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**MIONTUAIRISÍ AN CRUINNIÚ DE COMHAIRLE CONTAE CHIARRAÍ
A THIONÓLADH I SEOMRA NA COMHAIRLE, ÁRAS AN CHONTAE, TRÁ LÍ, AR
AN LUAN, 11 MÁRTA 2019**

**MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL HELD IN
THE COUNCIL CHAMBER, ÁRAS AN CHONTAE, TRALEE ON MONDAY,
11 MARCH 2019**

PRESENT/I LÁTHAIR

Councillors/Comhairleoirí

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

APOLOGIES/LEATH SCÉAL

M. Gleeson G. Spring

IN ATTENDANCE/I LÁTHAIR

Ms. M. Murrell, Chief Executive	Mr. C. O'Sullivan, Dir. of Operations
Mr. J. Breen, Director Water Services	Mr. M. O'Donoghue, Director Housing
Mr. M. Scannell, Dir. Job Cr/Sust. ED	Mr. C. O'Connor, Director Corp. Servs.
Ms. A. McAllen, Head of Finance	Mr. L. Quinlan, Meetings Administrator
Mr. O. O'Shea, Press Officer	Ms. D. Griffin, SO Corporate Support
Ms. O. O'Shea, CO Corporate Support	Ms. E. O'Connell, CO Corp. Support
Mr. G. O'Brien, A/SEO Environment	Mr. D. Ginty, A/Senior Planner
Mr. M. Harkin, Project Leader I.T.	Mr. J. McCann, Web Publisher I.T.
Mr. T. Hayes, Local Enterprise Officer	Ms. B. Fitzgerald, Economic Dev. Officer
Ms. Liz O'Donnell, AO Environment	Ms. K. Moriarty, A/SEO Finance

The meeting commenced at 10.30 a.m.

Cllr. N. Foley, Cathaoirleach, took the Chair.

Vote of Sympathy

The Cathaoirleach proposed a vote of sympathy to the family of Sr. Pauline McShain. The McShain family have done so much for Killarney, they are owed an immense debt of gratitude for the generous gift of Killarney House and Gardens to the people of Killarney.

Cllr. N. Kelleher supported this vote of sympathy and proposed that a Book of Condolences be opened in association with Killarney House.

Cllrs. J.J. Culloty, D. Grady, J. Sheahan and P. McCarthy wished to be associated with this vote of sympathy.

The Chief Executive said it is important the Council acknowledges the huge contribution of the McShain family and she expressed her sympathies to the McShain family on the passing of Sr. Pauline McShain.

Vote of Sympathy

Cllr. J. Finucane proposed a vote of sympathy to the wife and family of Mr. Anthony O'Connell who, although retired, was making a great contribution to this community as a very active member in the development of the Valentia Cable Project.

The Cathaoirleach and Cllr. J. Sheahan wished to be associated with this vote of sympathy.

Vote of Sympathy

Cllr. J. Healy-Rae proposed a vote of sympathy to the wife and family of Mr. Michael Ryan who was killed in the Ethiopian Airline crash over the weekend. Mr. Ryan worked as an engineer with the United Nations.

All Members wished to be associated with this vote of sympathy.

Vote of Sympathy

Cllr. R. Beasley proposed a vote of sympathy to the family of the late Mr. Michael Scannell.

All Members wished to be associated with this vote of sympathy.

Launch of the Kerry County Council Local Electoral Boundary Web Application

Mr. M. Harkin, Project Leader, I.T. Section, gave a demonstration of the interactive map which is available on Kerry County Council's website to help inform voters about the new local electoral boundaries and local electoral areas which are in place for the 2019 Local Elections. The searchable map shows all of the Electoral Divisions (EDs) which are the local polling districts and the Local Electoral Area (LEA) in which it is now located. It also allows the voter to see which Municipal District they are living in.

In launching the Local Electoral Boundary web application the Cathaoirleach said the development of this application is hugely innovative of Kerry County Council and it is a credit to the I.T. team. It is important that we inform members of the public of the new boundaries and this is a very user-friendly map which will give voters the information they need. It will also be very useful for candidates and canvassers over the coming weeks where confusion might arise about the new boundaries.

Cllr. J. Healy-Rae welcomed the development of the web application, however, said that the Register of Electors needs to be updated in this county and some process must be introduced to keep it updated.

Cllr J.F. Flynn supported Cllr. Healy-Rae's comments.

Mr. C. O'Connor, Director of Service, said there is a national consultation process ongoing at present regarding the Register of Electors that proposes a number of

changes. The Department has set out a number of factors they intend to take on board. The terms of the consultation process were recently circulated to the Elected Members.

Cllr. T. Ferris proposed that this Council calls for automatic placement on the Register of Electors once a person reaches the age of 18 years and that it be linked to a person's PPSN.

11.3.19.01 Cathaoirleach's Report on CPG meeting held on 5 Mar 2019

The Cathaoirleach's report on the CPG meeting held on 5 March 2019, which had been circulated, was noted by the Members.

It was unanimously agreed that a Civic Reception be held at full Council for Nicky and Anne McAuliffe for their service to teaching of traditional music of Sliabh Luachra.

It was unanimously agreed that recommendations by CPG on any further requests for civic honours would be deferred until the new Council is in place.

Cllr. A. Thornton referred to the proposed visit by President Michael D. Higgins to Listowel on Saturday, 25 May 2019 to present the Ireland's Tidiest Town 2018 Award and asked, on behalf of all Listowel Municipal District Elected Members, that works would be carried out to the Square in Listowel prior to this visit.

11.3.19.02 Confirmation of Minutes

Cllr. T. Ferris asked that page 20 of the minutes of the February Ordinary Meeting be amended as follows prior to confirmation.

"Cllr. T. Ferris said these figures are outrageous given that in 2014 when there was a no construction programme there was €5m paid to private landlords and in 2018 when Kerry County Council was purchasing properties and building €13m was paid."

On the PROPOSAL of Cllr. M. Kennelly, SECONDED by Cllr. J. Finucane, it was resolved that the minutes of the February Ordinary Meeting of Kerry County Council held on 18 February 2019, subject to the above amendment, be confirmed.

11.3.19.03 Chief Executive's Report to Council

The Chief Executive's report for the month of February 2019, which had been circulated, was noted by the Members.

Cllr. T. Barry referred to an anti-social behaviour incident that took place in Feale Drive, Listowel on Friday last. He said An Garda Síochána were on the scene quickly and he asked that Kerry County Council investigate this incident.

Cllr. M. Kennelly asked for clarification on the use of personal protective equipment for fire fighters. He also asked for an update on the situation regarding tenants that have been disrupted by being relocated from their homes due to oil leaks.

Cllr. A. Thornton supported Cllr. Kennelly's comments regarding tenants affected by oil leaks and said she has requested a written report on same. She commended the Ballybunion Forum and Tidy Towns groups in Ballybunion for the work they are doing and Ballybunion beach being named one of the top ten beaches in the country. She asked for an update on beach cleaning during the summer season.

Cllr. B. Cronin moved notice of motion No. 10.

