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

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

**PRESENT/I LÁTHAIR**  
**Councillors/Comhairleoirí**

<b>Tom Barry</b>	<b>Robert Beasley</b>	<b>Michael Cahill</b>
<b>Patrick Connor-Scarteen</b>	<b>Brendan Cronin</b>	<b>Pa Daly</b>
<b>Charlie Farrelly</b>	<b>Jim Finucane</b>	<b>Breandán Fitzgerald</b>
<b>Fionnán Fitzgerald</b>	<b>Cathal Foley</b>	<b>Michael Foley</b>
<b>Norma Foley</b>	<b>Michael Gleeson</b>	<b>Donal Grady</b>
<b>Jackie Healy-Rae</b>	<b>Niall Kelleher</b>	<b>Mike Kennelly</b>
<b>Sam Locke</b>	<b>Dan McCarthy</b>	<b>Jimmy Moloney</b>
<b>Marie Moloney</b>	<b>Norma Moriarty</b>	<b>Terry O'Brien</b>
<b>Niall O'Callaghan</b>	<b>Bobby O'Connell</b>	<b>Michael O'Shea</b>
<b>Mikey Sheehy</b>	<b>Aoife Thornton</b>	

**IN ATTENDANCE/I LÁTHAIR**

<b>Ms. M. Murrell, Chief Executive</b>	<b>Mr. C. O'Sullivan, Dir. of Rds, Transp'n &amp; Marine</b>
<b>Mr. J. Breen, Director Water Services</b>	<b>Mr. M. O'Donoghue, Director Housing</b>
<b>Mr. M. Scannell, Dir. Job Cr/Sust. ED</b>	<b>Mr. C. O'Connor, Director Corp. Servs.</b>
<b>Ms. A. McAllen, Head of Finance</b>	<b>Ms. J. McCarthy, Meetings Administrator</b>
<b>Ms. D. Griffin, SO Corporate</b>	<b>Mr. O. O'Shea, Press Officer</b>
<b>Ms. O. O'Shea, CO Corporate Support</b>	<b>Mr. J. Kennelly, SE Rds, Transp'n &amp; Marine</b>
<b>Mr. P. Curry, SE Kerry NRDO</b>	<b>Mr. B. O'Connor, EE Rds, Transp'n &amp; Marine</b>

The meeting commenced at 10.35 a.m.

Cllr. Cllr. Niall Kelleher, Cathaoirleach, took the Chair.

**Vote of Sympathy**

Cllr. Terry O'Brien proposed a vote of sympathy to former Councillor Pat Leahy on the passing of his daughter and granddaughter. May they rest in peace.

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

**Vote of Sympathy**

Cllr. Michael Gleeson proposed a vote of sympathy to the family of the late Pat Griffin. May he rest in peace.

Cllr. Michael Cahill and Cllr. Charlie Farrelly wished to be associated with this vote of sympathy.

**Vote of Congratulations**

Cllr. Michael Gleeson extended a vote of congratulations to the East Kerry football team on winning the 2019 senior football county championship.

All Elected Members wished to be associated with this vote of congratulations.

### **11.11.19.01 Cathaoirleach's Report on CPG meeting held on 5 Nov 2019**

The Cathaoirleach's report on the CPG meeting held on 5 November 2019, which had been circulated, was noted by the Members. The conferral of Civic Honours as set out in the report was unanimously agreed.

### **11.11.19.02 Confirmation of Minutes**

- a) On the PROPOSAL of Cllr. Michael Gleeson, SECONDED by Cllr. Jim Finucane, it was resolved that the minutes of the October Ordinary Meeting of Kerry County Council held on 21 October 2019 be confirmed.
- b) On the PROPOSAL of Cllr. Norma Foley, SECONDED by Cllr. Jackie Healy-Rae, it was resolved that the minutes of the Special Meeting of Kerry County Council to appoint a member of Kerry County Council to the Governing Body of the National University of Ireland, Cork, held on 21 October 2019 be confirmed.

### **11.11.19.03 Chief Executive's Report to Council**

The Chief Executive's report for the month of October 2019, which had been circulated, was noted by the Members. She added that since the Chief Executive's Report issued, Rural Recreation funding has been announced for Listowel.

Cathaoirleach Niall Kelleher commended the work of the Local Enterprise Office on the success of promoting food businesses in Kerry at the Cork Kerry Food Forum. He also commended the work done under the LEADER Programme, in particular the work done to secure additional funding.

Cllr. Jimmy Moloney welcomed the development of the Atlantic Discovery App. He welcomed additional LEADER funding and said the provision made by Kerry County Council for match funding in programmes like this is essential. He welcomed funding announced for the Listowel Food Hub.

Cllr. Aoife Thornton welcomed the significant funding that was secured for North Kerry under the Greenways, the Listowel Food Hub and the Town and Village Renewal Scheme. She said a Rural Recreation Officer is needed urgently to start preparation on plans to provide the best experiences for visitors and residents in the North Kerry area. She asked that clarity be provided as to whether new projects can still apply for LEADER funding.

Cllr. Michael Gleeson welcomed the allocation of €100,000 for underground of services, additional lighting and footpath provision in Kilcummin under the Town and Village Renewal Scheme 2019 and said he hopes the Kilcummin Sewerage Scheme will not delay these works.

Cllr. Marie Moloney also welcomed the allocation of €100,000 for underground of services, additional lighting and footpath provision in Kilcummin under the Town and Village Renewal Scheme 2019 and acknowledged the work being done to rectify the situation regarding the Kilcummin Sewerage Scheme works.

Cllr. Norma Moriarty welcomed the announcement of funding received under the Town and Village Renewal Scheme 2019.

Cllr. Pa Daly referred to monies allocation for the renovation of the court house in Kenmare and requested that a letter issue to the Courts Service asking if the court house in Killorglin will be refurbished.

Cllr. Jackie Healy-Rae welcomed the public engagement and public meetings in Priority Action Areas in Kerry – River Basin Management Plan and said it is very important that as many people as possible engage in that process. He welcomed the Atlantic Discovery App and said it will be useful for people overseas. While welcoming funding received under the Town and Village Renewal Scheme, he expressed disappointment that the application for funding for the Glounsharoon viewing area was not successful and said he hoped funding would be sourced for it in 2020. He asked that Comhairle na nÓg would be invited to make a presentation to Kerry County Council.

Cllr. Mike Kennelly welcomed significant funding received for North Kerry, including funding for the Listowel Food Hub, which is hugely positive for the area and the people of the area.

Cllr. Michael Cahill asked that the LEADER funding would be distributed equitably among the three partnership groups in the county. In relation to Killorglin courthouse he said the building at Library Place did have provision for a courthouse and added that the courthouse in Caherciveen is not appropriate for holding family law cases. The Killorglin Archives Society has expressed an interest in leasing the Killorglin courthouse building.

Cllr. Tom Barry welcomed the significant investment in the Listowel area and congratulated all involved in making the funding applications. He welcomed the Atlantic Discovery App and said it will enhance the visitor experience for tourists. He asked if the app includes information on areas surrounding the Wild Atlantic Way route.

Cllr. Breandán Fitzgerald welcomed funding for the upgrade of the historic St. James Graveyard in Dingle. He referred to the 'Other Voices' event taking place in Dingle at the end of November and said it is of the utmost importance that we continue to promote off season events.

Cllr. Niall O'Callaghan welcomed funding for sports clubs in the county. He said the provision of matching funding, by way of an increase in the Local Property Tax, is vital to securing such funding to benefit the whole county. He welcomed the Atlantic Discovery App and said it is very important that we continue to modernise the way the county is promoted with the use of technology.

Cllr. Charlie Farrelly expressed disappointment that the funding application for the Glounsharoon viewing area was unsuccessful and said he hopes funding will be secured for it in 2020.

Cllr. Sam Locke welcomed the public engagement and public meetings in Priority Action Areas in Kerry – River Basin Management Plan and said it must be widely publicised in order that the general public can express their views on it.

Cllr. Patrick Connor-Scarteen welcomed funding for the renovation of the historic Kenmare courthouse. In relation to Prosper Kerry, he said the Elected Members should be asked to provide contacts for Kerry's business diaspora.

Cllr. Donal Grady welcomed the allocation of €100,000 for underground of services, additional lighting and footpath provision in Kilcummin under the Town and Village Renewal Scheme 2019.

Cllr. Norma Foley acknowledged the work of the Local Enterprise Office, which is a vital cog in the promotion of enterprise in the county. She called for courses to support existing businesses. She said Prosper Kerry is a terrific initiative to reach out to the Kerry business diaspora. She saluted the work of Comhairle na nÓg. She referred to the Kerry Sports and Recreation Partnership and called for a special effort to be made to promote clubs with disabilities and inclusion. She acknowledged the work of the Tourism Unit, particularly in supporting festivals, many of which require a huge voluntary effort. She moved notice of motion No. 20.

**Pursuant to notice duly given Cllr. Norma Foley PROPOSED:**

In an effort to establish a unified and recognised brand for Kerry, that Kerry County Council contact all hotels, businesses, organisations and invite them to utilise the excellent Kerry Logo (Kerry Your Natural Escape) on all correspondence, transactions etc.

**The following reply issued:**

It is important that the Kerry - Your Natural Escape brand is circulated widely and that all hotels, businesses, trade and community organisations are encouraged to utilise it on all correspondence, websites, Facebook pages and other social media and digital platforms. The more it is used the more it is recognised and positions Kerry as the premier outdoor adventure and activity destination in Ireland.

A special Brand Guidebook has been developed which explains the brand essence and outlines the correct use of logos, their application, associated colour palette for the brand, logo typefaces, icons, graphics etc.

The brand and booklet has been circulated to the tourism sector in the county and all sectors are encouraged to use the brand widely to help ensure brand recognition throughout the country and abroad.

One of the conditions of grant approval by Kerry County Council for tourism festivals/events and grant funding towards the development of tourism projects is the use of Kerry your Natural Escape on all marketing and promotional materials and platforms.

The electronic versions of 'Our Kerry Brand Guidebook' are available to download from [www.kerryournaturalescape.ie](http://www.kerryournaturalescape.ie).

Cllr. Norma Foley said there must be buy-in to this logo as it is a cohesive image for the county.

Cllr. Patrick Connor-Scarteen **SECONDED** this motion.

The Chief Executive said a lot of money came into the county over the last month and Kerry County Council was in a position to co-fund those monies. The increase in the LPT has helped to co-fund a number of projects, e.g. Skellig CRI. In relation to the LEADER funding allocation, there is a pipeline that will be used to expand that funding and the LCDC will make the decisions on applying the funding with equity across the county. Comhairle na nÓg has engaged with Kerry County Council and indicated that their preference is that Elected Members would attend and engage at their AGM. If the tourism app is successful, and if it is applicable, it will be rolled out across the county. There is a lot of work ongoing in the Local Enterprise Office with existing businesses. The Local Enterprise Office continues to work with existing businesses and encouraging new businesses. Significant progress has been made with Prosper Kerry, with a scheduled programme for work for this year and into 2020.

