

**These Minutes are edited for Data Protection purposes because
in effect putting them on the Internet is publishing them.
An unedited paper copy is available on request.**

**MIONTUAIRISCÍ NA CRUINNITHE MHIOSIÚIL DE COMHAIRLE CONTAE
CHIARRAÍ A THIONÓLADH I SEOMRA NA COMPHAIRLE, ÁRAS AN CHONTAE,
TRÁ LÍ AR AN LUAN, 16 IÚIL, 2018**

**MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL HELD IN
COUNCIL CHAMBER, ÁRAS AN CHONTAE, TRALEE ON MONDAY, 16 JULY, 2018**

PRESENT/I LÁTHAIR

Councillors/Comhairleoirí

T. Barry	R. Beasley	M. Cahill
B. Cronin	J.J. Culloty	P Daly
T. Ferris	J. Finucane	J.F. Flynn
N. Foley	M. Gleeson	S. Fitzgerald
J. Healy-Rae	M. Healy-Rae	N. Kelleher
M. Kennelly	S. Locke	J. Lucid
D. McCarthy	P. McCarthy	T. McEllistrim
N. Moriarty	T. O'Brien	B. O'Connell
M. O'Shea	L. Purtill	D. Quigg
J. Sheahan	G. Spring	A. Thornton

IN ATTENDANCE/I LÁTHAIR

Ms. M. Murrell, Chief Executive	Mr. J. Breen, Director Water Services
Ms. M. Moriarty , A/SEO Finance	Mr. M. Scannell, Dir. Job Cr/Sust. ED
Mr. M. O'Donoghue, Director Housing	Mr. D Doyle, Senior Engineer Operations
Ms. C. O'Connor, Director Corp.Servs.	Mr. L. Quinlan, Meetings Administrator
Ms. B. Conway, AO Corp. Servs.	Ms. M. Galvin, A/ASO Corp. Servs.
Ms. J O'Connor CO Corp. Servs.	

The meeting commenced at 10.40 a.m.

Cllr. N. Foley took the Chair.

At the outset of the meeting the Cathaoirleach, Cllr N Foley expressed condolences to the family and friends of (*Name withheld for data protection purposes. A paper copy of the unedited minutes is available on request*) R.I.P. (*Name withheld for data protection purposes. A paper copy of the unedited minutes is available on request*) was an employee of Kerry County Council and formerly of Tralee Town Council for many years. She referred to him as a wonderful man who is a huge loss to the Local Authority.

All members supported this vote of sympathy.

The Chief Executive, on behalf of staff and management of Kerry County Council, extended her profound sympathies to (*Name withheld for data protection purposes. A paper copy of the unedited minutes is available on request*) family.

18.07.16.01 Cathaoirleach's Report on the CPG meeting held on 10th July, 2018

The Cathaoirleach read the following report into the record of the meeting:

Agenda for July Full Council Meeting

Mr. L. Quinlan briefed the meeting on the Agenda for the July Council Meeting. In the context of item no 11 on the Council Agenda, the CPG agreed that it would meet on Monday 10th September in advance of the proposed Budget Briefing to Members on 17th September. In the context of item 6 on the Council agenda, CPG agreed that this would be a high level update on the Housing Capital Programme.

Mr. L. Quinlan advised that the launch of the County Kerry Activity Brochure will take place on Monday 16th July in the Council Chambers at 1.30 p.m.

Update from the Chairs of the SPCs

Mr. J. Breen briefed the meeting on the items considered at the recent Quality of Life SPC and he advised that the report will be circulated for the July full Council meeting.

Cllr Finucane also advised that a report Economic Development and Enterprise SPC will also be circulated for that meeting. He also referred to the announcement by Amazon to create 80 jobs in the county and requested that Kerry County Council would consider developing a strategy for the provision of shared office space in key locations in the county for which he believed significant demand and opportunities exists which would be a boost to local economic development. Cllr M. Kennelly, in support of this proposal said that the absence of high quality broadband in rural area is an inhibiting factor in being able to maximise opportunities in this area.

Request for Civic Welcome

The CPG agreed for the Tralee Municipal District to host a Civic Welcome for the Teams participating in the under 16's International Soccer Tournament which will be held in Tralee from 11th to 16th November 11th 2018. Teams from Scotland, Wales, Northern Ireland and the Republic of Ireland will be involved.

Urban Regeneration Fund

Mr John Breen outlined the details of the recently announced national Urban Regeneration Fund as part of Project 2040. The application process would be by means of competitive bid and applications are required to be made by 28th September next. He outlined that the fund related to towns which have in excess of 10,000 population or 2,500 jobs. The fund is designed to address areas of required development in urban locations where development would not otherwise occur and was targeted in particular at innovative and transformational urban regeneration projects and presents opportunities for private investors to become involved with the local authority.

Rural Regeneration and Development Supports

Mr Breen also outlined the recent publication of this grant support scheme. He outlined that it related to settlements of less than 10,000 population and was focussed on such areas as public spaces, community facilities, enterprise hubs, digital hubs and tourism and recreation initiatives.

He advised that full details on both schemes would be made available to Members once received.

Water Supply update

Mr Breen outlined that the situation of the water and wastewater networks in the county are being monitored and addressed on a daily basis given the extended dry weather period and there continues to be close liaison with Irish Water in this regard. He outlined that it was vital that the general water conservation message continued to be observed by the public.

Fire Safety

Mr Breen also outlined that the RED forest fire warning remained in place which prohibited all controlled burning activity. He outlined the need for the public to be aware of fire danger in the present hot spell as they enjoyed the fine weather.

Cllr. M. Kennelly referred to a recent incident and asked that the distance of the fire break would be addressed.

Ministerial visit

Mr. J Breen advised the meeting that Mr. Eoghan Murphy TD, Minister for Housing Planning & Local Government will officially open Kerry County Council's housing development, Lios an Fhia, The Park, Killarney at 2.00p.m and the Kenmare Water Treatment Plant at 3.30p.m on Tuesday 17th July.

Cllr M Gleeson, referring to numerous previous Notices of motion regarding the provision of broadband at specific locations within the county, requested an update on same.

This was supported by Cllr J.J. Culloty, who had moved a number of these motions, stating that the gaps in Broadband provision within the county needed to be eliminated in support of businesses in these areas.

Mr M Scannell, Director of Service, said the original submission was made in late 2017. EIR will complete the original planned works. However, no positive response had been received to date for the works in the additional areas which were identified on a case by case basis and submitted by Kerry County Council.

Cllr J Finucane welcomed the urban regeneration funding and rural regeneration and development supports and requested Kerry County Council organise public information seminars to inform relevant groups of the availability of these funds.

Cllr M O'Shea commended the staff in Kerry County Council and Irish Water who worked tirelessly in dealing with the water shortages and water breaks as a result of the recent prolonged dry spell. The sentiments were echoed by Cllr P Connor-Scarteen and supported by all Councillors present.

18.07.16.02 Confirmation of Minutes

On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. M Gleeson it was resolved that the minutes of the June Ordinary Meeting held on 18th June, 2018, be confirmed.

18.07.16.03 Chief Executive's Report to Council

The Chief Executive read the following report into the record of the meeting:

Finance Directorate

As agreed with the Members, a Financial Report for Members will be provided on a quarterly basis in line with the Quarterly Reporting Process for Income and Expenditure already in place to the Department of Housing, Planning & Local Government. The Qtr 2 Financial report and Summary of Main Collections is intended to be included for the September meeting.

Infrastructure, Operations, Health & Safety Directorate

Greenways

The pre-planning application meeting with An Bord Pleanála on the South Kerry Greenway was held on the 26th June. It is anticipated that the application will be lodged at the end of July once An Bord Pleanála close the pre-application file.