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

“What steps have Kerry County Council taken to prepare for a no-deal Brexit situation as this County is dependent on Tourism, Agriculture and Fisheries and Business/Industry as major economic and employment pillars in Kerry and they must be given every support possible to protect jobs and incomes.”

The following reply issued:

The Economic Development Officer has been designated the Nominated Brexit Officer for Kerry County Council. Central Government Departments and its Agencies have been working with their colleagues across Government to put in place an extensive range of Brexit-related supports, including advice, finance and upskilling. In this regard the Economic Development Officer has attended a number of conferences and briefing sessions held by Central Government Departments/Agencies in order to provide the necessary advice and supports at local level and within the Local Authority across each Directorate. The impact of Brexit has been assigned as a central agenda item for the Senior Management Team. A risk assessment analysis has been carried out on the operation of the Local Government Operational Procurement Centre (LGOPC) which is a shared service lead by Kerry County Council. The Local Enterprise Office provides Brexit and core supports to the SME sector in the County including food businesses based in the County. The Tourism Department works closely with Fáilte Ireland in supporting the Tourism Industry within the County. Fáilte Ireland’s Brexit Response Programme is designed to help Irish tourism businesses spread the risk by diversifying their source markets and to enhance their skill capabilities across a wide range of business functions. The Council has been to the forefront in promoting Kerry as a Tourism Destination in other European Markets. The Agricultural Sector is represented on the Economic and Enterprise Strategic Policy Committee. The Department of Agriculture, Food and the Marine in association with the Farming and Fisheries groups are providing Brexit supports to these industries.

Cllr. B. Cronin welcomed initiatives being put in place to support businesses and expressed concern for the tourism industry. He said there is uncertainty for businesses regarding orders, pricing and items they import and use to produce goods. He asked that initiatives be progressed to provide assistance to businesses as the livelihoods of people in the county are at stake.

Cllr. J. Finucane asked that a letter issue to the Minister for Employment regarding the introduction of a national apprentice scheme. He asked if Kerry County Council could launch a local apprentice recruitment drive. He welcomed the recent recruitment drive for General Operatives.

Cllr. J.F. Flynn asked that an official from Kerry County Council would attend the Young Scientist & Technology Exhibition in support of Kerry applicants. He asked for an update on the circulation of the prices of land purchased by Kerry County Council. He asked that dog fouling bins would be in place on Rossbeigh beach all year round rather than being provided only during the summer season.

Cllr. P. Connor-Scarteen welcomed support being provided to businesses in the context of Brexit as there is a lot of uncertainty. He welcomed new housing schemes in Kenmare and Killorglin and called for the provision of more 1/2 bed properties. He

called for more sports clubs and voluntary organisations to be involved in the upcoming County Clean Up Day.

Cllr. S. Locke referred to anti-social behaviour and said proper vetting must be in place to ensure communities are safeguarded and Kerry County Council must take a stance to address this problem across the county. He complimented all volunteers involved in the County Clean Up Day and as Chair of the Tralee Tidy Towns Group he thanked all involved in helping retain a gold medal for the town.

Cllr. M. Cahill welcomed supports for businesses with concerns regarding Brexit. He called for the provision of more 1/2 bed properties throughout the county. He referred to the inclusion of six of the county's beaches in the top 10 beaches in the country and said more investment is required in our beaches as they are a significant part of our local economy and county. He commended all volunteers involved in the County Clean Up Day and also called for the protection of the county's forests from fire damage. He said penalties must be introduced to address anti-social behaviour and the Local Authority must work closely with An Garda Síochána.

Cllr. R. Beasley welcomed the inclusion of six of the county's beaches in the top 10 beaches in the country and thanked the Ballybunion Forum, Tidy Towns volunteers and Council and CE Scheme staff for their work. He asked for an update regarding beaching cleaning at Ballybunion for the coming summer season as the beach is very important to the local economy.

Cllr. M. O'Shea welcomed housing being constructed in Milltown and suggested that for future housing developments local schools would be invited to participate in naming the Local Authority housing estates. He called for the development of more houses for single persons and single parent families. He said Brexit is a great concern for businesses of this county. He welcomed the inclusion of six of the county's beaches in the top 10 beaches in the country and asked that much needed infrastructure, for car parking and amenities at Inch beach be developed. He congratulated the staff of the Local Enterprise Office for assisting employment creation and their work on the Student Enterprise Awards.

Cllr. N. Kelleher referred to the announcement over the weekend that Chief Superintendent Tom Myers will be leaving Kerry in two weeks. While welcoming incoming Chief Superintendent Eileen Foster he expressed concern that this is the 5th Chief Superintendent assigned to the county in recent years.

Cllr. J.J. Culloty asked that a letter issue to Chief Superintendent Tom Myers thanking him for his work. He said the county must take pride in the inclusion of six of the county's beaches in the top 10 beaches in the country. The buy-in from tidy towns volunteers and the Local Authority results in these awards for the county and the amount of work done on a voluntary basis must be acknowledged.

Cllr. D. Grady expressed his concern of the impact of the continuing change of Chief Superintendent in the county. He asked that a letter issue to the Garda Commissioner of An Garda Síochána outlining concerns of the Local Authority. He wished Chief Superintendent Myers well in his new role. He said anti-social behaviour must be addressed. He called for the provision of additional 1/2 bed houses.

Mr. M. O'Donoghue, Director of Service, said the Housing Capital Programme has a mix of 1/2 bed properties depending on the needs analysis. In relation to the incident at Feale Drive, Listowel, it is understood that this occurred at a private house and An Garda Síochána are dealing with the matter. He said while there are talks nationally about the introduction of an apprenticeship scheme it can be reviewed locally. The issue regarding oil leaks is being dealt with through the insurance unit and is with IPB at present.

Ms. A. McAllen, Head of Finance, said the figures in relation to the land report are being validated and will issue to the Elected Members shortly.

11.3.19.04 Report on the Operation of the Litter Pollution Acts 1997-2009

Mr. J. Breen, Director of Service, referred Elected Members to report dated 5 March 2019, which had been circulated. He outlined the report, including that this report has been prepared to outline the measures taken during 2018 to prevent and control litter throughout the County and to report on the effectiveness of these measures. The evaluation is based on the targets and objectives contained in the Litter Management Plan 2017-2019 and the enforcement of the Litter Pollution Acts, 1997-2009. The report includes the following:

- 2018 highlights
- Litter prevention and Control Programmes
- Enforcement actions and analysis
- Education and Public awareness campaigns
- Develop Partnerships with Business and Community Sectors
- Recycling and Recovery
- Key performance indicators

Cllr. J. Moloney complimented the tidy towns and voluntary groups on the great work they do and the staff of the Environment Department on the work being done. He expressed concern that of 937 investigations and 142 fines issued only 15 convictions were secured. He asked that every effort be made to increase the number of convictions and said a name and shame approach is required as a deterrent. In relation to the 196 tonnes of fly-tipping that was collected, the vast majority of that could be recyclable material. He asked what is the cost to the county of disposing of this litter. He said littering is disrespectful to the county. He asked if staff have been assigned to checking where people are disposing of their rubbish as per the recently adopted Bye-Laws. He referred to a campaign the former Listowel Town Council ran with the vintners regarding cigarette butts and suggested that Kerry County Council work with Kerry Vintners on this.