#### **11.11.19.04 Disposal of Property**

On the PROPOSAL of Cllr. Jim Finucane, SECONDED by Cllr. Jackie Healy-Rae, it was agreed to approve the disposal of a plot of land comprising of 0.060 acres (0.0242 hectares) in area, in the townland of Cloghanelinaghan in the DED of Castlequin. County Kerry to *(Name & address withheld for data protection purposes. A paper copy of the unedited document is available on request)* in accordance with the terms of notice issued 30<sup>th</sup> October 2019 pursuant to Section 183 of the Local Government Act 2001, Section 211 of the Planning and Development Act 2000 and Article 206 of the Planning and Development Regulations 2001.

#### **11.11.19.05 Corporate Plan 2019-2024**

Mr. C. O'Connor, Director of Service, referred members to his report dated 5 November 2019 on this item, which was circulated, and he briefed them on the report.

On the PROPOSAL of Cllr. Jim Finucane, SECONDED by Cllr. Mike Kennelly, it was unanimously agreed to defer the adoption of the Kerry County Council Corporate Plan 2019-2024 until the February 2020 Council Meeting.

#### **11.11.19.06 Update on the Housing Capital Programme**

Mr. M. O'Donoghue, Director of Service, referred members to his report dated November 2019 on this item, which was circulated, and he briefed them on the report.

Cllr. Jim Finucane said the Government is providing solutions which are urban based. Consideration should be given to the following to rectify the housing crisis (a) A reduction in the HFA minimum requirement, from 10 to 5 units, would incentivise builders to progress developments; (b) continued acquisition of properties while there are still properties for sale; (c) using an innovative approach with commercial properties to provide a mix of tenure and that would provide good value for money given that commercial properties are valued less than residential premises, and (d) providing affordable sites for first time buyers.

Cllr. Robert Beasley said housing is at crisis point and is not being addressed. The Local Authority must be restored to providing a full housing construction programme and the initiatives put in place, e.g. to refurbish the many rural houses that are not being lived in.

Cllr. Donal Grady said the Local Authority housing construction programme must be reinstated to address the housing crisis. The support of Approved Housing Bodies is vital to achieving housing targets. There is a lack of security of tenure for tenants under the RAS and HAP schemes, and many of these properties are in poor condition.

Cllr. Norma Moriarty asked if there is a funding stream for repairs to houses provided by a social housing group.

Cllr. Michael Cahill said the HAP thresholds are out of date and families are facing homelessness and poverty. He asked that a letter issue to the Minister regarding HAP thresholds. Approved Housing Bodies are essential to addressing the housing crisis. He called for the introduction of an Affordable Housing Scheme across the

county and for the acquisition of derelict properties. He commended Kerry County Council's Housing Grants scheme which continues to work well.

Cllr. Pa Daly said we have a housing crisis because of Government policy. Short term schemes such as RAS and HAP are failing. Local Authority housing construction is vital to addressing the housing crisis. He expressed disappointment with the Single Rural Dwellings Programme.

Cllr. Sam Locke supported the suggestion to acquire commercial properties in urban areas and provide mixed tenure. He asked if there is a defined timeframe for leasing a property from a landlord and if the landlord can sell their property after the term of lease. He also asked if the housing applicant is taken off the housing list once they become a tenant. There is an insecurity of tenure with leasing schemes while it remains that the landlord can evict a tenant.

Cllr. Jackie Healy-Rae said the housing crisis can only be addressed by way of the Local Authority housing construction programme and acquisitions. He suggested that an information evening be held on to provide property owners with information on the various schemes available in providing housing to the Local Authority while also addressing any planning queries regarding those schemes. HAP is very much a short term solution. A change in policy is required regarding the provision of Demountable Units and the restrictions on the Tenant Purchase Scheme.

Cllr. Norma Foley asked if the Kerry County Council policy regarding a housing applicant refusing a tenancy also include a refusal of an Approved Housing Body tenancy. She said the policy regarding returning a property from void, whereby the house is cleared of floor coverings, etc., must be reviewed. She asked for clarification regarding the requirement that landlord details must now be provided to the central HAP office in Limerick. Based on the housing waiting list there is a need for 1-Bed units in Tralee and she asked for clarification on the housing policy on the provision of 1-Bed and 2-Bed units.

Cllr. Michael Gleeson said the short term leasing solutions are not addressing the housing crisis, which has arisen because of a lack of focus and empathy by the Minister for Housing for families and individuals. The provision of cluster housing developments, with a mix of tenure, is a regenerative factor in rural areas and should be further progressed as it allows communities to evolve.

Cllr. Breandán Fitzgerald said while he welcomes housing in Dingle and Ventry, however, it is not adequate to meet demand. An Affordable Housing Scheme must be put in place as soon as possible. Incentives must be put in place to make long term letting of attractive to property owners.

Cllr. Brendan Cronin said the Housing Grants Schemes are of the utmost importance across the county. Huge numbers of applicants on the housing waiting list and a wait of up to 12 years on the housing waiting list are a testament to the failure of successive governments to finance local authorities. The input of Approved Housing Bodies is essential to providing social housing. There is no incentive for long term letting of properties. It is essential that the current HAP threshold be raised. The number of vacant properties around the county must also be addressed. The return of these properties to the mainstream accommodation sector must be incentivised.

Cllr. Aoife Thornton asked if Kerry County Council has a proposal to build houses at Cahirdown, Listowel. An incentive must be put in place for owners of vacant properties in order to bring them into use as social housing. She asked for clarification on homeless accommodation in the north of the county. She asked for an update regarding an issue that Respond had with Irish Water which has been ongoing. She asked if the Housing SPC could review the position regarding Carer's Allowance as an income for housing tenants.

Cllr. Mike Kennelly asked how soon the 7 no. houses in Listowel will be tenanted. He said the time delay by the Department to sign off housing acquisitions is unacceptable. He asked for clarification on the requirement that a tenant of an Approved Housing Body pay a deposit. He supported the request that the policy regarding returning a property from void, whereby the house is cleared of floor coverings, etc., be reviewed

Cllr. Marie Moloney asked for clarification on the policy regarding returning a property from void, whereby the house is cleared of floor coverings, etc. She called for family type housing to be provided in rural areas. She said the criteria for the Tenant Purchase Scheme and income guidelines for HAP are too restrictive.

Cllr. Patrick Connor-Scarteen said the return of voids to use continues to be an issue. Retrofitting houses is welcome, but it must be done quicker. He asked when the tender documents will issue for 14 no. houses in Kenmare and what is the expected construction start date. He asked that a footpath and public lighting be provided to the Ardbhearna Estate, Kenmare. He said there must be more flexibility in how housing is provided, particularly with the number of vacant properties across the county. Property owners must be made aware of the schemes available to bring vacant properties in to use for social housing. There is a need for more 2-Bed units to reflect changing family circumstances. An increase in funding from central government is required for the provision of social housing.

Cllr. Michael O'Shea said there is an ongoing issue where single housing applicants are on the housing list for up to 14 years. The focus is to provide housing in towns where lands are expensive, consideration should be given to areas outside of towns. HAP has resulted in inflated rental prices across the county for those who do and do not qualify for the HAP scheme. Consideration must be given to providing apartments for single people.

Cllr. Charlie Farrelly said there is a significant housing waiting list in the Castleisland Electoral Area and it is critical that housing be provided there. He asked for an update on the provision of 16 units by an Approved Housing Body.

Cathaoirleach Niall Kelleher said Kerry County Council has been very pro-active on acting on delays caused by the Department changing the housing programme, such as the unacceptable time delay between planning approval and occupancy of a housing development. Many landlords are leaving the rental market as there is no incentive for them; a tax relief for long term rentals (over 10 years) should be introduced. He asked for an update on the delivery of Part V housing developments. He echoed the sentiments expressed regarding vacant properties and the need to return them to use for social housing. He supported the request for an information evening to be held. He proposed that the applicants for 1-Bed and 2-Bed units on the housing waiting list be amalgamated into one list.

Cllr. Donal Grady seconded this proposal.

The Chief Executive said Kerry County Council has a huge housing programme, to provide 1,770 units, to the end of 2021 under Rebuilding Ireland. She said housing targets must be met in a sustainable way and she is satisfied with the progress that is being made on the housing programme. The Housing Department is actively engaged with the Approved Housing Bodies and their engagement is required to reach the housing programme targets. Targets for 2019 were stretched, with the Department requesting that 40 more units than were in the pipeline to be delivered. She acknowledged the work of the Housing Department in delivering the housing programme.

Mr. M. O'Donoghue, Director of Service, said the Approved Housing Bodies actively engage with Kerry County Council on projects they are pursuing and their project model suits developers because of staged payments. There is emergency homeless accommodation in North Kerry and there is sufficient capacity across the county. He undertook to speak directly to Cllr. Kennelly regarding the deposit required by an Approved Housing Body and to speak directly to Cllr. Moriarty regarding availability of funding for repairs. He acknowledged the comments regarding incentivising the refurbishment of vacant properties. As the acquisition programme comes to an end that will have an impact on what can be done with vacant properties as within the involvement of the Local Authority there is no easy avenue to restoring them to productive social use. The Local Property Tax for Kerry County Council tenants is paid by Kerry County Council, it is €400,000 for 2020. A design for a social housing scheme is being pursued at the Island of Geese site in Tralee and it will be brought to the Elected Members through the Part VIII process. The Tenant Purchase Scheme was reviewed nationally, the results of the review are awaited. The current Tenant Purchase Scheme excludes all new builds, acquisitions and AHB properties since 2015. The standard of Kerry County Council constructed properties are difficult to acquire in the private market. The requirement for landlords to provide their information to Kerry County Council is underpinned by legislation which was introduced over the last 12 months is required in relation to serving notices regarding RTB standards. This information is not shared with the Revenue Commissioners or the tenant. The Housing Department will be making a public call under the leasing schemes and will review information regarding options for landlords under leasing schemes. A number of Part V developments are to be finalised and overall activity levels are low which is a reflection of the property market in the county. New developments are including smaller units, e.g. the 59 unit development in Killarney. A number of developments are not included in this report, when they become formal contracts they will be included in the Municipal District reports. He said he understands the Respond/Irish Water issue has been resolved. There has been no progress in relation to developing land at Cahirdown, Listowel. A number of units have been delivered under the Repair & Leasing Scheme and a number of offers have been made on other units. It is a difficult scheme to manage. It is a rolling scheme and there are a number of units in the pipeline for delivery. The standards of refurbishment on the return of voids to productive use is kept under review. A total refurbishment is not done in each case, and in some cases more expansive work is done, e.g. on properties that have become void after a tenancy of 30 years a deeper retrofit is done. Each case is assessed fully in relation to what works are necessary and what is required. In an environment where funding is decreasing, the standard of finish will be somewhat less than it is currently. The provision of an Affordable Housing Scheme is predicated on whether a Kerry County Council owned property can qualify under the terms of the national scheme. Kerry County Council did make

an application to the Department under the scheme, and in the first two tranches Kerry County Council was not included as none of the sites currently in our ownership meet the requirements of the terms of the scheme.

