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MIONTUAIRISCÍ NA CRUINNITHE MHIOSIÚIL DE COMHAIRLE CONTAE CHIARRAÍ A THIONÓLADH I SEOMRA NA COMHAIRLE, ÁRAS AN CHONTAE, TRÁ LÍ, AR AN LUAN , 24 AIBREAN, 2017

MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, ÁRAS AN CHONTAE, TRALEE ON MONDAY, 24TH APRIL 2017

PRESENT/I LÁTHAIR

Councillors/Comhairleoirí

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

APOLOGIES/LEATH SCÉAL

M. Healy-Rae

IN ATTENDANCE/I LÁTHAIR

Ms. M. Murrell, Chief Executive	Mr. J. Breen, Director Water Services
Ms. A. McAllen, Head of Finance	Mr. M. Scannell, A/Dir. Job Cr/Sust. ED
Mr. M. O'Donoghue, A/Dir.H.&Corp.S.	Mr. C. O'Sullivan, Director of Operations
Mr. L. Quinlan, Meetings Admin.	Ms. K. Lynch, SEO Finance
Mr. B. Looney, Head of IT	Ms. J. Maher, Fin. Mgmt. Accountant
Mr. D. Doyle, SE Operations	Mr. P. Neary, SE Operations
Mr. G. Riordan, SE Operations	Mr. J. Griffin, Tourism Officer
Mr. T. Hayes LEO Officer	Ms. J. McCarthy, SEO Tourism
Ms. B. Fitzgerald, Econ. Dev. Officer	Mr. O. O'Shea, Press & Comm. Off.
Mr. G. O'Brien, A/SEO Envir. Serv.	Mr. D. Ginty, A/SE Planning
Ms. B. Reidy, SSO Corporate Support	Mr. R. Norris, Tech. Support, IT
Ms. M. Galvin, CO Corporate Support	Ms. J. O'Sullivan, CO Corp. Support

The meeting commenced at 10.35am.

The Cathaoirleach, Cllr. M. O'Shea took the Chair.

17.04.24.01 Cathaoirleach's Report

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

“A discussion took place on the following:

Agenda for the April Council Meeting

Mr. L. Quinlan gave a briefing on the Agenda for the April Council Meeting and the relevant senior staff went into more detail on the individual agenda items.

Draft Creative Ireland Kerry Activation Plan

Kate Kennelly, Arts Officer gave an update in respect of this draft which is included in the agenda of the April Council meeting.

Draft Official Events Protocol

This also is included in the agenda of the April Council meeting and Liam Quinlan advised that the draft for adoption had previously been considered by CPG and was circulated to all Council Members for comment.

Request for permission to make a Presentation to Council

Mr. Liam Quinlan advised that an email was received from Iarnród Éireann that indicated that review of their customer service at all stations across the network is being undertaken. They requested permission to make a presentation to Council on the upcoming changes.

It was advised that if Iarnród Éireann makes a presentation to Council that it would focus on strategic issues like future plans for the Mallow/Killarney/Tralee service also.

Any other business

Minister Ross visits Kerry

The Chief Executive advised that Minister Ross would visit Kerry on Wednesday 19th April and that both she and the Cathaoirleach would meet with him at Kerry Airport that evening. She also advised that the executive would also discuss the World Cup Rugby Bid with the Minister in Fitzgerald Stadium, Killarney.

Opening of Centenary Park, Listowel

Cllr. R. Beasley paid tribute to the work of Kerry County Council on the design and layout of the new Centenary Park in Listowel which was officially opened the previous weekend.

Wild Atlantic Way

Cllr. R. Beasley expressed concern at the directional signage in respect of WAW Loop proposed by Fáilte Ireland which management undertook to pursue with them.

The Chief Executive advised that it is planned to host a Conference for all local authorities on the WAW in Kerry in September and undertook to update Council on initiatives undertaken by Fáilte Ireland to promote the WAW.

Update on the North Kerry Landfill

Mr. J. Breen advised that Fehilly Timoney Environmental Consultants have been appointed to advance the expressions of interest. The consultants will be making contact with those who made submissions previously and with the community in Kielduff in the coming weeks. CPG and Council will be updated on progress in due course.

Clár Funding

Mr. C. O'Sullivan advised that applications for projects for Clár funding have been invited by the Dept. of Arts, Heritage and Gaeltacht Affairs. Similar to last year the main focus will be on safety measures at schools but schools will be required to make a contribution. Community areas may also qualify for funding. The national allocation is €5m. Mr O'Sullivan advised that the timeframe for putting the Programme together is very short as it must be submitted by early May and this will not allow time to present it to full Council before it is submitted.

Invitation to MEPs and Senators to attend the May Council Meeting

Mr. L. Quinlan advised that as per the Cathaoirleach's request MEPs for the South Constituency and Kerry Senators would be invited to attend a full Council meeting in May to be held in the same format as with the TDs recently."

In conclusion the Cathaoirleach extended a vote of sympathy to Cllr. Dan McCarthy on the recent death of his father Denis Snr.

The Cathaoirleach also extended a vote of sympathy to the Darcy Family on the death of former County Manager Mr. Paddy Darcy.

All members indicated they wished to be associated with these expressions of sympathy.

17.04.24.02 Confirmation of Minutes

On the PROPOSAL of Cllr. J. Moloney, SECONDED by Cllr. M. Gleeson it was resolved that the minutes of the March Ordinary Meeting of Kerry County Council held on 27th March 2017 be confirmed.

17.04.24.03 Chief Executive's Report to Council

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

"Introduction

Section 136(2) of the Local Government Act 2001, as inserted by Section 51 of the Local Government Reform Act 2014 places an obligation on the Chief Executive to prepare a report, to be known as the Management Report, in relation to the performance of his or her Executive Functions during the preceding calendar month, including implementation of policy or other matters required by the Council in the exercise of its Reserved Functions and the provision of services by the Council.

As agreed by the Members, the report will be forwarded to you on a monthly basis along with the documentation for the ordinary monthly meetings.

Members will also be aware that an update report is provided at each Municipal District Meeting on the work of the Directorates within Kerry County Council. These very detailed reports provide updates on the main activities per directorate at Municipal District level on such matters as the Housing Programme, the Roadworks Programme, Water and Wastewater projects, Environmental Services etc. Please note in particular that the revised Municipal District Housing Report presented at the Municipal District Meetings includes updates across all social housing activity at municipal district level for the information of Municipal District members. As previously advised in order to avoid duplication of reporting, updates on these matters are not included in the Chief Executive's Report.

The report below has been prepared for the April 2017 Council Meeting.

Finance Directorate

The Annual Financial Statement for 2016 is on the April Council Agenda for consideration by the Members.

Infrastructure, Operations, Health & Safety Directorate

Tralee Active Travel - Redevelopment of The Mall

Works are on-going and on schedule. The Council has a full time Engineer on site, liaising with local businesses. The Mall will be closed to traffic after the May bank holiday weekend and traffic diversions will be in place. The Contractor has indicated that the works at the junction of Denny Street and the Mall, as well as the pavement overlay of Denny Street are expected to be completed by the 22nd May, following which Denny Street will be opened to two way traffic. The Contractor also intends to cease works on the Mall between the 12th and the 22nd August, which coincides with the Rose Festival.

Listowel By-Pass

A preplanning meeting with An Bord Pleanála is scheduled for the 27th April. Subject to the outcome of this meeting, it is our intention to submit the CPO and EIS for the Scheme to the board in May.

Road Improvement and Restoration Programme

Works under these programmes, as outlined in the adopted Schedule of Municipal District Work Plans have commenced. The Municipal District Engineers will inform you fortnightly by e-mail, on the scheduling of specific works in your area.

CLÁR - Local Authority Measures

The Department of Arts, Heritage, Regional Rural and Gaeltacht Affairs has announced a further funding programme for interventions that make the school/community facility environs healthier and safer for children and adults, in CLÁR areas, with €4.25 million being made available nationally. The maximum level of grant aid per project is €50,000 and a minimum contribution of 5% is required towards the cost of a project from the school / community. Due to the very short timeframe for completing the applications and the closure of schools during the Easter recess, Municipal District management have been requested to identify suitable projects taking into consideration representations made by you and to liaise with the relevant operators on the funding requirements. The Director of Operations circulated details of the scheme to you last week.

Economic & Community Development Directorate

Economic Development Unit (EDU)

iEER Learning Camp Northern Ireland/Kerry

The Economic Development Officer attended the iEER Learning Camp in Belfast, Newry & Kerry the last week of March. This was hosted by the Northern Ireland and Kerry Partners. European partners from 10 different regions attended the learning camp.

The iEER is an Interreg Europe funded flagship project bringing together 10 regions around Europe. Initiated by a group of regions awarded with the European Entrepreneurial Region label, iEER will define smart paths and solutions to boost regional entrepreneurship ecosystems supporting young entrepreneurs. The Interreg-funded project aims to boost the collaboration of European and regional actors to better support entrepreneurship, particularly young entrepreneurs. Another objective is to improve the quality of services and structural fund support designed for entrepreneurs, particularly young entrepreneurs. The project aims to break down silo mentality and bring together all actors having a hand in entrepreneurial success. Universities, local and regional authorities, entrepreneurship support organisations and SMEs are closely involved in the project both on the local and interregional levels. On completion of the learning process the findings are collected, analysed and

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compiled into regional action plans and into an iEER Boost Growth Handbook. This will be a useful guide for other European regions, outlining best practice.

During the period 2018-2020 regional action plans will be put into place and progress monitored. Lessons learned will be collected into a policy recommendation.

Kerry Local Enterprise Office

March 2017 saw the successful delivery of Enterprise Month with over 40 events scheduled throughout the County. The LEO office was the organiser of 12 of these events. Highlights of the month included the County Enterprise Awards at which Antoinette Butler of Irish Host Families was chosen to represent the County at the national awards. The Student Enterprise Awards were held on the 31st of March with the winners of the Junior Award coming from Presentation Milltown, the Intermediate Award from Killorglin Community School and the Senior Award from St Joseph's Ballybunion. There is a high level of ongoing enquiries and very strong bookings for training courses. As part of Enterprise month the IT Tralee Cantillon 2017 in association with FEXCO Fintech forum was held on the 31st March 2017. The theme this year was Building Borderless Business.

The LEO office received its 2017 budget allocation from Enterprise Ireland with an overall increase in funding to €804,972 from an initial budget of €734,557 in 2016.

Tourism Unit

CMMA/LGMA Local Authorities Tourism Conference

The Tourism Unit recently produced a 'Statement of Strategy & Workplan', which along with statements from each local authority in the Country, was launched at a conference, which took place in Enniscorthy, Co. Wexford at the end of March. The theme of the conference was to 'Collaborate Locally to Compete Globally'. The conference brought together representatives from local authorities all over Ireland to share learnings and best practices, and to listen to experts in the tourism field. The aim of the conference was to ensure that working together, Local Authorities will continue to grow and develop their tourism offering in an increasingly competitive global marketplace.

Destination Kerry Promotion in Boston

To coincide with the visit by the Cathaoirleach to Boston last month, the Tourism Unit organised a Kerry Tourism Promotion with Tourism Ireland and Shannon Airport for the Boston and New England travel trade in Capitol Grille /Hynes Convention Centre, Boston on March 20th. All the major tour operators attended and also the North American sales manager of Norwegian Airlines which will commence to operate new direct, low cost, services to both Shannon and Cork from July.

Astronomy Course 2017

Following on the success and popularity of the Astronomy Course held in the Dark Sky Reserve in February 2016, the Tourism Unit in collaboration with UCC and the Skellig Centre for Research & Innovation, is organising and presenting a UCC accredited 'Introduction to Astronomy' weekend course from the 12th to 13th May 2017. The Dark Sky Reserve in South Kerry covers a 700 sq. km area and is one of only 3 gold-tier reserves in the Northern Hemisphere. The huge tourism potential of the area, at a time when visitors want new and innovative experiences, has yet to be realised. The course aims to promote astronomy and stargazing within the reserve and will help develop local business opportunities, whilst offering a unique experience to this growing market.

Events Calendar

The Tourism Unit has recently upgraded its event's calendar with the introduction of a new 'submit your event' feature, which enables event organisers to add their event to this rapidly expanding calendar of 'what's happening' throughout the county. This Event Guide is an easy and accessible way of promoting events and festivals, both big and small, to a wide national and international audience. It can be accessed online at <http://www.tockify.com/enjoykerry> or through the Tourism Unit's social media platforms. The Elected Members are requested to promote this facility amongst their local communities.

Community Department

Community Support Fund, 2017 (CSF, 2017)

All applications received under the CSF, 2017 were carefully considered within the criteria and capacity of the Fund and 347 projects were approved for funding by the Elected Members at Municipal District Meetings convened for this purpose during the month of March. The letters of offer are currently being processed by the Community Department and will issue to the successful applicants in the coming week. The early notification to Community Groups in 2017 should facilitate the implementation of the successful projects in the Spring/Summer period.

Communities Facilities Capital Grant Scheme, 2017

In early March, the Minister of State for Communities and the National Drugs Strategy, Catherine Byrne, T.D., announced a new Capital grants scheme for disadvantaged urban and rural areas. In Kerry, the scheme will run from July 2017 – December, 2017 and is focused on providing small-scale capital grants to fund local Age Friendly capital initiatives and projects. The total amount of the grant available for allocation in Kerry is €64,000. Applications are now being invited for funding under this scheme. Eligible facilities will include community centres, youth clubs, sports/recreation facilities and other not-for-profit organisations' facilities. The Scheme will offer grants up to a maximum of €1,000 per project. Media advertisements to advertise the Scheme will be placed this week. The closing date for receipt of applications is 30th June, 2017. Application forms together with a guidance document on the Scheme have been uploaded to the council's website and to the PPN website. Forms are also

available from the Community Department. The Scheme seeks to address some of the difficulties local community groups face in terms of accessing small scale levels of funding to match their own fundraising efforts in order to get capital community projects off the ground.

Kerry Community Awards, 2017

The Kerry Community Awards are intended to honour those community organisations, managed by volunteers, who freely give of their time and energy to sustain and develop projects in their local communities. In total 38 applications, representing community projects already implemented throughout the county, have been submitted for consideration under the 2017 Award Scheme. These applications are currently being assessed by an adjudication panel selected by the Kerry Community Awards Planning Group. The awards will be presented at an evening event scheduled for Wednesday 10th May, 2017 and hosted by the Dromhall Hotel, Killarney.

