

These Minutes are edited for Data Protection purposes because in effect putting them on the Internet is publishing them. An unedited paper copy is available on request.

MIONTUAIRISCÍ NA CRUINNITHE MHIOSIÚIL DE COMHAIRLE CONTAE CHIARRAÍ A THIONÓLADH I SEOMRA NA COMPHAIRLE, ÁRAS AN CHONTAE, TRÁ LÍ AR AN LUAN, 16 AIBREÁN, 2018

MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL HELD IN COUNCIL CHAMBER, ÁRAS AN CHONTAE, TRALEE ON MONDAY, 16 APRIL, 2018

PRESENT/I LÁTHAIR

Councillors/Comhairleoirí

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

IN ATTENDANCE/I LÁTHAIR

Ms. M. Murrell, Chief Executive	Mr. J. Breen, Director Water Services
Ms. A. McAllen, Head of Finance	Mr. M. Scannell, Dir. Job Cr/Sust. ED
Mr. M. O'Donoghue, Dir.Hsg. & Corp.S.	Mr. C. O'Sullivan, Director of Operations
Mr. L. Quinlan, Meetings Administrator	Ms. D. Griffin, SO Corporate Support
Ms. M. Conway-Sweeney CO Corp. S.	Ms. J. O'Sullivan, CO Corp. Serv.
Mr. P. Curry, SE KNRDO	

The meeting commenced at 10.30 a.m.

Cllr. J. Sheahan took the Chair.

At the outset of the meeting the Cathaoirleach expressed condolences to the family and friends of (*Names withheld for data protection purposes. A paper copy of the unedited minutes is available on request*) who died in tragic circumstances at the Gap of Dunloe last week. Our thoughts and prayers are with their families and with the people off the Gap of Dunloe area who have been so shocked by the tragedy. Our thoughts are also with the emergency services and other services who came to the assistance of those affected. May they rest in peace.

All members supported this vote of sympathy.

Cllr. B. O'Connell complimented the Minister for Agriculture and Government for opening up the Chinese market. It is a good news story for this country.

Cllr. S. Locke complimented the high number of volunteers that participated, and the great work done, in the county clean up over the weekend.

All members wished to be associated with Cllr. Locke's comments.

18.04.16.01 Cathaoirleach's Report on the CPG meeting held on 10th April 2018

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

Agenda for the April Council Meeting

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

Ms. A. McAllen briefed the meeting on the Annual Financial Statement for the year ended 31st December 2017. Ms. McAllen advised that the aim of the Annual Financial Statement is to fairly present the financial position as at end 2017. The Annual Financial Statement is subject to external audit by the Local Government Audit Service. The Revenue Surplus for 2017 is €87,791. 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.

The Chief Executive advised that because of our financially sound position and strong budgetary management we are able to manage the cost of ongoing legacy liabilities. In the context of a discussion around road funding the Chief Executive advised that our stable financial position has resulted in Kerry County Council being able to sustain the local contribution towards roads grants and deliver the Roads Programme year on year.

In relation to legacy land loans, the Chief Executive said more recent planning guidelines have had an impact on the development of Council owned lands. In moving towards 2021-2022, the approach of Kerry County Council will be to buy smaller parcels of lands to develop more quickly rather than lands that have major infrastructural requirements.

Martin O Donoghue advised that a full briefing on housing activity and plans was recently provided to the March Council meeting and a further update would be provided to the May meeting.

This was agreed and noted by CPG.

Update from the Chairs of SPCs

Cllr. M. Kennelly briefed the meeting on the items considered by the Operations SPC at their meeting held in March, 2018. This report will be circulated at the April, 2018, meeting.

Cllr. S. Locke advised that the next meeting of the Tourism, Culture, Arts and Recreation SPC will be held on 23rd May, 2018.

Vacancy on Quality of Life SPC

CPG members agreed to commence the process to fill the vacancy on the Quality of Life SPC owing to the sad passing of (*Name withheld for data protection purposes. A paper copy of the unedited minutes is available on request*), RIP.

Cllr. N. Kelleher acknowledged his contribution to the Quality of Life SPC and stated that he was a valued member who made a significant and insightful contribution to the SPC.

Request for Civic Receptions/Annual Awards

1. CPG members agreed that:
 - (a) *(Names withheld for data protection purposes. A paper copy of the unedited minutes is available on request)* who won the overall best group at the BT Young Scientist and Technology Exhibition for their investigation into conformity and how minorities can influence it (They also won the RTE Best Communications Award), and
 - (b) *(Names withheld for data protection purposes. A paper copy of the unedited minutes is available on request)* who won the National Parks and Wildlife Award for their project "Deter Deer" aimed at reducing the risk of collisions between motorists and deer in the Killarney areawould be honoured at a joint Civic Reception at Killarney Municipal District.
2. CPG members agreed that the following would be honoured at the respective Municipal District Annual Awards:
 - (a) St. Mary's Basketball Club Castleisland Ladies Team who won NICC Women's Cup Final.
 - (b) Spa GAA winners of the All-Ireland Scor na n-Óg Rinnce Set.
 - (c) Presentation Secondary School, Tralee under 16 All Ireland League and All Ireland Basketball cup winners.
 - (d) Killorglin CYMS Basketball Club in light of their recent achievement of becoming National League Champions
3. It was noted that the Civic Reception for *(Name withheld for data protection purposes. A paper copy of the unedited minutes is available on request)* will be held when a date is finalised with *(Name withheld for data protection purposes. A paper copy of the unedited minutes is available on request)* regarding her availability.
4. Cllr. M. Kennelly advised that the recent Civic Reception held for *(Name withheld for data protection purposes. A paper copy of the unedited minutes is available on request)* was very much appreciated by *(Name withheld for data protection purposes. A paper copy of the unedited minutes is available on request)* family and the invited guests.

Any other business

General Data Protection Regulation (GDPR) 2016

Mr. M. O'Donoghue circulated a briefing document on the General Data Protection Regulation 2016. Part of Kerry County Council's GDPR Project involves a review of representations from elected members. The outcome of this review will be presented to CPG and full Council in due course.

Flag Flying

In response to a query from Cllr. S. Locke, Mr. M. O'Donoghue advised that a Policy is being prepared as a follow up to what was previously agreed by CPG and will be presented to CPG and full Council.

Mr. L. Quinlan referred elected members to correspondence received from the Organisation of National Ex-Service Personnel. CPG members agreed that a presentation by their organisation would be received by the Quality of Life SPC.

100 Year Anniversary of Irish Women Gaining the Right to Vote

Mr. L. Quinlan advised of correspondence received from Cllr. Norma Foley highlighting that 2018 marks the 100-year anniversary of Irish women gaining the right to vote. A number of events are being held nationally to mark this historic occasion under the title "Votáil 100".

CPG members agreed that the Centenary Commemorative Committee would be requested to consider organising a suitable event before the end of 2018 to celebrate the 100 Year Anniversary of Irish Women Gaining the Right to Vote.

18.04.16.02 Confirmation of Minutes

On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. J.J. Culloty it was resolved that the minutes of the March Ordinary Meeting held on the 12th March, 2018, be confirmed.

18.04.16.03 Chief Executive's Report to Council

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

Finance Directorate

The annual financial statement for 2017 is on the Council Agenda today for consideration by the Members.

Infrastructure, Operations, Health & Safety Directorate

LIS funding

The scheme has now been reopened and has been advertised in the local media. Full details and application forms are available on the Council's website. The closing date for receipt of applications is Friday 27th April, 2018.

CIS funding

28 applications were received in response to the advertisement for road projects to be funded from the 2018 Community Involvement Grant Scheme, with a total value of over €1.4m. All the applications have been submitted to the Department of Transport, Tourism and Sport, with total grant aid of €1.2 m being requested. The local contribution committed is €213,000. The Department have advised that there is €10m available nationally.

Minor Flood Mitigation Works & Coastal Protection Measures

The OPW has allocated grant aid of €225,000 for Coastal Erosion and Flood Risk Management Studies for the Ballyheighue-Banna- Carrahanne -Brandon Bay and Maharees Area and for Dingle Bay East - Castlemaine Harbour. It is proposed to tender for the appointment of consultants for these studies. Grant aid of €450,000 was provided for flood protection measures at Rossbeigh. We are currently proceeding with the planning application for these works. The Council is required to provide 10% of the funding towards these studies / works (€75,000).

The OPW have also provided €173,575 for works at Foilduane to private properties under the Home Relocation Remedial Works Scheme. These works are 100% funded and are subject to conditions to be agreed with the property owners.

Fishery Harbour and Coastal Infrastructure Development Programme

The Department of Agriculture Food and the Marine has allocated grant aid of €217,500 for structural repairs to Ballinskelligs Pier, Tarbert Pier and Dromotoor Pier, which represents 75% of the total cost of the works, with the balance of €72,500 being funded by the Council.

The Greenways

A request is being made to An Bord Pleanála this week for a pre-planning application meeting for the South Kerry Greenway. The purpose of this meeting is to brief the Board on the scheme, outline the documentation to be submitted as part of the CPO and Environmental Impact Assessment Report, and ascertain if any further information may be required to assist the Board in considering the application. Site clearance works have been completed on the North Kerry Greenway and the Consultants are progressing the design of the scheme. Meetings have commenced with affected landowners to assess their requirements and any necessary accommodation works. Meetings are scheduled with a limited number of landowners on the Tralee-Fenit line to resolve issues around particular constraints and to allow for the completion of the design and environmental screening.

Speed Limit Review

The prescribed schedules for the draft Speed Limit Bye-Laws are nearing completion. Transport Infrastructure Ireland have been consulted in relation to issues raised at the MD briefings on some of the proposed amendments to speed limits on the national road network and some minor revisions are being agreed with the authority. It is our intention now to have the draft Bye-Laws available to go to public consultation within the next 5 weeks.

Economic & Community Development Directorate

Kerry Local Enterprise Office

March 2018 was Enterprise Month in the County. Amongst the highlights were the County Enterprise Awards that were won by Ballyhar Foods who will now represent the County at the National awards.

The finals of the Student Enterprise Awards, which see participants run mini-companies, were held on the 16th March. A group from Killorglin Community College won the Senior Category and a team from St Joseph's Ballybunion won the Intermediate Category and a group from Presentation Castleisland won the Junior award. The winners go forward to the National finals to be held in the Mansion House in May.

Two seminars each attracted over 70 attendees namely an Employment Law seminar and a Succession Planning workshop

Economic Development Unit (EDU)

Kerry County Council were successful in 2017 in its application for funding under the Town and Village Renewal scheme for the development of a 3-year Strategic Economic Plan for Listowel town. The key objective of the plan will be to carry out an economic, retail, tourism and marketing assessment of the town and to include recommendations and strategies for practical business based actions which are implementable and will help ensure positive outcomes for the town.

This body of work was recently advertised for procurement and Shannon International Development Consultants were successful in their bid and have commenced work on the strategy. The consultants will actively engage with all relevant stakeholders including Kerry county Council, the Listowel Business and Community Alliance as well as other state agencies and key players. It is expected that the plan will be completed in June 18.

Community Department

CLÁR Programme 2018

The Department of Rural and Community Development announced details of the CLAR Programme for 2018. The Programme, which has a national budget of €5million this year forms part of the Government's Action Plan for Rural Development and will support investments such as play areas for children, traffic calming measures around schools and support for emergency first responders. The funding will be allocated by the Department based on locally identified priorities.

CLÁR 2018 will provide funding under the following measures:

Measure 1: Support for Schools/Community Safety Measures

Measure 2: Play Areas (including Multi-use Games Areas)

Measure 3: First Response Support Measure

Planning and Sustainable Development

Draft Tralee Municipal District Plan

The DRAFT Tralee Municipal District Plan and Variation to the Tralee Town Development Plan are finalised and will be placed on public display from Thursday 19th of April until Thursday 31st of May together with the accompanying Strategic Environmental Assessment, Habitats Directive Assessment and Strategic Flood Risk Assessment on the draft plan and variation which are also complete. Submission and observations will be invited from members of the public during the public consultation period.

Draft Killarney Municipal District Plan

The DRAFT Killarney Municipal District Plan and Variation to the Killarney Town Development Plan are also nearing completion and will be placed on public display from Thursday 3rd of May until Thursday 14th of June together with the accompanying Strategic Environmental Assessment, Habitats Directive Assessment and Strategic Flood Risk Assessment on the draft plan and variation. Submission and observations will be invited from members of the public during the public consultation period.

Water, Environment, Fire & Library Services Directorate

Kenmare Water Treatment Plant

A new water treatment plant has been developed by Irish Water under a Design Build contract with Glan Agua Ltd. The plant is located at Carhoomeengar East to the north of Kenmare town. Construction Works on site are substantially completed and tests on completion are ongoing. The new plant is in production and is serving Kenmare town and its surrounding areas.

This plant represents a significant investment of €4.5M by Irish Water in the Kenmare Area. The new plants design capacity is 1,300 m³/day and ensures that the people in Kenmare are receiving a reliable supply of high quality drinking water. The works carried out include a new control building and treated water storage reservoirs.

Launch of River Basin Management Plan 2018 – 2021

The River Basin Management Plan 2018 – 2021 will be launched by Minister Eoghan Murphy at the Custom House on 17th April. The River Basin Management Plan outlines the new approach that Ireland will take as we work to protect our rivers, lakes, estuaries and coastal waters over the next four years. It will set out the priority objectives for water quality improvements up to 2021, and a programme of measures to achieve these objectives.