#### **11.11.19.07 Update on the Strategic Roads Programme**

Mr. Paul Curry, SE National Roads and Design Office, made a presentation to the Elected Members, providing an overview of the strategic projects over the next two years, which included the following:

- Review of the national road network in Kerry
- N22 Ballyvourney to Macroom
- Foynes to Limerick
- County Kerry Infrastructure
- N69 Tralee to Tarbert
- N86 Tralee to An Daingean
- N72 Killorglin to Rathmore
- N70 - Tralee to Kenmare
- N71 Killarney to County Bounds

Cllr. Michael Cahill acknowledged the projects that have been completed in recent months in Killorglin and mid-Kerry. He asked that the many sections of the Ring of Kerry route, the premier tourist route, that are in poor condition would be upgraded. The provision of a footpath on the recently opened Kilderry road is also a priority.

Cllr. Norma Moriarty asked what type of pre-planning work is being done to open up road schemes for applications. She said where good work has been done on stretches of road it emphasises where road works need to be done.

Cllr. Michael O'Shea said proper access to and from our county as well as within our county is important. While the Kilderry Bypass is great, the lack of a footpath is disappointing. A plan for the proposed Milltown Bypass is awaited by the Milltown community.

Cllr. Brendan Cronin asked if the N22 project from Farranfore to Lissivigeen will be taken as one project or part projects. He asked that the commitment to provide flashing lights between Ballydowney and the Liebherr factory would be honoured and progressed. He highlighted the need for works at Ballycasheen, Coolcashlagh and Madam's Hill junctions.

Cllr. Jimmy Moloney asked if the announcement regarding the Adare Bypass will affect the commencement of the Listowel Bypass and if there will be increased traffic to the county when construction of the Adare Bypass starts. He asked if the N69 is included in a proposal for funding to Transport Infrastructure Ireland.

Cllr. Aoife Thornton asked if the CPO for the Listowel Bypass has been finalised. She asked that Elected Members be advised when the TII next visit the county in order that a meeting could be held with them to discuss the Cahirdown road.

Cllr. Fionnán Fitzgerald asked that safety measures through Ballymacelligott would be considered.

Cllr. Jackie Healy-Rae referred to the N22 Farranfore to Killarney project and asked if that will bypass Farranfore village as traffic congestion is a regular occurrence in the

village at present. He asked for clarification on the starting point for the Kenmare to Moll's Gap overlay works. He said it is disappointing that the Kilderry Bypass does not incorporate a layby or cycling lane.

Cllr. Niall O'Callaghan said the Killarney Bypass must be prioritised because traffic accessing the county will be increased when the Ryder Cup is hosted in Adare in 2026. These works should be done in conjunction with the Adare Bypass works in order to give proper access to the south of the county.

Cllr. Patrick Connor-Scarteen said the public must be kept informed of timescales for works, particularly if works are to be delayed. He asked that every effort be made to do works outside of the tourist season. He asked when works will commence between Kenmare and Ardbhearna estate.

Cllr. Donal Grady welcomed progress on the N22 project and said it is vital for the survival of Killarney. The current bypass is outdated and congested with traffic. He asked that the Killarney Bypass would be prioritised.

Cllr. Michael Gleeson asked if the Macroom Bypass will have cycle lanes. He asked if Newcastlewest will become a bottleneck for traffic when the Adare Bypass is complete.

Cllr. Pa Daly said the Tralee town and parks now has a staff number of four. He asked if new staff will be assigned to this area.

Cllr. Breandán Fitzgerald noted that tender documents are being prepared for the N86 Tralee to An Daingean and asked when it is expected that works will commence.

Cllr. Sam Locke asked if the hair pin bends at Caherleaheen will be removed when works in that area proceed.

Cllr. Cathal Foley said cycling lands should be integrated into all future road designs.

Mr. Paul Curry, SE, said over the next 5-10 years a series of overlay works will be undertaken on the Ring of Kerry, with a programme of works in place to achieve this. There is sufficient land on the Kilderry Bypass to provide a footpath if we can get it back on the programme. Statutory consent is required for the Farranfore-Killarney full scheme and it can be constructed in stages. Farranfore will be bypassed as part of the scheme. Commitments regarding Ballydowney will be honoured. It is expected the Adare bypass will not impact on the Listowel Bypass. The CPO for the Listowel Bypass is being worked through with some land dealings to be finalised. A number of locations on the N21 are being reviewed for the purpose of providing a right turn lane. Mr. B. O'Connor, EE Roads, will provide information regarding the start point for works at Moll's Gap. Consultants are on board for the Killarney Bypass €200m project, acquiring statutory consent and funding will be the challenge. In relation to securing contractors for pavement works, there are not that many contractors, the works can often be a long way from the batching plants, some schemes do not start when expected, but when they start they will be finalised. This is a national issue as there are so few contractors. He said a commitment cannot be given that it will be the case that all future road projects will include a dedicated cycle lane. Tender documents are nearing completion to be submitted to the TII for approval for publication. The Caherleaheen project is initially for surface overlay works initially.

A strategic review of the Tralee-Castlemaine road is required which would include the hair pin bends.

#### **11.11.19.08 December Ordinary Meeting**

On the PROPOSAL of Cllr. Norma Foley, SECONDED by Cllr. Sam Locke it was agreed that the December Ordinary Meeting would be held on Monday, 16 December 2019 in Rathmore commencing at 11am.

#### **11.11.19.09 Presentation from Skellig Centre for Research & Innovation**

The Cathaoirleach, Cllr. Niall Kelleher, welcomed Ms. Belinda Gascoigne, Manager of the Skellig Centre for Research & Innovation to the meeting and invited her to make a presentation to the Elected Members.

Ms. Belinda Gascoigne made a presentation to the Elected Members which included the following:

- Background of Skellig CRI
- Location and Facilities
- Programmes of Skellig CRI
- Regional Modules
- Research
- Talks/Seminars/Workshops
- Kerry Social Farming Project

#### **Suspension of Standing Orders**

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

On the PROPOSAL of Cllr. Michael Cahill, SECONDED by Cllr. Norma Moriarty it was agreed to suspend Standing Orders to allow the meeting to continue.

#### **11.11.19.10 Presentation on the Kerry Social Farming Project**

Cathaoirleach Niall Kelleher, welcomed Mr. Joe McCrohan, Social Farming Line Manager, South Kerry Development Partnership to the meeting and invited him to make a presentation to the Elected Members.

Mr. Joe McCrohan made a presentation to the Elected Members on the Kerry Social Farming Project which included the following:

- Kerry Social Farming Model
- Kerry Social Farming Shared Services – Working Group
- Kerry Social Farming Project
- Social Farming Activities
- Growth: SICAP funding 2014-2016
- Future Objectives; to expand the number of farms involved in the project; introduction of a Social Farming Facilitator in each MD

Cathaoirleach Niall Kelleher thanked Ms. Belinda Gascoigne and Mr. Joe McCrohan for their informative presentations to the Elected Members. He commended the collaborative work they are doing to promote the Kerry Social Farming Project.

All Elected Members commended the work being done by Skellig CRI and the Kerry Social Farming Project. Elected Members highlighted that Skellig CRI provides a

great educational opportunity for people in the local area to access courses as well as attracting students from outside the county. Elected Members also highlighted that Kerry Social Farming Project as an innovative and inclusive community project, which provides many benefits for the participants and the farmers alike.

### **Lunch break**

The meeting adjourned for lunch at 2.20 p.m. The meeting resumed at 2.40 p.m.

### **11.11.19.11 Summary of proceedings at events**

It was agreed to note the report on proceedings at the AILG Module 2 Training “The Marine Spatial Planning Strategy & Met Éireann, Forecasting Services and Local Authorities” held on 21 March 2019 by Cllr. Jimmy Moloney, on behalf of the Kerry County Council delegates that attended in accordance with Section 142(5)(f) of the Local Government Act 2001 as amended.

### **11.11.19.12 Report on Association of Irish Local Government**

It was agreed to note Cllr. Charlie Farrelly’s written report on the operations and activities of the Association of Irish Local Government which was circulated.

### **11.11.19.13 Approval for the Opening of Tenders**

- a) On the PROPOSAL of Cllr. Jackie Healy-Rae, **SECONDED** by Cllr. Norma Moriarty, it was agreed to approve the opening of tenders for National Road Safety Barrier Programme – Closing date: 25 November 2019 at 4.00 p.m.
- b) On the PROPOSAL of Cllr. Jackie Healy-Rae, **SECONDED** by Cllr. Norma Moriarty, it was agreed to approve the opening of tenders for N22 Farranfore to Killarney Engineering Consultancy Services (Phase 1 to 4) – Closing Date: 11 December 2019 at 4.00 p.m.
- c) On the PROPOSAL of Cllr. Jackie Healy-Rae, **SECONDED** by Cllr. Norma Moriarty, it was agreed to approve the opening of tenders for N71 Kenmare to Moll's Gap Pavement Improvement Scheme – Closing Date: 4 December 2019 at 4.00 p.m.

### **Emergency Motion**

#### **Cllr. Jimmy Moloney PROPOSED:**

That Kerry County Council immediately reopen the R556 Rathscannell Road. Even though the road is advertised as being closed it is still being used creating a safety problem for local road users. Appropriate screening and resurfacing should also be carried out.

Cllr. Jimmy Moloney said following a meeting of residents last week there is a call for the R556 to be reopened. Access to this road was to be restricted to residents, however, it is being used by non-residents which is a safety risk. The condition of the roads being used as diversion routes is another health and safety issue. He asked that the R556 would be reopened until such time as funding has been received for the works on this road.

Cllr. Mikey Sheehy **SECONDED** this motion and said the residents on this road and in surrounding areas are impacted by this road closure. Residents have asked that updates on progress with this road project would be communicated to them.

Mr. C. O'Sullivan, Director of Service, said funding was received for the design of the R556 and this is being progressed for a Specific Improvement Grant in 2020. He expressed caution regarding reopening the road as there are specific safety concerns, e.g. drivers were not adhering to speed limits. Some access was maintained for residents. He undertook to review this matter and revert to the Municipal District members.

### **Emergency Motion**

#### **Cllr. Norma Foley PROPOSED:**

In light of the confirmation in writing last week from University Hospital Kerry that the hospital does not have 'a full complement of radiographers', that Kerry County Council immediately raise this matter by way of emergency with hospital management, the HSE and the Minister for Health. This is a crisis of unimaginable proportion as radiographers are responsible and indeed essential to the provision of essential services, e.g. scans, x-rays, etc.