Social Inclusion and Community Activation Programme, 2014 to 2017 (SICAP)

SICAP is a key intervention for the harder to reach in our community with the delivery of the Programme being overseen and managed by the Local Community Development Committee (LCDC). It is a requirement that the actions set out under SICAP reflect the priorities and needs identified in the community aspect of the Local Economic and Community Plan (LECP).

The current Programme will expire at the end of 2017. The DHPCLG have confirmed that there will be a new SICAP programme for the period 2018- 2020 and have initiated a consultation process through Pobal to review where the current programme is at and how it should look going forward in which Kerry County Council and the Programme Implementers in Kerry will be fully involved.

Minister Byrne, Minister of State at the DHPCLG, visited Killarney on 3rd March, 2017, with the objective of receiving an overview of a SICAP project implemented in Kerry. The project selected by the LCDC for the Minister's visit was the Kerry Social Farming project. This Project offers an opportunity to people with disabilities to engage with host farm families and the farming community. The Kerry Social Farming Project is an excellent example of a SICAP project – targeting support to a very important target group, applying community development approaches to ensure their participation and developing collaborative approaches with other local & national stakeholders to further develop and grow the project.

Kerry Public Participation Network

The Kerry Public Participation Network (PPN) has commenced work on the LECP Higher Level Goal 3.7 "To create an environment where people with disabilities can participate in communities with equal rights to live life to their full potential." The action involves the running of education and awareness raising workshops at Municipal District level PPN structures. The areas to be addressed include Access/Transport, Employment, Tourism/Leisure/Social and

Education/Training. The first workshop will take place involving Killarney Access Group.

Kerry Recreation and Sports Partnership Strategic Plan 2017- 2022

The Kerry Recreation and Sports Partnership Strategic Plan 2017- 2022 was launched by the Minister of State for Tourism and Sport, Patrick O'Donovan TD on 27th March, 2017.

The six-year strategy focuses on the mission to increase participation in sport and physical activity by people of all ages and abilities in Kerry. The launch which took place at Siamsa Tíre featured panel type discussions on the above themes with speakers including, Jimmy Deenihan (Chairman, KRSP), John Treacy (CEO, Sports Ireland) Eamonn Fitzmaurice, Gavan Hennigan, Ellen Keane and Keith Wood. These panel type discussions worked very well and we were grateful to have such engaging speakers to support the launch.

New Initiative under 2017 CLÁR Programme to support first-response organisations

On the 31st March, 2017, Minister of State for Regional Economic Development, Michael Ring TD, announced details of the CLÁR programme for 2017. This year's CLÁR Programme includes a new initiative to support voluntary first-response organisations who provide an excellent service in rural areas, very often under very difficult circumstances. This funding is intended to enable these organisations to purchase or upgrade equipment that is fit for purpose in assisting in their life-saving activities.

The CLÁR programme is funded by the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs. Proposals in respect of this initiative should be submitted directly to the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs for assessment and approval at the following email address clar@ahq.gov.ie.

Planning and Sustainable Development

The Listowel Heritage & Community-Led-Regeneration Strategy is to be launched on Thursday May 11th 2017. This strategy aims to environmentally, economically, and socially regenerate the historic town of Listowel.

The strategy proposes 18 actions for Listowel's Heritage assets that aim to:

- a) Provide the town's residents with an enjoyable living environment,
- b) Provide the towns traders with a fruitful business environment and
- c) Provide future visitors to Listowel with a more interesting and engaging offering in terms of shopping, activities, attractions, accommodation and heritage interpretation.

Funding sources for year one projects identified in the strategy are currently being investigated.

Water, Environment, Fire & Library Services Directorate

County Clean-up Day /Spring Clean

The Sixth Annual County Clean clean-up day took place on Saturday 8th April. Kerry County Council wish to acknowledge and pay tribute to the thousands of volunteers that came out on the day to clean up their respective areas and to KWD for their ongoing support of this event. 4,700 volunteers registered for this year's event which is an increase of 1000 on the 2016 figure. Final tonnage figures for the amount of waste collected are still being compiled and these will be published when available.

The 2017 Spring Clean period runs throughout the month of April and will continue until mid May. 70 groups have registered to date and groups or individuals can continue to register by contacting the Environment Department in Maine Street on 066 7162000 or emailing environ@kerrycoco.ie. All waste gathered by registered groups or individuals during spring clean will be collected and disposed by Kerry County Council. I want to acknowledge the excellent effort and spirit demonstrated by communities throughout the county in their participation of this initiative.

Housing Directorate

The contract signing for the next Housing Programme construction project will be signed on 4th May next. This project consists of 4 units - 2 No. 3 Bedroom and 2 No. 4 Bedroom semidetached houses and associated siteworks on Bill Kinnerk Road, Tralee.

Repair & Leasing Scheme Update

The Circular giving effect to this scheme under the Action Plan for Housing and Homelessness - Rebuilding Ireland Programme has recently been received. We are currently assessing the terms of the scheme with a view to launching the scheme in Kerry over the coming weeks. A national workshop is being held on 25th April and this will assist in clarifying the terms and conditions of the scheme.”

Ms. Murrell advised members that since her report issued there was an announcement on the Town and Village Renewal Scheme which highlights that the process has changed and communities must submit expressions of interest. The Municipal District Officers will work with communities in this regard and expressions of interest must be received by the end of June.

Cllr. B. Cronin highlighted that on the 14th February the members for the Killarney MD granted approved for the Part VIII for the much needed cemetery for the Killarney area and he asked that it would be progressed as a matter of urgency.

Cllr. Cronin added that he recently met Minister Shane Ross during his visit to Kerry and he asked him if he would provide funding for Listry Bridge. The

Minister asked if a design was prepared and Cllr. Cronin called on management to design and cost works required to widen/repair/replace the bridge at Listry.

Cllr. M. Gleeson stated the CE mentioned in her report "*The Kerry Public Participation Network (PPN) has commenced work on the LECP Higher Level Goal 3.7 "To create an environment where people with disabilities can participate in communities with equal rights to live life to their full potential."* He then moved Notice of Motion No. 19 as it related to this issue.

19. Availability of Wheelchair/Disability Accessible Taxis

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

As the situation nationally, in relation to the ready availability of Wheelchair/Disability Accessible Taxis is totally unsatisfactory, that this Council calls on the Minister for Transport, Tourism and Sport to critically assess the situation and to seek to introduce measures and, if necessary, legislation that will ensure the equality of Rights of persons with disabilities.

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

Cllr. Gleeson read the following statement into the record of the meeting:

"It has rightly been said that society can best be judged on how well it cares and caters for those who are less well able to care for themselves due to age, illness or disability.

There are few as disadvantaged as people who wish to travel somewhere but are unable to do so because they have a degree of incapacity that prevents them from driving or availing of standard public transport.

It is to overcome that disadvantage that some Taxi drivers have been allocated grants to adapt their vehicles to make them wheelchair accessible. There are in Kerry quite a few such Taxis.

Sadly it is quite often the experience of people with a disability who call for a Taxi that no such appropriate vehicle is available at that time to transport them.

The reason for the Taxi being unavailable is usually because the vehicle is said to be on an errand. That reply suggests that either there are not enough Wheelchair accessible Taxis or else Taxi drivers do not wish to have to transport wheelchair people.

I know that there is a Taxi Regulator who has responsibility for the issuing of Taxi permits but I feel that the relevant Minister should examine this matter with a view to ensuring equality of treatment for all and especially for those who are disadvantaged due to disability. If Taxi drivers who have received the adaptation grant habitually refuse to facilitate those with a disability then their situation needs to be reviewed."

Cllr. B. Cronin SECONDED the motion.

Cllr. P. McCarthy thanked and congratulated all those who took part in the County Clean Up day recently. He condemned those who continue to litter and also those who used the County Clean Up to clean out their houses. He asked if volunteers continue to pick up roadside litter and to place it in Kerry County Council bags will it be collected by KWD.

Cllr. A. Thornton expressed her annoyance that the Minister for Transport did not find time to meet with the members for the Listowel MD when he visited the county recently. She enquired as to the issues which were discussed with the Minister when the Chief Executive and Cathaoirleach met him and if the Dale Road, the re-instatement of funding for the Specific Improvement Scheme and the state of roads in the county were included.

Cllr. Thornton welcomed the Centenary Garden which has given a permanent space to commemorate those who died in 1916. She also welcomed progress on the landfill. Cllr. Thornton stated there is no WAW signage for Kerry at the exit from Shannon Airport and she requested that a letter would issue to TII and the Minister for Transport insisting that WAW signage would be provided immediately for County Kerry. In conclusion Cllr. Thornton welcomed the update on the preplanning meeting with An Bord Pleanála in relation the Listowel By-Pass which is scheduled for the 27th April.

Cllr. D. Grady welcomed the improvements in the construction and provision of social housing. He expressed concern that the plans for the Cycle Track outside Killarney have been abandoned and he added that Killarney cannot afford to let this facility go. A number of roads in Killarney town including Ross Road and Mission Road are in a very poor state and he asked that they would be improved as soon as possible.

Cllr. P. Connor-Scarteen asked that application forms for all Grant Schemes i.e. Clár and Town and Village Renewal Schemes would be forwarded to councillors. He congratulated all those who took part in the County Clean Up Day recently and he added it was a great success. Cllr. Connor-Scarteen asked that there would be a standard item on the Agenda for Municipal District meeting on the Wild Atlantic Way going forward. He also asked that members would be provided with a copy of the route and that they would be afforded the opportunity to discuss it.

Cllr. R. Beasley concurred with the views expressed by Cllr. Thornton in relation to Minister Ross's failure to meet with public representatives and also expressed his concerns in relation to the section of the Dale Road from Abbeydorney Village to Ballinclogher Cross and requested that a funding application be made to the Minister.

Cllr. Beasley highlighted that at a recent Listowel MD meeting Ms. Siobhan King from Fáilte Ireland briefed members on a proposed new loop on the WAW whereby tourists would be directed to Limerick and The Burren when they exit

Tarbert Car Ferry. He believed Kerry is being neglected as it was intended the WAW would promote coastal areas. A number of years ago he proposed that a Ring of North Kerry would be developed from Tarbert / Asdee / Ballyheigue / Tralee / Listowel / Tarbert but this was not done.

Cllr. P. Daly commended the Kerry Recreation and Sports Partnership who organised another Park Run the previous weekend both in Tralee and Listowel. In excess of 700 people take part in the Park Run each week and people who do not normally exercise should be encouraged to take part.

Cllr. S. Locke stated he met Minister Ross with the Chamber Alliance and that he gave a commitment that the Macroom By-Pass would be completed by 2020. At that meeting he also emphasised the importance of the Adare By-Pass to the economic development of Kerry and expressed concern at the proposed Loop on the WAW which would direct tourists to the Burren and Limerick. The Minister undertook to review this proposal. The importance of progressing the proposed Tralee/Fenit walkway and the provision of funding for it was also highlighted. Again he undertook to consider this request and to revert to the Chamber on it. Road widening of sections of the Tralee/Killarney road were highlighted and the Minister again undertook to revert to the Chamber on this issue. Cllr. Locke separately requested an update on funding for Foodshare Kerry.

Cllr. M. Cahill asked if Minister Ross met with those in favour of the South Kerry Greenway during his recent visit to Kerry and outlined that the proposed Greenway is the single biggest initiative for South Kerry and the area urgently needs it and that it should be supported by all members.

Cllr. J.F. Flynn highlighted he recently moved a notice of motion asking how much land the Council owns in Mid Kerry that is suitable for housing and he asked that housing schemes would be designed for this land and references the proposed housing development at Ardmoneel, Killorglin which has been delayed in starting. Cllr. Flynn then referred to defibrillators and stressed the importance of training people to use them. There are First Responder groups in both Killorglin and Milltown and KETB are providing training for them in the use of defibrillators. He supported the views expressed by Cllr. Cahill on the South Kerry Greenway and he added that business people in Caherciveen are becoming very impatient at the slow progress on it.

Cllr. T. O'Brien then moved Notice of Motion No. 30.

30. Fenit / Tralee Walkway

Pursuant to notice duly given each member of the Tralee Municipal District PROPOSED:

That we the members of the Tralee Municipal District would like to express our disappointment to the poor progress that has taken place in relation to the Fenit/ Tralee Walkway and we would now like a definitive schedule set out to show this Council's commitment to the project.

The following reply issued:

There has been a significant volume of work in the past 12 months on securing the legal agreement with CIE on the transfer of the lands. The transfer of the lands comprising the North Kerry line is now complete. The next step in the process of securing the appropriate planning consent is to carry out an Environmental Impact Assessment (EIA) screening report and a Natura Impact Assessment (NIA) screening report. This will determine if an Environmental Impact Statement (EIS) or a Natura Impact Statement (NIS) is required and whether the planning application will be dealt with through a Part 8 process or whether the application will need to be submitted to An Bórd Pleanála, which would require a more detailed and costly application.

In order to complete these screening reports, it will be necessary for our own ecologists to walk the line and complete the preliminary assessment. Once the screening reports are complete the scope of the planning process will become clear and the resource implications can be assessed. It is not possible therefore to provide a definitive timescale for completion of the planning process.

However, it is our objective to progress the scheme in 2017, but our priority at present is on the publication of the CPO and EIS for the South Kerry Greenway and the progression of the Great Southern Railway Trail in Listowel through planning, given that grant aid has been made available for these projects.

Cllr. T. O'Brien stated the motion asked for a definitive schedule which is not included in the reply. This project has been delayed for too long and he called on management to provide members with a schedule for this walkway.

Cllr. M. O'Shea SECONDED the motion.

Cllr. J. Healy-Rae expressed concern that the CPO process for the South Kerry Greenway will delay the project.

Cllr. M. Kennelly concurred with the views expressed by members from North Kerry in relation to Minister Ross's visit to the county. A By-Pass is proposed for Listowel at a cost of €40m which is a major project yet he would not meet the members for the Listowel MD. Cllr. Kennelly PROPOSED that a letter would issued to Minister Ross seeking a meeting with him in Dublin and members of the Listowel MD.

Cllr. N. Foley indicated she wanted to be associated with the comments in relation to the County Clean Up Day. Tidy Towns Groups have been very successful in co-operation with Kerry County Council. A number of groups applied for funding from the Community Support Fund but their applications were deemed premature pending notification of Clár funding. Cllr. Foley asked that

these groups be informed of the recent Clár funding announcement to afford them the opportunity to apply. Cllr. Foley further asked that the location of defibrillators in Tralee town centre would be agreed with the relevant local groups.

