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MIONTUAIRISCÍ NA CRUINNITHE MHIOSIÚIL DE COMHAIRLE CONTAE CHIARRAÍ A THIONÓLADH I SEOMRA NA COMHAIRLE, ÁRAS AN CHONTAE, TRÁ LÍ, AR AN LUAN , 23 EANAIR, 2017

MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, ÁRAS AN CHONTAE, TRALEE ON MONDAY, 23RD JANUARY 2017

PRESENT/I LÁTHAIR

Councillors/Comhairleoirí

R. Beasley
B. Cronin
T. Ferris
J. F. Flynn
D. Grady
N. Kelleher
J. Lucid
T. McEllistrim
D. Nolan
M. O'Shea
J. Sheahan

M. Cahill
J.J. Culloty
J. Finucane
N. Foley
J. Healy-Rae
M. Kennelly
D. McCarthy
J. Moloney
T. O'Brien
L. Purtill
G. Spring

P Connor-Scarteen
P. Daly
S Fitzgerald
M. Gleeson
M. Healy-Rae
S. Locke
P. McCarthy
N. Moriarty
B. O'Connell
D. Quigg

IN ATTENDANCE/I LÁTHAIR

Ms. M. Murrell, Chief Executive	Mr. J. Breen Dir. Water Services
Mr. C. O'Sullivan Dir. Ops H & S	Ms. A. McAllen, Head of Finance
Mr. M. Scannell, A/Dir. Job Cr/Sust. ED	Mr. L. Quinlan, Meetings Admin.
Ms. J. Maher, Fin. Mgmt. Accountant	Mr. G. O'Brien, A/SEO Environment
Mr. O. O'Shea, Press & Comm. Off.	Ms. B. Reidy, SSO Corporate Support
Ms. S. Sheridan, SSO Finance	Ms. O. O'Shea, CO Corporate Support

The meeting commenced at 2.50pm.

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

The Cathaoirleach welcomed the teachers and students from 3rd year at Mercy Mounthawk, Tralee who were present in the public gallery.

It was unanimously agreed that TV3 would be permitted to record part of the meeting without sound.

Vote of Sympathy

Cllr. M. Gleeson extended a vote of sympathy to (Names withheld for data protection purposes. A paper copy of the unedited Minutes is available on request) on the death of a son and brother and now also a mother and grandmother.

17.01.23.01 Cathaoirleach's Report on the CPG Meeting held on 17th January 2017

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

“Item 1 Agenda for the January Council Meeting

Mr. L. Quinlan briefed the meeting on the Agenda for the January Meeting.

Item 2 Local Government Auditor's Report 2015

Ms. A. McAllen stated that the Local Government Auditor's Report on the Accounts of the Council for the year-ended 31 December 2015 together with a copy of the certified Audit Opinion from the Annual Financial Statement as well as a report from the Audit Committee would be presented to members at the January Meeting.

Item 3 Proposed visit to Kerry by Minister for Housing, Planning, Community and Local Government Mr. Simon Coveney T.D.

Mr. L. Quinlan advised that Minister Coveney will visit Kerry on Monday next and an invitation issued to Councillors to attend the 'Kerry Rebuilding Ireland Stakeholders Event' in the Manor West Hotel, Tralee commencing at 11.45am. The Minister will attend and speak at this event and he will also meet with various groups in the course of the morning. As a consequence the Council Meeting will commence at 2.30pm.

Item 4 Disclosure of Donations Forms for 2016

Mr. L. Quinlan advised members that their completed Disclosure of Donations Forms for 2016 must be returned by the 31st January, 2016.

Item 5 Civic Reception for Brendan Kennelly and Annual Awards Night

Mr. L. Quinlan stated the Civic Reception for Mr. Brendan Kennelly would be held on Saturday 21st January in the Parish Hall, Ballylongford at 2pm while the Annual Awards Night will be held on Friday 3rd February at 7pm in County Buildings.

The CPG agreed to include the Kerry Minor Hurling Team which won the All-Ireland B Hurling Title in 2016 for the fifth year in a row with the Teams to be honoured at the forthcoming Annual Awards Night on 3rd February.

Item 6 Update from Chairs of SPCs

All Chairs of SPCs indicated that their SPCs would meet in the coming weeks. The Cathaoirleach thanked Cllr. Moloney for his excellent service during his time on the CPG as Chair of the Quality of Life SPC.

Item 7 Any other business

The Chief Executive informed members that the feedback from the deputation with TII in relation to the Macroom Bypass was positive. Management also met with Department officials in relation to access to Fenit and the response on this was positive also.

The Chief Executive also advised that if Ireland's bid to host the Rugby World Cup in 2023 is successful Killarney will be one of the Stadiums to host matches. She emphasised the importance of portraying a positive image of the county having regard to that and with a view to attracting investment to the county.

Rail Review 2016

Mr. C. O'Sullivan stated submissions were invited on the Rail Review 2016 Report and he briefed members on the proposed submission from Kerry County Council which takes account of the views expressed by members.

Performance Indicators

Mr. L. Quinlan stated a report on Performance Indicators would be presented to the February Council Meeting."

17.01.23.02 Confirmation of Minutes

On the PROPOSAL of Cllr. J. Moloney, SECONDED by Cllr. J.J. Culloty it was unanimously agreed that the Minutes of the following meetings be confirmed:

- (a) November Ordinary Meeting held on the 21st November 2016.
- (b) Special Meeting held on the 21st November 2016.
- (c) December Ordinary Meeting held on the 12th December 2016.

17.01.23.03 Chief Executive's Report to Council

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

“Introduction

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

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

Members will also be aware that an update report is provided to each Municipal District Meeting on the work of the Directorates within Kerry County Council. These reports provide updates on such matters as the Roads Works Programme, Water and Wastewater projects, Housing Programme, Environmental Services etc. In order to avoid duplication of reporting, updates on these matters are not included in the Chief Executive's Report.

The attached hereunder has been prepared for the January 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 4 Financial report will be set out in the Chief Executive's Report presented at the March Council Meeting.

Infrastructure, Operations, Health & Safety Directorate

National Road Funding

The T.I.I. announced the 2017 National Road Allocations on the 23rd December 2016, which were circulated by the Director of Operations to all members. The overall allocation is €12.9m for Kerry, representing an increase on the €7.8 m received in 2016, but this is primarily due to the allocation of €7.2m for the N86 schemes to fund the current construction contract and land acquisition. Funding for Ordinary Maintenance and Winter Maintenance (Salting) of National Primary and National secondary routes is unchanged from 2016. We are awaiting details of the Regional and Local road grant allocations, which I expect to receive in late January, following which we will be preparing our 2017 Service Delivery Plan and Schedule of Municipal District Work Plans, for your consideration. Further details on the grant allocations will be provided when the 2017 plans are presented to Council.

Tralee Fenit Access

Both the Director of Services and I also had a meeting with Senior Officials in the Department of Transport, Tourism and Sport, regarding funding requirements to address access to Fenit Harbour from Killarney, which has been identified as a strategic requirement by this Council, to support the future development of the port and the future proposals by Liebherr Container Cranes, who are the principal user of the port. The Officials gave a positive commitment to examine the submission made by the Council for the need to improve the alignment of the existing Tralee - Fenit Road and advance the northern relief road around Tralee and to bring the submission to the attention of the Minister.

Macroom By-Pass

As the Cathaoirleach has already stated, we had a very positive meeting with the T.I.I., on progressing the Macroom By-Pass, and the senior officials from the T.I.I. acknowledged in particular the strong singular focus that the members presented on this very strategic project. I was confident from the meeting that the T.I.I. would make every possible effort to secure funding from Government to bring forward the date for commencement of works on the main contract from 2020, which has to be welcomed.

Housing Directorate

The scheduled visit to Kerry of the Minister for Housing, Planning, Community and Local Government, Mr. Simon Coveney T.D., and the hosting by Kerry County Council of the Kerry Rebuilding Ireland Stakeholders Event will help to build a greater understanding of the issues and to identify solutions in meeting housing need within the county with the input of all relevant stakeholders.

Economic & Community Development Directorate

Kerry Local Enterprise Office

Promotion and advertising

The Local Enterprise Office ran a promotional campaign over December 2016 on radio, newspapers and social media. This targeted individuals thinking of starting a business and those expanding their businesses.

Training

The 2016 training outcomes were strong with 850 individuals participating in 2016 training initiatives.

The 2017 Programme has commenced with the following schedule of courses for January;

17/01/17	Start Your Own Business Course – Killarney
18/01/17	Start Your Own Business Course – Tralee
24/01/17	Digital Marketing Programme – Tralee
25/01/17	Advanced Facebook Advertising – Tralee

Kerry's Best Young Entrepreneur

The local competition is complete and the local winners now have progressed to the Regional Finals.

