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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 , 17 IÚIL, 2017**

**MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, ÁRAS AN CHONTAE, TRALEE ON MONDAY, 17<sup>TH</sup> JULY, 2017**

**PRESENT/I LÁTHAIR**

**Councillors/Comhairleoirí**

R. Beasley	M. Cahill	P Connor-Scarteen
B. Cronin	J.J. Culloty	T. Ferris
J. Finucane	S. Fitzgerald	J.F. Flynn
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	D. Nolan	T. O'Brien
B. O'Connell	M. O'Shea	L. Purtill
D. Quigg	J. Sheahan	G. Spring
A. Thornton		

**APOLOGY/LEATH SCÉAL**

**M. Kennelly**

**IN ATTENDANCE/I LÁTHAIR**

<b>Ms. M. Murrell, Chief Executive</b>	<b>Mr. J. Breen, Director Water Services</b>
<b>Ms. A. McAllen, Head of Finance</b>	<b>Mr. M. Scannell, A/Dir. Job Cr/Sust. ED</b>
<b>Mr. M. O'Donoghue, A/Dir.H.&amp;Corp.S.</b>	<b>Mr. C. O'Sullivan, Director of Operations</b>
<b>Mr. L. Quinlan, Meetings Administrator</b>	<b>Ms. K. Lynch, SEO Finance</b>
<b>Mr. D. Ginty, A/SE Planning</b>	<b>Mr. D. O'Malley, SEP, Planning</b>
<b>Ms. B. Conway, AO Corporate Support</b>	<b>Mr. O. O'Shea, Press &amp; Comm. Officer</b>
<b>Mr. G. O'Brien, A/SEO Envir. Serv.</b>	<b>Mr. L. Brosnan, AO Planning</b>
<b>Mr. D. Burke, A.P. Planning</b>	<b>Mr. M. Brosnan, SO Revenue</b>
<b>Ms. B. Riordan, AO Housing</b>	<b>Ms. B. Reidy, SSO Corporate Support</b>
<b>Ms. O. O'Shea, CO Corporate Support</b>	<b>Ms. K. Horgan CO Finance</b>

The meeting commenced at 10.35am.

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

**17.07.17.01 Cathaoirleach's Report on the CPG Meeting held on the 11<sup>th</sup> July, 2017**

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

**“Agenda for the July Council Meeting**

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

The CPG recommended that the Briefing on the Council's Budget 2018 would be held on Monday 11<sup>th</sup> September from 10.30am to 12.30pm and this would be followed by the September Ordinary Meeting.

The CPG highlighted the time consuming nature of the number of presentations being made to full Council and they agreed that in future consideration will be given to referring certain presentations to the relevant SPC if appropriate.

In response to a query from Cllr. N. Kelleher the Chief Executive advised that a report will be presented to Council with a proposed income stream arising from the implementation of the Draft Development Contribution Scheme. Mr. M. O'Donoghue confirmed that the Draft Scheme went through a statutory public consultation process and there is provision in legislation for members to amend it which may impact on this proposed income stream.

The CPG recommended that the Draft Budgetary Meetings for the four Municipal Districts should be held on the same day and the suggested date is Monday 23<sup>rd</sup> October.

Ms. K. Lynch referred to the LPT public consultation process and highlighted that advertisements would appear in the local papers on the 26th/27th July and the closing date for receipt of submissions/observations will be Tuesday 29th August. Details of the public consultation will also be on social media.

**Update from the Chairs of SPCs**

No SPC meetings were held since June.

**Request for a Civic Reception**

The CPG agreed that St. Brigid's Presentation Secondary School Killarney Junior A Basketball Team would be honoured for winning the All-Ireland Title at the Killarney MD Annual Awards Event to be held later in the year.

## **Revised Household Waste Collection charging arrangements**

Mr. J. Breen briefed the meeting on the recently announced household waste collection charging arrangements and he outlined the implications for Kerry as follows:

- Kerry County Council presently operates a waste collection system in Killarney which is a pay by weight system so there are no implications for this waste collection service. The Council has carried out various inspections over the past number of months of the household waste collection operators based in County Kerry. These inspections have focused on the weighing mechanisms in place and the back-office systems in use. The majority of collectors in County Kerry currently operate on the basis of a pay-by-weight, or a weight-band averaging system. To date our inspections have confirmed that all operators based in Kerry are compliant with the current household waste collection regulatory requirements.
- However, given the changes in policy which have now been announced, he would expect that a new regional inspection regime will be put in place by WERLA (Waste Enforcement Regional Lead Authorities).
- Regarding the roll out of the brown-bin, inspections in relation to this issue have also been coordinated at a regional level by the WERLA, however, the focus to date has been on population centres in excess of 1500. It is generally accepted that the percentage roll-out of bins in Kerry is one of the highest in the Southern Region. The newly announced waste charging regime will not impact on the current arrangements at our Civic Amenity sites.

## **Proposed visit to Brussels**

The Chief Executive advised that it is proposed to commence a 3 year programme with visits to Brussels each year. In the initial visit proposed for the autumn it is planned to focus on 2 specific areas (a) Innovation Hubs and pursue funding opportunities including the Enterprise Ireland Regional Enterprise Development Fund and (b) Coastal protection works and EU policy & funding opportunities in this area. The delegation will comprise councillors and relevant officials and it is hoped the first visit will take place before the end of the year with additional issues identified in subsequent years of the programme.”

Cllr. T. Ferris referred to the proposed visits to Brussels and suggested that it would be more beneficial if the relevant staff attended and report back to Council. She added that each MEP is entitled to pay the expenses of a number of delegations to Brussels each year and she called on management to liaise with the MEPs on this to ensure there is minimal cost to the local authority.

Cllr. J.J. Culloty concurred with the views expressed by Cllr. Ferris.

The Chief Executive clarified that the visit to Brussels would focus on 2 specific areas as outlined in the Cathaoirleach's Report. It is a matter for council who will travel on the delegation but it would be desirable that delegates would have an understanding of the specific areas.

Cllr. M. O'Shea complimented the Chief Executive on the proposed visits to Brussels and added that at virtually every Council meeting issues involving the EU are raised by members.

