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MIONTUAIRISCÍ NA CRUINNITHE MHIOSIÚIL DE COMHAIRLE CONTAE CHIARRAÍ A THIONÓLADH I TEACH CILL ÁIRNE CILL ÁIRNE AR AN LUAN , 11 NOLLAG, 2017

MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL HELD IN KILLARNEY HOUSE, KILLARNEY ON MONDAY, 11TH DECEMBER, 2017

PRESENT/I LÁTHAIR

Councillors/Comhairleoirí

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

APOLOGY/LEATH SCÉAL

R. Beasley	M. Kennelly	T. O'Brien
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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	Mr. O. O'Shea, Press & Comm. Officer
Mr. B. Looney, Head of IT	Ms. B. Reidy, SSO Corporate Support
Ms. O. O'Shea, CO Corporate Support	Ms. J. O'Sullivan, CO Corporate Support

The meeting commenced at 11.40am.

The Cathaoirleach, Cllr. J. Sheahan took the Chair.

The Cathaoirleach welcomed all present to Killarney House and he thanked Mr. Pat Dawson, Regional Manager NPWS and General Manager of Killarney House for facilitating the meeting. He then called on Mr. Dawson to address the meeting.

Mr. Dawson welcomed members, officials and members of the Press to Killarney House on this historic occasion. He paid tribute to councillors and Council officials for their support in securing funding to restore Killarney House to enable it to be opened to the public. It cost in excess of €10m to restore the House and Gardens to

their former glory. This is a facility not just for Killarney or the county but for the South West of the country. Since July 26,000 people visited Killarney House and the entire House will be open next year. In conclusion Mr. Dawson acknowledged the generosity of the McShane Family who donated Killarney House to the State.

Cllr. M. O'Shea commended Mr. Dawson and his staff on the opening of Killarney House which is of benefit to the local economy.

Cllr. M. Gleeson stated it was a wonderful privilege to be welcomed to Killarney House for a Council meeting. It took a lot of persistence to secure the funding to have Killarney House restored and he moved numerous notices of motion in support of it. Eventually Minister Jimmy Deenihan made the commitment to fund the restoration works and this must be acknowledged.

Cllr. B. Cronin complimented Mr. Dawson and his staff on the redevelopment of Killarney House and he acknowledged the commitment by former Minister Deenihan to the project. It is a huge asset to Killarney and elected members and the people of Killarney are very proud of it. In conclusion Cllr. Cronin called for the development of a new access to Tomies Wood.

Cllr. J.J. Culloty emphasised the importance of Killarney House to Killarney. It is unique to have a town in a Park and he thanked Mr. Dawson and his staff for their commitment and dedication to the restoration of Killarney House.

Cllr. M. Healy-Rae thanked Mr. Dawson and his staff for facilitating the Council Meeting in Killarney House.

Vote of Sympathy

Cllr. M. O'Shea extended a vote of sympathy to the wife and family of the late Sean O'Sullivan, Dunloe Upper. Sean was a former employee of Kerry County Council and he worked for 30years in the Water Services Department.

Cllr. M. Healy-Rae extended a vote of sympathy to the Crowley Family, Gortdarrig on the tragic death of their daughter Denise.

Dumping of Silt

Cllr. M. O'Shea advised that silt from the dredging of Dingle Harbour is being dumped off Dun Sheen Head and fishermen are very concerned that it is being dumped too close to the Head. Department guidelines state that silt should be disposed of 2km off Dun Sheen Head but locals believe it is being deposited closer. In the past when Dingle Harbour was dredged the silt was dumped off Kinard Bay and this resulted in a lot of damage to the area.

17.12.11.01 Cathaoirleach's Report on the CPG Meeting held on the 5th December 2017

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

“Agenda for the December Council Meeting

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

In respect of planned Governance Training for members the Chief Executive advised that the Council is working with the IPA to review our governance policies and procedures. As part of this review refresher training for Councillors on Governance Framework and structures in place, will be provided. In that context CPG recommended that the Governance Training for members would take place on Monday 29th January.

CPG agreed that the December Council meeting would commence at 11.30am.

Mr. Quinlan reminded CPG that a Civic Welcome would be afforded to Mayor Reichelt from West Springfield, Massachusetts at the December Meeting.

Update from the Chairs of SPCs

Mr. L. Quinlan advised that the Quality of Life SPC met on the 30th November and a report would be presented to the December meeting.

CPG noted that meetings of the other three SPCs would be held in the coming weeks.

Review of requests for Municipal District Awards

The CPG agreed that KDYS Volunteers and Tralee Soup Kitchen would be honoured at the upcoming Annual Awards Event for Tralee MD.”

17.12.11.02 Chief Executive’s Report to Council

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

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

Finance Directorate

As agreed with the Members, a Financial Report for Members will be provided on a quarterly basis in line with the Quarterly Reporting Process for Income and Expenditure already in place to the Department of Housing, Planning Community & Local Government. The Qtr 3 Financial report is included as an appendix to this report.

Infrastructure, Operations, Health & Safety Directorate

LIS Scheme

The Department of Rural and Community Development has allocated an additional €268,578 in funding under the LIS scheme, bringing the total grant allocation to over €995,000 for 2017. This allows for over 40 schemes to be completed with the funding received. The Department has also indicated that further funding will be made available in 2018. If a similar level of funding is received in 2018, the Council will reopen the scheme for new applications.

Meeting with T.I.I.

The Director of Services for Operations & Infrastructure and I met with senior officials from Transport Infrastructure Ireland, at the end of November in relation to critical infrastructure in the county, including the Farranfore – Killarney Road Scheme, the Lewis Road / Kilcummin Road junctions and the need for investment in our national secondary road network, as well as the Council's concerns with vulnerable sections of the road network, such as at Mountain Stage and on the Molls Gap Road. They have given approval to the Council to proceed with the planning and development of appropriate solutions for the Lewis Road / Kilcummin Road junctions. The need for a review of the Farranfore – Killarney Road Scheme was acknowledged.

The TII have approved additional resources for the NRDO office to progress pavement overlay schemes on the national road network in Kerry and I hope to have further details of schemes to be progressed in the New Year, when the 2018 work programme is presented to Council. A positive indication was also received in relation to advancing the Macroom Ballyvourney By-Pass which is critical for the development of the county.

Economic & Community Development Directorate

Excellence in Local Government Awards

The Excellence in Local Government Awards recognise best practice in local government and are held annually in conjunction with the Department of Housing, Planning and Local Government. The MacGillycuddy Reeks Habitat and Trail Repair Project – A Collaborative Rural Economic Development Zone (REDZ) Initiative won the Category of Sustainable Environment at the Excellence in Local Government Awards Event which were held in November and there is a separate presentation on this winning project at the December Council meeting.

Regional Spatial and Economic Strategy

The Southern Regional Assembly intends to prepare a Draft Regional Spatial and Economic Strategy and associated environmental reports to support the implementation of the emerging National Planning Framework. In order to stimulate debate and encourage participation in the process an Issues Paper has been prepared by the SRA. This issues paper details the matters to be considered in the Regional Spatial and Economic Strategy including:

- Future infrastructural investment priorities.
- The future role of our regional cities, towns and rural areas.
- Industry, employment, training and regional economic performance.
- Regional housing needs and settlement patterns.
- Social, community and cultural facilities.

Local authorities, state agencies, public and private agencies, interest groups and the public generally are invited to make written submissions at this first stage of the Regional Spatial and Economic Strategy process by Friday 26th January 2018 and Kerry County Council plans to use this opportunity to make a detailed submission to the SRA.

Kerry Local Enterprise Office

A series of further one-day training programmes were delivered in Cahersiveen, Killarney and Tralee in the recent past. The Local Enterprise Innovation & Investment fund has secured investment for one Kerry Company and a further three companies have secured funding through KCC LEO core funding. The Kerry element of Ireland's Best Young Entrepreneur competition will conclude on 7th December with the announcement of the winners. Kerry will host the Mid-West Regional Final on 16th January. The office has commenced its 2017 Employment survey and work is ongoing in this regard. Planning has commenced for the 2018 suite of programmes.

Tourism Department

Official Launch of the Destination Brand for Kerry:

The Kerry Destination Brand is due to be officially launched by Minister Brendan Griffin, Department of Transport, Tourism & Sport in Killarney House on Friday 8th December 2017. The new Kerry Destination brand will serve to promote the county on a national and international level, across print, online and social media platforms.

Let's Talk Tourism National Tourism Forum:

The Let's Talk Tourism Forum was recently hosted in Killarney with an attendance of almost 200 delegates. A wide range of Tourism Topics were discussed and debated by expert speakers and panellists.

The topics discussed included: - the Importance of Tourism to Ireland, Regionalisation and Seasonality, Skills and Man Power, Food Tourism, Digital Trends and Screen Tourism.

Community Department

RAPID Programme 2017

In November, the Department of Rural and Community Development launched a revamped RAPID capital grant programme. The Programme is being administered by the Local Community Development Committees under the remit of the Local Authorities on behalf of the Department. The Kerry LCDC will make a recommendation and submit the applications it received to the Municipal District Elected Members for decision. In Kerry the available fund of €64,500 has been targeted to support projects under the RAPID theme of -Community Safety & Anti-Social Behaviour.

2017 Pride of Place awards

The winners of the IPB Pride of Place Awards in association with Co-operation Ireland were announced on the 2nd of December. The awards acknowledge the achievements and the invaluable work undertaken by volunteers and those involved in local community development.

Glenbeigh in Kerry achieved the runner up position in Category One, which is for villages with a population of less than 300 people. Kerry Social Farming Project also took the runner up spot in the Community Reaching Out Initiative Category.