The regional winner announcements will be made at an event in Bunratty, Co. Clare on 23rd January following an intensive adjudication process with nominees from Clare, Limerick, Tipperary and Kerry.

Trading Online Voucher Scheme

A budget has been submitted seeking funding for the 2017 scheme. The Department of Communications, climate action and environment has now confirmed an increased allocation of 59 vouchers amounting to an additional €147,500 in funding. This reflects the strong delivery of the programme to date by Kerry County Council.

Enterprise Month 2017

Preparatory work has commenced on the programme for March Enterprise Month. The Local Enterprise Office will have responsibility for the delivery of programmes during the first week of the month and the later weeks will be managed by other agencies and Local Development Companies.

Employment Survey

The office has completed the survey and the outcomes indicate 99 new jobs in the LEO supported business portfolio in 2016.

LEO Plan 2017

Work is ongoing on the preparation of the 2017 Workplan which will form the basis of the 2017 funding allocation from the Department of Jobs, Enterprise and Innovation Training.

The 2016 training schedule is drawing to a close with the last series of programmes almost complete and planning for 2017 has commenced.

Island of Geese

The closing date for tenders in relation to the preparation of the Master Plan for the Island of Geese (Old Denny Site) was Friday 20th January. The tenders will be evaluated over the coming days and it is hoped to appoint the successful tender within a short period and commence preparation of the Plan. Malachy

Walsh & Partners are currently preparing tender documents for the demolition of the site and these will be finalised over the coming weeks.

Tourism Development Unit

CMT Stuttgart 2017

CMT Stuttgart is Germany's largest consumer fair with over 220,000 visitors attending in 2016. The Tourism Unit in cooperation with the Destination Kerry Tourism Forum has liaised with the tourism trade in the county over the last few weeks and several representatives will travel to Stuttgart at various times over the period of this nine day show, to promote County Kerry. This fair attracts both public and trade with 41% of visitors attending with the intention of purchasing and another 30% booking or planning a holiday. A brochure, in German, detailing tourist attractions and promoting the county has been designed and printed by the Unit and will be distributed at the event.

Community Development

2017 Sports Capital Programme

The Minister for Transport, Tourism and Sport, Shane Ross TD announced that the 2017 Sports Capital Programme would be open for applications on the 23rd of January 2017. Applications are being sought from sports clubs, voluntary and community groups, national governing bodies of sport and Local Authorities. The closing date for submitting applications is Friday the 24th of February, also all groups must be registered with the Community Department by the 10th of February 2017.

LEADER 2014-2020

The closing dates for the first call for project submissions were Friday 20th January and Friday 27th January for areas covered by South Kerry Development Partnership (SKDP) & North, East & West Kerry Development (NEWKD) respectively.

At the Local Action Group meeting of 16th January the evaluation committees for the three implementing partners SKDP, NEWKD & IRD Duhallow were ratified. The evaluation committees bring experience from business, tourism, agriculture, environment, local government and the community sectors.

Water, Environment, Fire & Library Services Directorate

Water Services

New Wastewater Treatment Plant for Ardfert

A contract with a value of €3.5 million was signed in early December between Irish Water and Glan Agua Ltd to carry out significant upgrade work on the Ardfert Wastewater Treatment Plant.

Mains Replacement

Works to replace 4.4km of 300mm dia. trunk main in Derry, Listowel at a cost of €500,000 were completed by the Council's direct labour crews on 13th January 2017.

When combined with other mains replacement works on this trunk main in 2015 and 2016, over 9km of the trunk main from Listowel to Tarbert, between Clontubbrid and Tarmons reservoir, has now been replaced, which will eliminate the frequent interruptions experienced on this water main.

Prior to the completion of these improvement works, this trunk main was bursting an average of 30 times per year, affecting approximately 1,500 customers on each occasion.

Following a submission from Kerry County Council, Irish Water has approved €900,000 in funding to replace 7.5km of old and deficient watermains from Glencuttane Cross to Ardmoniel, Killorglin on the Breanlee Water Supply Scheme. Works to replace these mains will be carried out by the Council's direct labour crews and will be prioritised to commence in the coming weeks. The funding amount approved also includes for the permanent reinstatement of the public road.

Environmental Services

Southern Region Waste Management Plan 2015-2021 – Annual report 2016

The Annual Report for 2016 was recently launched by the Southern Region Waste Management Office. The Report covers the period from the Plan's launch (May 2015) up until the end of May 2016. Among the key performance indicators in the report which includes a number of telling comparisons in the waste management practices across the region between 2012 and 2014, is that the disposal rate of waste to landfill from households has dropped from 37% to 25% in that period.

Other positive results included are that the recycling and recovery rate has improved from 63% in 2012 to 75% in 2014. The report reveals that the annual amount of household waste produced per person has increased from 295 kgs to 299 kgs from 2012 to 2014. The average amount of waste produced per household in 2014 was 807kgs.

Other key findings in the report include:

- Household waste electrical and electronic equipment (WEEE) recovery in the region is now at almost twice the minimum EU target of 4kgs per inhabitant.
- 67% of households have now signed up for a waste collection service.
- 45% of households availing of a collection service have on organic bin

A copy of the report is available on the SRWMO website
www.southernwasteregion.ie”

17.01.23.04 Issue of Annual Declaration Forms in accordance with Part 15 (Ethics) of the Local Government Act 2001

Mr. L. Quinlan referred members to report dated 17th January 2017 on this item which was circulated. He advised members that their Ethics Declarations must be returned before the 28th February, 2017.

On the PROPOSAL of Cllr. T. O'Brien, SECONDED by Cllr. J. Finucane it was agreed to note this report.

17.01.23.05 Report of the Local Government Auditor

Ms. A. McAllen, Head of Finance, referred members to the Report of the Local Government Auditor on the Council's Accounts for the Financial year ended 31st December 2015 which was circulated together with a Report from the Audit Committee on the Statutory Audit Report for the year ending 31st December 2015.

On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. J.J. Culloty it was agreed to note these reports.

Animal Heaven Animal Rescue Centre

Cllr. B. O'Connell asked in light of the recent TV Programme on the Animal Heaven Animal Rescue Centre were Kerry County Council satisfied with the due diligence of the Council Vets in relation to this facility. He further asked if Kerry County Council make payments to this Centre and he proposed that they would be suspended forthwith.

In response Mr. J. Breen stated this is a family run facility and it is registered as a dog breeding facility. All inspections carried out by Kerry County Council have been satisfactory.

Free parking for the forthcoming National League Football Games

Cllr. P. Daly thanked Management for facilitating supporters attending the upcoming Mayo and Dublin games with car parking facilities.

17.01.23.06 Summary of proceedings at Conferences, Seminars and Training Events on behalf of the Kerry County Council delegates that attended in accordance with Section 142(5)(f) of the Local Government Act 2001.

- (a) On the PROPOSAL of Cllr. T. McEllistrim, SECONDED by Cllr. T. O'Brien it was agreed to note Cllr. N. Moriarty's report on the LAMA Autumn Training Seminar held in Bantry on the 30th September and 1st October 2016.
- (b) On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. J. Finucane it was agreed to note Cllr. J. Lucid's report on the Irish Planning Institute Autumn Planning Conference held in Dublin on the 7th October 2016.
- (c) On the PROPOSAL of Cllr. J. Sheahan, SECONDED by Cllr. R. Beasley it was agreed to note Cllr. J. Finucane's report on the AILG In Service Training held in Kilkenny on the 27th October 2016.
- (d) On the PROPOSAL of Cllr. J.F. Flynn, SECONDED by Cllr. M. Gleeson it was agreed to note Cllr. J.J. Culloty's report on the Kendal Mountain Festival Weekend held from 17th to 20th November 2016.
- (e) On the PROPOSAL of Cllr. T. O'Brien, SECONDED by Cllr. D. Grady it was agreed to note Cllr. B. Cronin's report on the Esperanze Enterprises Conference on the theme "Community Development Achieving Social Inclusion, Reconciliation & Equality" held in Galway on the 16th & 17th December 2016.

17.01.23.07 Approval for the opening of Tenders

- (a) On the PROPOSAL of Cllr. T. O'Brien, SECONDED by Cllr. T. McEllistrim it was agreed to approve the opening of tenders for the Construction of 4 new semi detached housing units and associated site works at Bill Kinnerk Road, Tralee – Closing date: Friday 13th January 2017 at 4pm.
- (b) On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. S. Locke it was agreed to approve the opening of tenders for Kerry, Cork and Clare Bridge Rehabilitation – Contract A – Closing date: Friday 3rd February 2107 at 3pm.
- (c) On the PROPOSAL of Cllr. J.J. Culloty, SECONDED by Cllr. B. O'Connell it was agreed to approve the opening of tenders for the Supply of a Mobile Library for the Kerry Library, Tralee – Closing date: Wednesday 8th February 2017 at 3pm.