Cllr. M. Gleeson welcomed the proposed visits to Brussels. He referred to the Transfer Stations and added that he recently filled a bag with paper and it is so heavy it is unfair to expect staff at the Transfer Station to lift it. He asked that discussions would take place with staff at the Transfer Stations to resolve this issue.

Cllr. B. Cronin welcomed the proposal to review future requests for presentations to full Council as they are very time consuming. He agreed that it is important that a delegation would travel to Brussels to put the case for Kerry to EU officials. Cllr. Cronin expressed frustration at the lack of a response from the Public Lighting Section in relation to complaints submitted and he asked that it would be addressed to ensure members receive a response.

Cllr. J. Finucane asked that representatives from the three or four major industries in the county would be invited to travel to Brussels as there maybe opportunities for them to expand. He asked that a meeting would be arranged with the EU Energy Commissioner in relation to the Shannon LNG project. There is a new advance unit in the county and it is vital that a tenant is secured that will create 300 to 400 jobs there.

Cllr. M. Cahill welcomed the two areas to be pursued on the visit to Brussels both of which are very important for the county. Coastal erosion caused significant problems in Rossbeigh, Cromane etc and in Rossbeigh 1 mile of sand dunes was washed away. This is now having repercussions for family members wanting to build on their own land and he knew one young family who are seriously considering availing of the relocation fund.

Cllr. P. Connor-Scarteen welcomed proposals by the CPG to review presentations before they are approved. While presentations are very good there should be a time limit on them. He concurred with the views expressed by Cllr. Cronin in relation to the Public Lighting Department as he submitted a lot of correspondence to them last year but did not get a response. Cllr. Connor-Scarteen welcomed the proposed visit to Brussels and the targeting of coastal protection works.

Cllr. J. Healy-Rae highlighted that he allocated funding for public lights at two locations two years ago and they have not yet been provided. There is an issue

with this Department that needs to be addressed and he requested a response from management on this issue. Civic Amenity sites are of the utmost importance to the county. At a recent meeting he requested comparison figures between 2016 and 2017 since the new charges were introduced. He understood there is 60% less recycling since the charges were introduced. The charges were a retrograde step and the amount of illegal dumping is increasing. Cllr. Healy-Rae requested the details of the amount of recyclable materials taken in at Transfer Stations for the first half of 2016 in comparison to 2017.

Cllr. N. Kelleher confirmed he raised the problems with the Public Lighting Department on many occasions at MD level. The Council must live up to the expectations of the Operational Plan. Members are not being advised if the delay in the repair of lights is because civil works are required or not. This issue must be seriously addressed.

Mr. C. O'Sullivan confirmed he was aware there were issues with public lighting as this was highlighted when the Operational Plans were presented to the MDs. A dedicated line has been set up to report faults and he advised members that he would follow up on particular issues on their behalf.

Cllr. T. O'Brien asked if a new tender for the maintenance of public lighting would be advertised in the near future as the level of service at present is not acceptable.

Mr. C. O'Sullivan advised members that contracts are in place with two companies for the maintenance of public lighting and a new tender will be advertised shortly. The problem is that a lot of the lighting stock is old and the maintenance contract is for the replacement of bulbs but if civil works are required it takes longer. There will have to be investment in the existing infrastructure.

Cllr. B. Cronin highlighted that the problem is the lack of a response from the Public Lighting Department which is a separate issue.

Mr. O'Sullivan undertook to revert to members on that issue.

Cllr. N. Foley requested a phone number that members can ring to report faults in the public lighting system. She asked that an action plan would be presented to members following the visit to Brussels rather than a general report.

The Chief Executive advised members that she intended travelling with the delegation to Brussels and she would ensure value for the visit. She advised members that where they are not getting responses in relation to public lighting that it should have been raised separately with her. The Chief Executive referred to Cllr. J. Healy-Rae's comments on the reduction in recycling and she called on

him to correct the 60% figure for a reduction in the amount of materials recycled as she did not understand this figure to be correct.  
Cllr. J. Healy-Rae advised that refuse collections are reducing around the county.

### **17.07.17.02 Confirmation of Minutes**

On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. P. McCarthy it was resolved that the minutes of the June Ordinary Meeting of Kerry County Council held on the 19<sup>th</sup> June 2017 be confirmed.

### **17.07.17.03 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 July 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 2 Financial report will be included in the September CE report.

#### **Infrastructure, Operations, Health & Safety Directorate**

##### **CLÁR – Local Authority Measures**

In early May a submission was made to the Department of Arts, Heritage, Regional Rural and Gaeltacht Affairs for funding of 20 schemes in CLÁR areas throughout the county. Details of the schemes submitted were advised to all Members. In June the Department announced funding of €134,188 for 3 schemes in Kerry.

##### **OPW – Minor Flood Mitigation Works & Coastal Protection Scheme:**

Following an application to the OPW for funding of €118,907 under the Minor Flood Mitigation Works & Coastal Protection Scheme to construct a new embankment and associated works to protect a number of properties at risk of flooding at Incheree, the OPW has allocated 90% funding towards the works.

##### **County of Kerry Road Safety Plan 2016-2020:**

The County of Kerry Road Safety Plan was launched by An Cathaoirleach, Cllr. Michael O'Shea, on Thursday, 29th June 2017. The successful implementation of the Plan, which focuses on implementing the four “Es” – Education, Engineering, Enforcement and Evaluation, will be dependant, not only on the principle organisations charged with responsibility for road safety, but by all road users in the County of Kerry.

## **Economic & Community Development Directorate**

### **Kerry Local Enterprise Office**

A further 5 projects were approved funding at July Evaluation Meeting. This brings approvals to €239,588 for the year.

Over 400 individuals have participated in training initiatives and 4 business bootcamps are presently being delivered for early stage business start ups due to ongoing demand.

The Food Academy Programme has concluded and the office is presently organising an overseas mission for a number of participants to explore export potential and opportunities.

Demand for mentoring is strong with over 55 mentoring assignments and 28 Trading Online Vouchers approved.

The Local Enterprise Office has now launched a new “Lean Programme for Microbusinesses” which has now commenced.

The office has completed it’s branding of the customer services area with good feedback from customers.