Cllr. N. Moriarty confirmed that Minister Ross met representatives of those in favour of the South Kerry Greenway together with business representatives from Caherciveen. She stressed the importance of ensuring that the views of all parties are heard and the process must take its course in accordance with Government policy.

Cllr. J. Lucid congratulated all involved in the County Clean Up Day and agreed it was annoying that the Minister would not meet with the members for the Listowel MD. He supported the views expressed by Cllr. Beasley in relation to the proposed Loop which would exclude North Kerry and he expressed concern that this could dilute the positive impact of the WAW.

Cllr. J. Moloney concurred with the views expressed by previous speakers in relation to the lack of interaction by the Minister with the members for the Listowel MD. Members received a letter which stated the Minister did not have time to meet them yet he heard last week that the Minister was in Listowel. Cllr. Moloney SECONDED Cllr. Kennelly's proposal that a meeting would be requested with the Minister.

The Cathaoirleach stated both he and the Chief Executive met Minister Ross in Farranfore when the Chief Executive availed of the opportunity to discuss Greenways, Macroom By Pass and the need to improve the road to Fenit. The Cathaoirleach pointed out that a number of schools want to apply for Clár funding but they cannot download the application form and he asked that this problem would be rectified. He referred to his recent visit to Boston with Mr. Griffin, Tourism Officer when they had an excellent meeting with tour operators and the CEO of Norwegian Airlines. During the course of the meeting he indicated that he wanted to focus tourists on rural areas in the Shannon, Cork and Kerry areas. The Cathaoirleach called on the Chief Executive to invite the CEO of Norwegian Airlines to Kerry with a view to promoting flights to Kerry Airport by his airline.

In response the Chief Executive referred to the Tralee / Fenit walkway and highlighted that a lot of work has gone into securing the land which has now been acquired. The South Kerry Greenway has taken a lot of resources as it is complex and difficult technical solutions were required. As agreement could not be reached with all landowners it was necessary to initiate the CPO process. Ms. Murrell then referred to the North Kerry Greenway and stated a successful application to fund its design was made through the Town and Village Renewal Scheme. She assured members that the Tralee / Fenit walkway would be pursued and clarified that it will be necessary to identify a funding source for it before it can be progressed. The development of Greenways has the potential to transform areas and the South Kerry Greenway is critical for an area in decline. In relation to the new burial ground for Killarney Ms. Murrell stated a full design report had to be prepared together with the CPO documents and the CPO will be

advertised shortly. She advised members that a contractor has been appointed to progress the development of the extension to the Old Kilcummin Graveyard and work will commence shortly.

The Chief Executive undertook to revert to members on Listry Bridge. Officials will be in discussions with Fáilte Ireland shortly and they will raise the issue of signage on the WAW with them. She was not aware of a commitment to allocate €10,000 to Foodshare Kerry but €1,000 was committed from the Community Support Fund by the Tralee MD. An application was submitted for funding from the Environmental Awareness Fund and Foodshare Kerry can be considered for funding from it.

Cllr. Ferris stated she understood that it was intended that €3,000 would be allocated per MD per annum for this purpose.

The Chief Executive advised that tenders were advertised for Consultancy Services for the Construction of 14 No. Dwelling Houses and Associated Siteworks at Ardmoneel, Killorglin. The scheme had to be redesigned which required protracted discussions with the Department. Ms. Murrell acknowledged the work of the Capital Infrastructure Unit in managing the substantial housing construction programme. She undertook to revert to members with the closing date for the Repair and Lease Scheme and to ensure the link to the Clár application form is accessible for schools.

Cllr. P. Daly stated while he understood the South Kerry Greenway is getting priority plans should be drawn up for other Greenways to ensure funding can be availed of as it becomes available. He asked for the date when the Ecologist would walk the Tralee/Fenit route.

Cllr. T. Ferris referred to the proposed road closure in Ardfert at the end of May and early in June to facilitate work on the sewerage scheme and she called on management to ensure this will not have an adverse impact on businesses in the area.

Cllr. A. Thornton asked if the Dale Road was discussed at the meeting with the Minister.

The Chief Executive undertook to take on board Cllr. Ferris's request in relation to Ardfert. She availed of the opportunity to meet with the Minister when he was in the county and while she raised a number of issues with him the Dale Road was not discussed. However, this was raised with senior officials in his Department in the recent past.

Cllr. Thornton again emphasised the Dale Road's condition and the Minister refused to meet with members from the Listowel MD either in Dublin or in Kerry. She PROPOSED that the Minister would be invited to come to Kerry to travel the Dale Road.

Cllr. B. Cronin referred to Item 4 and declared in accordance with Section 177 of the Local Government Act 2001 that he was a connected person in relation to Item 4(c) and he would leave the meeting while this item was being considered.

Cllr. Cronin then left the meeting.

17.04.24.04 Disposal of Property

- (a) On the PROPOSAL of Cllr. T. McEllistrim, SECONDED by Cllr. J. Finucane it was agreed to approve the disposal of a plot of land consisting of approx. 0.498 acres situated in the townland of Ballyroe in the DED of Clogherbrien to *(name and address withheld for data protection purposes. An unedited copy of the minutes is available on request)* in accordance with the terms of notice issued on the 6th April 2017 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.
- (b) On the PROPOSAL of Cllr. M. Cahill, SECONDED by Cllr. J. Healy-Rae it was agreed to approve the disposal of a plot of land consisting of approx. 0.565 acres with a former Single Rural Cottage thereon situated in the townland of Muingaphuca in the DED of Caragh to *(name and address withheld for data protection purposes. An unedited copy of the minutes is available on request)* in accordance with the terms of notice issued on the 6th April 2017 pursuant to Section 183 of the Local Government Act 2001 and Section 211 of the Planning and Development Act 2000.
- (c) On the PROPOSAL of Cllr. J. Healy-Rae, SECONDED by Cllr. J. Sheahan it was agreed to approve the disposal of a plot of land consisting of 0.033 acres approximately in total and is know as 43 O'Kelly's Villas, Killarney situated in the townland of Kilcoolaght in the DED of Killarney Urban to *(names withheld for data protection purposes. An unedited copy of the minutes is available on request)* in accordance with the terms of notice issued on the 6th April 2017 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, Development Regulations 2001 and Article 206 of the Planning and Development Regulations 2001.
- (d) On the PROPOSAL of Cllr. J. Healy-Rae, SECONDED by Cllr. S. Locke it was agreed to approve the disposal of a plot of land comprising 0.112 Ha. (0.277 St. Ac.) situated in the townland of Ballintermon in the DED of Ballinvoher to *(names withheld for data protection purposes. An unedited copy of the minutes is available on request)* in accordance with the terms of notice issued on the 21st March 2017 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.

- (e) On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. P. McCarthy it was agreed to approve the disposal of a plot of land comprising 0.029 Ha (0.072 St. Ac.) situated in the townland of Ballintermor in the DED of Ballinvoher to *(name and address withheld for data protection purposes. An unedited copy of the minutes is available on request)* in accordance with the terms of notice issued on the 21st March 2017 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.
- (f) On the PROPOSAL of Cllr. J.F. Flynn, SECONDED by Cllr. J. Healy-Rae it was agreed to approve the disposal of a plot of land comprising 0.333 Ha (0.823 St. Ac.) situated in the townland of Farranalickeen in the DED of Ballinvoher to *(name and address withheld for data protection purposes. An unedited copy of the minutes is available on request)* in accordance with the terms of notice issued on the 21st March 2017 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.
- (g) On the PROPOSAL of Cllr. J.F. Flynn, SECONDED by Cllr. J. Healy-Rae it was agreed to approve the disposal of a plot of land comprising 0.011 Ha (0.027 St. Ac.) situated in the townland of Ballynane in the DED of Ballinvoher to *(name and address withheld for data protection purposes. An unedited copy of the minutes is available on request)* in accordance with the terms of notice issued on the 21st March 2017 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.

Cllr. B. Cronin then returned to the meeting.

17.04.24.05 Variation No. 2 to the Listowel Town Development Plan 2009 – 2015

(a) Chief Executive's Report on submissions/observations received in relation to Material Alterations to Proposed Variation No. 2 of the Listowel Town Development Plan

Mr. M. Scannell referred members to his report dated April 2017 on this item which was circulated and he briefed them in detail on the report.

Cllr. A. Thornton asked that the review of the Listowel Development Plan would be brought forward.

Cllr. D. Nolan agreed that the Listowel Development Plan should be reviewed at an early date.

Mr. M. Scannell advised that significant progress has been made on the review of the Killarney Development Plan. It is intended to commence the review of the Tralee Development Plan in the coming weeks and work on the review of the remaining two plans will take place in the autumn.

(b) Making of Variation No. 2 to the Listowel Town Development Plan 2009 - 2015

Cllr. J. Lucid PROPOSED that this Council hereby resolves that proposed Variation No. 2 of the Listowel Town Development Plan 2009 – 2015 as originally proposed at the Meeting of Kerry County Council in December 2016, be adopted to (a) incorporate the provisions of the Core Strategy (as contained in the Kerry County Development Plan 2015-2021) and (b) the deletion of the proposed Eastern By-Pass (indicative route) as shown on Map 3.

Cllr. L. Purtill SECONDED this proposal.

A vote was taken which resulted as follows:

For: Cllrs. Beasley, Cahill, Cronin, Ferris, Finucane, Flynn, Gleeson, Grady, J. Healy-Rae, Kelleher, Kennelly, Locke, Lucid, D. McCarthy, P. McCarthy, Moloney, Nolan, O'Brien, O'Connell, Purtill, Sheahan, Spring, Thornton, O'Shea **(24)**

Against: None **(0)**

Not Voting: None **(0)**

Absent: Cllrs. Connor-Scarteen, Culloty, Daly, Fitzgerald, Foley, M. Healy-Rae, McEllistrim, Moriarty, Quigg **(9)**

The Cathaoirleach declared the proposal CARRIED.

Cllr. J. Healy-Rae then moved Notice of Motion No. 17 as he had to leave the meeting.

17. Call to take on seasonal workers

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

That Kerry County Council would take on all Road Staff who are classed as "seasonal workers" in our Engineering Areas. some over 10 years. Staff in these areas are at an all time low.

The following reply issued:

The recruitment and appointment of staff is an executive function and is determined by the level of funding approved by Council for the carrying out of its functions as provided for in the adopted Budget and the level of grant aid received for work programmes.

Specifically in relation to Roads maintenance, there are a number of factors which influence the staffing level, but the level of funding available for the Roads Programme is the primary determining factor in manning levels. There has been a significant reduction in available funding from central government over the past 10 years from €22.7m, in 2008, to approximately €13 million per annum in the past 4 years. Furthermore, during this period a number of services traditionally provided by the Council, such as the Refuse Collection service were discontinued, with some of these staff being redeployed in operations.

Traditionally, the Council has supplemented its permanent work force by recruiting seasonal staff, particularly where additional monies are made available for the roads programme, and this will continue until a sustainable higher level of funding is provided by the funding authorities.

Cllr. J. Healy-Rae stated there are just 3 or 4 seasonal workers in each area and since 2008 or 2009 no staff member that retired was replaced yet roads must be maintained. Staff in a number of areas but in particular in Caherciveen are finding it difficult to carry out the work due to staff shortages. These seasonal workers were always available and he called on management to make them permanent.

Cllr. M. Cahill SECONDED the motion and added that the staff who retired over the past few years should be replaced.

17.04.24.06 Annual Financial Statement for year ended 31st December 2016 and approval of additional expenditure (including provisions)

Ms. A. McAllen referred members to the Annual Financial Statement for year ended 31st December 2016 which was circulated. The aim of the Annual Financial Statement is to fairly present the financial position as at end 2016. The Annual Financial Statement is subject to external audit by the Local Government Audit Service. A copy of the Auditor's Opinion and Report will be circulated to each Member of the Council when it is received, in accordance with normal practice together with a report from the Audit Committee after their meeting with the Local Government Auditor.

Total Financial Activity of the Council for the year 2016 and a comparison with the previous year is provided on page 20 – Income and Expenditure Account Statement for the year ended 31st December 2016 and page 21 – Balance Sheet as at 31st December 2016.

The overall Financial Activity of the Council for the year was €172,460,654. The Report deals with four key elements of the Annual Financial Statement (i) Income and Expenditure Statement – Revenue Account, (ii) Capital Account, (iii) Borrowings and (iv) Fixed Assets.

The graphs on pages 10 and 11 of the Report set out the distribution of expenditure amongst the Divisions/Programme Groups and the sources of income of both the Revenue and Capital Accounts.

The total expenditure on the Revenue account for 2016 was €136,017,255.

An excess of income over expenditure in 2016 has resulted in a surplus of €83,478 for 2016. The Income and Expenditure Account Statement and supporting notes and Appendices provide greater detail.

The Council has prudent expenditure controls in both Revenue and Capital and strengthened debt management measures to maximise income where possible. This effective resource management has facilitated continued delivery of local services by this Council and has enabled the Council to carry forward provisions for a number of on-going specific projects following review of the financial accounts and identification of specific projects in future years as well as addressing significant liabilities facing the Council as highlighted on previous occasions and by the Local Government Auditor in recent years Audit Reports.

The main provisions carried forward include in particular:-

- €1,730,000 – Local Authority Land Bank.
Creation of a fund to maximise development of existing land banks, strategic review of land loans and to avail of any economic opportunities on strategic sites.
- €1,100,000 towards Killorglin Area Service Centre Funding obligation.
This provision is made to increase the budget provision and the specific reserve for future financial obligations of €7.942m for this project.
- €300,000 towards a capital infrastructural upgrade of corporate buildings across the county including a provision towards the new telephone system.
- €150,000 I.T. Capital Replacement Fund to upgrade hardware and software across the county.
- €330,000 contribution towards contingency superannuation fund to avoid exceptional pension payments liability in any given year.
- €100,000 toward the Fenit Harbour Dredging Programme.
- €150,000 contribution towards the fire fighter gratuities fund in preparation for retirements foreseen in the coming years.
- €100,000 contribution toward the Muingnaminnane Aftercare fund.

As recommended by the Local Government Auditor, a review of all Credit Balances in the Capital Account, together with potential expenditure requirements was undertaken.

It was recommended that following review, should any of the Credit Balances need to be assigned for other purposes, then the Members approval is required. In this regard, the following reassignment of credit balances is included:

- €200,000 from LA Land Bank to Killorglin Area Services Centre Provision.

Ms. McAllen then outlined additional expenditure variances to the allocations approved in the Adopted Budget as outlined on Page 4 and stated in the main these are as a result of increased grant allocation during the year.

