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**MIONTUAIRISCÍ NA CRUINNITHE MHIOSIÚIL DE COMHAIRLE CONTAE  
CHIARRAÍ A THIONÓLADH I SEOMRA NA COMPHAIRLE, ÁRAS AN CHONTAE,  
TRÁ LÍ AR AN LUAN, 18 MEITHEAMH, 2018**

**MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL HELD IN  
COUNCIL CHAMBER, ÁRAS AN CHONTAE, TRALEE ON MONDAY, 18 JUNE, 2018**

**PRESENT/I LÁTHAIR**

**Councillors/Comhairleoirí**

<b>T. Barry</b>	<b>R. Beasley</b>	<b>M. Cahill</b>
<b>P. Connor-Scarteen</b>	<b>B. Cronin</b>	<b>J.J. Culloty</b>
<b>P Daly</b>	<b>T. Ferris</b>	<b>J. Finucane</b>
<b>S. Fitzgerald</b>	<b>N. Foley</b>	<b>M. Gleeson</b>
<b>D. Grady</b>	<b>J. Healy-Rae</b>	<b>M. Healy-Rae</b>
<b>N. Kelleher</b>	<b>M. Kennelly</b>	<b>S. Locke</b>
<b>J. Lucid</b>	<b>D. McCarthy</b>	<b>P. McCarthy</b>
<b>T. McEllistrim</b>	<b>J. Moloney</b>	<b>N. Moriarty</b>
<b>B. O'Connell</b>	<b>M. O'Shea</b>	<b>D. Quigg</b>
<b>J. Sheahan</b>	<b>G. Spring</b>	<b>A. Thornton</b>

**IN ATTENDANCE/I LÁTHAIR**

<b>Ms. M. Murrell, Chief Executive</b>	<b>Mr. J. Breen, Director Water Services</b>
<b>Mr. M. Scannell, Dir. Job Cr/Sust. ED</b>	<b>Mr. M. O'Donoghue, Director Housing</b>
<b>Mr. C. O'Sullivan, Dir. of Operations</b>	<b>Mr. C. O'Connor, Director Corp.Servs.</b>
<b>Mr. L. Quinlan, Meetings Administrator</b>	<b>Ms. D. Griffin, SO Corporate Support</b>
<b>Ms. J. O'Sullivan, CO Corp. Servs.</b>	<b>Ms. M. Conway-Sweeney CO Corp. Servs.</b>
<b>Mr. G. O'Brien, A/SEO Environment</b>	<b>Mr. G. Riordan, SE Operations</b>
<b>Mr. D. Doyle, SE Operations</b>	

The meeting commenced at 10.30 a.m.

Cllr. J. Sheahan, Cathaoirleach, took the Chair.

At the outset of the meeting the Cathaoirleach thanked all associated with the very successful visit of the Prince of Wales and the Duchess of Cornwall to Kerry on Friday, 15<sup>th</sup> June, 2018. He thanked the Elected Members, management and staff of Kerry County Council, both indoors and outdoors, for the arrangements and for presenting Kerry so favourably. He also thanked the Gardaí and the National Parks & Wildlife Service for their co-operation for what was indeed a very positive visit and an important boost to the image of Kerry on the international arena.

Cllr. N. Kelleher said as Cathaoirleach of Killarney Municipal District he wished to be associated with these remarks. Media coverage of the visit was fantastic for the county. He thanked all Local Authority staff, the NPWS, Gardaí and Trustees of Muckross house for their work in preparing for this visit. It was a fantastic day for County Kerry and we represented the towns and county to the best of our abilities. This will pay dividends in the long term.

Cllr. N. Foley also wished to be associated with the words of commendation and saluted all the good work done. She acknowledged the students that provided the Guard of Honour and acknowledged the performance at Siamsa Tíre, the National

Folk Theatre, as the best possible representation of arts, heritage and culture presented on the day and it received many positive comments from the Royal party. There was terrific community engagement with the visit and this was evident by the crowds of people that attended on the day. She acknowledged the work of Kerry County Council management and staff in putting all arrangements in place for the day.

Cllr. T. Ferris asked for details of additional expenditure as a result of the Royal visit, if funding was sourced from central funding and if the budget for Local Authority services would be affected.

Cllr. S. Locke said he wished to be associated with the words of praise for the Royal visit and hopes it will bring significant increase in tourism to the county. He thanked everyone for their contribution to the work in preparing for the visit. Works were carried out in the town centre, specifically the Brandon car park. He also congratulated everyone involved with the Féile na mBláth Festival in Tralee over the past weekend.

Cllr. M. Healy-Rae congratulated council management and staff for the success of the Royal visit. It is a huge promotion opportunity for the county throughout the world.

Cllr. M. Cahill wished to be associated with the compliments to all involved in preparing for the Royal visit. It is expected the visit will have a positive effect on tourism.

Cllr. S. Fitzgerald said he wished to be associated with the above comments of support and praise for the Royal visit.

Cllr. P. McCarthy said he wished to be associated with the comments regarding the Royal visit. He accepted that it would be useful to know the cost of the visit but promotion of any area through the media is costly. The county got great international media coverage.

Cllr. M. O'Shea congratulated the Chief Executive and staff of Kerry County Council and the Director of the OPW in Killarney on work done for the Royal visit. Kerry has been showcased all over the world as a result.

Cllr. J.J. Culloty complimented the work of all staff in preparing for the Royal visit and the way it ran on the day. It was a huge bonus for the county and an opportunity we could not miss. It promoted this county in a great light.

The Chief Executive thanked the Elected Members for their comments and said this was a huge opportunity for County Kerry. She thanked management and all staff for their work. The visit showcased the county very well. In relation to works that were done, many of the road works on the national routes were on our work plan and had been completed on time. In relation to the general appearance of the county, we had the benefit of work done by Tidy Towns Committees and Féile na mBláth. Service budgets will not be affected and the works that were done gave us the opportunity to showcase the towns and county. A lot of the work was not just carried out by Kerry County Council staff, there was a huge buy in from communities also.

Cllr. T. Ferris asked for the breakdown of costs for the Royal visit to be provided to Elected Members at the July or September Council meeting.

Cllr. J. Finucane welcomed the work done and if it was concentrated in a specific timespan for this visit then all the better. The benefits of the visit will be seen for a long time.

The Chief Executive said no services will be adversely impacted by the visit. A number of national routes were upgraded as part of the work programme and had been planned for a long time. Members are aware the works to the Brandon car park were on the Works Programme for 2017 and 2018. Positive action has been undertaken by this Local Authority as part of the work programme for the Tralee area.

### **Vote of Sympathy**

Cllr. M. Gleeson expressed his condolences to the family of (*Name withheld for data protection purposes. A paper copy of the unedited minutes is available on request*), a native of Tarbert, Professor of Education in Maynooth, a leading voice of education and advisor to successive leaders in education.

### **18.06.18.01 Cathaoirleach's Report on the CPG meeting held on 11<sup>th</sup> June, 2018**

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

#### **"Agenda for the June Council Meeting**

Mr. L. Quinlan briefed the meeting on the Agenda for the June Council Meeting.

Cllr. J. Finucane asked that Kerry County Council's submission under the Local Government Funding (Baseline) Review would include a recommendation that a percentage of taxes collected in the county would remain in the county.

Separately having regard to the significant number of proposed Council agenda items CPG requested that the proposed Housing Update be deferred to the July Council meeting when more time can be given to its consideration.

#### **Update from the Chairs of SPCs**

Cllr. M. Kennelly briefed the meeting on the items considered by the Operations SPC at their meeting held on 1<sup>st</sup> June, 2018. This report will be circulated at the June, 2018 meeting.

Cllr. J. Finucane advised that the next meeting of the Economic & Development SPC will be held on 27<sup>th</sup> June, 2018.

#### **Request for Civic Receptions/Annual Awards**

CPG members agreed that the outstanding achievement of Tralee's Black Belt School of Martial Arts would be honoured at the Tralee Municipal District Annual Awards. The school has achieved recent success in National, European and World competitions and is home to multiple European and World Champions.

#### **Any other business**

##### **Civic Welcome for Dr. Timothy Shriver**

CPG members agreed that a Civic Welcome will be given in the Council Chambers to Dr. Timothy Shriver, UNESCO Chairholder, Institute of Technology Tralee, and Chairman and CEO Special Olympics at 5.30 p.m. on Wednesday, 20<sup>th</sup> June, 2018. It was agreed that all Councillors would be requested to attend this important event in recognition of the visit of this distinguished visitor to the county.

## **Busking Bye Laws**

It was noted that Busking Bye Laws will be drafted for consideration by the Tourism, Culture, Arts & Recreation SPC.

## **CPG Membership**

It was noted that due to the proposed change in the Chair of the Quality of Life SPC Cllr. S. Fitzgerald and Cllr. S. Locke would be vacating the Corporate Policy Group. CPG thanked Cllr. Fitzgerald and Cllr. Locke for their significant contribution to the CPG while they were members.”

Cllr. T. Ferris welcomed the proposal to draft Busking Bye Laws. Busking in Tralee is adding to the ambiance of the town. She asked for an update on the position with regard to busking for the current summer season.

Mr. J. Breen, Director of Service, said generally the issue with busking is in relation to amplification. He asked that buskers would be mindful of the level of their amplification and be conscious of people working near them on a daily basis.

## **Special Olympics Ireland Games 2018**

Cllr. N. Foley acknowledged the success of the Special Olympics Ireland Games 2018 which took place over the weekend. She congratulated all the Special Olympians who represented Kerry at the Games.

### **18.06.18.02 Confirmation of Minutes**

Mr. L. Quinlan, Meetings Administrator, referred the Elected Members to a typographical error on page 17 of the draft minutes, whereby it stated that Notice of Motion No. 1 was proposed by Cllr. N. Kelleher. This will be amended to read as follows prior to publication of the confirmed minutes:

#### **1. Promenade at Inch Strand**

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

On the PROPOSAL of Cllr. N. Kelleher, SECONDED by Cllr. J. Finucane, it was resolved that the minutes of the May Ordinary Meeting held on the 21<sup>st</sup> May, 2018, be confirmed.