Cllr. Norma Foley said there is a deficit of Radiographers at UHK. An independent review was conducted in 2018 based on guidelines for Radiographers, the outcome of that review recommended that there would be 37 Radiographers at UHK in order to provide a safe service and to meet demand. At the point the review was undertaken, UHK had 60% of the staffing level of Radiographers that was recommended. The recommendations on staffing levels were accepted by the hospital and unions, but efforts to fulfil those levels have failed with a current deficit of 27% in staffing levels, i.e. 24 doing the work of 37. This matter has been referred to the WRC where it remains for decision.

Cllr. Mikey Sheehy **SECONDED** this motion and said retention and expansion of services within UHK must be a priority. He acknowledged that the new Public Manager at UHK is trying to deal with this issue.

### **11.11.19.14 Notices of Motion**

#### **1. Installation of Solar Panels in Schools**

##### **Pursuant to notice duly given Cllr. Michael Gleeson PROPOSED:**

That Government would actively encourage schools, National and Secondary, to install Solar Panels and facilitate, by legislation if necessary, the right of Boards of Managements to sell the energy produced to the National Grid.

#### **Mr. C. O'Connor stated this is a matter for consideration by the members.**

Cllr. Michael Gleeson said maximising the potential of schools to better serve their communities by enhancing their own potential to raise finance and in so doing better serve the environment through the generation of energy should be an immediate objective of Government. The installation of solar panels on the roofs of schools would earn much needed money for the day to day running of the schools through the selling back to the grid of the energy generated. This process of generating electricity without depleting natural resources should be welcomed and actively promoted by Government. Such a scheme would also inspire the young generation to develop an awareness of the importance of their precious environment and its protection.

Cathaoirleach Niall Kelleher **SECONDED** this motion.

## **2. Embargo on Commercial Rates**

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

To ask the Executive of Kerry County Council to take into account new businesses opening in rural villages, that they would give them a 12 month embargo on paying commercial rates.

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

Under current Rates Legislation, there is a requirement on Kerry County Council and all local authorities to levy rates on a commercial business where there is beneficial occupation. While the legislation allows for certain exemptions of rates, this generally relates to community organisations, non-profits, charity organisations and education organisations. The members will be aware of a pilot Business Incentive Scheme which is being promoted in Tralee Town Centre, which is encouraging the enhancement of Tralee Town Centre as a destination, in order to build on the public realm improvements introduced in the town centre. This scheme will be reviewed, and a report brought to Council in respect of same. While rates are part of the normal overhead costs for businesses there are many other more important variables that impact on businesses opening premises. As outlined previously, Kerry County Council will continue to pursue opportunities for investment on improving town and village centres to make them more attractive for private sector investment. Kerry County Council will also continue to work with the local business sector in developing and implementing Economic Strategies for these areas.

Cllr. Michael O'Shea said there are many small villages with streets that have no businesses operating on them. Young business people set up their businesses and within days of opening the Local Authority is requesting significant rates bills to be paid, which often results in the business closing. A rates rebate for new businesses would encourage new business set ups.

Cllr. Mikey Sheehy **SECONDED** this motion and said he would like to see the Business Incentive Scheme extended throughout the county. Many businesses within the county have grown from a small business into an international business.

Cllr. Charlie Farrelly withdrew notice of motion No. 3.

## **5. Renard Pier**

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

That Kerry County Council request the Department of Agriculture and Marine to provide the necessary funding to extend Renard Pier by at least 30 metres so as to allow bigger and deeper trawlers land their catches in Renard. The fact that they cannot do so at present, is a huge loss to the local economy.

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

The refurbishment and extension of Renard Pier has been a longstanding objective of Kerry County Council. An extension would increase the water depth and pier space allowing larger visiting vessels to use the pier, supporting the local fishing industry. Significant preliminary design work was undertaken by consultants on behalf of Kerry County Council during the period 2000 to 2004. The estimated cost of the project was €2.5m, which did not progress due to a lack of state funding.

Bord Iascaigh Mhara (BIM) have developed a preliminary Business Case for the extension of Renard Pier, as part of "Project Atlantic", which is a 3 year multi-agency initiative working with Irish and EU operators and whose aim is to secure more landings and add value for Ireland's seafood sector.

Having regard to the level of investment required, under the Department of Expenditure and Public Reform's Public Spending Code, a project appraisal for the scheme is required. The development of the project will also require environmental and hydrometric assessments to support any future planning consent and foreshore licencing requirements. Funding of €200,000 is required to engage the necessary expertise on the development of the project appraisal and the various environmental studies.

An application has been prepared under the Department of Rural and Community Development's "Rural Regeneration and Development Fund" for the cost of these studies and will be submitted in the next call for funding.

Cllr. Michael Cahill said Renard was previously a landing facility and every support should be provided to the fishing industry and generation of jobs in this areas.

Cllr. Norma Moriarty **SECONDED** this motion and said there is enormous potential in Renard in the fishing industry and in tourism if the pier could be enhanced. An extension of the pier would be beneficial economically.

## **6. Acquisition of Lands for Housing**

Cllr. Jackie Healy-Rae moved Notice of Motion No. 6 on behalf of Cllr. Johnny Healy-Rae.

### **Pursuant to notice duly given Cllr. Johnny Healy-Rae PROPOSED:**

That Kerry County Council would buy more land in areas of the County where they do not have land banks and there is sufficient demand.

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

The issue of historic/ legacy land loans was discussed in detail at a number of Council Meeting and in particular in conjunction with consideration of landbank report in January 2019 (with update report in May 2019). A Report was presented to the Council at the last meeting providing an update on the progress on the development of Council lands. Given the current legacy loans, the Council is cautious about further expansion of our landbanks. However in areas of highest demand, where Kerry County Council has insufficient land to meet the current Housing needs, the Council continues to pursue any opportunity to acquire suitable lands that can be developed quickly as part of the current Housing Capital Programme. In March 2019, public Expressions of interest were sought for the provision of both Turnkey housing Units and Development lands. All applications were examined and while several of the Turnkey proposals are being pursued, unfortunately no suitable development land was offered in the areas where it was most required. Kerry County Council intend to advertise again in January 2020 for similar Turnkey/Development land availability. In 2019 the Council has acquired a corner site on Matt Talbot Road adjacent to the Denny's/ Island of Geese site and this is currently being examined in the context of a Social Housing project within the overall Island of Geese development.

## **7. Climate Change Officer**

### **Pursuant to notice duly given Cllr. Aoife Thornton PROPOSED:**

am seeking the support of the members on my call to the Department of Communications, Climate Action and the Environment to provide funding to Kerry County Council to engage a Climate Change Officer as soon as possible.

**Mr. C. O'Connor stated this is a matter for consideration by the members.**

Cllr. Aoife Thornton said it is necessary that we would have a Climate Change Officer in place as soon as possible given the increased severe weather events and policies being adopted to address climate change.

Cllr. Michael Gleeson **SECONDED** this motion and said a Climate Change Officer could create greater awareness of what approaches and alternatives are available to address climate change.

## **8. On-line Registration for the Electoral Register**

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

Will Kerry County Council introduce a scheme similar to the Dublin Councils' where a person can register to vote online.

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

The Department of Housing and Planning and Local Government held a Public consultation on proposals to modernise the Electoral Registration Process during December 2018 until March 2019. Kerry County Council sent a Submission on this which welcomed the modernisation of the Electoral Register process.

The proposals will provide:

- Registration either online registration or paper version.
- A clear and simple process – one form, one process, one register – all year round
- A single secure database to enable cross-local authority checks while protecting data
- Balancing security and ease of access to protect the integrity of our registration process
- Building an Electoral Register that is secure, comprehensive and accurate

To enable these reforms in full would require improved identification verification such as requiring provision of Personal Public Service Numbers (PPSN's), and some limited data sharing between local authorities who manage the electoral register and other state bodies for verification purposes. The outcome from the consultation process has not yet been published.

Dublin City Council has Voter.ie operational since March 2019 and have reported that it has been a great addition to the registration process. They would average fifteen portal entries daily and they experienced a significant increase for the recent elections.

However, paper applications are still the dominant form of registration. It is expected, however, that on-line registration will continue to increase

Cllr. Jimmy Moloney welcomed the reply and said he hopes a reply will be forthcoming from the Department shortly. The registration process must be secure and accurate.

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

## **9. Local Improvement Scheme**

### **Pursuant to notice duly given Cllr. Jackie Healy-Rae PROPOSED:**

That Local Improvement Scheme applications be prioritised by the year which they were received, for example, an application that was received in 2010 should be prioritised over one received in 2018, I believe this is only fair and just.

**The following reply issued:**

The marking scheme to prioritise all applicants under the Local Improvement Scheme was approved by Council in 2018. As previously outlined to members, the Council is currently assessing the 804 applications for the scheme and the prioritised list of qualifying applicants will be prepared by the end of January 2020.

Cllr. Jackie Healy-Rae said it is unfair and not acceptable that Local Improvement Scheme applications submitted in 2008 are being considered with applications received in 2018. The 118 applications received in 2008 should be prioritised and works done on those roads first. If Kerry County Council was accepting applications under the Local Improvement Scheme then the scheme remained open.

Cllr. Charlie Farrelly **SECONDED** this motion and said the applications that were received first should be dealt with first.

Cllr. Mike Kennelly opposed this notice of motion and said this matter came before the Elected Members and a process for assessment of the 804 Local Improvement Scheme applications was agreed.

Cllr. Michael Cahill said Elected Members were told in 2008 that the Local Improvement Scheme was closed and new applications would not be accepted and would not be processed.

Mr. C. O'Sullivan, Director of Service, said when the decision was made to re-open the Local Improvement Scheme in 2018 there was extensive consultation with the Elected Members; the Local Improvement Scheme was brought to the Operations SPC twice to consider how the scheme would operate. After closing in 2007, a number of applications were received and the advice given was that the scheme was closed but the applications would be held on file. When the scheme re-opened those who had applied previously would not have to re-apply. A scheme was developed with the Elected Members and applications are being processed on that basis. Resources have been assigned to assessing the applications and it is hoped to have a priority list by the end of January 2020.

The Chief Executive said this matter has been discussed on a number of occasions in this Chamber. The Local Improvement Scheme came through the Operations SPC and the scheme was agreed at Full Council. It is on the basis of that scheme that applications are being assessed.

Cllr. Jackie Healy-Rae asked if applicants in 2007 were written to advising that the scheme was closed and why the applications were not returned.

Mr. C. O'Sullivan, Director of Service, said while he does not have specific detail regarding correspondence with the applicants, a lot of applications were received with the support of Elected Members. It was made known in 2008/2009 that new Local Improvement Scheme applications would not be accepted. Prior to that applications were accepted, there was no commitment given that they would be processed and they were held on file. When the Local Improvement Scheme re-opened in 2018 the applications on file were given the opportunity to update the application if required. The Local Improvement Scheme went through the Operations SPC to ensure that the scheme was fair and equitable. The scheme was agreed by the members and applications are being assessed on that basis.