17.01.23.08 Notices of Motion

1. Kilderry Bends Realignment Project

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

Further to previous notices of motion that I submitted over the past couple of years, will the Council give a detailed progress report in regards to the €10m Kilderry Bends Realignment Project and has TII confirmed that this major project for the County will commence in mid 2017 as per response to previous notices of motion that I moved in June 2016. Will Kerry County Council request TII to expedite this project on health and safety ground and help prevent accidents/fatalities as there are many dangerous bends and junctions on this busy N70 National Secondary Route.

The following reply issued:

Following the confirmation of the CPO for the N70 Kilderry Bends scheme, the Council secured funding in 2016 to acquire some of the lands. This process is on-going and further grant aid of €345,000 was provided by the T.I.I. this year to fund further land agreements. We are also progressing with the final design of the scheme and the Tender Documents for the scheme are currently being prepared with a view to seeking the approval of the TII to publish the Tender Notice in mid 2017.

Cllr. M. Cahill stated Kilderry Bends have been included in the list of 50 most dangerous bends in the country. This is a big contract and the junction is dangerous also. He welcomed the allocation of €345,000 in 2017 and the fact that it is scheduled to go to tender this summer. Cllr. Cahill thanked the staff in the NRDO in Castleisland for bringing this project to fruition and he asked in the interim that the road would be repaired.

Cllr. M. O'Shea SECONDED the motion.

2. Interaction with the European Union

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

That the Chief Executive would detail the extent of the direct interactions during 2016 between Kerry County Council and the European Union Departments that have a direct relevance for the enhancement of local democracy, primarily through financial assistance.

The following reply issued:

The Council recognises the importance and potential of engagement with the institutions and programmes of the European Union for the economic development of the county. In recognition of this a provision was included in the 2017 budget for a resource to expand the Council's involvement in this area in partnership with the ITT and the establishment of this position will be concluded shortly.

Kerry County Council has a strong engagement with delegated bodies and Government Departments administering E.U Funding.

The Local Authority now acts as the financial intermediary for the LEADER and SICAP programme and works closely with the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs is the Programme Manager for LEADER.

Kerry County Council has a strong engagement with B.I.M. (Bord Iascaigh Mhara) in relation to the FLAG scheme. This is a Fisheries Local Area Development Scheme and is funded under Priority Axis 4 of the European Fisheries Fund (EFF). Funding will become available in March 2017.

The Local Enterprise Office receives direct funding support and this funding comes through the ERDF process. Kerry County Council liaises directly with Enterprise Ireland through a Centre of Excellence based on a formal Service Level Agreement.

Kerry County Council has engaged through a number of partnerships with the EU institutions in relation to the development and delivery of a number of programmes and projects, in addition to the mainstream funded programmes.

These include:

Interreg Programmes

- The LIVE Ireland Wales project – linking Iveragh peninsula with Llyn Peninsula – developing Heritage tourism in partnership with UCC and the Bangor University.**
- The Atlantic Periphery programme – Eco-Star project in partnership with CIT – developing Kerry Dark Sky Reserve – maximising their potential with other potential sites in Europe.**
- Flagship project bringing together 10 regions around Europe. Initiated by a group of regions awarded with the European Entrepreneurial Region label, iEER will define smart paths and solutions to boost regional entrepreneurship ecosystems supporting young entrepreneurs – in partnership with ITT.**
- The Designated Urban Centre Grants Scheme – development of Denny site.**

- **Kerry County Council is currently exploring options in the Enterprise Europe Network (EEN) which is an information and network linkage sources on internationally available new technologies. EEN comprises over 600 partner organisations in more than 50 countries in Europe and beyond.**

Cllr. M. Gleeson stated some people thought subsidiarity would be given real meaning but we need to be actively involved. He was aware that the BMW region has benefitted hugely and he believed because of Kerry's peripherality we should make a case to enable us to benefit in the same way. A staff member should be in Europe regularly to ensure all available funding is availed of.

Cllr. D. Grady **SECONDED** the motion.

3. Call for the provision of a new bridge at Dysart on the N23

Pursuant to notice duly given Cllr. B. O'Connell PROPOSED:

That the TII provide a new bridge at Dysart on the N23.

The following reply issued:

Proposals to replace the current bridge on the N23 at Dysert [Ref:KY-N23-005] were published by Kerry County Council in early December in a Part 8 Notice. The proposals are currently on display with submissions invited by February 3rd 2017. TII have recently allocated €2m funding under the Kerry Cork and Clare Rehabilitation Programme for which Kerry County Council is Lead Authority. On completion of the Part 8 process, subject to TII approval, the Tender Documents for the bridge will be completed and advertised with a view to constructing the new bridge in 2017.

Cllr. B. O'Connell welcomed the reply and thanked the staff in the NRDO in Castleisland for securing funding for this bridge.

Cllr. J.J. Culloty **SECONDED** the motion.

4. Call to ensure Bus Éireann Routes 13, 14 and 40 are maintained

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

That this Council call on the Minister for Transport to intervene to ensure that Bus Éireann Routes 13, 14 and 40 are maintained in the County.

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

Cllr. J. Moloney stated it is evident that a dire financial situation has arisen in Bus Éireann and the proposed axing of expressway routes would result in a severe threat to County Kerry. It appears that three routes are under threat i.e. Route 40 Rosslare-Cork-Killarney-Tralee. Route 14 Limerick - Abbeyfeale-Tralee and Route 13 which serves Limerick -Abbeyfeale-Listowel and Tralee. This is a vital

service which also serves villages like Duagh and Moantcoal on the route. This route is the one he is most familiar with and it runs 8 times daily both ways through these towns and villages.

This service is essential for tourists coming to the county, students going to Universities or ITs, hospital visits and people going about their daily business. If this service was discontinued there is no way private operators would be in a position to provide a year round frequent service. If routes are axed there will be a gap in services all along the western seaboard where public transport would not be available.

The Minister for Transport is claiming this is not his responsibility and as of last week he had not read the Grant Thornton report. Cllr. Moloney called on all relevant stakeholders to sit down and to discuss the issue, the Minister, NTA (who implement policy), Bus Éireann management and staff to ensure the viability of expressway routes into the future.

Cllr. R. Beasley **SECONDED** the motion.

5. Call for free parking for all patients attending hospitals for on going treatment

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

That the Minister for Health and the HSE would ensure that free parking be made available to all patients attending hospitals for on going treatment on a daily/weekly or monthly basis.

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

Cllr. N. Foley stated this issue was raised on a number of occasions in the past. It is very costly for families visiting their relative in hospital and parking is causing problems for the community adjacent to the hospital. She called on the Minister for Health and the HSE, as an act of generosity, to grant free parking to anyone attending the hospital on a regular basis. The cost can be hugely prohibitive for some families.

Cllr. J.F. Flynn **SECONDED** the motion.

Cllr. T. Ferris withdrew Notice of Motion No. 6.

7. Retention of Community Welfare Clinics in Ballyduff

Pursuant to notice duly given Cllr. G. Spring PROPOSED:

That Kerry County Council writes to the Minister for Social Protection requesting that the Community Welfare Clinic is retained in Ballyduff and moved to the BUDS Family Resource Centre considering the clinic is due to close as the current building is deemed 'not fit for purpose' and the BUDS family resource centre is a modern building with suitable facilities.

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

Cllr. G. Spring stated he understood the Community Welfare Officer will no longer attend Ballyduff. There is a high level of unemployment there and many people who need to visit the CWO would not have transport. BUDS Family Resource Centre would be an ideal location for the CWO.

Cllr. T. O'Brien SECONDED the motion.

8. Call not to introduce staff-less libraries

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

That we in Kerry County Council will not allow any move towards staff-less libraries under any guise including the misleading idea that automation will allow for longer opening times. The importance of actual librarians is far more important than any such automation.

The following reply issued:

At present there are no plans for staff-less libraries within the Kerry Library Service.

Nationally, there is an initiative by the Department of Housing, Planning, Community and Local Government 'My Open Library' whereby grant aid totalling €1.6m was made available during 2016 to authorities to fund the extension of library opening hours through the use of automated technology. Pilot schemes were carried out previously in Offaly [Banagher & Tullamore] and Sligo [Tubbercurry] libraries.

The My Open Library service facilitates library access to registered library members from 8.00 a.m. to 10.00 pm, seven days each week, including Sundays, 365 days per year. The concept is based primarily on additionality of service and extends the availability of library services during unstaffed hours while continuing to provide the regular staffed hours for ongoing delivery of the service, availability of librarians at these times and supporting users.