### **18.06.18.03 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 1 Financial report and Summary of Main Collections is included as an Appendix to this Report.

#### **Infrastructure, Operations, Health & Safety Directorate**

##### **Greenways**

The pre-planning application meeting with An Bord Pleanála, on the South Kerry Greenway, is scheduled to be held on the 26th June.

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. The Part VIII for the Tralee-Fenit Scheme was published last week and it is proposed to publish the Part VIII for the Listowel scheme within the next 2 weeks

### **CIS Scheme**

The Department of Transport, Tourism and Sport have approved €1.2m in grant aid for all 28 schemes submitted by Kerry County Council over 2018 and 2019. €500,000 has been approved for 2018 which will allow 11 schemes to be progressed and the balance of the funding is committed for next year. The Department have also indicated that it will consider further applications for supplementary funding in 2019, and if any applicants did not submit an application before the original closing date, these can now be accepted.

### **Economic & Community Development Directorate Kerry Local Enterprise Office (LEO)**

The Spring range of programmes are drawing to a close. A business start-up programme was completed in Killorglin in May and a 6 week Digital marketing Programme has commenced in Tralee with strong interest. A series of family business succession clinics has been completed. The Food Academy programme has commenced with good interest being shown. The selection for the Lean for Micro Programme has been completed with 7 well established businesses participating. Over 50 mentoring assignments have been approved.

*(Name withheld for data protection purposes. A paper copy of the unedited minutes is available on request)* of Ballyhar Foods represented the County at a National Enterprise Awards function in Mansion House attended by the Cathaoirleach on the 24<sup>th</sup> May. The Presentation Convent in Castleisland won the National Junior Enterprise Award in the Student Enterprise Competition on 2nd May in Croke Park. 19 Trading Online Vouchers have been approved in the year to date and nine businesses have been approved additional core grant assistance. The office has completed a contact campaign and the pipeline of projects remains strong.

### **Community Department Community Awards**

The 2018 Community Awards ceremony was held on the 10th of May in Killarney. There were 45 entrants this year and 20 were shortlisted for the final awards. The purpose of these awards is to recognise and reward community and voluntary achievements across the County. This year's overall winner was the Kerry Cork Health Link Bus.

IPB Pride of Place Awards 2018 in association with Co -Operation Ireland  
The all-island Pride of Place Awards is now in its 16th year. The focus of Pride of Place is on people coming together to change and improve daily lives in their communities. The Competition is now open for 2018 where Local authorities across the 32 counties are invited to nominate entries.

Kerry County Council's entries to Pride of Place for 2018 have again been selected from the Community Awards Finalists, 2018 and are as follows:

Under Category 6: "Creative Place Initiative" – K-Fest –

Under Category 7: "Community Well-being initiative" – Blackwater Women's Group

Under Category 10 – "Islands & Coastal Communities" – Maharees Conservation Project.

## **LEADER Programme**

To date in Kerry, 142 projects have been approved by Kerry's LCDC-led LAG and over €2.7million committed and a total of €167,532 has been paid out to projects. The next meeting of the Kerry LCDC-led LAG is scheduled for the 11th of June 2018.

## **Public Participation Network (PNN)**

The PPN in conjunction with the Kerry Fire and Rescue Service coordinated the Community Smoke Alarm Scheme in May. Under this scheme the cost of purchasing smoke alarms is funded by the Department of Housing, Planning and Local Government.

Kerry Fire and Rescue Service provide training and the distribution of smoke alarms to community and voluntary organisations who then carry out the installation of the alarms. Over 30 groups to date have availed of this scheme.

## **2018 Outdoor Recreation Infrastructure Scheme**

The 2018 Outdoor Recreation Infrastructure Scheme has been announced which provides funding for the development of new outdoor recreational infrastructure and for the necessary maintenance, enhancement or promotion of existing outdoor recreational infrastructure in rural areas across Ireland. The general scheme criteria in terms of eligibility will remain largely the same as in 2017 but there are a number of changes that I would like to draw your attention to.

As with the 2017 scheme, the 2018 Outdoor Recreation Infrastructure Scheme will have three measures. However, the maximum grant levels and numbers of applications that may be submitted by an applicant body have changed as outlined below:

<b>Measure</b>	<b>Description</b>	<b>Max grant payable</b>	<b>Max applications per applicant body</b>
<b>1</b>	Small Scale Maintenance/Promotion and Marketing	€20,000	10
<b>2</b>	Medium Scale Repair/Upgrade and New Trail Development	€200,000	4
<b>3</b>	Large Scale Repair/Upgrade and New Strategy Trail Development	€500,000	1

### Eligible Applicants

In 2017, the scheme was confined to Local Authorities and, for larger projects, a number of Agencies/Bodies such as Coillte and Waterways Ireland.

For 2018, there is one significant change. The scheme will be open to Local Development Companies who will be the eligible applicant bodies for Measure 1. Local Authorities and State Agencies/Bodies will be the applicant bodies under Measures 2 and 3. A collaborative and partnership approach is strongly encouraged in respect of all Measures. Funding will be provided to a maximum of 80% of total project costs, with the balance to be provided from Local Development Company, Local Authority or other sources.

The closing date for Measure 1 is Friday the 6th of July and for Measures 2 and 3 will Friday the 27th of July.

## **Community Enhancement Programme for 2018**

Kerry County Council has received an allocation of €142,409 under a new Community Enhancement Scheme announced by Minister Ring recently. This new Programme builds on and replaces the RAPID and Communities Facilities Scheme. Funding under

this Programme in Kerry will be targeted at supporting age friendly initiatives and the delivery of actions under Kerry's Local Economic and Community Plan and Kerry's Age Friendly Work Plan. The Closing date for receipt of applications is Friday the 20th of July 2018. Application forms and details of the grants scheme will be available on Kerry County Council's website in the coming week.

### **Tourism Department**

#### **Fáilte Ireland Wild Atlantic Way Small Grants Scheme – Call for expressions of Interest**

Following the completion of a Visitor Experience Development Plan for the Skellig Coast, Fáilte Ireland recently launched in Caherciveen, a small grants scheme to develop and improve Visitor experiences at new and operating visitor attractions on the Skellig Coast. The Scheme will provide to eligible applicants within the defined Skellig Coast region funding of between €30,000 and €200,000.

The Visitor Experience Development Plan for the Skellig identified key themes and stories for the Skellig Coast which will help drive increased business during peak and off season and increase dwell time in the area. The closing date for receipt of Expressions of Interest is June 21st and closing date of completed application forms is June 27th.

### **Water, Environment, Fire & Library Services Directorate**

#### **Blue Flag and Green Coast Awards 2018**

The Blue Flag and Green Coast Awards Ceremony was held on the 20th May last. Kerry County Council received 14 Blue Flags and 4 Green Coast Awards, the highest number of Blue Flags in the country.

Blue Flags were awarded to Inch, Ballybunion North, Ballybunion South, Ballyheigue, Banna, Fenit, Kells, Magherabeg, Rossbeigh, Ventry, White Strand, Fenit Marina, Ballinskelligs and Derrynane.

Green Coast flags were awarded to Béal Bán, Castlegregory, Littor and Ballinskelligs.

An application for a Blue Flag is assessed under a broad range of criteria to include:

- Environmental Education and Information
- Water Quality
- Environmental Management
- Safety and Services

Blue Flags are an important indication of the quality of our beach environment and Kerry is continuing to set a very high standard in this regard. This is also extremely positive news for our local economy and our tourist industry.

The awarding of these flags is a result of a collaborative approach between Kerry County Council, local community groups and beach users who work to maintain our beautiful beaches and bathing waters. We will continue to invest the necessary resources to ensure the sustainable management our magnificent beaches.

### **Housing Directorate**

Having regard to the significant number of items of this month's Council agenda, as requested by the Corporate Policy Group at its recent meeting, the proposed Housing Update Council agenda item is being deferred until the July Council Meeting."

Cllr. A. Thornton asked that the Part VIII for the North Kerry Greenway be sent to Elected Members. She asked if works under the CIS Scheme will be done in 2018.

Cllr. J. Moloney congratulated all involved in achieving the Blue and Green Flags as they are a great boost for the county. The public briefing on the North Kerry Greenway was very useful and he welcomed the project progressing to Part VIII. He expressed concern that the works under the CIS Scheme would put pressure on the operations work programme.

Cllr. D. Quigg welcomed the announcement regarding the Blue and Green Flags. He asked if Kerry County Council could provide any assurance to businesses, who are considering investing in their business, that the South Kerry Greenway project will go ahead.

Cllr. M. Gleeson asked that everything possible be done to progress the South Kerry Greenway as it is a great opportunity for the area. He welcomed the commitment that 11 schemes will be progressed under the CIS Scheme in 2018. He asked how the media had received the list of CIS Schemes before the Elected Members had been circulated with it.

Cllr. P. Daly asked that the River Walk from Killeen on to the Tralee-Fenit line, which was included in an Urban Walkways Plan some years ago, would be further developed. He asked that Kerry County Council would speak with the relevant landowners to finalise any remaining boundary issues and progress this walkway.

Cllr. T. Barry congratulated everyone involved, including Tidy Towns Groups, in the county being awarded Blue and Green Flags. He commended the Environment Department on the recent advertising campaign regarding dog fouling.

Cllr. N. Kelleher said he wished to be associated with Cllr. Gleeson's comments with regard to the release of the list of CIS Schemes and asked that when such announcements are made that Elected Members be given the information as soon as possible after being received by the Local Authority.

Cllr. M. Kennelly welcomed progress on the North Kerry Greenway. He congratulated Kerry County Council on work done on beaches to achieve the Blue and Green Flags. He asked if the processing of Housing Adaptation Grant applications could be expedited as there is a delay with same at present.

Cllr. M. Cahill welcomed the announcement regarding the planning process for the South Kerry Greenway. Kerry County Council is trying to buy the line for the South Kerry Greenway and the amount of compensation payable under the CPO Scheme will reflect the degree of inconvenience to individual landowners. This multi-million euro project is a lifeline for Caherciveen and the Iveragh Peninsula.