Meetings are ongoing with affected landowners on the North Kerry Greenway and the Tralee - Fenit Greenway. Public briefing sessions on these schemes were held in Listowel and Tralee in May. Both projects are currently on public display as part of the Part VIII process.

CLÁR 2018

The Department of Rural and Community Development approved €5m in grant aid for the CLÁR Programme for 2018, of which up to €4m is available under two measures to be operated via Local Authorities for a range of school and community projects.

Under Measure 1: Support for Schools/Community Safety Measures, 8 successful projects for Kerry have been announced, with an allocation of €258,165. Furthermore, under Measure 2: Play Areas (including Multi Use Games Areas) 3 Kerry projects have been successful in securing funding, with an allocation of €143,512.

Department of Transport, Tourism & Sport: Multi-Annual Restoration Improvement Programme

As outlined in the Departmental Circular received the Council is now requested to prepare and submit a prioritised Restoration Improvement Programme for the period 2019-2021. The programme will be developed over the coming months. The adoption of the 3-year Programme is a matter for resolution by the Council.

Economic & Community Development Directorate

Kerry Local Enterprise Office (LEO)

The range of business programmes are now nearing completion but a further series of business bootcamps have been scheduled in July to meet with ongoing demand. The specialist programmes including the Food Academy and “Lean for Micro” Programmes will continue over July & August as specific “one to one” mentoring continues. Planning has commenced for the Autumn/Winter series of programmes. Over 400 individuals have participated in training initiatives in the year to date.

A further series of projects were approved funding at July Evaluation Meeting. This brings approvals to €260,000 for the year to date. Demand for mentoring is strong with over 60 mentoring assignments and 27 Trading Online Vouchers approved.

Community Department

Town & Village Renewal Scheme 2018

12 projects have been submitted under the Town & Village Renewal Scheme 2018, which is the maximum allowable under the scheme. The selection of projects under the Scheme will be by means of a competitive process. Final project selection will be made by the Department of Rural and Community Development. Kerry County Council

was in a position to submit this maximum allowable number of projects as a result of the Elected Members decision to allocate a proportion of the Community Support Fund for strategic projects.

With the exception of the substantial infrastructure projects submitted for Caherciveen and Dingle, it is expected that all of the other projects can be resourced through the use of a combination of the Strategic Community Support Fund and in-kind contributions from local community groups.

Following the public call for expressions of interest, the projects selected which are geographically dispersed throughout the county reflect the economic and community needs of the respective towns and villages and have the potential to unlock further investment and are consistent with the priorities of the Local Economic & Community Plan & Tourism Strategy.

It is anticipated that the final project selection will be made by the Department by the end of August 2018 and successful projects will be expected to commence by year end and be completed by the end of 2019.

Community Enhancement Programme (CEP), 2018

This Programme, which is funded by the Department of Rural and Community Development, has provided €142,409 for projects in Kerry in 2018. This programme replaces and builds on two existing schemes (Communities Facilities Scheme and RAPID). Combining the schemes will make for a more flexible, streamlined and targeted approach to providing funding to those communities most in need. Grant applications are now being invited from Community Groups and local organisations across the county.

In Kerry it has been agreed that the funding under this Programme will be targeted at supporting Age Friendly initiatives, actions targeting age friendly work from the Local Economic and Community Plan and Kerry's Age Friendly Work Plan.

A minimum of 30% of the funding will be ring-fenced for projects costing up to €1,000 with the remaining funding being directed towards larger projects up to €5,000 and innovative projects up to €15,000.

The closing date for receipt of applications is Friday 20th July 2018 at 5pm.

Pride of Place Awards

The adjudication for IPB Pride of Place 2018 took place on Thursday & Friday, 5th & 6th July, 2018.

This year Kerry County Council has nominated three projects to the All Island Pride of Place competition, each of which has come through the Kerry Community Awards process.

One of the three entries, Killorglin K-FEST, (submitted under the Creative Place Initiative Category), has already been adjudicated on during the live event hosted over the 2018 June Bank Holiday weekend.

The remaining two entries to be adjudicated on for 2018 are as follows:

1. Blackwater Women's Group (under the Category: Community Well Being Initiative)
2. Maharees Conservation Association (under the Category: Islands & Coastal Communities)

Tourism Department

Dingle Peninsula Driving Guide

Kerry County Council, in co-operation with the Dingle Peninsula Tourism Alliance, recently produced an information brochure on driving around the Dingle Peninsula.

The 'Dingle Peninsula Driving Guide' advises on best practice when travelling around the peninsula to ensure a pleasant and safe experience.

County Kerry Activity Brochure

Kerry County Council has designed and produced, in house, an Activity Brochure for the county – the first comprehensive, user-friendly guide to the numerous and wide-ranging activities that are available throughout the county. The County Kerry Activity Brochure was produced with the support of the Department of Rural & Community Development's 'Outdoor Recreation Infrastructure Scheme' and will be officially launched during the lunch break of this Council Meeting.

Water, Environment, Fire & Library Services Directorate

Water Services

The prolonged period of warm and dry weather over the past number of weeks has left many of the water supplies in Kerry vulnerable in terms of water availability. Water Sources comprising surface springs and upland streams are particularly vulnerable and in early July, the Water Services Department drew up a list of 26 Water Supplies in the county that may require restrictions being imposed if the dry conditions were to continue for a prolonged period.

Kerry County Council continues to monitor all public water supplies in the county and is working with Irish Water to protect and conserve water sources. We are also working with them to put contingencies in place in the event that water restrictions are required and/or in the event that supplies may need to be supplemented from other areas.

Irish Water extended the hosepipe nationwide on 6th July. Kerry County Council would echo the appeal from Irish Water to conserve water and to avoid any unnecessary use

Local Agenda 21(LA21) Environmental Partnership Fund 2018

38 applications were received for the Local Agenda 21 Fund prior to the closing date of 20th June 2018. Kerry County Council received an allocation of €13,800.00 and with matching funding, this brings our fund to €27,600.00 for 2018. The applications received are currently being assessed and the applicants will be notified of their allocations in late July.

Dog Fouling Awareness Campaign

A very successful Dog Fouling Awareness Campaign was run during the month of June. The impact of dog fouling on wheelchair users, visually impaired persons, parents pushing buggies, children and pedestrians was the focus of the campaign. Campaign adverts were ran in traditional and social media outlets. The Litter Wardens worked with Tidy Towns and Community Groups and this also incorporated Beach Patrols. A number of fines were issued.

Housing Directorate

A general Housing update is included as a separate item in this month's Council agenda.

The Chief Executive extended her thanks to Kerry County Council staff and acknowledged the co-operation of Irish Water in resolving the water issues as quickly as possible, that had occurred as a result of the prolonged dry spell.

Cllr A Thornton, referring to the CLÁR funding, and given the workload involved in securing funding and progressing projects in north Kerry, requested all supports be made available to secure the services of a Rural Recreational Officer. She also requested training for Councillors on GDPR as a matter of urgency, given the Councillors responsibility for data in their care citing Housing applicants as one such example.

Cllr P Connor-Scarteen welcomed the 4 year Restoration Improvement Programme, the inclusion of the Blackwater group in the Pride of Place awards, the purchase of 13.7 acres in Kenmare and the implementation of the Casual Trading bye-laws for Kenmare.

Cllr T Ferris supported the request for GDPR training and requested an update on the costings for the Ardfert public toilets.

Cllr S Fitzgerald welcomed the Sleah Head traffic resolution initiative and requested an update on same. He welcomed the 12 applications for the Town & Village Renewal Scheme 2018 and requested an update on the unsuccessful applications.