Housing & Corporate Directorate

A comprehensive update on Housing activity and plans was given at the March Council meeting and it is intended to give a further comprehensive update at the May Council meeting.

Cllr. R. Beasley referred to the OPW response to flooding of the Cashen river and asked for the Cashen river to be dredged. He said that until sandbanks are removed flooding will continue to be a problem. He asked that there be more engagement between Kerry County Council and the OPW on this matter.

Cllr. B. Cronin referred to the draft Speed Limit Bye-Laws and said there are a number of issues regarding specific proposals within the Killarney Municipal District. He asked for replies to those queries before going to public consultation. He asked if the draft Killarney Municipal District Plan will include all villages and outlying areas as well as Killarney town.

Cllr. J. Lucid asked for an update on the progress in developing the agricultural hub in Killorglin.

Cllr. N. Foley asked if there is a timeline for the appointment of consultants to undertake the flood risk studies and the Tralee-Fenit line project. She referred to the breach of the sea wall between Cockleshell Road and the Kerries area which is badly damaged. She asked for an update regarding the erection of signage at this area and repair works.

Cllr. M. Healy-Rae referred to works at Foilduane under the Home Relocation Remedial Works Scheme and while these works will safeguard six houses, she asked how other properties in the area will be protected. She referred to the draft Killarney Municipal District Plan and asked that requests for submissions and observations be advertised in local publications as well as newspapers to ensure people are aware of the consultation process.

Cllr. J.F. Flynn asked for clarification on the timeline for the Flood Risk Management Studies and applying for funding for areas in need of protection. He asked if any progress is being made on setting up a committee for working with the Diaspora and arranging a Conference.

Cllr. T. Ferris asked what time frame is involved to deliver with the Greenway projects. She also asked for an update on the Blueway which will be a great amenity for the county and an update on the provision of public toilets at Ardfert now that funding has been secured.

Cllr. J. Healy-Rae asked when works on Ballinskelligs Pier are likely to start.

Cllr. M. Kennelly asked for an update on works at Clieveragh, Listowel. With regard to the development of the north Kerry Greenway he asked that an open date be held to clarify questions and provide an update to the public. He asked that Kerry County Council would lead an application for CLÁR funding to provide disability friendly facilities at Listowel Playground.

Cllr. P. Daly referred to the river walk from Killeen and said he would like to see this linked to the River Basin Management Plan and be included in the county cleanup

day. He asked for an update in relation to his notice of motion at the March council meeting regarding section 6 of the Housing 'Anti-Social' Behaviour Policy.

Mr. M. O'Donoghue, Director of Service, said an update on Housing will be presented to the May council meeting.

Cllr. S. Locke said the Fenit island area is not included under the Minor Flood Mitigation Works and Coastal Protection Measures even though this area suffered some damage last year. The River Lee needs to be dredged to help protect fish life. He asked that this would be considered.

The Cathaoirleach asked that elected members be advised of the application period for the 2019 Community Involvement Grant Scheme.

The Chief Executive said Kerry County Council is getting a lot of co-operation from landowners in relation to the Tralee-Fenit line and the North Kerry Greenway and it is hoped to bring a Part 8 for each of these projects before the elected members at the June Council meeting. An open day will be for the North Kerry Greenway.

In relation to the South Kerry Greenway, there has been significant movement and the project is moving towards pre-planning. Without taking the CPO route this project may not have progressed.

With regard to the Speed Limit Review, it has been our intention to revert to the Municipal Districts before progressing to the next stage of the process. Submissions made by elected members are being reviewed. Discussions have taken place with TII arising from Municipal District meetings. We will revert to the Municipal Districts before progressing to the next stage.

In relation to the RDI hub in Killorglin, the agri-tech centre of excellence, letters of approval have been received from Enterprise Ireland as it had to be approved by DPER from a governance perspective. It is expected an update will be presented to council in September/October 2018. The first body of work will be the appointment of a project manager.

For Ballinskelligs Pier, this is the final allocation of funding for works on this pier.

With regard to the Municipal District Plans, where there was a Town Council, the Municipal District Plan will incorporate the town and surrounding areas. She advised that we need to ensure we have sufficiently zoned lands for housing purposes and there had to be discussions with the Department in relation to that. This will be discussed in detail with the elected members.

Funding provided for flooding relates to Coastal Erosion and Flood Risk Management Studies and it is important that the studies are done. It is a requirement by OPW that a holistic approach is taken to addressing coastal erosion.

Mr. C. O'Sullivan, Director of Service, referred to grant aid of €225,000 for Coastal Erosion and Flood Risk Management Studies for the Ballyheighue-Banna-Carrahanne -Brandon Bay and said this study will take 12-18 months to complete as it is in an SAC. Consultants will be procured for this study to determine what works will be required. Following on from the study an application will be made to the OPW.

Funding was secured for one group of houses at Foilduane and we are working with residents in Glenflesk and another section of Foilduane as we need consent from the landowners and agreement on proposals.

In relation to the Speed Limit Review, we will revert to the elected members on issues raised at the initial round of meetings. There is a positive outcome in relation

to a number of issues raised with the TII and we will discuss these at the Municipal District meetings. Following this we will have draft Speed Limit Bye-Laws bring to public consultation. Submissions arising from the public consultation may result in further amendments being made to the Speed Limit Bye-Laws.

Consultants have been appointed to progress works at Clieveragh. It is hoped to commence a Part 8 process on that in the next 6-8 weeks. Funding has been secured this year to acquire land and to do a detailed design, thereafter further funding will be sought to undertake the works.

18.04.16.04 Disposal of property

The Cathaoirleach referred to the duties of elected members under Part 15 (Ethics Framework) of the Local Government Act 2001 and the Code of Conduct for councillors.

“Councillors should be aware that the onus for complying with the requirement of the Act and the Code of Conduct lies with each individual councillors. Under the beneficial interest provision and should that provision apply, a councillor must –

- (1) Disclose the nature of his/her interest or the fact of a connected persons interest at the meeting and before discussion or consideration of the matter commences and,
- (2) Withdraw from the meeting for so long as the matter is being discussed or considered, and accordingly, he/she shall take no part in the discussion or consideration of the matter and shall refrain from voting in relation to it.”

Cllr. J. Finucane declared in accordance with Section 177 of the Local Government Act, 2001 that he acted as the Estate Agent for the building involved in this Section 183. While this Section 183 is of no benefit to him he said he would leave the meeting while this matter was being considered.

Cllr. Finucane left the meeting.

On the PROPOSAL of Cllr. B. O’Connell, SECONDED by Cllr. B. Cronin it was agreed to approve the disposal of To approve the disposal of lands measuring 0.118 hectares approximately, situated at Centrepoint, John Joe Sheehy Road and Slatts Car Park, Tralee, County Kerry in the townland of Cloonalour in the DED of Tralee Urban, to Valley Healthcare Fund, 2nd Floor, Block E, Iveagh Court, Harcourt Road, Dublin 2, in accordance with the terms of the notice issued on the 5th April, 2018, 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. J. Finucane returned to the meeting.

18.04.16.05 Annual Financial Statement for year ended 31st December 2017 and approval of additional expenditure (including provisions)

Ms. A. McAllen referred members to the Annual Financial Statement for year ended 31st December 2017 which was circulated. The aim of the Annual Financial Statement is to fairly present the financial position as at end 2017. This is achieved through the production of Statements, Notes and Appendices as required by the regulatory accounting framework set by the Minister for Housing, Planning & Local Government.

The Annual Financial Statement is subject to external audit by the Local Government Audit Service whose purpose is to form an independent opinion of the accounts following a comprehensive review of the Council's accounting records and management practices, to certify the correctness of the Annual Financial Statement and to submit an Audit Opinion and an Audit Report, if appropriate, to the Local Authority, to the Director of Audit and to the Minister for the Housing, Planning and Local Government, in accordance with Sec. 120 of the Local Government Act, 2001, and as provided for in the Local Government Reform Act, 2014.

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.

By Resolution at the October 2007 Ordinary Meeting, the Council established an Audit Committee. The Audit Committee is required to report to the Council annually, providing such advice and making such recommendations, if any, to the Council as the Committee considers appropriate.

Internal Audit - The primary role of internal audit is to provide assurance to Senior Management and to the Audit Committee that the various risks facing the Council have been identified and appropriate internal controls are in place to manage those risks. Internal Audit makes a valuable contribution to the effective management of Kerry County Council and is a key player in the corporate governance process. It provides an independent review function to management. In 2017, 14 reports were issued covering a wide range of issues. Final audit reports were provided to the Chief Executive, Head of Finance, Audit Committee and Management. In addition, numerous transaction audits and checks were carried out by Internal Audit on all cash collection points in the Council and on stock items held in Stores and Motor Tax.

The Overall Financial Activity of the Council for the year is summarised below:

<u>Expenditure</u>	2017	2016
	€	€
Revenue	135,117,955	136,017,255
Capital	<u>60,743,871</u>	<u>36,443,399</u>
Total	195,861,826	172,460,654
<u>Income</u>	2017	2016
	€	€
Revenue	135,205,746	136,100,733
Capital	<u>58,801,282</u>	<u>49,666,162</u>
Total	194,007,028	185,766,895

This level of expenditure indicates the ongoing extent of day-to-day service delivery, infrastructural development undertaken by the Council across the county during 2017. It also indicates the significance of operations of the County Council on the local economy.

However, for the purposes of this review, I will deal 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.

1. Income and Expenditure Statement - Revenue Account

This account covers the everyday expenses of the Council, such as payroll, maintenance of Housing, Roads, Irish Water Service Level Agreement and associated accounting transactions, Land-Use Planning, provision of waste management infrastructure, pollution control, fire protection and firefighting, library service, administration/support costs, repayment of loan charges, insurance, central management charges etc. An excess of income over expenditure in 2017 has resulted in a surplus of €87,791 for 2017.

The Account may be summarised as follows: -

	2017	2016
	€	€
Income	135,205,746	136,100,733
Total Expenditure	<u>135,117,955</u>	<u>136,017,255</u>
Surplus / (Deficit) for year	87,791	83,478
Opening Credit Balance	6,355,246	6,271,768
Closing Credit Balance	6,443,037	6,355,246

Over the course of 2017, Kerry County Council has managed the resource base effectively despite the many challenges faced. The Council has prudent expenditure controls in both Revenue and Capital, strengthened debt management measures and maximises the impact of all grant funding to optimise budgeted resources throughout the year. 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.

The main provisions carried forward include in particular:-

- €250,000 – Urban/Rural Regeneration Programme. This fund is put in place to contribute to the regeneration of urban and rural areas within the County in accordance with the Local Economic and Community Plan objectives
- €100,000 – Greenway Design- this provision is made towards the cost and design of Greenways and their advancement.
- €800,000 - Local Authority Land - A provision is made as a contribution towards redemption in respect of existing land loan liabilities and where appropriate provide cashflow in respect of future strategic land purchase.
- €400,000 towards Killorglin Area Service Centre funding obligation. This provision is made to provide a specific reserve to fund committed future financial obligations of €7.942m for this project.
- €400,000 contribution towards contingency superannuation fund to avoid exceptional pension payments liability in any given year.
- €275,000 towards I.T. Capital Replacement Fund to upgrade hardware and software across the county and to meet information security resilience and data protection obligations.
- €200,000 towards critical capital infrastructural upgrade of Corporate Buildings across the county.
- €100,000 towards the upfront purchase of and upgrading of plant/ equipment in the Council's Machinery Yard.

Following on from the Local Government Auditor's Report on the Annual Financial Statement 2016, the pre-2017 Irish Public Bodies Dividend of €1.078m balance was transferred to the Revenue Account as Income for 2017. As per the initial allocation to capital and in order to provide for the retro-liability due, a provision is made to this value to the Capital Account from the Revenue Account.

Additional expenditure variances to the allocations approved in the Adopted Budget are outlined below: -

- Division A - Housing and Building

Adopted Allocation	€24,160,868
Out-Turn	€27,432,800

Additional Expenditure was incurred in relation to RAS and Social Leasing, which is fully recoupable. Additional Expenditure was incurred on Vacant/Void properties, Housing Adaptation Grants and Homeless Grants, the majority of which is also recoupable. A provision of €800,000 is made towards the Land Bank Fund referred to above.

- Division B - Road Transportation and Safety

Adopted Allocation	€31,144,636
Out-Turn	€35,248,428

The main reason for additional expenditure is attributable to increased grant allocations of €16,354,425 versus budget allocation of €13,997,500 including an allocation for Local Improvements Scheme which was not reflected in Budget. Increased allocation for 2017 was received for Restoration Improvement, Discretionary Grant along with minor increased allocations for National Primary, National Secondary and Winter Maintenance Grants.

Own resource support for 2017 Outdoor Recreation Schemes of €65,915 has been provided. Additional expenditure of €550,000 was incurred in funding Plant and Machinery a/c and Monument Quarry debit balances, as per audit requirement, also includes €161,533 funding for completed Road projects.

- Division D - Development Management

Adopted Allocation	€10,896,467
Out-Turn	€12,646,178

The main reason for additional expenditure is the charging of SICAP expenditure of €1.65m to Revenue Account, whereas when Budget 2017 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. Likewise, grant funded allocations of €65,000 each for the Community Facilities Scheme and RAPID were received during the year, which was not known when Budget 2017 was prepared. €160,000 was provided towards Killorglin Area Services Centre.