### **Economic Development Unit**

#### **E-Hubs Workshop**

The Action Plan for Jobs 2017 has as one of its aims to promote the development of a network of ‘eHubs’ throughout the regions to support remote working, entrepreneurship and small business growth, developed through local enterprise initiatives, local authorities, LEOs and the enterprise development agencies. The Department of Jobs, Enterprise and Innovation held an E-Hubs in Ireland Workshop in June 2017.

### **Tourism Department**

#### **Kerry Promotion in Frankfurt**

County Kerry was chosen as international partner for the 2017 Frankfurt-Hoechst Castle Festival in Germany. Cllr. Michael O’Shea, as Mayor of Kerry, joined the Mayor of Frankfurt, Herr Peter Feldmann, to officially open the event on June 24th. There has also been considerable coverage of Kerry as a holiday destination in the Frankfurt regional media. Germany continues to be Ireland’s and Kerry biggest Continental source market and numbers continue to grow. The new Ryanair Berlin-Kerry service should boost visitor numbers in the shoulder season.

### **Killarney House**

Ms. Heather Humphreys, T.D., Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs, officially opened Killarney House to the public on July 3rd following a 4 year restoration programme and a state investment of €10m by Fáilte Ireland and the National Parks & Wildlife Service.

### **FLAG funding for Kerry**

€270,000 has been allocated to the coastal regions of Counties Kerry and Limerick under the new BIM administered FLAG (Fisheries Local Action Group) Scheme. Projects that may be supported range from Marine Tourism, Seafood Development and Production, Community Initiatives and supports for Small Scale Coastal Fishermen. The Tourism Unit is working with FLAG to identify local tourism actions from the Tourism Strategy that may be supported. The FLAG Scheme is co-funded by the Exchequer and the EU under Ireland's European Maritime and Fisheries Fund (EMFF) Operational Programme 2014-20.

### **Community Department**

#### **LEADER RDP (2014-2020)**

A further meeting of the Kerry Local Action Group was convened on the 5th of July to consider project applications for funding under the LEADER RDP Programme (2014-2020) under the sub-thematic theme area of 'Rural Tourism' for the North East & West areas of the county. It is expected that further monthly meetings of the Local Action Group will be convened to assess further applications for the other sub-thematic theme areas as they are rolled out.

### **Planning and Sustainable Development**

#### **ADAPT Northern Heritage**

Kerry County Council was invited to become the Irish associated partner in a major European study, funded by the European Union through INTERREG, of the effects of climate change on built heritage assets. The study involves regions from north-west Europe and will look at the effects of climate change with a view to creating policies, strategies and models that will enable the effects to be assessed and mitigated. The study in Kerry will focus on Ballinskelligs Bay with particular reference to Ballinskelligs Castle, Abbey and Graveyard and will run for three years.

### **Water, Environment, Fire & Library Services Directorate**

#### **Environment**

##### **Anti-Litter and Anti-Graffiti Awareness Grant Scheme**

Kerry County Council has recently been notified of a grant allocation of €26,000 to co-fund local public education and awareness initiatives in relation to litter and graffiti. The grant allocation covers up to 70% of the cost with the balance being

met by way of local contribution. Projects submitted for funding this year include ongoing support for our adopt a road and bottle bank schemes, purchase of equipment to support Community and Tidy Towns groups, litter awareness and increasing awareness of responsible dog ownership in relation to dog fouling issues.

## **Housing Directorate**

### **Assessment of Housing Need 2017**

As Members are aware the Council is now required to prepare on an annual basis an assessment of Housing need – whereas previously this assessment was undertaken every three years. The Minister has directed that the summary for 2017 be prepared on 28 June 2017. The form of the 2017 summary is as prescribed in the Social Housing Assessments (Summary) Regulations 2016.

The purpose of the Summary of Social Housing Assessments is to capture the total number of households qualified for social housing support across the country whose social housing need is not being met, in order to understand the level of need for such support. The number of qualified persons on our Housing waiting list as at the 28 June 2017 is 3248. This figure has seen a reduction over the last two annual assessments. The Housing Department has conducted an intensive rigorous exercise to ensure all previous qualified applicants were contacted (over 10,000 letters issued and 1500 phone calls were made).

In respect of previously qualified applicants who have failed to engage with the Council and who are no longer on the list, should they re-establish contact, within a reasonable time, then the Housing Department will on a case by case basis review whether that application will be reactivated without affecting the original date of qualification.”

Cllr. M. O’Shea stated the Frankfurt visit was very important and he hoped links would be forged with communities in Germany.

Cllr. J. Moloney highlighted that while approach roads to towns and villages are well maintained there is littering of roads out in the country and he asked that an advertising campaign would be undertaken and he suggested that the Adopt a Road Scheme could be expanded to address this issue. In conclusion Cllr. Moloney acknowledged the work of the Council and in particular the Tourism Department since Listowel was nominated for the International Communities in Bloom competition.

Cllr. A. Thornton concurred with the words of thanks extended to the Council by Cllr. Moloney and added there has been a concerted effort by the Tidy Towns Committee and the Council. She expressed concern that no project from North Kerry was submitted for FLAG funding and she asked that a project such as a Blueway would be submitted to ensure North Kerry gets its fair share of funding.

The e-Hubs arose from the Action Plan for Jobs and she understood there was a proposal for Listowel.

Cllr. T. Ferris welcomed the funding of €118,907 under the Minor Flood Mitigation Works & Coastal Protection Scheme but added that it is much too small given the nature of the county. She welcomed the CLÁR funding for the three projects and she asked that everything possible would be done to secure funding for St. Francis's School in Beaufort. Cllr. Ferris asked if there is anything Kerry County Council can do to cater for the families that are about to become homeless. The HAP limit of €550 per month is too low while in Cork the limit is €925 per month and that is unfair. In Limerick the limit is €700. She expressed concern that over the coming weeks a large number of families would be homeless and properties are not available to them to rent. There must be a change at a national level to HAP to set the cap for Kerry at a more realistic level and she asked that this would be brought to the attention of the Department.

Cllr. M. Gleeson highlighted that when roadside grass is strimmed it causes problems for volunteers as items are shredded. If they were advised in advance of the strimming they could arrange the collection of roadside litter. Graffiti is endemic in all parts of the county and he suggested that Transition Year students could paint these areas as part of an Art Class.

