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**MIONTUAIRISCÍ AN CRUINNÍÚ DE COMHAIRLE CONTAE CHIARRAÍ
A THIONÓLADH I SEOMRA NA COMHAIRLE, ÁRAS AN CHONTAE, TRÁ LÍ, AR AN
LUAN, 20 BEALTAINE 2019**

**MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL HELD IN
THE COUNCIL CHAMBER, ÁRAS AN CHONTAE, TRALEE ON MONDAY, 20 MAY
2019**

PRESENT/I LÁTHAIR

Councillors/Comhairleoirí

T. Barry	R. Beasley	M. Cahill
	B. Cronin	J.J. Culloty
P. Daly	T. Ferris	J. Finucane
S. Fitzgerald		N. Foley
M. Gleeson	D. Grady	J. Healy-Rae
M. Healy-Rae	N. Kelleher	M. Kennelly
S. Locke	J. Lucid	D. McCarthy
P. McCarthy	T. McEllistrim	J. Moloney
N. Moriarty	T. O'Brien	B. O'Connell
M. O'Shea	L. Purtill	D. Quigg
J. Sheahan	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. B. Conway, AO Corporate Support
Ms. O. O'Shea, CO Corporate Support	Mr. D. Ginty, A/Senior Planner
Mr. L. Brosnan, AO Planning	Mr. T. Brosnan, AO Housing

The meeting commenced at 10.30 a.m.

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

Vote of Sympathy

Cllr. M. Gleeson proposed a vote of sympathy to the family and friends of Lyra McKee who died in a tragic incident in Derry last month.

Cllr. M. Gleeson proposed a vote of sympathy to the family of Eugene McGee, a well-known GAA figure who was devoted and committed to gaelic games and rural life in Ireland.

20.5.19.01 Cathaoirleach's Report on CPG meeting held on 14 May 2019

The Cathaoirleach's report on the CPG meeting held on 14 May 2019, which had been circulated, was noted by the Members.

Cllr. R. Beasley welcomed works that have been carried out in the Square, Listowel, in advance of the visit by President Higgins on 25 May 2019. He asked for an update report on the provision of Broadband in the county.

20.5.19.02 Confirmation of Minutes

On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. M. Kennelly, it was resolved that the minutes of the April Ordinary Meeting of Kerry County Council held on 15 April 2019 be confirmed.

20.5.19.03 Chief Executive's Report to Council

The Chief Executive's report for the month of April 2018, which had been circulated, was noted by the Members.

Cllr. B. Cronin raised the issue of allegations regarding applications to the supplementary register in the Killarney area. He condemned this behaviour as disgraceful if the allegation proves to be true as it will cast a shadow over all campaign teams and over the Killarney Gardaí. There will be concerns if the results of the election are close. This matter berates the good name of An Garda Síochána and Kerry County Council and presents a very serious credibility issue. He asked that a letter issue to Garda Commissioner Drew Harris requesting that he take immediate action to arrange an independent investigation into the alleged matter in respect of the Supplementary Electoral Register in Kerry.

Cllr. M. Gleeson supported Cllr. Cronin's request and said he always believed that Councillors are committed to high standards of well being for their community and if this has been interfered with then the body politic is debased. Election candidates are begin tarnished by rumours which are widespread and An Garda Síochána is also being tarnished by these allegations. The alleged behaviour is not acceptable and he asked for the highest integrity from returning Councillors.

Cllr. P. McCarthy referred to new local areas plans and asked if submissions have been received from local residents. He expressed appreciation to staff for their work during severe weather emergencies.

Cllr. S. Locke referred to storm damage from overhanging trees touching power lines and said such trees must be identified and addressed.

Cllr. T. Ferris referred to the citizen's right to elect and said there is technology available, using PPS numbers, to deliver a fool proof system for the Register of Electors and address issues such as the recent allegations regarding the Killarney Supplementary Register. She said there is a need for real reform and a national review. She seconded Cllr. Cronin's request to issue a letter to the Garda Commissioner.

Cllr. J. Finucane agreed with Cllr. Ferris regarding technology available to manage the Register of Electors. He condemned the alleged behaviour should it be found to be true. He asked that a definitive work plan be developed for the Lee Valley Master Plan for recreation and amenity for the town.

Cllr. D. Grady referred to the allegations regarding the Killarney Supplementary Register and said he has distanced himself and his team from this matter in order to allow Gardaí to complete an investigation.

Cllr. R. Beasley said the Register of Electors requires modern technology to ensure it is updated. In relation to works on the Rathscannell road he asked that Kerry County Council consider the impact on locals and give due consideration to minimising disruption.

Cllr. M. Cahill referred to the West Iveragh Local Area Plan 2019-2025 and asked for clarification on the review process. He referred to the South Kerry Greenway and said Caherciveen and the Iveragh area needs this development and asked that Kerry County Council would negotiate favourably with the land owners to deliver this project.

Cllr. D. Quigg said clarification is required regarding the review of the West Iveragh Local Area Plan 2019-2025. He referred to the impact of Brexit and reduced funding. In relation to commitments to extending boundaries, he said he has done what his constituents have asked.