- Division E - Environmental Services

Adopted Allocation	€17,566,586
Out-Turn	€18,053,925

Additional expenditure was incurred due to the increased cost of waste disposal by private contractors from the Transfer Stations/Civic Amenity Sites, additional revenue funding was also applied to Landfill Closure Capital Balances. Over-spend also arose in the Fire Service due to the payment of activity fees to Fire Service personnel for activities undertaken by them, higher than expected payments for Fire Service Gratuities and for essential and specialist Training for retained and whole-time firefighters and new recruits to the service.

- Division F - Recreation & Amenity

Adopted Allocation	€8,042,487
Out-Turn	€8,292,387

The main reason for additional expenditure is the funding of debit capital balances, provision of own resource contribution towards €50,000 for Outdoor Recreation grants, €100,000 provided towards Greenway Design and €88,000 provided towards Killorglin Area Services Centre.

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. Our collection staff continue to work through satisfactory payment plans with all our debtors where necessary. Unfortunately, where no reasonable means is taken to pay outstanding debts we have no choice but to take appropriate court action or other recovery measures. During 2017, we saw further considerable improvement in both collection and reduction of arrears owing in the critical area of Rates. We issued 267 registered 6-day notices with 452 by way of ordinary post in respect of outstanding rates and a total of 12 rates summonses were subsequently issued. The need for our customers to engage fully and constructively with our collection staff must be emphasised. The % collection for Rates increased from 81% in 2016 to 83% in 2017 reflecting continued strong collection performance, out-turns for 2017 also exceeded the nationally set target of 82% for Kerry under the Debt Management Project.

Charge on Non-Principal Private Residences:- This charge, repealed in 2014, yielded a gross income, countywide, to Kerry County Council of €1,247,820 for 2017 in respect of arrears owing by owners of NPPR's which were discharged during the year.

In 2017 Kerry County Council implemented a change in accounting treatment to follow the Department's recommended policy for the operation of the Council's plant, machinery and stores activity through the Revenue account. This treatment involves the charging of internal plant and machinery hire, and issue of stock items, to the various revenue services. The corresponding income relating to these charges net off against the running costs of the plant and machinery department, to only disclose the profit/loss for the year, and not the separate expenditure and income. In previous years the Council recorded the expenditure costs incurred in running and maintaining these activities through the Capital Account, along with the related income charged to the various services of the Council. The Revenue account therefore only recorded the expenditure on the internal plant and stores activity.

Comparative figures are included for 2016 in Note 13 for illustrative purposes. As a result, in the change of accounting policy, expenditure under the various headings in relation to the Machinery Account for 2017 in Appendix 1 to the accounts, is therefore not comparable with 2016.

2. Capital Account

The current capital category transactions may be summarised as follows: -

	<u>2017</u>	<u>2016</u>
	€	€
Income	58,801,282	49,666,162
Expenditure	<u>60,743,871</u>	<u>36,443,399</u>
Surplus (Deficit) for year	(1,942,589)	13,222,763
Credit Balance @ 1 January	54,768,763	41,546,000
Credit Balance @ 31 December	52,826,174	54,768,763

There is no general contingency fund available in the account. The favourable balance arising is attributable to a mixture of debits on some schemes and credits on others. However, all the credit sums have been allocated for specific projects, as approved by the Elected Council and are reviewed continuously. An unrealised amount of €6,056,324 is included in the closing capital balance.

The Public Spending Code (PSC) was brought into effect in September 2013 as the comprehensive set of expenditure appraisal, Value for Money requirements and related guidance covering all public expenditure. All Government Departments and other bodies, including local government, must comply with the requirements of the PSC. The Quality Assurance exercise in respect of 2017 expenditure which will include an inventory of projects/programmes undertaken during 2017 is underway and will be an ongoing annual requirement for the Council.

The Summary of Capital Expenditure incurred during 2017 gives an overview of the level of activity through the year: -

Programme Group	2017 Expenditure € m	Project	2017 €m
Housing and Building	20.38	House Purchases	8.33
		Land Loan Redemption/ Land Purchase	3.28
		Schemes/ Single Rural Cottages/ Extensions	4.96
		Mitchels Regeneration Tralee	1.39
		Planned Maintenance/Energy Efficiency/DPG LA Houses	0.42
		Voluntary Housing	1.47
		Capital Advance Leasing Facility - Housing Associations	0.53
Roads, Transportation and Safety	25.63	TII - Projects	20.71
		NRDO/HQ Road Design Office	1.83
		CLAR Programme	0.55
		Irish Water / Wind Farms Road Restoration	1.55
		Development Levy/ Estates in Charge Bond Works	0.57
		Area Vehicle Trading A/Cs	0.13
		Roads Specific Projects	0.29
Water and Sewerage	3.11	Irish Water Projects	3.03
		Development Levy/ Estates in Charge Bond Works	0.08
Development Incentives and Controls	2.23	Community /Tourism Projects -REDZ, LEADER, Island of Geese etc.	1.14
		Town and Village Scheme	0.44
		Broadband Loan Redemption	0.28
		Recreation and Sports Partnership	0.07
		Development Contributions Debtor Accounting Adjustments	0.30
Environmental Protection	0.30	Burial Grounds Programme	0.15
		Environment /Fire Services / Civil Defence Upgrades	0.15
Recreation and Amenity	3.92	Killarney Leisure Centre Loan Redemption	0.65
		SMART Travel	2.05
		Greenways Development	0.58
		Outdoor Rural Recreation and Amenity Projects	0.26
		Playground Equipment CLAR	0.29
		Library Projects / Admin	0.09
Agriculture, Education, Health and Welfare	0.92	Cliff Road Rossbeigh	0.35
		Piers and Harbours -DAFM /OPW Projects	0.40
		Flood Mitigation Works	0.14
		Environment Vehicle Purchase	0.03
Miscellaneous	1.67	Plant and Materials Account -Chips Trading Accounts/ Plant Purchase	0.31
		Killarney Motor Tax Online Service/ Queue Mgmt System Purchase	0.38
		Corporate Electrical/Refurbishment works	0.30
		Corporate Projects/Acquisition Admin	0.64
		I.T./LGOPC Capital Upgrade	0.04
Total	58.16	Grand Total	58.16

Recoupable Grants/Other Income	50.54
---------------------------------------	--------------

The Balance Sheet indicates that Capital work was in progress and design/planning was advancing to the overall cumulative value of €12.885m at 31 December 2017. This represents an increase of 98.59% on the 2016 figure and is primarily due to the advancement of Housing Developments at the Park, Killarney, Croilar na Mhistealach and Bill Kinnerk Road, Tralee as well as progression of The Dingle Inner Relief Road Phase 4 and the N69 Listowel Bypass Roads Projects and advancement of the Glenbeigh to Caherciveen Greenway. The figure of €12.885m is represented by: -

	€
Local Authority Housing and Building	4.906m
Road Transportation and Safety	5.690m
Burial Grounds	0.174m
Recreation and Amenity	1.779m
Miscellaneous	0.336m

3. Capital Borrowing/ Loans Payable

The Council's Capital Debt at 31 December 2017 amounted to €73.997m, a decrease of €7.19m on the December 2016 figure of €81.182m. Of the €73.997m, €7.8m relates to mortgage secured Housing Loans, a reduction of €0.74m on 2016. €43.82m relates to Assets/Grants, a reduction of €5.41m on 2016. Borrowings were limited during 2017 with borrowings totalling € 0.17m for Mortgage Loans. Redemptions were € 4.077m of which €3m relates to Housing Land and €0.1m related to Mortgage Loans. Early Redemptions of €0.977m refer to redemption of broadband loan and partial redemption of Killarney Sports and Leisure Centre loan. The age profile of Kerry County Council's loan portfolio has increased with a significant portion of loan principal being offset annually.

4. Fixed Assets

The Balance Sheet indicates that at 31 December 2017, the Net Book Value of our accountable assets is €3,528.4m (an increase of €11.1m on the 2016 figure after depreciation), and was constituted as follows: -

	€
Land	142.0m
Housing	464.3m
Buildings	119.5m
Plant and Machinery	1.4m
Computer/Hire Equipment/Furniture	0.4m
Heritage/Parks	9.3m
Roads Network	2,791.5m

The value and complexity of the Council's asset portfolio requires continuous management and financial support in the interests of the overall economic and social well-being of the County.

Conclusion

The Revenue Surplus for 2017 is €87,791, as a result the accumulated revenue reserve as at the end of 2017 is €6,443,037. 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 2017. The balance on the account is considered prudent and satisfactory for an organisation of this size and complexity.

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 financial liabilities which are significant. Investment required for successful delivery of the Action Plan for Jobs, the Local and Economic 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 strategic lands, the development of Greenways and Smarter Travel projects throughout the county.

This investment is set against a back drop of challenging revenue collection and reducing income streams. This includes the impact of reduced Irish Water income, NPPR income and global rates revaluation year on year. KCC has increasing financial responsibilities in relation to landfill aftercare, the servicing of a material land loan liability and a substantial liability in relation to Killorglin Area Services Centre. This necessitates a continued prudent approach to financing and budgeting.

Kerry County Council took actions during 2017 and continues into 2018 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. Central to all of Kerry County Council's services is the objective to maintain and support business and households through provision of quality driven services within the current financial constraints.

In addition, Circular Letter Fin.03/2009 dated 13th February 2009 from the Department of Environment, Heritage and Local Government continues in force. This Circular imposes very strict obligations on local authorities to avoid any deficit in the current account, to keep expenditure and income in the capital account in balance, to borrow only in accordance with ministerial sanction and to keep the net bank position limited to the previous year's level. This Circular was updated in January 2015 in relation to the Control and Monitoring of Local Authorities Contributions to the General Government Balance. This, in effect, leaves very little discretion to local authorities to manage their affairs.

Cllr. B. O'Connell said Kerry County Council is subject to forensic examination from the Audit Committee, Local Government Auditor and Internal Audit. He asked if the liabilities the Council is carrying are adequately provided for.

Cllr. J.J. Culloty asked if the €100,000 provided in 2018 is the total amount provided for the machinery yard and purchase of a velocity patcher. In relation to landfill aftercare he asked is there anything in progress to recoup these costs.

Cllr. J. Finucane thanked the Head of Finance for the comprehensive report. It is crucially important that Kerry County Council as the main driver of economic development in the county remains in a strong financial condition. It inspires confidence for investors in the county. It is disappointing that the revenue budget must fund the payment of pensions. It would be of benefit Department of Finance to

create a pension fund for the public service in this country, similar to what has been done in other jurisdictions. The requirement to provide for pensions will become an onerous burden on this local authority.

Cllr. D. Grady welcomed the surplus of €87,791 and said Kerry County Council is in a strong financial position.

Cllr. J. Moloney commended the finance team on their work. The financing of local authorities has become extremely reliant on collection of rates and local property tax. This needs to be reviewed as a national level without having the effect of increasing rates are up to tax.

Cllr. S. Locke complimented the finance team on their work. Kerry County Council has a high standard for collection of rates and local property tax. However, those who have paid their local property tax are frustrated by the lack of investment in local infrastructure.

Cllr. P. Daly said housing is the most pressing concern in county. We are restricted by government policy, provision of tenancies under RAS and HAP are fine but the only way to address the housing crisis is to build more houses.

Cllr. B. Cronin complimented the Head of Finance and the team in the Finance Department. This local authority is in a financially sound position as a result of good management. He asked if the lands Kerry County Council has in its ownership can be developed. He referred to the provision of €100,000 for the machinery yard, and asked for an update on the provision of road patchers. He asked if collection rates can be further improved.

Ms. A. McAllen said the liabilities of Kerry County Council, e.g. the housing land bank, landfill aftercare, Killorglin area services centre, pension commitments and debit balances, have been adequately provided for in this set of accounts.

With regard to the landfill aftercare fund, there is a requirement attached to the licence to have a closure plan in place. Kerry County Council's obligations for the landfill aftercare and overseen by the EPA.

It is a priority that we not use own resources where grant funding is available. This is audited at sectoral level.

The Chief Executive said Kerry County Council has a strong construction programme and as part of that any lands that can be developed will be developed with funding available under the current construction programme. There are plots of land in our ownership which cannot be developed. Kerry County Council's landbank has had a full review. A call has been made for turnkey developments. The capital budget provision is reflective of the housing and roads construction programmes.

Kerry County Council had expenditure of €135m in 2017, with equivalent income. If the income stream were to fall by 1% this would equate to €1.35m which would have a huge impact on the organisation. Budget holders are managing budgets well and with good governance and controls on the budget. Kerry County Council has a strong Audit Committee, Local Government Auditor and Internal Audit section.

The pensions commitment is a large liability for the organisation, with an increasing demand as staff are retiring, therefore it is important that provisions are made where possible.

In relation to landfill aftercare, we have a call out at present to bring an economic use backed the landfill. We will revert to the elected members on this.

The purpose of the €100,000 provision for the machinery is to provide cash flow. A commitment has been given to purchase two velocity patchers in 2018. The review of the machinery yard is complete, upgrading of machinery formed part of that review.

Cllr. T. Ferris welcomed the call for turnkey developments, however, there is an immediate demand for housing and the reality on the ground does not reflect the current construction and acquisition programme. She requested a report on the house acquisitions. Kerry County Council is securing rented properties, however, many RAS tenants are under notice. Leasing is not the solution as it does not secure tenure.