Cllr. M. O'Shea welcomed the announcements regarding the Blue and Green Flags and that works are to progress under the CIS Scheme. The South Kerry Greenway is the biggest rural project in the county and must be progressed as it will be of benefit to all of Kerry. He asked if there are plans to extend the South Kerry Greenway from Killorglin to Farranfore and through mid-Kerry.

Cllr. B. Cronin supported the sentiments expressed regarding the release of information on the CIS Schemes and late notification of same to the Elected Members. This information has been in the public domain since 11<sup>th</sup> June, however, it was not made available to Elected Members on that day. He advised that some CIS applicants received

notification of their road being included in the scheme through use of Dáil envelopes and called on the media to investigate the use of Dáil envelopes in such instances.

Cllr. J. Healy-Rae asked that when Kerry County Council are providing Smoke Alarms to Community groups that they should also provide Carbon Monoxide Alarms. This was to be considered previously. He asked if the deadline for applicants to make payments under the CIS Schemes could be extended by two weeks. In relation to issuing letters to constituents regarding the CIS Scheme, he said it is his duty as an Elected Member to give people information about matters he has been working on for them.

The Chief Executive said a lot of progress has been made in relation to the Greenways and any Greenway that gets planning and funding will go ahead. The South Kerry Greenway will be discussed at a pre-planning application meeting with An Bord Pleanála on the 26<sup>th</sup> June. The only assurance that can be given is that Kerry County Council is fully committed to progressing this Greenway and it is important now that all bodies support this project.

In relation to the CIS Scheme, we are very conscious of all members being informed at the same time with the same information, e.g. fortnightly work programmes, detailed Municipal District works, etc. informing Elected Members.

Mr. C. O'Sullivan, Director of Service, apologised for his error in not circulating the information regarding the CIS Schemes earlier to Elected Members. 28 applications were received under the CIS Scheme, under which communities are being asked to provide funding towards the upgrade of a public road. All 28 schemes received funding (a total of €758,000) over a two year period, prioritisation of the roads is set by the Department. The Department is open to receiving further applications under the CIS Scheme. Completed applications can be submitted to Kerry County Council's Operations Department. Letters are issuing to CIS applicants requesting that they submit their local contribution. While a deadline has been set for payment of the local contribution, we are working with communities on this.

He also advised that the Part VIII for the Tralee-Fenit Scheme and the North Kerry Greenway will be circulated to the Elected Members.

#### **18.06.18.04 Disposal of Property**

On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. J.J. Culloty it was agreed to approve the disposal of Fee Simple in land (with Milk Processing Plant erected thereon), comprising of 1 acre 10 perches in area, situated in the townland of Kilcoolaght, town of Killarney, Barony of Magunighy, County Kerry, to Dawn Dairies Ltd., in accordance with the terms of the notice issued on the 6th June, 2018, Pursuant to Section 183 of the Local Government Act 2001 and Section 211 of the Planning and Development Act 2000.

#### **18.06.18.05 2017 Kerry County Council Annual Report**

Mr. L. Quinlan referred members to the 2017 Kerry County Council Annual Report and stated the Draft was considered at the April, 2018, meeting and it was now before Council for formal adoption.

On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. S. Locke it was unanimously agreed to adopt the 2017 Kerry County Council Annual Report in accordance with Section 221 of the Local Government Act 2001 as amended by the Local Government Act 2014.

### **18.06.18.06 Draft Waste Presentation Bye-Laws 2018**

Mr. J. Breen, Director of Service, referred the members to the Draft Kerry County Council Waste Presentation Bye Laws 2018 which had been circulated. Kerry County Council originally adopted waste presentation bye-laws in 2005 to deal with relevant issues around the presentation of household and commercial waste for collection. However, with the passage of time and the on-going changes to waste legislation and policies it was felt, at national level, that a new bye-law regime was required.

The current Regional Waste Management Plans include a policy (Policy C.2.1.) that new revised bye-laws should be developed and adopted by each local authority. To this end, a national draft template for these bye-laws has now been developed by the Regional Waste Management Offices and a recommendation is forthcoming that new bye-laws should be adopted by all local authorities to provide a more effective framework to deal with waste presentation issues.

The draft bye-laws would apply generally to the kerbside collection of both household and commercial wastes collected by authorised waste collectors. However, certain aspects of the management of waste which is deposited directly at authorised waste facilities are also covered. The bye-laws would not apply to waste deposited in skips for collection or, in general, to the storage of waste prior to its presentation for collection.

The proposed draft bye-laws are now being presented to the elected members of Kerry County Council for their consideration and for approval to proceed to public consultation. If approved by the members, the draft will be made available for public comment for a period of three months (July to September). Any submissions received will be considered and assessed and a final version of the bye-laws will then be presented to the Quality of Life Strategic Policy Committee and, from there, to the Council for proposed adoption. Adoption of any revised bye-law is a reserved function and therefore is a matter for determination by the elected members of the Council.

All Elected Members welcomed the draft Waste Presentation Bye Laws 2018 for publication.

Cllr. D. Grady said litter can be an issue in our county. Approximately 7 years ago a survey was undertaken in Killarney and at that time 13% of those surveyed could not prove where they were disposing of their waste. At the time Elected Members were told this could not be prosecuted. He asked for an update regarding enforcement and prosecution.

Cllr. S. Locke asked how will the public become aware Kerry County Council will be calling to their homes regarding waste disposal and who will investigate the matter when a person is unable to prove where they are disposing of their waste. He asked that the bye-laws include a requirement that commercial bins are not overfilled on presentation for collection and should not be left out over-night.

Cllr. J. Finucane asked that the bye-laws contain a marine aspect to address waste washing up on our coastline and dumping rubbish at sea.

Cllr. M. Kennelly asked what the penalties are if a person is unable to supply receipts to prove they are disposing of their waste at a waste facility and are there subsidies available for people who cannot afford a waste collection service. More activity is required in respect of enforcement and prosecutions.

Cllr. P. Connor-Scarteen supported the request by Cllr. Finucane to have a marine aspect in the bye-laws. The Tidy Towns groups will welcome these bye-laws.

Cllr. P. Daly said there is a serious problem with fly-tipping at beaches and rivers. Outsourcing of the waste collection service has added to this problem. A waste collection service is a financial burden for many, particularly those living alone. He asked if it will be necessary for a written legal agreement to be in place between neighbours sharing bins. He asked how long receipts from waste collection facilities will have to be kept.

Cllr. A. Thornton asked if Kerry County Council is considering the use of drones to combat littering.

Cllr. M. Gleeson said there was a waiver system in Killarney in the past and he asked if there was a possibility of that system being re-introduced. He requested that there be a requirement that the waste collection bins be cleaned and that bins not be left in disabled access parking bays. He moved **notice of motion No. 2**.

**Pursuant to notice duly given Cllr. M. Gleeson PROPOSED:**

In view of the ongoing outstanding success of the County Clean-Up day that this Council would examine the feasibility of promotion and coordinating an annual River Bank / Lake Shore Clean-Up day.

**The following reply issued:**

Kerry County Council will examine, in conjunction with the Local Authorities Water and Communities Office, the possibility of arranging and promoting such an annual event subject to available staffing and funding resources being made available through this office. The LAWCO office is charged with assisting and facilitating implementation of the various aspects of the recently published Second Cycle River Basin Management plan for Ireland which seeks to improve and enhance the public's recognition of the importance of our rivers, lakes and estuarine waters and to mobilise community action for the protection and enhancement of these water courses.

Cllr. M. Gleeson said there are annual lakeshore litter collections but that only addresses part of the issue. He PROPOSED that an annual clean-up day be organised with insurance provided for participants.

Cllr. S. Locke SECONDED this proposal.

Cllr. M. Gleeson moved **notice of motion No. 19**.

**Pursuant to notice duly given Cllr. M. Gleeson PROPOSED:**

That the Council would commence the development of a Green recycling facility at each of the Transfer Stations [Amenity Centres]. It is wonderful that such a purpose built facility exists at the Dingle Amenity Centre and an identical facility at the other locations would be greatly beneficial to the many who want to enhance their environment.

**The following reply issued:**

The Dingle Civic Amenity facility is a purpose built facility unlike the other sites which were former transfer stations and now operate as civic amenity sites. Green waste deposited in Dingle is brought off site by a private waste contractor. It is not possible to provide such a facility at our other sites due to their design and layout. There are many options available to dispose of green waste through composting and mulching etc. Grass clippings left on a lawn can add back up to 25% of the nutrients that growth removes from the soil. The Council is also encouraging community groups such as Tidy Towns to switch to mulching of the grass which does not then require off site disposal and some groups have been assisted in acquiring the necessary attachments for their grass cutting equipment.

Cllr. M. Gleeson asked that in successive budgets over the next few years that favourable consideration would be given to the development of the county's transfer stations as has been done at the Dingle Civic Amenity Facility.

Cllr. M. Healy-Rae **SECONDED** this motion.

Cllr. D. Quigg referred to an RTÉ report which states that prosecution levels and staffing levels at waste facilities in Kerry are among the lowest in the county. This is what is being reported publicly at the moment and it is alarming.

Cllr. T. Barry asked for an update on the Civic Amenity Centre for Listowel.

Mr. J. Breen, Director of Service, said the Draft Waste Presentation Bye Laws 2018 are specifically about presentation and collection of waste. Every opportunity will be taken to make the public aware of the Draft Waste Presentation Bye Laws 2018.

The survey in Killarney was the done by Killarney Town Council as landlord of its housing stock. The Draft Waste Presentation Bye Laws 2018 will give Kerry County Council the ability to prosecute, with up to €2,500 for an offence. Kerry County Council is active on prosecutions with 11 court prosecutions in 2017.

The marine litter aspects will be raised with the appropriate authorities as they cannot form part of these bye laws. There is a provision within the bye laws that there be a written agreement between neighbours. Authorisation is required from the aviation authority for the use of drones. Kerry County Council has good results from the work of our litter Wardens. He advised that the figures from the RTÉ report are from a programme to be aired on RTÉ that evening and said he would await further comment until after the programme is aired and got the detail of how these figures have been compiled.

An update on the Civic Amenity Centre for Listowel will be presented to the next Listowel Municipal District meeting.