Financial Report**Kerry County Council****1 Major Expenditure & Income by Division with 2017 Adopted Budget**

Date as at end of Quarter 3 (September 2017) in accordance with EU / IMF return on expenditure and Income made to DOHP&LG on 24th November 2017

		EXPENDITURE				INCOME			
		Total Exp. To date	Budget <u>Outturn</u>	Budget Remaining	% Budget Spent to date	Total Inc. to date	Budget <u>Outturn</u>	Not Rec'd	% Rec'd
Service Division	Description	2017	2017	2017	2017	2017	2017	2017	2017
A	Housing and Building	20,280,366	24,593,868	4,313,502	82%	17,345,467	23,968,846	6,623,379	72%
B	Road Transport & Safety	24,066,493	33,372,617	9,306,124	72%	15,004,522	21,346,712	6,342,190	70%
C	Water Services	9,817,364	14,466,687	4,649,323	68%	9,455,918	13,690,847	4,234,929	69%
D	Development Management	9,074,543	12,751,968	3,677,425	71%	3,744,025	4,553,412	809,387	82%
E	Environmental Services	13,105,896	17,801,585	4,695,689	74%	2,387,351	4,029,986	1,642,635	59%
F	Recreation and Amenity	5,878,883	8,126,987	2,248,104	72%	564,893	550,471	-14,422	103%
	Agriculture, Education, Health &								
G	Welfare	1,612,501	2,633,042	1,020,541	61%	1,193,097	1,992,667	799,570	60%
H	Miscellaneous Services	12,008,827	17,820,833	5,812,006	67%	5,054,931	6,501,670	1,446,739	78%
	Local Government Fund/General Purpose Grant					10,332,571	13,776,761	3,444,190	75%
	Rates					30,851,767	41,156,215	10,304,448	75%
Grand Total		95,844,873	131,567,587	35,722,714	73%	95,934,542	131,567,587	35,633,045	73%

2. Performance of Local Authority Revenue

Collection levels

Major sources of Revenue Income - Collection levels as at 31st October 2017

	Total for Collection	Collected	% collected
Commercial Rates	€ 49,568,670	€30,685,152	62%
<i>Total for Collection - Full year rate demand plus arrears</i>			
<i>Rates demands were issued on 2nd March 2017</i>			
Housing Rent & Loans:			
Rents	€ 11,095,973	€ 9,911,366	89%
Loans	€ 1,131,873	€ 852,135	75%
<i>Rent and loans: Total for Collection - <u>Year to date</u> billed plus arrears</i>			

3 Recourse to Overdraft Facility

None

4 Emergency Capital works not provided for in the Budget

None"

The Chief Executive advised that the results of the first round of the Enterprise Ireland-led Regional Enterprise Development Fund was announced by the Minister for Business, Enterprise and Innovation, Heather Humphreys that morning. Nationally 7 projects qualified for funding under Stream 1 and 2 of these are in Kerry. When members adopted the Budget they agreed to increase LPT to provide €600,000 to support the 2 Stream 1 projects of a Digital Innovation Hub in Killorglin and the AgriTech Centre of Excellence in Tralee. This investment will be a major jobs and economic boost for the county. Minister Humphreys has also announced financial support for Kerry SciTech, Sneem Digital Hub and the Dingle Creativity and Innovation Hub (Mol Teic) in Dingle. This is a very positive announcement for the county and she was pleased that Kerry County Council supported these projects.

The Cathaoirleach welcomed Mr. Kevin Cronin and students from St. Brendan's College to the meeting.

All members welcomed the announcement by Minister Humphreys.

Cllr. B. O'Connell congratulated the Chief Executive on putting these projects forward and he commended members for agreeing to increase LPT to support the two Stream 1 projects. Hopefully in time it will result in more jobs for the county which will provide good employment opportunities for graduates. He also welcomed the funding for LIS announced by Minister Ring and he asked how many roads remain on the list and will new applications be invited in 2018.

Cllr. A. Thornton advised that the decision to support the increase in LPT was the most difficult she had to make. However, if this funding opportunity was missed it would have been a big mistake as the county needs additional jobs. Cllr. Thornton requested that members would be given regular updates on these projects. She asked if roads in North Kerry were discussed with the TII and she expressed concern that roads in North Kerry were not getting the priority they need.

Cllr. B. Cronin welcomed the approval given by the TII to proceed with the planning and development of appropriate solutions for the Lewis Road junction. He asked if the TII have agreed a date for a meeting with the members from the Killarney MD. Funding for LIS was discontinued for 7 or 8 years and as a result many rural roads are in a dreadful condition. Cllr. Cronin welcomed the recent announcement of funding for LIS and he asked how many roads remain on the list and when will new applications be invited.

Cllr. J. Finucane stated the announcement that morning by Minister Humphreys was significant and the decision taken by members to raise funding through an increase in LPT to support these projects was critical. The two companies involved in the Stream 1 projects are local and are major economic drivers in the county. Cllr. Finucane stated this will be a catalyst for further development in the county. Shannon LNG has applied for an extension of their planning permission and this will also be a major economic boost to the county if it proceeds.

Cllr. J. Moloney concurred with the views expressed by Cllr. Thornton in relation to the meeting with TII and the Dale Road. Sections of the N69 are in a poor condition and they were not mentioned in the Chief Executive's Report. There are significant deficiencies in the road network in North Kerry which need to be addressed.

Cllr. J. Healy-Rae referred to the poor road surface at Coad Cross where a number of cars have been damaged and he asked that this would again be raised with the TII. The second phase of the Kenmare By-Pass is urgently needed and he understood suitable land would be offered for sale shortly. He called on management to purchase this land. Cllr. Healy-Rae welcomed the funding for LIS and he asked that the Scheme would be opened up to new applications early in 2018. The Draft Speed Limit review was promised last year and he asked that the first Draft would be presented to members early in 2018.

Cllr. J.J. Culloty also asked that new applications would be invited for the LIS Scheme early in 2018 and if there is sufficient staff to undertake the additional work on this Scheme. He congratulated all involved in the MacGillycuddy Reeks Habitat and Trail Repair Project on their success at the Excellence in Local Government Awards recently. This is a very important project for the county and he also congratulated Ms. P. Deenihan of SKDP who led this project. In conclusion Cllr. Culloty highlighted that in the past members called for a reduction in the speed limit on the Killarney By-Pass and he failed to see why it was taking so long.

Cllr. P. McCarthy acknowledged the generosity of the McShane Family who gifted Killarney House to the State. He met their only daughter in Philadelphia and it was her dream to see the House restored. Cllr. McCarthy welcomed the LIS funding. He thanked all involved in submitting the applications for funding to the Enterprise Ireland-led Regional Enterprise Fund and he added that these projects will benefit the economy of the county. Members took the difficult decision to increase LPT to support these projects on a once off basis and as a result the people of Kerry are supporting the projects.

Cllr. M. Gleeson complimented officials on their commitment since the LIS funding was restored. All members were approached about the need to reduce the speed limit at Glenflesk and the Speed Limit Review should be given priority. He called on management to pursue the construction of the Macroom By-Pass vigorously as it is critical for access to the county.

Cllr. T. Ferris welcomed the progress made with the TII in relation to the Lewis Road Junction. She agreed with the concerns expressed by previous speakers in relation to roads in North Kerry and she pointed out there have been fatalities on these roads also. Cllr. Ferris expressed concern that those who submitted applications under the LIS Scheme since 2010 are not on the list and may have to reapply and this is unfair. She called on management to ensure this will not happen. Cllr. Ferris referred to the €64,500 allocated under the RAPID Programme under the theme of – Community Safety & Anti-Social Behaviour and questioned the use of the term '*Anti-Social Behaviour*' and she asked that a more appropriate term would be used.

Cllr. N. Foley acknowledged the beautiful setting in Killarney House for the meeting and she also acknowledged the work of Mr. Dawson and his staff. She welcomed the new Kerry brand and asked that it would be included on all letter heads used by Kerry County Council as it is important to promote it at every opportunity. Cllr. Foley welcomed the LIS funding which allowed in excess of 40 schemes to be undertaken in 2017. In conclusion Cllr. Foley asked if temporary staff will now be made permanent in light of the LIS funding received.

Cllr. N. Moriarty highlighted that the smaller projects that will receive funding under the Enterprise Ireland-led Regional Enterprise Development Fund are well located around the county. She commended Mike Scannell and Bridget Fitzgerald for their work on the Stream 1 projects and she believed that jobs will be created both in the county and in the wider community as a result of these projects. Cllr. Moriarty welcomed the LIS funding and asked that priority would be given to any Emergency and Hardship Scheme remaining on the list.

Cllr. M. Cahill welcomed the success of Glenbeigh in achieving the runner up position in Category One of the Pride of Place Awards. It would not be possible for any voluntary group to win without assistance from Kerry County Council and the level of interest in the Kerry Social Farming Project was phenomenal. Cllr. Cahill highlighted that several sections of the Ring of Kerry, which is a tourism route, need attention. He asked if roads can be repaired by filling potholes only under the LIS or must more substantial works be undertaken. He called for the completion of the Speed Limit Review as a matter of priority.

Cllr. D. Quigg advised that he did not support the increase in LPT as his constituents have informed him they are not getting any service for this charge. He suggested that a cross party committee should be established to come up with suggestions on how funding can be raised. Housing should be a priority and at present private landlords are benefitting from government policy and construction of the promised houses in Killorglin has not yet commenced.

Cllr. N. Kelleher asked how many applications for LIS are on file that have not been assessed and he added it would be unfair if they were disenfranchised and had to reapply. He welcomed approval from TII to progress to design and planning for the Lewis Road Junction. When the members for the Killarney MD meet with TII early in 2018 they would emphasise the importance of improvements to this junction to them. In conclusion Cllr. Kelleher confirmed that a reduction in the speed limit at this location would also be helpful.

Cllr. D. Grady advised that when Killarney Town Council was in place they highlighted the need to improve the Lewis Road/Kilcummin Road Junction to the NRA and a request to reduce the speed limit was also rejected by them. He asked why the speed limit at Glenflesk is 100km per hour when it is only 60km per hour at Lissarda.

Cllr. M. Healy-Rae welcomed the prioritising of the Lissivigeen to Farranfore road at the meeting with the TII. She also referenced the condition of the Madams Hill road junction and highlighted issues in relation to the pedestrian crossing signage and speed limits in Glenflesk village. Cllr. Healy-Rae asked that a bus shelter would be provided in the car park at the Train Station at Farranfore.

Mr. C. O'Sullivan advised that there was an ongoing investigation into an accident at this location and it is the policy of the Council to examine any measures/actions identified from such investigation.