Cllr. J. Sheahan supported the call from Cllr. Ferris to modernise the Register of Electors process. As Kilcummin Sewerage Scheme is on hold, he asked that Kerry County Council would use this time to address the condition of the road as cyclists and pedestrians using this road are very vulnerable.

Cllr. M. Kennelly said serious allegations have been made regarding the Supplementary Register of Electors which have huge concerns for Councillors and could make a material change to the outcome of the election. He said as a person reaches the age of 18 they should automatically be included on the Register of Electors. He expressed concern regarding the public advertisement of the proposed one way system for the Dale road and asked when the one way system will end. In relation to the visit of President Higgins on 25 May, he said this is an important visit recognising what Listowel and North Kerry has achieved. He called on all Tidy Towns groups to attend and acknowledged Kerry County Council's support.

Cllr. J. Moloney referred to the visit of President Higgins on 25 May and said it is a unique event and welcomed works being undertaken. In relation to the Local Improvement Scheme he queried the criteria being applied in considering applications and requested clarification on same. He asked if all applications have been assessed.

Cllr. N. Moriarty agreed with previous speakers that the use of the PPS number is required to ensure the accuracy of the Register of Electors.

Cllr. J. Healy-Rae also sought clarification regarding the review of the West Iveragh Local Area Plan 2019-2025. He said he fully supports the development of the South Kerry Greenway, however, he asked that Kerry County Council would talk with the landowners regarding minor issues. Landowners do not want the CPO but are willing to deal with the issues in some other way. He asked for a timeline in relation to the CPO and what happens after the decision of An Bord Pleanála has been made.

Cllr. J.J. Culloty asked when the Supplementary Register of Electors will be published.

Cllr. J. Lucid supported Cllr. Ferris in relation to the need to modernise the Register of Electors process. He supported Cllr. Beasley's comments regarding the Rathscannell Road. He asked that the criteria for assessing Local Improvement Scheme applications be made available to the Elected Members.

The Chief Executive said clarification will be sought regarding grants available under RRDF/URDF and Town and Village Renewal. Communication and consultation with the residents will be undertaken with residents on the Rathscannell Road. With regard to the Register of Electors, a national review is underway. In relation to the Supplementary Register of Electors, Kerry County Council has met with An Garda

Síochána and a preliminary investigation is underway. Kerry County Council has not received a complaint regarding the allegations. The Supplementary Register of Electors will be published on 21 May 2019. A letter will be sent to Commissioner Harris.

Mr. C. O'Sullivan, Director of Service, said consultations have taken place with the Elected Members and community in relation to the Dale Road. Only following full consultation and taking the needs of the residents into account will diversions be put in place. It is expected that funds will be made available for site investigation works within a matter of weeks and it is hoped construction will commence in 2020, with diversions in place during construction. In relation to the Local Improvement Scheme, a desktop exercise has been undertaken to prioritise applications and physical inspections are ongoing. He undertook to send the criteria for assessment to Elected Members. An Bord Pleanála has requested further information in relation to the South Kerry Greenway project and a decision is due on 24 June 2019. It is expected that an oral hearing will be held. Kerry County Council is continuing to work with landowners. He said, with the exception of machinery breakdowns, he has every confidence that the Roads Programme 2019 will be delivered.

20.5.19.04 Disposal of Property

- (a) On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. S. Locke, it was agreed to approve the disposal of a total land area of 0.124 Ha and buildings included therein made up in the following Folios Part of Folio KY4422F by way of freehold to John Mitchel's GAA Club in accordance with the provisions of Section 183 of the Local Government Act, 2001, Section 211 of the Planning & Development Act 2000 and Article 206 of the Planning & Development Regulations 2001.
- (b) On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. G. Spring, it was agreed to approve the disposal of parcels of land totalling 0.073 Ha and buildings included therein at Mitchel's Crescent and Mitchel's Road to (*Name withheld for data protection purposes. A paper copy of the unedited document is available on request*) (0.034 Ha) and (*Name withheld for data protection purposes. A paper copy of the unedited document is available on request*) (0.039 Ha) in order to achieve a Rectification of Boundaries in relation to exchange of lands to facilitate new housing at the Mitchel's Regeneration Project in Tralee in accordance with the provisions of Section 183 of the Local Government Act, 2001, Section 211 of the Planning & Development Act 2000 and Article 206 of the Planning & Development Regulations 2001.

20.5.19.05 2018 Kerry County Council Annual Report

Mr. L. Quinlan referred members to the 2018 Kerry County Council Annual Report and said the Draft was considered at the April 2019 meeting and it was now before Council for formal adoption.

On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. D. Grady, it was unanimously agreed to adopt the 2018 Kerry County Council Annual Report in accordance with Section 221 of the Local Government Act 2001 as amended by the Local Government Act 2014.

20.5.19.06 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) Report on the March 2019 visit to the US by the Cathaoirleach, Cllr. N. Foley.
- (b) AILG Annual Conference held on 21-22 February 2019 by Cllr. M. O'Shea.
- (c) LAMA Spring Seminar held on 6-8 March 2019 by Cllr. J. Finucane.