On the PROPOSAL of Cllr. J. Moloney, **SECONDED** by Cllr. M. Gleeson, it was agreed to approve the Draft Waste Presentation Bye Laws 2018 for public consultation.

### **18.06.18.07 Local Government Funding (Baseline) Review**

The Chief Executive referred the members to report on the Local Government Funding (Baseline) Review – Methodology for the Allocation of Local Government Funding, which had been circulated. There have been a number of approaches on reviewing Local Government funding models. The Needs and Resources Model, which was used previously, was a good attempt to align the needs of the Local Authority with the resources required. The information that informed that model and the resulting income to the county will form part of our review. A number of factors as indicated on the consultation document are relevant to the County of Kerry when determining funding allocations, i.e. Demographics, Physical Characteristics, Socio-economic indicators and income generating capacity. With regard to demographics, County Kerry is quite different as it is  $\frac{1}{3}$  urban and  $\frac{2}{3}$  rural. That has an impact on the county's settlement hierarchy and on service delivery.

Tourism has a significant impact on the county with over 2 million visitors each year, which must be taken into account along with the permanent population. Peak capacity in the county must be considered. The cost of wear and tear on infrastructure must also be taken into account. In terms of the geography, the county has a long coastline and 4,881 km of local, secondary and tertiary roads to be maintained is a good indicator of need.

With regard to socio-economic indicators, Kerry has an aged population which will require additional funding for services. The county's census results has shown significant growth in the county with  $\frac{3}{4}$  of the growth rate between Tralee, Killarney and Killorglin. This must also be weighted. The high level of PPN representation is a sign of community activism in the county.

Kerry County Council's rates base is low, with a small number of rate payers representing a major amount of the rates income. When weighting a financial model you must reward those counties who are financially managing their budgets in a good manner. Rates is a risk area, a change in an approach to rates can have a very big impact on rates income. This does need to be taken into account in any baseline methodology. These are broadly the areas we will be focussing on as a Local Authority. Any allocation will be linked to performance management and performance indicators.

Cllr. J. Finucane said we must make a comprehensive submission on this funding review. As a Local Authority we approve our budget but how that budget is drawn up is based on central government input. 30% of Kerry County Council's income is dependent on rates. He PROPOSED that where revenue is raised locally a percentage of what is raised should be kept in the county in order to have certainty in our budget. Local Authorities have been given an economic role and must operate on an economic footing. We must be able to plan work programmes 12 months – 3 years in advance.

Cllr. D. Quigg SECONDED this proposal. He said he had previously raised the issue of setting up a Finance Committee where the budgetary process, and the Elected Members as Directors of the Local Authority, could put forward proposals about financing the Local Authority.

Cllr. N. Kelleher said the volatility of the Local Authority finance is a position arising from central government's control of finances. There is a risk if the county were to find itself in a position where it was without one of the top 10 rate payers. With regard to monies collected in a Municipal District, a percentage should be spent in that Municipal District so people will see they are getting something back.

Cllr. J.J. Culloty referred to Local Property Tax and said counties that do their business in a prudent way should be rewarded. Kerry has a collection rate of up to 96%, with 20% of that being returned to central government to support other counties.

Cllr. A. Thornton referred to the Agri-tech Centre of Excellence and noted that without Kerry County Council's input the drawdown of Enterprise Ireland funding would not have happened. The centre is a positive project for the county and we must highlight what we do with funding that comes to the county.

Cllr. B. Cronin moved **Notice of Motion No. 30.**

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

As people living in rural Kerry roads are not seeing any benefit from their LPT, with potholes, and overgrown hedges is it time that they were refunded their money for the Council failing to remedy these basic issues.

**The following reply issued:**

Over €42m was invested in maintaining and improving the road network in Kerry in 2017, of which €4 million was provided by Kerry County Council, from our own resources. It is a condition of the grant allocations from the Department of Transport, Tourism and Sport, that the Council also provide funding towards the maintenance of the road

network. A further €12.6 million of own resource funding was spent on other services in Roads and Transportation, including public lighting, car parking, provision of Area Service centres, matching funding for Town and Village Renewal projects delivered by the Roads Department, etc.

Therefore, any reduction in own resource funding could have significant implications not only on the delivery of essential services but also in securing grant aid for road improvement and maintenance works.

The LPT forms a significant part of the overall funding required to maintain these services

Cllr. B. Cronin said there is frustration from people with regard to the Local Property Tax. People are asking what are they getting for paying this tax. There was a commitment given that people would see the benefits in their areas. Basic services like cutting hedges are not being done. He said if there is no improvement in services he will be asking for a refund of Local Property Tax for everyone who has paid it as this has failed the people.

Cllr. N. Kelleher SECONDED this motion.

The Chief Executive said the points around the level of central funding will be included in the submission on the Local Government funding review. Financing a 2-3 year plan is important. It was agreed that an expanded CPG group would have a role in the budget process, which would in effect be the Finance Committee. A document will be drafted for consideration by that group. Kerry County Council spends ¼ billion every year under huge work programmes across all functions. 2018 work programmes are well under way and are within budget.

#### **18.06.18.08 OPW Flood Risk Management Plans**

Mr. C. O'Sullivan, Director of Service, referred the members to report on the OPW Flood Risk Management Plans which had been circulated. The OPW Flood Risk Management Plans were formally adopted by the Commissioners of Public Works and have been approved by the Minister for Finance and Public Expenditure and Reform.

There are 9 schemes proposed for County Kerry which are for Abbeydorney; Ballylongford; Banna; Castleisland; Dingle; Kenmare; Killarney; Listowel and Tralee. The development of these plans has involved extensive consultation by the OPW with affected communities and the Local Authority.

In accordance with the European Communities (Assessment and Management of Flood Risks) Regulations 2010, the County Council shall within three months examine and consider the Flood Risk Management Plans and decide whether to adopt or otherwise the said Plans. Therefore, in accordance with these statutory provisions the plans must be considered by Council before the 9<sup>th</sup> August 2018 and the Minister for Housing, Planning and Local Government and the Commissioners of Public Works must be notified of the Council's decision by the 9<sup>th</sup> September 2018.

While these plans are at a strategic level, the next stage will be for the OPW to develop them into "Schemes". These Flood Risk Management Schemes will contain the details of both structural and non-structural works and measures. An initial allocation of €257 million was announced for 50 schemes nationally to proceed to detailed design and construction stage, including 4 schemes in Kerry as follows:

Tralee	-	estimated cost €31m
Kenmare	-	estimated cost €5.4m
Abbeydorney	-	estimated cost €280,000
Banna	-	estimated cost €140,000

The Minister also announced that €14m would be made available to the Local Authorities to lead on progressing schemes less than €1m and that the OPW would be in contact with the Local Authorities with regard to these schemes. The OPW is progressing the larger schemes, in Tralee and Kenmare, and intends establishing Steering Groups for each of these schemes.

Cllr. M. Cahill welcomed the inclusion of many areas in the Flood Risk Management Plans, however, he expressed annoyance at the exclusion of areas subject to erosion including Rossbeigh, Cromane, Castlegregory, the Maherees and the Valentia Road, Caherciveen. He asked why these areas have not been included when homes, families and business have been affected by flooding.

Cllr. M. O'Shea expressed disappointment that Milltown has not been included in the Flood Risk Management Plans. As Milltown is developing there has been an effect on the river into the town and homes and farm yards in that area have experienced flooding. He asked that a case be made to the OPW to provide funding for a Flood Risk Management Plan for Milltown.

Cllr. J. Finucane said not every location has been included and in PROPOSING the adoption of the OPW Flood Risk Management Plans he suggested that Kerry County Council make a case for those areas not included.

Cllr. P. Connor-Scarteen said he was disappointed that Sneem is not included as flooding has been experienced here in the past. He asked that consideration be given to the use of demountable defences in Kenmare. Japanese Knotweed is also a big factor in flood management.

Cllr. N. Kelleher thanked management for confirmation that a second application for funding has been submitted in relation to Glenflesk, however, it is disappointing that the OPW do not consider Glenflesk to be in need of flood relief works. He asked that the Ballycasheen project be progressed.

Cllr. S. Locke supported the call on the OPW regarding areas not included in these plans which are subject to flooding. Dredging of rivers also needs to be discussed with the OPW, e.g. the River Lee needs a particular type of dredging. It would be advantageous to the OPW to meet with the Elected Members to gain local knowledge about these areas.

Cllr. M. Healy-Rae welcomed confirmation that a second application for funding has been submitted in relation to Glenflesk. She asked for the value on this submission and when it is expected to hear the outcome of the Glenflesk applications.

Cllr. D. Grady said minor works are to be carried out from Foilduane to Glenflesk. He asked if there was an update on the Civil Defence acquiring a jeep for use in the event of flooding.

Cllr. B. Cronin acknowledged the submission of the second application for Glenflesk. Residents and businesses in the Ballycasheen area have expressed concern regarding the possible effects that may occur from the river running at a faster pace. He expressed his disappointment that the River Gweestin was omitted as flooding of that river affects many areas, i.e. Flynn's Forge, Rockfield, Listry Bridge, Ballymalis. He asked that works be done to clear overgrown areas on this river. He also asked that works be undertaken to clear overgrown areas on the Old Bridge at Inchiveema, Farranfore.

Cllr. A. Thornton welcomed the Cashen Estuary Study which is ongoing at present as the Cashen drainage issue has been ongoing for some time. She asked when a report from this study will be available. She asked that Kilmoyley be included in the next Minor Flood Relief Works programme.

Cllr. D. Quigg asked if the OPW, in conjunction with the Local Authority, will be working on eradicating Japanese Knotweed. It is a particular problem when trying to develop walkways on river banks.

Cllr. M. Kennelly said while he welcomed the Flood Risk Management Plans the length of time it takes to compile these plans and secure funding is frustrating. Japanese Knotweed is causing flooding problems in Clieveragh. He asked for an update in relation to the Cashen.

Cllr. R. Beasley expressed disappointment that the Cashen was not included in the Flood Risk Management Plans as it has experienced flooding on numerous occasions from 2010-2017. He called for works to be undertaken to reduce the flood risk in the Cashen and to progress the eradication of Japanese Knotweed which is causing flooding problems.