The Chief Executive advised members that the issues raised at the meeting with the TII as outlined in her Report were not all of the key issues raised with them. The Dale Road is the responsibility of the Department of Transport and not the TII and she and the Director of Operations met with the Department in relation to the Dale Road. The need for pavement overlays all over the county was discussed with the TII. The national routes are the vulnerable routes and surveys were undertaken and issues were identified on the Ring of Kerry and these were discussed with the TII. The Listowel By-Pass was also raised with the TII. The need to link Kerry through Mallow with the Cork Limerick road was highlighted in our submission on the National Planning Framework.

The Chief Executive referred to Cllr. Ferris's comments on the RAPID Programme and she highlighted that Community Safety & Anti-Social Behaviour is a theme under this Programme. The two Stream 1 projects will be of huge benefit both to the county and ITT. The Speed Limit Review is a very lengthy process and there must be engagement with the TII on national routes while An Garda Síochána must also be consulted. Members have agreed dates in January for briefings on the Speed Limit Review in two Municipal Districts and the others will follow.

Mr. C. O'Sullivan acknowledged members' frustration at the length of time it is taking to review Speed Limits. However, there is a substantial amount of national road network in Kerry and extensive negotiations had to be undertaken with the TII on these. Briefings will be held for the Killarney and South and West Kerry MD members in January and these will be followed by Tralee and Listowel. There will then be further consultation with An Garda Síochána and the public. Mr. O'Sullivan advised that there were 120 roads on the LIS list and with the present level of funding it is hoped to complete 40 in 2017. A small number of applicants decided not to proceed with the works. This leaves 70 on the list at an approx. cost of €1.5m and while funding was notified late in 2017 he understood it will be announced earlier in 2018. He was hopeful that the vast majority of the remaining roads on the list will be funded in 2018. If significant funding is received in 2018 the Scheme will be re-opened and new applications invited. He assured members that existing applicants will not be asked to re-submit their applications but confirmation will be sought that they wish to proceed with the application. All applications on hand will have to be re-assessed if the Scheme is re-opened. Work that can be undertaken under the LIS Scheme is prescribed by the Department. Mr. O'Sullivan undertook to review the remaining Emergency and Hardship applications as requested. While it is a challenge to bring national secondary routes up to standard he wanted to have designs ready for submission for funding for roads all over the county.

Cllr. A. Thornton again highlighted that roads in North Kerry are in a bad condition and she requested a written report on discussions at the meeting with the TII in relation to the N69.

Cllr. J. Healy-Rae referred to the article in the Irish Examiner that day which stated that Maintenance Grants will be reduced by 30% in 2018 and he asked if this is accurate.

Cllr. T. Ferris highlighted that other counties did not increase LPT and they got similar if not higher funding. She asked if the Car Park By-Laws will be available for consideration by the members in Q1 in 2018.

Cllr. J. Moloney highlighted a vulnerable section of the N69 from Kerry Co-op to Coolnaleen Cross. At the last MD Meeting he requested that a priority list of all roads in the county would be drawn up.

Cllr. B. Cronin advised that on numerous occasions he asked that bus shelters would be provided on both sides of the road in Farranfore and a commitment was given to try to identify funding for them.

The Chief Executive advised that the meeting with the TII is a high level meeting where they discuss strategic issues. The N69 has been discussed and she was aware of the need to improve this road as well as roads in all Municipal Districts. However, the TII can only deal with roads under their remit and when she meets with the Department other routes are discussed. Members are provided with detailed reports on road works in their area at MD meetings. The next 3 year Roads Programme will be compiled in the near future and priorities can be identified at that time. The Chief Executive assured members that she represents the needs of the entire county fairly. She confirmed there would be a reduction in maintenance funding in 2018 but assurances have been given that centralised funding will be available and local authorities can apply for funding for specific roads.

Ms. A. McAllen confirmed that a commitment was given to further consider the provision of bus shelters in Farranfore.

17.12.11.03 Lease of property

- (a) On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. P. McCarthy it was agreed to approve the lease of 144m² of office accommodation located in the Castleisland Carnegie Building in the townland of Knockananlig, Castleisland to Castleisland Chamber Alliance by way of a 15 year lease in accordance with the terms of notice issued 28th November 2017 pursuant to Section 183 of the Local Government Act 2001, Section 211 and Section 211(5) of the Planning and Development Act 2000 and Article 206 of the Planning and Development Regulations 2001.
- (b) On the PROPOSAL of Cllr. J. Moloney, SECONDED by Cllr. T. McEllistrim it was agreed to approve the lease of a Unit which is a single storey warehouse/workshop measuring 900 sq. ft. located at the rear of Charles Street, Listowel in the DED of Listowel Urban to (*Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request*) by way of a 4 years 11 months lease in accordance with the terms of notice issued 28th November 2017 pursuant to Section 183 of the Local Government Act 2001.

- (c) On the PROPOSAL of Cllr. J. Healy-Rae, SECONDED by Cllr. D. McCarthy it was agreed to lease a plot of ground measuring circa 43 sq. meters (0.01 acres) at the rear of Kenmare Carnegie Building to Kenmare Carnegie Arts Centre Ltd by way of an 88 year lease in accordance with the terms of notice issued 28th November 2017 pursuant to Section 183 of the Local Government Act 2001, Section 211 and Section 211 (5) of the Planning and Development Act 2000 and Article 206 of the Planning and Development Regulations 2001.

17.12.11.04 Date for Governance Training for Members

On the PROPOSAL of Cllr. N. Foley, SECONDED by Cllr. J. Finucane it was agreed that Governance Training for members would be held on Monday 29th January 2018 at 10.30am.

17.12.11.05 Progress on the rollout of the Broadband Scheme in Kerry

Mr. M. Scannell briefed members on progress on the rollout of the Broadband Scheme in Kerry as follows. The Government's National Broadband Plan aims to provide all citizens and businesses in Ireland with access to high speed broadband through supporting commercial investment and direct state-led intervention.

Eir are currently rolling out fibre to an additional 26,000 properties mainly rural premises in Kerry as part of the rollout nationally to 300,000 properties with a target completion date of December 2018. As per the Department of Communications out of a total of 89,000 premises in Kerry – 60,000 (68%) will have access to high speed broadband by the end of 2018 following Eir roll out. In Kerry 29,000 properties will remain outside of commercial fibre roll out schemes after 2018 and they are in the "State Intervention Area" to be covered by the National Broadband Plan. Mr. Scannell briefed the meeting further on this topic under the following headings:

- Status of National Broadband Plan
- Status of Eir Fibre Roll out in Kerry
- Other Initiatives.

Cllr. M. Cahill stated the Government has promised the roll out of broadband for years but progress is very slow. In the areas where high speed broadband has been provided houses, schools and business premises have been omitted. There are job opportunities if a high speed broadband services was available.

Cllr. M. Gleeson highlighted that the mobile phone coverage at Muckross House is very poor. Some people are disadvantaged as the broadband speed is too slow to allow them access supports for those with special needs. He called for equality of opportunity for all.

Cllr. J.J. Culloty highlighted that many cul-de-sacs were omitted and the availability of high speed broadband cannot be over emphasised as most services must now be accessed online.

Cllr. B. Cronin stated 29,000 properties in Kerry will remain outside of commercial fibre roll out schemes after 2018 and it is evident where the current roll out stopped. On the road from Cleeney House to Barleymount the installation of high speed broadband stopped half way up the road. Farmers can do the Green Cert online where they have high speed broadband. The more profitable areas are being prioritised but everyone is entitled to a high speed service now.

Cllr. M. O'Shea stated it is evident from the first map displayed that priority is being given to the East Coast while there are gaps on the West Coast. The core of Milltown has high speed broadband but the outskirts of the town do not and he asked that it would be extended to residential estates in Milltown. Mobile phone coverage in Milltown is completely inadequate and must be addressed also.

Cllr. P. Connor-Scarreen acknowledged that there have been improvements in the provision of high speed broadband and this will improve further by the end of 2018. Cahana National School have difficulty downloading material and they are in a State Intervention Area and he asked when can they expect to get a decent service. He also requested an update on the roll out of high speed broadband in Blackwater and Lauragh.

Cllr. D. Grady highlighted that mobile phone coverage is not great in the Killarney area but he acknowledged that good progress has been made in the last year.

Cllr. M. Healy-Rae advised that Firies, Barraduff and Farranfore are mobile phone black spots where there is virtually no coverage. This is unacceptable when people are running a business.

Cllr. J. Healy-Rae referred to Tuosist Parish which is 23 miles long and is in decline. While Sneem has high speed broadband areas like Tuosist need this lifeline in order to survive. Mobile phone coverage is very poor at Farranfore and in surrounding areas and this is very bad from a tourism point of view. He called on mobile phone companies to address this as a matter of priority.

Mr. M. Scannell advised members that the Broadband Officer identified 6,000 properties to be provided with high speed broadband and he anticipated areas such as the outskirts of Milltown and Tuosist would be delivered in the coming months.

The meeting adjourned for lunch at 1.45pm.

The meeting resumed at 2.45pm.

17.12.11.06 Excellence in Local Government Awards

Mr. M. Scannell informed the meeting that the Excellence in Local Government Awards recognise best practice in local government and are held annually in conjunction with the Department of Housing, Planning and Local Government. The MacGillycuddy Reeks Habitat and Trail Repair Project – A Collaborative Rural Economic Development Zone (REDZ) Initiative won the Category of Sustainable Environment at the Excellence in Local Government Awards Event recently. This was a significant project with the following partners:- Kerry County Council, South Kerry

Development Partnership, MacGillycuddy Reeks Mountain Access Forum, the Department of Rural and Community Development, Fáilte Ireland, the NPWS and the local community and most importantly the Participants and Landowners.

Mr. Scannell briefed members on this project under the following headings:

- Overview
- Project Participants
- Breanlee Access Track
- Leisleibane Track
- Cronins Yard Track
- Continuation of the Repair Work

Mr. Scannell advised that three additional projects from around the county received commendations at these Awards:

1. Welcoming the Stranger – Sustaining the arts
2. The Milltown Community and Chamber Alliance – Best practice in citizen engagement
3. Taste Kerry – Promoting Economic Development.