Cllr J Healy-Rae, referring to the Restoration Improvement Scheme, requested that 30% of roads included in the scheme be cul-de-sac roads. He also requested that Sleah Head be one way with traffic lights, parking bays and turning bays be provided at specific problem areas.

Cllr M Healy-Rae supported the 30% request.

Cllr N Moriarty welcomed the CLÁR funding with particular reference safety measures at schools. She called for extra funding for the Restoration Improvement Programme, stating it should be properly resourced. She welcomed the 12 very worthwhile projects submitted under the Town and Village Renewal Scheme stating this will support economic development in the areas. She also welcomed the Dingle Peninsula driving guide.

The Chief Executive confirmed that Kerry County Council supported NEKD's application to Department of Community & Rural Development for approval and funding for the position of a Rural Recreation Officer. She confirmed that the IPA is finalising the training programme for GDPR and will be delivered as soon as possible.

Regarding the costings for Ardfert public toilets, the Chief Executive stated that it was imperative that this project be delivered to the highest standard having regard to the overall development of the area. She undertook that the design would be circulated to the Elected Members for information.

Regarding the unsuccessful applications under to Town and Village Renewal Scheme, she stated other avenues of funding will be explored.

She confirmed that the Sleah Head traffic management plan will commence shortly and will include advisory of the one way system and guidance will be provided by Údarás na Gaeltacht on the route. New signage will assist drivers and the trial will be kept under review.

Regarding the inclusion of cul-de-sac roads in the Restoration Improvement Programme, she clarified that an assessment of all roads will be undertaken, having regard to the budget provision and the guidance with regard to prioritisation set out in the Department Circular. A recommendation will be brought before the relevant Municipal District meeting for Councillors consideration and decision.

Following further discussion with regard to Cllr's J Healy-Rae proposal with regard to cul-de-sac roads, the Chief Executive reiterated that Kerry County Council is required to follow the guidance of the Circular that sets out how the programme is to be developed. She advised that while the Executive needs to be in a position to assess all roads without restriction, Cul-de-sac roads are not excluded. In response to Cllr J Healy-Rae's request for a percentage of cul-de-sac roads to be included, the Chief Executive confirmed that all reasonable requests will be considered.

18.07.16.04 Chief Executive report on the submissions - observations received on the Draft Variation No 5 to the Tralee Town Development Plan 2009-2015 (as extended)

Mr L Quinlan, Meetings Administrator, reminded Councillors of their duties under the ethics legislation and in particular of their requirements under Part 15 (Ethics Framework) of the Local Government Act 2001 and the Code of Conduct for Councillors. Councillors should be aware that the onus for complying with the requirement of the Act and the Code of Conduct lies with each individual Councillor. Under the beneficial interest provision and should that provision apply, a Councillor must:

- (1) Disclose the nature of his/her interest or the fact of a connected person's interest at the meeting and before discussion or consideration of the matter commences and
- (2) Withdraw from the meeting for so long as the matter is being discussed or considered, and accordingly, he/she shall take no part in the discussion or consideration of the matter and shall refrain from voting in relation to it.

There can be no discussions with people in the public gallery while the meeting is in progress.

Mr M Scannell Director of Service briefed the Councillors on the contents of the report, which had been circulated. He informed Councillors that the Tralee Town Development Plan 2009-2015 is still operable and has been extended and continues to be part of the County Development Plan and remain the statutory planning policy framework for the area within the former Tralee Town Council administrative area. Any variation to this plan is a matter for full Council. He outlined the statutory requirements and went through the submissions and responses. He outlined the proposed amendments to the proposal.

The amendments were accepted as follows:

It was PROPOSED by Cllr G Spring SECONDED by Cllr P McCarthy and agreed to accept amendments 1-5, 6, 7, 8, 9, 10, 11-13, 14-16, 17-19, 20-21, 22, 23.

In response to a query from Cllr D Quigg, Mr M Scannell confirmed that the universal objectives with regard to access for all were contained in the County Development Plan will be consistent in the Local Area Plans.

Mr Scannell acknowledged the significant work undertaken by the Tralee Municipal District staff on this plan.

It was PROPOSED by Cllr G Spring SECONDED by Cllr P McCarthy that:
In accordance with Section 13 of the Planning & Development Act 2000 (as amended) that this Council, having considered the Chief Executive's report and Recommendations on submissions received in relation to the Draft 5th Variation of the Tralee Town Development Plan 2009-2015, hereby resolves that the Chief Executive's Recommendations be adopted and the Draft 5th Variation be amended in accordance with same, the resulting proposed Material Alterations to the Variation proceed for the statutory period of public consultation.

A vote was taken which resulted as follows:

For: Councillors Cahill, Cronin, Culloty, Ferris, Finucane, Flynn, Gleeson, J. Healy-Rae, Locke, Lucid, D. McCarthy, P. McCarthy, McEllistrim, Moriarty, O'Brien, Purtill, O'Shea, Quigg, Spring, Sheahan, Thornton, Foley **(22)**

Against: None **(0)**

Not Voting: Councillors. Barry, Beasley, Connor-Scarteen, Daly, Fitzgerald, Grady, M. Healy-Rae, Kelleher, Kennelly, Moloney, O'Connell **(11)**

The Cathaoirleach declared the proposal CARRIED. She expressed her thanks to Mr M Scannell, Mr D Ginty, his team and all Councillors who supported the proposal.

18.07.16.05 Disposal of Property

On the PROPOSAL of Cllr. P McCarthy, SECONDED by Cllr. J Sheahan, it was agreed to approve the disposal of a plot measuring 0.688 Ha in area, situated in the townland of Maglass East and Maglass, District Electoral Division of Ballyegan and County of Kerry to (*Name withheld for data protection purposes. A paper copy of the unedited minutes is available on request*), in accordance with the terms of notice issued on the 27th June 2018 pursuant to Section 183 of the Local Government Act 2001, Section 211 of the Planning and Development Act 2000 and Article 2006 of the Planning and Development Regulations 2001.

18.07.16.06 Update on Housing Capital Programme

Mr. M O'Donoghue, Director of Service, briefed the Councillors on the content of the report which had been circulated. He referred Councillors to the targets stating that as the build targets had changed, all avenues were being assessed in order to meet the overall targets.

Cllr T Ferris, referring to the waiting list figure of 2,917, stated that this did not reflect those applicants who, while in receipt of some form of housing support, are still waiting for Council Housing with some waiting over 10 years. She called for a better plan for direct social housing. She also called for increased mixed use estates i.e. social, affordable, private etc. She asked if the proceeds from Tenant Purchase can be used to upgrade existing outdated housing stock.

Cllr M Gleeson, referring to anti-social behaviour, stated the council must ensure that its estates are managed to an acceptable standard. He also supported the mixed use type of development. He stated he is fully supportive of the Tenant Purchase scheme and doesn't agree with discontinuing same.

Cllr M Cahill, while welcoming the provision of the 1 and 2 bed units in Killorglin, called for more family units for the town. He welcomed the Tenant Purchase review and opposed the exclusion of 80% of tenants from the scheme. Cllr M Cahill moved Notice of Motion No 3:

Pursuant to notice duly given Cllr. M. Cahill PROPOSED:

That Kerry County Council give a progress report on Long Term Vacant single rural dwellings in the County.

The following reply issued:

There are currently 20 No. Vacant Single Rural dwellings in the County:

- 4 No. properties are marked for disposal
- 7 No. properties have ongoing complex legal issues in relation to boundaries, title etc.
- 2 No. properties are fire damaged and awaiting resolution with regard to Insurance
- 4 No. properties - keys have recently been received following cessation of tenancies and are currently in void maintenance
- 2 No. properties are awaiting ESB connections
- 1 No. property has gone to tender for works to enable it be tenanted

Cllr Cahill welcomed the update stating the properties on family farms should be offered for sale to the families concerned. He stated that void repairs greater than €30,000 should be tendered.