During My Open Library hours , library services are operated on a self-service basis to library members aged 16 and over for borrowing and returning items, internet usage, printing, photocopying, individual study or community activities and meetings. Members gain access to the library building by using their membership card and an authorised pin number. Children can use the service, only, if accompanied by a registered adult member. Entrance control software, CCTV, and security provisions are installed in participating libraries, along with enhanced monitoring, lighting and public address systems. Additional use of library buildings and resources outside of staffed hours by individuals and community groups is the norm in a no. of countries, in particular in the Nordic countries.

One of the requirements of the Department scheme is that in future all newly developed and refurbished libraries should be required to provide My Open Library services from first opening or the re-opening of a refurbished building.

All Kerry Libraries are currently staffed during opening hours providing an excellent service to all our customers. While there are no plans for Kerry to join the My Open Library initiative at this time, it would not be prudent to rule out any such initiative in the future, in particular if it would prevent the receipt of any potential grant aid in line with national policy.

Cllr. N. Moriarty stated she understood 22 areas will pilot this project and the project should be named 'Staffless libraries'. She expressed concern that libraries will become automated down the line and this will undermine staff. The interaction between staff and the public is important and she understood potential grants will be withheld unless libraries opt for it. Cllr. Moriarty asked that a cost benefit analysis would be carried out. It is also proposed to introduce nationwide tendering for books and this will have a devastating impact on local businesses as it is likely that book contracts could be won by companies based outside the country.

Cllr. J. Sheahan **SECONDED** the motion.

9. Extension to the burning season in 2017

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

To ask Kerry County Council to write to the relevant authorities to enquire if there will be an extension to the burning season in 2017.

The following reply issued:

The Heritage Bill 2016 is presently at Committee Stage in the Oireachtas. This Bill contains proposed amendments to the provisions contained in the Wildlife Acts as they pertain to burning. This follows from an extensive public consultation process undertaken by Minister Humphries. In the Dáil debate on the Bill the Minister indicated that she was including changes in section 8 of the Bill, to be introduced on a pilot two year basis, which will allow for a more managed approach to the vegetation management issues which regularly arise.

Kerry County Council will write to the relevant Minister as requested for an update on the matter. We have not presently been notified of any changes to the existing arrangements that are currently in place.

Cllr. D. McCarthy stated if the burning season is not extended to the middle of March it will be to the detriment of farmers in particular for upland areas. He PROPOSED that the Minister would be asked to extend the burning season to 1st April.

Cllr. M. Cahill SECONDED the motion and this proposal.

10. Dog foul on streets, footpaths and walkways

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

That Kerry County Council take immediate action in relation to the scourge of dog foul on our streets, our footpaths and our walkways. The situation in Ballybunion is completely out of control and this applies to other towns and villages in North Kerry as well. It is a terrible indictment of the people walking their dogs in these areas.

The following reply issued:

Kerry County Council takes the issue of dog fouling on our streets, footpaths and walkways very seriously. A new Litter Management Plan is currently being finalised and the issue is again included as a key objective. Following from the provisions of this plan, it is intended that we will refocus on the matter of dog fouling with dog owners particularly at dog licensing registration or renewal time. A number of dog walking routes have been developed over the last number of years with dog foul bag dispensers and appropriate signage put in place along the routes. Areas where there are high incidences of dog fouling have also been targeted. In 2016 127 specific dog foul patrols were carried out around the County. On these patrols the wardens raise awareness with passing dog owners of their responsibilities. Regular media campaigns are undertaken to highlight the issue also.

Enforcement in this area is problematical and difficult to pursue. In many instances it is impossible to link a dog to their owner. We will continue to work in 2017 to raise awareness amongst the minority of the public who continue to neglect their responsibility regarding their dogs. Kerry County Council alone cannot solve this issue and dog owners have to take responsibility for their dog's actions.

Cllr. R. Beasley stated the problem of dog foul on streets, walkways and footpaths has not improved and in fact it is worse if anything. He acknowledged that Kerry County Council sent out Litter Wardens to some towns in an effort to address this issue but it did not work. In his opinion fines will have to issue to dog owners who do not clean up after their dogs. There are serious health hazards from dog foul and he was aware of a child who lost their eye sight because of it. When those on the Rural Social Scheme use grass trimmers it blows the dog foul in all directions destroying their clothes. Cllr. Beasley called on management to launch a campaign with renewed vigour with a view to addressing the problem of dog foul in public places.

Cllr. L. Purtill SECONDED the motion.

11. Call to impose a social responsibility levy on banks and financial institutions

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

That a social responsibility levy be placed on banks and financial institutions to protect our citizens into the future.

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

Cllr. J. Finucane stated it is in excess of 11 years since the financial debacle with the banks. In December 88 Orders for Possession were listed for hearing in Court in Kerry. Financial institutions have not learned lessons from the crash and he PROPOSED that a social responsibility levy would be imposed on the banks for the benefit of citizens. The State is due to receive a dividend from AIB and to sell off their interest in the Bank by June. Lessons must be learned from the past and the State has not been served well by financial institutions.

Cllr. B. O'Connell SECONDED the motion.

12. Utilisation of advances in technology to improve and promote the County

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

What is Kerry County Council doing to utilise advances in technology to improve and promote the County, including collaborating with other agencies in the development a new web- site, appropriate APPs etc.

The following reply issued:

Kerry County Council is in the forefront of Irish local authorities that exploit modern technologies for tourism promotion. In 2015 the Council participated in a Free Wifi and contextualized tourist information pilot project with the Kerry company Netfeasa which was successfully trialed at points along the Kerry section of the Wild Atlantic Way and in Killarney National Park.

The IT section hosts a number of tourism-related websites like Tralee.ie; Killarney.ie; Listowel.ie; Dingle.ie; Kenmare.ie; Ballybunion.ie and others – which are managed by the various Chamber Alliances and local communities. A pilot APP was developed by IT for the Dingle Peninsula and a digital interactive map of Kerry showing visitor attractions, historic sites, Blue Flag beaches and outdoor activity sites is currently under construction. Representations by the Council and Destination Kerry to Vodafone last year secured enhanced 4G coverage on the Dingle Peninsula some years ahead of schedule.

The Tourism Unit operates a number of social media platforms including Facebook Page (4200 likes) and Twitter (2898 followers) under the 'Enjoy Kerry' banner and online Calendar of events www.tockify.com/enjoykerry The 2016 KCC Youtube tourism video has attracted 323,000 views in its first 9 months.

The new County Kerry Tourism Strategy and Action Plan 2016-2022 contains a number of actions to promote Kerry and enhance the visitor experience in the county using digital technology. These include: supporting the roll out of high speed broadband and 'Internet of Things' throughout the county and at key tourist locations and the expansion of the contextual information and Wifi initiative, building up relationships with Travel Bloggers and Online Tour Operators (OTAs) and the preparation of a digital stills and video library of the county. There are proposals being prepared for “live” electronic tourist information signs in the major towns for which co-funding has been sought under the new Leader programme.

The Council, in consultation with tourism, industrial and business interests and agencies, has commissioned the design of a new Brand for the county as a place to visit, invest, work and live. This is now in its final stages of development. On completion tenders will be invited for the development a new Kerry tourism web portal site which will be a one-stop information centre for the tourism sector and enable visitors to research, plan and book their holiday online.

The Local Enterprise Office has developed an imaginative proposal to exploit technology for live tourism research. A pilot project is being developed with the Council's Tourism, IT and LEO sections and our partners in Donegal County Council. The project is supported by Enterprise Ireland and has been submitted to the Small Business Innovation Research (SBIR) Fund.

Cllr. P. Connor-Scarteen stated the Council's website is old and there should be links to the Local Enterprise Office on it etc. Information such as statistics on unemployment should also be included together with information on what Kerry has to offer tourists. A good tourism App was launched for Dingle and a similar App should be developed for the rest of the county.

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

13. Call to expedite the opening of the 8 additional long term beds in the West Kerry Community Hospital

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

That we the Members of Kerry County Council call on the HSE to expedite the opening of the 8 additional long term beds in the West Kerry Community Hospital.

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

Cllr. S. Fitzgerald asked that the motion would be referred to the HSE for consideration and reply.

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

14. Provision of CCTV at Ballyspillane Housing Estate

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

To ask Kerry County Council to honour commitments which were previously given to Ballyspillane Residents Association to assist in the provision of CCTV within the estate and to provide an update on the recent meeting which was scheduled between Council Management and Killarney Gardai.

The following reply issued:

The Council is committed to exploring avenues to finance the provision of CCTV facilities in Killarney including Ballyspillane. This proposal is advancing and an application has been submitted to central Government for funding for this project. The provision of such facilities also requires the involvement and separate approval through the Gardaí local and nationally. The Council has a strong working relationship with the Gardaí at local level and regularly meet to discuss a broad range of issues including

facilities such as CCTV. Further updates will be provided to the Members at future Killarney MD Meetings.