Cllr. S. Fitzgerald referred to the Flood Risk Management Plan for Dingle and the identification of “storage and flood defences as a potentially viable flood risk management option” and the location of same. He asked that further investigations be carried out before progressing this option as there are many houses located in this area and they have an objection to this proposal due to the risk of this storage bursting and flooding their properties.

Cllr. J. Healy-Rae asked for a timeline on when the flood risk management works will be done in Kenmare.

Mr. C. O’Sullivan, Director of Service, said the report circulated outlines plans developed for 9 areas across the county. Work on a number of areas will be progressed under the Minor Flood Relief Works programme. As the proposed works at Glenflesk will not totally eliminate the risk of flooding this will be reviewed.

If the OPW Flood Risk Management Plans presented today are adopted, the next stage is that the OPW would establish Steering Groups for the progression of the larger schemes in Tralee and Kenmare. The timeline in which works will go to contract has not been finalised, however, Elected Members will be updated as it progressed.

An update on the Cashen was circulated to Elected Members with the General Correspondence for today’s meeting. There are a number of stages, with the first stage “Development & Constraints Study” almost complete. The next stage is the preparation of an “Engineering Report & Environmental Study, including AA & EIA”. There are 3 stages beyond that which are Tender & Detailed Design, construction and handover. Elected Members will be updated with progress through each stage of the project.

On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. M. Kennelly, it was agreed to adopt the OPW Flood Risk Management Plans.

#### **18.06.18.09 Draft Kerry County Council (Cemeteries) Bye-Laws 2018**

Mr. C. O’Sullivan, Director of Service, referred the members to report on the Draft Kerry County Council (Cemeteries) Bye-Laws 2018 which had been circulated. The draft Kerry County Council Cemeteries Bye-Laws have been developed for the regulation, control and management of our burial facilities in the county. The draft bye-laws

incorporate changes to the legislation since the current bye-laws were adopted in June 2010, societal changes, and having regard to issues raised by the members in recent years, particularly on the erection of headstones.

Tighter controls are proposed in relation to the erection of headstones, with all stonemasons being required to register with the Council and increased powers to remove unauthorised monuments. The draft Bye-Laws also provide for the management of Columbarium walls and the internment of cremated remains in smaller plots.

The draft Bye-Laws have been developed in consultation with the members of the Operations SPC over the past 12 months, who have recommended the draft to Council, to allow for the commencement of the statutory consultation process.

In accordance, with the procedures prescribed under Section 200 of the Local Government Act, 2001, for the making of Bye-Laws, the Council will publish a notice in one or more newspapers circulating in the county, inviting submissions.

To ensure effective consultation, notice of the proposal to make the Bye-Laws will be circulated through the PPN network and a copy will be issued to all stonemasons, who have sought approval from the Council over the past 2 years for the erection of headstones in our burial grounds.

Cllr. B. Cronin expressed concern about the ability of Kerry County Council to enforce the bye-laws once they are adopted.

Cllr. S. Locke asked that the issue of personalised seating and prohibiting the walking of dogs in cemeteries be included in the bye-laws. He asked how the bye-laws will be managed and policed by Kerry County Council.

Cllr. N. Kelleher said a resource is required to implement these bye-laws when they are adopted. He asked if the draft bye-laws will be before the Elected Members at the September meeting for adoption. He also asked that the draft bye-laws be circulated to undertakers.

Cllr. D. Grady requested a copy of Kerry County Council (Cemeteries) Bye-Laws 2010 and 2013.

Cllr. J.J. Culloty requested that notices be erected at cemeteries advising of what is acceptable under the bye-laws and that any headstone not adhering to the bye-laws will be removed.

Cllr. P. Connor-Scarteen asked that signs be erected at cemeteries advising that no dogs are allowed. The bye-laws should also include that no dogs are allowed in cemeteries.

Cllr. M. Healy-Rae asked that all cemeteries be provided with refuse bins.

Cllr. M. Cahill said the bye-laws is an opportunity for Kerry County Council to address the need for a water supply at all cemeteries.

Cllr. N. Foley asked that the provision of a public convenience at cemeteries be considered.

Cllr. D. McCarthy asked that signs be erected at cemeteries advising that no dogs are allowed. The bye-laws should also include limitations on the planting of trees on plots.

### **Suspension of Standing Orders**

The Cathaoirleach indicated that it was 1.30pm and it would be necessary to suspend Standing Orders.

On the PROPOSAL of Cllr. D. Grady, SECONDED by Cllr. N. Foley it was agreed to suspend Standing Orders to deal with items 10-13.

### **18.06.18.10 Draft Kerry County Council (Special Speed Limits) Bye-Laws 2018**

Mr. C. O'Sullivan, Director of Service, referred the members to report on the Draft Kerry County Council (Special Speed Limits) Bye-Laws 2018 which had been circulated. The Draft Kerry County Council (Special Speed Limits) Bye-Laws 2018 have been prepared in accordance with the Guidelines for Setting and Managing Speed Limits in Ireland and Circular Letter RSD 01/2015. In preparing the Bye-Laws the Council consulted with An Garda Síochána and Transport Infrastructure Ireland as prescribed under Section 9 of the Road Traffic Act 2004.

The Council also consulted with adjoining local authorities (Cork County Council and Limerick City & County Council) to ensure consistency on the implementation of the speed limits. The Members in the Municipal Districts have been briefed on the Bye-Laws and subsequent amendments.

Subject to the approval of the Members, the Draft Bye-Laws will go on public display for a period of 30 days. The public have a right to make objections to these Draft Bye-Laws in that period and the Council must consider any objections made.

It is the intention to bring a report on the objections received to each of the Municipal Districts in advance of bringing the Draft Bye-Laws to Council for consideration.

He advised that there was one addendum regarding the application of a 30kmph speed limit within Tralee and Killarney environs which will be added to the Draft Bye-Laws prior to going on public display.

Cllr. P. Daly asked about the introduction of speed ramps in estates.

Mr. C. O'Sullivan, Director of Service, said that is a separate process and can be brought through the Operations SPC.

On the PROPOSAL of Cllr. D. Grady, SECONDED by Cllr. D. McCarthy, it was agreed to approve the Draft Kerry County Council (Special Speed Limits) Bye-Laws 2018 for public consultation.

### **18.06.18.11 Report on Operations SPC**

On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. B. Cronin, it was agreed to note the report on the meeting of the Operations SPC held on 1<sup>st</sup> June 2018.

### **18.06.18.12 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 The Finance Act 2016 held in Clonakilty, Co. Cork, from 24-26 March, 2017, by Cllr. N. Kelleher.

### **18.06.18.13 Approval for the opening of tenders**

- (a) On the PROPOSAL of Cllr. R. Beasley, SECONDED by Cllr. M. Kennelly, it was agreed to retrospectively approve the opening of tenders for the Repair of N71 Caha Tunnel and Releagh Retaining Wall - Closing date: Tuesday, 5<sup>th</sup> June, 2018 at 3.00 p.m.
- (b) On the PROPOSAL of Cllr. R. Beasley, SECONDED by Cllr. M. Kennelly, it was agreed to approve the opening of tenders for Killarney Sports & Leisure Centre Gym 2018 - Gymnasium Flooring and Equipment Upgrade 2018 - Closing date: Monday, 18<sup>th</sup> June, 2018 at 11.00 a.m.
- (c) On the PROPOSAL of Cllr. R. Beasley, SECONDED by Cllr. M. Kennelly, it was agreed to approve the opening of tenders for Bridge Rehabilitation Programme:
  - (i) Kerry Bridge Rehabilitation Contract No. 1. 2018 Caslagh/Ballynakilla Bridge, Boherboy Bridge, Dromcunnig Bridge 2) – Closing date: Monday, 18<sup>th</sup> June, 2018 at 1.00 p.m.
  - (ii) Kerry Bridge Rehabilitation Contract No. 2. 2018 (Aghanaghraan Middle 2 Listowel, Clandouglas Bridge, Lixnaw Bridge) – Closing date: Friday, 22<sup>nd</sup> June 2018 at 1.00 p.m.
- (d) On the PROPOSAL of Cllr. R. Beasley, SECONDED by Cllr. M. Kennelly, it was agreed to approve the opening of tenders for Extension at Woodview Place, Tarbert – Closing date: Friday, 22<sup>nd</sup> June, 2018 at 12.00 noon.
- (e) On the PROPOSAL of Cllr. R. Beasley, SECONDED by Cllr. M. Kennelly, it was agreed to approve the opening of tenders for Extension at Kilmore, Ballyduff – Closing date: Friday, 22<sup>nd</sup> June, 2018 at 12.00 noon.
- (f) On the PROPOSAL of Cllr. R. Beasley, SECONDED by Cllr. M. Kennelly, it was agreed to approve the opening of tenders for the supply and installation of safety barriers on national routes - Closing date: Wednesday, 4<sup>th</sup> July, 2018 at 1.00 p.m.
- (g) On the PROPOSAL of Cllr. R. Beasley, SECONDED by Cllr. M. Kennelly, it was agreed to approve the opening of tenders for N69 Listowel Bypass Archaeology - Closing Date: Thursday, 12<sup>th</sup> July, 2018 at 4.00 p.m.
- (h) On the PROPOSAL of Cllr. J. Healy-Rae, SECONDED by Cllr. P. Connor-Scarteen, it was agreed to approve the opening of tenders for Architect Led Design Team Consultancy Services for 8 no. houses at Ragoonane, Tralee – Closing Date: Thursday, 21<sup>st</sup> June, 2018 at 3.00 p.m.

### **Lunch break**

The meeting adjourned for lunch at 1.45 p.m.

The meeting resumed at 2.15 p.m.

### **18.06.18.14 Notices of Motion**

#### **1. Anti-Social Behaviour**

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

That Kerry County Council call on An Garda Síochána and the Drug Squad to increase surveillance, to increase activity, to increase presence and in fact to pursue, prosecute and sentence persons who are known to them and to the broader Community that are involved in Drugs and Anti-Social Behaviour and who are an absolute scourge to the General Public in the Caherciveen/ South Kerry area. The people of Caherciveen and

South Kerry are demanding action and want the Minister for Justice, Charlie Flanagan to reopen their Garda Station 24/7 and want additional Gardaí based in the region.