20.5.19.07 Approval for the Opening of Tenders

- a) On the PROPOSAL of Cllr. N. Moriarty, SECONDED by Cllr. J. Finucane, it was agreed to approve the opening of tenders for Architect Led Design Team Consultancy Services for the construction of 10 No. Housing Units and associated Siteworks at Rock Road, Killarney – Closing Date: 15 May 2019 at 3.00 p.m.
- b) On the PROPOSAL of Cllr. N. Moriarty, SECONDED by Cllr. J. Finucane, it was agreed to approve the opening of tenders for the supply of a Road Paver - Closing Date: 21 May 2019 at 3.00 p.m.
- c) On the PROPOSAL of Cllr. N. Moriarty, SECONDED by Cllr. J. Finucane, it was agreed to approve the opening of tenders for Consultancy Services for Coastal Flood & Erosion Risk Management Study of Dingle Bay East Castlemaine Harbour - Closing Date: 31 May 2019 at 4.00 p.m.
- d) On the PROPOSAL of Cllr. N. Moriarty, SECONDED by Cllr. J. Finucane, it was agreed to approve the opening of tenders for Business Review and Brexit Readiness Assessment for LEO Clients – Closing Date: 7 June 2019 at 2.00 p.m.
- e) On the PROPOSAL of Cllr. N. Moriarty, SECONDED by Cllr. J. Finucane, it was agreed to approve the opening of tenders for the Inch Group Water Scheme (Glenflesk) Water Mains Contract - Closing Date: 14 June 2019 at 12.00 p.m.
- f) On the PROPOSAL of Cllr. N. Moriarty, SECONDED by Cllr. J. Finucane, it was agreed to approve the opening of tenders for Consultancy Services (Tech) – Tralee Town Centre Shared Space – Closing Date: 14 June 2019 12.00 noon.
- g) On the PROPOSAL of Cllr. N. Moriarty, SECONDED by Cllr. J. Finucane, it was agreed to approve the opening of tenders for the N70 Waterville to Kenneigh Pavement Improvement Scheme – Closing Date: 10 June 2019 at 4.00 p.m.

Emergency Motion

Cllr. J. Finucane PROPOSED:

That this Council unanimously support I.T. Tralee in the process of becoming part of the Munster Technological University. The leaking of internal documents prior to the visit of the International panel of experts on Wednesday is damaging and reckless. The process of merger was agreed by both institutions in 2014. IT Tralee is one of the biggest employers and along with the Technology Park, the significant economic driver in this region.

20.5.19.08 Notices of Motion

1. Financial hardship on small companies

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

As many small companies/firms endure great financial hardship or are even forced out of existence when large companies/firms go into bankruptcy, often temporarily,

that there should be some legal obligation on the large companies/ firms when they re-emerge and prosper under a different[new] name to make good the monies long overdue to those smaller companies/firms who endure greatly when the large entities initially collapse.

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

Cllr. M. Gleeson said there should be a legal obligation on firms, that have gone bankrupt and re-open as a new company, to compensate small companies to whom they owed monies.

Cllr. T. Ferris SECONDED this motion and said the Companies Act 2017 does very little to address this matter and the cost of taking legal action is prohibitive.

2. 'Toys, Training & Technology' Service

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

That Kerry County Council examine the current marketing strategy in place for the 'Toys, Training and Technology' Service available at Kerry Library to Parents and Guardians of Children with varying degrees of Special Needs and identify possible mechanisms for further promotion, marketing and expansion as many potential users are completely unaware of the existence of this wonderful Service. Apart from people presenting at HSE facilities, Parents and Guardians are largely unaware of this service

The following reply issued:

The Kerry Library Toys & Sensory Resources county wide collection is based at Castleisland Library where it is in operation since 2015. It is available to parents of children who are attending early intervention services either privately or publicly and can be ordered and accessed from any library in Kerry.

Registration to borrow from the collection requires a letter of referral from an occupational therapist, speech and language therapist, physiotherapist or psychologist working in Kerry. The service allows parents to either borrow long term or 'trial' a resource recommended by the child's therapist.

Initially, the service was promoted to the four Kerry Intervention & Disability Networks and to organisations involved in disability services throughout Kerry. This continues on a regular basis. 285 item loans were issued from the Toys & Technology collection during 2018 with an additional 95 loans have been generated in 2019 to date.

282 library members presently have specifically signed up countywide to use the collection. These members can collect items requested from the TTT collection and the item will then be available from any library in the county, including the 2 Mobile Libraries.

Some come to view individual toys; others work off the toys and technology catalogue. They can also borrow general library items with this membership.

A real value of the collection is to provide an option for parents/guardians to try out an item rather than for example buying an expensive item that may not prove entirely suitable for a child. Kerry Library is represented on the Kerry Children's & Young Persons Services Committee and regularly updates members on the Toys and Sensory Resources Collection. During 2019, following a request from a number of primary schools, Kerry Library has extended the service for usage by Special Needs Assistants who are dealing with children with additional needs. At present the

'Toys & Sensory Resources Collection' brochure is being revised and a set of replacement resources is being purchased.

Kerry Library will continue to promote the service among relevant organisations and will further review its current marketing strategy in order to enhance usage among the target audience.