Cllr. J.F. Flynn referred to dog fouling on beaches and said the 'Any bag – Any Bin' campaign will help in addressing this issue, however, the bins on beaches are not being emptied and are not available outside of the main summer season despite our beaches being busy throughout the year. He asked that the location of the bottle banks in Listry be reviewed. He said refuse collection services refusing to service smaller roads is a big issue in rural areas. He said a name and shame approach must be taken to deter litter offenders. He complimented the work being done by the Litter Wardens.

Cllr. S. Locke acknowledged the work of Kerry County Council and the Litter Wardens. He thanked the students involved in the anti-butt campaign in Tralee and said any

other initiatives to address litter would be welcome. He said there is an issue with clothing banks which are not being emptied on a regular basis.

Cllr. A. Thornton said awards in Listowel and across the county show the commitment of volunteers and Kerry County Council. She asked how many of the convictions had used evidence from covert cameras. She asked for an update on the use of drones as part of an anti-dumping initiative.

Cllr. B. Cronin thanked the Litter Wardens for their work in trying to identify litter offenders. He said convictions for litter offences are not appearing in the press, therefore we are failing to put the message out that offenders will be prosecuted. He asked how many covert cameras are in the county. He complimented the work of volunteer groups and said the outcome of their work is seen in awards being achieved across the county. He said it is important for households who are doing renovations to be sure that they get a receipt for the disposal of rubbish, windows, etc., that are removed from their house. In relation to the recently adopted Bye-Laws for the presentation of waste, he said if Kerry County Council are to request people to produce a receipt/contract we must ensure that the providers are providing an accessible service to householders.

Cllr. M. O'Shea commended all involved in the County Clean Up and asked if it is possible to extend that concept to one clean up day per season. He said littering from cars is an issue and waste washing up on beaches is also a problem. He asked if the covert cameras are used in securing convictions.

Cllr. T. Barry complimented all groups and Residents Associations who make a positive contribution towards keeping the county tidy. He said it is vitally important to keep the link with schools and the use of cameras in laneways is important to prevent littering. He asked that there would be a concentration on the anti-butt campaign.

Cllr. J.J. Culloty said the percentage of cigarette butts reported for the county is extremely high and asked if this is by weight or by number. He said it would be of benefit to send this report to relevant groups as a guidance document. He said it is important to convey the message that Kerry County Council does convict for littering and the press must publish this also.

Cllr. M. Cahill said it is an issue that many rural routes are not being provided with a refuse collection service. He said landowners should not be fined for rubbish dumped on their property by others. Dog fouling on beaches is an issue and bins should be in place all year round. Given the popularity of beaches on the Wild Atlantic Way and the county's beaches being listed in the top ten in the country, a caretaker could be in place year round on our beaches.

Cllr. T. Ferris said there is still confusion regarding what can go into a recycling bin. She asked that consideration be given to encouraging the private refuse service operators to provide information on recyclable, to incentivise segregation of recyclables at source or to providing a refund for return of recyclables. She welcomed the forthcoming ban of one-off plastics. She asked when the Elected Members will be told how much the Kerry County Council refuse collection service was sold for and how much the Council had invested in assets associated with the service at that time. She asked that she be furnished with a copy of the clause, if it is about confidentiality, and a copy of penalties if Kerry County Council were to breach that clause.

Cllr. R. Beasley said dog fouling is a scourge to the county's footpaths and beaches and he asked that advertising that was done in 2018 would be repeated in 2019.

Cllr. P. Daly said the privatisation of the refuse service has resulted in householders having to pay standing charges and receiving a poorer service. He asked how many covert cameras are operating today at littering blackspots around the county.

Cllr. D. Quigg said refuse collectors not providing a smaller type collection truck to service households on side roads which are not accessible by larger refuse collection lorries is an issue. He said there is an onus on Kerry County Council to approach service providers and request that they provide a service to these areas, particularly if Kerry County Council is to request householders to provide evidence of how they are disposing of their rubbish.

Mr. J. Breen, Director of Service, said the issue regarding service provision on smaller routes has been raised at Departmental level. Householders can raise the matter with the Consumer Protection Commission. The National Waste Collection Permit Office issue permits to refuse collectors. Eight cameras, including mobile cameras are operational in the county, with approximately 4/5 working on a daily basis. A review of the use of the cameras and the information from them is being undertaken to ensure compliance under GDPR. None of the litter convictions were related to evidence from the cameras. The new single use plastics directive will affect the 3-bin recycling segregation system. Kerry has one of the highest percentages of households availing of the brown bins for compostable material. In response to a query from Cllr. Ferris, he undertook to review the file on the sale of the refuse service. He said consideration would be given to the provision of bins at beaches year round. In response to a query from Cllr. Culloty regarding the breakdown of litter/cigarette butts, he said the result is based on an analysis of litter on a stretch of street. In relation to publishing information on convictions he said the convictions are heard in public court and Kerry County Council has encouraged the press to publish details of the convictions. He said there will always be a gap between the number of fines issued and the number of convictions as fines can be paid. The use of drones is being reviewed in light of GDPR requirements. He said the advertisements regarding dog fouling will be run again this year. He encouraged the public to continue to report instances of littering to the Environment Department.

11.3.19.05 Raising of a loan for Housing Mortgage Loans

Ms. A. McAllen, Head of Finance, referred Elected Members to report that had been circulated dated 4 March 2019 outlining that this Council approved the raising of a loan for €5m from the Housing Finance Agency for Housing Mortgage Loans in December 2018. However, the Housing Finance Agency has advised, in accordance with revised procedures that the wording of the Council resolution is required to be amended to reflect the revised requirements for the approval of this loan.

On the PROPOSAL of Cllr. Jim Finucane, SECONDED by Cllr. Damian Quigg, it was agreed to approve the raising of a loan of €5m from the Housing Finance Agency for onward lending to individual borrowers for housing purposes such as house purchases under the Housing Acts together with house acquisitions in accordance with the Tenant Purchase Schemes and the Rebuilding Ireland Home Loans.

In response to a query from Cllr. Moriarty, the Chief Executive advised that the Director of Service for Housing has sent correspondence to the Elected Members which outlines that the issue of the funding stream for housing loans has been resolved.

11.3.19.06 Kerry County Council's Adaptation Plan on Climate Change

Mr. C. O'Sullivan, Director of Service, made a presentation to the Elected Members on Kerry County Council's Climate Change Adaptation Strategy which included the following:

- Strategies to address climate change
- Climate Action and Low Carbon Development Act 2015
- Climate Action Regional Offices
- Local Authority Adaptation Strategies
- Step 1: Assessing the current adaptation baseline
- Step 2: Assessing future climate risk
- Step 3: Develop adaptation actions
- Works programme/timeline for the Atlantic Seaboard South Climate Adaptation Regional Office (CARO) to support the delivery of LA Climate Adaptation Strategies

Cllr. J.F. Flynn said climate change is happening and we must prepare for it. Many areas of the county, including Cromane and Dooks, are exposed to coastal erosion. Funding will not be made available for these areas until the survey of Castlemaine Harbour is completed. He asked that any resources required to complete this survey would be made available.