Cllr. M. Gleeson then moved Notice of Motion No. 21.

21. Call to put in place a Scheme of reasonable and responsible access to our countryside

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

“That in view of the importance of Rural Tourism to the survival of local communities that the Government in consultation with all interested groups and organisations would put in place a properly regulated and legally sound scheme of reasonable and responsible access to our countryside. Rural communities and local small businesses would be the immediate beneficiaries as has been shown to be the case in counties and other countries where such ordered access exists.”

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

Cllr. M. Gleeson stated the success of the MacGillycuddy Reeks Project shows the economic benefit to the county. He displayed the Archaeological Inventory Volume 1 which refers to South and West Kerry only which is substantial. This reflects the richness of our county and it details the rich artefacts in that area. Cllr. Gleeson called on the Government to introduce immunity for landowners who allow visitors through their land. The establishment of defined tourism trails both cultural and archaeological would be of significant economic benefit to the county.

Cllr. J.J. Culloty **SECONDED** the motion and welcomed the collaborative approach on the MacGillycuddy Reeks project. This project not only benefits the economy of the area but it also has health benefits. He hoped work would commence on the Devils Ladder as soon as possible.

Cllr. J. Finucane welcomed Mr. Scannell's excellent presentation together with the involvement of landowners in this project. Many visitors travel to Kerry to avail of the leisure facilities and this will encourage more visitors to Kerry. The Chief Operations Officer with Ryanair lives in Killarney and he PROPOSED that he would be invited to a Council meeting. Cllr. Finucane then referred to the greenway from Tralee to Fenit and he asked that there would be consultation with the local community. The availability of walkways is critically important to attract visitors to the county.

Cllr. P. Connor-Scarteen supported Cllr. Gleeson's motion and added that the protection of landowners must be taken more seriously. He welcomed progress to-date on the MacGillycuddy Reeks project and he asked when work would commence on the Devil's Ladder.

Cllr. D. Quigg supported the views expressed by Cllr. Finucane.

Cllr. M. Cahill welcomed the inclusion of farmers in the work on the MacGillycuddy Reeks paths and he paid tribute to Patricia Deane for her commitment to this project. In conclusion Cllr. Cahill stated he understood there is a plan to train farmers as guides which would be very beneficial for them.

The Cathaoirleach acknowledged the work of all involved in the MacGillycuddy Reeks project.

17.12.11.07 Report on the Quality of Life SPC Meeting held on 30th Nov. 2017

It was agreed to note Cllr. N. Kelleher's report on the meeting of the Quality of Life SPC held on the 30th November 2017.

17.12.11.08 Summary of proceedings at an AILG Training Event

It was agreed to noted Cllr. T. McEllistrim's report on the AILG Training Event on the theme "Wellbeing for Councillors" on behalf of the Kerry County Council delegates that attended in accordance with Section 142(5)(f) of the Local Government Act 2001.

Approval for the opening of tenders

- (a) On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. T. Ferris it was agreed to approve the opening of tenders for the Construction of 21 housing units at Killeen Road, Killeen, Tralee – Closing date Wednesday 17th January 2018 at 3pm.
- (b) On the PROPOSAL of Cllr. B. Cronin, SECONDED by Cllr. P. Connor-Scarteen it was agreed to approve the opening of tenders for the Fossa to Gap of Dunloe Greenway – Supply and Installation of Deer Fencing, Fossa, Killarney as follows:

Lot 1 – Fossa to Gap of Dunloe Greenway – Supply & Installation of Deer Fencing at Maulagh, Fossa, Killarney – Closing date Friday 22nd December 2017 at 4pm.

Lot 2 - Fossa to Gap of Dunloe Greenway – Supply & Installation of Deer Fencing at Lismongane, Fossa, Killarney – Closing date Friday 22nd December 2017 at 4pm.

17.12.11.09 Notices of Motion

1. Public Refuse Collection Services

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

That Kerry County Council would investigate the possibility of providing a public refuse collection service in areas currently only serviced by private providers.

The following reply issued:

The decision by Kerry County Council to withdraw from the Waste Collection Service in 2011 was made after a comprehensive review of the business. At that time, the business was losing customers and was financially unviable. Kerry County Council has no plans to extend the waste collection business beyond the service currently provided in Killarney. The infrastructural costs alone of re-entering the business would be prohibitive and nothing has changed to indicate that a viable refuse service could be operated by the Council at this time.

Cllr. T. Ferris advised that she disagreed with Management's decision to exit the refuse service in 2011 and her motion should be considered in light of the cost of dealing with illegal dumping. Recent surveys indicated that people prefer to support a public service. While she acknowledged the significant capital cost of setting up the service she asked that it would be given serious consideration as she believed a viable service could be provided even if it was just in the towns.

Cllr. D. Quigg SECONDED the motion.

2. Provision of a dedicated Stroke Unit at UHK

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

As the second National Health Quality Report of 2016 showed significant decreases in hospital mortality of between 21% and 25% for Stroke victims where the 22 Dedicated Stroke Units exist, that this Council seeks clarification from the HSE in relation to how close to realization is the long requested Dedicated Stroke Unit in Kerry University Hospital. I have consistently been placing this urgent matter on the agenda of Council meetings since around 2002 as I believe that Kerry based victims of Stroke are entitled to equality of opportunity to survive and to the highest quality care and rehabilitation.

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

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

“When I first placed a Motion calling for a Stroke Unit in Kerry General Hospital all of 14 years ago, Dr Ronan Collins, the foremost spokesperson for the Aged and infirm stated at an IMO conference in Killarney that the Stroke facilities in Ireland were a

national disgrace and an insult to all who had served their country through work and family. At that time there was only one full Stroke Unit in Ireland There have been many similar Motions since that time and progress was painfully slow. No doubt some people have needlessly died or did not make the maximum possible levels of recovery. We have all known individuals who suffered Stroke and failed the get to a Dedicated Stroke Unit before the 3- hour deadline.

But thankfully the years of pleading have finally borne fruit and such a Unit will soon be up and functioning in Kerry University Hospital. Indeed, this Unit will, I believe, be the 22nd in Ireland. That is truly wonderful progress. It is progress that is a positive response to a very real and urgent need.

I want to compliment the local Stroke Unit Support Group that has worked might and main to achieve their objective. Thanks also to Dr Liston and his team for their hard work. I thank the members of this Council past and present for your support for my Notices of Motion over the past 14 years. I do hope that when the one in five of us who suffer Stroke, become victims that the Dedicated Unit will be there to lead us to as full a recovery as possible.

The only clarification that I wish to seek is to determine if a full complement of all necessary staff including - Geriatricians, physiotherapists and speech therapists will be available to serve and service 7 days a week, 52 weeks a year. Properly staffed Stroke Units will inevitably lead to a better outcome for patients and will also be less costly to the national exchequer as length of stay in hospitals will be reduced and there will be reduced need for follow on treatment and care.”

Cllr. B. Cronin SECONDED the motion and added that he used every opportunity to highlight the need for a dedicated Stroke Unit at UHK at meetings of the Regional Health Forum. He welcomed the opening of the dedicated Stroke Unit at UHK and added that the critical factor is the timeframe for the opening of the Unit.

3. Quality label for accessible tourism through ENAT

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

That this Council explore achieving the quality label for accessible Tourism through ENAT (European Network for Accessible Tourism) in conjunction with Fáilte Ireland and the Tourism providers of the County.

The following reply issued:

Accessibility is a major theme in our County Tourism Strategy and its importance to both the domestic and international markets is highlighted under a number of key objectives. To commence the development of accessibility for all, Killarney has been chosen as the pilot town, with the support of ENAT and Fáilte Ireland.

Work will progress towards developing Killarney town as an accessible tourism destination in cooperation with Fáilte Ireland as financial resources become available.

Cllr. N. Kelleher highlighted that this accreditation would be of significant benefit to Kerry and Killarney. It is important that the audit is completed so that the barriers can be identified. Cllr. Kelleher asked for a commitment that once the audit is completed it will be delivered on.

The Chief Executive confirmed that any works undertaken will take account of the findings of the audit. Some issues identified may not be too costly to implement while others will require significant time to deliver.

Cllr. J. Sheahan SECONDED the motion.

4. Installation of CCTV in Killarney

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

To ask Kerry County Council when we can expect to have CCTV installed in Killarney.

The following reply issued:

A detailed submission was made to the Department of Justice & Equality for capital funding towards the following three separate schemes in the Killarney area:

- Killarney Town Centre
- Killarney Outer
- Ballyspillane

This followed work undertaken in the Killarney Municipal District in partnership with businesses, community groups, the local Gardaí and the Joint Policing Committee.

Further information is requested by the funding Department and formal approval of the Garda Commissioner is awaited. In parallel to this, Killarney Municipal District staff are preparing Tender documentation for the supply and installation of the CCTV schemes subject to receipt of grant funding. Applications are currently being assessed under the Revamped RAPID Programme – Community Safety & Anti-Social Behaviours. A total fund of €64k has been made available to the council in respect of same.

We will revert to Members when we receive an update.

Cllr. J. Sheahan welcomed the funding allocated and he asked that a further application for funding would be submitted.

Cllr. D. Quigg SECONDED the motion and added that funding is not available to maintain the existing system in Killorglin.

5. Capacity of wind energy in Kerry

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

What is the present capacity in megawatts of electricity, that can be produced by wind energy in Kerry and what proportion that is in terms of the national wind output. What is the number of megawatts with planning granted in the County.

The following reply issued:

According to Eirgrids TSO Connected Renewable Generation List and ESB Networks Distribution Connected-Energised Wind list, on the 5th October 2017 the maximum export capacity of installed and operational wind farms in Kerry was 329MW. National installed wind capacity on the same date was 3,049MW. Therefore 10.8% of national maximum export capacity was located in Co. Kerry on this date.

An additional 235MW has recently been constructed but not yet connected to the grid or is under construction. It is anticipated that this 235MW additional capacity will be connected to the National Grid over the coming months.