Cllr. D. Grady commended Council staff for cleaning up the litter on the streets in Killarney on the weekend of the Munster Final. The town was very clean after three major days. Cllr. Grady expressed concern that there was no mention of the provision of a homeless facility in Killarney. He understood, however, that funding has been allocated for it and this is welcome. The reduction in the numbers on the Housing list was also welcome. In conclusion Cllr. Grady welcomed the opening of Killarney House and thanked Mr. J. Deenihan for allocating funding for it when he was Minister.

Cllr. M. Cahill welcomed the funding for coastal protection works at Incharee and he asked when the works would commence. He welcomed the FLAG Programme and he asked why the members of the Council were not invited to the launch of this Programme. He welcomed the flights to Kerry Airport from Germany and added they will be a major boost to tourism in Kerry. He asked if there are plans for a marketing campaign to promote these flights. Cllr. Cahill highlighted that he is contacted on a daily basis by tenants who are getting Notices to Quit from their landlords as they want to sell their properties and as a result he believed the housing crisis would get much worse. He asked how well prepared the Council is for this situation.

Cllr. N. Kelleher welcomed the Kerry Berlin service and stressed the importance of EU connections in light of BREXIT. He welcomed the OPW funding for Incharee and he asked that the application for funding for Foiladuane would be finalised as soon as possible. Cllr. Kelleher asked how many housing applicants

were removed from the list as they did not respond to correspondence. While he acknowledged it is the applicant's responsibility to notify the local authority of a change of address etc. he asked if efforts were made to contact the applicants by phone before they were removed from the list.

Cllr. N. Foley welcomed the Kerry Berlin flights which are important both for tourism and business. The Anti-Litter and Anti-Graffiti Awareness Grant Scheme Funding is very limited and she asked that cameras would be purchased. She suggested that a campaign could be run with the owners of premises whereby they would dress their windows with anti littering as the theme. Cllr. Foley asked how many house sales have been finalised under the Tenant Purchase Scheme. The limits under the HAP Scheme in Kerry are a disgrace and they put Kerry at a geographic disadvantage. She called on the Chief Executive to take this matter up with the Department immediately.

Cllr. R. Beasley suggested that the moratorium on the recruitment of staff has impacted on the level of littering. This has also impacted on the amount of grass cutting being undertaken and the situation would be worse but for the work of the Tidy Towns Groups. Beaches that do not have Blue Flags used to have refuse bins but that is no longer the case and he called on the Council to provide bins rather than depend on voluntary groups to clean up the litter on beaches. Cllr. Beasley asked that hedges at junctions would be cut in the interest of road safety. The beach cleaning machine was used in Ballybunion on two occasions only over the past two weeks due to staff shortages and that is not acceptable. Dog fouling continues to be a problem. In conclusion Cllr. Beasley stated in his opinion the reported housing need in the county is understated.

Cllr. J. Finucane echoed the sentiments expressed by previous speakers in relation to the Kerry Frankfurt and Kerry Berlin flights. All those involved in the tourism industry in Kerry should be encouraged to have leaflets available in German and it would be beneficial to have literature and signage aimed at this market. On a number of occasions he called on the Council to host a Conference on the Wild Atlantic Way as it needs to be developed and a working group of Chief Executives and officials should be established to plan for its expansion. Cllr. Finucane then moved Notice of Motion No. 8.

## **8. Signage at Kerry Airport**

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

That full signage be erected at the junction at Farranfore to target airport traffic, highlighting the Tralee/Dingle route and all its attractions.

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

**The current signage at the N22/N23 junction at Farranfore directs traffic towards Dingle along the R561 through Castlemaine as it is the shortest route by 10km. Consideration will be given in consultation with the TII to**

**providing additional signage which highlights the alternative albeit longer route via Tralee and Camp. Consideration will also be given to improving the tourist attraction signage at this junction and at Kerry Airport.**

Cllr. Finucane highlighted there is no signage for West Kerry at the junction at Kerry Airport and he asked that it would be provided to encourage visitors to explore this area.

Cllr. A. Thornton SECONDED the motion.

Cllr. S. Locke referred to the Housing list and highlighted there will be a problem going forward as landlords are selling their houses. He complimented the volunteers who clean the roadside to ensure that Tralee retains its Gold medal status. However, the problem is with other roads where the hedges are overgrown and this facilitates illegal dumping. The Bottle and Clothes Banks should be inspected daily to ensure they are emptied when full.

Cllr. B. Cronin endorsed the comments of previous speakers in relation to the Kerry Frankfurt and Kerry Berlin flights and he asked that the number of flights from Kerry Airport would be expanded further. Illegal dumping has increased on the quieter roads and there should be a campaign to establish how people dispose of their household waste. Cllr. Cronin highlighted the problem with graffiti at Ballydribbeen and Doireann Aileann and he asked that it would be addressed. There are photos of young people running along the roofs of Council houses and this was brought to the attention of management prior to the Community Centre being handed over.

Cllr. M. Healy-Rae stressed that the caps are too low under the HAP Scheme. While houses can be leased to the Council landlords can get out of the lease and she asked if this could be addressed. She called for the provision of a safety barrier from Farranfore to the Airport.

Cllr. N. Moriarty stated she presumed all members support the CLÁR funding application by St. Mary of the Angels as this facility serves people from the four Municipal Districts. She asked that an interim report would be presented on Ballinskelligs so that the learning can be of benefit to all areas and that a funding stream can be secured for these sites. In conclusion Cllr. Moriarty agreed that multi lingual signage should be provided around the county.

Cllr. J.J. Culloty highlighted that the funding required to prevent flooding at Glenflesk/Foiladuane is not substantial but these works would make a big difference to this area. As house prices improve landlords want to sell their property and this will result in an increase in the number of people on the housing waiting list. A number of turnkey developments in Killarney were submitted and he requested an update on them.

Cllr. J. Healy-Rae did not agree that applicants should be taken off the list if they did not reply to correspondence. Once they are removed they must commence the application process again and this is not the way to reduce the numbers on the housing list.

Cllr. D. Quigg welcomed the funding for coastal protection works at Incharee. In recent times funding of €62m for housing was announced for Kerry and he asked where the money is being spent. 12 new houses were promised for Killorglin yet construction has not commenced and he asked when they will be built.