## 10. Visitor Numbers to County Kerry

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

That Kerry County Council's Tourism Unit please give details of tourist numbers to the County in the last five years and outline how the Unit can assist the Tourism Sector.

### The following reply issued:

Visitor numbers to County Kerry have been increasing steadily over the past 5 years and while growth is described as 'flat' by Fáilte Ireland in 2019, it is still expected to exceed 2017 performance:

Visitor Source Market	2014	2015	2016	2017	2018*	% Increase
Overseas (000s)	945	1050	1076	1277	1249	32%
Domestic (000s)	673	779	844	960	1092	62%
Totals:	1,618	1,829	1,920	2,237	2,341	45%

\*Preliminary figures. **Source:** CSO, Fáilte Ireland, Tourism Ireland, ITIC.

Kerry County Council's Tourism Unit was established in 2014 in response to Local Government's expanded role in tourism and economic development. The Tourism Unit works closely with key stakeholders to implement the actions contained in the County Kerry Tourism Strategy & Action Plan 2016-2022. Of the 273 specific actions contained in the Strategy, to date, over 60% of these have been progressed.

The Tourism Unit works closely with the Destination Kerry Tourism Forum, a body representative of the tourism trade, chamber alliances, local development companies and communities, and state agencies, particularly Fáilte Ireland, Tourism Ireland, ITT and Údarás na Gaeltachta, and also with the Department of Transport, Tourism & Sport, Department of Culture Heritage & the Gaeltacht and the Department of Rural and Community Development. Partnership is the key to success. The key objective is to secure the implementation of the County Kerry Tourism Strategy and in doing so to further enhance the national and international profile of the county as a tourism destination, to maximise state and private investment in tourism through all available funding streams, to extend the tourist season and disperse visitors throughout the county and position Kerry as centre of excellence for festivals and events, outdoor adventure, heritage, tourism-related services, research and training.

In 2016 Kerry County Council won the inaugural Irish Tourism Industry Confederation (ITIC) Award for Best Local Authority for Tourism Innovation and has been acknowledged subsequently, as a leader among local authorities in a range of tourism initiatives not least adventure tourism, astrotourism, accessible tourism, Wild Atlantic Way, screen tourism, community engagement (e.g. The Gathering, Visitor Experience Development Plans) and the Valentia World Heritage Bid.

Support for tourism initiatives by community and voluntary groups is provided through a range of direct funding programmes including the Council's own Community Support Fund, the Festivals & Participative Events Programme supported by Fáilte Ireland, the Department of Rural and Community Development's Outdoor Recreation Infrastructure Scheme (ORIS), CLÁR, Town & Village Renewal Scheme, Rural and Urban Regeneration Schemes, Fáilte Ireland's Wider Horizons and Platform for Growth Schemes and EU LEADER and Interreg Programmes. Soft supports are provided through mentoring, training and logistical aid to groups. Progressing these and other linked initiatives isn't just the focus of the Council's Tourism Unit it's an organisation wide effort within Kerry County Council recognising the importance of tourism to the county while at all times being mindful that growing

and enhancing our tourism industry must be done in a sustainable manner that protects and safeguards Kerry's pristine environment.

Cllr. Patrick Connor-Scarteen acknowledged the work of the staff in the Tourism Unit. He encouraged the use of "Kerry – Your Natural Escape". He acknowledged the work of Kerry Airport and said extra routes are being explored. The overall increase in numbers over the last five years is encouraging. Government have been called upon to reduce the VAT rate from 13.5% to 9% within the hospitality sector as that extra cost is restricting businesses. He asked that a letter issue to the Minister for Transport, Tourism and Sport in this regard.

Cllr. Norma Moriarty **SECONDED** this motion.

## **11. Local Link Kerry**

### **Pursuant to notice duly given Cllr. Fionnán Fitzgerald PROPOSED:**

That Kerry County Council write to the National Transport Authority & Department of Transport, Tourism and Sport to commend the great work being undertaken by Local Link Kerry and to explore how best to accelerate the roll out of additional Public Transport Services that promote connectivity, sustain communities and alleviate issues of rural isolation.

### **Mr. C. O'Connor stated this is a matter for consideration by the members.**

Cllr. Fionnán Fitzgerald said Local Link Kerry is a service that is bringing connectivity to those living in remote and rural parts of the county. The service is based in Castleisland and they are currently promoting the service throughout the county to highlight its availability for new routes should there be a need for it.

Cllr. Aoife Thornton **SECONDED** this motion and said it would be of value for the Elected Members to receive a presentation from Local Link Kerry.

## **12. Irish Sign Language Act 2017**

### **Pursuant to notice duly given Cllr. Breandán Fitzgerald PROPOSED:**

That Kerry County Council make every effort to comply with Section 6 of the Irish Sign Language Act 2017 in providing Interpreters for Irish Sign Language speakers and that all necessary facilities are in place in order to comply with the Act, which comes into force next year.

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

Kerry County Council will consider and implement relevant guidelines which will issue on the commencement of section 6 of the Irish Sign Language Act 2017. It is normal practice when a section of an Act is commenced that direction and guidance regarding the implementation of the Act is provided to public bodies by the sponsoring department. This will be considered at the time of enactment and any requirements of Kerry County Council will be adhered to.

Cllr. Breandán Fitzgerald said Irish Sign Language became recognised as an official language of the State when the Irish Sign Language Act 2017 was signed into law in December 2017. This legislation which was sponsored by Senator Mark Daly and through the Irish Sign Language (ISL) Official Recognition Campaign led by the Irish Deaf Society received cross party support, gives legal recognition to Irish Sign Language and places a requirement on State agencies to devise and implement an action plan to promote the use of sign language within their organisation.

Irish Sign language is used by 50,000 members of the Deaf Community and thousands of others to communicate with them in Ireland and through the Irish Sign Language Act, State Agencies and Public Bodies such as Kerry County Council are required to provide ISL in all their services and communications by 2020.

Section 6 of the Irish Sign Language Act states that “A public body shall do all that is reasonable to ensure that interpretation into Irish Sign Language is provided for a person who is competent in that language and cannot hear or understand English or Irish when that person is seeking to avail of or access statutory entitlements or services provided by or under statute by that public body.” and “The provision of interpretation shall be at no cost to the person concerned”.

He asked that Kerry County Council make every effort to comply with Section 6 of the Irish Sign Language Act 2017 and ensure that members of our Deaf Community have a real opportunity to access State services in their own language.

Cllr. Norma Foley **SECONDED** this motion and said she would like to think that Kerry County Council will be at the forefront of implementing the requirements of the Irish Sign Language Act 2017.

Cllr. Aoife Thornton said the sign in the Castlegregory Playground, which displays 20 sign languages signs, is really useful and could be replicated in playgrounds across the county.

### **13. Demountable Units**

Cllr. Jackie Healy-Rae moved Notice of Motion No. 13 on behalf of Cllr. Maura Healy-Rae.

#### **Pursuant to notice duly given Cllr. Maura Healy-Rae PROPOSED:**

To ask Kerry County Council of the demountable units they have, how many are occupied and how many are vacant. In relation to the vacant units, where are these being kept.

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

Kerry County Council recently initiated a complete inventory assessment of our demountable housing stock and this work has been on-going over the past number of months.

83 are currently habitable and occupied.

In addition we have a number of other units potentially reusable as follows;

- Suitable for reuse with some work required but still on original sites: 12
- In storage on Kerry County Council property – initial repair work commenced : 2

There are also a number of units which cannot be reused given their condition which remain on the original sites awaiting demolition.

The assessment criteria for re-use includes condition, costs of works and relocation costs. In relation to relocation costs on-site access to the unit to enable it to be transported is very often an issue and can be cost prohibitive. In such cases , the units, if in poor condition are demolished on site and waste removed to a licenced waste facility.

### **14. Occupational Therapy Referral Waiting Times**

#### **Pursuant to notice duly given Cllr. Mikey Sheehy PROPOSED:**

To ask the Minister for Education to urgently address the issue of Occupational Therapy referral waiting times for school children in Kerry.

**Mr. C. O'Connor stated this is a matter for consideration by the members.**

Cllr. Mikey Sheehy said Kerry is being left behind in terms of those who are vulnerable. Parents and Teachers in the classroom spot signs of issues, e.g. motor skills movement/co-ordination. The earlier these things are identified and dealt with the better. In Kerry the minimum waiting time for referrals from teachers, which are for initial assessment only, is 18 months which is not acceptable.

Cllr. Fionnán Fitzgerald **SECONDED** this motion and said it is essential that the waiting time for Occupational Therapist referrals is reduced.

### **15. Roll Out of Car Chargers**

**Pursuant to notice duly given Cllr. Niall Kelleher PROPOSED:**

That Kerry County Council give a report on a roll out of car chargers in the County, both with the ESB and with their own resources with partner companies.

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

Kerry County Council has carried out research on the provision of car charging points in the county. Currently the only energy supplier active in the provision of charging facilities is the ESB, though another energy supplier is examining its options.

ESB ecars was established in 2010 to roll out the public charging infrastructure for electric vehicles (EVs) across Ireland and to support the introduction and demand for electric vehicles nationally. There are currently two types of chargers on the ESB public charging network, AC (standard 22kW) and DC (Fast chargers 50 kW). There is also a new high-power charging network (150kW) roll out planned for 2020.

ESB operates and maintains approximately 1,100 public charge points nationally. Kerry County Council has facilitated the ESB in installing 14 publicly available standard charging stations in the county, which are located in Listowel, Tralee, Castleisland, Dingle, Killorglin, Caherciveen, Sneem, Kenmare and Killarney. Each of these 14 stations contains 2 individual 22kW charge sockets. There are also a number of private slow charge points (3.7kW) in a number of hotels and commercial properties around the county, as well as one fast charger point in Killarney. The locations of all these charging points are on the ESB ecars website.

ESB ecars is currently undertaking a €20m programme to expand and enhance the charging network across Ireland which is part funded by the Irish Government's Climate Action Fund. Part of this upgrade will see over 50 high power charging hubs (150kW) on motorway and national road sites.

Kerry County Council has identified 25 locations along the Wild Atlantic Way suitable for the installation of EV chargers such as at Car Parks at Blue Flag Beaches and Tourist Points of Interest. The installation of 2 No. standard 22kw chargers at these locations was costed in consultation with ESB Networks and a funding application was submitted under the Rural Regeneration Development Fund in August. While this application was unsuccessful under this funding call, the feedback from this application will be reviewed and it is now intended to examine and identify possible alternative funding schemes for this project such as the recently announced SEAI Grant scheme.

Members will be informed of any updates.

Cathaoirleach Niall Kelleher acknowledged the detailed reply and expressed disappointment that Kerry County Council has not done more from within its remit. It is incumbent on Kerry County Council to provide charging points in Kerry County

Council owned public and private car parks. He welcomed work done on the Wild Atlantic Way in this regard and said hopefully additional funding will be received shortly to further progress the provision of car charging points.