Approximately 800MW of wind energy has been granted permission in Kerry. This figure includes constructed and not constructed wind developments.

Cllr. J. Lucid read the following statement into the record of the meeting.

“We have spoken at length about wind energy recently and what I want to do today is to look at some facts.

Wind Energy itself is a positive means of reducing our dependency on fossil fuel powered energy generation. It reduces our carbon footprint and hopefully assists a slowing of climate change. The Country has had targets set for it which it is expected to achieve etc.

There is just over 4000 megawatts of Wind Energy capacity on the island, with 976MW in Northern Ireland. In the Republic, Munster leads the way with 1550MW out of 3,035.

In Kerry we had 330MW but we have 113 turbines under construction which will add a further 250MW giving a total of 580MW. This means that there will be more Wind Energy capacity in Kerry than there is in any country and also that there will be more in Kerry than there is in Connaught, Ulster or Leinster.

Two thirds of wind turbines in the county are located in the Listowel and Tralee area of North Kerry. This heavy concentration of development is a major concern for the area. We are all aware of the negative impacts for people living in these locations, during construction, noise, shadow etc. and the loss of value of family homes.

These facts show that there is a complete absence of any national strategy for Wind Energy Development. I am asking Kerry County Council to call on the Minister with responsibility for planning in this area to review policy and put a proper strategy in place and to suspend any further development until such time as this is done.

Other means of reducing our CFP such as solar panels, electric vehicles need to be incentivised.”

Cllr. J. Finucane **SECONDED** the motion and highlighted that despite the number of wind farm developments in the county there has been no reduction in the cost to the consumer.

6. Call to ratify the UN Convention on the Rights of Persons with Disabilities

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

That Kerry County Council calls on the Government to ratify the UN Convention on the Rights of Persons with Disabilities.

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

Cllr. A. Thornton stated Ireland is the only country that has not ratified the UN Convention on the Rights of Persons with Disabilities. The aim of the Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity. She understood the reason the Convention has not been ratified in Ireland is that it requires a change in legislation yet some countries ratified the Convention without the legislation in place. Cllr. Thornton requested that a letter would issue to the Department of Foreign Affairs calling on them to ratify the Convention and to publish a timescale for ratification.

Cllr. N. Moriarty **SECONDED** the motion.

7. Appointment of a Micro Biologist Consultant to UHK

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

That this Council write to the Minister for Health requesting that a Micro Biologist Consultant be appointed to UHK immediately.

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

Cllr. D. Quigg requested that the resolution be referred to the Minister for Health for consideration.

Cllr. S Locke **SECONDED** the motion.

8. Assistance to youth services in the county

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

What organisations do Kerry County Council assist in the provision of youth services in the County.

The following reply issued:

The Council has a long association with supporting youth services. The Community Department for example is responsible for co-ordinating Kerry's Comhairle na nÓg. Kerry County Council works with the Kerry Diocesan Youth Service to ensure the ongoing development and involvement of young people in Kerry's Comhairle na nÓg. The AGM was held on the 13th of October this year where over 100 young people aged 12-18 participated in a number of workshops. The Community Department and Municipal Districts are also working with local communities and chamber alliances to identify youth needs and to provide appropriate responses together with the relevant agencies e.g. the Mitchel's Youth Project, Youth Facility in Milltown etc. The Council has also supported a number of Youth Initiatives and projects under the Community Support Fund and Rural Grant Schemes such as youth cafes, outdoor recreational facilities, workshops on mental health etc. The Kerry Recreation Sports Partnership also supports initiatives that get young people active such as the Junior Park Run and Swim for a mile for teens. Also as the contracting authority for the Social Inclusion Community Activation Programme, a number of programmes/interventions are implemented to specifically target young adults not currently in education or employment with a few to facilitating their progression. Beyond the Community Department there are other youth initiatives managed by the Environment section, Libraries etc.

Cllr. P. Connor-Scarteen read the following statement into the record of the meeting.

"The issue of rural disadvantage has been of particular concern for KDYS, where lack of availability of services, lack of transport and infrastructure has increased the isolation of young people and communities outside of urban centres. In some communities one of the only remaining outlets for young people is the local youth club.

In addition, recent policy changes have had a significant impact on voluntary led clubs, placing an increased reporting demand on volunteers who run clubs, including youth clubs. At the same time the resources allocated to organisations to support volunteers have been reduced, creating obvious difficulties in continuing to provide high quality supports to volunteers, and to young people in already isolated communities.

Government policy in how services for young people are delivered, and recent reforms in this area, is creating an environment where creating new, innovative responses for all the young people in an area is no longer possible except through targeted work focusing on specific groups.

KDYS provides invaluable spaces through its Youth and Community centres, available to all young people, in 5 locations, providing critical outlets in these areas. No funding is currently available to support these outlets, or to create additional similar outlets and services.

The role of youth work, and the value it creates in the lives of young people, their families and their communities is misunderstood and devalued, Youth work changes lives for the better. It needs greater re-sourcing and support.

Other issues for young people in Kerry include:

Drug & Alcohol use: problematic drug and alcohol use being highlighted by KDYS staff working with young people as an issue together with the under re-sourcing of access community based drug services in some areas.

Anxiety/Mental health issues: There is a notable increase in young people presenting with issues of anxiety, self-harm, eating disorders, low self-esteem, depression and suicidal thoughts. These issues are exacerbated by lack of access, or poor access to services and the increasing issue of rural decline.

Youth unemployment: remains an issue for young people, although improving the issue remains and programmes that support young people, particularly those at risk and hard to reach, need greater levels of resourcing. Also responses that encourage entrepreneurship in young people should be supported and resources.”

Cllr. B. Cronin SECONDED the motion.

9. Facilities for the homeless

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

That Kerry County Council must look at ways to improve all facilities for the homeless where we can. What living facilities do we have in each Municipal District and how many beds are available for the homeless in those Municipal Districts.

The following reply issued:

Kerry County Council has 9 beds block booked in a facility in Killarney available for homeless clients. There are also other beds in the same facility (should they be required) for family units which are also wheelchair accessible.

In Tralee, there is a 14 bed facility for individuals run by Novas and Kerry County Council has also block booked 8 beds in a privately owned accommodation facility in Tralee for individuals which has a ground floor apartment for family type units with wheelchair accessibility. There are also two other privately owned accommodation facilities in Tralee that Kerry County Council can place clients and families in if the need arises.

Kerry County Council has also identified 22 short term transitional properties throughout the County, from the Council Housing Stock which are used to accommodate homeless and vulnerable families.

Cllr. D. Grady highlighted that more needs to be done for the homeless. Families from Killarney are given accommodation in Tralee and they must drive to Killarney to bring their children to school. This is not acceptable and adequate facilities should be provided in Killarney. Cllr. Grady asked that additional funding for the homeless would be sought from the Government.

Cllr. M. Healy-Rae SECONDED the motion.

10. Call to re-introduce Town Councils

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

That Kerry County Council call on the Taoiseach and the Government to reintroduce Town Council's as a matter of urgency as the abolition of Town Council's has had a detrimental effect on Tourism, Job Creation and the provision of services in the 3 main towns in Kerry.

The following reply issued:

While it is not the intention to comment on the revision of structures of local government which are subject to Private Members Bills in the Oireachtas, Kerry County Council has clearly established structures within the County to deal with Economic & Community Development across the county including Tourism, Job Creation, and the Provision of Services. These structures have evolved under the reform of local government and have been established to meet the wider economic and community brief as set out in "Putting People First" and the Local Government Reform Act 2014.

The roll out of the Economic Development Unit, the integration of the Local Enterprise Office into the local authority structure and the assignment of staff to support these roles both at county and municipal district level has provided strong support for enterprise across the county and resulted in significant progress in both town and rural areas.

The Local Enterprise Office work closely with start-ups/established companies in the provision of grant aid, mentoring, micro-finance, core training programmes, on-line vouchers, food academy supports and a range of other supports. In 2017 alone 25 projects received €346k in grant support to potentially create 69 full-time and 64 part time additional employment positions. 103 mentoring assignments have been approved and 816 people have undertaken targeted training to date this year.

Kerry County Council has actively supported the development of Economic Infrastructure Employment HUBS in Sneem, Castleisland, Dingle. The Local Authority supports the Science and Tech Cluster in Kerry SCI-TECH as a vehicle for marketing the county and attracting both investment and skilled employment to the county. The Council has also supported two significant research and innovation projects in association with the IT Tralee and leading private sector companies in the county and we await the outcome of funding applications in respect of same. The Council has also partnered with the IDA in developing a promotional package for the County "Invest in Kerry".

In the towns of Tralee, Killarney & Listowel, the Council has worked with Chamber Alliances in a structured and productive manner. The recent success by both Tralee & Listowel in their achievements of overall national winner and regional runner up in the Enterprise Town awards is a huge success for the County. The retention of the Purple Flag in Killarney and Tralee's achievement in securing it for the first time is a clear indicator of strong business co-operation at local level. The continued high success of all three towns in the National Town Awards is further evidence of high levels of engagement in all

three centres. Tralee's Town Centre Health Check in association with the Heritage Council and the associated public realm plan and Listowel's Heritage Town Plan provide an avenue for further improvements in these areas.

The Kerry Tourism Strategy and Action Plan 2016, which involved significant research and public consultation under the umbrella of Destination Kerry with key stakeholders throughout the county, provide a framework for strengthening of the tourism product throughout Kerry. Kerry County Council has a designated Tourism Unit advancing and progressing the Strategy across the County. Very significant progress has been made in delivering the actions in the Strategy and specific key deliverables include: -

- Kerry Local Authority Role in the development of Business Tourism; - Maximisation of Regional Rural Grants and the Town & Village Funding to advance Tourism Infrastructure; - County Brand; - Increased focus and support for Festivals and Mayoral Events;

There are also significant economic and cultural projects being planned or underway in these towns, including the Tralee Town Centre West (Denny Site) Master plan & redevelopment, Arás Phádraig Killarney, the renovation of the cultural centre and the proposed expressions of interest for the Sara Lee site and the design of the Listowel Greenway.