Cllr. A. Thornton advised there have been complaints that the beach in Ballybunion is not being cleaned and she asked that it would be cleaned daily for the months of July and August.

The Cathaoirleach PROPOSED that Kerry County Council would ask the Department to review HAP for Kerry.

This proposal was unanimously agreed.

The Chief Executive confirmed that members moved Notices of Motion on HAP levels and housing officials will engage with the Department on it. A large number of properties have been secured under the RAS and Leasing Schemes and more recently under HAP. The figure of 3,248 is the actual number of people on the housing list and there was huge engagement with applicants during the review process. There were 376 new tenancies in 2016 and she acknowledged the huge level of activity by the Housing Department. The Chief Executive confirmed it was her intention to form a working group following the WAW Conference. She agreed it is important that a project from North Kerry is submitted for FLAG funding in the next round and NEWKD and Kerry County Council will promote this. In relation to CLÁR funding she understood it is a new call for applications and enquiries will be made to ascertain if the application numbers need to be amended. A tourism brochure is available in German and it is very popular. In relation to Ballybunion Beach the Chief Executive advised that she would have to ascertain what provision was made in the adopted MD Plan but it maybe possible to identify funding from other sources if that is a priority.

#### **17.07.17.04 Draft Development Contribution Scheme**

Cllr. J. Finucane highlighted that there is a tremendous amount of detail in the proposed Draft Development Contribution Scheme and he PROPOSED that a Special Meeting in committee would be convened to discuss this item.

Cllr. J. Healy-Rae opposed this proposal and asked that members would be provided with the list of existing levies before they make a decision on the new Scheme.

## July Ordinary Meeting

Cllr. B. O'Connell highlighted that the contentious issue is the proposed levy on agricultural buildings and he PROPOSED that these charges would be deferred.

Cllr. J. Healy-Rae SECONDED this proposal.

Cllr. T. Ferris asked if those who have a conflict of interest must excuse themselves from any discussions.

Cllr. P. McCarthy stated members should be afforded the opportunity to ask questions on the Draft Scheme and he called for the holding of a meeting in committee for this purpose. This would then be followed by a public meeting.

Cllr. O'Connell asked that his proposal would be put to a vote.

Cllr. B. Cronin advised he was opposed to discussing the Draft Scheme in committee and he wanted it discussed fully prior to a decision being taken on it.

Cllr. T. Ferris highlighted that the making of a Development Contribution Scheme is one of the few powers left to members and she agreed the Draft Scheme should be considered at a Special Meeting.

Cllr. R. Beasley agreed that a Special Meeting should be convened to consider the Draft Development Contribution Scheme.

On behalf of the Fianna Fáil Party Cllr. N. Foley stated her party would be happy to discuss the Scheme either at that meeting or at a Special Meeting in public.

Cllr. T. O'Brien confirmed that the Labour Party agreed with this stance.

Cllr. T. Ferris advised if the information requested by Cllr. J. Healy-Rae was provided to members she would be happy to proceed with consideration of this item.

The Chief Executive informed members that a proposed Scheme was circulated and it is a fair and balanced scheme. Members have 6 weeks to consider the proposed Scheme and they may amend it. If it is not adopted within the 6 weeks the old Scheme remains in place. It is a matter for the members to decide if they want to consider the item at that meeting or to hold a Special Meeting.

Cllr. J. Finucane confirmed there was consensus that there would be an open discussion on the Draft Scheme and he PROPOSED that a Special Meeting would be held as soon as possible.

Cllr. J. Healy-Rae again pointed out that members are entitled to see the current Scheme before they make a decision on the new Scheme.

On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. M. O'Shea it was agreed to hold a Special Meeting on Tuesday 25<sup>th</sup> July at 10.30am to consider the Draft Development Contribution Scheme.

**17.07.17.05 Dates for meetings/briefing**

- (a) On the PROPOSAL of Cllr. N. Foley, SECONDED by Cllr. J.F. Flynn it was agreed that the Briefing on the Council's Budget 2018 would be held on Monday 11<sup>th</sup> September 2017 from 10.30am to 12.30pm.
- (b) On the PROPOSAL of Cllr. R. Beasley, SECONDED by Cllr. N. Moriarty it was agreed that the September Ordinary Meeting would be held on Monday 11<sup>th</sup> September 2017 at 12.30pm.
- (c) On the PROPOSAL of Cllr. P. McCarthy, SECONDED by Cllr. N. Kelleher it was agreed that a Special Meeting to consider the Draft Budget Policy / Strategy and consideration of setting a local adjustment factor in relation to LPT would be held on Monday 25<sup>th</sup> September 2017 at 10.30am.
- (d) On the PROPOSAL of Cllr. D. Nolan, SECONDED by Cllr. P. McCarthy it was agreed to hold the Draft Budgetary Meeting for the four Municipal Districts on Monday 23<sup>rd</sup> October 2017 at the following times:

Tralee	9.30am
Killarney	11am
South & West Kerry	2pm
Listowel	3.30pm

**17.07.17.06 Summary of proceedings at events**

It was agreed to note reports on the following events on behalf of the Kerry County Council delegates that attended in accordance with Section 142(5)(f) of the Local Government Act 2001 as amended:-

- (a) Irish Planning Institute Conference held in Westport from 5<sup>th</sup> to 7<sup>th</sup> April 2017 by Cllr. R. Beasley.
- (b) Road Safety Authority Conference 2017 held in Dublin on the 1<sup>st</sup> June 2017 by Cllr. M. Kennelly.

**17.07.17.07 Approval for the opening of Tenders**

- (a) On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. M. Gleeson it was agreed to approve the opening of tenders for the Management of Invasive Alien Species (IAPS) on National Routes – Closing date: Wednesday 19<sup>th</sup> July 2017 at 12pm.

