
- The benches were not age friendly and proving to be a danger as children were climbing on them.
- There was a lot of litter in the area.

Ms Hunt made the following comments in response to Councillor Breen's concerns:

- The funding received from the restructuring of Poplar Square was €40,000 however nowhere near this amount had been spent and the project was far from complete.
- There may need to be a conversation with the members as the project was proving not to be as popular as Market Square in Kildare Town and perhaps there may be a more suitable location in the town where this type of project may work better.

- Age friendly benches were ordered.
- Contact would be made with the members requesting feedback before anything was done.

The Municipal District Manager stated that it was too early to assess if it was working or not as it was opened very late in the year and suggested that it be given more time noting that Kildare Town project was very successful because of the number of restaurants and pubs at the location who benefited from the extra space and due to the success of the Kildare Town Project, people were now looking at vacant premises to rent. He confirmed that age friendly parking for the elderly could be examined.

The report was noted.

NS25/0121

Former Potato Market

The members considered the following question in the name of Councillor Moore. Has any progress been made on acquiring the former Potato Market for the purposes of a suitable Market Site in Naas?

A report was received from the Planning, Strategic Projects and Public Realm Department informing the members that the site in question was included in the application for Naas Town Centre application for funding under the URDF, a decision on which was expected in January 2021. In the interim, this site was being considered in one of the options for a market space, perhaps in conjunction with the Market Square. The Director of Services had made contact in this regard with the Trustees within whose care the site was vested.

The report was noted.

NS26/0121

Kerdiffstown Landfill Remediation Project

The Mayor welcomed Joe Boland, James Mulligan and Ultan Downes to the meeting.

Mr Boland gave a brief overview of the project outlining the positive impact it will have on Naas and the surrounding areas and informed the members that the project was now at construction stage.

A presentation was given by Mr Mulligan and Mr Downes to the members outlining the progress to date on remediating the site and the next stage of works that needed to be carried out. They also gave an outline of how the site would look when all the works were complete. They advised that members would be given regular updates on progress.

Mr Downes confirmed there was no indication that the Kerdiffstown site was impacting on the Morell River and informed the members that ongoing management and monitoring was being undertaken of the following key challenges on the site:

- Plume of Leachate
- Landfill gas management (key for controlling the odour impacts from the site)
- Ground water and surface water monitoring

He confirmed that additional routine monitoring of odour, gas (off-site), dust, noise, flare stack emissions and surface VOC emissions were also being undertaken.

Mr Mulligan informed the members of the methods of communication with the public and press undertaken to date and stated that all progress would be kept up to date on the website - <http://www.kildare.ie/countycouncil/AllServices/kerdiffstownpark/>

In response to questions from the members, the following points were made:

- The trackways vary in widths, some are two metres and some are four metres.
- Linking the park to the Greenway and creating a looped walk would be very beneficial, the site is approximately 500 metres from the Greenway if using a short cut and depending on how the route was determined.

- The gas is a mix of construction and municipal waste, by capturing and flaring it the gas is being burnt off which is the best use of the gas onsite.
- Monthly analysis undertaken shows that the Morrell River is not being impacted by Kerdiffstown, a provision of a cut off wall has been examined in the past but there is a natural barrier doing that job. If anything changes this can be put in.
- The length of time the testing continues depends on the results being received, it is dependent on how quickly the material stabilises and produces no more gas leachate.
- Work on moving the earth has already commenced.
- In relation to the liner, structures would not be erected on top of it. Extra piles are being placed around the changing rooms and other places, going through the liner is not recommended however it is possible.
- Sallins is 3km from the site, it was not deemed viable to do something on the road as part of the project however linking it with the Greenway may be an option.
- In relation to the adult zip wire, the department most likely would not fund it.
- The members should contact the Arts Officer in relation to having an input into the arts element of the project.
- No plans for a Cricket Pitch at the site, possibility that a small area in the middle of the Gaelic pitch could be marked out but they were unsure of the area required for a cricket pitch. There may be options to enhance the park after it is completed.
- A viewing point on a platform would not be viable due to ground conditions and the cost of installing it however a viewing point at ground level will be accommodated.

The members thanked the Director of Services Mr Boland, Mr Mulligan and Mr Downes for the presentation and looked forward to the next progress report. They thanked all involved.

The report was noted

NS27/0121

Suspension of Standing Orders

At 5:30 p.m the Mayor informed the members that to continue with the meeting, a suspension of standing orders was required.

Resolved on the proposal of Councillor Kelly, seconded by Councillor Breen and agreed by all members that standing orders be suspended for twenty minutes until 5:50 p.m.