Cllr. M. Cahill said this issue is hugely important and many people do not fully understand the consequences of climate change. We are experiencing rising sea levels, storms and flooding because of climate change. He asked when information from the Castlemaine Harbour study will be available.

Cllr. J. Finucane said it will be difficult for this country to meet what it signed up to regarding climate change and major action is needed. He said the greatest polluter in Kerry is the ESB station at Moneypoint. It is of great concern that 92% of Ireland's gas come from Eastern Europe via Britain and Scotland, therefore, dependent on outside sources. A definitive plan must be in place to deal with this, which includes converting Moneypoint to natural gas. Steps must be taken that will have an immediate impact and locally we must address our biggest polluter; to have the LNG project in place would aid this.

Cllr N. Kelleher referred to electric car charging points and said there are deficiencies in the network for these charging points. As a peripheral county, we must do more in this area. He said we all have a responsibility to take regarding the environment and everyone doing a bit will address issues going forward.

Cllr. P. Connor-Scarteen said there are issues to be addressed regarding coastal erosion in Cromane and Glenbeigh and the fodder crisis. Huge investment is required to repair infrastructure affected by coastal erosion. Water supply reserves are required all over the county. Electric car charging points are required across the county and consideration must be given to incentives for business to install charging points at their premises.

Cllr. N. Moriarty said there is a lot Kerry County Council as a Local Authority can explore in relation to car charging points, which could include a source of revenue for the Local Authority and EU grant aid is available. She said there are critical coastal areas in the county that require further work and longer term solutions to be put in place. Consideration must be given to how we can access EU funding to carry out mitigation works.

Cllr. P. McCarthy asked what grade of tar is being used at present and is it capable of withstanding higher temperatures.

Cllr. D. Quigg proposed that Kerry County Council would consider sourcing EU funding to hold a conference in Kerry on climate change and invite people to attend and share their experiences.

Cllr. R. Beasley said the OPW is taking a long time to address issues, e.g. dredging the Cashen River, and EU funding must be availed of to provide electric car charging points across the county.

Cllr. J.J. Culloty said from the Local Authority point of view retrofitting of housing stock, insulating and changing windows, and removing the use of fossil fuels is important. He added that all EU funding options must be availed of.

Cllr. J. Sheahan said with climate change comes flooding, the effects of which have been seen across the county. He asked that electric car charging points be provided in the proposed multi-storey car park in Killarney.

Cllr. D. Grady said flooding is an issue that has affected the county severely and there is a need for the electric car charging points network to be improved.

The Chief Executive said this is a hugely important area which Kerry County Council is engaged with and will be a priority over the coming months. With regard to electric car charging points, the view is that by 2025 many vehicles will be electric. For Kerry it is important that we have charging points within our infrastructure. The charging points infrastructure is expensive and it is important that it have a 20-minute charging time. Kerry County Council is progressing this and has engaged with Fáilte Ireland and it is included in the Transportation Strategy for the Wild Atlantic Way. Mapping is being done in preparation of making a funding application under one of the climate related funding streams as it is a very important piece of infrastructure for the county over the coming years.

Mr. C. O'Sullivan, Director of Service, said the Castlemaine Harbour Survey will be going out for tender by the end of March/early April to determine what future proofing works are required and will take 12 months to complete. He said the bitumen being used in recent years has a higher resilience to high temperatures.

Suspension of Standing Orders

The Cathaoirleach indicated that it was 1.30 p.m. and it was necessary to suspend Standing Orders.

On the PROPOSAL of Cllr. P. McCarthy, SECONDED by Cllr. J. Sheahan, it was agreed to suspend Standing Orders to allow the meeting to continue.

11.3.19.07 Renewable Energy Policy Update

Mr. M. Scannell, Director of Service, said this matter was before the Elected Members early in the year and considerable work has been done since then in developing the policy and significant resources of the Local Authority have been applied to bringing this forward. He said Mr. D. Ginty, Senior Planner, will make a presentation on work undertaken to date, the process involved and procedures that will follow from today's meeting.

Mr. D. Ginty, Senior Planner, said a commitment was given to the Elected Members several months ago to begin this process. In the absence of the Ministerial guidelines, it is difficult to finalise but we do have an emerging draft. He outlined his presentation, which included the following:

- Began the process of preparing a variation of the County Development Plan in relation to Renewable Energy
 - Significant quantum of work carried out; more to do; emerging draft policy
- Informed by a Visual Sensitivity Assessment
 - Strategic Environmental Assessment
 - Habitats Directive Assessment
 - Strategic Flood Risk Assessment
- Visual Sensitivity Assessment
 - Previous LCA informed the 2012 Renewable Energy Strategy, it did not:
 - Form part of the RES
 - Form part of the County Development Plan
- Bord Pleanála DID NOT take the 2012 LCA into consideration adjudicating recent appeals
 - Bord had regard to Kerry County Councils 2012 Renewable Energy Strategy.
 - Bord referred to The Character of the Landscape
- Analysis of individual areas in the County
 - Extent to which their character is likely to be altered by the addition of Wind Energy development
 - Sensitivity to the specific changes likely as result of Wind Energy developments
 - Upwards of 40 areas for assessment. (Draft Final Document 300 pages)
- Emerging Draft Policy: Developed sites nearing end of life & Single Turbine
- Community gain
- Progressive reduction in the quantum of lands designated as open to consideration for wind farm development
- Emerging preferred draft indicates a further reduction in the order of 65%
- Still awaiting the Ministerial Guidelines. Meeting the Department before Easter to ascertain further guidance in the absence of the finalised Guidelines

Cllr. J. Moloney acknowledged the work being done; however, he said this change to the County Development Plan has been sought for 5 years. He said the proposed map does not change much for North Kerry and the vast majority of area open for consideration for development is in North Kerry. Despite saying the areas open for consideration are reducing, technology in wind turbines is advancing. The Landscape Character Assessment informed the Renewable Energy Policy so it is of some significance. He asked if the Landscape Character Assessment would be circulated to the Elected Members. He asked who will enforce the condition regarding the flicker from the turbines. He said he does not think that enough work has been done to protect North Kerry and the turbines that have been built must be taken into account.

Mr. M. Scannell, Director of Service, said the map shows an analysis relating to the natural environment of the area. If you put on top of that the separation distance relating to the receptors and existing developments it substantially reduces the areas where wind farms would be tolerated. Areas are open to consideration where the landscape type and designations allow it. Any applications/submission will have to take account of the Government Guidelines and the existing developments that have taken place in these areas. Add in individual rural houses to the map and take a 600m circle around each house in North Kerry and there is a significant reduction in available area. We have included in our developing policy the requirements set out in the emerging policy from the Department.

The Chief Executive said it is very important to note that the presentation demonstrates that there is a lot of work done and yet some to do to bring us to a stage where we have a map which will define areas. As this is something the Elected Members have raised consistently over recent months this presentation is to give a sense of the amount of work required to progress a variation of the County Development Plan.