Cllr. B. Cronin stated at a meeting between council officials and Superintendent Flor Murphy it was stated an application for funding was being submitted for CCTV facilities in Killarney including Ballyspillane. The problems in Ballyspillane are due to the shortage of community Gardaí. Cllr. Cronin called on the Department of Justice to provide funding to increase the number of Gardaí and in particular community Gardaí. CCTV would be hugely beneficial for Ballyspillane and he asked that this estate would be included in any application for funding for CCTV facilities.

Cllr. N. Kelleher SECONDED the motion.

15. Dog Foul in civic and tourist areas

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

That Kerry County Council increase its efforts to eliminate the current unacceptable levels of dog foul in civic and tourist areas.

The following reply issued:

Kerry County Council takes the issue of dog fouling on our streets, footpaths and walkways very seriously. A new Litter Management Plan is currently being finalised and the issue is again included as a key objective. Following from the provisions of this plan, it is intended that we will refocus on the matter of dog fouling with dog owners particularly at dog licensing registration or renewal time. A number of dog walking routes have been developed over the last number of years with dog foul bag dispensers and appropriate signage put in place along the routes. Areas where there are high incidences of dog fouling have also been targeted. In 2016 127 specific dog foul patrols were carried out around the County. On these patrols the wardens raise awareness with passing dog owners of their responsibilities. Regular media campaigns are undertaken to highlight the issue also.

Enforcement in this area is problematical and difficult to pursue. In many instances it is impossible to link a dog to their owner. We will continue to work in 2017 to raise awareness amongst the minority of the public who continue to neglect their responsibility regarding their dogs. Kerry County Council alone cannot solve this issue and dog owners have to take responsibility for their dog's actions.

Cllr. J. Lucid stated under Section 22 of the Litter Pollution Act 1997 it is an offence to let your dog foul and to fail to remove and dispose of the foul subsequently. This means that the person in charge of the dog is required under the law to remove dog faeces and dispose of it in a suitable and sanitary way.

The penalty for not doing so is that an On the Spot fine of €150 may be imposed on the dog owner who fails to remove the faeces, with a maximum fine for the offence of €3,000.

At present there are two dog wardens in Kerry to cover the whole county. They have very comprehensive job descriptions of which this particular issue is just one of their responsibilities. Therefore there is a major problem with enforcement. He had several complaints on this issue and it has been mentioned in this and other chambers on many occasions. Dog foul can be found on beaches, town parks and scenic walks. As a tourist county we must deal with this issue.

Cllr. Lucid PROPOSED that an additional two dog wardens be appointed and that one warden is assigned to each municipal area. This increase in resources will help tackle the problem.

Cllr. Lucid also PROPOSED that Kerry County Council launch a media campaign on local radio and in the local newspapers to increase awareness of the problem and to outline to dog owners their responsibilities. The dangers for small children coming in contact with dog foul should also be highlighted because people may not be aware of them. Toxascaris can have severe consequences leading to blindness in some cases. People should be advised that the Council intend ramping up enforcement. This media campaign in itself would, he believed, improve matters and doing it in conjunction with an increase in enforcement would certainly go a long way towards eliminating the problem.

Cllr. M. Kennelly SECONDED the motion.

16. Railway crossing at Minish

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

In relation to a Notice of Motion I raised at the November Full Council Meeting and the reply I received regarding the railway crossing at Minish, what progress has Kerry County Council and the TII made with pursuing the matter with Irish Rail as Kerry County Council said it is the responsibility of Irish Rail to rectify the crossing following an inspection by TII.

The following reply issued:

Further to the motion moved at the November meeting, we have carried out detailed surveys of the location, which has confirmed that the problem is due to subsidence of the railway tracks relative to the road. In accordance with the agreement between Iarnród Éireann, CIE and Kerry County Council, in 1996, for the construction of the new road and railway crossing, Iarnród Eireann are responsible for the maintenance of the trackwork, bomac surfacing at the crossing, and the other infrastructure. We have

forwarded the details of the survey to the Infrastructure Manager at Iarnród Éireann in Limerick junction and are scheduling a meeting with him to have the issue resolved.

We have also taken up the concerns of the members with senior management in Iarnród Éireann.

Cllr. M. Healy-Rae welcomed the reply and the study that has been carried out of the location. She further welcomed the upcoming meeting with representatives of Iarnród Éireann and she asked that this matter would be vigorously pursued until it is resolved.

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

17. Development Levies

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

What does Kerry County Council intend to do about the extraordinary levies that are attached to planning permissions and the difference of levies depending where the planning permission is.

The following reply issued:

The preparation of the Draft Development Contribution Scheme is well advanced, with detailed analysis across the four existing schemes having been undertaken over the past number of months. The level of Development contributions currently charged varies significantly between the existing Kerry County Council and three Town Council Schemes. The variances reflected the demands for infrastructure in each area and the priorities agreed. The Draft Development Contribution Scheme will provide a scheme for the entire County and where required will reflect the additional infrastructural needs of the larger towns. The draft scheme is being brought before the Economic Development and Enterprise SPC in February for consideration and thereafter to the Full Council.

Cllr. J. Healy-Rae stated there is an anomaly with development levies around the county. There are instances of a brother and sister who are granted planning and one is paying three times more than the other in development levies. Cllr. Healy-Rae asked that a balance would be achieved in the interest of fair play.

Cllr. M. Healy-Rae **SECONDED** the motion.

18. Call to make NAMA properties available to house the homeless

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

That this Council write to both Minister Simon Coveney and Minister Michael Noonan asking them to use powers under the NAMA Act 2009 to make properties available to house the homeless.

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

Cllr. D. Quigg stated the needs of the people who are homeless must be addressed. An Ireland of equals must be achieved and not to continue to focus on profits but to put people first. Measures should be put in place for the future to ensure that such a crisis never again arises and that secure affordable housing is available to all and that all the children of the nation are cherished equally.

The Government are proposing to introduce rent controls. However there is nowhere to live that does not involve drug users or being around people who are on drugs. It is unacceptable that people must wash their dishes in a basin in their room and must spend all their time in their room with food in storage boxes under the bed. This is not living it is just existing.

Cllr. D. Grady SECONDED the motion.

19. Number of properties offered to Kerry County Council by NAMA

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

That we the members be informed as to the number of houses or apartments that have been offered to Kerry County Council by NAMA. Did we apply or ask for any over the last two years and how many have been accepted.

The following reply issued:

The Housing Agency was charged with responsibility for managing the examination of the NAMA and other distressed property portfolios to assess suitability for Social Housing proposals. The Housing Agency advised Kerry County Council of a total of 43 properties which might be suitable. The Council assesses all properties which are offered for consideration. A further 10 (one lot) have recently been offered so a total of 53 properties have been offered since 2015.

Of the 43 assessed to date, the vast majority have been found to be unsuitable for Social Housing purposes.

An additional 10 properties are currently being assessed.

In relation to reasons for deeming properties unsuitable, the main reasons are:

- **Compliance with building regulations – including required certification**
- **Property is structurally incomplete or unsound**
- **Title issues, rights of way issues or other legal problems**
- **Lack of demand in some areas can be a factor - some properties can be in very isolated or remote areas**

In addition to the established process through the Housing Agency, Council Management have requested a further meeting with NAMA to explore any opportunities their portfolio might have.

Cllr. D. Grady expressed his dissatisfaction with the reply and asked when the meeting was requested with NAMA. Kerry County Council must make greater efforts to secure housing through whatever means possible. This issue was raised by members on three occasions and the information given was different each time. Cllr. Grady asked that a further update would be given to members at the February meeting.

The Chief Executive clarified that the information is the same. The Housing Agency made 43 properties available to Kerry County Council and they liaise with NAMA. A further 10 properties were recently offered to Kerry County Council. 43 properties were assessed and one was acquired. Kerry County Council has achieved all its housing targets to-date and she hoped a meeting with NAMA can be arranged in the near future.

20. Call to amend the Policy on Public Lighting

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

That Kerry County Council amend Policy on Public Lighting in order to allow councillors to allocate to new lighting for communities where the need arise through CSMDOF.

The following reply issued:

The existing policy, adopted by Council in May 2016, provides for Councillors Allocations to be used for the provision of new lighting for community facilities, subject to the operators /providers of such community facilities accepting responsibility for the energy costs associated with same. Therefore there is no requirement to amend the policy.

Cllr. D. Nolan stated the reply refers to lighting at community facilities but she wanted to establish if councillors can contribute to an extension of existing lighting in an area where there is no community facility.