Cllr M O'Shea expressed concern at the 30 week turnaround in voids and requested this be reassessed with a view to reducing it further. He welcomed the review of the Tenant Purchase scheme citing the exclusion of 80% of tenants as a major problem. He welcomed the construction programme but wants to refocus on dereliction in villages where properties could be transformed into family units

Cllr J Finucane stated the Council was building communities not just houses. More needs to be done to provide one bed units to address the imbalance in the waiting list. The private sector needs to be more involved through turnkey projects with stage payment facilities. State controlled banks should be compelled to support private development to deliver social housing. He stated voids turnaround time was too long.

Cllr S Fitzgerald expressed disappointment at the low numbers of council constructed units on the Dingle Peninsula, querying whether the Department guidelines are realistic.

Cllr D Quigg welcomed the Killorglin units but stated it was wholly inadequate. Regarding the voids process, he requested the Galway model be examined where the voids are tenanted and the works are carried out simultaneously. He requested the Department to review the loans process which he considered too lengthy. He moved Notice of Motion No. 10:

Pursuant to notice duly given Cllr. D. Quigg PROPOSED:

In addition to our existing policies in the allocation of dwellings which are reserved as transitional housing, that there is a thorough examination of all relevant circumstances prior to each individual allocation to ensure good estate management and the avoidance of anti-social behaviour.

The following reply issued:

All tenancies and allocations are made in accordance with our Housing Allocations Scheme. In respect of families and individuals availing of emergency housing interventions many of the normal approaches do not apply given the emergency nature of the interventions. This emergency support is as set out in the relevant statutory framework.

Cllr Quigg requested Kerry County Council to setup a taskforce with the Gardaí to deal with anti-social behaviour.

Cllr M Healy-Rae queried the delay in providing single rural builds. She stated the HAP caps were unrealistically low. Regeneration of town and villages was vital. Elderly residents were particularly vulnerable where there is anti-social behaviour.

Cllr A. Thornton requested an update on the 38 unit turnkey project in Listowel. She also thanked Mike Griffin, Housing Engineer, for his service to the Listowel Municipal District.

Cllr S Locke expressed concern at the voids turnaround time. He requested clarification on the location of the proposed Part 8 for Balloonagh. The issue of anti-social behaviour was discussed at the JPC and ongoing vetting need continue. Families should be able to reside in properties where the tenant now resides in full time care. Tenant Purchase scheme should remain but the terms should be changed to address the 80% of tenants who are excluded.

Cllr JJ Culloty welcomed the 20 unit development at the Park and the commencement of the Armagh House refurbishment which he said was long overdue. He supported Cllr Finucane's remarks regarding state owned banks.

Cllr J Healy-Rae welcomed the reduction in the voids process. He welcomed the 22 unit development in Kenmare but expressed disappointment regarding the lack of footpath and lighting. He asked that Kerry County Council continue in contact with the TII to resolve same. He called for more units to be built there. He also advised that the Tenant Purchase scheme should remain but the terms should be changed to address the 80% of tenants who are excluded. While acknowledging the labour intensive process involved in the provision of a single rural dwelling, he stated these were vital to the sustainability of rural communities. Referring to anti-social behaviour, he stated that issues of tenants engaging in anti-social behaviour may negatively impact an estate.

Cllr P Daly requested clarification on location of the Balloonagh development. He stated Tralee needs 1 and 2 bed units to address the waiting list and also to allow current single tenants in 3 bed units to downsize thus freeing up 3 bed units for families. He stated his opposition to the Tenant Purchase scheme if sold units are not replaced. He requested a portion of the Denny site be used for social housing.

Cllr N Moriarty expressed concern at the low loan approval rate. Regarding transition housing, non-chaotic tenants cause no problems. However, lack of support services are a major cause of anti-social issues within estates. Regarding the tenant purchase scheme, she supported the sentiments of Cllr Daly regarding the depletion of the housing stock.

Cllr B O'Connell stated the repair and leasing scheme is very restrictive and requested an update on same as it should be used for town and village renewal.

Cllr T Barry moved motion 7:

Pursuant to notice duly given Cllr. T. Barry PROPOSED:

How many eviction notices have Kerry County Council served to tenants as a result of anti-social behaviour issues over the last 5 years?

The following reply issued:

11 Tenancy Warnings for Anti-Social behaviour have been issued to Tenants in this time. 3 exclusions orders have been granted and 1 eviction order has been granted through the Courts. All complaints in relation to Anti-Social behaviour are managed and investigated through the Tenancy Management team. The majority of initial complaints do not lead to any formal action. The current statutory provisions in this area are onerous. Pursuing formal eviction notices, including court actions is a lengthy and challenging process given the fundamental personal rights involved. Pursuing such a course of action generally requires a formal complaint to Kerry County Council and/or the Gardaí, and a strong evidence based case must be established in relation to any alleged anti-social behaviour before such action can be considered

Cllr Barry commended Council's Tenancy Enforcement Officers on work done. He stated the guidelines needs to be re-assessed and greater use of CCTV is needed. He PROPOSED referring this matter to the next JPC for consideration.

This was SECONDED by Cllr N Foley.

Cllr D McCarthy welcomed the provision of all units and called for the provision of cluster housing i.e. 4 - 5 units together.

Cllr J F Flynn expressed concern regarding turnaround time of voids.

Cllr N Kelleher expressed frustration at the slow pace of delivery of new builds, the length of, and time spent on, the waiting list, the delay on loan approvals, the lack of repair and lease schemes in Kerry.

Cllr B Cronin also expressed concern regarding slow progress on loan approvals. He requested the matter of anti-social behaviour be brought to the JPC meeting. While he welcomed the 20 new units in the Park, he stated not enough was being done for single applicants. He requested Kerry County Council commence a building programme on its lands to cater for such applicants.

In response to the queries raised, Mr M O'Donoghue stated that private market supply is problematic and affects rents charged. The provision of SRDs is resource heavy and the priority is to provide larger schemes in order to reduce numbers on the list. Disposal of Long Term Voids is very complex but is progressing where possible. He clarified the location of the Balloonagh development and confirmed that the estate name will be decided in due course in accordance with our policy on naming estates. Loan approval needs strong governance but 12 weeks is not a lengthy process. There is potential for further development on the Kenmare site. The repair and leasing scheme is being reviewed nationally as it is not proving attractive to owners. The

Listowel Turnkey has been agreed in principle but the delivery rests solely with the developer. A strategic review is underway on the development lands within Council ownership and will be brought before Council, however, further lands will be needed by 2021. The area of anti-social behaviour is very complex with many council estates now of mixed tenure. This issue is not in any way exclusive to Council tenants and seeking exclusion orders is an extremely complex area as housing is a constitutional right. Kerry County Council will continue to work with residents associations, the Gardaí, the JPC and the SPC in this area. Regarding voids, it is not possible to carry out large scale works on tenanted houses on health and safety grounds. Any works greater than €30k is subject to public procurement but capacity of contractors is proving problematic. Turnaround time is effected by delays in ESB services, refusals and the sensitivities around bereavements and returning vacant units in these circumstances.

It was PROPOSED by the Cathaoirleach, Cllr N Foley, SECONDED by Cllr J Finucane and agreed to suspend Standing Orders and to deal with Items 9 to 13 and 15.

18.07.16.08 Circular RW 8-2018: 2019-2021 Multi-Annual Restoration Improvement Programme

This matter was addressed during the Chief Executive's Report and was noted.

18.07.16.09 Report from Cllr J Finucane on the meeting of Economic, Development & Enterprise SPC

This item was noted.

18.07.16.10 Report from Cllr S Locke on the meeting of the Tourism, Culture, Arts & Recreation SPC

This item was noted.