NS28/0121

Suspension of Standing Orders

At 5:50 p.m the Mayor informed the members that to continue with the meeting, a suspension of standing orders was required.

Resolved on the proposal of Councillor Kelly, seconded by Councillor Moore and agreed by all members that standing orders be suspended for ten minutes until 6:00 p.m.

NS29/0121

Climate Action update

Mr Deegan, Climate Action Officer delivered a presentation to the members in which he highlighted the following points:

- National context, the establishment of CARO and the Climate Action Bill.
- The appointment of an Energy Officer.
- Climate action challenges.
- The importance of Sustainable Energy Communities.

The members thanked Mr Deegan for his interesting and informative presentation, and it was agreed by all the members that due to the meeting running late that they would forward any questions on the presentation directly to Mr Deegan.

The report was noted.

NS30/0121

Suspension of Standing Orders

At 6:00 p.m the Mayor informed the members that to continue with the meeting, a suspension of standing orders was required.

Resolved on the proposal of Councillor Breen, seconded by Councillor Kelly and agreed by all members that standing orders be suspended for ten minutes until 6:10 p.m.

NS31/0121

Suspension of Standing Orders

At 6:10 p.m the Mayor informed the members that to continue with the meeting, a suspension of standing orders was required.

Resolved on the proposal of Councillor Kelly, seconded by Councillor Breen and agreed by all members that standing orders be suspended for ten minutes until 6:20 p.m.

NS32/0121

Naas Flood Relief Scheme

The members considered the following motion in the name of Councillor Brett. That the council in conjunction with Arup ensure that drawings/mappings for the Naas Flood Relief Scheme are produced in a way that prevents insurance companies from using the information to refuse flood cover to the residents of the town and its surrounds.

The motion was proposed by Councillor Brett, seconded by Councillor Moore.

A report was received from the Water Services and Environment Department informing the members that all flood mapping delivered as part of the Naas Flood Relief Scheme would meet the standard required by the OPW for publishing on their website www.floodinfo.ie. This website was the source of the most up to date information regarding flood risk in Ireland. With regard to obtaining flood insurance, Kildare County Council had written to Insurance Ireland to raise concerns about

cases where residents had been unable to get insurance despite being shown not to be at risk on the OPW flood mapping. The item had also been raised as a Parliamentary question by Kildare TD's who had been assured that members of Insurance Ireland would assess cases on an individual basis. For information, please note that the Financial Services and Pensions Ombudsman has ruled on a case relating to the provision of flood insurance, Decision Reference 2018 – 0098.

Councillor Brett welcomed the report and informed the members that this issue had been raised in the Dáil by Kildare TD's.

Councillor Moore asked for a copy of the correspondence from the Ombudsman and the motion raised in the Dáil.

Resolved on the proposal of Councillor Brett, seconded by Councillor Moore that the report be noted. Correspondence from the Ombudsman and the motion raised in the Dáil to be circulated to the members.

NS33/0121

Cleaning and Securing of the Land on the Caragh Road

The members considered the following motion in the name of Councillor Kelly. That the council clean up and secure the land owned by the council on the Caragh Road.

The motion was proposed by Councillor Kelly, seconded by Councillor Moore.

A report was received from the Housing Department informing the members that the site was secure and not currently at risk from unauthorised vehicular access.

Councillor Kelly stated that the fencing kept out vehicles, but it did not keep people out and asked that the Housing Department liaise with the Community Warden to inspect the site and to consider securing it.

Resolved on the proposal of Councillor Kelly, seconded by Councillor Moore that the report be noted and the Housing Department to liaise with the Community Warden to inspect the site and to consider securing it.

NS34/0121

Adjourned Motion on bin Collections and Street Cleaning

Councillor Kelly asked that this item be adjourned to the February meeting of the Naas Municipal District.

Resolved on the proposal of Councillor Kelly, seconded by Councillor Clear that this motion be adjourned to the February meeting of the Naas Municipal District.

NS35/0121

Naas Town Hall

The members considered the following question in the name of Councillor Moore. Have or will the tender documents for the refurbishment and conversion of Naas Town Hall, include the return installation of a roof-top flagpole to replace the earlier highly visible and high-profile national flag?

A report was received from the Library Services informing the members that the plans for Naas Library and Cultural Centre include the provision of a flag pole on the building as part of the capital project works.

Councillor Moore expressed his dissatisfaction with the report and requested that this item remain on the agenda for next month stating that what he had requested was a report on the provision of a proper roof-top flag pole.

The Meetings Administrator informed the members that he would check if it was possible under standing orders for this question to remain on the agenda for the February meeting.

The report was noted.

The meeting concluded.