Investment continues to be made in upgrading the fabric of urban centres in the county. Major infrastructural improvements have been undertaken in Tralee, Killarney & Listowel in recent times, these including the Smarter Travel Project in Tralee involving pedestrianisation, introduction of revised traffic flows and major environmental improvements

Kerry County Council, through the adoption of the Development Contributions Scheme 2017, has incentivised economic development through significant reductions in the level of contributions across all sectors (Industrial, Commercial & residential) in both Tralee & Killarney, with more modest reductions in Listowel.

The revision of the Town Development Plans in each area together with the adoption of Municipal District Plans will further guide the development of these areas and target areas that require commercial incentives scheme to encourage private sector investment.

In summary Kerry County Council recognises the interdependence of urban & rural areas throughout the County and at this point have a comprehensive structure and policy framework to incorporate strategic economic, job creation & tourism objectives and identifying actions/schemes to revitalise towns & villages and their associated rural catchments.

Cllr. M. Cahill advised that all town councils took great pride in their towns. Killarney is the biggest tourism town in Ireland but it does not have a Town Council.

Cllr. D. Grady SECONDED the motion.

11. Occupational First Aid Training for teachers and SNAs

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

That Occupational First Aid Training become compulsory for all physically able teachers and SNAs and will be fully funded by the Government and will be known as Isabelles Law. That we as a Council forward this to Minister for Health, Simon Harris, Minister for Children and Youth Affairs, Minister Zappone and Minister for Education.

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

Cllr. N. Moriarty stated at present this training is not compulsory and it would be desirable that as many teachers and SNAs as possible would undertake the training.

Cllr. J. Sheahan SECONDED the motion.

12. Guidelines for NCT

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

That, when the contract with the current provider expires, this Council urges the Minister to issue guidelines that motor vehicles will only be issued with a "Fail" in the NCT when there is a mechanical fault which renders the vehicle less safe to drive.

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

Cllr. P. Daly highlighted that at present a Spanish company has the contract for NCT but it is up for renewal in 6 months. It is important that the NCT Manual only includes issues that would render the vehicle unfit to drive. If a person presents a vehicle for NCT that is not theirs the test will not proceed and he asked for more flexibility on these issues.

Cllr. T. Ferris SECONDED the motion.

13. Call to condemn proposals to exclude part time farmers from payment under the new round of CAP

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

We the members of the Kerry County Council would condemn outright proposals by the EU Commissioner for Agriculture Mr Phil Hogan to exclude part time farmers from payment under the new round of CAP proposals, that we would send our objection to the Minister for Agriculture Michael Creed and to the EU Commissioner for Agriculture Phil Hogan.

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

Cllr. M. O'Shea pointed out that of 139,000 farmers in Ireland, 70,000 are part time and the majority of Kerry farmers work part time. There is a proposal under the new CAP Programme that part time farmers will not qualify for payments. Most part time farmers must have a second job as their holdings are small and would not be viable.

Cllr. O'Shea asked that a letter would issue to Minister Creed asking that there would not be a reduction in the income of part time farmers.

Cllr. D. McCarthy SECONDED the motion.

Cllr. A. Thornton moved Notice of Motion No. 14 on behalf of Cllr. Kennelly.

14. Call to carry out immediate flood relief works at Clieveragh, Listowel

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

That Kerry County Council immediately carry out flood relief works through the OPW in The Clieveragh Area of Listowel as again through severe flooding on the 22nd November homes were destroyed.

The following reply issued:

Following the severe weather events of 2015, in which the drainage network upstream and within the Clieveragh Industrial Estate overflowed, resulting in flood damage to some industrial units and an adjoining dwelling, Kerry County Council commissioned Consulting Engineers to undertake a Preliminary Flood Risk Option Assessment in the Clieveragh area of Listowel.

This report, published in May 2016 identified a preferred option, which includes the construction of an impoundment area, a flow diversion channel and associated works, to mitigate against the potential risk of flooding in the Clieveragh Industrial Estate. The estimated cost of these works is €0.5 million. Having considered the findings of this report, the Council has engaged locally on the feasibility of securing the necessary lands and actively pursued the OPW for funding to progress the scheme.

A further application was made to the OPW in October 2016 for funding to design and construct the scheme and an offer of funding was received in October 2017, towards the cost of site investigations, detailed design, preparation of tender documents and land acquisition. Funding was not approved towards the construction costs, for which a further application must be made on completion of the detailed design and having obtained planning consent.

The appointment of Consulting Engineers is currently being procured and it is anticipated on having the appointment made and the detailed design complete by April 2018. Following completion of the detailed design, the Council will seek planning consent and make a further application to the OPW for the construction costs.

Whilst acknowledging the impact of the exceptional rainfall on the Clieveragh area, the progression of the scheme is conditional on funding from the OPW. The Council has also engaged with Shannon Commercial Properties, who own and manage the Industrial Estate, for financial contribution towards the cost of the works.

15. Call to introduce a dedicated passport/identity check lane for arrivals into Dublin Airport from all Irish airports

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

That this Council request the Department of Justice and Dublin Airport Authority to introduce a special dedicated passport/identity check lane for arrivals into Dublin Airport from all Irish airports.

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

Cllr. J. Moloney highlighted when passengers from regional airports arrive in Dublin they must queue with international travellers to get through customs. In Luton all main land Europe passengers go through a dedicated lane.

Cllr. J. Finucane SECONDED the motion.

16. Call to reintroduce the Bóthar Áise Scheme

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

That we the members of Kerry County Council call on Roinn na Gaeltachta to reintroduce the Bóthar Áise Scheme.

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

Cllr. S. Fitzgerald highlighted that the Bóthar Áise Scheme was suspended in 2009 and many roads have started to deteriorate in the interim. He requested that the resolution would be forwarded to the Minister for the Gaeltacht for consideration and that it would be circulated to all local authorities for their support.

Cllr. M. O'Shea SECONDED the motion.

17. Number of local authority houses in Kerry and the annual maintenance budget

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

How many Local Authority houses do Kerry County Council own currently in 2017 and how much maintenance money is provided for these houses.

The following reply issued:

Kerry County Council own 4,207 dwellings across the County.

The maintenance budget for 2017 is €3.423m. Of this, an amount of €1.5m is allocated for works on vacant house.

We also have a planned maintenance programme for 2017 for an amount of €465,000.

Cllr. M. Healy-Rae pointed out it is getting increasingly difficult to get small maintenance jobs done for tenants. She outlined a number of cases which cannot be resolved as the level of funding is inadequate. She PROPOSED that the maintenance budget be increased.

Cllr. J. Finucane highlighted that the maintenance budget is €3.42m.

The Chief Executive clarified of the €3.42m provided in the Budget €1.5m is for the repair of vacant houses.

18. North Kerry Landfill Site

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

As the North Kerry Landfill Site at Muingnaminnane has been closed for three years, I ask this Council to give: 1) A Progress Report on actions taken to find alternative uses for this site. 2) Why has it taken so long for Consultants to complete their work, considering they were engaged to begin this work last April 3) To give details of Consultants Report. 4) How much has been paid to Consultants since the site closed? 5) What is the current status of this site regarding planning.

The following report issued:

- 1. In 2015, a Voluntary Market Sounding exercise was carried out seeking expressions of interest from interested market participants on possible commercial options for the future of the North Kerry Landfill Site. Three submissions were received and assessed at the time. Due to the complexities involved from an environmental, legislative and financial perspective, it was necessary to engage consultants to assist and best advise Kerry County Council on how to achieve the optimal use(s) for the site having regard to more recent market developments. The procurement process to appoint consultants commenced in late 2016 and Fehilly Timoney & Co. (FTC) were appointed in April 2017.**
- 2. The Consultants had to carry out an extensive review of all the available documentation and information relating to this substantial and complex site which is also licensed by the Environmental Protection Agency. The 'Expressions of Interest' documentation was published on the 12th November and the closing date for receipt of submissions is the 14th December.**
- 3. Once the closing date for submissions has passed, the Consultants will prepare a report on the submissions received and an update will be provided to Council.**
- 4. The following payments have been made to Consultants since the site closed:**

2015

No.	Consultant	Project Description	Cost (Excl VAT)	Justification	Date
1.	Zenit Land Surveys	Topographical Survey of monitoring points	€800	Compliance with Licence Conditions	June 2015

2.	Odour Monitoring Ireland	Gas Survey of Landfill Capping	€1,750	Request by the EPA	May 2015
		TOTAL	€2,550		

All these costs relate to EPA Licence Condition Requirements.

2016

No.	Consultant	Project Description	Cost (Excl VAT)	Justification	Date
1.	Fehily Timoney & Co	Risk Screening and technical assessment of groundwater and all discharges	€3,400	Compliance with Licence Conditions	Feb 2016
2.	Millennium Surveys Ltd	Topographical Survey of the Landfill cap	€1,850	Compliance with Licence Conditions	Feb 2016
3.	Odour Monitoring Ireland	Gas Survey of Landfill Capping	€1,750	Request by the EPA	May 2015
4.	Fehily Timoney & Co	Landfill Gas Assessment of the gas infrastructure on site	€21,278	EPA Compliance Request	Feb 2016
5.	UMAC Systems	Installation of a new telemetry system	€5,320	Compliance with Licence Conditions	June 2016
		TOTAL	€33,598		

All these costs relate to EPA Licence Condition Requirements.

2017

No.	Consultant	Project Description	Cost (Excl VAT)	Justification	Date
1.	Aspiro Ltd	Servicing of the Gas Detection System at North Kerry Landfill	€710	Waste Licence Condition	Feb 2017
2.	Fehily Timoney & Company	Review of the Environmental Risk Assessment	€2,750	Waste Licence Condition	Feb 2017

3.	Millennium Surveys Ltd	Topographical Survey of the Landfill cap	€2,050	Compliance with Licence Conditions	Feb 2017
4.	Odour Monitoring Ireland	Gas Survey of Landfill Capping	€1,610	Request by the EPA	Feb 2017
5.	Fehily Timoney & Co	Slope Stability Assessment	€1,490	Compliance with Waste Licence Conditions	Feb 2017
6.	Enviroguide Consulting Ltd	Methane Detection Survey & Report	€550	Test gas wells	April 2017
7.	Fehily Timoney & Company	Optimal Uses for North Kerry Landfill Site	No invoice submitted to date	Future Use of Site	April 2017
8.	The Forestry Company Ltd	Valuation Services for Forestry Area within the Landfill Legal Boundary	€800	Optimal Uses Project	June 2017
9.	NeoDyne Ltd	Design of Electrical Upgrade to North Kerry Landfill	€34,200	Upgrade existing electrical infrastructure for Cells 1 to 16	June 2017
		TOTAL	€44,160		

With the exception of No. 7 (which relates to Expressions of Interest Process) and No. 9 (which relates to Health and Safety), all remaining costs relate to EPA Licence Condition Requirements.