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

Cllr. Cahill referred to a recent incident in Caherciveen and called for action to be taken to address issues with drugs and anti-social behaviour in Caherciveen.

Mr. M. O'Donoghue, Director of Service, said that incident is under investigation by the Gardaí.

Cllr. N. Moriarty **SECONDED** this motion and supported the call to re-open the Garda Station in Caherciveen.

### **3. Standing 4 Women Campaign**

**Pursuant to notice duly given Cllr. T. Ferris PROPOSED:**

That this Council write to the Minister for Health and to An Taoiseach, and request they acknowledge and support the Standing 4 Women campaign giving a commitment to:

1. Enact legislation that will allow mandatory disclosure to be implemented in an agreed timeline.
2. Provide Active and independent support for those affected by the scandal, including and not limited to, an immediate point of contact for those affected, and a multidisciplinary support team.

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

Cllr. T. Ferris sent her support to all women involved in this scandal and said there is a clear necessity for this call from the Standing 4 Women campaign.

Cllr. P. Daly **SECONDED** this motion.

### **4. Public Toilets in Retail Units over 200sqm as a condition of Planning**

**Pursuant to notice duly given Cllr. D. Grady PROPOSED:**

That we would request our Planners to include the provision of a Public Toilet in all Retail Units over 200sqm as a condition of Planning.

**The following reply issued:**

The provision of public toilet facilities in small retail units is a matter for consideration by the owner operators of these facilities. There is no provision in the planning guidelines or under the planning code to insist on the provision of public toilet facilities in individual shop units. The economic viability of retail units of this size is a consideration in relation to the provision of additional public facilities.

Cllr. D. Grady said he could not accept this reply and asked what EU guidelines apply in such cases.

Cllr. M. Healy-Rae **SECONDED** this motion.

Mr. M. Scannell, Director of Service, the provision of public toilets is a requirement for large scale multi-unit developments. There are no guidelines for individual shop units of the scale in the notice of motion and there is no requirement on them to provide facilities.

Cllr. T. Ferris asked for an update on the Ardfert Public Toilets.

Mr. M. Scannell, Director of Service, said an update will be given to Elected Members at the Tralee Municipal District meeting.

## **6. Set back distance for Turbines**

### **Pursuant to notice duly given Cllr. J.J. Culloty PROPOSED:**

That this Council insert into the County Development Plan, a minimum set back distance for Turbines of 1km from any dwelling house.

### **The following reply issued:**

The Wind Energy Development Guidelines 2006, issued by the Minister under Section 28, are, at present, subject to a review. The Department of Housing, Planning, Community and Local Government have stated that the finalisation of these guidelines is imminent and that a Strategic Environmental Assessment is at present being undertaken on the revised guidelines. The Minister has advised and reaffirmed its position to all Local Authorities in Circular Letter Circular PL 5/2017 dated 3rd August 2017 that until this policy review process is complete local authorities should defer amending their existing Development Plan policies as part of either the cyclical review or variation processes. The Minister further advised that Local Authorities should instead operate their existing Development Plan policies and objectives until the completion of these processes and advised otherwise by the Department. Upon finalisation of the Ministerial Guidelines it is intended to review their impact on the current Renewable Energy Strategy and ascertain if further changes are necessary to the strategy. In the interim, however, a review of the Landscape Character Assessment is underway to inform any revisions, if necessary, to the current Renewable Energy Strategy.

Cllr. J.J. Culloty said new Wind Energy Development Guidelines were to be in place in the first quarter of 2018. It is an insult to people directly affected by wind farm developments that these guidelines have not yet issued at the end of Quarter 2. Donegal and Westmeath have a policy of setting turbines back by 10 times the height of the turbine, e.g. a 1.5km set back distance for a turbine with a height of 150m. He asked that his Notice of Motion be amended to read:

“That this Council insert into the County Development Plan, a minimum set back distance for turbines of 10 times the height of the turbine from any dwelling house.”

Wind farm developments are out of control and turbines have a huge impact on people's lives. He said he had previously asked how many turbines were in the county. At that time, it was approximately 197 with approximately 200 to be constructed. People affected by these developments feel abandoned. We should accept nothing less than 10 times the height of the turbine as a set back distance from any dwelling house. A person building a private dwelling house must erect height poles to give an indication of the proposed development. An Bord Pleanála is over-ruling Kerry County Council's Planners and the precedent set by An Bord Pleanála is undermining the decisions of our Planners. People are not aware of the scale of wind farm developments when they are signing contracts, which they subsequently cannot get out of. There are health implications from turbines, they also have a negative effect on house valuations and they are affecting whole communities negatively.

Cllr. B. Cronin SECONDED this motion and agreed with the sentiments expressed by Cllr. Culloty. The size, scale and location of turbines is an issue. He referred to a video which shows the effect of a flicker from the turbine blades across a dwelling. 150 metre

turbines are now being developed which are of huge scale and are impacting on properties, an irreversible impact on families and homes and on the value of properties. The promoters identify landowners they want to deal with that have suitable land and they sign them up. The general community knows nothing about the proposed development until a planning application is made. This splits communities and families. He **SECONDED** the change of wording of Cllr. Culloty's notice of motion to include a minimum set back distance for turbines of 10 times the height of the turbine from any dwelling house. Wind farm developments must be kept an appropriate distance away from dwelling houses.

Cllr. M. Healy-Rae supported the notice of motion. The privacy of families is being violated. The effect of these turbines is unbearable for people. She suggested that Kerry County Council write to the Minister and ask that this notice of motion be considered as part of the review.

All elected members supported this motion.

Cllr. J. Moloney moved **Notice of Motion No. 7.**

**Landscape Character Assessment and Renewable Energy Policy**

**Pursuant to notice duly given Cllr. J. Moloney PROPOSED:**

What is the up to date position on the changing of the Landscape Character Assessment and Renewable Energy Policy.

**The following reply issued:**

Work has been ongoing in relation to a review of the Landscape Character Assessment consisting of an initial analysis of the existing landscape, site inspections and fieldwork to collate and record landscape groups, a GIS analysis of landscape sensitivities, including elevation and land cover. In addition, a comparative analysis between recorded landscapes in 2011 / 2012 and 2017 with respect to (a) developments constructed and (b) permitted developments not yet constructed has also been completed. There remains a significant quantum of work to be completed over the coming months including analysis in relation to Natura 2000 sites (SAC's & SPA's) and liaison with state bodies. The Minister has reaffirmed the department's position to all Local Authorities in Circular Letter Circular PL 5/2017 dated 3rd August that until the policy review with respect to the Wind Energy Guidelines is complete that local authorities should defer amending their existing Development Plan policies as part of either the cyclical review or variation processes. Work will however continue to proceed in relation to the review of the Landscape Character Assessment.

Cllr. J. Moloney said damage has been caused by lack of guidelines. Provisos were inserted into the County Development Plan in 2015 as a stop gap. He asked when the Landscape Character Assessment would be finalised.

Cllr. N. Kelleher **SECONDED** this motion and said having been advised in late 2017 that the guidelines were on the way they are still awaited which is unacceptable. There is a similar issue in relation to solar farms. There should be enforcement where turbines are not in compliance as they have a devastating effect on people's lives.

Cllr. M. Cahill supported both motions and asked for guidelines of other EU countries in relation to wind farm developments.

The Chief Executive said the preliminary draft Wind Energy Development Guidelines were discussed by Council previously and Kerry County Council gave a view on how the guidelines may impact on future planning applications. At that time there was

agreement that the Landscape Character Assessment, which is a major body of work, would be done and this assessment is currently underway. The Guidelines, the Landscape Character Assessment and the Renewable Strategy will have to be taken into account by this Council in identifying areas that are suitable and areas that are not suitable for wind turbine development. We were told that the guidelines would be available in March, 2018, however, they are still awaited but it is understood that the guidelines will be published shortly. It is not possible to amend the County Development Plan by way of notice of motion. The principle of the motion is accepted and the views of this Council will be sent to the Department of Housing, Planning and Local Government. When the guidelines are received there will be an opportunity to adopt them as part of the County Development Plan. The alternative is that something is inserted into the County Development Plan that is contrary to the guidelines which may have an inadvertent negative effect in that it could lead to a planning decision resting with An Bord Pleanála rather than the Local Authority.

Cllr. J.J. Culloty said any future planning applications should be deferred until these guidelines are available.

Mr. M. Scannell, Director of Service, said when the draft guidelines were issued and the 500 metre set back distance was proposed, maps were produced to show the reduction in the areas available for wind farm developments if this were implemented. There was a substantial reduction in the area of lands available in the county. The Landscape Character Assessment will take into account the character of the landscape in historic terms and also the number of turbines in place currently and how they have impacted on the landscape. Our assessment of the landscape is based on existing developments and planned developments. The landscape of the county has changed because of developments that have taken place. He said he is confident that even without the guidelines and the Landscape Character Assessment we will have a strong basis for controlling the development of wind farms and have a minimum impact on areas in the county. It is proposed to present the Landscape Character Assessment to the members in the autumn.

Cllr. J.J. Culloty said while there may be less area available for wind farm development, it is obvious how the landscape has been affected by the turbines. We must stick to a minimum set back distance for turbines of 10 times the height of the turbine from any dwelling house.

Cllr. J. Finucane moved Notice of Motion No. 8 on behalf of Cllr. McCarthy.

## **8. Claims for injuries against Local Authorities**

### **Pursuant to notice duly given Cllr. P. McCarthy PROPOSED:**

Can this Council investigate how the claims for injuries against Local Authorities can be seriously curtailed, having regard to the situation in other EU Regions.

### **The following reply issued:**

The Irish Insurance Federation represents and aids the development of the Irish Insurance Sector. Kerry County Council will continue to work with IPB Insurance in relation to national policy development in the areas of Personal Injury Claims.