Cllr. B. Cronin asked why some lands in our ownership cannot be developed.

The Chief Executive said Kerry County Council has an active acquisitions programme, a robust construction programme and expect a very strong turnkey programme. Schemes where Kerry County Council did not acquire properties can be reviewed. We have two property specialists who are engaging with the acquisitions programme, however, we will not be acquiring every property that comes on the market. Leasing deals form part of our housing program with approximately 800 households tenanted as a result.

Cllr. J. Finucane moved Notice of Motion No. 4 and said one of the regulations in place that is restricting the local authority from purchasing houses is that a person selling a house must have a Tax Clearance Certificate. There are a lot of small/medium builders who cannot fund construction costs to build a house on a site they own. A staged payments scheme would help such builders provide turnkey projects for the local authority. In developing housing schemes, Kerry County Council must build communities for family homes.

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

That the Department of Housing, Planning & Local Government be requested to introduce a system of staged payments to small/medium builders & developers to allow them to provide ready built housing schemes for Local Authorities.

The following reply issued:

While this is primarily a matter for resolution by the Members, it relates to Turnkey developments where Kerry County Council makes payment on delivery of completed units.

We are reviewing current approaches with the Department. It should be noted that in more recent proposals being advanced with the Council this issue has not been a significant issue.

Cllr. J.J. Culloty **SECONDED** this motion.

The Chief Executive said the construction programme for 2017-2021 will be brought before the elected members shortly. In relation to lands which were bought some

time ago for housing development, the development of some of these lands has been affected by, e.g. CFRAM Guidelines and other lands require significant infrastructure to make them accessible. Lands affected in this way cannot be used under the current housing construction programme and are liabilities. All lands that can be developed will be developed.

Cllr. J. Finucane PROPOSED that this Council hereby resolves, having considered the Annual Financial Statement for the year ended 31st December 2017 to approve additional expenditure, including provisions, as outlined in the Financial Review.

Cllr. J.J. Culloty SECONDED this proposal.

A vote was taken which resulted as follows:

For: Cllrs. Cahill, Cronin, Culloty, Daly, Ferris, Finucane, Fitzgerald, Flynn, Grady, J. Healy-Rae, M. Healy-Rae, Kelleher, Kennelly, Locke, Lucid, D. McCarthy, P. McCarthy, McEllistram, Moloney, Moriarty, O'Brien, O'Connell, Purtill, Sheahan, Thornton **(25)**

Against: None **(0)**

Not Voting: None **(0)**

The Cathaoirleach declared the proposal CARRIED.

18.04.16.06 2018 Service Delivery Plan for the Operations Directorate

Mr. C. O'Sullivan, Director of Service, referred members to the 2018 Service Delivery Plan for the Operations Directorate which had been circulated. The 2018 Annual Service Delivery Plan has been formulated on the basis of the amount of funding provided in Kerry County Council's annual budget, in respect of each relevant service division (e.g. housing, roads, amenities, street cleaning, drainage work, burial ground maintenance, water services, environmental services, Fire Service etc.), and commitments given to the members, subject to any variations arising subsequent to adoption of the budget, for example, in relation to funding levels from State grants. It has regard to the Directorate Service Priorities set out in the 2018 adopted Budget as well as

- the provisions of the Local Government Act, 2001 (as amended)
- Kerry County Council plans/strategies including the Corporate Plan 2015-2019, the Kerry Local Economic and Community Plan 2015 – 2021; Kerry County Development Plan 2015 – 2021; County Kerry Tourism Strategy and Action Plan 2016 - 2022
- National Government Policy
- Existing Service Level Agreements
- Available Resources (both staff and financial), and
- the preceding year's Annual Service Delivery Plan

The plan primarily sets out the work programme of the Operations Directorate, particularly having regard to the grant allocations provided by Transport Infrastructure Ireland (TII), the Department of Transport Tourism and Sport and other Government

departments for the coming year. It also incorporates details of the service delivery being provided by the other Business Units which provide customer focused operational services, including the Housing Estates Unit in Planning, Water Services, (in accordance with our Service Level Agreement with Irish Water); Environmental Services and the Fire Service.

The Plan is informed by works set out in the Schedule of Municipal District Works Plans, adopted by each of the Municipal Districts in March 2018, and now considers all other works to be delivered on a county wide basis.

The main objectives of the Plan are to maintain essential services, continue our programme of supports to our communities, support the economic recovery process locally through inward investment and job creation and continue to seek efficiencies in service provision, cost reduction and value of money.

The Council has a proven record in having capacity to secure additional funding for the improvement of infrastructure in the county, with €10.5 million in additional funding provided by Transport Infrastructure Ireland for improvement works on the national road network, and approx. €1 million provided, by the Department of Rural and Community Development, for Local Improvement Schemes, in late 2017. The Council is working closely with Transport Infrastructure Ireland and Government departments, should additional funding be made available again in 2018 and where additional national roads can be prioritized for improvement works.

He thanked all of the staff for their excellent contribution in delivering the 2017 Works Programme, under very difficult financial constraints and their commitment in delivering a greater quality of service to you the members and our citizens.

He extended grateful appreciation to the Cathaoirleach, Cllr. John Sheahan and to each Member of the Council for their continued support, co-operation and commitment.

Mr. J. Breen, Director of Service, referred members to the Water Services section of the 2018 Service Delivery Plan and said Kerry County Council continues to provide Water Services in the county as agents of Irish Water operating under a Service Level Agreement. The scope of services provided by Kerry County Council include Water and Wastewater Operations, support to the Irish Water Capital Programme and management and support services for these activities.

The Services Level Agreement provides for measures and targets for water services to be delivered on an annual basis through an Annual Service Plan (ASP). The 2018 ASP provides for 19 separate measures and targets to be delivered by Kerry County Council, on behalf of and in conjunction with Irish Water, against a budget covering Headcount, Goods & Services and Capital Investment for the year. Irish Water has allocated a budget of over €19m and has approved a Headcount of 177.74 Full Time equivalent staff to deliver the measures and targets in the 2018 Annual Service Plan.

Irish Water routinely assesses the performance of Kerry County Council in meeting these objectives and Kerry County Council consistently meets these targets at a level at least commensurate with other Local Authorities, despite ongoing pressures from both Irish Water and the Commission for the Regulation of Utilities (CRU) to achieve efficiencies through reduced staff numbers.

The Water Services Department is also responsible for the delivery of the Rural Water Programme in Kerry on behalf of the Department of Housing, Planning, Community & Local Government. The Rural Water Office provides support to group water and sewerage schemes through the administration of grants, preparation of

tenders for upgrade works and advancing group schemes to be ready for takeover by Irish Water, once a national agreement is in place.

The Water Services Department supports the mission statement of Irish Water which is to provide a safe and reliable supply of drinking water and to collect and treat wastewater and safely return it to the environment.

The Water Services 2018 Operational Plan lists all of the measures and targets to be delivered in both the Irish Water ASP and the Rural Water Programme, together with Corporate priorities such as Taking in Charge of Estates and aligns them with the twin priorities of Kerry County Council and Irish Water. The Water Services Department is divided into 7 Business Units which are tasked with delivering the measures and targets for the Department for 2018. These Business Units are:

- Compliance, Health & Safety
- Drinking Water
- Wastewater
- Water Conservation
- Capital Programme
- Rural Water Programme
- Change Management

Mr. M. O'Donoghue, Director of Service, said it is hoped the capital construction programme will be presented to the May Council Meeting following a meeting with Department officials.

All elected members welcomed the increase in funding within the 2018 Service Delivery Plan.

Cllr. J. Moloney asked why the N69 is not included in the 2018 Service Delivery Plan.

Cllr. A. Thornton asked what is being done to address flooding at Ballyduff. She asked is there a time scale to expect a reply from the TII. She asked if the estates being taken in charge include An Tobar, Duagh. She asked what is holding up works on the Abbeydorney-Laccamore road. She asked why the R556 Dale Road is not included in the 2018 Service Delivery Plan. With regard to the commitment of €5,000 from each Councillor's Allocation towards footpath works, she asked if The Cloisters, Abbeydorney is included in these works.

Cllr. M. Cahill asked that the TII provided maintenance funding for the road from Bansha to Killorglin as the improvement works to this road are delayed due to works to be carried out on the water mains. He asked for a breakdown on the cost of providing public lighting. He asked for assurances that the Laune Bridge is a solid structure as it is the most important bridge on the Ring of Kerry. He asked for reply to his queries regarding Cromane Pier. He asked how many houses were built in Killorglin over the last 10 years and if there are plans to build there. He asked how many temporary staff it is hoped to recruit this year and if all staff that retired will be replaced. He asked what is the position regarding the provision of water taps at burial grounds.

Cllr. N. Kelleher asked why an application has not yet been made for funding for the N22 Glenflesk road. He asked when it is expected to hear from the Department regarding the roads programme for the next three years. He also asked for an

update regarding the provision of a relief road in Killarney. He asked when will staff that have retired be replaced.

Cllr. J.J. Culloty asked for clarification on works on the Lewis Road junction with the Killarney By-pass and on the way leaves and timeframe for the works on the Kilcummin Sewerage Scheme. He also asked for an update on the Lissivigeen-Knockdubh road and the Castlelough- Lissivigeen road.

Suspension of Standing Orders

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

On the PROPOSAL of Cllr. S. Fitzgerald, SECONDED by Cllr. B. Cronin it was agreed to suspend Standing Orders to allow the meeting to continue.

Cllr. J. Healy-Rae asked when the inner relief road at Kenmare will be finished. He asked that the reservoir at Dromoughty be developed as new houses are being built in Kenmare and this reservoir does not have enough capacity. He asked that the 11 no. public lights that are out of order in Kenmare be repaired.

Cllr. D. Grady asked that the road through Farranfore be tarmacadamed. He asked that traffic calming works be done near Glenflesk Post Office. He asked for a timescale for the design for works to the Lewis Road junction with the Killarney By-pass.

Cllr. B. Cronin asked for an update on works to the Lewis Road junction with the Killarney By-pass. He asked that works on water mains at Crohane-Barleymount proceed as there have been a number of breaks there recently. He moved Notice of Motion No. 36 and asked that a reply be circulated to all elected members.

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

To request the Director of Operations to clarify, (a) what decision making role and voting rights does a TD have, in deciding and compiling the local roads for inclusion in Kerry County Councils 2018 Restoration and Maintenance programme and (b) for how many years have TDs been deciding which specific roads Kerry County Council will be upgrading in the Restoration and Maintenance programme

The following reply issued:

The adoption of the annual Schedule of Municipal District Work plans, which includes the roadwork's programme, and the inclusion of roads for funding under any multi-annual Restoration Improvement programme, is a reserved function of the members of Kerry County Council, in accordance with the statutory provisions of Section 58 of the Local Government Act, 2001 (as amended).

Whilst members of the Oireachtas, may make representations in relation to roads requiring improvement and repairs, the decision on the allocation of funding for such works is a reserved function of the members of Kerry County Council.

Cllr. M. Gleeson SECONDED this motion.

Cllr. P. McCarthy asked if the N22 Farranfore-Killarney route is the indicative or preferred route. He asked that Kerry County Council and TII review access and exit

from the Clash Roundabout onto the Tralee Ring Road. He also asked that a turning lane be provided at the entrance to the I.T. North Campus.

Cllr. S. Fitzgerald asked that the Gleanagealt section of the Tralee-Dingle road be addressed as it is deteriorating. He asked that car parking/lay bys be provided on the Sleah Head route.

Cllr. J.F. Flynn asked that the 800m stretch of road from the end of the new road at Kilderry to Steelroe would be resurfaced. He asked if works to the road from Killorglin Church to the Tralee road will be done in stages. He asked what were the results of the survey carried out recently on the Laune Bridge. He asked for an update on proposals for the Milltown By-pass.

Cllr. R. Beasley asked that the route of the Wild Atlantic Way in North Kerry have necessary repairs carried out to it. He also asked that works be done to improve the Dale Road.

Cllr. P. Connor-Scarteen asked for a timescale for the works to implement the Casual Trading Bye-Laws. He asked that the second phase of the relief road in Kenmare be prioritised. He asked that Loo Bridge would be reviewed with the TII as this was the scene of an accident recently.

Cllr. S. Locke asked that the River Lee be dredged as this could alleviate issues at the harbour. He asked that Irish Water ensure that notice is given to households when there is to be a water outage in an area.

Cllr. M. Gleeson asked that plans for the outer relief road in Killarney be progressed and that more footpath upgrading be carried out in Killarney. He asked that water gullies be cleared to ensure ponding does not occur on the roads as it does considerable damage to roads. He asked for an update on works to the Lewis Road junction with the Killarney By-pass. He asked that the South Kerry Greenway project be progressed.

Cllr. M. Healy-Rae asked if a meeting will be held regarding the proposed N22 Farranfore-Killarney route. She asked for an update on her queries raised at the March 2018 Council meeting regarding Poulgorm bridge where the junction of R569 intersects with the N22 and the removal of the deceleration lane from this location. She asked that an application would be made for funding for the remaining houses at Foiladuane.

Cllr. J. Lucid asked when works will take place on the burial ground at Causeway and that works on the Dale Road would be progressed.