Cllr. Michael Cahill **SECONDED** this motion and said all new build houses should have car charging points included.

Mr. C. O'Sullivan, Director of Service, said the Wild Atlantic Way tourist route is the initial route to be promoted along with areas within that tourist route. Kerry County Council also worked with the Dingle hub regarding their proposals. Rolling out fast chargers was challenged by the infrastructure that is required. Kerry County Council is committed to delivering this programme on an ongoing work programme.

## **16. Pollinator Projects**

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

That we write to all relevant Ministers and agencies seeking proper resourcing and secure contracts for all involved in the Pollinator Projects through the Biodiversity Ireland initiative.

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

The All Ireland Pollinator Plan (PP) 2015-2020 was published in September 2015 by the National Biodiversity Data Centre (NBDC) (funded by Department of Culture, Arts and the Gaeltacht and the Heritage Council). Since its roll out Kerry County Council has been very involved in participating in the plan and funding of same, mainly through the Kerry County Council Biodiversity Office.

The Council formally signed up as a partner to the National Pollinator Plan this year and has been involved since the inception of the Local Authority Pollinator Plan Award for the National Tidy Towns Competition (this year Sneem Tidy Towns won a regional award); been involved in raising awareness and education around the plan; disseminating the resources of the plan at local level has also been a key function; we have rolled out Biodiversity Week which continues to provide a platform for people to engage with natural heritage - the week runs in partnership with local groups/communities and has included such events as citizen science around monitoring schemes for pollinators.

Finally, the Biodiversity Office provides small pools of funding for interested community groups who are seeking more formal advice on pollinator friendly practices in their gardens/estates/public spaces – essentially their own pollinator plans for their green spaces. Any further funding for such local level resources to protecting and enhancing our pollinators is to be welcomed.

Cllr. Norma Moriarty said concern has been raised regarding uncertainty regarding the contract for the pollinator plan. She asked that a letter issue to the Heritage Council in support of the work done and encouraging the resolution of any issues in order to secure the contract for the pollinator plan.

Cllr. Michael Gleeson **SECONDED** this motion.

## **17. Tree Surgeons/Arborists**

### **Pursuant to notice duly given Cllr. Norma Foley PROPOSED:**

That Kerry County Council would confirm how much money has been spent in the past 5 years on employing the services of "Tree Surgeons/Arborist" in each Municipal District. That Kerry County Council would seek to dedicate a fund to the maintenance

of trees and further train up a member of staff to the level of Tree Surgeon or employ someone on a full-time basis rather than contract as is the current practice.

**The following reply issued:**

Kerry County Council has expended €384,467 on Tree Specialists and Arborists over the past 5 years (2014 to 2018). The breakdown in expenditure per Municipal District is as follows:

• Tralee	€129,908
• Killarney	€201,180
• Listowel	€4,881
• Castleisland/Corca Dhuibhne	€13,722
• South & West/Kenmare	€34,776

These costs include for works carried out to trees in urban areas and/or at heights, requiring specialist equipment. Given the specialist nature of the works, exceptional health & safety requirements and the risks associated with such operations close to private properties and heavily trafficked routes, it is necessary to engage specialist contractors for some tree cutting works.

The Council also have personnel trained on tree cutting in each of the municipal districts, who are primarily employed on routine maintenance and the removal of fallen trees, particularly following high winds.

A Tree Management Plan is being developed for the Tralee Municipal District and a baseline survey of the condition of trees in the town and park has been completed. A survey has also been carried out for Listowel Town Park.

Cllr. Norma Foley said it is important to nurture trees as part of our environment and maintain and grow them. There are instances where trees become hazardous and must be cut back. The amount of money being expended is more in some Municipal Districts than others. Kerry County Council staff cannot work beyond a height of two metres. It would be a cost saving exercise if Kerry County Council were to employ a trained Arborist and Tree Surgeon or train a member of staff to do this work.

Mr. C. O'Sullivan, Director of Service, said of the €400,000 spent over a five year period the bulk was on the tree cutting services along routes used by high vehicles. It is specialised work and there are health and safety requirements regarding specific equipment. This area is kept under review as to whether Kerry County Council should have in-house capacity for this work.

**18. Bottle Re-Fill Fountains**

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

That a multi-annual programme would be put in place by the Council for the provision of suitable drinking and bottle Re-filling Fountains for all public playgrounds and seaside resorts.

**The following reply issued:**

The Council has recently included the installation of water refill stations at our beaches in the Rural Regeneration funding application. A number of bottle refill stations are presently being installed in Tralee, Killarney and Dingle in an effort to increase the use of refillable bottles in preference to single use plastic bottles. A LEADER funded refill station has also recently been installed in Sneem. The council will examine the request for the installation of refill stations in playgrounds in consultation with Irish Water and subject to there being a sufficient usage and flow rates in such stations in playgrounds to ensure water quality is not compromised.

Cllr. Michael Gleeson said it is quite some time since he asked for water fountains/taps to be provided on Killarney's Main Street and at the Demesne Playground. It is disappointing that there has been no progress with this matter. The promotion of outdoor recreation is essential at many levels for individuals and for tourism in Kerry. Having fresh drinking water conveniently available would most likely reduce considerably the number of plastic bottles being dumped. He asked that a short to medium time frame policy would be put in place to achieve this vital objective.

Cllr. Jackie Healy-Rae **SECONDED** this motion and said Kerry County Council must lead the way on this and install water fountains in all town and villages across the county.

## **19. Insurance Claims**

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

In view of the recent article in the media that €3,666,176 was paid out in claims by Kerry County Council and that as per population we are one of the highest in the Country, that Kerry County Council would in future publish the names of all those people who claimed against this Local Authority, as the money they claimed is public funds and the public have a right to know who is claiming off of them.

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

Kerry County Council's insurance policies for public liability are held with Irish Public Bodies Insurance, which is a mutual insurance company owned by the local authorities in Ireland. Where Kerry County Council are notified of a claim, the Council's Insurance Unit carried out an initial investigation of the facts of a claim. However, subsequent to this, all handling and processing of claims are carried out by IPB, who are responsible for further investigation and also deciding on how such cases should be handled. As a result, payments to claimants, whether as a result of settlements, or court direction, are paid by IPB under the Council's insurance policies and the information on payments is held by IPB. In accordance with GDPR Regulations and the Data Protection Act 2018 the data in this case would be considered personal information and its release would be in contravention of GDPR requirements. IPB has confirmed that the general pattern for claims against Kerry County Council is decreasing, resulting in confirmation from IPB that the premiums relating to Public Liability policies will show a reduction for 2020.

Cllr. Michael O'Shea said the cost of insurance will close down this county. Insurance is also closing down community events. This is arising from the number of insurance claims. GDPR should not protect the release of this information in relation to slips and falls on footpaths. He asked if Kerry County Council's Legal Department deals with all its legal cases and how much is spent on legal costs.

Cllr. Cathal Foley opposed this notice of motion and said every citizen has a right to take a legal case if they are an injured party.

Cllr. Pa Daly said it would be wrong to name people who have been hurt and for a wrong that was done to them. Legal payments were outlined to Elected Members last year.

## **21. Mobile Phone Providers**

### **Pursuant to notice duly given Cllr. Aoife Thornton PROPOSED:**

I am seeking the support of members in my call that all telephone, mobile and internet providers send a representative to Kerry County Council to meet with Members to discuss the main issues that customers have with these service providers, to include coverage, customer care, customer complaints and the use of GDPR.

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

This is a matter for consideration by the members.

There are three national mobile phone operators providing services in County Kerry. (Eir, Vodafone, and 3 Mobile). In relation to broadband provision again there are the same three national providers but also a number of local internet service providers (for example Ivertex, Kerry Broadband, SCC, Real Broadband) providing vital services to customers in Kerry via both fixed wireless and fibre services. Given the number of providers and complexity involved it would be more efficient to request a representative of each of the national mobile phone operators to meet separately with the Economic SPC at which issues raised by the members can be discussed. A separate meeting with the local internet service providers and the Economic SPC will then be arranged.

Brian Looney Digital Strategy-Smart Kerry Programme manager will arrange these meetings should members agree to proceed on this basis.

Cllr. Aoife Thornton said her complaint with the mobile phone service providers relates to customer care, coverage and service, and in particular there is a problem with how these companies deal with elderly people.

Cllr. Jackie Healy-Rae SECONDED this motion. He moved Notice of Motion No. 30 on behalf of Cllr. Johnny Healy-Rae.

### **Pursuant to notice duly given Cllr. Johnny Healy-Rae PROPOSED:**

That Kerry County Council would once again write to mobile phone operators about the continued deterioration in coverage in parts of Kerry.

### **Mr. C. O'Connor stated this is a matter for consideration by the members.**

Cllr. Norma Moriarty said there should be a dedicated contact line for public representatives which would supersede a lot of the issues.

## **22. Renewable Energy Strategy**

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

What is the up to date position on the review of the Renewable Energy Strategy for the County.

### **The following reply issued**

As outlined in detailed reports to members at previous meetings substantial work has been undertaken at local level in the preparation of the Renewable Energy Strategy for the county. The formal adoption of the Regional Spatial and Economic Strategies is due shortly and this will allow planning authorities throughout the country to commence the review of their respective county development plans in Quarter 1 2020. In the context of this review the draft Renewable Energy policy will be brought before the members for consideration. The finalisation of the Department Renewable Energy Guidelines are also awaited to allow the inclusion of a revised renewable energy policy in our County Plan.

Cllr. Jimmy Moloney said a vote was taken in December 2018 to start the review of the County Development Plan because the national Guidelines were not forthcoming. Earlier in 2019 a presentation was made to Elected Members on work that had been done in preparation for this. Regardless of the Department Guidelines we must proceed with the review of the County Development Plan.

Cllr. Aoife Thornton **SECONDED** this motion.

Mr. M. Scannell, Director of Service, said the review of the County Development Plan is well underway. Significant work has been done to date and it is hoped to finalise that work in the coming months. Incorporating this work into the County Development Plan is the challenge having regard to the Ministerial Guidelines which say the County Development Plan is not to be amended at present.

### **23. Planning Development Levies Scheme**

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

Further to previous requests that I made, I again call on Kerry County Council to review the Planning Development Levies Scheme as a matter of priority. I further propose that this Council reduces the Development Levies on new homes by 50% with the aim of encouraging building in the County. Laois County Council recently adopted such a scheme.

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

Kerry County Council carried out a full review of Development Contributions in 2017. This scheme substantially amended the existing contributions and introduced significant reductions for standard size housing throughout the county. The base rate for a 125sqm residential unit is €1,500 which compares favourable with other counties, including those who have recently introduced reductions. Larger properties are charged a base of €1,500 for the first 125sqm with an additional charge of €20 per sqm for the additional area of the property. The level at which the contributions in Kerry are set is not considered to have any material impact on the delivery of additional properties onto the market.