## **9. Banking Services at Post Offices**

### **Pursuant to notice duly given Cllr. J. Finucane PROPOSED:**

Whilst welcoming the new proposal from An Post to the Post Office Network, I ask that this Council calls on An Post and the Government to seek a new international partner

to allow the Post Offices to offer full Banking Services including Current Accounts, Loans and Mortgages.

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

Cllr. J. Finucane said it is crucial to have an alternative for the banking sector and that the Post Office in rural and urban areas would have full banking services. He asked that this notice of motion be circulated to each Local Authority.

Cllr. P. Connor-Scarteen SECONDED this motion.

## **10. Bypass around Milltown**

**Pursuant to notice duly given Cllr. M. O'Shea PROPOSED:**

To ask Kerry County Council to explain the logic of supporting a bypass around Milltown.

### **The following reply issued:**

The need for improvement of the N70 Tralee to Killorglin road was identified as far back as 1998, in the NRA National Road Needs Study, in which it is noted that the "level of service" on this section of the existing road was inadequate, having regard to projected growth in traffic at the time, over a 20 year period. This identified the removal of constraints in the existing network to improve journey times within the south west region and in accessing key national and international transport routes.

The route is of particular strategic importance in the economic development of the Kerry Hub towns and knowledge triangle (Tralee / Killarney / Killorglin hub), which the Council had identified in our submission to the National Planning Framework. In our submission the Council has identified this sub region as being ideally placed to prioritize and implement the key principles of proper planning and sustainable development through the integration of land-use & transport planning, economic growth and investment. The Kerry hub and knowledge tri-angle offers a sustainable, high quality location for investment, and a quality of life which has a positive sphere of influence over the whole County and beyond the county boundary. The major proportion of 2083 Industry Development Authority and 4,677 Enterprise Ireland supported jobs are located within or close to this hub area. The 1881 Local Enterprise Supported positions, while located throughout the county, are also strongest in this core region.

Milltown is the fastest growing town in the county with its population more than doubling since 2006, growing from a population of 415 to 928 in that time and becoming the 10th biggest settlement in the county (2006 19th). Milltown's rate of population growth is far in excess of the county and state averages

Milltown's demographic expansion is associated with the growth of Killorglin and an overspill effect, as well as with increased commuting to Killorglin, Tralee, Killarney and further afield.

The town has grown as an important services centre with high quality first and second level educational establishments. As part of its continued growth pattern Milltown needs to secure a vibrant streetscape and urban core, which can facilitate the development of appropriate civic spaces within the town to increase its attractiveness as a destination.

The removal of through traffic from the core of the settlement will allow this functionality to increase and enable Milltown to secure the commercial and social developments to match its vibrant population growth.

The upgrade of the route is supported by objectives in successive County Development Plans, with the need for a bypass of Milltown being a specific objective of the Kerry County

Development Plan since 2009, as well as in the Local Development Plans, and is consistent with national policies for the development of the region and the county.

As with all such schemes, the development will be subject to extensive consultation with affected parties, including the local business sector, landowners and the local community as part of the design process, and in advance of any statutory consultative process.

Cllr. M. O'Shea ask if Kerry County Council, from a social and economic point of view, has a plan in place to advance with this bypass. The businesses of Milltown do not understand the need for this bypass.

Cllr. M. Cahill **SECONDED** this motion and asked why the Milltown bypass is moving ahead instead of progressing one for Killorglin or Killarney.

Cllr. D. Quigg said a Socio-Economic Plan is currently being developed for these areas and he urged engagement with this process.

Mr. C. O'Sullivan, Director of Service, said the need for the bypass was identified in 1998. It was also identified that relief roads are required for Killorglin and Kenmare. A range of factors must be considered for the development of a bypass including engineering, social, economic, road safety factors and how it could affect the community. There is an extensive public consultation process in the development of such a scheme. The development of this scheme is at initial stages and the decision to progress it will rest with the Elected Members or An Bord Pleanála.

Cllr. J. Healy-Rae said there must be consultation with the businesses on the proposed bypass for Milltown. He asked that Kerry County Council focus on providing a bypass for Killorglin first due to daily traffic congestion in the town.

The Chief Executive said the County Development Plan was discussed, developed under the Spatial Strategy and National Planning Framework and the importance of Tralee/Killarney/Killorglin was highlighted. Milltown is an area of grown over the last 10 years and it is very important that access between Tralee and Killorglin is enhanced as well as the Tralee-Killarney, Killorglin-Killarney and Tralee-Listowel routes. In bypassing an area it is important to have discussions with the businesses and that the area is attractive to businesses and bringing people into the core of the area. There is an economic study under way in Listowel at present. Kerry County Council will engage and consult with people and businesses in Milltown and it will also be discussed at Municipal District level.

## **11. Home Loans Scheme under Rebuilding Ireland**

### **Pursuant to notice duly given Cllr. N. Moriarty PROPOSED:**

That we write to Minister for Housing Eoghan Murphy and urge him to amend the Rebuilding Ireland Scheme to allow those on Carers Allowance access to the Home Loans scheme. The current system in effect discriminates against this cohort of people who are providing an essential service for our most vulnerable citizens a duty they relieve the state of and for which they are in effect being punished under the present rules of the scheme.

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

Cllr. N. Moriarty said this exclusion is contained in the fine detail of the loan application with the resultant effect of excluding a large cohort of people.

Cllr. J. Lucid SECONDED this motion.

## **12. Dale Road**

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

What is the latest update, and has there been further progress, on the Dale Road?

**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 at the May 2018 meeting.

A commitment was given at the May meeting to complete the appraisal under these guidelines by July 2018 and the scheme will then be submitted to the Department for approval.

Cllr. R. Beasley said this matter must remain highlighted and he asked that Kerry County Council request the Transport Infrastructure Ireland for funding for this road.

Cllr. J. Moloney SECONDED this motion.

## **13. Pair Trawling**

**Pursuant to notice duly given Cllr. P. Connor-Scarteen PROPOSED:**

That Kerry County Council call upon the Department of Agriculture & Marine to ban pair Trawling. It is having negative effects on the environment, tourism, business and the livelihoods of inshore fishermen.

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

Cllr. P. Connor-Scarteen asked that the wording on his motion be amended to the following:

“That Kerry County Council call upon the Department of Agriculture & Marine to ban pair Trawling within six nautical miles of the coast by large trawlers over 15 metres. It is having negative effects on the environment, tourism, business and the livelihoods of inshore fishermen.”

He said the Inshore Fishermen’s Association are calling for this ban as pair trawling is negatively effecting fish stocks, seabirds and the eco-tourism industry.

Cllr. N. Moriarty SECONDED this motion and said this is an opportunity to make a really important change to protect the livelihoods of smaller operators.

## **14. Ban on use of Glyphosate**

**Pursuant to notice duly given Cllr. J. Sheahan PROPOSED:**

That Kerry County Council follow the incentive begun by Dublin County Council in the introduction of the ban of the use of Glyphosate, a controversial weed killer in farming.

**The following reply issued:**

As outlined in response to a similar notice of motion at the March Council meeting, the continued use of glyphosate as a herbicide was considered recently by the European

Commission who licensed the Roundup product for use for another 5 year period. The Environment section will research the situation that prevails in Dublin along with the cities of Copenhagen and Strasbourg regarding how those cities deal with the maintenance of public spaces.

We will then bring the findings to the Quality of Life SPC for further consideration of this matter as previously advised.

Cllr. D. McCarthy SECONDED this motion.

### **15. Re-issue of Eircodes to Householders**

#### **Pursuant to notice duly given Cllr. D. McCarthy PROPOSED:**

To ask Kerry County Council to write to the relevant authorities to reissue Eircode codes to householders and to highlight their importance.

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

Cllr. M. Cahill SECONDED this motion.

### **16. Urban Regeneration & Rural Development Funding**

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

Following the recent announcement of €2 billion Urban Regeneration Funding and €1 billion Rural Development Funding, can this Council invite suggestions/submissions from interested bodies to towns and rural areas in Kerry can benefit and access this critical funding.

#### **The following reply issued:**

Four new funds worth a total of four billion euro have been launched as part of the Project Ireland 2040 investment.

The Government announced that the funds, which are part of the €116bn project, will be invested in rural development, urban regeneration, climate action and innovation. The money will be allocated competitively to the best projects and the call for applications will open in the coming weeks.

The details of the schemes have yet to be announced and Kerry County Council has not received any additional details other than the press release that has been published. Kerry County Council works on a continuous basis through the Municipal districts, Economic Development and Tourism units in developing projects with local communities that may be suitable for the various grant schemes that are available. Public calls for proposals have been issued in respect of same. As soon as the details of the various schemes are announced we will proceed to advertise same

Cllr. B. Cronin said Kerry must maximise all opportunities to bring funding to the county and is in need of a large injection of funding to further create employment. Kerry has many established employers, is a large tourism and agricultural employer, but needs to be attractive and competitive to bring new employers to the county.

Cllr. J.J. Culloty SECONDED this motion.

### **17. Anti-Social Behaviour Squad**

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

To call on the Minister for Justice to set up an Anti-Social Behaviour Squad on a pilot basis in Co. Kerry, to cover areas that have not any Garda Station.

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

Cllr. T. McEllistrim said Anti-Social behaviour damages our sense of community, degrades our Environment and is causing untold level of stress and fear in local areas, particularly among older people. He called for an Anti-Social Behaviour Squad to be set up in Kerry on a pilot basis.

Cllr. M. Cahill SECONDED this motion.

### **18. Playgrounds & amenities for children with disabilities**

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

That Kerry County Council ensure inclusion for all by providing funding and lands where feasible for the development / extension of Playgrounds for the Disabled Community and designated walks and amenities in a safe and quiet environment for children with Autism.

#### **The following reply issued:**

Kerry County Council has worked with Community Groups to develop over 25 playgrounds throughout the County. This partnership approach is outlined in the Ag Spraoi Council Policy on developing play in Kerry.

Funding for the development of playgrounds and amenity areas is normally secured by the Local Groups with National Grants secured for playground extensions. In modern playgrounds, over 50% of equipment is inclusive for children of different mental and physical abilities. This proportion is likely to increase to a 70% minimum in the upcoming review of the Play Policy. The provision of further playgrounds and amenity areas in Kerry is subject to successful procuring of funding. An application was submitted recently for additional and improved disability equipment for the Tralee Town Park playground from the department of Youth and Children's Affairs. The council will continue to work with local communities to enhance the opportunities for universal access to playground equipment in the County.