- Division A – Housing and Building

Adopted Allocation	€23,518,917
Out-Turn	€25,201,653

Additional expenditure was incurred in relation to RAS and Social Leasing which is fully recoupable, and on Vacant/Void houses with a significant portion of this also recoupable from the DHPCLG. Following the assignment of €200,000 towards loan redemption provision and €200,000 towards the provision made in respect of Killorglin Area Services Centre Funding obligation, €1.3m was provided in respect of Housing Land Bank Servicing Fund. €150,000 was allocated towards unfunded capital balances.

- Division B – Road Transportation and Safety

Adopted Allocation	€30,777,812
Out-Turn	€37,440,926

The main reason for additional expenditure is attributable to increased grant allocations of €20,253,699 versus budget allocation of €14,093,700 following on from the severe storm and flooding in late 2015/early 2016. €4,650,000 was received from DDTS to carry out repairs on non-national road structure. TII provided €486,500 for repairs to National Primary and Secondary roads. Increased allocation also included €239,952 for Bridge Inspections along with increases in Low Cost Remedial Measures and NP and NS Route lighting.

Own resource support for 2016 CLAR and Town and Village Renewal Schemes of €104,200 has been provided. Additional expenditure of €131,771 was incurred in funding Plant and Machinery account, Monument Quarry and €288,000 to fund completed Road projects.

- Division D – Development Management

Allocation	€ 9,665,084
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Out-Turn €11,438,476

The main reason for additional expenditure is the charging of SICAP expenditure of €1.65m to Revenue Account, whereas when Budget 2016 was prepared, indications were that this new funding source was to be accounted for within the Capital programme. This expenditure has been fully recouped from Government grants. Of the total provision of €1.1m toward the Killorglin Area Services Centre funding obligation, €440,000 was funded from within this Division.

- Division E – Environmental Services

Adopted Allocation €16,950,140
Out-Turn €17,691,873

The principle over spend in this Division arose in Retained Fire Services which relates to the payment of activity fees to Fire Service personnel for activities undertaken by them and for the purchase of non-capital equipment that was required during the year. This also includes a provision for Fire Service gratuities; this is based on the age profile of the staff and a peak in retirements foreseen in 2017. Additional Revenue Funding of €100,000 was applied to Landfill Closures capital balances.

- Division F – Recreation & Amenity

Adopted Allocation €7,960,446
Out-Turn €8,651,093

The main reason for additional expenditure is the funding of debit capital balances, including €192,836 for outdoor leisure capital projects. €242,000 was provided towards Killorglin Area Service Centre Loan Charge obligations and €56,500 was provided as the own resource contribution towards Clár Outdoor Leisure Projects. €21,883 was provided towards the funding of the Casement Exhibition at the County Museum.

- Division G – Agriculture, Education, Health & Welfare

Adopted Allocation €2,830,701
Out-Turn €2,960,619

The additional expenditure within this division relates to flood mitigation works at Tullig, Castleisland. This was funded through income from the Office of Public Works (OPW) and balance of own resource funding.

- Division H – Miscellaneous Services

Adopted Allocation €17,244,256
Out-Turn €17,732,243

The main reason for additional expenditure refers to increased activity in relation to Agency and Recoupable Services. This has been fully recouped through corresponding additional income.

Local Income

Our reliance on locally sourced income is increasing and will gain greater significance into the future. We will continue to maintain and strengthen our focus on debt collection. A Summary of Major Collections – Appendix 7 is included in the Report which illustrates the percentage collections for 2016 and the level of debtors associated with each of these income streams. During 2016, we saw further considerable improvement in both collection and reduction of arrears owing in the critical area of Rates.

Charge on Non-Principal Private Residences:- This charge, repealed in 2014, yielded a gross income, countywide, to Kerry County Council of €1.5m for 2016 in respect of arrears owing by owners of NPPR's which were discharged during the year. The income generated from this will fall as each year progresses.

Capital Account

Expenditure in the Capital Account must have an identified source of income as per Department Circular. There was an increase in activity in the Capital Account for 2016 as illustrated on Page 6 of the Report. The Plant and Machinery is in the Capital Account for 2016 and this is the last year as notified to members during the Budget. In 2017 and future years it will operate in the Revenue Account. As a once off measure following creation of a credit in the accounts by the debit take on of debtors in early 2000's the Department issued a Circular to enable the historic balance on the Specific Revenue Reserve in the Balance Sheet, €7,478,134, to be used in Kerry County Council's case to facilitate the writing down of unfunded capital balances as illustrated on the Table below.

This is a once off non cash credit and its use is restricted by Department Circular.

Knightstown Pier Construction Works	2,093,465
Land Deerpark Killarney	1,482,745
Machinery Yard Debit Balance	700,000
Land Ballydrisheen, Killarney	558,271
Castleisland Land Acquisition	423,077
Bbunion Car Park Purchase	328,611
N70 Pavt - Mountain Stage	222,000
Duagh Phase 1 Access Road	185,000
Blennerville Bridge	66,306
Library Capital Works Tralee	52,882
Environment - Old Debit Balance	26,981
CIE Land Purchase Listowel	22,337
Bunavalla Pier Improvements	486,201
Inch Coastal Protection Works	405,364
Piers and Harbours balances	277,010
Ballinskelligs Pier Improvements	147,884

Specific Revenue Reserve Balance	7,478,134
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The Public Spending Code (PSC) is an ongoing annual requirement. The summary of capital expenditure incurred during 2016 gives an overview of the level of activity throughout the year.

Programme Group	Expenditure € m		2016 € m		
Housing and Building	13.28	House Purchases	8.86		
		Land Loan Redemption/ Land Purchase	0.29		
		Mitchels Regeneration Tralee	1.62		
		SEAI/Energy Efficiency Schemes/ Single Rural Cottages/ Extensions/Admin	0.67		
		Voluntary Housing	0.30		
		Capital Advance Leasing Facility - Housing Associations	0.53		
		Refugee Resettlement / Miscellaneous Projects	0.26		
		Roads, Transportation and Safety	13.29	NRA - Projects	9.70
				NRDO/HQ Road Design Office	1.76
Development Levy Works	0.25				
Road Restoration	0.75				
Estates in Charge Bond/NTICI Works	0.24				
Area Vehicle Trading a/cs	0.12				
Development Contributions Debtor Accounting Adjustments	0.27				
Miscellaneous Projects	0.20				
Water and Sewerage	2.73	Irish Water Projects	2.51		
		Estates in Charge Bonds/NTICI Works	0.22		
Development Incentives and Controls	1.12	Community Projects -REDZ, LEADER, Island of Geese, Town & Village	0.57		
		Tourism / 1916 / Museum Exhibition	0.27		
		KRSP Projects	0.12		
		Development Contributions Debtor Accounting Adjustments	0.16		
Environmental Protection	0.19	Landfill Aftercare Commitment	0.05		
		Burial Grounds Programme	0.03		
		Environment /Fire Services / Civil Defence Upgrades	0.11		
Recreation and Amenity	1.71	Greenways/Active Travel/Amenities	1.71		

Agriculture, Education, Health and Welfare	1.11	Piers and Harbours -DECLG/OPW/DAFM Projects	1.11
Miscellaneous	2.04	Plant and Materials Account	0.72
		Killarney Motor Tax Online Service /	
		NPPR Payment Plans	0.53
		Corporate Buildings/ Projects	0.56
		I.T. Capital Upgrade	0.23
TOTAL	35.47		35.47
		Recoupable Grants/Other Income	32.39

Capital Borrowing/Mortgaged Housing Loan Activity

The Council's Capital Debt at the 31st December 2016 amounted to €81.81m, a decrease of €3.86m on the December 2015 figure of €85.04m.

Fixed Assets

The Balance Sheet indicates that at 31 December 2016, the Net Book Value of our accountable assets is €3,517.2m (an increase of €8.4m on the 2015 figure after depreciation) and the details are included in Note 1 to the accounts.

Ms. McAllen stated the Revenue Surplus for 2016 is €83,478 and increases the accumulated general reserve as at the end of 2016 to €6,355,246. The retention of a cumulative revenue reserve is a very positive reflection on both the elected members and the continuous efforts of staff of Kerry County Council in maximising resources, achieving better value for money, maximising revenue and increasing overall efficiencies over the past number of years. However, it must be noted that this is based on accrual accounting and not all of the funds are realised at the end of 2016. The balance on the account is considered prudent and satisfactory for an organisation of this size and complexity.

Ms. McAllen advised that the ongoing financing of the Council is not without its challenges both in the short and long term. The Council has responsibilities in relation to significant financial liabilities in relation to landfill aftercare, the servicing of a material land loan liability and a substantial liability in relation to Killorglin Area Services Centre. Investment required for successful delivery of the Action Plan for Jobs, the Local Economic and Community Plan, and Tourism Strategy will require substantial own resource funding to match any grant aid available. In addition further capital investment is required for the purchase of the Tralee Technology Park, the development of Greenways and Smarter Travel projects throughout the county. Revenue collection continues to be challenging together with reducing income streams.

Kerry County Council took actions during 2016 and continues into 2017 and the future, to adjust and match both operational day-to-day spend and its long-term capital investment programme with available funding and resources.

In conclusion Ms. McAllen thanked all the staff of the Finance Department for their professionalism and dedication throughout the previous 12 months.

All members thanked Ms. McAllen for her detailed presentation on the Annual Financial Statement for year ended 31st December 2016 and acknowledged the excellent work of her Department in compiling the AFS.

Cllr. N. Foley stated while she acknowledged the need for prudence the Fianna Fáil party PROPOSED that some mechanism would be identified to allow the flexibility either to purchase a Durapatcher for each Municipal District, increase the Community Support Fund or to upgrade town centres in each of the Municipal Districts through enhancement works.

Cllr. T. Ferris expressed disappointment that any surplus in the 2016 Budget was not put into services. The interest only payment on land loans at €1m is substantial and she asked if some of these lands could be developed from funding from the Capital account. The only way to reduce the cost of these loan repayments is to develop the land. She asked that permission would be sought from the Department to use the Capital Account to develop these lands or to give it to voluntary bodies to develop it. The Council cannot afford annual loan payments of €2m on land loans.

Cllr. J. Finucane agreed that officials must have some flexibility in the Budget to allow for unforeseen events such as bad weather. The land bank is an asset and he asked that it would be reviewed to establish how it could benefit a community. He recently proposed that subsidised sites would be made available to first time home owners and he hoped this would come to fruition in the near future. The Government intends to sell AIB in the coming months and it is hoped to secure €3b for the State. Banks contributed €160m to-date to the State for the bail out but that is far short of the original cost to the State. He recently moved a motion asking that social responsibility would be enforced on the Banks. Cllr. Finucane suggested that any money received by the State for the Banks would be ring fenced for the less well off or disadvantaged. He PROPOSED that a letter to this effect would issue to the Minister for Finance and at least then the country would see the benefit of the Banks bail out. In conclusion Cllr. Finucane indicated his full support for the acquisition of Kerry Technology Park which is critical for the future economic development of the county.

Cllr. M. O'Shea SECONDED this proposal.

Cllr. R. Beasley referred to Page 6 of the report and requested clarification on the sum of €328,611 for Ballybunion Car Park Purchase.

Ms. McAllen confirmed this sum relates to an old unfunded balance and in accordance with Circular 11/2016 the historic balance on the Specific Revenue Reserve in the Balance Sheet, €7,478,134 was used to facilitate the writing down of unfunded capital balances.

Cllr. M. Cahill welcomed the surplus in 2016 and he agreed provision should be made for land loans and the Killorglin Area Services Centre. There should also be a social aspect and he PROPOSED that €0.5m would be allocated to purchase unfinished houses as good value is still available on property. Some of these unfinished houses are becoming unsightly and derelict. Cllr. Cahill further asked that funding would be provided to protect homes from flooding and to purchase at least one Durapatcher. In conclusion Cllr. Cahill asked that provision would be made for the carrying out of a Feasibility Study for Cromane Pier.

Cllr. J.F. Flynn asked how much of the €64m allocation for housing has been spent to-date. He asked that the Mid Kerry Area Plan would be progressed as soon as possible. No assistance is available to those whose homes have been flooded and he asked that this would be reviewed.

Cllr. B. Cronin asked what plans the Council has to develop the lands at Deerpark etc. There are 120 roads on the LIS list and it is ridiculous that funding has not been reinstated for this Scheme. At the present rate of progress it will take 26 or 27 years to complete the list and hundreds more are waiting to apply. Cllr. Cronin referred to the weight of lorries travelling local roads and added in other countries they would be fined. He was aware of particular trucks that travel LIS roads with a 46 tonne load. He asked if Kerry County Council has any concern about these trucks travelling local roads. Cllr. Cronin asked if the Durapatcher that is leased at present is costing €100 per hour and how many miles of pothole repairs it can do in a day.

Cllr. M. Gleeson referred to the outstanding balance for Inch Coastal Protection Works and he asked if the Council is still pursuing the Department to fund this balance. He requested clarification on the reference to Land Ballydrisheen, Killarney on Page 6 of the report circulated.

The Chief Executive advised members that there are a lot of old debit balances in the Capital Account and the Circular enabled the Account to be tidied up considerably. The Auditor has been calling for this for some time, and the debit balances highlighted by him on Audit Reports have been prioritised. Ms. Murrell acknowledged the excellent work of the Head of Finance and her staff and added that governance is very strong. There is strong budgetary management throughout the organisation. Generally speaking where there is over expenditure it is matched with an increase in grants. The surplus is miniscule in the context of the overall budget for the year and it is important to be mindful of liabilities. At Budget time provision should be made for liabilities for land loans and for the Killorglin Area Services Centre if possible. Land loans are being offset as land is being developed for the Housing Programme. The fact is we have a landbank and it must be funded as surplus funds arise. The Killorglin Area Services Centre transformed Killorglin and the loan must be repaid.

Ms. Murrell highlighted that a number of offices owned by the Council must be upgraded and this includes the roof at County Buildings which is critical. Work is ongoing at the Killarney Offices. Durapatchers are expensive but she understood other local authorities found them beneficial. If the trial of the one that is leased

at present is successful a durapatcher may be acquired through the Machinery Account.

Cllr. Foley asked if the Council is permitted to purchase a Durapatcher from the surplus.

The Chief Executive stated a Durapatcher will more than likely have to be purchased but it must be funded from the Machinery Account.

Cllr. B. O'Connell PROPOSED that this Council hereby resolves, having considered the Annual Financial Statement for the year ended 31st December 2016 to approve additional expenditure, including provisions, as outlined in the Financial Review.