18.07.16.11 Dates for Meetings

- (a) On the PROPOSAL of Cllr. J Finucane, SECONDED by Cllr. M Gleeson, it was agreed that the Briefing on the Council's Budget 2019 would be held on Monday, 17th September 2018 from 10.30 a.m. to 12.30 p.m.
- (b) On the PROPOSAL of Cllr. J Finucane, SECONDED by Cllr. M Gleeson, it was agreed that the September Ordinary Meeting would be held on Monday, 17th September 2018 at 12.30 p.m.
- (c) On the PROPOSAL Cllr. J Finucane, SECONDED by Cllr. M Gleeson, it was agreed that a Special Meeting to consider the Draft Budget Policy/Strategy and consideration of setting a local adjustment factor in relation to LPT would be held on Monday, 24th September 2018 at 10.30 a.m.
- (d) On the PROPOSAL of Cllr. J Finucane, SECONDED by Cllr. M Gleeson, it was agreed to hold the Draft Budgetary Meeting for the four Municipal Districts on Monday 22nd October 2018 at the following times:

Tralee	9.30 a.m.
Killarney	11.00 a.m.
South & West Kerry	2.00 p.m.
Listowel	3.30 p.m.

18.07.16.12 Summary of proceedings at events

It was agreed to note the following report on proceedings at the following event on behalf of the Kerry County Council delegates that attended, in accordance with Section 142(5)(f) of the Local Government Act 2001.

- a) Conference on “What does a hard Brexit mean for Ireland” held in Clonakilty, Co. Cork, from 20-22 October, 2017, by Cllr. N. Kelleher.

18.07.16.13 Approval for the Opening of Tenders

- (a) On the PROPOSAL of Cllr. B Cronin, SECONDED by Cllr. J F Flynn, it was agreed to approve the opening of tenders for N69 Listowel Bypass Site Investigation - Closing Date: Monday, 16th July 2018 at 4.00 p.m.
- (b) On the PROPOSAL of Cllr. B Cronin, SECONDED by Cllr. J F Flynn, it was agreed to approve the opening of tenders for Ballinskelligs Phase 3 Pier Repairs- Closing Date: Thursday, 19th July 2018 at 4.00 p.m.
- (c) On the PROPOSAL of Cllr. B Cronin, SECONDED by Cllr. J F Flynn, it was agreed to approve the opening of tenders for HD28 Pavement Retexturing Works - Closing Date: Tuesday, 24th July 2018 at 4.00 p.m.
- (d) On the PROPOSAL of Cllr. B Cronin, SECONDED by Cllr. J F Flynn, it was agreed to approve the opening of tenders for Killorglin to Anglont Consultancy Services - Closing Date: Wednesday, 1st August 2018 at 4.00 p.m.
- (e) On the PROPOSAL of Cllr. B Cronin, SECONDED by Cllr. J F Flynn, it was agreed to approve the opening of tenders for N71 Caha Tunnel Repair Work - Closing Date: Wednesday, 1st August 2018 at 4.00 p.m.
- (f) On the PROPOSAL of Cllr. B Cronin, SECONDED by Cllr. J F Flynn, it was agreed to approve the opening of tenders for HD28 Pavement Resurfacing Works - Closing Date: Thursday, 9th August 2018 at 4.00 p.m.
- (g) On the PROPOSAL of Cllr. B Cronin, SECONDED by Cllr. J F Flynn, it was agreed to approve the opening of any tender that may arise up to the September Council Meeting.

18.07.16.07 Irish Water Investment Plan 2020-2024

Mr J Breen Director of Services briefed Councillors on the content of the report which had been circulated.

Cllr T Ferris raised the issue of illegal camping on beaches. She requested this matter be reassessed with the Gardaí and local business to deal with the negative impact on the areas.

This was supported by Cllr J Lucid who stated that people are setting up camps, using public toilets, racing horses and setting camp fires near public buildings which is resulting in genuine tourists leaving the beaches.

This request was supported by Councillors Cronin and O’Shea.

Cllr M O’Shea welcomed the report stating water conservation is vital and called for household grants to support conservation.

Cllr J Finucane welcomed the report stating capital infrastructure investment is vital and funding to complete unfinished estates and all other legacy issues.

Cllr JJ Culloty requested consideration be given to constructing Reed bed systems in appropriate areas.

Cllr N Moriarty supported Cllr Culloty's request and stated maximum funding should be sought to take over sewerage schemes.

Cllr M Gleeson commended all staff involved in the resolution of the recent major water breakage in the Killarney area. Leaks need to be eliminated and water harvesting needs to be conditioned in planning approvals.

Cllr S Fitzgerald stated that sewerage infrastructure in villages needs to be fit for purpose. He also stated that identifying alternative water sources and laying pipes to these sources is vital so they can be used in emergencies.

Cllr B Cronin expressed his thanks to Freddie Bartlett and all staff who assisted during the major break in mid-Kerry stating the provision of water is vital but volatile adding that capacity and antiquated pipe network is contributing to the problem. He called for grant assistance to farmers and small businesses to bore well for backup supply.

Cllr M Cahill stated the Beaufort sewerage system is not working and wants this discussed with the Minister.

Cllr. M. Cahill moved Notice of Motion No. 20

Pursuant to notice duly given Cllr. M Cahill PROPOSED:

In view of the fact that Kerry County Council has stated that the ultimate solution to Killorglin's traffic problem is a Bypass that will involve the construction of a new Bridge, land acquisition, etc. will cost in the region of €60 to €70 million approximately and will take a number of years to bring to fruition, I propose that the Council carry out a major Traffic Management Plan for Killorglin town, as a matter of extreme urgency with a view to addressing the chronic traffic delays in the town, particularly on Iveragh Road and include the identification of new Car Parking areas and a Bus Parking area which is extremely important to this town on the Ring of Kerry.

The following reply issued:

The following response was given at the last South & West Kerry MD Meeting held on 24th May 2018:

A comprehensive Traffic Management Plan for a scheduled town would, at a minimum, be expected to examine the following transport issues:

- Road Safety
- Pedestrians, Cyclists and People with disabilities
- Traffic Flow Management
- On street and off street Car Parking
- HGV Management
- Access to Schools
- Bus Services

It is acknowledged that sections of the street network, operate beyond capacity during the summer months which results in tailbacks on the national secondary approach roads, most particularly on the N70 Iveragh Road. In this regard Killorglin is similar to most popular tourist towns in the county and indeed the country.

The options to alter traffic flow management, HGV management and on-street parking (which is highly valued by commercial business) on the existing street network is limited. Therefore, the ultimate solution to reduce the tailbacks being experienced in the summer will require the construction of a new by-pass linking the N70 and N72 and a new bridge crossing of the River Laune. This requirement is identified as an objective in the County Development Plan. Until there is a likely timeline for the construction of this new infrastructure, the preparation of a full traffic management plan could not be considered as an effective use of resources. However, many aspects of transport planning in Killorglin are under continuing review and improvement and in 2016, the Council completed the N70 Iveragh Road Safety Enhancement and Pavement Scheme which addressed many of the transport issues listed above, particularly in relation to road safety and pedestrian facilities.

The operation of junctions is the principal factor regarding efficient traffic flow and in this regard works on the N70 Mill Road/Market Street Junction were substantially completed last year. A Section 38 statutory process was completed in November 2017 to facilitate improvements at 3 further junctions on the N70 which form part of the proposed N70 Dromavally to Mill Road Pavement scheme. It is anticipated that this scheme will proceed to construction in September 2018, subject to normal TII approvals.