Cllr. T. Ferris supported this motion.

3. Pension Rights of Community Employment Supervisors Pursuant to notice duly given Cllr. T. Ferris PROPOSED:

That this Council supports the pension rights of Community Employment Supervisors and calls on the Minister to meet with the group and implement immediately the recommendations of the Labour court.

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

Cathaoirleach N. Foley SECONDED this motion.

Cllr. R. Beasley supported this motion.

4. Set back distance for Wind Turbines Pursuant to notice duly given Cllr. J.J. Culloty PROPOSED:

Further to the Chief Executive's Report prepared under Section 16 of the Planning and Development (Amendment) Act 2018, I hereby formally ask that this Local Authority initiate a process for a variation of the County Development Plan, to provide for minimum visual amenity set-back for wind turbines, of ten times the turbine height, between a wind turbine and the nearest residential property. This variation is urgently required, in light of the continued absence of new updated national guidelines of the 2006 wind energy development guidelines.

The following reply issued:

A resolution pursuant to Section 13 (1A) was passed by the Council at the December meeting. This report was presented at the January meeting.

A commitment was given in this report that the process of preparing an updated policy in respect of renewable energy had commenced. However, the Chief Executive stated in this report that there was clear advice from the Minister for Housing Planning and Local Government that local Authorities should defer the review of policies relating to renewable energy until such time as the Wind Energy Guidelines are published.

In the absence of the finalised Wind Energy Guidelines and the clear advice from the Minister not to proceed with a variation to the County Development Plan in the absence of the finalised guidelines, the position remains as outlined in the report submitted pursuant to Section 13(1A) of the Planning and Development Act (as amended) to the Council in January of this year.

Cllr. J.J. Culloty referred to previous comments regarding turbines getting closer to houses. He expressed concern regarding a planning application that has been made for a battery power farm. He said wind and wave potential must be explored in Ireland.

Cllr N. Kelleher **SECONDED** this motion and said the Minister is failing by not publishing these guidelines. The County Development Plan must be amended and the process to amend it must be started.

Cllr. T. Ferris said there was an opportunity to address this matter two years ago but Fianna Fáil Deputies voted against it.

The Chief Executive said the process to review the County Development Plan, which is lengthy, has commenced. Management will take a view at the time of review if guidelines are/are not in place. The correct balance must be found on this matter and a report will be presented to the Members.

5. Social Housing Units at Rock Road

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

To ask Kerry County Council for an update on the 59 social units at a development at Oakwood, Rock Road by Cluid Housing with support from this Council under the Capital Advance Leasing Facility.

The following reply issued:

This provision of Social Housing at Oakwood, Rock Road is a turnkey scheme by Clúid supported by Kerry County Council. Preliminary Department approval is in place for this proposal. The matter remains under negotiation between Clúid and the vendors. When Kerry County Council has an update on the position the Members will be notified.

Cathaoirleach N. Foley **SECONDED** this motion.

6. Inspection of HAP Properties

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

How many HAP properties have been inspected over the past 12 months, what were the results and how many were inspected within the required first 8 months.

The following reply issued:

Kerry County Council carries out inspections in line with the Housing (Standards for Rented Houses) Regulations 2017 and now 2019. A minimum target of 15% of all private rental properties in Kerry has been set for 2019 – previously 10% in 2018.

Additionally, the Council is required to inspect, and is satisfied, that a property meets rental accommodation standards within the 12 months prior to the HAP application or shall arrange to inspect the property within the 8 months of HAP commencing. In the period May 2018 to April 2019 there were 570 HAP properties inspected of which 120 (21%) were deemed to be compliant. The remaining 450 have been targeted for re-inspections.

Of the 545 HAP applications in the last 12 months, 179 were due to be inspected within 8 months of which 171 were inspected on time (96%). The eight which were not inspected on time, due to access issues, have subsequently been inspected in the interim. All remaining HAP properties are on schedule to be inspected within the 8 month time period.

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

9. Safe Routes for Walkers and Cyclists

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

That this Council promotes the use of alternative quieter roads as safe routes for both walkers and cyclists and put safety measures in place to accommodate this.

The following reply issued:

The Council is advancing proposals for a number of routes on the minor road network for preferred use by cyclists and walkers, including also a coastal route as part of the Eurovelo project.

The development of these routes need to take into consideration their suitability having regard to national design standards for cycling routes and where possible will incorporate the existing cycling facilities and the proposed greenways. These schemes may be suitable for funding under grant aid programmes, such as the Outdoor Recreation Scheme.

Members will be updated on the various schemes at the relevant Municipal District meetings when they have been further developed.

Cllr. T. Barry SECONDED this motion.

10. Planning Applications for Battery Storage Facilities

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

In light of the increasing number of planning applications for battery storage facilities and other emerging technologies, can the Planning Department as a matter of priority and having regard to public health, review its policies and procedures in the future assessment of applications of this nature.

The following reply issued:

Kerry County Council has detailed and robust procedures for assessing all planning applications and allied development consents, involving both the internal professional disciplines of the Council and where necessary external consultants. As part of an ongoing review of development trends and associated licensing consents, a report outlining these processes and procedures will be brought to SPC.