Cllr. J. Finucane SECONDED this proposal.

A vote was taken which resulted as follows:

For: Cllrs. Cahill, Cronin, Culloty, Daly, Ferris, Finucane, Fitzgerald, Flynn, Foley, Gleeson, Grady, Kelleher, Kennelly, Locke, Lucid, D. McCarthy, P. McCarthy, McEllistrim, Moloney, Moriarty, Nolan, O'Brien, O'Connell, Purtill, Sheahan, Spring, Thornton, O'Shea **(28)**

Against: None **(0)**

Not Voting: None **(0)**

The Cathaoirleach declared the proposal CARRIED.

17.04.24.07 Audit Committee Kerry County Council

(a) 2016 Annual Report of the Audit Committee of Kerry County Council

On the PROPOSAL of Cllr. B. O'Connell, SECONDED by Cllr. N. Kelleher it was agreed to note the 2016 Annual Report of the Audit Committee of Kerry County Council.

(b) 2017 Audit Committee Work Programme

On the PROPOSAL of Cllr. B. O'Connell, SECONDED by Cllr. N. Kelleher it was agreed to approve the 2017 Audit Committee Work Programme.

The Cathaoirleach informed the meeting that Item 15 would then be taken.

17.04.24.15 Presentation by Mr. Stephen Blair, Director, Southern Regional Assembly

The Cathaoirleach welcomed Mr. Stephen Blair, Director, Southern Regional Assembly to the meeting.

Mr. Blair informed the meeting that there are two main types of EU Funding available:

- **Shared Management** – this is how Structural Fund Operational Programmes are delivered. The EU allocates funding to member states and they administer Structural funding.
- **Direct Management** – Centrally managed Programmes either directly by the EU Commission or by an Agency.

Mr. Blair briefed members on EU Funding Opportunities for Local Authorities under the following headings:

- Structural & Investment Fund (ESIF) Programmes in Ireland
- Regional Programme
- European Territorial Cooperation (INTERREG) Programmes
- Strand A – Cross-Border Ireland-Wales Programme
- Strand B – Transnational
- NWE Programme
- Interreg Atlantic Area
- Northern Periphery and Arctic Programme.
- Interreg Europe
- Urbact III – sustainable integrated urban development
- Life – Environment & climate Change
- Horizon 2020 – research 7 innovation

The Cathaoirleach thanked Mr. Blair for his detailed presentation and requested details of the EU Framework Programme.

Mr. Blair stated the national contact is located in Enterprise Ireland. They will help to test an idea and will be open to getting partners in other countries.

Mr. J. Griffin, Tourism Officer then addressed the meeting.

Mr. Griffin advised that Kerry County Council is working on a number of EU Interreg projects at present. Kerry is a minor partner in the Cool Route Sailing /Cruising project which is promoting marine tourism along the western offshore areas of the Northern Periphery of Europe and is a major partner in the "LIVE" Ireland-Wales Programme in co-operation with UCC, Bangor University and Llynn Peninsula in Wales. This project, which has passed Stage 1, focuses on South West Kerry and the Llynn Peninsula and aims at facilitating research on the natural heritage of the areas, including the marine environment and how this information can be made available to visitors to enhance their visitor experience. Kerry County Council is also involved in the EcoSTARS Programme and the Dark Skies project, which is being lead by Blackrock Observatory/CIT and other partners. South Kerry is the only Gold Tier Dark Skies Reserve in the northern hemisphere. It passed Stage 1 and Stage II will be adjudicated shortly. Unfortunately a research project involving Valentia and other European cable

stations, the Council and IT Tralee was not approved at Stage 1 but lessons have been learned and this will benefit other projects.

Mr. T. Hayes, LEO informed the meeting in 2011 Kerry was nominated as one of the EU Entrepreneurial Regions. There are up to 13 other such Regions and they are working together to establish best practice. Representatives were in Kerry for 2 or 3 days during Enterprise Month and the delegation assisted with the adjudication of the Student Enterprise category and they were very impressed with the standard. Part of the funding for LEO comes through the EU and it is necessary to partake in various frameworks to secure additional funding.

All members welcomed Mr. Blair to the meeting and thanked him for his excellent presentation.

Cllr. T. McEllistrim asked what priorities Mr. Blair envisaged for Kerry and Tralee town in particular.

Cllr. J. Moloney asked if funding is available for Greenways under the heading Sustainable Urban Development and is the application process exhaustive.

Cllr. M. Gleeson asked if the Assembly keeps local authorities up to-date on funding opportunities in the EU as they arise. He requested clarification on the role of the Assembly vis-a-vis local authorities.

Mr. Blair advised members it would not be appropriate for him to identify priorities for Kerry. Local authorities should consider projects for which national funding is not available. Contact should be made with the national contact to get advice on how to prepare an application for funding. Greenways are much more developed in the EU than in Ireland and Ireland is learning from the experience of other countries. It maybe possible to secure funding for Greenway projects in the Atlantic or Northern areas. The Southern Assembly has an office in Brussels that monitors developments in the EU. A newsletter issues to all local authorities updating them on new funding opportunities etc.

Cllr. J. Finucane stated in his opinion there is a disconnect between what happens in Europe and Ireland. He asked Mr. Blair to consider hosting a seminar for private business people to update them on funding opportunities in the EU. Cllr. Finucane stated the Shannon LNG project was blocked by a cartel of energy providers over a number of years and he asked if funding is available from the EU to purchase the Tarbert/Ballylongford Landbank. This project would give greater independence to energy supply in the country. He welcomed the recent announcement on broadband by Eir and he asked Mr. Blair if the Assembly has a role in prioritising road projects.

Cllr. J.J. Culloty stated the lack of a good broadband service is limiting development and business in Kerry. In his opinion there should be greater interaction with the EU and it would be helpful if MEPs addressed the Council once a year. They would be in a position to identify what funding may be suitable for Kerry.

Cllr. D. Nolan stated Mr. Blair's presentation highlighted the strong links between the regions and counties. The percentage of funding available under each Programme varies and she asked that this information would be supplied to members. She added that a lot of EU Programmes are about knowledge transfer rather than capital funding.

Mr. Blair confirmed that the issue of disconnect with countries is a real problem for the EU. These co-operation programmes are the most tangible output of co-operation in the EU. The purchase of land does not qualify for funding under the Interreg Programme. The Assembly was mandated to have a role in the National Planning Framework and this will be followed by Regional Strategies. The issue of transport in the region will be considered as part of this process. The delays in the roll out of broadband are regrettable but there is a very strict process to be complied with under state aid rules. Eir volunteered to service an additional 300,000 homes and the Government will decide the number of homes to be serviced shortly and the contract will be awarded in one or more lots. All companies must deliver 30mbps over the next few years. The vast majority of households will be serviced through fibre and this will be future proof. Broadband must be delivered to the State's specification. The level of funding available under the various Programmes varies from 50% to 85%.

Cllr. M. Cahill asked Mr. Blair to provide Kerry County Council with a list of projects that qualified for EU funding and this can be circulated to members. He asked if EU funding is available for Piers and Harbours or for coastal protection works. Cromane is one of the country's largest exporters of mussels yet they have no Pier. Cllr. Cahill welcomed the rollout of Broadband and the new contracts which will be awarded later in the year. He asked if the Assembly is applying for and securing the maximum amount of grant aid. At a recent meeting he moved a Notice of Motion calling for the establishment of a dedicated office to deal with all types of grant aid including EU, national and local with a view to maximising the benefit for the county. Cllr. Cahill welcomed the fact that the Assembly has an office in the EU and he called for greater interaction between the Assembly and local authorities.

Cllr. J.F. Flynn highlighted that coastal erosion is a major problem in Kerry and the lack of funding is a cause for concern. He asked if funding is available under any of the EU programmes for this purpose. Finally Cllr. Flynn asked if EU funding may be available for bridges and the Adare By-Pass.

Cllr. S. Fitzgerald stated Kerry has the longest coastline in the country and it is under developed in relation to marine tourism, research etc. He asked if funding is available from any of the EU Programmes for this purpose.

Mr. Blair stated the Assembly has a production which shows the types of projects that secured funding and he undertook to supply the relevant material to members. Many of the Programmes he mentioned have a strong maritime dimension but the Programmes provide learning on the technical solutions that can be deployed rather than funding for the works. It is intended that a Maritime

Spatial Plan will be produced for Ireland which will identify the needs and potential to be exploited. The issue of accessibility and how to integrate the southern region will be part of the development of the regional spatial and economic strategy at a regional level. This work will be ongoing over the next 18 months. Mr. Blair agreed that both businesses and the public service should be broadband ready.

The Chief Executive thanked Mr. Blair for his informative presentation and she added that elected members and the executive are anxious to identify opportunities for the county. The call for projects under the ERDF was beneficial as the Island of Geese project benefitted from it. An application was submitted under the Interreg Atlantic Area in conjunction with UCC. An Economic Officer was recently appointed by Kerry County Council and it is intended to focus on possible EU funding opportunities for the county. Kerry County Council made a strong submission on the National Planning Framework that highlighted any counter balance to development on the eastern corridor much connect with Kerry. Any plans to by-pass Kerry are not acceptable. In conclusion Ms. Murrell welcomed the proposed Maritime Spatial Plan.

Cllr. M. Cahill asked if Ireland is applying for and securing maximum funding available from the EU.

Mr. Blair highlighted that each member state pays a contribution to the Programmes and for years Ireland has received more in grant aid than what it contributed. The local authorities that appointed Economic Development Officers or set up EU units have benefitted and they are self funding.

The meeting adjourned for lunch at 1.30pm.

The meeting resumed at 2.10pm.

17.04.24.08 Report on the Operation of the Litter Pollution Acts 1997 – 2009

Mr. J. Breen referred members to his report dated 18th April 2017 on this item which was circulated and he briefed them in detail on the report. He informed members that KWD would not continue outside of the Spring Clean period to collect bags of refuse where a clean up of roadside litter is ongoing. The Spring Clean initiative allows community groups to clean targeted areas over a specified period in partnership with KWD.

All members welcomed the report and acknowledged the spirit of volunteerism among Tidy Towns groups and the excellent work of Council staff.

Cllr. J. Moloney highlighted that those who litter do not show respect for the county and while the anti littering message appears to be getting through in the towns there is littering along approach roads to towns and villages. He referred to the 676 litter pollution cases investigated and the fact that there were just 9 prosecutions and he asked if this is due to lack of evidence. Cllr. Moloney expressed the hope that in 2017 legislation would be passed that would allow houses to be surveyed to

establish how they dispose of their refuse. On the continent fines were increased and those convicted of illegal dumping are named and shamed. Cllr. Moloney requested that a letter would issue to the Minister for Housing, Planning, Community and Local Government calling for more stringent legislation that would support the work of Tidy Towns groups.

Cllr. S. Locke stated it is disheartening that 676 cases of illegal dumping were investigated in 2016 and he asked how much was collected in fines. Following up on illegal dumping is very costly for the Council. Illegal dumping makes the work of Tidy Towns groups very difficult and he expressed concern that the level of illegal dumping may result in the loss of gold medals in the Tidy Towns Competition in 2017. Kerry County Council should consider naming and shaming those responsible for illegal dumping.

Cllr. M. Gleeson highlighted that the Council recently introduced charges for recyclables and the public are not receptive to these charges. He welcomed the commitment to review these charges in 6 months. Those who volunteer either with Tidy Towns groups or other groups to keep their area clean are heroic and they are out weekly cleaning up the roadsides. He acknowledged the success of the County Clean-Up Day. Coffee cups are regularly dumped on the roadside but it is possible to get biodegradable cups and this should be considered. He called on Kerry County Council to use them in future. Cllr. Gleeson thanked Micheál Ó Coileán who did excellent work in his role as Environmental Officer and he wished him well for the future.

Cllr. T. O'Brien referred to the 9 prosecutions and expressed his disappointment that the number was so low. He also suggested that a name and shame approach should be considered and that footage from CCTV cameras showing people dumping illegally at Bottle Banks etc. should be put up on the Kerry County Council website. The faces of those responsible and their car registration number could be blacked out if necessary. Cllr. O'Brien referred to dog fouling and he asked if a person can make a complaint giving the name of the person walking the dog. It is very frustrating for both Towards a Better Tralee and Council staff who do excellent work to see the level of dog fouling on footpaths, parks etc. on the increase. Cllr. O'Brien called on more people to get involved in keeping their area clean.

Cllr. N. Foley asked if funding is available to increase the number of covert cameras as the only way to get prosecutions is if there is sufficient evidence. Signage should be erected to warn people that cameras maybe used in the area. People put out their bins for collection and others place bags of refuse beside the bin. This is unacceptable and she asked that it would be monitored. Cllr. Foley agreed that a name and shame campaign should be considered. The amount of chewing gum on our streets is unprecedented and it is having an adverse impact on the aesthetics of towns. She was aware that equipment is available to remove it and she called on management to consider purchasing buy one of these machines.

Cllr. J.F. Flynn advised that there are specialist companies who clean chewing gum off footpaths etc. That week one such company was cleaning Longford town. The street bins in Killorglin are too small and they are full every 2 to 3 days and he

asked that larger bins would be provided. Cllr. Flynn asked that a water connection would be provided to all Tidy Towns groups for their work.

Cllr. J.J. Culloty thanked KWD for their continued support of the County Clean Up Day. He welcomed the fact that the amount of fly tipping was down in 2016. Fines for illegal dumping are too low and are not a deterrent and they should be increased. The securing of Gold Medals in the Tidy Towns Competition is very important for all towns and it takes great pride to get a town to this standard. Kerry is a tourism county and for this reason it must be kept as clean as possible as many people depend on tourism for a living.

Cllr. D. Grady concurred with the views expressed by previous speakers in relation to a name and shame campaign. There are just 3 full time Litter Wardens in the county and he called for the appointment of a Litter Warden for Killarney. A survey was carried out in Killarney a number of years ago of local authority households to establish how they dispose of their refuse when it was established that 13% of households had no means of disposing of refuse. Cllr. Grady asked that a letter would issue to the Minister for Housing calling on him to introduce legislation that would give power to local authorities to tackle this problem.

Cllr. G. Spring concurred with the views expressed by previous speakers in relation to a name and shame campaign. The lack of successful prosecutions is a cause for concern and he asked if any of the convictions are as a result of the mobile CCTV cameras. In conclusion Cllr. Spring asked that the education programme would be expanded.

Cllr. D. McCarthy concurred with the views expressed by previous speakers in relation to illegal dumping. If a charge of 20cent was put on biodegradable coffee cups it would help solve the problem.