Cllr. J. Moloney SECONDED the motion.

Mr. C. O'Sullivan stated the Public Lighting Policy was recently adopted and €2m is spent annually on energy costs. This policy makes provision for councillors to contribute towards the cost of providing lighting at community facilities provided the operators of the facility accept responsibility for the energy costs.

Cllr. Nolan stated she was referring to areas where housing has extended beyond the existing public lighting and not at community facilities.

Mr. O'Sullivan asked if councillors want to fund infill lighting who will fund the ongoing energy costs.

21. Call to promote doing Council business through local Post Offices

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

Kerry County Council has actively encouraged and promoted the renewal of dog licences online, therefore removing the much needed business from local Post Offices. I call on the Council to make every effort to promote doing business in local Post Offices to maintain these vital services. How much does Kerry County Council collect in the above mentioned dog licences. Please provide figures for the last 5 years.

The following reply issued:

Kerry County Council has always been proactive in encouraging and promoting dog owners to licence their dogs. In this regard we have the highest number of dogs licensed, per Capita in the Country. 2,609 Dog licences were renewed online in 2016.

We fully acknowledge the role played by and the need for local Post Offices. In this regard, it could be argued that our proactive approach to the issue of dog licensing is creating additional business for local Post Offices.

In these times of reduced resources and budgets, we have to look at ways of cutting our costs and finding greater efficiencies in the way we do our business. A number of payment options for purchase or renewal of dog licences are available to all dog owners. Licences can be purchased from Post offices, directly from the dog pound, council municipal district offices and online. Giving our customers the option to pay for services online is now a fundamental and necessary part on any modern business.

The table below outlines the number of licences issued and income received over the past 5 years. The figures clearly show that there are still substantial numbers using their local Post Office to renew their dog licence.

Year	No. of Licences issued	Online Renewals	Income
2011	18,730	-	179,414
2012	16,989	-	287,174
2013	17,148	-	289,638
2014	16,221	-	275,877
2015	16,839	1127	289,015

**Online registration commenced in 2015*

Cllr. N. Kelleher stated he did not advocate the online facility should not be available but that this option should not be actively encouraged.

The Chief Executive highlighted that Kerry County Council does not actively ask people to renew their dog licence online rather than renewing it at the local Post Office. However, there is a demand for an online service and it offers greater choice to the customer.

23. Call for immediate funding for water services in Mid-Kerry area including Breanlea Scheme

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

To ask Kerry County Council to write to Irish Water to source immediate funding for the improvement of water services in Mid-Kerry area including Breanlea Scheme.

The following reply issued:

Following a submission from Kerry County Council in early January, Irish Water has approved €900,000 in funding to replace 7.5km of old and deficient watermains from Glencuttane Cross to Ardmoniel, Killorglin on the Breanlee Water Supply Scheme. Works to replace these mains will be carried out by the Council's direct labour crews and will be prioritised to commence in the coming weeks. The funding amount approved also includes for the permanent reinstatement of the public road.

Kerry County Council has been very active in recent years in replacing sub-standard water mains. In 2014 and 2015 a total of 41 km of mains replacement, costing €6.5 million, was completed and in 2016, a total of 39 km of mains replacement, costing €5.5 million, was completed. Of these mains, 71 km was completed by the Council's direct labour crews and 9 km was completed by contract.

A total of 8.1 km of mains replacement works, of approximately €1 million in value, are currently in progress across the county and funding has been approved for a further 47 km of pipe replacement works (value €9 million), which is programmed for completion in 2017.

In total, Irish Water, working primarily through Kerry County Council's direct labour crews, has invested €22m in replacing over 135km of defective mains in the county since 2014.

Cllr. M. O'Shea commended Kerry County Council for securing the funding of €900,000 for this scheme and the €9m received to-date from Irish Water.

Cllr. M. Cahill SECONDED the motion.

24. Call to prohibit Dune Bike Racing

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

That the Council would ensure through its Beach Bye Laws that Beach Dune Bike Racing is strictly prohibited as the fragile nature of the County's coastal sand dunes would be further devastated by that pursuit.

The following reply issued:

The current Kerry County Council Beach Bye Laws contain a prohibition on the use of off road vehicles (including off road motorbikes and quad bikes) at a number of sensitive beaches. The definition of "beach" indicates any dunes contiguous to the beach. We endeavour to respond to complaints received in relation to the use of such vehicles at our beaches and have carried out inspections at Inch and other beaches in this regard. We acknowledge the tremendous assistance we receive also from the Gardai in dealing with such incidents. Kerry County Council alone cannot solve this issue and the motorbike and quad owners have to take responsibility for their actions and the potential damage they are causing to fragile ecosystems.

Cllr. M. Gleeson stated everyone is aware of how sand dunes disappear as a result of natural happenings. This is a new sport and if it is permitted on sand dunes it will destroy them. He called on management to take a strong stand on this and not to allow any beaches in the county to be used for this purpose for scenic and economic reasons.

Cllr. J. Sheahan SECONDED the motion.

25. New EU free WIFI Initiative

Pursuant to notice duly given Cllr. B. O'Connell PROPOSED:

That Kerry County Council ensure it applies for the New EU free WIFI Initiative known as WIFI 4 EU, which is scheduled for launch in the first half of 2017. The Scheme will deliver free internet access in parks, public buildings, villages and towns with funding coming from the EU Connecting Europe Programme. A total of €120m will be provided for the initial roll out.

The following reply issued:

In September 2016 the European Commission proposed an investment of €120 million to promote access to wireless connectivity in public places. Free Wi-Fi would then be available in parks, squares, libraries, public buildings to benefit citizens and institutions with a public mission. A €50 million allocation would be provided for WiFi4EU, aiming at helping European communities offer free Wi-Fi hotspots to any citizen, leading to a total envelope of €120 million.

The WiFi4EU scheme is awaiting approval by the European Parliament and Council of Ministers (expected in 2017) – thereafter the first call for projects will be launched. The projects will be selected on a first-come, first-serve basis. Projects applying to the scheme should propose to equip areas where a public or a private Wi-Fi offering similar characteristics does not already exist.

We have identified a number of locations across this County where high speed services are not currently available and where they would be of benefit to visitors to and residents of this county. Once the call for proposal is issued the newly appointed Broadband Officer will consider submissions on behalf of the County Council.

Councillors should note that while the scheme will be open to local authorities, it will only fund the equipment and installation costs (internet access points), while the local authority will pay for the connectivity (internet subscription) and maintenance in good order of the equipment. The Commission also expect local authorities to develop and promote their own digital services in areas such as e-government and e-tourism.

Cllr. B. O'Connell welcomed the reply and stated he presumed the Council has submitted proposals for funding under this Scheme. It enables the provision of free WIFI in parks, public buildings etc and Kerry County Council should avail of it.

The Chief Executive advised members that proposals for funding have not yet been invited for this Scheme.

Cllr. J. Finucane SECONDED the motion.

26. Call for a subsidy or tax relief for hackney or taxis working in rural areas

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

To ask Kerry County Council to write to the Minister of Transport to introduce some form of subsidy or tax relief for hackney or taxis working in rural areas.

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

Cllr. D. McCarthy highlighted that some hackney drivers are moving into towns from rural area. If tax relief was given to rural operators it would encourage them to continue to provide this important service which helps to combat rural isolation.

Cllr. M. Cahill SECONDED the motion.

27. Call for an efficient, reliable and good quality water supply for Mid Kerry

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

That Irish Water clarify once and for all as to when will the people of Beaufort, Killorglin, Milltown and all areas connected to the Mid Kerry Regional Water Supply receive an efficient, reliable and good quality water supply and that Kerry County Council request Irish Water to immediately replace the worst section of water mains in the Country that is bursting on a regular basis on the Glencuttane Road between Killorglin town and the reservoir at Breanlea and that Kerry County Council provide emergency funding to surface dress this busy road that carries all Glencar traffic and is currently in a shocking and dangerous condition and is a major "health and safety" issue.

The following reply issued:

Following a submission from Kerry County Council in early January, Irish Water has approved €900,000 in funding to replace 7.5km of old and deficient watermains from Glencuttane Cross to Ardmoniel, Killorglin on the Breanlee Water Supply Scheme. Works to replace these mains will be carried out by the Council's direct labour crews and will be prioritised to commence in the coming weeks. The funding amount approved also includes for the permanent reinstatement of the public road.

Kerry County Council has been very active in recent years in replacing sub-standard water mains. In 2014 and 2015 a total of 41 km of mains replacement, costing €6.5 million, was completed and in 2016, a total of 39 km of mains replacement, costing €5.5 million, was completed. Of these mains, 71 km was completed by the Council's direct labour crews and 9 km was completed by contract.