The Chief Executive said there was expenditure across the county of €135m over 2017, there has been an increase in capital funding and coastal works have been grant aided. A program of road works at planning stage or commencing over the next 12 months, equating to €46.5m, has been outlined. This is a strong programme for the county. Schemes are put into design stage so that we are ready to drawdown funding when it becomes available throughout the year. It is hoped to bring the Overlay schemes including the N69 through by the end of year.

With regard to the Councillors' allocation commitment of €5,000 per elected member, this will allow for bigger projects across the municipal districts to be achieved.

A commitment has been given that staff who have retired will be replaced. It is intended that, given the increase in the 2018 allocation, additional staff will be employed, according to public sector agreements, which will assist in the delivery of the 2018 Service Delivery Plan for the Operations Directorate.

TII have been in contact with us regarding a deputation and a suggested date for the meeting in May. Elected members will be advised of the data if it has been finalised.

The development of the Rock Road car park will see an increase of 10% in car parking spaces in Killarney.

Mr. C. O'Sullivan, Director of Service, said the priority in recent times has been to invest funding in key to tourist routes and access routes to the county. We have focused investment in secondary and local roads. There is a significant network of local secondary and tertiary roads which requires attention.

With regard to the N70, the water scheme must be done in advance of works to that road, which it is hoped will be done during the second half of the year. Quarterly inspections of the Laune Bridge are being undertaken. There has been no movement and the bridge is stable. Routine maintenance works will be carried out on the bridge this year.

Cromane pier does not fall under the category of minor works as it would require an investment of €10m and funding for a feasibility study to be carried out for this pier is being sought.

In relation to Beaufort Burial Ground, a report was recently presented to the SPC which has identified that this burial ground does not have an immediate need for replacement.

Kerry County Council has been in discussions with landowners at Glenflesk and funding has been secured for some properties. There are other properties where clearing of hedgerows will not be enough. Discussions are ongoing with individual landowners and other options will have to be considered. A report will be brought back to the Municipal District meeting.

Works will be done at the HaHa area in Killarney as part of the works being done on Port Road.

A new contract is in place since the start of the April 2018 for public lighting. The old contract dealt only with the replacement of bulbs. The new contract incorporates electrical faults and repairs, and has timelines for repairing faults. A report was recently presented to the Municipal District meetings and any concerns can be addressed through the MDs.

Proposals are being developed for the Sleah Head route and will be brought before the Municipal District shortly.

In relation to Poulgorm Bridge, a report will be brought to the next Killarney Municipal District meeting. Any works would be subject to a Section 38.

Significant investment is required to far the Dale Road and Listry Bridge projects. It is a requirement that Kerry County Council first undertake a Project Appraisal. Kerry County Council has received approval to undertake a Project Appraisal for the Dale Road and Listry Bridge. Significant design works may be required as a result of these Project Appraisals. Technical standards must be met with the Project Appraisal.

Cllr. A. Thornton asked that they R556 Dale Road be included in a works plan to reflect Kerry County Council's commitment to works required on this road.

Mr. C. O'Sullivan, Director of Service, said the Service Delivery Plan is based on budgets having been provided for the works. At the start we identified where there is a prospect of additional funding, this applies for any projects throughout the county. There is a broad statement in the plan for the provision of these projects.

Mr. P. Curry, Senior Engineer, Kerry National Road Design Office, said an updated report will be presented to the next Killarney Municipal District meeting with regard to the Lewis Road junction with the Killarney By-pass. Meetings have been held with DTAS and TII, and we have worked with the Traffic Assessment Unit, in preparing proposals.

Mr. C. O'Sullivan, Director of Service, said the Tralee-Killorglin and Tralee-Killarney are identified routes in our submission on the National Planning Framework as connections between Limerick and Cork. The Tralee-Killorglin road is of vital importance to grow the economy of the region. The construction of a Bypass for Milltown has been identified for a long time in our County Development Plans and is a scheme we are going to progress. There will be extensive consultation with communities when proposals are drafted. Kerry County Council will engage with elected members and all affected parties. A Part 8 and CPO may be required.

Cllr. N. Kelleher asked for an update on an application to be made to clear the river alongside the N22. Raising this road is not an option.

Cllr. B. Cronin asked for clarification regarding Listry Bridge as he understood it was at design stage.

Mr. C. O'Sullivan, Director of Service, said that as part of any appraisal there is an element of design. A number of options must be taken on board as there is a substantial cost in replacing/widening a bridge and capital appraisal guidelines must be satisfied. Results of the appraisal will be brought before the elected members.

Mr. C. O'Sullivan said approval of the members is now sought to proceed with the works programme as outlined in the 2018 Service Delivery Plan.

On the PROPOSAL of Cllr. T. Ferris SECONDED by Cllr. J. Finucane it was agreed to approve the 2018 Service Delivery Plan.

18.04.16.07 Draft 2017 Kerry County Council Annual Report

Mr. L. Quinlan, Meetings Administrator, referred members to the Draft 2017 Kerry County Council Annual Report which was circulated.

On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. J.J. Culloty it was unanimously agreed to note the Draft 2017 Kerry County Council Annual Report.

18.04.16.08 Date for the Annual Meeting of Kerry County Council

On the PROPOSAL of Cllr. J.J. Culloty, SECONDED by Cllr. D. McCarthy, it was agreed that the Annual Meeting of Kerry County Council would be held on Monday, 25th June, 2018, at 12.00 p.m.

18.04.16.09 Presentation on Kerry Age Friendly Programme

Ms. S. Griffin, South & West MD Officer, Community Services & Engagement, made a presentation to the elected members on the Kerry Age Friendly Programme. Arising from a World Health Organisation vision is the development of a framework for developing Age Friendly communities. A methodology has been devised using a Design & Build approach and it is Local Authority led in Ireland.

Kerry has one of the oldest population ages in the country, with an average age of 40 and Killarney is the town with the highest overall average age of 41. Kerry Age Friendly Programme is working to make Kerry a great place to grow old and also a place where people can enjoy a good quality of life at all stages of life.

Progress to date:

- Age Friendly Kerry is a key action of the LECP and objective of the County Development Plan – work programme of LCDC, Joint Policing Committee, Library Service and KRSP
- Kerry Age Friendly Steering Group has been established (reporting to the LCDC)
- Age Friendly projects – Community Support Fund/Community Facilities Scheme.
- National Age Friendly Awards – Seancháirde and Rural Mens' Project
- Linked to the Healthy Ireland work programme
- Draft Strategy has been developed based on extensive consultation and CSO data.
- An interim Age Friendly Council structure -agreed by the Age Friendly Steering Group.
- Kerry will be affiliated to the World Health Organisations Network together with the other 31 Age Friendly County/City structures in May 2018.

All elected members welcomed the presentation on the Age Friendly Programme and Strategy and unanimously agreed to its adoption and affiliation to the World Health Organisation and supported the work being done under the programme.

Cllr. M. Gleeson asked that the timing of pedestrian crossings be reviewed to ensure there is adequate time for people to cross the road. He also asked that work be done to improve footpath surfaces. He suggested that GAA Clubs could make their facilities accessible to groups throughout the week when they are not in use by the clubs themselves.

Cllr. D. McCarthy supported the request that footpaths be improved.

Cllr. M. Cahill asked that the local authority strive to provide it housing for the elderly close to town centre services.

Cllr. N. Foley asked that footpaths be improved and age friendly exercise parks be provided in the Tralee area. She asked that there would be an audit be conducted per Municipal District under the Age Friendly Programme to identify what works need

to be done. She suggested that there might be a need for a designated staff member within Kerry County Council to deal with the older person's queries. She asked that all organisations in Tralee that work with older persons be contacted.

18.04.16.10 Report on Operations SPC

On the PROPOSAL of Cllr. J.F. Flynn, SECONDED by Cllr. B. Cronin, it was agreed to note the report on the meeting of the Operations SPC held on 9th March, 2018.

18.04.16.11 Summary of proceedings at events

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

- (a) Conference on the theme "A Practical Guide to Budget 2018" held in Carlingford, Co. Louth, from 13th to 15th October, 2017 by Cllr. B. O'Connell.

18.04.16.12 Approval for the opening of tenders

- (a) On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. J.J. Culloty, it was agreed to approve the opening of tenders for extension to single story dwelling at Trien, Kilmorna, Listowel - Closing date: Tuesday, 20th March, 2018 at 3.00 p.m.
- (b) On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. J.J. Culloty, it was agreed to approve the opening of tenders for Consultancy Services for Works at the existing beach service centre including the construction of Public Toilets and associated site works at Ballybunion, Co. Kerry - Closing date: 6th April, 2018 at 3.00 p.m.
- (c) On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. J.J. Culloty, it was agreed to approve the opening of tenders for Japanese Knotweed Treatment and Disposal at Courthouse Lawn, Listowel - Closing date: Thursday, 12th April, 2018 at 3.00 p.m.
- (d) On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. J.J. Culloty, it was agreed to approve the opening of tenders for Evaluation Expert for Kerry & Cork Creative Mentoring Programme for Arts Festivals - Closing date: Friday, 13th April, 2018 at 3.00 p.m.

18.04.16.13 Notices of Motion

1. Mid-Kerry Regional Water Supply & Breanlee Water Supply

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

That Kerry County Council arrange an Emergency Meeting with Irish Water in regards to addressing once and for all the on-going unacceptable disruptions to the Mid-Kerry Regional water supply and the Breanlee water supply both of which cover the Killorglin / Mid-Kerry area. All of these on-going outages are absolutely outrageous in this day and age.

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

Cllr. Cahill said these water supplies cover a large catchment area and are experiencing regular disruptions to the supply leaving thousands of households, farmers and businesses without water.

Cllr. B. Cronin SECONDED this motion.

2. Extension of the Council Loan Scheme

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

That Kerry County Council call on the Minister for Housing to extend the Council Loan Scheme to allow those who have had their principal private residence repossessed or surrendered by the lenders to apply to the scheme.

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

Cllr. N. Kelleher said the Rebuilding Ireland Loan scheme must be extended to include those people who had their homes repossessed or had to surrender their home, as they are the most affected and will not be able to secure funding from the banks.

Cllr. T. O'Brien SECONDED this motion.

3. Testing of water sources/supplies to determine if Radon Gas is present

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

That Kerry County Council would ask Uisce Éireann for clarification regarding the testing of water sources/supplies to determine if Radon gas is present. Its presence has the potential to be detrimental to human health.

The following reply issued:

We will contact Irish Water regarding this request and revert to the Council with the response received.

Cllr. M. Gleeson said Radon is a radioactive gas that is formed naturally in the ground from decaying Uranium. It has no smell, colour or taste. Outdoors radon is relatively harmless. It is estimated that roughly 95% of Radon escapes through the air but a small percentage gets into water.

Water coming to our homes from a reservoir, lake or river is not a cause for worry as the Radon gets released into the air. It is those homes that use water that is classed as Ground Water, who may have cause for concern that they may be exposed to Radon gas. The gas in the ground can quite easily become dissolved in the ground water or well water. The gas can then escape into the air in the home and there can be harmful consequence, primarily lung disease that may prove fatal. Home owners whose water source is a Well, should have their homes tested particularly if they are living in an area known for high Radon levels.

Cllr. J. Sheahan SECONDED this motion.

5. Funds from Sugar Tax to be Ring-fenced

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

That funds raised from new Sugar Tax be ring-fenced to tackle the growing issue of obesity in this country.

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

Cllr. N. Foley asked that a letter issue to the Minister for Finance asking that the monies raised via the sugar tax would be redirected to the Health Service to tackle obesity in children.

Cllr. M. Gleeson SECONDED this motion.

6. Management of Deer on Public Roads

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

That Kerry County Council please find out what progress is being made to tackle the issue of Deer especially on our roads.

The following reply issued:

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

The Council can write to the Department of Agriculture, Fisheries and the Marine to establish what progress has been made.

Cllr. P. Connor-Scarteen said a similar motion was raised 9 years ago and the injury to individuals and damage to property caused by deer has been raised by Councillors on many occasions.

Cllr. J. Healy-Rae SECONDED this motion and said a strategy needs to be put in place to address this issue.

7. Flying of the National Flag

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

That this council will fly the National Flag on St. Patrick's day and during Easter week every year.

The following reply issued:

As advised previously to Council, CPG recommended that the European Union, National & County Flags would be flown outside County Buildings at all times and that the European Union Flag would be replaced by the National Flag on the occasion of a visiting foreign dignitary to the Council. It is intended to revert to CPG with a draft protocol in this respect which will ensure adherence to the guidelines published by the Department of the Taoiseach in respect of this recommendation in the context of the National Flag. Within that context the intention is that the National Flag will be flown at all times including the periods as requested in the notice of motion.

Cllr. J.J. Culloty SECONDED this motion.

8. Inspections of Private Rentals

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

How many inspections of private rentals have been carried out by Kerry County Council and what are the results of those completed to date.

The following reply issued:

Landlords have a legal duty to ensure that their rented properties comply with certain minimum physical standards. These minimum standards are set out in the Housing (Standards for Rented Houses) Regulations 2017.

At the end of 2017 there were 7,791 rental properties registered with the PRTB (Private Residential Tenancies Board) for County Kerry. There has been a steady increase in the number of properties registering with the RTB over recent years.

The role and approach of Local Authorities in the inspection regime of these properties has been under review nationally and the Department of Housing, Planning and Local Government has set individual local authorities an annual inspection target of 25% inspections coverage of rental properties – this target must be achieved by 2021.