Cllr. D. McCarthy SECONDED this motion.

### **20. Raising the level of the Bog Road**

#### **Pursuant to notice duly given Cllr. T. Ferris PROPOSED:**

That a timeframe would be given for raising the level of the bog road and a commitment given that the gates will be regularly maintained to prevent future flooding.

#### **The following reply issued:**

The improvement of the bog road, including the raising of the level of the road, can be considered as part of the next Restoration Improvement Programme. The prioritization of works under this programme and the timeframe for the delivery of the works will be a matter for the members in adopting the programme.

The Department of Transport, Tourism and Sport, has indicated that further calls for another multi-annual Road Restoration Improvement Programme will be made this year and we are awaiting details. The sluice gates have been upgraded and the maintenance of the channel and gates is as provided in the adopted Schedule of Municipal District Works plan.

Cllr. J. Lucid SECONDED this motion.

### **22. Extra funding for road maintenance**

#### **Pursuant to notice duly given Cllr. J. Moloney PROPOSED:**

That Kerry County Council urgently contact the Minister for Transport seeking extra funding for road maintenance. In the Listowel Municipal District 80% of the grant allocation is already spent.

**The following reply issued:**

This is a matter for resolution by Council.

Routine maintenance of the non-national road network is funded primarily from the Discretionary Grant and from own resources as adopted in the annual budget.

The Council received €18.9 million in grant aid from the Department of Transport, Tourism and Sport this year, of which €3.3m was provided under the Discretionary grant. The substantive works to be undertaken on the road network, particularly under the Restoration Improvement, Restoration Maintenance and Specific Improvement Grant programmes, which account for 75% of the total grant allocation, is generally undertaken between April and October, having regard to weather constraints. All grant funding has to be expended by the end of November each year.

It is not uncommon therefore to have over 70% of the routine maintenance budget expended at this time of year, with the balance being used for routine maintenance in late October/November. It is acknowledged however that the level of funding available for the maintenance and upkeep of the public road network is insufficient, given the very extensive public road network in the county, having regard to the level of State grant aid, particularly since 2009, and the impact of recent severe weather events. This has also been acknowledged by the Department of Transport, Tourism and Sport in their "Framework for Investment in Land Transport" published in August 2015, the initial draft of which was considered by Council in October 2014.

The Council has submitted a claim to the Department of Transport Tourism and Sport, for necessary repairs to the road network in the county, which were damaged by severe weather events earlier this year. The estimated cost of repairs is 5.4 million

Cllr. D. McCarthy SECONDED this motion.

**23. Grant assistance for homemakers****Pursuant to notice duly given Cllr. M. O'Shea PROPOSED:**

We call on both the Minister for Finance & the Minister for Enterprise & Employment to grant assist to homemakers who wish to avail of third level education to advance their careers & enter the workforce.

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

Cllr. J. Moloney SECONDED this motion.

**24. Requirement for people to work to 68 years of age****Pursuant to notice duly given Cllr. R. Beasley PROPOSED:**

That this Council opposes efforts to require people to work until they are 68.

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

Cllr. R. Beasley said under the Pensions Act 2011 to qualify for a pension from 2021 a person must be aged 67 and from 2028 must be aged 68. People who have worked all their lives will have to seek Jobseekers Allowance prior to qualifying for their pension. He called for a reversal of this pension qualification requirement. He asked that this notice of motion be circulated to all Local Authorities.

Cllr. T. Ferris SECONDED this motion.

**25. Water Safety on the coastline and river banks****Pursuant to notice duly given Cllr. P. Connor-Scarteen PROPOSED:**

What is Kerry County Council doing to: (a) improve safety along our coastline and river banks and (b) to highlight the potential dangers associated with using the sea and rivers?

**The following reply issued:**

Kerry County Council takes every opportunity through media advertising and on-site notices to raise awareness of water safety at swimming areas and at our beaches in accordance with best practice and advice from Irish Water Safety. We deploy lifeguards at all of our Blue Flag beaches during the bathing season and also highlight that water needs to be respected and all water users, be they swimmers, recreational boat users, visitors and all users of our rivers and beaches need to respect the water at all times and heed the water safety advice available. There is also extensive water safety advice available at [www.iws.ie](http://www.iws.ie). We recently ran a radio public messaging campaign highlighting the dangers of water and the need to be water wise at all times.

**26. Support for Post Office network**

**Pursuant to notice duly given Cllr. N. Moriarty PROPOSED:**

That we encourage all Kerry County Council tenants to pay their rent through the Post Office as a means of supporting our local Post Office Network and as a means of assisting with budgeting and money management for tenants.

**The following reply issued:**

The Post Office network is a key outlet for Kerry County Council to enable tenants to pay their weekly rent. Household budget is the most successful electronic payment method and it requires participants to collect their welfare payment at their post office. We continue to promote electronic payment methods to our tenants as a preferred means of payment and Household Budget is one of our more successful methods.

The continued promotion of Household budget will support the post office network and provide our tenants with a means of assistance with budgeting and money management

Cllr. J. Moloney SECONDED this motion.

**27. Engagement with National Park & Wildlife Service**

**Pursuant to notice duly given Cllr. J.J. Culloty PROPOSED:**

To call on this Council, to adopt a policy whereby relevant staff members would meet with personnel from the National Park & Wildlife Service, at least 2 or 3 times per year, to discuss aspects of mutual interest, such as parking, signage, road safety etc.

**The following reply issued:**

It is normal practice for the Council to engage with other state agencies, including the NPWS, in relation to the delivery of services, and in particular where issues of concern have been raised by the members.

Cllr. J.J. Culloty suggested that a formal arrangement be put in place to meet in March and September each year.

Cllr. N. Moriarty SECONDED this motion.

**28. Security cameras at incident/collision hotspots**

**Pursuant to notice duly given Cllr. J. Sheahan PROPOSED:**

To ask Kerry County Council to install security cameras at locations that are known to be incident/collision hotspots. The system to date for collecting statistics for road traffic incidents is flawed, as it is dependent on motorists reporting the incident to the Gardaí, who in turn must log the incident to the pulse system, which is converted to statistics by the TII.

**The following reply issued:**

Reported road traffic accidents are recorded by An Garda Síochána and this information is forwarded to the Road Safety Authority who collate the information on their accident database. This information is used by the Road Authority to prioritise areas of the road network for safety schemes and in appraising sections of the network where significant improvements may be required.

The provision of any CCTV systems is currently suspended pending clarification in relation to data protection, particularly in the context of the General Data Protection regulations, as discussed at recent JPC meetings.

The Cathaoirleach said it is vital that any incidents/collisions are reported to the Gardaí for recording on their database. This information can inform funding decisions for works to accident hotspots.

Cllr. J.J. Culloty SECONDED this motion.

**29. New sheep tagging legislation**

**Pursuant to notice duly given Cllr. D. McCarthy PROPOSED:**

To ask Kerry County Council to write to the Minister for Agriculture to inform all sheep farmers of the new sheep tagging legislation.

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

Cllr. M. Cahill SECONDED this motion.

**18.06.18.15 Correspondence – Conferences and Seminars**

- (a) It was noted that, following approval at the January, 2018 Council meeting, Cllrs. M. Cahill, D. Grady, T. McEllistrim, N. Moriarty, N. Kelleher, B. Cronin, M. Healy-Rae, J. Healy-Rae and G. Spring would attend the AILG Module 3 “Irish Water and a Single Public Water Utility” briefing for elected members to be held in Killarney, Co. Kerry, on 19<sup>th</sup> June, 2018.

Cllr. M. Healy-Rae was nominated to report back to Council on this Training Seminar.

- (b) On the PROPOSAL of Cllr. J. Moloney, SECONDED by Cllr. D. McCarthy it was agreed to authorise the attendance of Cllrs. B. O’Connell, P. McCarthy, D. Grady, M. Cahill, S. Fitzgerald, J. Finucane, T. McEllistrim, L. Purtill, J. Healy-Rae and G. Spring at the Irish Private & Public Bodies Training Seminar “Local Electoral Area Boundary Commission” to be held in Ballymaleel, Donegal, from 6<sup>th</sup>-8<sup>th</sup> July 2018.

Cllr. D. Grady was nominated to report back to Council on this Training Seminar.

### 18.06.18.16 Correspondence General

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

	<b>Date</b>	<b>From</b>	<b>Description</b>
1.	16-May-18	Minister for Finance	Response to a resolution from Kerry County Council regarding instructing the Central Bank to give full banking licences to the Post Office and its networks and also suitable Credit Unions.
2.	17-May-18	Minister for Health	Response to a resolution from Kerry County Council regarding obesity levels in society.
3.	29-May-18	Minister for Culture, Heritage & the Gaeltacht	Response to a resolution from Kerry County Council regarding staffing levels in Killarney National Park.
4.	8-Jun-18	Office of Public Works (OPW)	Update on the Cashen Estuary Drainage Project.
5.	1-Jun-18	South Dublin County Council	Resolution adopted by South Dublin County Council expressing solidarity with the Palestinian people.
6.	5-Jun-18	Donegal County Council	Resolution adopted by Donegal County Council expressing solidarity with the Palestinian people.

### 18.06.18.17 Any Other Business

#### **Cruinniú na nÓG**

Cllr. T. Ferris congratulated all involved in organising the Cruinniú na nÓg event in Kerry on Saturday, 23<sup>rd</sup> June, 2018.

#### **Annual Meeting**

The Annual Meeting of Kerry County Council will be held on Monday, 25<sup>th</sup> June, 2018 at 12.00 p.m.

#### **Civic Welcome**

A Civic Welcome for Dr. Timothy Shriver, UNESCO Chairholder, Institute of Technology Tralee, will be held at 5.30 p.m. on Wednesday, 20<sup>th</sup> June 2018 in the Council Chamber, County Buildings.

The meeting concluded at 3.30 p.m.

**Liam Quinlan**  
Meetings Administrator

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**Cathaoirleach of Kerry County Council**