- (b) On the PROPOSAL of Cllr. J.F. Flynn, SECONDED by Cllr. B. Cronin it was agreed to approve the opening of tenders for the Collection and processing of Dry Mixed Recyclables Waste (Eco Sense Bags) – Closing date: Thursday 27<sup>th</sup> July 2017 at 4pm.
- (c) On the PROPOSAL of Cllr. J.F. Flynn, SECONDED by Cllr. N. Moriarty it was agreed to approve the opening of tenders for Market Sounding and Expressions of Interest – Cahersiveen Enterprise Units – Closing date Monday 31<sup>st</sup> July 2017 at 11.30am.
- (d) On the PROPOSAL of Cllr. J.J. Culloty, SECONDED by Cllr. N. Kelleher it was agreed to approve the opening of tenders for the Supply and Installation Standby Generator and Automatic Changeover Panel at Áras an Chontae, Rathass, Tralee – Closing date: Monday 31<sup>st</sup> July 2017 at 2.30pm.
- (e) On the PROPOSAL of Cllr. P. McCarthy, SECONDED by Cllr. N. Foley it was agreed to approve the opening of any tender that may arise up to the September Council Meeting.

#### **17.07.17.08 Notices of Motion**

##### **1. Former Saint Finan's Hospital building**

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

That the CEO would update the Council on the progress of the talks regarding the future of the former Saint Finan's Hospital building. That the HSE would be requested to inform the Council and the public of its short and medium term intentions for the lands adjoining the former hospital building.

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

**As Members will be aware the Council has met with the relevant staff in the HSE on a number of occasions in relation to the availability of surplus HSE lands.**

**By way of follow up at the end of June the Council received formal correspondence from the HSE in respect of the campus at St Finans.**

**At this point the Council has formally indicated a strategic interest in land at the St Finans campus and engagement is on-going in respect of advancing this.**

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

*“Since 1852 this splendid building has dominated the landscape and played a huge role in the economic life of the entire area. Now before it is too late, it is imperative to determine a new and vibrant life for it and its attached lands.*

*There are many options of how it could best serve the area and the county. It could be subdivided into apartments for single people who comprise a sizable and largely un-catered section of our housing applicants. It could be re-designed internally to cater for elderly couples who would wish to move to live near the town.*

*It most certainly has enormous potential to serve as the centre for All the public services such as health, citizens information, Alzheimers’ Unit etc Indeed there are many people in and around Killarney who are very anxious that a unit similar in excellence to the Rockmount Centre in Kilgarvan for the day care of Alzheimer sufferers would be developed in the immediate future.*

*There are very few who would wish to see the building transfer to private ownership.*

*From its foundation to the present day the upkeep of the building has been maintained by the Taxpayer and I believe that there is an almost moral obligation to ensure that it remains in use for the public’s benefit.*

*The attached lands are so very strategically situated in an area where the availability of land for development is at a premium. We cannot afford to allow this land escape into the hands of speculators. It’s great potential must be maximised for the overall benefit of the community.*

*It has potential for housing development, both private and public. Part of it could be used for recreational purposes. It may allow the Council and TII the scope to solve the ongoing horror that is the Lewis Road/ By Pass junction.*

*I am pleading on behalf of the people of Killarney and indeed of a much wider area to the HSE and to this Council to promptly decide on the future ownership of the building and land and for the Council thereafter to ensure that its vast potential is maximised for the public’s benefit.”*

In conclusion Cllr. Gleeson asked that the Council would express a strategic interest in St. Finans building as it could serve as a Centre of Excellence for Alzheimer patients as well as other groups.

Cllr. B. Cronin SECONDED the motion.

**2. Private Health insurance customers admitted to Kerry University Hospital**

**Pursuant to notice duly given Cllr. P. McCarthy PROPOSED:**

That this Council write to Kerry University Hospital Management and ask them (a) does every private insurance customer have to sign private insurance patient forms at admissions. (b) Will the hospital Management then give them the same treatment as if they did sign it.

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

Cllr. P. McCarthy highlighted that people who have health insurance with Irish Life Health received a leaflet titled 'Public Hospital Access know your rights'. This leaflet states '*if you are admitted into a public hospital through A&E you will be asked to sign a Private Insurance Patient form. This form asks you to waive your right to public treatment in a public hospital. If you sign the form unless you can be guaranteed a private or semi-private room, your treatment will be exactly the same but you will be charged, through your health insurer €813 per day. If you do not sign the form you will be charged, through your health insurer €80 per day*'. Cllr. McCarthy highlighted that everyone is shocked at the increases in health insurance and he asked that the motion would be referred to Kerry University Hospital management for a specific reply.

Cllr. J. Finucane SECONDED the motion.

**3. Call to reduce Booking.com commission**

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

That Kerry County Council request the Irish Government, the Northern Ireland Government, Failte Ireland and Tourism Northern Ireland to lobby Booking.com vigorously to reduce their commission of 15% to a more realistic rate, as it is having a negative impact on Tourism by (A) forcing businesses to pass on the commission to the client (B) it is making accommodation very expensive (C) it gives Ireland a name of not being good value for money and (D) it is more important now than ever before to have competitive prices, especially with Brexit imminent.

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

Cllr. M. Cahill stated Killarney has the largest number of beds outside of Dublin and the commission for Air B&B is 4% as against 15% by Booking.com. It is important for the tourism industry in Kerry that this rate is reduced.

Cllr. M. Healy-Rae SECONDED the motion.

Cllr. Cahill then moved Notice of Motion No. 20.

## **20. Provision of training for the hospitality sector**

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

In view of the fact County Kerry is the premier Tourist county in Ireland, I propose that Kerry County Council in conjunction with the Minister for Tourism, Minister for Jobs, Minister for Education, Failte Ireland and all relevant Government Departments carry out (A) An audit of all the Culinary/Hospitality/Tourism Programmes and Training being offered in the county to assess the following levels of certification/success rate/retention and transfer into the Hospitality Industry. (B) Implement an action plan as a matter of extreme urgency to coordinate training/training needs which are matched to Industry requirements. (C) Provide the necessary funding to promote careers in the Culinary/Hospitality and the Tourism Sector at a National level. (D) Carry out a feasibility study from a financial view point to assess if those currently on the live register and completing relevant training programmes can afford to secure employment within the Hospitality Industry and (E) As in other areas make Springboard funding available to those currently working in the Hospitality sector who wish to gain up skill and gain relevant qualifications.