As licensee holder, Kerry County Council procure independent consultants to carry out a number reports and surveys on an annual basis across a range of disciplines in order to be complaint with the waste licence conditions. Significant expenditure is incurred year on year in order to be in compliance with these conditions for a period of at least 30 years post closure as per the EPA licence.

5. The construction of any additional waste infrastructure (e.g. proposed waste cells) will require a new waste licence application. The landfill ceased accepting waste in July 2014 and is no longer (since July 2017) licenced by the EPA to accept waste for landfilling. Any proposed waste activity will require a licence from the EPA irrespective of whether planning permission is required.

Cllr. J.J. Culloty read the following statement into the record of the meeting.

“In 2015 a market sounding exercise was undertaken seeking expressions of interest on possible commercial options. Due to the complexities it was necessary to engage consultants. The process to appoint consultants commenced in late 2016 and they were appointed in April 2017. As Kerry County Council ceased accepting waste at the North Kerry Landfill in July 2014 why did it take until April 2017 to engage consultants and when in 2015 were market soundings carried out.

The expressions of interest documentation were published on November 12th and the closing date for receipt of submissions is December 14th. Following this the consultants will prepare a report and update the Council on their findings.”

Cllr. Culloty asked when will members be provided with a copy of this report and he further asked if planning is required for works that must be carried out. He asked if consideration was given to erecting wind turbines on the site or could the bunding of waste from Japanese Knotweed be carried out there.

The Chief Executive advised that from 2014 the first priority was the aftercare of the landfill and there has been considerable investment in time and resources to ensure the site complies with the EPA licence. A substantial contract was recently advertised for the design and upgrade of the electrics at the landfill. The landfill site is an asset and she believed there is potential in it for the future. A market sounding exercise had to be undertaken and this takes time. Kerry County Council is actively seeking expressions of interest and she hoped a viable proposal would emerge from this process.

Cllr. J.J. Culloty stated while the landfill is considered to be a valuable asset it is very costly. It is almost 4 years since it was closed and it has not been utilised since then. While he understood there is an obligation on Kerry County Council to comply with the EPA Licence the annual maintenance cost is in the region of €980,000. All options should have been considered before the landfill was closed.

The Chief Executive highlighted that the waste industry is very unpredictable and it has changed a lot in the last few years. In some instances, Emergency Orders were issued where landfills had not closed. The priority for the Council must be the aftercare of the landfill and this work is both difficult and costly and there were environmental issues to be taken into consideration.

Mr. J. Breen stated when the landfill was closed the last developed cell was almost full. It would have cost €1m to develop a new cell and at that time the private sector were not bringing much waste to the landfill. All landfills are subject to the EU Landfill Directive and an aftercare plan must be in place for 30 years. The closing date for receipt of Expressions of Interest was Thursday 14th December and he hoped there would be substantial submissions.

19. Call to ask factories to remove the restrictions on the number of movements for cattle

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

To ask the Minister for Agriculture to remove the restriction on the number of movements for cattle.

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

Cllr. D. McCarthy amended the motion as follows:

“To ask the Minister for Agriculture to ask the factories to remove the restriction on the number of movements for cattle”. He added that the movement restriction is having a devastating impact on farmers and there can be a price difference of up to €400.

Cllr. M. Healy-Rae SECONDED the motion.

20. Improvements in the accessibility of all directives, compliance regulations and obligations for people with learning disabilities

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

That we write to the Minister for Agriculture and the Marine 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. The lack of workable reasonable accommodations and audio files has led to effective discrimination against those with literacy difficulties.

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

Cllr. N. Moriarty advised that in October Edward Dearing was allowed present his case to the European Parliament and this did not reflect well on the Department of Agriculture and Food who had penalised Mr. Dearing because of his inability to read complex text. Information should be made accessible to all levels of ability and a common sense approach should be taken by the Department.

Cllr. S. Fitzgerald SECONDED the motion.

22. Clarification on the implications of a person with Lymes Disease donating blood

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

That this Council write to the Minister for Health seeking clarification as to what the implications are going forward for a person who has Lymes Disease donating Blood that may be used in transfusions.

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

Cllr. D. Quigg requested that the resolution would be forwarded to the Minister for Health.

Cllr. J. Sheahan SECONDED the motion.

Cllr. A. Thornton moved Notice of Motion No. 23 on behalf of Cllr. Kennelly.

23. Availability of staff for weather warnings

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

Can Kerry County Council confirm that when any code warning of possible flooding arise, that all Kerry County Council staff are on standby through our emergency action plans.

The following reply issued:

Kerry County Council has Emergency Response Plans for Severe Weather Events, including for Flooding; Snow/Ice/Frost and Wind/Storm conditions. These plans were prepared in accordance with guidance given by the National Directorate for Fire and Emergency Management.

In relation to flooding, the plans identify specific actions to be carried out by Area staff in areas known to be at risk of flooding, having regard to the nature / scale of the warning received from Met Eireann and the weather forecasted

These actions include preparatory works, such as inspections of critical points in the drainage network, making available sand bags, having pumps on standby, as well as having appropriately trained staff available. The Civil Defence Officer also arranges to have volunteers on standby dependant on the severity of the projected weather event.

The Council received a Yellow alert from Met Eireann at 12:20 on the 21st November 2017. The forecast from the Met Eireann weather charts was for rainfall totals of approximately 30mm over a 21hour period.

The Council most frequently receive Yellow alerts and the concept behind these alerts is to notify those who are at risk because of their location and/or activity, and to allow them to take preventative action. It is implicit that YELLOW level weather alerts are for weather conditions that do not pose an immediate threat to the general population, but only to those exposed to risk by nature of their location and/or activity.

On receipt of the alert the Council carried out inspections of the drainage network and removed any potential blockages. Sand bags had been distributed earlier in October in response to ex-Hurricane Ophelia and Storm Brian, to properties that had previously experienced flooding, particularly in the Clieveragh area in Listowel.

On the morning of the 22nd November, exceptional adverse rainfall was experienced on the Dingle Peninsula and North Kerry, where it is estimated that over 32mm of rain fell within a 2hour period.

The earliest calls to the emergency numbers were received at 5:30 am and crews were deployed to the affected areas by 6 am.

The crews were supported by 9 Civil Defence volunteers who responded to isolated locations affected by flood waters, in North Kerry, where there was no history of flooding.

24. Support for the Secure Hours-Better Future Charter

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

That this Council supports the Secure Hours-Better Future Charter which would ban Zero Hour Practices including the Exploitative 'if and when' contracts, provide workers with secure hour contracts which reflect weekly hours actually worked and ensure a maximum 12 month 'look-back' period to calculate hours worked and prohibit victimisation of workers for asserting their rights.

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

Cllr. P. Daly moved the motion.

Cllr. D. McCarthy SECONDED the motion.

25. Call to utilize any empty wards or beds in Nursing Homes

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

That Kerry County Council call upon the Department of Health to utilize any empty wards or beds in their facilities in places like Kenmare Community Nursing Unit and any Hospitals in the County.

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

Cllr. P. Connor-Scarreen advised that he understood the delay in opening the remaining beds in hospitals is due to recruitment issues. He called on the HSE to meet with the Irish Nurses and Midwives Organisation and staff in an effort to resolve this impasse. Ireland has an increasing elderly population and Kenmare Community Hospital services a large catchment area. He asked that the resolution would be referred to the Minister for Health and the HSE.

Cllr. J. Finucane SECONDED the motion.

26. Call for a design and drainage scheme to deal with the serious flooding on the R551 at Buncurrig, Ballyheigue

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

Can Kerry County Council design and implement a drainage system to deal with the serious flooding on the R551 at Buncurrig, Ballyheigue.

The following reply issued:

On the morning of the 22nd November, exceptional adverse rainfall was experienced on the Dingle Peninsula and North Kerry, where it is estimated that over 32mm of rain fell within a 2 hour period, resulting in flooding to some properties.

The R551 at Buncurrig is a very low lying area and drainage from this area is also dictated by tide levels on the seaward side of the sluice gates at Akearagh. The Council carries out frequent maintenance on the Akearagh drainage network, with specific funding provided annually in the adopted budget, and works had been ongoing since early November.

Extensive work was also carried out in repairing the sluice gates at the mouth of Akearagh Lough outfall this year, ensuring that they were operating and not allowing tidal water back towards Buncurrig and the R551 road.

The highest water levels in a river can occur some hours after a period of heavy rainfall, which can vary depending on the topography and size of a river catchment. Unfortunately, the flow in the local streams at Buncurrig coincided with the high tides at approximately 7am, when the sluice gates were closed, restricting the outflow towards the sea.

Consideration could be given to raising the level of the road to maintain access on the R551, having regard to the overall level of funding available for road improvement works and other demands for such funding. There are alternative diversions available in such exceptional circumstances.

Due to the low lying topography, it is extremely challenging to identify a drainage system that would address flooding from exceptional adverse situations as was experienced on the morning of the 22nd November.

As part of a recent application made to the OPW to fund a Coastal Erosion and Flood Risk Management Study for the Ballyheigue-Banna-Carahanne Coastal Cell area, it is intended that the study (subject to funding) would also examine flooding issues in the Akearagh Lough area.

Cllr. J. Lucid read the following statement into the record of the meeting.

“For the past several years the R551 at Buncurrig Ballyheigue (a regional road) the main route to Tralee for many people has been flooded and closed.