Cllr. J. Sheahan highlighted that the street cleaning machine in Killarney needs to be replaced. Dog fouling of footpaths and parks is despicable and owners should be more responsible and clean up after their dogs. The only way to address this problem is if substantial fines are imposed on the owners. Cllr. Sheahan asked that a camera would be located at Brennan's Glen where there is a lot of illegal dumping.

Cllr. P. Daly pointed out that there is a white sticker on street bins with a contact number to allow the public to report if the bin is full. However this number is illegible because of tea and coffee stains and he asked that this would be addressed. In conclusion Cllr. Daly asked that occasionally a skip would be provided at various locations around the town to allow householders to dispose of larger items.

Cllr. B. Cronin stated that Tidy Towns Committees have tremendous pride in their areas and but for their involvement the situation would be a lot worse than it is. He asked how many convictions were achieved as a result of evidence from CCTV cameras and how many cameras the Council owns. In many instances tenants in rented houses do not use the refuse service and this is a cause for concern. Cllr.

Cronin suggested that an advertisement should be placed in the local papers advising the general public that the Council intends to carry out a survey of households to establish how they dispose of their refuse. There is a lot of concern also at the increased charges at Transfer Stations. Cllr. Cronin stated he did not believe that the problem of dog fouling is being adequately addressed. Dog owners have no regard for buggies and wheelchair users and this is unacceptable. All dog owners should be responsible and clean up after their dogs but deterrents are weak.

Cllr. M. O'Shea stated littering is widespread around the county. The County Clean Up Day was a great success but there was more litter on the roadsides a few days later and this is disheartening. Cllr. O'Shea asked that signage would be provided in towns and villages asking people to dispose of their chewing gum in the bins provided. The problem of dog foul on streets and in parks is widespread also. In Killarney the jarveys use nappies for their horses and he suggested that the only way to address the problem of dog foul is if dogs wore nappies.

Mr. J. Breen agreed that the value of fines is an issue. In the UK speeding fines are set at once and a half a person's weekly salary. He undertook to investigate the availability of biodegradable coffee cups and to consult with the County Solicitor on the suggestion that CCTV footage would be put on the Council website. The law in relation to dog foul is that the owner is asked for his/her name and address and if they do not co-operate they can be asked to accompany the Litter Warden to the nearest Garda Station. Efforts are ongoing to address the problem of dog fouling. At present the Council has 6 cameras. The placing of bags beside refuse bins is prohibited and all refuse must be presented for collection in a bin. Chewing gum is an ongoing problem in all towns and villages but the focus should be on prevention. Mr. Breen advised members that there was provision in the agreement with Irish Water to provide a water connection to Tidy Towns Committees and he undertook to follow this up with Irish Water. He referred to members queries regarding the surveying of households and added that the difficulty is that the primary legislation to allow this was not enacted. Mr. Breen confirmed that a number of the convictions secured related to the cameras. The provision of a skip would have to be tightly controlled but this can be considered further.

On the PROPOSAL of Cllr. P. Daly, SECONDED by Cllr. S. Locke it was agreed to note the Report on the Operation of the Litter Pollution Acts 1997 – 2009 in accordance with Section 10 of the Litter Pollution Act 1997.

Suspension of Standing Orders

The Cathaoirleach informed the meeting it was 3pm and it would be necessary to suspend Standing Orders.

On the PROPOSAL of Cllr. S. Locke, SECONDED by Cllr. N. Foley it was agreed to suspend Standing Orders to allow the remaining items on the Agenda to be considered prior to Notices of Motion.

17.04.24.09 Agreement with Minister for Transport, Tourism and Sport in respect of lands at Dan Spring Road

Mr. M. Scannell referred members to his report dated 18th April 2017 on this item which was circulated and he briefed them in detail on the report.

On the PROPOSAL of Cllr. D. Grady, SECONDED by Cllr. N. Foley it was agreed to approve Kerry County Council entering into an agreement with the Minister for Transport, Tourism and Sport in respect of the lands at Dan Spring Road leased by Kerry County Council to Tralee Harriers Limited for athletics, recreational and cultural activities.

Cllr. A. Thornton then moved her motions.

14. Housing Adaptation Grant applications

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

Can Kerry County Council confirm how many Housing Adaptation Grant applications were successful to date and the amount of funding paid out.

The following reply issued:

119 Grant applications for which funding has been approved and allocated remained unpaid at 31/12/2016 awaiting completion of the works by the applicants.

Mobility Aid Grant	33	€145,413
Housing Aid for Older People	55	€112,140
Housing Adaptation Grant for People with a Disability	31	€265,521

In the period 01/01/2017 to the 11/04/2017 Kerry County Council has allocated a further 153 grants as follows;

Mobility Aid Grant	69	€333,631
Housing Aid for Older People	54	€291,606
Housing Adaptation Grant for People with a Disability	30	€207,310

In the period 01/01/2017 to the 11/04/2017 Kerry County Council has paid out a total of 58 grants where works were completed. As follows;

Mobility Aid Grant	21	€96,198
Housing Aid for Older People	28	€80,728
Housing Adaptation Grant for People with a Disability	9	€67,565

Since the start of 2017 a further 150 new applications have been received.

Cllr. Thornton noted the reply.

Cllr. T. Ferris asked how were grants allocated when the 2017 allocation was not received.

Mr. M. O'Donoghue stated the Department gave local authorities permission to allocate grants up to 65% of the value of the previous years allocation even though the allocation for 2017 was not notified. Most of the grants allocated were Priority 1.

26. Confirmation of the list of priority projects proposed to Irish Water for inclusion in the next Capital Investment Programme

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

Can Kerry County Council confirm the list of priority projects proposed to Irish Water for inclusion in the next Capital Investment Programme.

The following reply issued:

In February 2016, Kerry County Council made a submission to Irish Water as part of the consultation process in their development of the Emerging Capital Investment Programme (CIP) 2017-2021. The submission focussed on priority areas for investment rather than individual projects. The submission was in accordance with, and followed from, the Irish Water Capital Investment Plan for priority Water and Wastewater Infrastructure which is referenced in the Kerry County Development Plan 2015 – 2021.

The priority areas, as identified by Kerry County Council in this submission included:

- Ensuring sufficient Water Quality and Capacity for all our water supplies, but particularly for those supplies that will be of critical importance to the economic development of the county (e.g. the Central Regional water supply), to be achieved through investment in new infrastructure and water conservation measures.**
- The preparation of Drainage Area Plans aimed at identifying and “bottlenecks” in our sewer networks which could potentially limit development, particularly for the larger towns of Tralee, Killarney and Listowel.**
- Ensuring a regional approach within the county to the proposal to rationalise the number of water supplies within Kerry so that it does not inhibit economic development.**
- The emerging CIP should take account of the existing Wastewater & Sludge Strategy for Kerry, which assessed all of the wastewater needs for every settlement in the county, including unsewered villages.**
- The emerging CIP should look to advance more projects through the Planning and Design stages of development in order to have a sufficient number of projects ready to advance through the next funding cycle.**

- **The plan should make provision for the small number of water schemes in Kerry that remain vulnerable without adequate treatment being in place.**
- **A strategic plan is required to ensure security of supply through the provision of a minimum of 24 hours storage to all supplies in Kerry.**
- **A strategic plan is required to look at the capacities of all schemes in Kerry to ensure that sufficient capacity is in place to facilitate future development.**
- **The emerging CIP should clarify the status of certain schemes that have funding approval but are not listed in the Plan as well as those schemes that were approved in previous Water Services Investment Programmes (WSIP) and are not listed in the emerging Plan.**
- **That Irish Water's capital investment priorities take account of other important environmental and economic assets in Kerry, e.g. blue flag beaches, designated shellfish waters, and the entire coastline of the county, which has the largest portion of the Wild Atlantic Way of any county. Investment priorities should not simply be confined to the narrow set of parameters set out in the licenses and certificates of each wastewater scheme.**

Cllr. A. Thornton stated the list of projects submitted to Irish Water was not included in the reply. She asked that the list would be forwarded to her.

Mr. J. Breen undertook to contact Cllr. Thornton directly on this issue.

The Chief Executive advised members that a 20 year Water Services Strategic Plan was adopted and that is incorporated into the County Development Plan.

Cllr. Thornton stated constituents from certain villages like Duagh and Lixnaw asked her if they are on the priority list or not.

Mr. J. Breen stated a list was included in the current County Development Plan and Irish Water will publish their next Investment Plan in the near future.

17.04.24.10 Draft 2016 Kerry County Council Annual Report

Mr. L. Quinlan referred members to the Draft 2016 Kerry County Council Annual Report which was circulated. He advised that the final Draft will be presented to the May Council meeting for adoption and it is intended to officially launch the 2016 Annual Report on the day of the June Council Meeting.

It was unanimously agreed to note the Draft 2016 Kerry County Council Annual Report.

17.04.24.11 “Invest in Kerry” proposed Launch

The Chief Executive advised members that it is proposed to launch the new Invest in Kerry website shortly and she welcomed the collaboration with the IDA on it.

Mr. M. Scannell then played a number of promotional clips from companies operating in the county which will be included on the new website.

17.04.24.12 Draft Kerry County Council Creative Ireland Activation Plan

Mr. M. Scannell referred members to the Draft Kerry County Council Creative Ireland Activation Plan which was circulated.

Members unanimously agreed the Draft Kerry County Council Creative Ireland Activation Plan.

17.04.24.13 Date for the Annual Meeting of Kerry County Council

On the PROPOSAL of Cllr. B. Cronin, SECONDED by Cllr. J. Lucid it was agreed that the Annual Meeting of Kerry County Council would be held on Friday 30th June 2017 at 12pm.

Cllrs. Ferris, Moloney and O'Brien asked that their apologies would be noted for the Annual Meeting as they would not be in attendance.

17.04.24.14 Draft Kerry County Council Official Events Protocol

Mr. L. Quinlan referred members to the Draft Kerry County Council Official Events Protocol which was circulated. He briefed them in detail on the Protocol. On the PROPOSAL of Cllr. J.F. Flynn, SECONDED by Cllr. J.J. Culloty it was agreed to adopt the Kerry County Council Official Events Protocol.

Restrictions on Presentations to Council

Cllr. T. Ferris PROPOSED that the number of Presentations to full Council would be restricted to just those that are necessary.

Cllr. N. Foley SECONDED this proposal and it was agreed.

17.04.24.16 Presentation by Mr. Philip King of Other Voices

The Cathaoirleach informed members that Mr. Philip King was unable to attend the meeting at that time and his presentation would be rescheduled.

17.04.24.17 Summary of Proceedings at Conferences/Seminars etc.

On the PROPOSAL of Cllr. J.J. Culloty, SECONDED by Cllr. D. McCarthy it was agreed to note the following reports 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.

- (a) ALLG Training Module 6 held in Ballinasloe on the 24th November 2016 by Cllr. J. Moloney.
- (b) Conference on the theme “Civic Leadership and the Councillor” held in Wexford on the 24th February 2017 by Cllr. J. Sheahan.

17.04.24.18 Report on visit to the US by the Cathaoirleach

It was unanimously agreed to note the Cathaoirleach’s written report on his visit to the US which was circulated.

17.04.24.19 Approval for the opening of tenders

- (a) On the PROPOSAL of Cllr. J. Lucid, SECONDED by Cllr. J. Moloney it was agreed to approve the opening of tenders for Refugee Resettlement Programme Provision of Services for Programme implementation for the Refugee Resettlement Programme – Closing date: Wednesday 12th April 2017 at 3pm.
- (b) On the PROPOSAL of Cllr. J. Moloney, SECONDED by Cllr. D. McCarthy it was agreed to approve the opening of tenders for Engineering and Environmental Consultancy Services for the North Kerry Greenway (Listowel to County Bounds – Sluicequarter) – Closing date: Wednesday 26th April 2017 at 4pm.
- (c) On the PROPOSAL of Cllr. J.F. Flynn, SECONDED by Cllr. B. Cronin it was agreed to approve the opening of tenders for Consultancy Services for the Construction of 14 No. Dwelling Houses and Associated Siteworks at Ardmoneel, Killorglin – Closing date: Friday 28th April 2017 at 3pm.
- (d) On the PROPOSAL of Cllr. B. Cronin, SECONDED by Cllr. J.J. Culloty it was agreed to approve the opening of tenders for Consultancy Services for the Construction of 20 No. Dwelling Houses and Associated Siteworks at Rathmore – Closing date: Friday 5th May 2017 at 3pm.
- (e) On the PROPOSAL of Cllr. B. Cronin, SECONDED by Cllr. D. McCarthy it was agreed to approve the opening of tenders for a Mobile Library – Closing date Friday 5th May 2017 at 3pm.

17.04.24.20 Notices of Motion

1. Replacement of ordinary school bag

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

To ask the Minister for Education to propose the replacement of the ordinary school bag with a more appropriate system where children can use bags with wheels to prevent possible spinal problems thereafter or as they grow.

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

Cllr. M. O'Shea stated many young children are caused distress by the weight of their school bags. The Government commissioned a report on this issue but it was not been published. Many countries use tablets rather than text books and this should be considered in Ireland also. A well know orthopaedic surgeon stated it is dangerous for a child to carry more than 10% – 15% of their body weight but many children's school bags weigh more than this. He suggested that school bags with wheels could also be considered.

Cllr. N. Foley stated while she had no objection to the spirit of the motion corridors in schools are too narrow to facilitate wheeled school bags by all students. This would be a logistical problem for schools because of the numbers of students.

Cllr .T. Ferris suggested that teachers could allow students to leave their books at school.

2. Review workings of Municipal Area Authorities

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

That this Council calls on Rialtas na h-Éireann to critically review the workings of the Municipal Area Authorities under the following headings:

- (1) Their effectiveness or otherwise as political structures
- (2) Their cohesiveness as geographic and political entities
- (3) The pathetic nature of their funding and
- (4) Their effectiveness or otherwise in locations where they have replaced Town Councils.

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

Cllr. M. Gleeson read the following statement into the record of the meeting:

“At the outset I wish to pay tribute to the staff and Town Clerks with whom I have had the privilege to work since 1994. They had a wonderful commitment to local government and to the development of Killarney.

Since 2014 there has been a dramatic change. The position of Town Clerk has disappeared. The focus of the still excellent staff is much more broad than it was

heretofore. There is genuine concern that like the Gobadán in the seanfhocal the two strands cannot be fully and properly served. In that context it is important to realise that for at least 4 months of the year the population of Killarney fluctuates between 20,000 and 35,000.