A total of 8.1 km of mains replacement works, of approximately €1 million in value, are currently in progress across the county and funding has been approved for a further 47 km of pipe replacement works (value €9 million), which is programmed for completion in 2017.

In total, Irish Water, working primarily through Kerry County Council's direct labour crews, has invested €22m in replacing over 135km of defective mains in the county since 2014.

The L-4010 Local Primary Road from Killorglin to Breanlea was not included in the 2016 - 2018 Department of Transport, Tourism and Sport Multi-Annual Restoration Improvement Programme, as laying of the water main should take place prior to the road being strengthened and surface dressed. The road may be considered for inclusion in the next DTTAS Restoration Improvement Programme, post 2018, given the commitment of funding now for the watermain.

Cllr. M. Cahill thanked Mr. C. O'Leary for his efforts and the recent allocation for the Breanlea Scheme highlights the importance of the general public and public representatives reporting breaks to Irish Water. The reply does not specifically address the Mid Kerry Water Supply Scheme which has been hugely problematic over a long period of time. Under Irish Water funding is being secured more speedily than before and this is welcome.

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

28. Plans to reduce Development levies

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

Does Kerry County Council intend to bring forward plans to reduce the Development levies especially those that are charged to residential houses and extensions.

The following reply issued:

The preparation of the Draft Development Contribution Scheme is well advanced, with detailed analysis across the four existing schemes having been undertaken over the past number of months. The level of Development Contributions currently charged varies significantly between the existing Kerry County Council and three Town Council Schemes. The variances reflected the demands for infrastructure in each area and the priorities agreed. The Draft Development Contribution Scheme will provide a Scheme for the entire County and where required will reflect the additional infrastructural needs of the larger towns. The Draft Scheme is being brought before the Economic Development and Enterprise SPC in February for consideration and thereafter to the Full Council.

Cllr. J. Finucane SECONDED the motion.

29. Áras Padraig

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

What is the current position regarding the Áras Padraig building in Killarney and what is the time frame for redeveloping this centrally located facility and making it available once again to the public.

The following reply issued:

Exodea Consulting Ltd have been awarded the contract to carry out a feasibility study and a business plan which will identify the optimum use for the Aras Phadraig building in Killarney Town. A Project Team, led by the Killarney Municipal District Manager has also been established to oversee the management of this contract. A briefing on the consultation process was held with the Members of the Killarney Municipal District on the 16th of January. It is envisaged that the feasibility study and business plan will be completed by early March 2017. The redevelopment of the Building will be subject to the availability of funding.

Cllr. B. Cronin stated the public have not had access to Áras Padraig for a long time. However Kerry County Council has appointed consultants to carry out a feasibility study and a business plan for the building. This is a hugely important facility for Killarney and since its closure the people of Killarney have been deprived of this intimate venue. Members of the public can email their submissions or submit them in writing and a public meeting will be held on the 26th January at 7.30pm in the Killarney Avenue Hotel. Cllr. Cronin encouraged all public representatives to attend this meeting as it is the first step towards bringing this facility back into use.

Cllr. N. Kelleher SECONDED the motion.

30. Call on the Government to apply for a Presidential Decree to allow Ibrahim Hilawi continue his detention in Ireland

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

That Kerry County Council calls on the Government to apply for a Presidential Decree that would allow Ibrahim Hilawi continue his detention in Ireland.

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

Cllr. T. Ferris stated 82 students were released from custody last year pending trial and she called for the same to be afforded to Ibrahim Hilawi.

Cllr. P. Daly SECONDED the motion.

31. Provision of grave spaces in Killarney

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

Given the fact that grave spaces in Killarney are at a critical level and that the building of a new graveyard will take quite a length of time, what provisions has Kerry County Council made to service the people in the interim.

The following reply issued:

The provision of a new burial facility in Killarney is a priority for the Council and this is being progressed through the Killarney MD. We are currently bringing a proposal for a suitable site through the planning process, and intend to bring a full report to the members at the next MD meeting.

Cllr. M. Healy-Rae requested clarification on the delay in providing a new graveyard for Killarney. She expressed her dissatisfaction with the reply and she asked what provision has been made in the interim to provide burial plots for the people of Killarney. Cllr. Healy-Rae asked what the delay is with planning for the new graveyard and if a detailed reply was not given to her motion why it was accepted for the meeting in the first instance. She further asked that the remaining grave spaces in Aghadoe would be marked out.

Cllr. J. Healy-Rae SECONDED the motion.

Mr. C. O'Sullivan advised members that considerable work goes into preparing a planning application and a lot of submissions were received. This is a matter for Killarney MD and it is quite complex. He intended to discuss it with the members for the Killarney MD the following week. There are existing grave spaces in Aghadoe and he was satisfied that in the short term adequate spaces are available. Everyone is conscious of the urgent need to secure a new burial ground for Killarney and the MD Manager has expended a lot of time on it.

Cllr. M. Healy-Rae asked how many plots are in Aghadoe and why was her motion included on the Agenda if it was area specific.

Mr. O'Sullivan again stated he would meet with the members for the Killarney MD on this issue the following week.

32. Date for the spreading of slurry

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

That Kerry County Council write to the Department of Agriculture highlighting the foolish carry on of having a date of the 15th of January set before you can spread slurry. There could be great weather before that date but you can't spread. There could be constant rain after this date and you can spread all you want. Surely the farmer is the best judge of this.

**The following reply issued:
Kerry County Council will arrange to write to the relevant Minister as requested regarding this matter.**

Cllr. J. Healy-Rae stated the weather in December and January has been the best for spreading slurry for years. Many farmers slurry tanks were full at Christmas yet they could not spread slurry until the 15th January. Farmers should be permitted to spread slurry when ground conditions are dry.

Cllr. M. Healy-Rae SECONDED the motion.

33. Call to address the crisis in A&E Departments

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

That this Council write to the Minister for Health, Simon Harris asking him to act immediately to address the crisis in Accident and Emergency Departments across the Country.

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

Cllr. D. Quigg stated he was appointed to the Regional Health Forum South two and a half years ago and it is very frustrating that the present crisis in A&E Departments is not being addressed. He called on the Minister to act on this immediately. Mid and South Kerry have no primary care centre and few GPs. The development of these centres is being delayed as the HSE say they need a developer on board and then the GPs. It is proposed to close two units at St. Mary of the Angels and he asked that a primary care centre would be built there.

Cllr. M. O'Shea SECONDED the motion.

34. Call to allow LPT to be deducted as a legitimate expense for Landlords and to increase the Mortgage Relief to 100%

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

That this Council calls on the Government to allow the Local Property Tax be deducted as a legitimate expense for Landlords and to increase the Mortgage Relief to 100%.

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

Cllr. N. Kelleher stated LPT is not deemed an eligible expense by Revenue and he asked that the Mortgage Relief would be increased to 100%. At a time when there is a shortage of housing private landlords should not be discouraged from coming into the market.

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

Cllr. T. Ferris **PROPOSED** that the motion would not be adopted.

Cllr. P. Daly **SECONDED** this proposal.

A vote was taken on the motion which resulted as follows;

For: Cllrs. Cahill, Culloty, Kelleher, Moloney, O'Connell, O'Shea **(6)**

Against: Cllrs. Cronin, Daly, Ferris, Finucane, Flynn, Grady, J. Healy-Rae, M. Healy-Rae, Kennelly, Locke, D. McCarthy, Moriarty, Nolan, O'Brien, Quigg, Spring **(16)**

Not Voting: Cllrs. Fitzgerald, Foley, P. McCarthy, McEllistrim, Sheahan **(5)**

The Cathaoirleach declared the motion **DEFEATED**.

35. Call to appoint a Social Worker

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

To call on Kerry County Council to appoint a Social Worker position which would be of huge benefit in the Housing and Social Support Services Department of Kerry County Council.

The following reply issued:

The Kerry County Council Manpower Plan agreed with the Department does not provide for a position of Social Worker. There are no plans therefore for the establishment of such a position at this time.

Cllr. T. McEllistrim stated there are a number of social workers attached to various County Councils throughout the country eg Limerick County Council currently has 2 Social Workers. A qualified Social Worker would bring their knowledge and expertise to the Social Services Department of Kerry County Council. They would also help with voluntary groups in Kerry e.g. the Homeless, older people, travellers, people with disabilities, refugees and foreign nationals.

A Social Worker would also be important for combating anti-social behaviour in our estates. They could advise and make recommendations to the County Council on the formulation of policy eg regarding the accommodation of travellers in Kerry. They could assist with the Homeless Action Team meetings and liaise with the HSE Social Workers in order to co-ordinate the services provided by both authorities. They could also investigate and report on applications for tenancies of houses.