Cllr. N. Kelleher asked if external consultants have been used by Kerry County Council. Other Local Authorities have had regard to emerging technology to make decisions. Kerry County Council cannot address the concerns of people around application locations. He asked what systems Kerry County Council has in place if there is a fire in these units of emerging technologies.

Cllr. J.J. Culloty SECONDED this motion and said Kerry County Council is not prepared if these facilities are developed.

Mr. M. Scannell, Director of Service, said the planning process is open and transparent with an appeal process to An Bord Pleanála. Kerry County Council staff have skills to assess such applications and such developments require Fire Safety Certificates.

12. Sewerage issues in Beaufort

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

That Kerry County Council take on board the serious sewerage issues pertaining to a number of housing estates in Beaufort and in the Beaufort village area by prioritising and applying to Irish Water for a public sewerage scheme as a matter of extreme urgency.

The following reply issued:

As outlined in a previous reply to a notice of motion at the February Council meeting regarding sewerage facilities in Beaufort, Irish Water is the Water Authority responsible for the provision of all Water Services across the country. 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 County Development Plan.

Cllr. D. McCarthy **SECONDED** this motion and suggested a deputation to Irish Water regarding this matter may be of benefit.

13. Mandatory use of lights on bikes

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

That Kerry County Council write to the Minister for Transport, Tourism & Sport, Mr. Shane Ross to request that it be made mandatory that pedestrians & cyclists travelling on unlit roads in the dark be obliged to wear appropriate high visibility clothing & cyclists have adequate lights on their bikes.

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

Cllr. J.J. Culloty **SECONDED** this motion and said walkers and cyclists must be encouraged to wear high visibility clothing. The Minister should give powers to the Gardaí to bring people to court where they are not appropriately visible on the road.

14. Climate Change

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

"That Kerry County Council acknowledge and support the recent #ClimateStrikes [1, 2] driven by the young people and families around the country.

That Kerry County Council have listened and understood the deadly urgency felt by the young people and their demand that all stakeholders and representatives act immediately to ensure that young people have a liveable future in Kerry, in Ireland and on planet Earth.

That Kerry County Council agree that the evidence of emergency is overwhelming from IPCC on Climate [3] and from WWF LPR on Biodiversity [4].

That Kerry County Council will immediately implement the following steps (as leading proactive cities and regions internationally already have):

- Declare a Climate Emergency for Kerry
- Publish a Climate Action Plan
- Declare a Biodiversity Emergency for Kerry
- Update and publish a Biodiversity Action Plan
- Report regularly on progress on both Action Plans"

The following reply issued:

This is a matter for resolution.

Climate change within Kerry County Council is being addressed through a combination of mitigation measures aimed at reducing energy consumption and reliance on fossil fuels. Kerry County Council is on target to achieve its energy performance reduction targets (from the baseline year of 2009) of 33% by end 2020. The Council recently approved the raising of a loan to carry out a major LED lighting replacement programme of all the Public Lighting in the county. This programme, once completed should see our energy performance reduced by well over 40%.

A presentation was given to the members at the March Council meeting on the proposals to develop a Climate Change Adaptation Strategy which will be finalised and presented to council for adoption in September. This Adaptation Strategy will contain a series of actions to achieve the objectives of the strategy.

Kerry County Council's Biodiversity Action Plan will be updated having regard to the Climate Change Adaptation Strategy, when adopted by the Council, and the National Biodiversity Action Plan 2017-2021.

Cllr. T. Ferris asked that Kerry County Council would cease using round up and plant wild flowers where possible.

Cllr. R. Beasley **SECONDED** this motion.

Cathaoirleach N. Foley supported this motion and said Kerry County Council are addressing issues under well being and environmental sustainability.

Cllr. J.J. Culloty supported this motion and raised concern regarding the use of round up and the extent of Japanese Knotweed and Rhododendron in the county.

The Chief Executive said Kerry County Council will minimise its use of round up and use alternatives when possible. Kerry County Council will plant wild flowers where possible.

15. Staffing at Killarney National Park

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

That this Council write to the Minister for Culture, Heritage and the Gaeltacht, Josepha Madigan, TD, seeking extra funding to provide extra staff, to facilitate proper management of Killarney National Park.

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

Cllr. J.J. Culloty said the Minister must look at the staff structure for Phoenix Park and apply it to the staff structure at Killarney National Park. He referred to the need to control rhododendron.

Cllr. N. Kelleher **SECONDED** this motion.

16. Emergency Roads Funding for Listowel Municipal District

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

That emergency funding be sought from the Minister of Transport for our secondary and minor roads in the entire Listowel Municipal District area, where if action isn't taken immediately, roads are almost beyond repair in many areas.

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

Cllr. T. Barry SECONDED this motion.

Mr. C. O'Sullivan, Director of Service, said reports have highlighted that, countywide, finance needs to be doubled to bring all roads up to standard.

19. Town Regeneration

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

That this Council should seriously consider the purchase of opportunity landmark sites in prime locations in County towns for town regeneration purposes.