In relation to car parking, the Mill Car Park on Annadale Road was surfaced and re-lined in 2016. The Council has also reached agreement to acquire a further 1.7 acres of land at Annadale Road which will facilitate additional car and coach parking. It is proposed to seek consent in 2018 for the development of the extension of this car park in accordance with the provisions of Section 179 of the Planning & Development Acts, 2000-2017 and Part 8 of the Planning and Development Regulations, 2001 -2017. The Council must, however, examine and identify options for funding the construction element of this particular project following the completion of the Part 8 planning process.

Cllr J Healy-Rae moved Notice of Motion 27.

Pursuant to notice duly given Cllr. J. Healy-Rae PROPOSED:

To ask Kerry County Council when an application is made to take a housing estate in charge and where there is a communal septic tank, why do Kerry County Council have to get permission from Irish Water as they have no specific role when there is no public sewerage facility available as they are providing no service or public facility.

The following reply issued:

In accordance with the Memorandum of Understanding (MoU) for the Taking in Charge of Estates between Irish Water and the Local Authority Sector, the water utility has no role in the taking in charge of communal septic tanks or other stand-alone wastewater treatment systems in estates, which cannot be connected to a public sewer. This infrastructure is collectively referred to as Developer Provided Infrastructure (DPI) in the MoU. The question of seeking permission from Irish Water does not arise therefore in this instance. However, the local authority must continue to liaise with Irish Water in respect of the public water mains contained within a housing estate. The Department of the Environment, Community & Local Government Circular PL 5/2014 regarding matters relating to the Taking in Charge of Residential Development, reiterates that Developer Provided Infrastructure will not be taken in

charge by Irish Water. The Circular further states "The Department recognises that the taking in charge of estates containing developer provided water services infrastructure will need to be considered separately, as in many cases the infrastructure serving the estates may require upgrading and remediation. Work is underway to put in place a strategy, including funding options, for addressing deficiencies in these estates. Details of the funding options for taking in charge estates with DPI are awaited.

Cllr M Healy-Rae **SECONDED** the Motion.

Cllr P Daly paid tribute to the staff involved in resolving the major break in mid-Kerry. He expressed concern at the pollution from septic tanks entering the Big River in Tralee. He supported the call for water conservation and well grants.

Cllr S Locke also called for water conservation and asked if Curraheen could be used as backup. He also supported the call for well grants for farmers.

Cllr M Healy-Rae called for the Kilcummin Sewerage Scheme to be progressed as quickly as possible.

Mr J Breen, Director of Services undertook to take on board the requests and comments of the members.

Lunch break

The meeting adjourned for lunch at 1.45 p.m. during which time the County Kerry activity brochure was launched.

The meeting resumed at 2.45 p.m.

18.07.16.14 Notices of Motion

1. 1916 Garden of Remembrance in Springfield

Pursuant to notice duly given Cllr. T Ferris PROPOSED:

In recognition of the close relationship between Kerry and Springfield, Massachusetts, this Council calls on the Government to officially document and recognise the creation of the 1916 Garden of Remembrance in Springfield.

Mr. L. Quinlan stated this is a matter for resolution by the members.

Cllr Ferris requested that Government would record this and Kerry County Council would mark it.

The Motion was **SECONDED** by Cllr R Beasley.

2. Access to Taxis for Wheelchair Users

Pursuant to notice duly given Cllr. M Gleeson PROPOSED:

That the Taxi Regulator, the relevant Government Department and the Taxi Drivers Association would enter into meaningful discussion with the Irish Wheelchair Association and any other relevant Body with a view to formulating a plan that will ensure fair and reasonable access to Taxis for Wheelchair users.

Mr. L. Quinlan stated this is a matter for resolution by the members.

Cllr Gleeson referred to the €7.5k taxi grant available for this provision.

The motion was **SECONDED** by Cllr N Kelleher who requested to include a member of the tourism industry.

The Motion was supported by Cllr N Moriarty.

Cllr J Healy-Rae moved Motion 17

17. Pursuant to notice duly given Cllr. J Healy-Rae PROPOSED:

To ask Kerry County Council why there is no funding for group well grants, for Group Water Schemes or Group Sewerage Schemes.

The following reply issued:

The administration and development of the Rural Water / Group Scheme sector continues to be a function of the Local Authority Rural Water Offices under the guidance and supervision of the Department of Housing, Planning, Community and Local Government. Irish Water has no authority, responsibility or involvement. There is funding readily available for Well Grants. There was no funding allocated for any proposed new Group Water Supply Scheme which would be served by the public water network, i.e. a proposed network extension, in the Department's Multi-Annual Rural Water Programme 2016 - 2018 as announced in August 2016. Department funding for Group Water Schemes appears to be directed more towards addressing water quality issues and upgrading of infrastructure on existing Group Schemes, rather than the development of new schemes. Funding for only two Group Sewerage Schemes was included in the Department's Multi-Annual Rural Water Programme 2016 – 2018, one of which is in Kerry It is envisaged that a new multi-annual Rural Water Programme will be issued by the Department in the coming months. It is the current policy of Irish Water that any extension to the existing water supply or waste water network is paid for wholly and directly by the proposed customers - as developer provided infrastructure.

Cllr Healy-Rae stated grants should be made available or, extensions by means of group water schemes, for groups of farmers during times of drought and water breakages.

The Motion was **SECONDED** by Cllr B Cronin who stated it should also be extended to small businesses as critical backup.

4. Community Poly Tunnels

Pursuant to notice duly given Cllr. N. Kelleher PROPOSED:

We call on the Minister to allow an exemption for community Poly tunnels which under the current legislation required planning permission.

The following reply issued:

While this is a matter for consideration by the Members, the present position is that the planning code does not allow for the construction of polytunnels without a grant of permission save for the construction of such items at a domestic dwelling or as part of an existing farmyard complex. The conditions and limitations in relation to these exemptions are outlined in Schedule 2, Parts I and III, of the Planning and Development Regulations 2001-2015. Changes to these regulations are a matter for the Minister.

Cllr N Kelleher stated this would be of particular benefit to community and voluntary groups and called for the application process to be streamlined.

The Motion was SECONDED by Cllr N Moriarty who stated establishing title could be a difficult process.

5. Online Electoral Register

Pursuant to notice duly given Cllr. B. O'Connell PROPOSED:

That Kerry County Council call on the Minister for Housing, Planning and Local Government to consider changing voter registration and maintenance of the electoral register to an online platform in order to create a more transparent, accurate and efficient electoral register.

Mr. L. Quinlan stated this is a matter for resolution by the members.

Cllr B O'Connell stated the current system is outdated and cumbersome and online registration is vital particularly for those reaching 18 years and are not automatically added.

The Motion was SECONDED by Cllr T Ferris who called for online voting to be implemented.

6. Post Office Network

Pursuant to notice duly given Cllr. N Foley PROPOSED:

That this Local Authority reaffirm its unequivocal support for the Post Office Network in the County and call on the Minister, Government and An Post to ensure no Town, Village or Community will be left without the services of a Local Post Office following the recent package being made available to Postmasters/mistresses.

Mr. L. Quinlan stated this is a matter for resolution by the members.

Cllr N Foley stated there was great anxiety with the loss of this service and the additional loss of community services.

The Motion was SECONDED by Cllr N Kelleher who stated the Government need to provide additional services to An Post and oppose the loss of existing services.

8. Dale Road

Pursuant to notice duly given Cllr. R. Beasley PROPOSED:

That a progress report on the Dale Road would be provided.

The following reply issued:

The Department of Transport, Tourism and Sport have issued guidelines for the Appraisal of projects to be funded under the Specific Improvement Grant Scheme. Details of the Appraisal process were outlined to the members previously. The scheme is now being appraised under these guidelines and the scheme will be submitted to the Department for approval by Mid-July.

Cllr Beasley requested an update for the September meeting.