Cllr. J.J. Culloty thanked the staff of the Planning Department for their work and said the effect of the wind turbines is not just about noise and flicker, it is also about losing the value of a house. Technology is changing, the size of turbines is increasing, and we are still waiting on the Departmental Guidelines. The county has more than enough done and the four times setback is just not enough. Reference has been made to An Bord Pleanála looking at topography rather than the Landscape Character Assessment. This is not the answer to what the problem is.

Cllr. T. Ferris said there was no direct reference to the Landscape Character Assessment by An Bord Pleanála but the language used in their decisions suggests they did look at it and considered it in making a decision. It was suggested that all Local Authorities develop Landscape Character Assessments, it said "in relation to Landscape Character Assessment regard should be had to this policy and County Development Plans." This was to ensure consistency by Local Authorities and An Bord Pleanála. If the Landscape Character Assessment, albeit an informative document, was not as crucial then why are there calls for a national Landscape Character Assessment to be developed and an urgent need for that? In September 2017, there was an opportunity for legislation to be passed but Fine Gael and Fianna Fáil decided to vote against it. The one thing we can do in the Local Authority, in the absence of national guidelines, is we can tear up the Landscape Character Assessment developed previously. She said she could not understand why we are delaying and not presenting a new Landscape Character Assessment that could be used until national guidelines are published.

Cllr. J. Finucane welcomed the significant work done by the Planning staff. He said this is about planning certainty and it is disappointing that the national guidelines have not yet been published. The technical requirements is work we would have to do to formulate a policy and is critical to having a policy that will stand up to judicial review. He asked that a letter issue to the Minister asking for a definitive date for when the Wind Energy Guidelines will be published.

Cllr. A. Thornton said she respects that this work has to be mapped and done in a proper manner; however, it appears that North Kerry remains the only place in the county that will be open to consideration for wind farm development. These

developments have an enormous impact on people living near them. She said it is not right that the development levies received from these developments cannot be used to re-instate the roads and this should be re-visited.

Cllr. N. Kelleher acknowledged the work done on preparing the maps presented and said whether the Minister publishes guidelines or not Kerry County Council should progress with drafting a new County Development Plan. He said it is the view of this Chamber that we should go ahead with or without ministerial guidelines.

Mr. M. Scannell, Director of Service, said the Planning Department has been in contact with the Department officials and they have indicated they will meet with Kerry County Council before Easter to review the substantive emerging document. He said a commitment was given to proceed with the development of a draft County Development Plan; the sensitivity analysis will go out as part of the Renewable Energy Policy and will replace the existing Landscape Character Assessment. The landscape can change if the use of the land has changed and that has happened, e.g. the Wild Atlantic Way and an increase in EU designations across the county, which has heightened the importance of this document. As this is an emerging document, the map shown in the presentation will change further as the document is further developed. More work is to be done on the emerging document and as part of the habitats directive. Thereafter we will be in a position to decide what this Council needs to do next based on whether or not the Departmental Wind Energy Development Guidelines have been published.

Lunch break

The meeting adjourned for lunch at 2.10 p.m. The meeting resumed at 2.40 p.m.

11.3.19.08 Update on the Digital Strategy

Mr. D. Reilly, Broadband Officer, outlined his presentation, which included the following:

- National Broadband Plan
 - Government Strategy designed to deliver High Speed Broadband services to all businesses and households in Ireland
 - High-speed Broadband defined as 30Mbps download and 6Mbps upload in a reliable high quality and consistent manner
 - Combination of Commercial Investment and state intervention
- Status of high speed broadband in Kerry December 2018
- Broadband Connection Points – BCPs
 - As part of the NBP, nearly 300 Broadband Connection Points (BCPs), across all counties, will be provided with a community based high speed broadband service in the first year of deployment
 - These BCPs will provide free public Wi-Fi access to communities awaiting the rollout of the State intervention network
 - Some locations will also have additional facilities e.g. remote working hot desks and training
 - A variety of locations have been identified by the broadband officers, including schools, community centres and sports clubs
- Kerry Digital Strategy
 - Digital technology to drive economic and community development
 - Engagement process – key stakeholders
 - Vision, Objectives and measures

- Aligned/encompass/expand aspects of local economic and community development plans and other strategies
- Iterative process – timeframe
- Indecon guidance – pillars and measures
- Digital Champions – capturing best practice currently – demonstration
- Wifi4EU
 - Free Public Wifi €15,000 vouchers, matched by €15,000 funding from DRCD
 - Kerry Council secured 4 vouchers (maximum allowed per municipality) - €120,000
 - 18 months timeframe for delivery
- Digital Innovation Programme 2018 and 2019

The Cathaoirleach acknowledged the excellent work being done and how important it is to the county that this portfolio is being progressed.

Cllr. J. Finucane said the aging profile of the population in rural areas and the lack of I.T. skills are factors in the lack of uptake of rural broadband in the county. He undertook to raise the provision of basic computer skills courses with Kerry ETB, as it is an opportunity to make people familiar with technology.

Cllr. B. Cronin said the majority of broadband upgrades are at high population bases close to urban village centres. There are still rural areas with poor broadband service and this is affecting people who want to work from home.

Cllr. D. Grady said there are many areas that cannot get broadband despite being a short distance from the main road where broadband fibre lines have been provided.

Cllr. J.F. Flynn asked if further work is to be done to be ready for the rollout of national broadband.

Cllr. M. Cahill acknowledged the work being done on broadband in Kerry.

Cllr. M. O'Shea said many people working from home have difficulty with the broadband service and broadband connectivity is key for the county.

Mr. D. Reilly, Broadband Office, said by June 2019 the Eir broadband roll out will be complete, bringing broadband coverage in the county to 70% and having provided 25,000 houses with fibre broadband over the roll out. The remaining 30% is to be provided under the National Broadband Plan and existing poles/ducts will be used for this.

11.3.19.09 Summary of proceedings at events

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

- (a) AILG Autumn Seminar 2018 held on 25-26 October 2018 by Cllr. P. Connor-Scarteen.
- (b) The Finance Act 2018 held on 11-13 January 2019 by Cllr. M. Cahill.

11.3.19.10 Approval for the Opening of Tenders

On the PROPOSAL of Cllr. J. Moloney, SECONDED by Cllr. D. Grady, it was agreed to approve the opening of tenders for Kerry County Council Wood Chip Supply – Closing Date: 28 March 2019.

11.3.19.11 Notices of Motion

2. Green Ribbon Campaign

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

That we agree to join the Green Ribbon Campaign and light up some significant buildings and monuments in Council charge as part of the awareness raising efforts around combating Mental Health stigma. This May 2019, we are asking businesses, landmark buildings and cultural institutions to 'Light up Green' with exterior lighting to help "Say 'No' to Mental Health Stigma.

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

Cllr. N. Moriarty said mental health affects all communities and this is a simple way to show support.

The Cathaoirleach SECONDED this motion and asked that Kerry County Council would agree to light up some significant buildings and monuments in Council charge as part of National Arthritis Week from 8 April 2019.

3. Payment of Parking Fines

Cllr. P. Connor-Scarteen moved Notice of Motion No. 3 on behalf of Cllr. P. McCarthy.