The following reply issued:

Kerry County Council has a number of strategic sites throughout the County in its ownership, for which development opportunities are currently being considered including housing and economic and community development. These sites will require significant planning and investment from both the public and private sector in order to deliver the appropriate economic and community investment to these areas. The Council has also been responsible for the development of a number of hubs in the county, through the re-use and upgrading of existing buildings in Castleisland, Sneem, Dingle and Caherciveen.

In addition to developing its own landbanks, Kerry County council is also examining opportunities in relation to the redevelopment of sites in private ownership for the delivery of its housing targets.

The purchase of additional landmark buildings beyond the scope of what is outlined above would have to be considered in the light of the current financial commitments and the impact the such purchase would have on the ability of the Council to fund its day to day services. The redevelopment of these sites will continue to be within the remit of the private sector and the role of the Council will be to ensure that out towns are attractive locations for such investment.

Kerry County Council actively encourages the reuse and redevelopment of buildings in prime town and village centre locations through a reduction in development levies in the revised development contribution scheme adopted by the Council in July 2017. In addition, where necessary, the Council exercises its statutory powers under the Derelict Sites Act 1990 to ensure that property owners do not allow properties to fall into dereliction.

Cllr. D. Quigg asked that specific sites in South Kerry/Caherciveen be considered for family amenities.

Cllr. R. Beasley SECONDED this motion.

20. Costs for the Machinery Yard

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

To provide a breakdown of cost for the Machinery Yard per year for the last five years. Each item should be listed separately under headings. A fuel cost per machine should also be provided.

The following reply issued:

A breakdown of the operating costs for the Machinery Yard is presented below for the period 2014 to 2018. The level of expenditure is primarily dependant on the level of road grants, in any given year, as well as variances in fuel costs, etc.

	2014	2015	2016	2017	2018
Wages	€2,033,920	€2,075,764	€2,206,923	€2,098,254	€2,470,284
Repairs and Maintenance	€551,935	€553,691	€558,320	€507,607	€664,663
Fuel	€507,156	€440,440	€440,760	€448,062	€523,537
Overheads / Office Costs	€101,540	€101,354	€97,465	€135,771	€180,524
External Plant Hire	€36,342	€39,972	€46,755	€105,905	€150,007
Miscellaneous	€277,980	€333,964	€285,196	€234,888	€196,857
Total	€3,508,873	€3,545,185	€3,635,419	€3,530,487	€4,185,872

The cost of external plant hire is for plant without a driver, which are operated by our own staff and the increase in cost in 2017 and 2018 was for the lease of a durapatcher. The Council is currently awaiting the delivery of two durapatchers as previously advised to the members.

The miscellaneous costs include for taxing and insurance of vehicles as well as the provision of PPE for drivers and maintenance staff, etc.

The fuel cost per machine in 2018 is attached. This does not include costs of the fuelling of small plant such as hand operated rollers etc. The variation in fuel costs for a particular item of plant over the 5 year period, is attributed to the item of plant being retired / sold / purchased and where plant is used as back up when vehicles are in for repair.

Machinery Vehicles Fuel Costs

Fleet No.	Description	2014	2015	2016	2017	2018
125	Volvo Tractor Unit	7,713	6,431	8,461	7,657	9,991
127	Volvo Tractor Unit	9,930	10,190	9,948	10,818	15,760
113	Scania Tractor Unit	3,302	2,065	823	4,036	6,881
141	Volvo FM12 Tractor Unit	8,771	5,049	7,520	11,285	14,415
143	Bulk Tipping Trailer	92	0	0	23	20
134	Archway Patcher	0	0	0	10,684	18,917
135	Durapatcher	998	1,245	1,967	751	1,135
136	Durapatcher	0	28	93	0	0
137	Durapatcher	346	269	341	584	943
138	Durapatcher	2,813	1,037	1,251	68	135
139	Durapatcher	3,835	3,030	2,676	576	0
124	Phoenix Chip Spreader	1,002	2,296	1,202	914	2,155
140	Chip Spreader	3,308	2,436	2,365	2,370	4,031
111	Tar Sprayer No 1	3,299	2,203	2,310	2,517	4,434
118	Tar Sprayer No 8	2,743	2,953	2,675	2,077	4,406
123	Tar Sprayer	9,959	9,001	12,576	8,063	11,595
144	Phoenix Tar Sprayer	21,171	17,886	17,891	19,401	25,777
904	Vibromax RTR	1,023	342	640	250	2,100
939	Ammann RTR	1,886	1,533	1,298	1,312	1,178
181	JCB No 1	4,251	3,723	1,630	2,752	2,257
182	JCB No 2	535	279	303	647	235
188	JCB No 8	3,602	2,778	2,716	2,995	3,402
189	JCB No 9	4,178	4,331	3,075	3,272	4,258
193	Maint Grader No 3 Caley	0	186	632	582	321
195	Maint Grader No 5 Caley	454	91	64	0	222
197	Joyley Grader No 1	1,052	201	327	366	2,044
705	Faun Frisch 85 Grader	873	1,318	1,081	647	1,048
107	Bitelli Asphalt Paver	1,829	1,426	2,094	1,162	5,290