The approach and procedures are under revision at sectoral level currently. In relation to newly registered HAP properties, they must be inspected within 8 months. Kerry County Council has achieved this target to date.

The latest inspections carried out during the 12 months up to the 31st of December 2017 (including some activity/follow up which refer to previous years)

- (i) the total number of inspections carried out in 2017 was 758
- (ii) the number of initial inspections carried out in 2017 was 639
- (iii) the number of follow-up inspections carried out in 2017 was 119
- (iv) the number of final inspections achieving compliance carried out in 2017 was 83.

The majority of issues arising relate to minor breaches which are rectified by landlords following inspections. Where necessary follow up inspections are conducted to ensure compliance.

Cllr. T. Ferris asked how many properties that were inspected failed to meet minimum standards.

The Chief Executive undertook to provide Cllr. Ferris with information requested and said that by in large compliance issues are minor.

9. R556 – Dale/Rathscannell Road

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

I understand that there has been on-going contact with the Department of Transport regarding potential development on the R556 - Dale/Rathscannell road. Is the Department or Management in a position to update the members on the progress?

The following reply issued:

Following previous motions moved by members, the Council has been engaging with officials in the Department of Transport, Tourism and Sport, on additional funding for this scheme.

The Department have advised that given the demands on limited funding, and the scale of works required, the scheme will require a project appraisal in accordance with specific requirements and guidelines, currently being developed by them. The objective of the project appraisal is to determine the expected impacts of any proposed investment and provides a mechanism for prioritizing schemes for investment. The guidelines are expected to be finalised shortly and the Department have requested that the Council appraise the project in accordance with same.

The appraisal may also allow for the identification of any specialist design services required for complex projects such as in this scheme to determine the most effective solution.

A project appraisal will be undertaken, when the guidelines are available.

Cllr. A. Thornton asked that the development of the R556 be progressed.

The Chief Executive said we have approval in principle to proceed to project appraisal and this must be done under the public spending code. It is expected to have guidelines from the department in a week or two. In order to get on a list for funding the project appraisal will be required.

Mr. C. O'Sullivan, Director of Service, said there is a preliminary design, however, specialist Geo-consultants will be required to do ground surveys. He undertook to revert to elected members with a timescale for this project.

Cllr. Thornton asked that an assessment be done as to whether it is safe to keep this road to open.

10. Deputation regarding a Deposit Scheme for Plastic Bottles

Cllr. T. Ferris moved Notice of Motion No. 10 on behalf of Cllr. Quigg.

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

That this Council bring a deputation to meet with the Minister for the environment to request that a deposit scheme for plastic bottles be introduced as this waste is destroying our country roads, villages towns and cities all throughout the Country.

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

12. Velocity Patcher for Killarney Municipal District

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

As there is a total of 882 kilometres of regional, local primary, local secondary, and local tertiary roads in the Killarney Municipal District, I call on this Council, to purchase a Velocity Patcher, as a matter of urgency, to be permanently based in the Killarney Municipal District

The following reply issued:

The Council has piloted the use of a Velocity Patcher in 2017. Following the success of the pilot, the Council has recently tendered for the supply of 2 new Velocity Patchers. The operation and deployment of these vehicles will be made having regard to needs throughout the county and available resources.

Cllr. J.J. Culloty said it is not unreasonable to ask for a patcher to be located in Killarney Municipal District given the length of roadway in this area. Ideally we should have a patcher in each Municipal District.

Cllr. M. Healy-Rae SECONDED this motion.

13. Enterprise Ireland & IDA Visit to South & West Kerry

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

To ask Kerry County Council to write to Enterprise Ireland and the IDA to visit South and West Kerry

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

Cllr. D. Grady SECONDED this motion.

14. Versatis Pain Relief Patches

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

Kerry County Council calls on the Minister for Health, Deputy Simon Harris to request the HSE to review the decision to restrict the use of Versatis pain relief patches to patients in chronic pain outside those experiencing post herpatic neuralgia, and to revert to the Pre December status while this review is being undertaken

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

Cllr. N. Moriarty said this medication is extremely effective for some people who do not process pain killers. Better negotiation by the government with drug companies at the outset is required. Taking this medication away when it becomes an expensive option is not acceptable.

Cllr. D. Grady moved motion No. 24 and said people are suffering with bad pain and said this pain relief patch must be reinstated immediately. He asked that this motion be circulated to local authority.

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

Kerry County Council calls on the Minister for Health Deputy Simon Harris to request the HSE to review the decision to restrict the use of Versatis pain relief patches to patients in chronic pain outside those experiencing post herpatic neuralgia, and to revert to the Pre December status while this review is being undertaken.

15. Plant Hire and Haulage Contractors 2017

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

To request that the Elected Members of this Council be provided with the full list of all Plant Hire and Haulage contractors employed by Kerry County Council from January 1st, 2017 to December 31st, 2017 and the full amounts paid to each contractor

The following reply issued:

The attached schedule provides details of the total payments made and accrued to Contractors in respect of the hire of plant/equipment and haulage services in the financial year 2017.

In 2017 the hire of plant and machinery for Kerry County Council was procured through the Dynamic Purchasing System for Local Authorities (the "DPS"). Following the evaluation of Applications for admittance to the DPS, only contractors/suppliers who meet the selection criteria set out in the tender documentation are appointed to the DPS. The DPS is an 'open market' procurement mechanism that remains open to new or previously unsuccessful applicants. This makes the DPS an effective compliant arrangement for supporting micro, small and medium-sized enterprises. This was developed by the Local Government Operational Procurement Centre, based in Killarney and managed by Kerry County Council.

Essentially, this procurement arrangement is a wholly electronic process which takes the form of a dynamic mechanism from which Local Authorities can look to award future contracts to Applicants admitted to the DPS by way of a competitive process. In each Local Authority the available work is tendered among the DPS Applicants. This competitive process is conducted by means of a mini-competition via www.Supplygov.ie.

When Kerry County Council purchasers (Buyers) need to hire an item of plant, a mini-competition is created on www.Supplygov.ie. Once the tender is created and published, the SupplyGov system will generate an email to contractors/suppliers who have been admitted to the DPS and expressed an interest in the Lot, Local Authority and Category of Plant (e.g. Excavator) being procured. The request for tender includes specific information about the service required, such as type of machine, pricing method (e.g. Rate per Hour with Driver) and will state the time limit available to contractors/suppliers to submit their response. It will also specify the contract evaluation and award criteria.

The overall effectiveness of our works programme and the achievement of best return on the sizeable level of expenditure incurred, require that we carefully assess the plant hire on an ongoing basis, having regard to the use of the current central purchasing mechanism of the Dynamic Purchasing System and effective use of the Financial Management System. Ongoing achievement of cost effectiveness/value for money and focus on achieving efficiencies in this expenditure area, as in all other activities, remains critically important to the Council.

As previously indicated to Council, a Procurement unit was set up during 2017 to establish a centralised approach to procurement processes across the County, the initial pilot selected is plant hire expenditure due to commence Quarter 2 2018.

Name and Address	Total 2017
Archway Products Ltd, Jamestown, Carrick on Shannon, Co Leitrim	68,283.14
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	8,377.57
BTM Drains of Ireland Ltd ta Irish Drain Services, 4 Park Business Centre, Farranfore, Co Kerry	11,475.27
Charleville Plant Hire (CPH), Kilmallock Road, Charleville, Co Cork	18,708.27
Clancy Plant Hire Ltd, Knockanure, Moyvane, Listowel, Co Kerry	275,394.82
Colas - Roadbridge Joint Venture, Unit 1G Maynooth Business Campus, Maynooth, Co Kildare	24,525.00
Crean & McHugh T/A CMP, Grange, Killumney, Ovens, Co Cork	58,047.49
Cyril Wharton Plant Services Ltd, Lissataggle, Gortatlea, Tralee, Co Kerry	13,361.24
D and L Tool Hire, Clash Industrial Estate, Tralee, Co Kerry	23,287.10

Name and Address	Total 2017
Dave Power Plant Ltd, Owenacurra Business Park, Knockgriffin Road, Midleton, Co Cork	15,092.10
David Knightly Plant Hire, Ballyandreen, Annascaul, Co Kerry	39,619.17
Denis B O Connor Tractor Sales Ltd, Knockbrack Lower, Knocknagoshel, Co Kerry	3,800.70
Denis Daly & Sons, Building Contractors Ltd, East End, Cahersiveen, Co Kerry	2,539.40
Dick Dalton Garden & Tool Supplies Ltd, Dromtrasnacollins, Abbeyfeale, Co Limerick	5,686.98
Dillons Waste Disposal, The Kerries, Tralee, Co Kerry	125,410.86
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	4,169.70
Eamonn & Seamus Hobbins Ltd, Coolroe, Killorglin, Co Kerry	110,493.70
East Cork Crane Hire Ltd, T/A JAK Lifting Gear Ltd, Carrigtwohill, Carrigtwohill, Co Cork	7,095.00
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	7,404.30
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	26,793.50
Farran Plant Hire Ltd, Farran, Castleisland, Co Kerry	104,706.37
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	152,045.57
Frayden Haulage Ltd, Knocknaskeha, Killarney, Co Kerry	8,274.83
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	44,649.40
GPT Plant & Tool Hire (Cork), Little Island Ind Est, Little Island, Co. Cork	33,569.26
GPT Plant & Tool Hire Commercial Estate(Galway), Tuam Road, Galway	10,185.46
Healy-Rae Plant Hire Ltd, Main Street, Kilgarvan, Co Kerry	186,357.30
Height For Hire Ltd, Ashbourne Business Centre Ballybin Road, Ashbourne, Meath	5,362.80
Higgins Waste & Recycling Services Ltd, The Kerries, Tralee, Co Kerry	11,028.02
J Curtin T/A Listowel Garden Machinery & Tool Hire, Unit 3A, Tanavalla Industrial Estate, Listowel	4,500.02
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	71,364.84
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	75,713.99
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	8,573.11
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	23,049.76
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	14,224.40
Kelliher Crane & Hoist Ltd, Clashatlea, Ballymacelligott, Tralee, Co Kerry	12,694.40
Kerry Plant & Tool Hire Ltd, T/A Kerry Tool Hire & Allo Sales Woodlands Industrial Pk, Killarney	5,185.36
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	3,848.00

Name and Address	Total 2017
Killarney Waste Disposal Ltd, Aughacurreen, Killarney, Co Kerry	77,676.30
Kingdom Fast Hire Ltd, John Joe Sheehy Road, Tralee, Co Kerry	31,074.26
Laois Hire Services Ltd, Abbeyleix Road, Portlaoise, Laois	2,140.20
Leanes Tool Hire, Woodlands Industrial Estate, Killarney, Co Kerry	53,112.26
Mac Fuels & General Supplies Ltd, Ballylongford Road, Clieveragh, Listowel, Co Kerry	3,042.91
Manlift Hire Ltd, Unit C, Barryscourt Ind Est, Carrigtwohill, Cork	4,551.00
McSweeney Bros. Contracts Ltd., Mid Cork Tar Macadam, Ballineen, Co Cork	5,000.00
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	6,919.04
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	12,956.04
Mike Cronin & Sons Limited, Coolnageragh, Currow, Farranfore, Co Kerry	14,741.93
Murphy Tool Hire, Listellick North, Tralee, Co Kerry	104,122.11
Nicholas Browne & Son Limited, Clahananoe, Ballinskelligs, Killarney, Co Kerry	70,401.27
Northgate Vehicle Hire Ltd, The Norflex Centre, 38 Rosemount Business Pk, Ballycoolin, Dublin 11	52,094.48
O Connors Hardware & Farm Supplies Ltd, Duagh, Listowel, Co Kerry	117,355.61
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	52,142.13
Pat ODriscoll Civil Engineering Ltd, Woodfield, Castlefreke, Clonakilty, Cork	37,898.31
Randles Bros Plant & Agri Hire Ltd, Fussa, Kilgarvan, Co Kerry	78,022.18
RT Hedge & Tree Cutting Limited, Mullin, Cordal, Castleisland, Co Kerry	66,837.31
Sandmore Ltd, Camp Cross, Tralee, Co Kerry	56,729.29
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	52,797.99
Tim Healy Plant Hire (Killarney) Ltd, Upper Barraduff, Headford, Killarney, Co Kerry	17,636.34
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	10,553.40
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	14,047.95
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	110,835.16
Walker Vehicle Rentals Ltd, Bluebell Lane, Bluebell, Dublin 12	6,998.70
Westpark Motor Co Ltd, Kylemore Park West, Dublin 10	33,148.50
Miscellaneous Payments under €2,000 (24 suppliers)	16,072.29
The Collector General Reverse Charge VAT (Approx.)	194,848.67
	2,928,653.83

Cllr. B. Cronin asked that the reply to this notice of motion be circulated to all elected members.

16. Roll Bars on Quad Bikes

Cllr. P. Connor-Scarreen moved Notice of Motion No. 16 on behalf of Cllr. Fitzgerald.

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

That we, the members of Kerry County Council, support the call that it would become mandatory that the manufacturers of all Quad bikes which are used for Agricultural and Forestry purposes are fitted with roll bars so as to prevent fatal accidents

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

17. Community Employment Schemes

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

To ask Kerry County Council to write to Regina Doherty, TD, Minister for Employment Affairs and Social Protection to ask that Community Employment Schemes are fully supported going forward i.e. Recruitment of Supervisors who are an essential part of this process

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

Cllr. J. Sheahan said Community Employment Schemes are a valuable service to communities and must be continued.