As many of you will know I fought a long and rather lonely battle to save Town Councils. There was only very limited political or Organisational support for that stance. Some political parties in particular now seem to have a slight change of attitude but it is sadly too late.

Colleagues it is important and indeed imperative to remember that the ultimate responsibility for the running of any area rests with the elected members and the appointed officials. Suggestions and proposals from individuals and organisations are always welcome but executive authority rests with the elected body and the Officials.

In recent discussion with former senior Local Government Officials I learned that there is within the Government a feeling that they may have thrown out the baby with the bathwater. They may be beginning to realise that certain towns, such as Killarney, serve and energise not just the town itself but also a vast hinterland.

That has been the essence of my argument all through the dissolution process. It's not that I was possessive for Killarney but I think that I knew that a diminished Killarney will have far reaching consequence far beyond the town.

There is also a growing realisation that for areas to function properly as political and economic units there must be a degree of physical contiguity and historic interaction. Without those all that exists is a disparate and forced structure where cultural, social and economic interaction does not occur as daily realities begetting unity.

Of course it is good and right that there should be additional finance to enhance the infrastructure and boost the economic life of the two other towns and the villages in the Municipal but it is necessary to be very sure that this is not being achieved in a manner that may or will ultimately be self- defeating.

Above all else, however the Municipals are not replicating the Town Councils as they do not have the authority to introduce an annual Budget. They merely authorise the disbursement of small sums of money to deserving groups. Essentially the Municipal area council is a sub committee of the Council, nothing more. In truth it is a diminution of local power, and a rejection of the much lauded core principle of Subsidiarity.

It is beyond the comprehension of many visitors to Killarney that the position Mayor has vanished and that the use of the term is technically 'illegal'. Having served on 3 occasions as town Mayor I am quite certain that the term must be restored- for mercenary reasons if no other. That is why I continue to use the term and will continue to do so. It is much more that a mere term of political endearment.

It was my belief that there was to be a mid term review of the Dissolution Debauch. I now call on Government to honour that position and to do an in depth study on what has evolved from what was a very poorly thought out political act."

Cllr. J.J. Culloty SECONDED the motion and added it is ridiculous that Killarney MD cannot use the title 'Mayor of Killarney'.

3. Inclusion of Lislaughtin Abbey in the Wild Atlantic Way brochures

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

That this Council calls on Fáilte Ireland to include Lislaughtin Abbey in the Wild Atlantic Way brochures, literature and maps in the interest of promoting tourism in North Kerry.

The following reply issued:

Ballylongford and its attractions are included by Failte Ireland on the Wild Atlantic Way and the area enjoys extensive marketing coverage Nationally and Internationally in the overall Wild Atlantic Way marketing campaign. For marketing purposes Failte Ireland has identified a number of target market segments one of which, 'The Culturally Curious', is a perfect fit for what North Kerry has to offer. Failte Ireland recognises the riches on offer in North Kerry which provide authentic and immersive experience, to engage the visitor, get them to spend more, stay longer and visit again. Of course collaboration between all Stakeholders is also needed to sell the unique stories of the area. The County Tourism Strategy includes the development and promotion of the Heritage Tourism product in North Kerry as a medium term action. Kerry County Council's Tourism Unit and the local community in Ballylongford, work closely to also market the village of Ballylongford and its surrounding locality. With the assistance of the 2016 Kerry County Council Community Fund, Ballylongford Tidy Towns has recently produced a "Welcome to Ballylongford" brochure which details many sites of interest, including Lislaughtin Abbey/Graveyard, Corrigafoyle Castle, St Michaels' Church and other places of historical interest. A North Kerry Heritage Trails' brochure and website has also been developed with the financial assistance of NEWKD. A number of trails are included and cover a range of interests e.g. Historic Castle Trails, Heritage & Culture Trails & Christianity & Spirituality There is no doubt that the Wild Atlantic Way has brought more visitors to the area, ensuring they stay overnight is the challenge which all the various parties are now working towards.

Cllr. T. McEllistrim acknowledged the work being done and suggested that better signage on the coast road at Ballylongford is what is required.

Cllr. M. O'Shea SECONDED the motion.

5. Burst water mains in the Mid Kerry area

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

That Irish Water and Kerry County Council give a detailed report as to why again this year that there has been a huge surge in water bursts in the Killorglin, Beaufort, Milltown, Cromane, Listry and Ballyhar areas and when is the torture going to end in respect of the outages and off colour water for the residents and businesses of the Mid Kerry Area.

The following reply issued:

Irish Water and Kerry County Council have been extremely active in recent years in replacing the old and sub-standard water mains on the Mid Kerry Regional Water Supply Scheme. In 2014, 2015 and 2016 more than 12Km of mains replacement, costing €2.3 million, was carried out in the Mid-Kerry scheme. Contract works of value circa €500,000 to replace a further 4.5Km water mains on the Mid Kerry Scheme are scheduled for this summer.

There have been a number of issues recently with the Breanlee water supply which has given rise to interruptions to the water supply. Work of value €900,000 is currently underway to replace almost 8Km of water mains from Glencuttane cross to Ardmoniel and Annadale bridge on the Breanlee Water Supply Scheme. The funding amount approved also includes for the permanent reinstatement of the public road.

There have also been recent interruptions to supply in the Beaufort, Listry and Faha areas and further submissions requesting another €2.33M funding to replace 11Km of water mains at the Board Of Works Road Beaufort, Anglont Killorglin and Callinafercy Milltown, all on the MKRWSS, have been made to Irish Water by the Council.

Recent water interruptions may have led to temporary discolouration problems in some areas. KCC Staff work to scour the lines immediately after repairs to the watermain and also have ongoing scouring programmes in place as part of routine maintenance to mitigate against water discolouration problems.

Cllr. M. Cahill highlighted there is a never ending saga of burst water mains in Mid Kerry and he had sympathy for the staff in the Water Services Department who must repair them. The problem is the lack of adequate funding and while he acknowledged the funding received over the past few years he stated it is only a small fraction of what is required. Cllr. Cahill acknowledged the allocation of €900,000 for the Breanlea mains replacement earlier in the year but stressed it would take €30m to €40m to solve the water problems in Mid Kerry. These problems are ongoing for the past 7 or 8 years during which time millions of euro was spent fixing leaks. The Board of Works, Liebig and Callinafercy are the worst areas and public patience is waning. Cllr. Cahill called on Irish Water to resolve the water problems in Mid Kerry and to provide funding to reinstate the roads following repairs.

Cllr. B. Cronin **SECONDED** the motion and stressed that this has had a detrimental effect on areas such as Ballyhar. He acknowledged the investment by Irish Water in the Mid Kerry Scheme in recent years but stated the supply line for the general Listry and Ballyhar area comes from the Board of Works road. The current problems arose because of years of neglect and lack of investment. He acknowledged the work of the staff who are trying to keep the service going. The ongoing outages are making life very difficult for customers in the area and he echoed the call for Irish Water to further invest in this Scheme.

6. Increase in number of staff in Design Section

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

Acknowledging the excellent work and calibre of staff working in our Design Section, but also recognising the huge volume of work currently being undertaken by this Section, that Kerry County Council seek to increase the number of personnel working in this area so as to facilitate the delivery of the maximum number of projects for the County in the most time efficient manner possible.

The following reply issued:

The Capital Infrastructure Unit was established in 2014, and has to date delivered an extensive work programme, primarily on progressing the Council's Housing Construction programme, the Tralee Smarter Travel Initiative and the Southern Greenway.

This year, under the Rebuilding Ireland programme, the construction of 117 new units will be proceeding through construction, with planning progressed for a further 80 units. The tender for the redevelopment of the Mall, at a cost of over €1.7 million, was awarded in late 2016, with a programmed date for completion in November 2017. The complex design and completion of the environmental appraisal of the South Kerry Greenway is ongoing, involving negotiations with over 170 landowners, and it is our intention to submit the CPO and EIS for the Scheme to An Bord Pleanála this summer.

These schemes are substantially funded by grant aid from the Department of Housing, Planning, Community and Local Government and the Department of Transport, Tourism and Sport.

Following the recent allocation of funding by the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs, under the Town and Village Renewal Scheme, a design team is also being procured to develop the Listowel to Limerick County bounds Great Southern Railway trail.

Further projects will be progressed by the unit as funding is made available.

The staffing of the unit is an executive function having regard to available funding and I am satisfied that there are sufficient resources in the unit to effectively deliver the work programme for 2017, as current funding allows.

Cllr. N. Foley acknowledged the outstanding work of staff in this area but said she was conscious of the huge number of projects on hand by this Unit. Her motion was motivated by the disappointment that the Tralee Fenit walkway has not advanced.

Cllr. M. O'Shea SECONDED the motion.

The Chief Executive highlighted that the Town and Village Renewal Scheme funding was announced recently and if a suitable funding source can be identified this walkway will be advanced.

8. Objection to the application of a TV Licence fee to laptops etc.

Pursuant to notice duly given Cllr. J.F. Flynn PROPOSED:

That this Council write to Minister Denis Naughten to object to his recent proposal to allow the T.V. Licence fee to be applied to laptops, tablets and other personal devices. This will have serious consequences for students especially who rely on this sort of equipment to carry out their work.

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

Cllr. J.F. Flynn stated this proposed licence fee will have a serious impact on people working from home and students who are already struggling to fund their education.

Cllr. M. Cahill SECONDED the motion and stated this is further hidden taxation that will hit hard pressed families whom he understood are now turning to money lenders.

Cllr. Flynn PROPOSED that the TV Licence Fee be abolished.

Cllr. T. Ferris SECONDED this proposal.

9. Coastal Protection works

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

What coastal protection works have been carried out in the last 2 years, what works have been identified as being required and what funding is available to carry out same.

The following reply issued:

A specific unit was established in 2016 to address the challenges identified by recent severe weather events in the county which caused flooding to properties, damage to public infrastructure and coastal erosion.

Since the establishment of the unit, the preliminary focus has been on designing schemes to address areas which are at high risk of flooding due to exceptional rainfall events and to submit detailed designs to the OPW for funding under low cost remedial measures schemes. These include plans for works at Incherea, Clieveragh, Currow and Foiladuane, for which we are engaging with the OPW on potential funding.

The issues associated with addressing coastal erosion, which is a natural phenomenon, are much more complex, and will required detailed specialist studies, particularly given the extent of soft coastline in the county. The Council has partnered with UCC and UCG on sourcing EU funding for research projects to identify sustainable measures to address coastal erosion. We have also worked with the local community in the Maharees on low cost measures, including most recently the replanting of maram grass, to arrest coastal erosion.

An application was made to the OPW in 2016, for €0.5 million in funding, to extend the existing rock revetment at Rossbeigh to protect the existing road, but to date no funding has been made available from the OPW for this proposal.

In meetings with the OPW they have indicated very limited funding for coastal protection measures and funding is unlikely to be provided for any major scheme without detailed Coastal Erosion Risk Management Studies, which will require engagement of specialist consultants and is dependant on funding from the OPW, given the potential costs involved. It is our intention to engage with OPW and seek funding for some of these studies by mid 2017.

The Flooding and Coastal Protection Unit is currently collating and monitoring those areas of the county which are considered to be of highest risk, in particular, where there is a risk of damage to homes and public infrastructure, including at Fenit (Kilfenora), Inch (Bunaneer), Mountain stage, Sleah Head, Dunquin, Valentia (Corhabeg/Foilhomurrin Bay/Cliffs), Cromane, Banna and Rossbeigh.

Cllr. T. Ferris expressed concern that with the compromising of the landbank between Fenit Island and Fenit the Barrow area may be subject to flooding. The river was dredged but there were objections to the removal of the sand to the Golf Club. However at the present location of the mound of sand dredged from the river it is being blown back into the river. There is an ongoing problem with coastal erosion from Carrahaun and it was suggested that the sand removed from the river could be used to reinstate the dunes. She expressed concern that this sand may now be used to reinstate the sand dunes in Ballyheigue. Cllr. Ferris added that there are no plans for measures to address this potential disaster which may occur. She requested that a standing item would be included on the Agenda for the Tralee MD Meetings on it. She called on management to ensure a plan is put in place for these areas before the barriers between the sea and dwellings are compromised.

12. Coastal Erosion Risk Management Studies

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

What progress has Kerry County Council made in the completion of 'Coastal Erosion Risk Management studies' for submission to the OPW seeking funding to address the coastal erosion problems that exist in Kerry.

The following reply issued:

A specific unit was established in 2016 to address the challenges identified by recent severe weather events in the county which caused flooding to properties, damage to public infrastructure and coastal erosion.

Since the establishment of the unit, the preliminary focus has been on designing schemes to address areas which are at high risk of flooding due to exceptional rainfall events and to submit detailed designs to the OPW for funding under low cost remedial measures schemes. These include plans for works at Incherea, Clieveragh, Currow and Foiladuane, for which we are engaging with the OPW on potential funding.

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Cllr. J. Lucid stated he wanted to find out what progress Kerry County Council has made in relation to the completion of Coastal Erosion Risk Management Studies for submission to the OPW seeking funding to address the coastal erosion problems that exist in Kerry.

He raised the issue of coastal erosion on three prior occasions and he is very concerned with the lack of progress. Last July he was informed in response to his question that Kerry County Council had applied to the OPW for €500,000 in 2014 to carry out urgent repair work on a 280m section of cliff at Ballyheigue. The OPW requested that Kerry County Council submit a Coastal Erosion Risk Management Study before they could allocate funds.

Last December he was informed that a new unit had been set up to work on the preparation of the necessary documentation, namely the CERMS for submission to the OPW.

We are now in April 2017 and he is very concerned that an issue that was urgent in February 2014 has not made any great progress. It is now three years later and still there is no progress. This is not good enough, in fact, it is completely unacceptable.

Obviously the new unit has not been given the necessary resources to do the job. Cllr. Lucid stated Kerry is just one county out of seven on the west coast with erosion problems. He was aware that Clare County Council has already made submissions for funding. If this is not prioritised we will be last in the queue when it comes to the OPW allocating funding.

Cllr. Lucid asked that due consideration would be given to people living at risk of losing all or part of their property and he demanded that Kerry County Council invest all necessary resources to deal with this matter urgently.

In response Mr. C. O'Sullivan stated a lot of work must go into the compilation of these studies. Kerry County Council is working with UCC and UCG on these projects with a view to securing funding. We were not successful last year and a further submission will be made in 2017. Further studies are being progressed with a view to applying for funding to the OPW.