Cllr. McEllistrim added that a Social Worker could submit reports to the appropriate officer on general housing matters as necessary i.e. applications for grants, housing, homelessness etc. They could also advise and assist in all housing matters related to vulnerable clients.

Cllr. D. McCarthy SECONDED the motion.

22. Mr. Donald Trump

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

That Kerry County Council send a congratulations letter to the New President of the United States, Mr. Donald Trump and to also invite him to visit County Kerry.

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

Cllr. T. McEllistrim stated Bill Clinton visited Kerry and played golf in Ballybunion. Kerry has great golf courses so he would like to invite President Trump to visit Kerry and to play golf here. Historically in 1963 look at what John F. Kennedy's visit did for New Ross. In 1984 Ronald Regan visited Ballyporeen while President Obama visited Moneygall in more recent years. His visit put Ballyporeen on the map and the Obama Plaza was named after him.

In Kerry we like to say we are the premier tourism county in Ireland and for this reason he wants to extend a 'Céad Míle Fáilte' to President Trump. A lot of Americans visit Kerry, in particular Killarney and Dingle. If the US President visited the county it could lead to an increase in the number of visitors from the US and boost tourist numbers. The amount of publicity and coverage Kerry would get would be unbelievable.

There would be huge economic benefits from such a visit and of course President Trump has a business in Doonbeg, Co. Clare. Cllr. McEllistrim stated he believed Britain's decision to leave the EU could result in more American multinational companies investing and coming to Ireland. This investment, and US Companies, would be very welcome in Kerry to grow the market into the EU. Ireland will be the only English speaking country in the EU which would mean we would be more attractive to get US business and of course we in Kerry have created jobs in the US. It is also important to highlight the plight of the undocumented Irish in the US.

In conclusion Cllr. McEllistrim stated he believed it is incumbent on public representatives to work with the President of America, have respect for his position and the office he holds and have respect for democracy.

Cllr. D. McCarthy SECONDED the motion but called on Cllr. McEllistrim to amend his motion to ask President Trump to be positive towards the needs of the undocumented Irish in the US.

Cllr. McEllistrim agreed to amend his motion as requested.

Cllr. J. Finucane PROPOSED that Cllr. McEllistrim's motion be amended to read as follows: "In the interest of following correct protocol that Kerry County Council first seek a meeting with the new American Ambassador to Ireland, Mr. Brian Burns who has strong Kerry connections. At this meeting we will seek to ascertain the new administrations positive policy towards the undocumented Irish and all other issues pertaining to this country".

Cllr. B. O'Connell SECONDED this proposal.

Cllr. N. Foley stated Kerry County Council should be cognisant of the significant ties that the US has with Ireland. It is important to recognise the Office of the President, however it is also important to follow the correct protocol and for this reason the new US Ambassador should be contacted with a view to arranging a meeting with him. At that meeting the case of the undocumented Irish could also be discussed.

Cllr. J. Healy-Rae stated he would support the original motion as amended by Cllr. McCarthy. While he may not necessarily agree with all that President Trump says he will judge him by what he does. He would welcome President Trump to Kerry and he added that many families have relations living in the US. He is the first US President to have up to 80 people employed in Ireland.

Cllr. D. Grady stated he was opposed to inviting President Trump to Kerry as he has insulted women etc. He PROPOSED that he would not be invited to Kerry.

Cllr. P. Daly pointed out that Mr. Burns has not yet been appointed US Ambassador to Ireland.

Cllr. M. Cahill pointed out if President Trump is snubbed by Ireland that will impact negatively on the undocumented Irish.

Following further discussion Cllr. McEllistrim agreed to accept Cllr. Finucane's amended motion which was agreed by Council.

Cllr. M. O'Shea withdrew Notice of Motion No. 36.

17.01.23.09 Conferences and Seminars

- (a) On the PROPOSAL of Cllr. J.J. Culloty, SECONDED by Cllr. N. Foley it was agreed to approve the attendance of Cllr. P. Connor-Scarteen on the deputation to TII on Thursday 12th January 2017.

- (b) On the PROPOSAL of Cllr. J.F. Flynn, SECONDED by Cllr. J.J. Culloty it was agreed to approve the attendance of Cllrs. P. McCarthy, L. Purtill, S. Fitzgerald, J. Finucane, T. O'Brien, N. Foley and J. Sheahan at the Celtic Conferences Conference on the theme "Rebuilding Ireland Action Plan for Housing and Homelessness" to be held in Carlingford, Co. Louth from 10th to 12th February 2017.

Cllr. P. McCarthy was nominated to report back to Council on this Conference.

- (c) No member expressed an interest in attending the Celtic Conferences Conference on the theme "Constituents Tax Entitlements and Reliefs" to be held in Clonakilty from 24th to 26th February 2017.
- (d) No member expressed an interest in attending the Energy Action Conference on the theme "Fuel Poverty and Climate Action" to be held in Dublin on the 6th March 2017.
- (e) On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. D. McCarthy it was agreed to authorise the attendance of all members at the following events to be held in 2017:

1. AILG Conferences
2. LAMA Seminars
3. AILG Training Events
4. IPI Conferences/Seminars/Training Events
5. RIAI Conferences/Seminars/Training Events.

17.01.23.10 Correspondence General

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

1.	Letter dated 8 th December 2016 from the Department of Health in response to a resolution from Kerry County Council in relation to St. Mary of the Angela, Beaufort.
2.	Letter dated 30 th December 2016 from the Minister for Housing, Planning, Community and Local Government in response to a resolution from Kerry County Council in relation to rent limits for Rent Supplements.
3.	Letter dated 8 th December 2016 from Leitrim County Council to the Taoiseach in relation to a resolution adopted by that authority asking him why Leitrim and 9 other counties have no representation on the Citizens Assembly.

4.	Letter dated 8 th December 2016 to the President of the GAA from Leitrim County Council in relation to a resolution adopted by that authority calling on the GAA to reverse its policy of selling the exclusive broadcasting rights of Gaelic games to subscription viewing channels.
5.	Letter dated 13 th December to LAMA from Clare County Council in relation to a resolution adopted by that authority calling on LAMA and AILG to seek clarification on the operation of the Data Protection Acts whereby Councillors are inhibited from the proper discharge of their responsibility in accordance with their mandate.
6.	Letter dated 19 th December 2016 from Tipperary County Council in relation to a resolution adopted by that authority calling on the Government to immediately establish a new Agency to acquire and manage all domestic housing mortgage arrears accounts (plus two years in arrears) from the existing Lending Agencies.
7.	Letter dated 19 th December 2016 from Tipperary County Council in relation to a resolution adopted by that authority calling for increased awareness and increased funding for services in the areas of both Dyspraxia and Dyslexia.
8.	Letter dated 19 th December 2016 from Tipperary County Council in relation to a resolution adopted by that authority calling for representation for councillors on the All Island Civic Forum on Brexit through LAMA and AILG.
9.	Email dated 20 th December 2016 from the members of Newcastlewest Municipal District in relation to a resolution adopted by that authority regard the proposed gas pipeline to Listowel.
10.	Email dated 3 rd January 2017 from Waterford City and County Council in relation to a resolution adopted by that authority calling for the implementation of the recommendations of the Post Office Business Development Group.
11.	Letter dated 4 th January 2017 from Monaghan County Council in relation to a resolution adopted by that authority calling for the delivery of an enhances range of services through the Post Office network.
12.	Letter dated 4 th January 2017 from Monaghan County Council in relation to a resolution adopted by that authority calling on the Government to progress the Coroners Bill.
13.	Letter dated 5 th January 2017 from Donegal County Council in relation to a resolution adopted by that authority supporting a vote of no confidence in the HSE and that the Health Service revert to the old health board model.
14.	Letter dated 10 th January 2017 from Clare County Council in relation to a resolution adopted by that authority calling on the Minister for Agriculture to introduce a financial aid compensation package for the grain sector.

15.	Letter dated 4 th January 2017 from Monaghan County Council in relation to a resolution adopted by that authority calling on the Government to address the crisis in public hospital waiting lists.
16.	Letter dated 4 th January 2017 from Monaghan County Council in relation to a resolution adopted by that authority in support of the campaign of 'Donegal Families for Justice' in their quest for answers surround the disappearance of Mary Boyle in 1977.

Good wishes

Cllr. T. Ferris extended good wishes to Martin McGuinness on his retirement as leader of Sinn Féin in Northern Ireland and she congratulated Ms. Michelle O'Neill, Minister for Health who has succeeded him.

Annual Awards Event

Mr. L. Quinlan reminded members that the Kerry County Council Annual Awards Event would be held in the Council Chamber on Friday 3rd February at 7pm.

The meeting concluded at 4.20pm.

Liam Quinlan
Meetings Administrator

Cathaoirleach of Kerry County Council