Cllr. P. Connor-Scarreen SECONDED this motion and moved motion No. 28.

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

That Kerry County Council call upon the Department of Social Protection to be more considerate to community employment schemes and sponsors in various ways including, obligations, amalgamations of schemes, rights for supervisors etc.

Cllr. Connor-Scarreen said these schemes are vital within the community. Consideration is being given to amalgamating small schemes. Supervisors on these schemes have no pension rights and there is no overlap between supervisors retiring and supervisors taking over. When the schemes were under the remit of FÁS 18 was rang fenced for pensions.

Cllr. J. Healy-Rae SECONDED this motion and moved motion No. 40.

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

That we would write to the Minister, regarding the unfair treatment of Community Employment Supervisors and their pensions.

Cllr. J. Healy-Rae said it is proving difficult to get people to apply for the schemes. These schemes are now being administered by the Department of Social Protection and the responsibility regarding pensions has been removed by employing a company to run these schemes. These schemes are of great value to the county, they are of help to communities and the participants. Participants on these schemes should be considered as employees and be given a pension.

Cllr. M. Healy-Rae SECONDED this motion.

18. Control of dogs in public places

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

That Kerry County Council will highlight the importance of owners having their dogs under control in a public place

The following reply issued:

Kerry County Council devotes substantial resources to the enforcement on The Control of Dogs Act 1986 and associated regulations. Three Dog Wardens and a Pound Keeper are engaged in enforcement activity. We inform dog owners of their obligations through mail drops and also include relevant information in our regular dog licensing reminders. In the past we have advertised in local newspapers and will run such advertising and information campaigns again this year.

The Dog Wardens have also spoken to a number of school groups over the years on the importance of responsible dog ownership and will continue to highlight the importance of responsible dog ownership at every available opportunity.

Cllr. T. Barry said there is an increase in the number of people walking with their dogs not on a leash. The public must bear in mind that others are using these facilities also and children are playing in these areas.

Cllr. T. O'Brien SECONDED this motion and said there is a list of dangerous dogs and asked that the Dog Wardens liaise with the Gardaí to ensure dangerous dogs are muzzled.

19. Dale Road

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

That Kerry County Council write again to the Minister for Transport Tourism & Sport to seek funding immediately to restore the Dale Road in 2018

The following reply issued:

This is a matter for resolution by the members.

Following previous motions moved by members, the Council has been engaging with officials in the Department of Transport, Tourism and Sport, on additional funding for this scheme.

The Department have advised that given the demands on limited funding, and the scale of works required, the scheme will require a project appraisal in accordance with specific requirements and guidelines, currently being developed by them. The objective of the project appraisal is to determine the expected impacts of any proposed investment and provides a mechanism for prioritizing schemes for investment. The guidelines are expected to be finalized shortly and the Department have requested that the Council appraise the project in accordance with same. The appraisal may also allow for the identification of any specialist design services required for complex projects such as in this scheme to determine the most effective solution.

A project appraisal will be undertaken, when the guidelines are available.

Cllr. J. Lucid said we must keep this matter on the agenda and continue to raise it to get a result. People are adding mileage to their travel to avoid this road.

Cllr. A. Thornton **SECONDED** this motion.

20. Funding for cutting roadside hedges and verges

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

To ask Kerry County Council to put a grant scheme in place for local community and voluntary organisations to assist them in providing funding to cut road side hedges and verges. This scheme is widely available in County Cork

The following reply issued:

In 2017, the Council cut over 625 km of hedgerows and 304 junctions throughout the county, at an approximate cost of €200,000. The Council also carries out trimming of trees in urban streets, particularly where it impedes the safe use of footpaths and roads, as well as impacting on public lighting. The Council retains a contingency sum of €10,000 in our maintenance budget to address isolated and exceptional cases where it is not possible to establish ownership of lands, and where hedges need to be cut on safety grounds.

The Council received 147 queries in relation to the condition of hedges in 2017, out of a total of 1,857 queries on road services. 22 representations were received from members with a further 9 representations from Oireachtas members. Procedures have been put in place to ensure that these representations are followed up with an inspection and response issued to the members. Of the 31 representations received 29 have been closed out. The outstanding cases are being addressed, with the Council arranging for the cutting of the hedge at one location, where the landowner is absent and the landowner of the other site has confirmed the engagement of a contractor to cut the hedge.

However, the maintenance of hedges on a public road is the responsibility of the landowner and the Council has an active policy for enforcing the provisions of the legislation. On a County wide basis, it is acknowledged that there is substantial compliance by the majority of landowners, in particular amongst the farming community on their responsibility to cut and maintain hedges. The provision of public funds for hedge cutting of private lands would most likely have a negative impact and aggrieve those who are compliant with the legislation. There has been no request from any Community or Voluntary Group for such a scheme, with the demand being for assistance on measures where greater benefit can be achieved with matching funding from other agencies.

Cllr. M. Healy-Rae asked if there is a funding stream that can be availed of similar to that in Cork. Community Voluntary groups in smaller villages could avail of this funding to cut roadside hedges and verges locally.

Mr. C. O'Sullivan, Director of Service, said a small amount of money is put aside to deal with those isolated incidents. He asked Cllr. Healy-Rae to advise him of the area in question and it could be dealt with.

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

21. Finance Committee

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

To call on Kerry County Council to set up a Finance Committee

The following reply issued:

In the current Strategic Policy Committee (SPC) arrangement the Corporate Policy Group (CPG) has taken on the role of the Finance Committee. The Corporate Policy Group (CPG) has a statutory role in the Budgetary Process. The consultation with the Corporate Policy Group (CPG) focuses on the overall financial position of the local authority and, in a pre-budget context, discusses a number of key items of budget policy and strategy. The Annual Financial Statement (AFS) is also discussed at the Corporate Policy Group (CPG) annually and financial matters are raised regularly at the Corporate Policy Group (CPG) meetings. In addition, the Pre-Budget Briefing is an In Committee meeting of Full Council used to discuss all matters relating to the preparation of the Annual Budget, including forecasted expenditure/income, risks associated. We will discuss the further development of the Corporate Policy Groups (CPGs) role in this context for Budget 2019.

The Chief Executive said in the context of the 2019 Budget we will discuss this matter with the CPG throughout 2018.

22. Commemorative Plaque to honour Helen Blackburn

Pursuant to notice duly given Cllr. T. O'Brien PROPOSED:

That Kerry County Council would examine the potential of erecting some kind of commemorative plaque/ structure to honour Helen Blackburn, a lady born on Valentia Island and heavily involved in the National Society for Women Suffrage and recognised as being one of the first lady's that fought hard to defend women's working rights.

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

Cllr. T. O'Brien said Ms. Helen Blackburn made a great contribution and the erection of a plaque at the place of her birth would be appropriate.

Cllr. N. Moriarty SECONDED this motion.

All elected members supported this motion.

23. Plan to abolish cutting of turf and use of diesel cars

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

That we as a Council totally reject the notion in the 2040 plan by this government to abolish the cutting of turf and the use of diesel cars

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

Cllr. J. Healy-Rae said in the 2040 Plan the government wants to abolish the cutting of turf and the use of diesel cars. Many people are still cutting small bogs as it saves them money on fuel. With regard to diesel cars, green energy should outweigh the value of diesel before the use of diesel cars can be abolished.

Cllr. M. Healy-Rae SECONDED this motion.

25. Planning Restrictions on rural housing

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

That Kerry County Council lift Planning restrictions and allow special circumstances to be taken into consideration for families who wish to live in areas in our county that are under continuous population decline and in parishes such as Glencar that have shown no significant increase in population, when drawing up the new Local Area Plans and amend the County Development Plan accordingly, as this is one way of retaining schools, Post Offices, services etc. and keeping Rural Ireland alive.

The following reply issued:

Current planning policy in respect of rural housing is contained in Chapter 3 Settlement Strategy of Kerry County Council Development Plan 2015 - 2021, which was adopted unanimously at Full Council on the 16th of February 2015. Chapter 3 was prepared having regard to the Ministerial guidelines issued under Section 28 of the Planning and Development Acts 2000 – 2016, Sustainable Rural Housing, and Guidelines for Planning Authorities.

A number of District Electoral Divisions have been identified as Structurally Weaker in the current County Development plan. These areas generally exhibit characteristics such as persistent and significant population decline over an average of two census periods (2002-06-11). Within these areas, (Structurally Weaker) it is an objective of the Council under Objective RS-12 to Accommodate demand for permanent residential development as it arises subject to good sustainable planning practice in matters such as design, location, waste water treatment and the protection of important landscapes and environmentally sensitive areas. There is no requirement in relation to this objective to demonstrate an intrinsic link to the area, or to be a son / daughter of the landowner.

Cllr. M. Cahill said it is important that we do everything possible to accommodate people currently living in these areas.

Cllr. J.J. Culloty SECONDED this motion.

26. Responsibility for eradication of Japanese Knotweed

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

That the Council and the Department of the Environment would bring clarity to the matter of legal responsibility for eradication where Japanese Knotweed has trespassed onto private property from roadside infestations.

The following reply issued:

The Council will write to the Department to clarify the responsibility for eradication of Japanese Knotweed on private lands adjoining a public road. The Council has a programme in place for the treatment of Japanese Knotweed, where it has been identified on the national road network and is also treating the invasive species on other roads, in partnership with local community groups.

27. Consumer Financial Protection Bureau

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

To call on the Minister for Finance to establish a Consumer Financial Protection Bureau similar to that as in the United States of America which has overseen the return of 12 billion dollars to consumers (29 million) from predatory lenders.

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

Cllr. J. Finucane said there is a need for such an agency to pursue predatory lenders.

Cllr. J.J. Culloty SECONDED this motion.

29. Ardfert Village Water Supply

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

That Kerry County Council and Irish Water explain why Ardfert village has experienced multiple breaks in the water supply over the last while, five alone since January. What steps are being taken to ensure that the frequency of such breakages ends.

The following reply issued:

This is a matter for Irish Water and we will refer this request to them. Ardfert is served by a gravity pipe from Tubrid reservoir, which is supplied by a 4Km long, 200MM diameter asbestos cement rising / pumped main from the groundwater source at Skrillagh.

Because this old and infirm AC water main is 'pressurized', there is always the danger after carrying out a repair that a further break may immediately occur in refilling the empty pipe which may not withstand the associated 'surge' and air release. There were some 5 breaks in the pipe in 2017, three at the same Station Road location on one October evening and there have been three to-date in 2018, all on Good Friday and all side-by-side on Station Road.

Irish Water has hired a consultant to investigate the optimum route to supply the Tubrid reservoir from the Central Regional Water Supply Scheme in Tralee, thus making the pumped main redundant by taking the Ardfert drinking water source at Skrillagh out of commission.

Cllr. T. Ferris asked if there is anything that can be done about the frequency with which breaks occur at present and if, when connected to the Central Regional Water Supply Scheme, the water would be softened.

Mr. J. Breen, Director of Service, said the water would be softened when Tubrid reservoir is connected to the Central Regional Water Supply Scheme. At present everything that can be done is being done with the supply from the Tubrid reservoir.

30. Rural Development Officer for North Kerry

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

I call on the members of Kerry County Council to support an application to the Department for the engagement of a Rural Development Officer for North Kerry.

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

Cllr. A. Thornton said a Rural Development Officer, who assists with the development of plans for the area should be in place in North Kerry as well as South Kerry. She asked that the LCDC review this matter.

Cllr. J. Moloney **SECONDED** this motion.

31. Funding for Public Services

Cllr. T. Ferris moved Notice of Motion No. 31 on behalf of Cllr. Quigg.

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

That this Council look at other avenues to source funding that would make up for the failure of central Government to furnish us with the correct sum of money that it takes to adequately meet the Public Services that have to be provided to the people of Kerry, the status quo is an out-dated model that doesn't work, and it needs an injection of togetherness, joined up thinking and planning in order to meet these needs.

The following reply issued:

This Council seeks to maximise all income streams available to it and uses all debt management measures available to ensure optimal collection performance. The adoption of Budget 2018 by this Council has increased the return available from the Local Property Tax allocation. In addition, the rates harmonisation period is in progress and is reviewed annually. This Council continues to increase the significant capital programme progressing for Housing, Roads, and Water Infrastructure. Kerry County Council seeks to add, on an ongoing basis, to its funding base both locally and nationally and will continue to actively pursue all potential income streams.

33. Funding for Killarney National Park

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

I call on this Council to write to the Minister for Culture, Heritage & the Gaeltacht, Josepha Madigan, TD, seeking greater funding to help with the current shortage of staff in Killarney National Park. Also, to invite the Minister to visit the Park, to help her comprehend the very difficult, but not insurmountable issues in and around the Park.

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

Cllr. J.J. Culloty said the National Park is of vital importance to the economy of the county and the country and it is important that issues regarding maintenance and car parking are addressed.

34. Fodder Crisis

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

To ask Kerry County Council to again write to the Minister of Agriculture to seek an urgent response to my previous request in relation to the fodder crisis

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

Cllr. D. McCarthy said farmers are in dire trouble as it is getting more difficult to acquire fodder.

Cllr. A. Thornton SECONDED this motion.