13. Cataloguing and identification of areas with poor broadband

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

In light of the lack of proper Broadband in many areas of rural Kerry, can Kerry County Council assist in cataloguing and identifying the areas badly affected so that we can double our efforts to put pressure on relevant Government Departments and service providers to deliver a proper Broadband service. Currently many people working from home along with small rural businesses are trying to work with a pathetic service.

The following reply issued:

On the 4/4/2017 Minister for Communications, Climate Action and Environment, Denis Naughten TD, announced the Government had entered into an agreement with Eir to provide high speed broadband to an additional 300,000 properties nationally before the end of 2018. These properties were previously in the state intervention area which is covered by the National Broadband Plan (NBP). The Eir roll out will see an additional 25,000 properties in Kerry with access to high speed broadband before the end of 2018. The revised maps can be accessed on www.broadband.gov.ie and indicative delivery dates can be accessed on www.fiberrollout.ie. The public can access these maps and search for their property using their Eircode.

When the Eir roll out is complete 67% or 59,978 properties in Kerry will have access to high speed broadband. The NBP aims to address the remaining 29,090. Kerry County Council have appointed a broadband officer as recommended in the recent 'Report of the Mobile Phone and Broadband Task Force'. The Broadband officer will act as a single point of contact for engagement with operators within the local authority and will assist with accelerated rollout of the National Broadband Plan.

High Speed Broadband Map

www.broadband.gov.ie



BLUE - commercial coverage.

Light Blue - planned rural deployment by eir

AMBER - NBP Intervention area

To use the map, follow these simple steps:

- Zoom in on the map to click on premises
- Premises will either be highlighted in **blue** **light blue** or in **amber**



You can zoom down to house level on the Map
Click on your house to see the % coverage in your area

Cllr. B. Cronin referred to the map with the reply and pointed out that much of the county is included in the national broadband intervention area. In his area the EIR roll out stopped after a mile and for many houses the availability of

broadband is dependent on the positioning of the house. A good broadband service is vital for employment and rural businesses. From 2018 all applications for Single Farm Payments must be completed online but broadband is not available in huge tracts of rural Kerry. Many of the service providers will only service the more highly populated areas. Cllr. Cronin asked if the Broadband Officer can put pressure on the service providers to provide a good broadband service for the areas identified by members.

Cllr. J.J. Culloty **SECONDED** the motion and stated that an adequate broadband service is not provided in many rural areas in Kerry and this is causing problems for employment and those working from home.

Mr. M. Scannell stated the recent announcement by Eir of the roll out of broadband is important and it will see a further 25,000 properties in Kerry with access to high speed broadband before the end of 2018. He advised members to go to the website to see the areas where broadband will be provided. Kerry County Council will make a submission for the roll out of broadband for areas that require it for economic reasons. The submission includes 21 areas and when this was assessed having regard to the Eir proposals 17 of these will be catered for. This presents an opportunity to include more areas. It is anticipated that 67% of the county will have a high speed broadband service by 2018. Mr. D. Reilly broadband officer will assist in the development of a broadband strategy for the county. An education programme will be arranged both through the local authority and development sector on how best to maximise the benefits of high speed broadband.

15. Facilitation of students from Annascaul Catchment Area who wish to avail of Bus Tickets to Tralee Secondary Schools

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

That Kerry County Council would write to the School Transport Section of Bus Éireann asking them to act in good time so as to ensure that the students from the Annascaul Catchment Area of West Kerry, who wish to avail of Bus Tickets to Tralee Secondary Schools next September are dealt with satisfactory before the school term starts.

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

Cllr. S. Fitzgerald stated every year there are issues for students who want to travel with Bus Eireann to attend school in Tralee or Milltown. It takes 3 or 4 weeks each year before they are informed if they will be allocated seats on the bus and he asked that bus tickets would be allocated to these students in good time before the start of the school year in September.

Cllr. M. O'Shea **SECONDED** the motion.

16. Mobile Phone coverage in rural areas

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

That Kerry County Council write to mobile phone service providers to improve their coverage to rural areas in Kerry.

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

Cllr. J. Sheahan stated a number of constituents approached him about this problem. Generally speaking mobile phone coverage in rural areas is poor with calls being dropped, bad reception and text messages coming days after they were sent. He called on service providers to improve the service.

Cllr. J.J. Culloty SECONDED the motion.

18. Call to ensure users of Saor Set get the same services as users of Saor View

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

That Kerry County Council write to the Minister for Communications, Climate Change and Natural Resources to ensure that users of Saor Set be given the same services as users of Saor View.

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

Cllr. D. McCarthy stated under the Broadcasting Act of 2009, RTE were tasked to replace the existing terrestrial network with a digital one. This was to be achieved through the introduction of Saorview at a cost of €70 to €100 per household. Due to the topography in certain areas this Saorview system was found to be of no use. A satellite system called Saorsat was then advised and the cost to individual households in his MD was far greater at €450 to €500.

Cllr. McCarthy quoted RTE for their Public Representative Handbook as follows: "The services on SAORSAT are exactly the same as those on SAORVIEW". Sadly this is not true as some people in Kenmare, Bonane, Tuosist, Lauragh and Kilgarvan have a complete loss of RTE2 for four hours at a time, during certain transmissions. RTE2 transmits a message on screen for the duration of the four hours saying "this programme is not available". The programme is in fact available if one has Saorview but not the more expensive installation of Saorstat. Cllr. McCarthy called on the Council to write to the Minister to find a speedy resolution for the people that have been lied to during this changeover and not have their very genuine case brushed under the carpet by any RTE "off the shelf standard glib response".

Cllr. M. O'Shea SECONDED the motion.

Cllr. O'Shea requested that Notice of Motion No. 21 be deferred to the May meeting.

The Cathaoirleach stated Notice of Motion Nos. 22 and 27 would be taken together.

22. Call to address the increasing number of burglaries and robberies

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

That Kerry County Council call on the Minister for Justice, Francis Fitzgerald, the Minister for Rural Affairs, Heather Humphreys and An Garda Síochána to address the increasing number of break-ins and robberies throughout the County, as a matter of extreme urgency, by installing CCTV Vehicle Registration Cameras at strategic locations as this will be a huge deterrent to criminals and travelling gangs. A community in County Louth carried out similar measures which proved to be very successful, reducing robberies by 100% during the first 12 months.

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

Cllr. M. Cahill stated it is worrying that the number of burglaries is increasing. He welcomed the funding of €1m per annum allocated for the next 3 years. However he wanted to target specific roads to stop those who are in effect travelling gangs from other counties. A number of elderly people were in their homes when they were targeted and they are living in fear. Cllr. Cahill stated there is only one deterrent and that is CCTV Cameras. This was done in one area in County Louth and it was a success. The local authority, Minister for Justice and the Gardaí should all be involved in trying to reduce the number of burglaries in the county.

27. Call for additional Gardaí for Kerry

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

That Kerry County Council write to the Minister for Justice asking that additional Gardaí be allocated to Kerry.

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

Cllr. J. Sheahan stated anti social behaviour affects the lives of many people especially the elderly and additional Gardaí are needed to deal with this issue in particular in estates. The lives of residents in estates are being made miserable and unbearable by the actions of a few. In his experience the Community Garda does good work restoring law and order and giving back the freedom to those who were subjected to this type of bullying and intimidation.

Cllr. P. Daly stated while he had no difficulty with the motions he believed it gave the wrong impression that there was a huge increase in robberies which is not the case. At the last JPC meeting the Gardaí outlined statistics for robbery and Kerry was better than most counties. He would be slow to give a bad impression of the county.

Cllr. Cahill stated he was not exaggerating as he was well aware of what is happening in his area. Recent newspaper articles also indicated there is a big increase in robberies in South Kerry.

24. Plan to repair footpaths

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

Can Kerry County Council put a budget and work plan in place to repair the many footpaths that are broken and in poor condition in our towns and villages.

The following reply issued:

A sum of €200,000 has been specifically provided in the 2017 Service Delivery Plan, which was adopted by the members at its meeting of the 3rd April towards the repair of footpaths in the principle towns in the county. This is targeted at repairing/improving footpaths which are in poor condition and having regard to the level of footfall, and the specific locations which are identified in each of the Schedule of Municipal District Work Plans.

These works are in addition to the significant investment on the redevelopment of The Mall in Tralee, at a cost of over €1.7m, which is being funded by the Department of Transport, Tourism and Sport, under the Smarter Travel Active Towns Initiative, and Kerry County Council.

It is intended to collate a specific program of footpath repairs, in each Municipal District, for consideration for funding in future years.

Cllr. J. Lucid welcomed the reply and added that he wanted to highlight the fact that some footpaths are in a bad condition. While he welcomed the development in Tralee he stated the allocation of €200,000 is not adequate. He welcomed the specific programme of footpath repairs for each Municipal District and said up to now councillors funded footpath repairs and this had a very limited impact given the scale of the problem. Cllr. Lucid asked that a timeframe would be set out for the repair of footpaths and he asked that adequate funding and staffing would be provided for this purpose.

Cllr. J.J. Culloty SECONDED the motion.

25. Calling on Irish Water to fund the legal costs of removing wayleaves from landowners Folios in relation to Kilcummin Sewerage Scheme

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

As Irish Water drawings show the line of the sewer travelling along the public road from Kilcummin to Coolcorcoran, will Irish Water cover all the legal costs to remove wayleaves from landowners Folios which Kerry County Council had negotiated to originally bring the sewer pipe through landholdings and are now not needed.

The following reply issued:

The wayleave agreements in place for the Kilcummin Sewerage Scheme have been signed by both the landowners and Kerry County Council and the associated compensation has been paid. Responsibility for these wayleaves has now transferred to Irish Water as the Water Services Authority.

The Kilcummin Sewerage Scheme is still progressing through the planning process which may yet involve changes or amendments to the line of the sewer as proposed by Irish Water. Furthermore, during the course of the construction of the scheme, other issues may come to light which may necessitate the construction of water assets through some or all of the existing wayleaves.

For these reasons, the issue of removing wayleaves from the folios of landowners is premature, pending the construction and completion of the Kilcummin Sewerage Scheme.

Once the scheme is completed, the issue of any surplus wayleaves will be reviewed and referred to Irish Water's legal department for rectification.

28. Provision of a "Stop" or "Yield" sign at junctions on all by-roads

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

That we as a Council put a "Stop" or "Yield" Sign at junctions on all by-roads.

The following reply issued:

Kerry County Council have stop signs at all junctions of local and regional road with national roads. All junctions of regional and local primary roads also have stop/yield signs. The majority of local primary and local secondary road junction have stop/ yield signs.

Some local tertiary road junctions do not have stop/ yield sign and there is no statutory obligation or requirement under Traffic Signs Manual, for the council to have stop/ yield signs at theses locations. These roads carry very low volumes of traffic and many are cul-de-sac road serving farmland and limited properties.

There would be significant cost implication in signing all byroads, but if there are particular junctions of concern these can be examined and members should consult with the local MD office.

Cllr. D. McCarthy stated a lot of tourists travel these roads and he believed such signs would help to prevent accidents.

Cllr. M. O'Shea SECONDED the motion.

17.04.24.21 Correspondence – Conferences and Seminars

- (a) On the PROPOSAL of Cllr. J.J. Culloty, SECONDED by Cllr. J. Lucid it was agreed to authorise the attendance of Cllrs. O’Connell and Kelleher at the Southern Region Audit Committee Forum to be held in Killarney on Friday 5th May 2017.

Cllr. B. O’Connell was nominated to report back to Council on this event.

- (b) On the PROPOSAL of Cllr. J. Sheahan, SECONDED by Cllr. J.J. Culloty it was agreed to authorise the attendance of the Cathaoirleach at the London Rose of Tralee selection to be held in London on the 12th May 2017.

- (c) On the PROPOSAL of Cllr. J.J. Culloty, SECONDED by Cllr. J. Moloney it was agreed to authorise the attendance of Cathaoirleach, Cllr. M. O’Shea on a visit to Frankfurt from 23rd to 26th June 2017.

17.04.24.22 Correspondence General

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

1.	Letter dated 23 rd March 2017 from Archbishop Charles J. Brown, Apostolic Nuncio in response to a resolution from Kerry County Council inviting Pope Francis to visit Kerry in 2018.
2.	Letter dated 23 rd March 2017 from Deputy Danny Healy-Rae enclosing correspondence regarding the Tenant Purchase Scheme, LIS, roads issues and the need for public sewerage schemes for towns and villages in Kerry.
3.	Letter dated 27 th March 2017 from the Office of the Minister for Finance in response to a resolution from Kerry County Council in relation to the housing crisis and enclosing a copy of his response to Apollo House.
4.	Email dated 11 th April 2017 from the Office of the Minister for Housing, Planning, Community and Local Government in response to a resolution from Kerry County Council in relation to planning guidelines for solar farms.
5.	Email from the Office of the Minister for Justice and Equality in response to a resolution from Kerry County Council in relation to the Courthouse in Ashe Street.
6.	Letter dated 3 rd April 2017 from Clare County Council regarding a resolution adopted by that authority calling on the Minister for Social Protection to re-instate the telephone allowance for the elderly.
7.	Letter dated 7 th April 2017 from Donegal County Council regarding a resolution adopted by that authority calling on the Minister for Defence to formally award the military Medal for Gallantry to the Veterans of the siege of Jadotville.

Cllr. T. Ferris asked if further correspondence was received from the Sisters of Mercy regarding the re-interment of the remains of women buried at Balloonagh.

Mr. L. Quinlan undertook to follow up on this correspondence.

17.04.24.24 Any other business

Cllr. D. McCarthy thanked officials and members who attended his fathers funeral the previous week.

Visit of Minister Mary Mitchell O'Connor to Kerry

Mr. L. Quinlan reminded members that the Minister for Jobs, Enterprise and Innovation Mary Mitchell O'Connor would launch the Dingle Hub on Friday 28th April.

Mr. Quinlan advised members that a Thank You card was received from Marisa Reidy thanking members for their support for their campaign for Orkambi.

Mr. Quinlan also reminded members that the closing date for receipt of Notices of Motion for the May meeting is Tuesday 2nd May at 10am.

Request for meeting in relation to Tralee Courthouse

Cllr. P. Daly asked if a response was received to members request for a meeting with the Court Service in relation to Tralee Courthouse.

Mr. M. O'Donoghue stated a representative of the Court Service has agreed to meet members in committee prior to the next Tralee MD meeting.

Cllr. T. Ferris extended good wishes to Cllr. Quigg and his family who was absent from the meeting as his father is not well.

The meeting concluded at 4.15pm.

Liam Quinlan
Meetings Administrator

Cathaoirleach of Kerry County Council