Cllr. Michael Cahill said people are paying enough taxes on their homes. There is little or no development of one off houses. We must put measures in place to move towards reducing the development levies on new homes for the foreseeable future.

Cllr. Norma Moriarty **SECONDED** this motion.

### **24. Councillors Allocations**

#### **Pursuant to notice duly given Cllr. Jackie Healy-Rae PROPOSED:**

That Kerry County Council state how much Councillors Allocation (Councillors Specific Municipal District Operations Fund) has been spent over the last 5 years in the following breakdown, wages/labour, materials, machinery, traffic management etc

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

€957,000 in funding (€29,000 per member), was provided annually, over the past five years for Councillors Allocations. The scheme was originally developed over 40 years ago, with the funding originally being provided to afford the elected members direct decision making in the construction of small work schemes.

In particular, the funding afforded the members the opportunity to have minor improvement works carried out on local roads (such as drainage works, junction

improvements, safety measures etc.) which were difficult to fund from other funding streams, due to fiscal constraints on grant schemes. The programme is funded from the annual road maintenance budget provision. Most of these works are labour intensive, because of their nature and scale. Such a scheme is only operated in a small number of local authorities.

In 2015, the Council adopted a revised policy, developed through the SPC, on the qualifying criteria for works to be considered under the programme. The revised scheme was aimed at providing a more diverse range of works for which the funding could be used, allowing for works to be carried out in housing estates, amenity areas, etc.

In 2018, 256 projects were funded from Councillors Allocations, varying in cost from €200 to €40,000 and at an average cost of €3,740. Almost €300,000 was spent on 19 projects costing in excess of €10,000 and approx. €247,000 was spent on 38 projects costing between €5,000 and €10,000. Greater efficiencies are achieved where the funding is used strategically within the Municipal District on larger projects and where it supports the leverage of additional funding under programmes such as “Town & Village Renewal”; Urban Regeneration & Development” etc.

Because of the labour intensive nature of the majority of the works, this funding also allows for the retention of core outdoor staff in the areas, with the bulk of the works funded being carried out by our own staff, outside of the main roadworks season. Because of the scale of these works, the delivery of projects with our own resources represents best value for money, avoiding significant procurement costs.

Detailed breakdowns in terms of plant, labour and materials are generally provided for each project and the total expenditure over the past five years was €4,767,466, summarised as follows:

• Payroll	€1,987,327
• Materials	€1,306,818
• Machinery (Hire + Machinery Yard)	€957,956
• Minor Contracts (service providers)	€342,353
• Other Expenditure	€173,012

Cllr. Jackie Healy-Rae said the majority of Councillors Allocations is being used to fund wages, i.e. on average €12,000 (41%) per member per year. While it is a discretionary fund, he asked why the cost of labour is so expensive. If contractors were to do this work it would be cheaper. He asked why the Elected Members are being charged for labour when they should only be charged for the cost of plant and materials.

Cllr. Michael Cahill **SECONDED** this motion and asked why so many staff are required for small jobs. He said estimates being provided to Elected Members are high for the work involved.

Mr. C. O’Sullivan, Director of Service, said 256 projects were funded in 2018, of which 200 were for works for less than €5,000, many of which were labour intensive. Small jobs are not as cost efficient versus work on a larger project when Elected Members come together with funding from grant schemes. If all work were done by contractors the level of staffing we have would not be required. Delivery of service requires knowing what resources are available from grants and own resource funding. The cost of staff must be paid on any works that are done. He asked that Elected Members bring estimates they are not happy with to his attention and he will independently review the estimates. Kerry County Council has a core level of staff required throughout the year and this is factored into our costs.

The Chief Executive said the Councillors Allocation scheme has been in place for a long time. It was reviewed some years ago with the SPC to ensure the Councillors Allocation was adding value to the Council. The allocation is in place to do very important roads jobs and it is imperative that they include staff costs. The allocation is funded through either grant funding or own resources. It is a very important piece of funding and roads jobs are labour intensive.

## **25. Energy Efficiency Grants**

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

Please outline what supports and grants are available to people who wish to make their homes more energy efficient and environmentally friendly.

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

Details in relation to energy efficiency grants for homes, businesses, electric vehicles and communities are available on the Sustainable Energy Authority of Ireland (SEAI) website, (<https://www.seai.ie/grants/>). Details in relation to Home Energy Efficiency Grants include:

- Insulation Grants
- Heat Pump System Grants
- Heating Controls Grants
- Solar Water Heating Grants
- Solar Electricity Grants

Homeowners can apply online or by post or can let one of the SEAI registered Energy Partners apply on their behalf.

Alternatively, homeowners can join a Sustainable Energy Community (SEC). There is a network of over 13 communities in Kerry who are interested in community energy. The aim of the network is to encourage and support a national movement in every part of the country.

A SEC can include a range of different energy users in the community such as homeowners, sports clubs, community centres, local businesses and churches. Full details of the 13 SEC groups in Kerry are available on the SEAI website. These groups include:

- Sneem SEC,
- Lauragh Community Council Energy Group,
- Sneem Tidy Towns,
- Valentia Is. Dev. Co.,
- Comchoiste Ghaeltacht Uibh Rathaigh,
- Dingle Sustainable Energy Community,
- Kerry Sustainable Energy Co-Op,
- Transition Kerry,
- Denny Street Heritage & Conservation Group,
- Listowel Community Centre CLG,
- Knockanure Dev. Assoc.,
- Ballybunion SEC, and
- Ballybunion Community Forum.

Kerry County Council will engage with communities through the Public Participation Network in highlighting the current grants that are available and any future scheme will be publicised through the network.

Cllr. Patrick Connor-Scarteen said a lot of new homes have high energy ratings and ideally we would have homes pumping energy back into the grid. It is very expensive to energy retrofit homes. Many people do not realise these grants are available.

Cllr. Fionnán Fitzgerald **SECONDED** this motion.

Mr. C. O'Sullivan, Director of Service, said relevant information is available from Mr. G. Riordan, Energy Officer.

## **26. Kerry Garda Divisional Drugs Unit**

### **Pursuant to notice duly given Cllr. Fionnán Fitzgerald PROPOSED:**

That Kerry County Council write to the Minister for Justice asking him to outline the resources and personnel at the disposal of the Kerry Garda Divisional Drugs Unit and ask is there a proposal to increase same in view of the mounting drug problem within the County.

### **Mr. C. O'Connor stated this is a matter for consideration by the members.**

Cllr. Fionnán Fitzgerald said this matter was highlighted at a recent JPC meeting in relation to crime rates. The rate by which drugs are being used is on the increase. There must be education and awareness around the use of drugs. The sale of drugs is an issue and a Garda presence on the ground is necessary to address it.

Cllr. Mikey Sheehy **SECONDED** this motion and said the JPC meeting was presented with figures regarding drug related arrests. There has been a minor increase in resources to the Drugs Squad throughout Kerry which has led to an increase in arrests. The same cannot be said regarding the sale of drugs. He asked that "getting to the root of the problem" be added to the wording of the notice of motion.

Cllr. Fionnán Fitzgerald agreed with the rewording of his notice of motion.

## **27. Shop Front Improvement Scheme**

### **Pursuant to notice duly given Cllr. Breandán Fitzgerald PROPOSED:**

That Kerry County Council initiate a Shop Front Improvement Scheme to encourage the enhancement of our towns and villages by incentivising the improvement of shop fronts to make them more attractive for locals and visitors and more affordable for small businesses.

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

The Council will examine proposals to develop a Shop Front Improvement Scheme, targeting vacancy and dereliction in town and village centres. Proposals will be brought before the Economic Enterprise and Community SPC for consideration. Any scheme that will be developed must be considered within the limited budgetary constraints that exist and will require substantial private investment to secure its success.

Cllr. Breandán Fitzgerald said at the October Council meeting there was general consensus regarding the provision of a grant scheme. Many other Local Authorities have such a grant scheme of up to 50%. We must assist and support businesses and providing a grant is a way this can be done.

Cllr. Norma Foley **SECONDED** this motion and said it is an opportunity to pilot a scheme in the county.

## **28. Demountable Units**

Cllr. Jackie Healy-Rae moved Notice of Motion No. 28 on behalf of Cllr. Maura Healy-Rae.

### **Pursuant to notice duly given Cllr. Maura Healy-Rae PROPOSED:**

To ask the Department of Housing to increase the income threshold for those wishing to get on the Local Authority Housing list and those wishing to stay on the Housing list, particularly for families who are finding it very restrictive.

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

This is a matter for resolution by Members.

Applications for social housing support are assessed by Kerry County Council in accordance with the eligibility and need criteria set down in section 20 of the Housing (Miscellaneous Provisions) Act 2009 and the associated Social Housing Assessment Regulations 2011, as amended.

The 2011 Regulations prescribe maximum net income limits for each local authority, in different bands according to the area concerned, with income being defined and assessed according to a standard Household Means Policy. The 2011 Regulations do not provide local authorities with any discretion to exceed the limits that apply to their administrative areas.

The income band for Kerry is a maximum net income threshold of €30,000 per annum for a single-person household, with an allowance of 5% for each additional adult household member, subject to a maximum allowance under this category of 10%; and 2.5% for each child, subject to a maximum allowance under this category of 10%.

We understand that as part of the broader social housing reform agenda, a review of income eligibility for social housing supports in each local authority area is underway nationally by the Department.

## **29. Water Connection Charges**

### **Pursuant to notice duly given Cllr. Mikey Sheehy PROPOSED:**

What is the extra unit cost per social house in Kerry for Local Authority and Housing Association Developments due to Irish Waters decision to charge development levies and connection charges for water and wastewater.

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

In January the following reply was provided to the previous Council following a Notice of Motion by Cllr Cronin. This sets out the current position. The connection charges are a matter for Irish Water:

On the 18<sup>th</sup> December 2018 the Commission for Regulation of Utilities (CRU), following a period of public consultation, issued a decision paper on the Connection Charging Policy for Irish Water and approved a list of new national connection charges which will be implemented on **1<sup>st</sup> April 2019**. These new charges represent, for the first time, a national approach to the setting of charges which up till now had been historically set by local authorities across the country, prior to the establishment of Irish Water in 2013.

The purpose of establishing a national connection charging policy is to generate a more harmonised and straightforward means of charging Irish Water customers for connections to the public networks. Current connection charges in Kerry are based on those that applied on 31<sup>st</sup> December 2013 and these charges differ across the 3 former Town Council areas and the County area. These differing

connection charges will now be replaced by the national charges, where customers are charged the same regardless of location, as approved by the CRU.

A domestic connection to Irish Water network will cost **€2,272 for water** and **€3,929 for wastewater**. Customers will be categorised based on the pipe diameter(size) of the water/wastewater pipe needed to serve them thus moving away from the floor space model used by Local Authorities.