35. Valentia Island Ferry

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

That we agree to examine and if appropriate apply to The Strategic Investment Fund to source the required funding needed to replace the existing Valentia Island Ferry.

The following reply issued:

The Valentia Island Ferry operates on a private commercial basis and it is therefore not appropriate for Kerry County Council to make applications to the Strategic Investment Fund on their behalf. If the operators wish to pursue this possibility of funding with the NTMA the Council can provide the appropriate contact details to facilitate the enquiry.

Cllr. D. McCarthy SECONDED this motion.

37. Funding under Department of Rural Affairs Schemes

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

Has all the funding that was sanctioned under various schemes by the Department of Rural Affairs in 2016/ 2017 been drawn down by Kerry County Council?

The following reply issued:

Kerry County Council has been acknowledged as one of the best performing Counties in relation to delivering on the Programme of schemes under the Department of Rural & Community Development over the past three years. The quality of submissions and the positive impact of the projects developed have also received favourable comment at National level.

The attached summary sheet details the level of drawdown in each case over the period and the balance to be drawn down in the current year. All the schemes in question, except for the Town and Village Renewal Scheme 2017 are substantially complete and in a small number of projects agreed extensions of time to complete same have been allocated.

The Town & Village renewal projects for 2017 are currently being developed tendered and implemented with expected draw down of funding throughout 2018 reflecting the scale and complexity of the projects. It is expected that 11 of the 13 projects will be finalised in the current year. These projects vary from capital infrastructure projects, construction of toilets, beach facilities, village enhancement works, economic hubs, economic action plan and branding and marketing.

The Council is continuing to develop projects with local communities for future grant funding calls.

Kerry County Council
Summary of Grant Schemes as at 9th April 2018

Details of Scheme	Nos of Projects	Grant Aid received	Effective from	Amount of Departmental Grant Claimed as at 9th April 2018	Balance remaining at 9th April 2018	Progress Update
Town and Village Renewal 2016	6	€380,000	4.11.16	€380,000	€0	Grant element fully expended.
Town and Village Renewal 2017	13	€868,472	4.10.17	€99,440	€769,032	Projects currently being prepared for Part 8 process, tendered and implemented depending on scale and complexity of same.
CLAR 2016 Measure 1	19	€351,500	1.12.16	€322,841	€28,659	Final project complete by end of April 2018.
CLAR 2016 Measure 2	3	€226,000	1.12.16	€226,000	€0	Playground/outdoor projects complete.
CLAR 2016 Measure 3	5	€167,464	1.12.16	€167,464	€0	Projects complete.
CLAR 2017	3	€134,188	Jul-17	€109,188	€25,000	All three projects substantially complete.
Rural Recreation 2016	6	€288,000	Sep-16	€227,667	€60,333	One of the projects (Killorglin Loop Walk) which received 120,000 euro is significant involving major civil works. The second project (Gneeveguilla Walk Study) is not complete - ongoing discussions with the Department with regard to same.
Outdoor Recreation 2017	13	€114,277		€55,255	€59,022	Updated report attached from Tourism Unit.
REDZ	1	€150,000		€150,000	€0	Project completed.
Community Facilities Scheme	63	€64,500	30.08.17	€60,480	€4,000	Approved funding €64,480. Final funding currently being drawn down.
Rapid	17	€64,500	20.11.17	€42,150	€22,346	Approved funding €64,496. Funding agreement signed in Dec 2017 - funding currently being drawn down by projects.
LEADER 2017	103	€1,710,578	Ongoing	N/A	N/A	Total of 102 LEADER projects approved in Kerry to date. Total value of funding approved is 1,672,303.17.
LEADER 2018	16	€466,201	Ongoing	N/A	N/A	Total of 16 projects approved to date totalling 466,021.

38. Use of Recycled Plastics for road repair and restoration

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

That Kerry County Council investigate and trial the use of recycled plastics for both road repair and road restoration. Trials in other Countries show that road construction is faster, cheaper more durable, water resistant and lasting three times longer than conventional asphalt and has the added advantage of reducing the carbon footprint

The following reply issued:

The TII specification of road works sets out the types of materials and standards of construction to be used in the construction and maintenance of new and existing roads. Kerry County Council is not aware of any companies in Ireland who supply road making material using recycled plastic. There has been some pilot studies and research on the use of recyclable materials in the UK, where the standards of construction are similar to Ireland.

Kerry County Council will raise the issue with the TII and the Department of Transport Tourism and Sport, to establish if there has been any consideration given to the potential use of recyclable materials in consultation with suppliers.

Cllr. J. Moloney SECONDED this motion.

39. Planning in rural areas

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

In relation to the National Planning Framework to 2040, there is a section stating that planning may still be granted in rural areas as long as it wouldn't detract from cities or larger urban centres and also that each County would get an allocation as to how many planning's would be granted. What consultations have taken place between the Department of Environment and our Local Authority regarding these ridiculous and unfair proposals as I believe this will disenfranchise many people wishing to build a house for themselves in rural parts of Kerry

The following reply issued:

The National Planning Framework contains the following two policies in relation to single rural housing;

National Policy Objective 19:

Ensure, in providing for the development of rural housing, that a distinction is made between areas under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment, and elsewhere:

- In rural areas under urban influence, facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements;
- In rural areas elsewhere, facilitate the provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

National Policy Objective 20:

Project the need for single housing in the countryside through the local authority's overall Housing Need Demand Assessment (HNDA) tool and county development plan core strategy processes.

There are no specific population growth targets for counties specified in the National Planning Framework. Further guidance in relation to National Policy Objectives 18 & 19 and population growth targets for Counties in the Southern Region may be contained in the forthcoming Regional Spatial and Economic Strategy, which will replace the current Regional Planning Guidelines.

Current planning policy in respect of rural housing is contained in Chapter 3 Settlement Strategy of Kerry County Council Development Plan 2015 - 2021, which was adopted at Full Council on the 16th of February 2015. Chapter 3 was prepared having regard to the Ministerial guidelines issued under Section 28 of the Planning and Development Acts 2000-2016, Sustainable Rural Housing, Guidelines for Planning Authorities.

A high level working group has been established by the Department of Housing, Planning Community and Local Government to examine a recent European Courts of Justice ruling, and to ascertain, if any, the implications on planning policy nationally.

The department has advised in a Circular Letter PL 2/2017 dated the 31st of May 2017 that the report of the working group and the National Planning Framework will inform any revised guidelines in relation to rural housing under section 28 of the Planning & development Act and that Local Authorities should defer amending their rural housing policy / local need criteria presently contained in their County Development Plan until these guidelines are finalised.

Cllr. M. Healy-Rae asked if the towns use up the allocations does it mean planning will not be granted in rural areas. If a person is not working in an area how will a person be assessed, how will they prove they have an economic or social need to live in a rural area?

Mr. M. Scannell stated that Kerry County Council will continue with the rural resettlement as set out in the County Development Plan until directed to do otherwise. The National Development Plan does not give details on how it will impact on rural development. In time we will have guidance on this. The overriding effect of the National Development Plan is to strengthen villages and rural areas. There is a lack of commercial activity in villages. The challenge is how to make smaller settlements more attractive to support local schools and jobs and this is the context in which things have developed.

Cllr. J. Healy-Rae SECONDED this motion.

41. Planning in rural areas

Pursuant to notice duly given Cllrs. T. Barry / R. Beasley / M. Kennelly / J. Lucid / J. Moloney / L. Purtill / A. Thornton PROPOSED:

The members of the Listowel Municipal District request that urgent funding is made available for the rehabilitation of the bridge at Liscullane, Lixnaw which is a current health and safety concern

The following reply issued:

The bridge at Liscullane, Lixnaw is located on a local tertiary road. A three-ton weight restriction applies to this bridge. It will be inspected this year and will be considered for submission for funding in the 2019 Bridge Rehabilitation works on Regional and Local roads.

Cllr. A. Thornton said vehicles over 3-tonne are using this bridge. The restriction on the bridge is affecting businesses and farmers.

Cllr. J. Lucid SECONDED this motion.

18.04.16.14 Correspondence – Conferences and Seminars

- (a) On the PROPOSAL of Cllr. T. O'Brien, SECONDED by Cllr. A. Thornton it was agreed to authorise the attendance of Cllrs. N. Moriarty, T. McEllistim and R. Beasley at the Irish Planning Institute Annual Planning Conference 2018 Ireland: 2040 and Beyond to be held in The Rose Hotel, Tralee, Co. Kerry from 19-20 April, 2018.
- (b) On the PROPOSAL of Cllr. T. O'Brien, SECONDED by Cllr. D. McCarthy it was agreed to authorise the attendance of Cllrs. P. Connor-Scarteen, J. Finucane, N. Kelleher, J. Lucid, P. McCarthy, T. McEllistim, N. Moriarty, M. O'Shea and G. Spring on a study visit to Brussels from 24-27 April, 2018.
- (c) On the PROPOSAL of Cllr. T. O'Brien, SECONDED by Cllr. D. McCarthy it was agreed to authorise the attendance of Cllrs. N. Moriarty, M. O'Shea, B. O'Connell, R. Beasley, J. Sheahan, J. Lucid at The National Planning Framework Policy Forum Ireland Conference on the theme "Priorities for implementing Project Ireland 2040" to be held in Central Dublin, Dublin, on 31st May, 2018.

18.04.16.15 Correspondence General

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

	Date	From	Description
1.	6-Mar-18	GAA	Response to a resolution from Kerry County Council asking the GAA to direct SKY to grant Pay Per View exemptions to nursing homes, day care centres and hospitals.

2.	7-Mar-18	Minister for Agriculture, Food & the Marine	Response to a resolution from Kerry County Council seeking immediate improvements in the accessibility of all directives, compliance regulations and obligations to people with learning disabilities who are working in the farming and fishing sector
3.	12-Mar-18	Minister for Housing, Planning & Local Government	Response to a resolution from Kerry County Council concerning the eligibility criteria under the Tenant (Incremental) Purchase Scheme 2016.
4.	14-Mar-18	National Ambulance Service	Response to a resolution from Kerry County Council regarding a School Defibrillator Programme.
5.	16-Mar-18	Nursing & Midwifery Board of Ireland	Response to a resolution from Kerry County Council requesting that doctors and nurses who come to work in Ireland from other countries have adequate fluency to communicate with patients.
6.	20-Mar-18	Department of Public Expenditure & Reform	Response to a resolution from Kerry County Council calling on Government to establish a National Pension Fund for state employees and Local Authority workers.
7.	20-Mar-18	Minister for Agriculture, Food & the Marine	Response to a resolution from Kerry County Council regarding the use of Receipts of Postage as proof of postage for Department Schemes.
8.	27-Mar-18	Minister for Health	Response to a resolution from Kerry County Council regarding Occupational first Aid Training for Teachers and SNAs
9.	28-Mar-18	Nuclear Free Local Authorities	Nuclear Free Local Authorities New Nuclear Monitor Policy Briefing
10.	3-Apr-18	Iarnród Éireann	Response to a resolution from Kerry County Council regarding the delay to Kerry services on 16th February, 2018.
11.	6-Apr-18	Minister for Housing, Planning & Local Government	Response to a resolution from Kerry County Council regarding the introduction of a comprehensive (unfinished) Estates Scheme.
12.	6-Apr-18	Minister for Education and Skills	Response to a resolution from Kerry County Council regarding Occupational first Aid Training for Teachers and SNAs
13.	9-Apr-18	Medical Council	Response to a resolution from Kerry County Council requesting that doctors and nurses who come to work in Ireland from other countries have adequate fluency to communicate with patients.
14.	9-Apr-18	Minister for Culture, Heritage & the Gaeltacht	Response to a resolution from Kerry County Council regarding UNESCO World Heritage status for the Valentia Cable Project.

15.	13-Mar-18	Clare County Council	Resolution adopted by Clare County Council supporting the call for publicly-funded higher education and rejects income contingent loans.
16.	13-Mar-18	Clare County Council	Resolution adopted by Clare County Council calling on the Minister for Housing, Environment and Local Government and the Minister for Finance to put in place a redress scheme to provide financial support to purchasers of houses and apartments who now find that their property was not properly constructed and is non-compliant with Building and Fire Regulations.
17.	13-Mar-18	Clare County Council	Resolution adopted by Clare County Council calling on the Minister for Trade and Employment to introduce financial incentives to companies who are prepared to employ apprentices.
18.	13-Mar-18	Clare County Council	Resolution adopted by Clare County Council requesting the Minister for Communications, Climate Action and Environment in view of the recent study findings issued by NUIG that 73% of deep water fish living in the North West Atlantic Ocean had ingested micro plastic, which is one of the highest recording found worldwide; to tackle this ticking time bomb before it is too late.
19.	29-Mar-18	Sligo County Council	Resolution adopted by Sligo County Council calling on the Gaelic Athletic Association to ensure any matches broadcast on channels requiring subscription fees are also made available on free to air television in order to allow access for everyone in the country to view matches. This should be done in order to reflect that the GAA is a unique part of Irish culture which belongs to the Irish people and has been built by their efforts along with significant State investment from tax payers money.
20.	5-Apr-18	Donegal County Council	Resolution adopted by Donegal County Council calling on the Government to review the way Community Employment Schemes are being negatively affected by changes introduced over the last few years.

The meeting concluded at 5.10 p.m.

Liam Quinlan
Meetings Administrator

Cathaoirleach of Kerry County Council