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

That Kerry County Council would consider replacing the 56 Day Rule in relation to parking fines whereby people are summonsed to court and assist them whereby the fine would increase by a daily basis by an agreed amount. This would reduce legal costs on the Council and would release the parking warden to concentrate on the work they are employed to do.

The following reply issued:

Fixed Charge Offence Notices for parking fines are issued under Section 3 (inserted by Section 12(1) of the Road Traffic Act 2002 and as amended by Section 15 of the Road Traffic Act 2006) of the Local Authorities (Traffic Wardens) Act 1975. In accordance with the Notice, if payment of a parking fine is received during the period of 56 days from the date of the Notice, whereby at this stage the initial fine has increased by 50%, then a prosecution will not be initiated. However, consideration to the introduction of a third payment option, which will require legal amendment, to allow for payment before a case is taken to court, is being reviewed nationally.

4. Indemnity Scheme for Landowners

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

That Kerry County Council request the Department of Rural & Community Affairs to introduce the Indemnity Scheme for landowners without delay.

The following reply issued:

This is a matter for consideration by the members.

This request relates to proposed legislation from the Department of Rural and Community Development in relation to an insurance indemnity scheme for landowners

who provide access to upland areas. Working groups were put in place by the Department a number of years ago to examine the feasibility of such a scheme for upland areas and pilot projects were proposed for areas such as the MacGillycuddys Reeks in Kerry and Mount Gable in Galway to assess the effectiveness/operation of such a proposal.

It should be noted that an indemnity scheme is already in place in respect of approved walks or trails which are listed on the Irish Sports Council National Trails office website IrishTrails.ie. which has a list of circa 50 walks / trails in the county.

Cllr. P. Connor-Scarteen said landowners, who have been accommodating and appreciate the value of the walks, are calling for the introduction of this legislation to provide indemnity for the landowners.

Cllr. D. McCarthy SECONDED this motion.

5. Anti-Social Behaviour at Camp

Cllr. J. Finucane moved Notice of Motion No. 5 on behalf of Cllr. S. Fitzgerald.

Pursuant to notice duly given Cllr. S. Fitzgerald PROPOSED:

That the Council writes to An Garda Síochána to sit down with other relevant agencies to consider how specific anti-social behaviour at Seaside Caravan Park, Camp, as reported recently in local media, can be addressed as a matter of urgency.

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

6. Planning Permission on lands adjacent to Ring of Kerry Road

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

That Kerry County Council call on An Bord Pleanála and Transport Infrastructure Ireland to give favourable consideration to landowners sons and daughters who apply for Planning Permission for a family home adjacent to the Killorglin/Killarney road and also that An Bord Pleanála and TII give favourable consideration to landowners sons and daughters who apply for Planning Permission for a family home adjacent to the Ring of Kerry road particularly in cases where they are using the same entrance/exit every day of their lives.

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

Cllr. M. Cahill said people who have lived on family owned lands all their lives are not getting planning permission. He asked if it is possible to meet with An Bord Pleanála regarding this matter.

Mr. M. Scannell, Director of Service, said it is not possible to meet with An Bord Pleanála regarding this matter.

7. Master Plan for Milltown Village

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

To ask that Kerry County Council would write to Minister Michael Ring regarding a master plan for Milltown Village under the Rural Regeneration Development Fund.

The following reply issued:

The Municipal District Office works very closely with the Milltown Community and Chamber Alliance to maximise all funding opportunities available through national schemes. Over the last two years €192,000 has been secured under the Town and

Village Renewal Scheme, the Outdoor Recreation Infrastructure Scheme and the Community Enhancement Programme to revitalise Milltown and improve its recreational infrastructure. It is envisaged that further funding will be available in 2019, under the Department of Rural and Community Development, to support projects across the county which strengthen rural economies and communities.

In addition, under the Rural Regeneration Scheme an application was made in 2018 for a Master Plan and Public Realm Framework for Milltown. An update is awaited on the results of this application.

Cllr. M. O'Shea said it is crucial that the master plan is in place before a bypass route is chosen. He asked if an announcement has been made regarding the funding application.

Mr. M. Scannell, Director of Service, said an announcement has not been made regarding the Rural Regeneration Scheme application. He said it is expected that another call for applications for funding will issue under various rural schemes in March/April.

8. Second Bridge and Ring Road for Killorglin

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

That this Council arrange a deputation to TII in relation to a second bridge and Ring Road for Killorglin.

The following reply issued:

There have been a number of motions moved previously in relation to this request, which were referred to the TII. The TII have now requested the preparation of a Project Appraisal for a scheme which will examine traffic movements, including on Laune bridge, and identify alternatives to reduce traffic congestion on the N70 within Killorglin town. This is now being progressed by the Council. This Plan will be submitted to the TII and DTTAS for approval in Q2 2019.

Cllr. D. Quigg said while he welcomed the project appraisal he would like to see a deputation to the Transport Infrastructure Ireland to progress this project. He said a socio-economic plan, with 95 actions, has been devised for the town of Killorglin. Of the 95 actions, 25 will be impossible to bring to fruition without a ring road, the provision of which is detrimental to the town and South Kerry. Smart Village funding is being sought for the town.

Cllr. M. Cahill SECONDED this motion.

9. Raise the Roof Campaign

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

That this Council supports the cross party motion passed in other Local Authorities in support of the Raise the Roof Campaign.

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

Cllr. T. Ferris said the Raise the Roof Campaign is calling on Government to:

- declare the housing and homeless crisis an emergency
- dramatically increase the supply of Local Authority led public and affordable housing by increasing capital spending on housing

- reducing the flow of adults and children into homelessness emergency accommodation
- make it illegal for landlords, banks and investment funds to evict tenants and homeowners in mortgage distress into homelessness
- establish the legal right to housing

Cllr. B. Cronin **SECONDED** this motion.

The Cathaoirleach said credit must be given to the student of the CBS School who arranged a petition on this matter last year.

11. Derelict Properties

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

That Kerry County Council will prioritise properties that are negatively impacting on adjoining households when tackling the issue of derelict properties.

The following reply issued:

The definition of a Derelict Site is set out in Section 3 of the Derelict Sites Act 1990. A derelict site is defined as any land which detracts, or is likely to detract, to a material degree from the amenity, character or appearance of land in the neighbourhood of the land in question because of:

- (a) The existence on the land in question of structures that are in a ruinous, derelict or dangerous condition; or
- (b) The neglected, unsightly or objectionable condition of the land or any structure on the land in question; or
- (c) The presence, deposit or collection on the land in question of any litter, rubbish, debris or waste.

Kerry County Council fully recognises the negative impact that derelict buildings have on the visual appearance of our towns and villages and adjoining properties across the County. All options are examined and considered when addressing derelict sites. As a result high profile sites, due to their location and impact on adjoining properties, are prioritised.

The Council's Derelict Sites Unit is very proactive in identifying, addressing and following up on both new and existing derelict sites throughout the County. During 2018, in excess of 500 site visits were carried out by the Council's Derelict Sites Officer. At the end of 2018, there were 68 properties listed on the Derelict Sites Register. In addition, there are a further 180 pre-derelict sites files open with ongoing correspondence with the owners with a view to addressing and removing the dereliction. 79 statutory notices were issued during 2018 on properties placed on the Register.