I have brought motions to the Listowel Municipal District and my colleague Norma Foley has brought motions to Tralee Municipal District. In fairness to Kerry County Council they have carried out drainage works on the canals and drain on both sides of the road last May. I am told that a number of the sluice gates at Ardkeragh have been replaced.

However every time there is heavy rain the road has to be closed for a number of days, anything from two to four or five.

I would like to know what can be done here to stop this happening. It is totally unacceptable in this day and age to have this kind of regular flooding.

People have had car engines damaged, people have to detour adding to their journey times. It has a negative impact on commercial activity in Ballyheigue village where shops etc lose business.

People living on the west side of Ballymcquinn can have their septic tanks flooded causing damage to new houses.

The road itself will be destroyed because of the regularity of the flooding.

I am asking Kerry County Council to investigate this situation and see what options are there to solve the issue.”

Cllr. J. Moloney SECONDED the motion.

27. Call for more apprentices

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

As the volume of construction projects increases, and there is a shortage of qualified tradesmen to fill these posts, I call on this Council to write to the Minister for Employment Affairs & Social Protection, Regina Doherty, to consider ways to make it more attractive for people, who wish to begin apprenticeships, to do so.

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

Cllr. J.J. Culloty highlighted that apprentices must attend college and pay in excess of €700 and they should be entitled to avail of a grant. There is huge demand for trades people and he called on the Minister for Employment Affairs and Social Protection to survey employers to establish what type of system would suit them.

Cllr. J. Sheahan SECONDED the motion.

28. Repair of public lights

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

I'm calling on Kerry County Council to repair lights in housing estates outside people's homes, as people are afraid of crime, break-ins and injuring themselves without it. The only bit of security people have in estates is by having a public light. Kerry County Council is not fixing lights in other estates in the context that they are in the process of being taken in charge but these people are paying Property Tax to the Local Authority and should be getting some return for their money.

The following reply issued:

Kerry County Council has 12,387 public lights in our charge and the cost of providing this service will be over €2million in 2018. The number of lights in our charge and the cost of providing this service is increasing annually, with the taking in charge of completed housing estates. The challenges in providing and maintaining the public lighting network was previously identified in a report considered by the Operations SPC, following which a Public Lighting policy was developed and adopted by Council.

Based on surveys of lighting faults, over 98% of the public lighting is fully operational and the majority of the faults to light heads are repaired within 12

working days. It is acknowledged that there have been delays in repairing other faults, such as cabling faults, due to the age of the infrastructure.

The Council will shortly be tendering for a new maintenance contract, and it is our intention to have this in place by early 2018. This will provide a more streamlined approach to public lighting maintenance and the contract will have control measures in place to ensure the rectification of public lighting faults will be dealt with in a timely manner, with penalties invoked where specified targets are not met. The contract will also provide for the successful contractor to also carry out repairs and upgrades to cabling faults.

Management companies are responsible for the maintenance and energy costs of the public lighting in a private estate until it is taken in charge. In assessing an estate to be taken in charge, the Council has to be assured by the developer that the infrastructure (roads, footpaths, public lighting etc.) has been constructed in accordance with the appropriate standards and any repairs identified are fully addressed. The repairs are generally addressed by the Developer or through the bonds conditioned in the grant of planning permission.

In recent years, Kerry County Council has made significant progress on taken estates in charge. Since 2014, 33 estates have been taken in charge and the Council is currently in the process of taking in charge a further 5 estates.

There have been difficulties with public lighting in 4 of these estates and revised procedures have been put in place, as part of the taking in charge process, to ensure that such issues are addressed more promptly in future. These were outlined in correspondence issued to the members in relation to public lighting, on the 28th October 2017.

It is acknowledged that there may be difficulties in addressing public lighting issues in private estates, particularly with older historical estates, where the surety from the developer is no longer in place or the developer is not trading. The adopted public lighting policy provides for the Council to take over the public lighting in such estates, in advance of the taking in charge of the estate. Full details of any costs involved, any funding model required for the repairs, and the timeframe for the works in such cases will be advised at the relevant Municipal District.

Cllr. M. Healy-Rae pointed out that public lights should be repaired within 12 days of being reported. However, two lights in Clarin Wood are out for 7 to 8 months while in another estate in Rathmore none of the lights are working. Homeowners pay LPT and they are entitled to a service and this includes the repair of lights. Cllr. Healy-Rae PROPOSED that the Council would fix all lights regardless of whether an estate has been taken in charge or not.

Cllr. M. Cahill SECONDED the motion.

29. Management, maintenance and operation of Water Treatment Plants

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

To ask Kerry County Council who is responsible for the management, maintenance and operation of Water Treatment Plants throughout the County.

The following reply issued:

Irish Water are responsible for the management, maintenance and operation of Water Treatment Plants throughout Kerry and are the owners of all the plants.

The Water Services (No. 2) Act, 2013 makes further provision for the performance of certain functions by Local Authorities on behalf of Irish Water. A Service Level Agreement was signed between Kerry County Council and Irish Water which took effect on 1st January 2014 and the term of the Agreement is for a period of 12 years. Section 3.4 of the Service Level Agreement sets out the services that Kerry County Council will provide to Irish Water and these include, among other things, the operation and maintenance of Water Treatment Plants throughout the county.

This agreement does not include the operation and maintenance of Water Treatment Plants by Contractors in the county through Design, Build & Operate (DBO) contracts, which will continue to be operated by the relevant contractors appointed by Irish Water.

Cllr. D. Grady SECONDED the motion.

30. Call to introduce a ticket system at KUH in the A&E and Outpatients Departments

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

That Kerry County Council request the HSE as a matter of extreme urgency to introduce a Ticket System at Kerry University Hospital in the A&E and Outpatients Departments, similar to the system that is currently being used in the Motor Tax Office, as it is very unfair for members of the Public, especially the old, the sick, those in pain and those in wheelchairs and on crutches to be left waiting in queues for hours at a time.

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

Cllr. M. Cahill stated if a ticket system was in operation patients could go for a cup of tea. As it is they must queue for hours.

Cllr. D. McCarthy SECONDED the motion.

Notice of Motion No. 31 was deferred to the January Meeting.

17.12.11.10 Conferences and Seminars

- (a) On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. S. Locke it was agreed to approve a visit to the Dingle Civic Amenity Centre by Cllrs. Kennelly, Beasley, Lucid and Moloney on the 9th November 2017.
- (b) On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. S. Locke it was agreed to approve the attendance of the Cathaoirleach, Cllr. J. Sheahan, at the Pride of Place Awards held in Letterkenny, Co. Donegal on the 2nd December 2017.
- (c) On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. S. Locke it was agreed to approve the attendance of Cllrs. Thornton and Grady at the Conference on the theme “A Practical Guide to Budget 2018” which was held in Clonakilty, Co. Cork from 8th to 10th December 2017.

Cllr. Grady was nominated to report back to Council on this event.

- (d) On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. S. Locke it was agreed to authorise the attendance of Cllr. Connor-Scarteen at the Conference on the theme “Local Authorities and Regional Assemblies Managing Executive Governance” to be held in Galway on the 15th and 16th December 2017.

Cllr. Connor-Scarteen was nominated to report back to Council on this Conference.

- (e) On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. S. Locke it was agreed to authorise the attendance of Cllrs. P. McCarthy, Spring, Kelleher, Cahill and O’Connell at the Conference on the theme “The Finance Act 2017” to be held in Carlingford, Co. Louth from 5th to 7th January 2017.

Cllr. Cahill was nominated to report back to Council on this event.

- (f) No member expressed an interest in attending the Conference on the theme “Entitlement to Health Services” to be held in Clonakilty, Co. Cork from 19th to 21st January 2018.

17.12.11.11 Correspondence General

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

1.	Letter dated 18 th October 2016 from the HSE in response to a resolution from Kerry County Council in relation to the appointment of additional dentists.
2.	Letter dated 24 th February 2017 from the HSE in response to a resolution from Kerry County Council in relation to Deer Lodge.
3.	Email dated 13 th November 2017 from Deputy Michael Healy-Rae in response to a resolution from Kerry County Council in relation to the Fixed Penalty Drink Driving Bill.

4.	Letter dated 8 th November 2017 from the Department of Culture, Heritage and the Gaeltacht in relation to the designation of areas in County Kerry as SAC's.
5.	Letter dated 17 th November 2017 from the Department of Housing, Planning and Local Government in response to a resolution from Kerry County Council in relation to rainwater harvesting.
6.	Letter dated 17 th November 2017 from Fáilte Ireland in response to a resolution from Kerry County Council in relation to the potential creation of a Centre of Excellence for tourism education in Kerry.
7.	Email dated 22 nd November 2017 from the Office of the Minister for Housing, Planning and Local Government in response to a resolution from Kerry County Council in relation to the enactment of the relevant legislation so that applicants for the Tenant Purchase Scheme will no longer be required to pay water charges.
8.	Email dated 23 rd November 2017 from the Department of Employment Affairs and Social Protection in response to a resolution from Kerry County Council asking that children's allowance would be paid to all children in Second Level Education.
9.	Letter dated 27 th November 2017 from the RSA in response to a resolution from Kerry County Council in relation to the next round of contract tenders for RSA Roadworthiness/CVRT centres.
10.	Email dated 29 th November 2017 from Senator Paul Coghlan in response to a resolution from Kerry County Council in relation to the Fixed Penalty Drink Driving Bill 2017.
11.	Email dated 1 st December 2017 from the Department of Education and Skills in response to a resolution from Kerry County Council in relation to Japanese Knotweed education in schools.
12.	Letter dated 4 th December 2017 from the Department of Children and Youth Affairs in response to a resolution from Kerry County Council in relation to funding for playschools/pre-schools in rural areas.
13.	Letter dated 20 th November 2017 from Carlow County Council in relation to a resolution adopted by that authority calling on the Minister for Agriculture, Food and the Marine to produce adequate information to ensure ease of access and understanding of complex requirements for persons with disabilities.

The Cathaoirleach advised that the Christmas Dinner would be served in the Porterhouse at 4.30pm.

The meeting concluded at 4.20pm.

Liam Quinlan
Meetings Administrator

Cathaoirleach of Kerry County Council