142	Bitelli Paver	3,329	3,362	2,176	3,139	4,426
205	TA Lorry 205 Scania	1,004	1,114	7,364	8,298	10,091
209	TA Lorry 209 Scania	22,932	18,267	19,012	17,666	19,425
211	TA Lorry 211 Scania	23,275	21,185	19,912	24,079	24,392
212	TA Lorry 212 Scania	12,966	12,303	12,524	841	0
213	TA Lorry 213 Scania	22,236	20,334	18,684	17,521	22,171
218	TA Lorry 218 Scania	13,954	13,173	17,369	13,638	14,543
219	TA Lorry 219 Scania	26,469	21,557	24,871	12,481	6,829
220	TA Lorry 220 Scania	12,550	8,834	14,967	18,392	20,522
221	TA Lorry 221 Scania	17,356	16,846	17,062	19,940	15,675
222	TA Lorry 222 Renault	23,735	24,346	17,710	18,034	21,622
223	TA Lorry 223 Renault	23,169	18,539	15,917	17,773	23,988
225	TA Lorry Scania	0	0	0	14,193	17,355
453	Mitsubishi Canter	9,404	8,938	6,362	5,939	7,084
592	SA Lorry 92 Scania	7,080	4,721	1,791	9,229	6,720
593	SA Lorry 93 Scania	13,276	7,591	7,938	0	0
594	SA Lorry 94 Scania	10,570	9,662	10,357	11,748	9,823
595	SA Lorry 95 Scania	10,157	9,000	8,389	9,700	10,634
596	SA Lorry 96 Volvo	8,957	7,028	3,915	8,172	11,812
598	SA Lorry 98 Volvo	13,252	10,643	10,526	1,893	0
822	Toyota Hiace	3,774	2,840	2,684	2,847	2,392
823	Toyota Hiace	2,583	2,694	2,979	2,503	2,818
829	Fiat Ducato Maxi	6,121	5,516	5,180	5,284	4,750
839	Ford Transit	0	0	62	1,021	615
401	3A Lorry 401 Renault	28,405	21,301	23,931	23,434	27,638
402	3A Lorry 402 Renault	24,799	25,036	21,156	24,073	25,765
403	3A Lorry 403 Renault	25,702	24,966	23,793	26,167	23,403
834	Toyota Landcruiser 08KY3400 (P)	2,505	2,147	5,017	4,839	4,494
837	Toyota Hiace Van 09 KY 864 (P)	2,856	2,450	2,693	3,411	4,004
224	Scania Beavertail Recovery Vehicle	5,250	3,177	3,971	3,326	5,348

Mr. C. O'Sullivan, Director of Service, referred to the hired durapatcher and said this will be replaced with a purchased durapatcher.

Mr. L. Quinlan, Meetings Administrator, advised that as this was the last Council meeting before the election that all motions not moved would fall, albeit they may be re-submitted by members who are re-elected.

20.5.19.09 Correspondence – Conferences and Seminars

- a) On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. M. Gleeson, it was agreed to approve the attendance of the Leas-Cathaoirleach, Cllr. J.J. Culloty, at the Annual Daniel O'Connell Commemoration held in Dublin on 12 May 2019.
- b) On the PROPOSAL of Cllr. S. Locke, SECONDED by Cllr. M. Gleeson, it was agreed to approve the attendance of Cllr. J. Finucane, Chair of the Economic and Development SPC, at the Briefing on Rural Funding Opportunities held in Cork on 15 May 2019.

- c) On the PROPOSAL of Cllr. R. Beasley, SECONDED by Cllr. J. Finucane, it was agreed to approve the attendance of the Leas-Chathaoirleach, Cllr J.J. Culloty, at the London Rose of Tralee Selection held in London on 18 May 2019.

20.5.19.10 Correspondence General

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

Date	From	Description
12 Apr 2019	Minister for Health	Response to a resolution from Kerry County Council regarding Hemochromatosis.
23 Apr 2019	Minister for Disabilities	Response to a resolution from Kerry County Council regarding the funding of the Irish Deaf Society.
24 Apr 2019	HSE	Response to a resolution from Kerry County Council regarding Consultant positions at UHK.
24 Apr 2019	Minister for Rural & Community Development	Response to a resolution from Kerry County Council regarding how LEADER funding for Broadband can be used.
26 Apr 2019	Minister for Housing, Planning & Local Government	Response to a resolution from Kerry County Council regarding the National Taking-in-Charge Initiative.
29 Apr 2019	An Bord Pleanála	Response to a resolution from Kerry County Council regarding giving giving 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.
30 Apr 2019	Minister for Business, Enterprise & Innovation	Response to a resolution from Kerry County Council regarding supports available for small and medium sized enterprises.
2 May 2019	Minister for Communications, Climate Action & Environment	Response to a resolution from Kerry County Council regarding the National Broadband Plan.
3 May 2019	Minister for Rural & Community Development	Response to a resolution from Kerry County Council regarding further funding for the Local Improvement Scheme.
8 May 2019	Minister for Housing, Planning & Local Government	Response to a resolution from Kerry County Council regarding the Sustainable Rural Housing Guidelines for Planning Authorities 2005.
8 May 2019	Minister for Housing, Planning & Local Government	Response to a resolution from Kerry County Council regarding the current Tenancy Policies and Procedures in place.
9 May 2019	Minister for Justice & Equality	Response to a resolution from Kerry County Council regarding the issue of trespassing and selling goods on private property.
1 Apr 2019	Donegal County Council	Resolution adopted by Donegal County Council regarding the All-Ireland Pollinator Plan.
12 Apr 2019	Waterford City Council	Resolution adopted by Waterford City Council in relation to the Irish Defence Forces.
30 Apr 2019	Kilkenny County Council	Resolution adopted by Kilkenny County Council calling on the Minister for Health to extend the scheme for the provision of the cancer drug Pembro.