The Motion was **SECONDED** by Cllr A Thornton who requested a meeting with Deputies Griffin and Ross on this matter.

The Chief Executive confirmed the application will be lodged by end of this week and Councillors will immediately be informed of any update received.

9. Water Supply

Pursuant to notice duly given Cllr. A. Thornton PROPOSED:

That Kerry County Council in conjunction with Irish Water outline what is being done to ensure that homes, businesses and farms have adequate water at all times. Please give as much detail as possible in relation to capacity, delivery and plans of the future.

The following reply issued:

The current prolonged period of warm and dry weather has left many of the water supplies in Kerry vulnerable in terms of water availability. Water Sources comprising surface springs and upland streams are particularly vulnerable and in early July, the Water Services Department, drew up a list of 23 Water Supplies on which water restrictions may be imposed if the dry conditions were to prevail. Kerry County Council continues to monitor all public water supplies in the county and is actively working with Irish Water to protect and Conserve water sources. We are also working with them to put contingencies in place in the event that water restrictions are required and/or in the event that supplies may need to be supplemented from other areas. Irish Water extended the hosepipe ban nationwide on 6th July. Kerry County Council echoes the appeal from Irish Water to conserve water and to avoid any unnecessary use. Since 2014, Irish Water has invested more than €100M in water infrastructure in Kerry, and Kerry County Council is currently preparing submissions to Irish Water for its next funding programme, the Capital Investment Plan 2021-2025.

The Motion was **SECONDED** by Cllr M Gleeson.

11. Revision of Guidelines for Wind Turbines

Pursuant to notice duly given Cllr. JJ Culloty PROPOSED:

That this Council write to the Department of Environment, Heritage & Local Government, to express our disappointment & frustration at the length of time it is taking to complete the revision of guidelines for wind turbines.

Mr. L. Quinlan stated this is a matter for resolution by the members.

The Motion was **SECONDED** by Cllr N Kelleher.

12. Waiting Times for Driving Tests

Pursuant to notice duly given Cllr. T. McEllistrim PROPOSED:

To ask Kerry County Council to write to the relevant authorities to take on extra staff to shorten the waiting times for driving tests.

Mr. L. Quinlan stated this is a matter for resolution by the members.

The Motion was **SECONDED** by Cllr M O'Shea

Emergency motion

It was PROPOSED by Cllr M O'Shea, 'That we the members of Kerry County Council unequivocally request that both houses of the Oireachtas would include a provision on the proposed road traffic amendment 2017 that the waiting list for all applicants awaiting their driving test be not more than a Three week period and that this would become a statutory requirement by law.'

He said this motion has been put forward in view of the recent road traffic bill that is totally discriminatory against young drivers and I trust that both houses of the Oireachtas will look favourably at my motion

Mr. L. Quinlan stated this is a matter for resolution by the members.

The motion was SECONDED by Cllr T McEllistrim

It was PROPOSED by Cllr JJ Culloty, SECONDED by Cllr N Kelleher and agreed to suspend Standing Orders and take Notice of Motion No 23.

23. Site Inspections on Wind Farms

Pursuant to notice duly given Cllr. JJ Culloty PROPOSED:

To ask this Council, how may site inspections have been carried out on wind farms in the past two years? Also to provide the results of any reports of these inspections.

The following reply issued:

Kerry County Council has carried out 44 site inspections on wind farms in the past two years. Compliance checks have been carried out from an environmental, ecological and enforcement perspective. A number of sites would have been visited during the course of construction to assess if any environmental or ecological issues arose. All complaints received regarding the construction or operation of a wind farm would also have been investigated. Any issues identified in the course of these inspections have either been addressed or are being followed up on with the developers of the wind farms. A number of cases are still being examined.

Cllr Culloty expressed concern having wind farms in close proximity to dwellings.

The Motion was SECONDED by Cllr N Kelleher who stated that promised guidelines were urgently needed as valuable staff resources were dealing with the resultant enforcement. It was agreed to write to the minister, informing him that he is failing in his duty to provide guidelines and requesting same immediately.

13. Mobile Weighbridge

Pursuant to notice duly given Cllr. T. McEllistrim PROPOSED:

To call on Kerry County Council to speed up the recalibration of the roads mobile weigh bridge for heavy goods vehicles.

The following reply issued:

The mobile weigh bridge is currently with the UK manufacturer for service and calibration and is due to be returned by the end of July for operation. Kerry County Council work closely with An Garda Síochána who can request any heavy goods vehicle to travel to the Council's weigh bridges at the transfer stations.

The Motion was SECONDED by Cllr M Healy-Rae.

14. Flooding in Glenflesk

Pursuant to notice duly given Cllr. M. Healy-Rae PROPOSED:

To ask Kerry County Council what is the update regarding the following issues in Glenflesk: (i) The two applications which have been made to the Minor Flood Works Mitigation Scheme (ii) The TII commissioned report regarding proposed solutions for flooding to the N22.

The following reply issued:

- (i) Two applications have been submitted to the OPW for funding under the Minor Flood Mitigation Scheme for the Flesk River near Glenflesk. The OPW have sought clarification and further information on one of these applications recently. This additional information will be provided to the OPW in the next two weeks.
- (ii) The report commissioned to examine solutions to the flooding on the N22 at Glenflesk will be finalised in the next month. Details of this report will be provided to the members when available.

Cllr Healy-Rae stated she supported the residents' opposition to raising the road as a solution.

The Motion was SECONDED by Cllr N Kelleher who also supported the residents' opposition to raising the road.

Mr D Doyle, Senior Engineer, confirmed that costings will be finalised within two weeks and submitted to the OPW.

15. Lackamore Road, Abbeydorney

Pursuant to notice duly given Cllr. J. Lucid PROPOSED:

Can Kerry County Council get Irish Water to properly restore the Lackamore Road, Abbeydorney from Dillon's Cross to Lackabeg Cross. The road has deteriorated significantly and the drain there needs to be closed and the road widened. The volume of traffic using this road has grown hugely as a result of the Tralee bypass on the Listowel Road.

The following reply issued:

An 1800M length of water main was replaced by contract in 2016. The pipe was laid in the grass margin for the first 500M and under the carriageway for the remaining 1300M. The length under the grass margin has been satisfactorily restored but the permanent road restoration/surfacing 'failed' on the 1300M section because it was carried out in winter, and the contractor is about to resurface this section again. The work was planned for late June but has been postponed because the current weather temperatures are too high for bitumen surface dressing. The job will be done when the weather reverts to normal temperatures.

The Motion was SECONDED by Cllr T McEllistram and supported by Cllr A Thornton who stated this was ongoing with Irish Water for 2 years and unacceptable

16. Insurance Claims against Kerry County Council

Pursuant to notice duly given Cllr. B. Cronin PROPOSED:

To ask the details of all Insurance claims made against Kerry County Council for the last 12 month period up to 1st July 2018.

The following reply issued:

In the period in question (12 months to 1st July 2018) Kerry County Council has received 287 insurance claims from third parties. All claims received are managed through the Councils Central Insurance Risk Assessment Unit who work with IPB Insurance to ensure that all claims are thoroughly investigated, reviewed and reported on. Specialist expenditure may also be sought as past investigations of claims received. These claims are in the process of being reviewed and assessed, this process can be quite lengthy depending on the nature of the claim. The Insurance Unit works on a continual basis with various departments to identify potential litigation risk and advises on appropriate actions to minimise the possibility of claims. The types of claims received include public liability (e.g. vehicle damage due to potholes, road works, flooding and trip/fall incidents) comprising of 88% of claims received in the above period. The remaining 12% of claims received are attributable to a variety of causes including vehicle and property related. The payment of compensation to third party claimants is primarily a matter for our insurance company, IPB Insurance, who give direct indemnity to the Council.