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

Cllr. M. Cahill highlighted that the profile of the tourism industry in Kerry needs to be improved and a Centre of Excellence should be established in the county. IT Tralee, the National Learning Network and the Brehon School etc. should be amalgamated and a Tourism Education Officer appointed to visit all schools in the county to encourage students to consider this industry for their future careers. An Apprentice Chef Programme was launched last October and this brought 900 students to the industry. Cllr. Cahill asked that the motion would be referred to Minister Griffin, Mr. O. Murphy Tralee IT, Mr. C. McEvoy KETB and to the Kerry County Council Tourism Department.

Cllr. D. Nolan asked that the motion would be amended to refer to a living wage rather than the minimum wage.

Cllr. Cahill agreed to this amendment.

## **4. Development levies on wind farms**

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

Can Kerry County Council consider the development levies that are imposed with respect to wind farms going directly back to local communities affected by wind farm construction.

**The following reply issued:**

**Section 48 of the Planning & Development Act 2000 (as amended) enables the Planning Authority when granting planning permission to include conditions requiring the payment of a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority, and that is provided, or that is intended to be provided, by or on behalf of the Local Authority.**

**Costings for transport, community, and amenity projects have been prepared by the relevant Council Directorates and are listed as an appendix in the draft Development Contribution Scheme for consideration, at today's ordinary monthly meeting. These strategic projects are located throughout the County.**

**The benefit of these transport, community, and amenity projects are not confined to specific communities, rather they benefit large sectors of the population and economy, county wide. Development levies collected are therefore expended on projects listed in the Development Contribution Scheme and not in the specific location where the developments, subject to levies, are located.**

**The minister's recent press release on the "Preferred Draft Approach" to the revised windfarm guidelines includes measures for a "Community Dividend" as follows;**

**Community dividend (or benefit) will be a core component of future wind farm development. This may encompass a range of measures and will vary according to the nature and scale of a project. However, it is proposed that developers will need to offer a form of community dividend that will ensure the project will be of enduring economic benefit to the communities concerned.**

**The detail of how this will be calculated or agreed has yet to be announced.**

Cllr. A. Thornton advised in the light of the planning briefing later that day she agreed to deal with the motion at the briefing. She highlighted that in Asdee bridges have been undermined by heavy vehicles transporting wind turbines but there is no funding to repair them. Cllr. Thornton referred to Page 13 of the Draft Development Contribution Scheme where there is specific reference to wind farm development and it states "*Development contributions shall apply to energy developments (non-renewable) at a rate of €20,000 per MW (or part thereof). This contribution shall be split 30/70 between the Roads & Transport and Community & Amenity*" and she asked what this breakdown was in the last Scheme, what levies on wind farm developments were in the previous Scheme and should this funding be referenced in the Budget.

In response Mr. M. Scannell stated that the Development Contribution Scheme is a countywide Scheme and there is scope for the local authority to apply a special contribution where there is an impact on specific infrastructure in the area. This can be considered for future applications when a detailed analysis of the impact of the development on the infrastructure can be undertaken and a levy applied to enable repair work to be carried out.

Cllr. Thornton asked what would happen the infrastructure that has already been adversely impacted by wind farm developments.

Mr. Scannell advised that any repair works would have to be funded from the existing budget.

Cllr. Thornton highlighted that many wind farm developments have already taken place and if levies are imposed on them in the future will the levies be specific to the development or will they go to a general fund.

Mr. M. Scannell advised that a special contribution has been applied to individual applications. When assessing future applications a critical analysis of the impact of the development on local infrastructure will have to be undertaken.

Cllr. Thornton expressed concern that funding is not available to repair the local infrastructure in North Kerry.

Mr. C. O'Sullivan advised members that developers will have to meet with the Area Engineer to get access to the site to be developed and in most cases the necessary road improvements are achieved at a local level. Charges generally apply for road opening etc. and it will be necessary to follow up on repair works post planning.

Cllr. J. Moloney asked what is the position when Kerry County Council refuses permission but An Bord Pleanála grant it, must the levy be by MW.

It was agreed that these issues would be considered at the Special Meeting to consider the Draft Development Contribution Scheme.

**5. Provision of funding to repair existing footpaths and to create new footpaths**

**Pursuant to notice duly given Cllr. P. Connor-Scarreen PROPOSED:**  
That Kerry County Council please set aside extra money to repair existing footpaths and create new footpaths in the County.

**The following reply issued:**

**The 2017 Service Delivery Plan, which has details on all road improvements in the county, was adopted in April by Council. A Footpath Programme of €200,000 is included in this years' Service Delivery Plan. We will review an Annual Footpath Programme and will discuss it with the Members in the context of the Councillor Allocations to accommodate this programme. The Chief Executive will engage further with the Members in relation to this.**

Cllr. P. Connor-Scarteen highlighted while there has been an increase in funding for footpath repairs it is still not adequate. Many footpaths are dangerous and in some instances there are no footpaths leading to Council estates. Cllr. Connor-Scarteen asked that the footpaths at Droumnevane and Killowen would be repaired.

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

**6. Certification of external insulation on Council houses**

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

In light of recent tragic events and the concern of some residents in properties recently externally insulated/cladded can Kerry County Council confirm that the materials used have been properly tested and are fire resistant?

**The following reply issued:**

**Following the recent tragic events of the Grenfell Tower Tragedy a number of reviews are underway by Government.**

**Firstly it should be stated that the nature of that complex and the circumstances of the tragic events are not comparable with any residential complex we have in County Kerry.**

**Following those tragic events, Government have requested that Local Authorities conduct a review of Social Housing in multi-unit/ multi storey developments (individual residential units are not covered by the review). The review covers exclusively Council owned or leased Social Housing in a multiunit/ multi storey setting to ensure that common areas have appropriate fire safety measures. Kerry County Council is currently inspecting and reviewing such locations to ensure such measures are in place.**

**In addition the review seeks to identify Social Housing Units in privately owned building where responsibility rests with the Management Company or Owner of such buildings. In such cases the Council will be writing to Management Companies / Owners reminding them of their responsibilities.**

**In addition the Residential Tenancies Board is writing to all landlords for registered tenancies reminding them of their responsibilities.**

**A further phase of the review requires identification of residential buildings exceeding 6 floors or 18 m and separately non-residential buildings of this type.**

**These reviews and assessments are on-going but it is important to stress that no significant issues have arisen to date.**

**In relation to the specific question, Kerry County Council has a number of properties which have been insulated using external insulation methods. This is not cladding and the insulation is fixed directly to the external of the building.**

**Kerry County Council has externally insulated properties in Tralee as part of the Mitchel's Regeneration project and Listowel Town Council had externally insulated a number of their properties.**

**Kerry County has received the Irish Agrément Board Certificates for these projects and the external insulation used conforms to the current Fire Regulations.**

**Kerry County Council has purchased some properties in Tralee with external insulation but these properties were insulated as part of the regeneration project and the aforementioned agreement cert applies to the material used.**

Cllr. T. Ferris expressed disappointment at the second part of the reply as she would have expected greater detail. She wanted confirmation that the materials used are suitable and are not flammable. When she researched this material she found that all materials used except one, rockwool, are combustible. Cllr. Ferris requested a more detailed reply either at the September Council Meeting or next MD Meeting.