1 May 2019	Wicklow County Council	Resolution adopted by Wicklow County Council acknowledging and supporting the recent #Climate Strikes driven by the young people and families in Greystone, Arklow and Dublin and around the country.
1 May 2019	Galway County Council	Resolution adopted by Galway County Council calling on the Minister for Employment Affairs and Social Protection to provide a Pension Scheme for Community Employment Supervisors and Assistant Supervisors.
8 May 2019	Carrickmacross-Castleblayney MD	Resolution adopted by Carrickmacross-Castleblayney MD regarding Rates and Rateable Valuation problems for business owners.

20.5.19.11 Any Other Business

TY Students

Cllr. P. Daly proposed an end to the moratorium on TY Students working for Kerry County Council.

The Chief Executive undertook to review this matter.

Beach Investment Scheme

Cathaoirleach N. Foley asked that the Beach Investment Scheme promote asking people to remove plastic from beaches after each visit.

Tributes to Retiring Elected Members

Cllr. J. Finucane led tributes to outgoing Cllrs. L. Purtill, J.J. Culloty and G. Spring. On behalf of the Fine Gael members, he said it was a distinct pleasure to serve with Cllr. Liam Purtill over the last 15 years. Liam has a personal relationship with his constituents and truly represented them. He is a gentleman in his interactions with his colleagues and the public. He is the essence of a public servant and will be missed as a friend and colleague.

Cllr. T. Ferris, on behalf of the Sinn Féin members, wished the three voluntary retirees well. She paid tribute to Cllr. Graham Spring from Tralee Municipal District and said he is a gentleman of the highest order and had a fantastic working relationship in the Tralee Municipal District Chamber.

Cllr. D. McCarthy paid tribute to the retiring Elected Members who are three great friends and he wished them well.

Cllr. D. Grady also paid tribute to the retiring Elected Members and wished them well. He said it is a huge loss to politics not to have a member of the Spring family running for election. He wished Cllr. Purtill and his family all the best and said he hopes to see Cllr. Culloty return as a Councillor in the future.

Cllr. S. Locke said Cllr. Graham Spring was fair and compassionate as a Councillor. He said he hopes to see Cllr. Culloty return in the future and he wish Cllr. Purtill a happy retirement.

Cllr. M. Gleeson congratulated the three members on their retirement and paid tribute to their work in public life. He said they behaved with dignity at all times and were supportive and courteous. He said Cllr. Culloty gave tremendous service in Killarney Municipal District, he worked to very high standards and gave great commitment to the local community to inspire others to get involved.

Cllr. M. Healy-Rae supported the sentiments of the previous speakers and commended the commitment, hard work and contribution made by the retiring members.

The Cathaoirleach, on behalf of the Fianna Fáil members, paid tribute to the retiring Elected Members. She said she is immensely fond of Cllr. Liam Purtill and in the Council Chamber he is a fatherly figure with great wisdom, flair and wit. She said Cllr. Graham Spring is a colleague in Tralee Municipal District and she is hugely appreciative of the contribution of the Spring family to politics. She said Cllr. Spring acted with dignity, has a massive capacity for hard work and an innate kindness. She said she will hugely miss Cllr. John Joe Culloty as he is a massive contributor to the Fianna Fáil party. Cllr. Culloty works with integrity for the good of his constituents and the body politic.

The Chief Executive said the Council Chamber is losing three gentlemen and three very strong Councillors. She said as Councillors they were strong representatives for their areas and she wished them the very best going forward.

The Cathaoirleach acknowledged the contribution of all Councillors over the past five years and said the debate and argument that was had was vital. She wished all Councillors well in the coming days and in the Local Elections. She acknowledged the support of the Chief Executive, management and staff in Kerry County Council, both indoor and outdoor, and their commitment to delivering a high standard of service. She also acknowledged the important role of the press in imparting the work of the Council.

Cllr. L. Purtill thanked everyone for their kind tributes and said he has enjoyed his role as an Elected Members over the past 15 years.

Cllr. G. Spring thanked everyone for their kind tributes and said as he had grown up in politics it was a great honour to serve as an Elected Member of Kerry County Council.

Cllr. J.J. Culloty thanked everyone for their kind words and said it was a great honour and privilege to serve as an Elected Member of Kerry County Council. He said we must appreciate democracy as we have it and it was a privilege to work with his fellow Councillors and management.

The meeting concluded at 1.30 p.m.

Liam Quinlan
Meetings Administrator

Cathaoirleach of Kerry County Council