Cllr Cronin stated that, as the response did not address his queries satisfactorily, he further requested a breakdown on the actual payments made.

19. Resurfacing of N22**Pursuant to notice duly given Cllr. M. Gleeson PROPOSED:**

That this Council calls on the TII to undertake as matter of urgency the scheduled resurfacing of the N.22 from Derryreagh, Clonkeen to the Park Road Roundabout and to further ask that proper Cycle Lanes would be incorporated into the overall project.

The following reply issued:

The condition of the N22 between Derryreagh, Clonkeen and the Park Road Roundabout, Killarney has been assessed by TII and each segment has been rated to inform the future programming of resurfacing contracts. Within the last three years a number of areas have been resurfaced most notably a three km section to the County Bounds. Further work is planned between Glenflesk and Garries Bridge. Further areas are being examined and discussed with the TII with a view to agreeing a design programme for the coming years. The N22 has hard shoulders over much of the N22 between Killarney and the County Bounds and these are being used by cyclists. There are no current plans to add Cycle Lanes to the road cross-section.

The motion was SECONDED by Cllr JJ Culloty who stated that the surface was delaminating. He acknowledged works already done and stated cycleways should be promoted on the N22.

The Motion was supported by Councillors N Kelleher and M Healy-Rae.

21. Local Area Plans**Pursuant to notice duly given Cllr. A. Thornton PROPOSED:**

That Kerry County Council please outline the approximate time lines when local area plans will be put out for public consultation for different locations throughout the County and what input members of the public can have.

The following reply issued:

Kerry County Council is currently preparing the West Iveragh LAP and the Listowel MD LAP and all associated environmental reports. It is envisaged that both draft plans will be ready for public consultation in October 2018. There was a request for pre-draft submissions for both Plans in March 2018 and a number of submissions were received. The public will be able to make further submissions during the 6 week public display period.

It is also envisaged that work will commence on the remainder of the South & West Kerry MD LAP with a possible draft plan ready for public consultation in late 2018 or early 2019. The Planning Department will liaise with members of the public during the preparation of the Plans through the PPN network.

The Motion was SECONDED by Cllr M Gleeson.

24. Tour Buses on Ring of Kerry

Pursuant to notice duly given Cllr. T. McEllistrim PROPOSED:

To ask Kerry County Council to notify all National and International tour companies of the suggested route for tour buses to take around the Ring of Kerry i.e. anticlockwise.

The following reply issued:

Kerry County Council Tourism and Operations Business Units regularly liaise with Bus Operators, Tour Operators and the tourism sector in the County regarding traffic management including best driving practice when driving around the Ring of Kerry. Kerry County Council also work closely with all the Chamber Alliances and local tourism groups and the issue of traffic management is regularly an item on our agendas to help ensure the most enjoyable and memorable holiday for all our visitors. The Council will continue to liaise with Tour Operators and the wider tourism sector in relation to this issue.

The Motion was SECONDED by Cllr N Kelleher.

25. Aid Hotels to provide accommodation for their employees

Pursuant to notice duly given Cllr. M. Healy-Rae PROPOSED:

In the past factories were able to avail of grant assistance to provide accommodation for their employees, could a similar system be put in place to aid hotels and the hospitality industry to provide accommodation for their employees as it's becoming a major issue in our towns throughout the County.

Mr. L. Quinlan stated this is a matter for resolution by the members.

The motion was SECONDED by Cllr T McEllistrim but OPPOSED by Cllr T Ferris.

26. Sod & Stone Ditches

Pursuant to notice duly given Cllr. B. Cronin PROPOSED:

To ask the Planning Department to remove the condition of planning which requires people in rural areas to put a sod and stone ditch on their front boundary with the Public Road as I believe they are unsightly, not appropriate with modern construction, they block visibility, with weeds and briars growing on them.

The following reply issued:

In the interest of integration into a rural landscape it is required to reduce the visual impact of all residential units. Development management standards are contained in Chapter 13 of the County Development Plan 2015-21 and further guidelines about

integration are contained in the Rural Design Guidelines. It is considered that the retention of the majority of the front boundary (excluding the splayed entrance walls) reduces the visual impact of any development. The retention or removal of the existing front boundary and its replacement with either a sod and stone ditch or capped and plastered wall is determined on a case by case basis. It is also considered prudent to maintain natural habit and biodiversity. It is also considered that extensive areas of concrete capped block walls are often unsightly.

18.07.16.15 Correspondence – Conferences and Seminars

- (a) On the PROPOSAL of Cllr. J Finucane, SECONDED by Cllr. S Fitzgerald, it was agreed to authorise the attendance of Cathaoirleach N. Foley at the National Day of Commemoration held in Cork on Sunday, 8th July, 2018.

18.07.16.16 Correspondence General

It was agreed to note the following items of correspondence which were circulated:

	Date	From	Description
1.	1-Jun-18	Minister for Health	Response to a resolution from Kerry County Council regarding the development of a Primary Health Care Centre in Milltown.
2.	7-Jun-18	Minister for Agriculture, Food & the Marine	Response to a resolution from Kerry County Council regarding large trawlers operating in inshore waters.
3.	20-Jun-18	Minister for Agriculture, Food & the Marine	Response to a resolution from Kerry County Council regarding Farm Inspections
4.	28-Jun-18	Minister for Health	Response to a resolution from Kerry County Council regarding mental health services budget.
5.	28-Jun-18	Department of Employment Affairs & Social Protection	Response to a resolution from Kerry County Council regarding grant assistance to homemakers who wish to avail of third level education.
6.	11-Jun-18	Minister for Transport, Tourism & Sport	Response to a resolution from Kerry County Council regarding funding for roads on the Wild Atlantic Way.
7.	11-Jun-18	Minister for Justice & Equality	Response to a resolution from Kerry County Council regarding community Gardaí in Kerry.
8.	11-Jun-18	Minister for Justice & Equality	Response to a resolution from Kerry County Council regarding housing Asylum Seekers in Kerry.
9.	12-Jun-18	Minister for Transport, Tourism & Sport	Response to a resolution from Kerry County Council regarding the Valentia Cable Project and its application to secure UNESCO status.
10.	20-Jun-18	Minister for Health	Response to a resolution from Kerry County Council regarding the Standing 4 Women Campaign.

	Date	From	Description
11.	3-Jul-18	Dublin City Council	Resolution adopted by Dublin City Council calling on An Post and the Government to seek a new international partner to allow the Post Offices to offer full Banking Services.
12.	3-Jul-18	Dublin City Council	Resolution adopted by Dublin City Council opposing efforts to require people to work until they are 68.

18.07.16.17 Any Other Business

Work on Tunnels on the N71

Mr D Doyle informed the Councillors that works are due to commence on the Tunnels on the N71 in early September and will necessitate a road closure for 4 - 5 days.

Presidential Election Nominations

In response to a query from Cllr T Ferris regarding Presidential Election nominations, Mr L Quinlan stated that Local Authorities are awaiting the Election Order. It is anticipated that a special meeting will be held to facilitate potential candidates who wish to seek Council's nomination and wish to make a presentation. It is also anticipated that a special meeting will be held following the making of the order to facilitate the nominations process.

On the PROPOSAL of Cathaoirleach N Foley, SECONDED by Cllr J J Culloty it was resolved to hold a special meeting to facilitate potential candidates to make a presentation to Council.

On the PROPOSAL of Cathaoirleach N Foley, SECONDED by Cllr J J Culloty it was resolved to hold a special meeting, if necessary, to facilitate the nomination process.

The meeting concluded at 4.15 p.m.

Liam Quinlan
Meetings Administrator

Cathaoirleach of Kerry County Council