Current Connection Charges				
Category	Kerry Co Co: Fee + Devp Levy	Former Listowel T.C.: Fee + Devp Levy	Former Tralee T.C.: Fee + Devp Levy	Former Killarney T.C.: Fee + Devp Levy
Domestic (1 unit) Water	€900 plus €12 per Sqm	€900 plus €1,500 + €12.50 Sq m in excess of 120 Sqm	€900 plus €1,438.95	€900 plus €1.50 per Sq m
Domestic (1 unit) Wastewater	€1,910 plus €38 per Sq m	€1,910 plus €4,500 + €38 Sq m in excess of 120 Sqm	€1,910 plus €1,438.95	€1,910 plus €1.50 per Sq m

We have carried out a preliminary assessment of the charges for both water and waste water connections under the new regime approved by the CRU. The following tables set out the comparative charges for development in Kerry which in the main will show a reduction in charges.

#### Implications for customers in Kerry:

Standard Connection Charges- Water					
Category	Irish Water	Kerry Co. Co: Fee + Devp Levy	Former Listowel T.C.	Former Tralee T.C.	Former Killarney T.C.
Domestic (1 unit)	€2,272	€900 plus €12 per Sq m	€900 plus €1,500 + €12.50 Sq m in excess of 120 Sq m	€900 plus €1,438.95	€900 plus €1.50 per Sq m
Domestic (2-5 units)	€2,272 per unit	Estimated cost plus €12 per Sq m per unit	Estimated cost plus [€1,500 + €12.50 Sq m in excess of 120 Sq m per unit]	Estimated cost plus €1,438.95 per unit	Estimated cost plus €1.50 per Sq m per unit
Domestic (6-100 units)	€1,848 per unit	Estimated cost plus €12 per Sq m per unit	Estimated cost plus [€1,500 + €12.50 Sq m in excess of 120 Sq m per unit]	Estimated cost plus €1,438.95 per unit	Estimated cost plus €1.50 per Sq m per unit
Domestic (>100 units)	€1,708 per unit	Estimated cost plus €12 per Sq m per unit	Estimated cost plus [€1,500 + €12.50 Sq m in excess of 120 Sq m per unit]	Estimated cost plus €1,438.95 per unit	Estimated cost plus €1.50 per Sq m per unit
Non-Domestic Small 1	€2,272	Estimated cost plus €7.75 per Sq m	Estimated cost plus €9 per Sq m	Estimated cost plus €16.62 per Sq m	Estimated cost plus €3.50 per Sq m
Non-Domestic Small 2	€8,781	Estimated cost plus €7.75 per Sq m	Estimated cost plus €9 per Sq m	Estimated cost plus €16.62 per Sq m	Estimated cost plus €3.50 per Sq m
Non-Domestic Medium 1	€19,371	Estimated cost plus €7.75 per Sq m	Estimated cost plus €9 per Sq m	Estimated cost plus €16.62 per Sq m	Estimated cost plus €3.50 per Sq m

Non-Domestic Medium 2	€29,645	Estimated cost plus €7.75 per Sq m	Estimated cost plus €9 per Sq m	Estimated cost plus €16.62 per Sq m	Estimated cost plus €3.50 per Sq m
Non-Domestic Medium 3	€46,179	Estimated cost plus €7.75 per Sq m	Estimated cost plus €9 per Sq m	Estimated cost plus €16.62 per Sq m	Estimated cost plus €3.50 per Sq m
Non-Domestic Medium 4	€83,900	Estimated cost plus €7.75 per Sq m	Estimated cost plus €9 per Sq m	Estimated cost plus €16.62 per Sq m	Estimated cost plus €3.50 per Sq m
Non-Domestic Medium 5	€149,692	Estimated cost plus €7.75 per Sq m	Estimated cost plus €9 per Sq m	Estimated cost plus €16.62 per Sq m	Estimated cost plus €3.50 per Sq m
Non-Domestic Large	Quotable	Estimated cost plus €7.75 per Sq m	Estimated cost plus €9 per Sq m	Estimated cost plus €16.62 per Sq m	Estimated cost plus €3.50 per Sq m

<b>Standard Connection Charge- Wastewater</b>					
<b>Category</b>	<b>Irish Water</b>	<b>Kerry Co. Co.</b>	<b>Former Listowel T.C.</b>	<b>Former Tralee T.C.</b>	<b>Former Killarney T.C.</b>
Domestic (1 unit)	€3,929	€1,910 plus €38 per Sq m	€1,910 plus €4,500 + €38 Sq m in excess of 120 Sq m	€1,910 plus €1,438.95	€1,910 plus €1.50 per Sq m
Domestic (2-5 units)	€3,929 per unit	Estimated cost plus €38 per Sq m per unit	Estimated cost plus [€4,500 + €38 Sq m in excess of 120 Sq m per unit]	Estimated cost plus €1,438.95 per unit	Estimated cost plus €1.50 per Sq m per unit
Domestic (6-100 units)	€3,499 per unit	Estimated cost plus €38 per Sq m per unit	Estimated cost plus [€4,500 + €38 Sq m in excess of 120 Sq m per unit]	Estimated cost plus €1,438.95 per unit	Estimated cost plus €1.50 per Sq m per unit
Domestic (>100 units)	€3,381 per unit	Estimated cost plus €38 per Sq m per unit	Estimated cost plus [€4,500 + €38 Sq m in excess of 120 Sq m per unit]	Estimated cost plus €1,438.95 per unit	Estimated cost plus €1.50 per Sq m per unit
Non-Domestic Small	€3,929	Estimated cost plus €20 per Sq m per unit	Estimated cost plus €30 per Sq m	Estimated cost plus €16.62 per Sq m	Estimated cost plus €3.50 per Sq m
Non-Domestic Medium 1	€23,344	Estimated cost plus €20 per Sq m per unit	Estimated cost plus €30 per Sq m	Estimated cost plus €16.62 per Sq m	Estimated cost plus €3.50 per Sq m
Non-Domestic Medium 2	€226,571	Estimated cost plus €20 per Sq m per unit	Estimated cost plus €30 per Sq m	Estimated cost plus €16.62 per Sq m	Estimated cost plus €3.50 per Sq m
Non-Domestic Large	Quotable	Estimated cost plus €20 per Sq m per unit	Estimated cost plus €30 per Sq m	Estimated cost plus €16.62 per Sq m	Estimated cost plus €3.50 per Sq m

Cllr. Mikey Sheehy asked if there is an Irish Water representative to whom Elected Members have direct access. He asked if there are costs on social housing units and units in Approved Housing Body developments. The timeframe for connections is also an issue as other development works cannot progress on site while trenches for water connections are open.

Mr. J. Breen, Director of Service, said Kerry County Council has ongoing engagement with Irish Water and dedicated contacts that can be made available to Elected Members. Irish Water hold clinics throughout the year on the day of Council meetings. Social housing is no longer exempt from connection charges as set out above. Issues regarding timeframes should be taken up with the Irish Water Development and Connections Unit. Irish Water are a utility service. Kerry County Council has a Service Level Agreement with Irish Water. Kerry County Council's entire water services budget and programme is paid for by Irish Water.

The Chief Executive asked that Elected Members would advise the Director of Service for Housing of any specific issues regarding connections with social housing unit developments.

Mr. M. O'Donoghue, Director of Service, said the connection charges are part of the cost of the capital scheme which are recoupable from the Department. Irish Water are a utility service and he asked that any particular issues regarding social housing schemes be brought to his attention.

### **31. Community Waiver Process**

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

That we write to Irish Water and the Minister to have a Community Waiver Process created that will allow for a seamless provision for water use by Voluntary Community organisations in a sustainable way.

#### **Mr. C. O'Connor stated this is a matter for consideration by the members.**

Cllr. Norma Moriarty called for a mechanism to be established to have a community and voluntary approach and waiver system introduced for such water charges.

Cllr. Jimmy Moloney SECONDED this motion.

### **11.11.19.15 Correspondence – Conferences and Seminars**

- a) On the PROPOSAL of Cllr. Norma Foley, SECONDED by Cllr. Mikey Sheehy, it was agreed to authorise the attendance of Cllrs. Marie Moloney and Donal Grady at the Celtic Conferences conference on the theme 'Irish Social Welfare System' to be held in Clonakilty, Co. Cork from 6-8 December 2019.
- b) On the PROPOSAL of Cllr. Norma Foley, SECONDED by Cllr. Mikey Sheehy, it was agreed to authorise the attendance of Cllrs. Bobby O'Connell, Patrick Connor-Scarteen, Brendan Cronin and Cathaoirleach Niall Kelleher at the Celtic Conferences conference on the theme 'First-time Buyers Incentives' to be held in Carlingford, Co. Louth from 13-15 December 2019.
- c) On the PROPOSAL of Cllr. Norma Foley, SECONDED by Cllr. Mikey Sheehy, it was agreed to authorise the attendance of Cathaoirleach Niall Kelleher at the Killarney London Reunion to be held in London on 16 November 2019.

- d) On the PROPOSAL of Cllr. Norma Foley, SECONDED by Cllr. Mikey Sheehy, it was agreed to authorise the attendance of all Elected Members at a Workshop on the Corporate Plan to be held in County Buildings, Tralee, on 22 November 2019.

#### **11.11.19.16 Correspondence General**

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

<b>Date</b>	<b>From</b>	<b>Description</b>
22/10/2019	Westmeath County Council	Resolution adopted by Westmeath County Council calling on the Taoiseach and Minister for Defence to establish a Commission on the future of the Defence Forces in Ireland and a permanent and independent Defence Forces Pay Body.
25/10/2019	Fingal County Council	Resolution adopted by Fingal County Council congratulating their Community Development Office for their presentation "Developing and Implementing Local Migrant Integration Strategies" and enclosing a copy of the presentation.
25/10/2019	Carlow County Council	Resolution adopted by Carlow County Council calling on the Minister for Health to reinstate the Rehabilitative Training Bonus for people with disabilities.

#### **11.11.19.17 Any Other Business**

##### **International Day of Disabled Persons 2019**

Cllr. Jackie Healy-Rae said 3rd December 2019 is International Day of Disabled Persons 2019 and he asked that the Kerry County Council County Buildings would be lit in purple on that day.

Cllr. Norma Foley supported this request.

##### **Opening of Water Gullies**

Cllr. Jackie Healy-Rae asked that specific detail be given to clearing dykes and opening water gullies over the next few months to keep water off the roads.

Mr. C. O'Sullivan, Director of Service, said from early October drainage works are prioritised and there is a targeted work programme in place for those works.

##### **Men's Cancer Awareness Evening**

Cllr. Mikey Sheehy said a Men's Cancer Awareness evening will be held in the Rose Hotel, Tralee on 19 November regarding cancer prevention and detection.

The meeting concluded at 4.30 p.m.

Joan McCarthy  
Meetings Administrator

\_\_\_\_\_  
Cathaoirleach of Kerry County Council