Cllr. T. Barry welcomed the reply and commended the work of the Planner in this area. He said it is a slow process and some properties can be in the care of financial institutions. These sites are causing problems for the adjoining properties.

Cllr. T. Ferris **SECONDED** this motion.

12. Stair Lifts in Kerry County Council Houses

Cllr. J.F. Flynn moved Notice of Motion No. 12 on behalf of Cllr. J.J. Culloty.

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

To ask this Council -

- a) How many stair lifts have been fitted in the last 2 years
- b) What is the average cost of supplying & fitting a stair lift
- c) Where a stair lift is no longer necessary for whatever reason and is in good condition, is there a policy in place to remove and fit in another house.

The following reply issued:

1. Kerry County Council fitted 17 stair lifts in the last two years in Kerry County Council houses; 7 in 2018 and 10 in 2017. In addition, in that period, Kerry County Council grant aided a further 25 stair lifts in private houses.
2. The standard stair lift costs €2,400 plus VAT and it is the normal fit that is used to aid people under the Mobility Aids Grant, the Older People Grant or the Disability Grant schemes. The cost may vary if there is a complication in the accommodation such as a non-standard stairs or a need for assistance to gain access to more than one floor upstairs. In general standard fits apply in most Kerry County Council units and in privately owned units. When the fit is non-standard the costs increase depending on configuration.
3. The option of removing stair lifts in private houses is not available as these are not owned by Kerry County Council.

In our own stock the option of reusing the stair lift is examined. However, in the majority of cases the units have been in situ for extended periods and given the age of the units, the conditions and the cost of removing and re-fitting it in another housing unit would not justify such an approach. In addition, with a re-fit the normal support, guarantees and maintenance contracts would not be in place and the Council would carry those risks and exposures.

On that basis it would be rare for the Council to reuse stair lifts within our own stock.

13. Register of Electors

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

To ask Kerry County Council to write to the relevant authorities to ask that when a person reaches 18 years of age that they will automatically be added to the register to vote.

The following reply issued:

This is a matter for consideration by the Members.

Councillors will be aware that the Department of Housing, Planning and Local Government has recently embarked on a public consultation in relation to a series of proposals to modernise the electoral registration process, which include:

- Simplification of forms and process
- A rolling register or continuous registration
- Optional online registration and secure self-service
- Moving to individual registration only
- Enabling a single national register database with unique identifiers
- Moving to verified identity using PPSNs
- Data sharing to maintain accuracy and comprehensiveness.

A national radio, newspaper and social media awareness campaign has been on-going for the past number of weeks inviting submissions from the public in respect of the

proposals. The closing date for submissions is Friday 15th March 2019. Details of the campaign were circulated to each Member.

Submissions can be forwarded by email to registerreform@housing.gov.ie or by post to:

Electoral Registration Project Consultation,
Department of Housing, Planning and Local Government,
Custom House, Dublin 1, D01 W6X0.

One of the proposals under consideration provides for provisional registration for young people aged 16 – 17, e.g. through a school's programme, with registration automatically becoming active on their 18th birthday.

Cllr. D. Grady **SECONDED** this motion.

15. Kerry Historian in Residence

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

To ask that Kerry County Council appoint a 'Kerry Historian in Residence' for the period 2019 to 2023 so that the Council can use the Historian's expertise to assist the management of Kerry's Programme of Remembrance events over the next four years given Kerry's unique story.

The following reply issued:

The matter of the appointment of an Historian in Residence will be considered by the Commemorations Team and the SPC. Any such appointment, through open competition, would be subject to sourcing the required funding needed to sustain the position during this period.

Cllr. J. Lucid asked if there is an indication that funding will be received.

The Chief Executive said there may be a number of sources available, including a proposal that instead of having a Writer in Residence that for the year to use those funds to have a Historian in Residence appointed by way of open competition.

Cllr. J. Finucane **SECONDED** this motion.

16. Youth Orchestra in Kerry

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

That this Council would support the establishment of a Youth Orchestra in the County.

The following reply issued:

Kerry County Council is a partner to Kerry Education and Training Board (lead partner) with other agencies, that form Kerry Music Education Partnership (KMEP). KMEP has been applying at national level to Music Generation to secure national funding to enable the delivery of affordable music education to children throughout Kerry. At present Kerry is awaiting confirmation of being awarded Music Generation and the associated funding.

When this happens, a fulltime Music Generation Coordinator will be contracted to deliver a programme that meets the gaps in current music education provision, working with music tutors, music schools, schools and other youth and education agencies. The establishment of a Kerry Youth Orchestra is part of the vision of KMEP and this is expected to be realised within a number of years of the commencement of Music Generation Kerry

Cllr. J. Finucane said bringing music co-ordination under a county flag would be a great piece of infrastructure for the county and its young musicians.

Cllr. D. McCarthy SECONDED this motion.

17. Waiting Time for Driving Tests

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

That Kerry County Council would write to the appropriate Minister concerning the waiting times for driving tests. Currently, the wait is far too long, between 10-12 weeks.

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

Cllr. D. Grady said there are 76,964 applications on hand scheduled for driving tests or awaiting a test date. In Kerry 712 applicants are waiting for a test appointment and the waiting time is 10-12 weeks.

Cllr. J.F. Flynn SECONDED this motion.

19. Use of State Buildings as Community Halls.

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

That Kerry Council request the appropriate Departments that suitable buildings in State Ownership which are currently unused should be utilized as community halls.

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

20. Public Sewerage Schemes

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

That Kerry County Council give a priority list of villages throughout the County that are awaiting funding from Irish Water for new Public Sewerage Schemes. How many of these villages do not have a Public Sewerage Scheme and how many of these villages are at capacity. Are Planning applications been affected by this and are there any "Health and Safety" issues in these villages.

The following reply issued:

Irish Water is the Water Authority responsible for the provision of all Water and waste water Services across the country. The prioritisation of locations for the provision of new Public Sewerage schemes is a matter for Irish Water as is the capacity determination aspects of these plants.

Since the establishment of Irish Water, Kerry County Council has made numerous submissions and had frequent discussions seeking funding for both upgrades to existing Public Sewerage Schemes and for the provision of Public Sewerage Schemes in villages which do not currently have public wastewater collection and treatment facilities. In particular, in July 2018, following consideration by the members at the July Council meeting , Kerry County Council made a submission in relation to the Draft Irish Water Capital Investment Plan (2020 to 2024) highlighting the need for Public Sewerage Schemes in Unsewered Villages, allied to the seasonal loading variations.

The matter of the waste water infrastructure in our towns and villages will be reviewed as a constituent part of the review of the County Development Plan.

From an environmental perspective it is vital that waste water treatment facilities for those villages presently without them are advanced as soon as possible.

Cllr. M. Cahill said there is great concern that many villages do not have a sewerage system and sewerage systems in many villages are at capacity. Planning applications are being refused because there is no sewerage system in place. He said Irish Water must draw up a priority list for the county as these basic services must be in place.

Cllr. B. Cronin SECONDED this motion.

21. N70 Kilderry Bends Road Scheme

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

To ask that in advance of the opening of the new Kilderry Milltown Roadway N70 that a walkway between Tinahalla cross and Milltown village would be included and that the gateway infrastructure works would be completed between Corcorans Cross at the Graveyard and Lyre Junction.

The following reply issued:

Following the opening of the N70 Kilderry Bends Road Scheme, the old N70 from the roundabout to Kennedy's Cross will be reclassified as a local road and improvement works will be carried out on the route. Pedestrians and Cyclists will be directed to use this route.

The provision of gateway infrastructure between Corcoran's Cross and Lyre junction does not form part of the current contract for the Kilderry bends scheme. However, the provision of such facilities, which would include upgrading of the footpaths, provision of public lighting and resurfacing of the carriageway will be scoped and funding for these works will be examined with the TII.

Cllr. M. O'Shea welcomed the work done on the N70 Kilderry Bends Road Scheme; however, he said it was a missed opportunity that it does not include a footpath, as the scenery from the road is beautiful. Monies are on hand for a Heritage Walk in Milltown with a route to be identified and consideration could be given to including this road. He said gateway infrastructure works are required between Corcorans Cross at the Graveyard and Lyre Junction.

Cllr. J.F. Flynn SECONDED this motion.

Mr. C. O'Sullivan, Director of Service, said this would have to be considered from a safety point of view. The gateway infrastructure works will be considered.

22. Call for the resignation of the Minister for Health

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

That this Council Support a call for the resignation of the Minister for Health, Mr. Simon Harris, and write to his Department notifying them of same.

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

Cllr. D. Quigg said a vote was taken in the Dáil since he had submitted this motion. A request from the Southern Regional Health Forum for a meeting has been with Minister Harris for 2 years and he has failed to come before the forum and the members who asked for the meeting.

Cllr. J.F. Flynn SECONDED this motion.

Cllr. J. Finucane opposed this motion.

23. Control of Deer in Killarney National Park

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

To ask both Kerry County Council and the National Parks & Wildlife Service how many accidents must happen and how much damage to vehicles and property will have to take place before responsibility will be taken by relevant bodies to control the deer in the National Park and protect motorist using our public road network.

The following reply issued:

The Department of Agriculture, Fisheries and the Marine and the Department of Arts Heritage and the Gaeltacht, produced a Framework on Deer Management in Ireland, in 2015.

The Framework identified the need for a Deer Management Policy, the primary goal of which should be “to ensure that economic losses as a consequence of deer impacts can be minimised, particularly in the agriculture and forestry sectors” and to address the “increased incidence of road traffic accidents and the potential role of deer in the epidemiology of specific diseases”.

The Council has previously engaged with the NPWS on the issue of deer on the public road and in early 2017, the members of the Killarney and South & West MD’s met with management from the NPWS. The members were advised at the time that an Irish Deer Management Forum had been established by the Department of Agriculture, Fisheries and the Marine, and the Department of Arts Heritage and the Gaeltacht, with other stakeholders to develop an action plan for the management of deer. The Council can write to the Department of Agriculture, Fisheries and the Marine to establish what progress has been made.

Cllr. B. Cronin said he is aware that meetings have taken place and there has been a lot of discussion but no responsibility is being taken for the control of deer and it is a blatant failure by the NPWS. The risk to the public increases given the hundreds of wild deer that are in the park. A focus area must be put in place by the NPWS. The statistics are available to support the call to control the deer in the park yet nothing has been done to address this matter. There is an onus and responsibility on the NPWS to ensure road users are protected. He supported the campaign launched by two families on behalf of victims who were fatally injured on the road.

Cllr. M. Cahill SECONDED this motion.

25. Extension to the Burning Season

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

To ask Kerry County Council to write to the relevant authorities to implement an extension to the burning season.

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

Cllr. D. McCarthy said the burning season should be extended to 1 April.

Cllr. M. Cahill SECONDED this motion.

27. Coastal Erosion Study of Tralee Bay

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

How soon does Kerry County Council expect that recently appointed Consultants Malachy Walsh & Co will report and make recommendations on the study of Coastal Erosion of the Tralee Bay area from Kerryhead to the Maharees.

The following reply issued:

The Consultants were appointed in January 2019 to carry out the Tralee Bay (Ballyheigue to Brandon Point) Coastal Cell Study. The study is expected to be completed within 12 months.

Cllr. J. Lucid said properties are at risk while waiting for this report. People are fortifying their own properties, which could have a detrimental impact on the entire area.

The Cathaoirleach SECONDED this motion and said interaction with the community on this matter is very important.

11.3.19.12 Correspondence – Conferences and Seminars

- a) On the PROPOSAL of Cllr. D. McCarthy, SECONDED by Cllr. D. Grady, it was agreed to approve the attendance of Cllrs. Spring, O'Connell, Lucid, O'Shea, Ferris, Kennelly, Moloney, Finucane and Purtill at the Briefing for Elected Members on the Draft Regional Spatial and Economic Strategy for the Southern Region 2019-2031 held in Cork on 11 February 2019.
- b) On the PROPOSAL of Cllr. J. Lucid, SECONDED by Cllr. J. Moloney, it was agreed to authorise the attendance of the Cathaoirleach on a visit to the US for St. Patrick's Day.

11.3.19.13 Correspondence General

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

Date	From	Description
5-Feb-19	Minister for Transport, Tourism & Sport	Response to a resolution from Kerry County Council regarding breathalysers.
5-Feb-19	Minister for Transport, Tourism & Sport	Response to a resolution from Kerry County Council regarding Car Rental Companies
18-Feb-19	Minister for Health	Response to a resolution from Kerry County Council regarding the Annual Retention Fee for Nurses.
19-Feb-19	Minister for Rural and Community Development	Response to a resolution from Kerry County Council regarding top-up funding to be allocated to the LEADER fund.
19-Feb-19	Minister for Disabilities	Response to a resolution from Kerry County Council regarding respite places.
27-Feb-19	Minister for Transport, Tourism & Sport	Response to a resolution from Kerry County Council regarding taxi services in rural Ireland.

Date	From	Description
1-Mar-19	Department of Housing, Planning & Local Government	Correspondence regarding the Electoral Register Reform Project – consultation period.
25-Feb-19	Transport Infrastructure Ireland	Response to a resolution from Kerry County Council regarding a request for a meeting with Transport Infrastructure Ireland.

Any Other Business

Housing Down sizing

Cllr. T. Ferris referred to housing tenants that have made applications for downsizing and asked that these applications be fast tracked in light of 56 children being accommodated in homeless accommodation.

Cllr. J.F. Flynn referred to the housing scheme being constructed in Ardmoniel, Killorglin, and asked for clarification regarding their allocation.

Mr. M. O'Donoghue, Director of Service, said the Housing Scheme of Allocation is used for all housing allocations. He said there is a national review ongoing regarding incentivising downsizing and Kerry County Council has made a submission to this review. He acknowledged that there is a significant number of Local Authority houses that are under occupied. The outcome of the Department review is awaited to ensure Kerry County Council operates in line with its findings.

The meeting concluded at 4.55 p.m.

Liam Quinlan
Meetings Administrator

Cathaoirleach of Kerry County Council