The Chief Executive highlighted that she was in discussions with the Chief Fire Officer who is undertaking a review on a risk basis. Grenfell was a unique situation and other buildings do not have the shared spaces it had. There are not many high rise buildings in the county. The reply is based on the information available from the Chief Fire Officer. The Chief Executive assured members where houses were insulated they comply with current standards.

Cllr. Ferris confirmed she did not believe there is an issue but she would be more assured if rock wool was used to insulate the houses.

**7. Call to speed up the abolition of water charges in the Dáil**

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

That this Council call on legislation to be speeded up in the Dáil in relation to the abolition of water Charges as people who refused to pay this stealth tax are currently excluded from the Tenant Purchase Scheme.

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

Cllr. D. Quigg highlighted it is a prolonged process to get these stealth charges removed and he called on the Government to speed up the legislation to remove water charges.

Cllr. S. Locke SECONDED the motion.

The Chief Executive advised members this is a matter of national policy.

Cllr. Ferris asked that applications under the Tenant Purchase Scheme would be processed at a local level and valuations carried out to ensure these applications can be progressed once water charges are abolished.

Mr. M. O'Donoghue agreed with this suggestion.

**9. Inspection of all bridges on secondary roads used excessively by heavy goods vehicles**

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

That Kerry County Council inspect all bridges on secondary roads that have been used excessively by heavy good vehicles particularly after the felling of forestry.

**The following reply issued:**

**The bridges on national roads are regularly inspected by Transport Infrastructure Ireland (TII) Issues identified from these inspections are funded by the TII. Kerry County Council has carried out detailed inspections on 330 bridges on our regional roads over the last 3 years. Issues identified on these regional road bridges are submitted for funding to Department of Transport, Tourism and Sport under the Bridge Rehabilitation Programme.**

**There are approximately 3,500 bridge structures on the non-national road network. Inspections of bridges are prioritised based on traffic volumes on these roads with approximately 100 bridges being inspected on an annual basis. Each Municipal District will continue to carry out inspection on bridges on local roads where they have knowledge that heavy goods vehicles are operating.**

Cllr. D. McCarthy highlighted that large lorries transport timber from forestries and over the past two months the road where he lives in Kenmare has been damaged. He thanked the Council for repairing the bridge and added that bridges were not built to carry the weight of these lorries. Cllr. McCarthy called on the Council to inspect roads and bridges prior to the commencement of the transporting of timber and also when the work is complete.

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

Cllr. T. Ferris moved Notice of Motion No. 10 in Cllr. Beasley's absence.

**10. Opposition to any attempt to re-route the proposed motorway link between Limerick and Cork through Tipperary**

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

That Kerry County Council opposes any attempt to re-route the proposed motorway link between Limerick and Cork through Tipperary as this would further isolate North Kerry.

**The following reply issued:**

**The statutory process (CPO/EIS) for a previous M20 Motorway proposal via Mallow and Buttevant was published but subsequently withdrawn in 2011 by Cork County Council at the request of the Minister.**

**The scheme is currently suspended and is not in the current Capital Investment Plan. It is understood that the Minister is/ will be undertaking a midterm review of the Plan and that no decision on the resumption of the scheme will be taken until the midterm review is complete.**

**Kerry County Council is therefore unaware of any statutory process or consultation period where a re-routing of the proposed motorway link between Limerick and Cork through Tipperary is being proposed.**

**11. Call to deploy the Fire Service to all emergencies**

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

That Kerry County Council agree to deploy the Fire Service to all emergencies as there has been undue delays with the Ambulance Services attending the scene of either emergencies or road traffic accidents over the past two years.

**The following reply issued:**

**The Fire Service in Kerry currently is deployed to every emergency, including medical emergencies, to which it is called.**

**Matters of interagency policy (matters of common interest to the Fire Service and/or the National Ambulance Service and/or An Garda Síochána) are normally raised at national level through the National Directorate for Fire and Emergency Management for the Fire Service.**

Cllr. D. Grady highlighted there can be delays with ambulances and Kerry does not have an adequate number of ambulances. The ambulance at Millstreet is gone and this area must be serviced by the Killarney ambulance which is putting further pressure on the service. The Fire Service has defibrillators and are fully equipped and trained. Cllr. Grady stated he understood a draft report has been compiled recommending that the Fire Service would be utilised in emergencies and he would welcome this.

Cllr. J.J. Culloty **SECONDED** the motion and added that members should strive to secure a second ambulance for Killarney.

## **12. Vat rate on bottled water**

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

That Kerry County Council write to the Minister of Finance to re-evaluate and reform the VAT rates on bottled water which is currently taxed at 23%, while chocolate milk which contains 50% sugar is taxed at the Zero rate of VAT (0%). This anomaly is not helping to curb the rising obesity levels within our society.

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

Cllr. J. Sheahan stated that good habits are to be encouraged from a young age and it is no help that our taxation system is not on the same side. A healthy body and lifestyle are a bonus in all our lives. Obese children can turn into obese adults. The short term effects can be breathing difficulties, problems with bone health and psychological issues and the long term effects being cancer, heart disease and Type 2 diabetes. In conclusion Cllr. Sheahan asked that the resolution would also be forwarded to the Minister for Health.

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

## **13. Improvement Works in Lieu Scheme**

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

To ask Kerry County Council to address the issue with the Improvement Works in Lieu Scheme where applicants are being refused entry to the Scheme when their house does not have a cavity wall, people are not being advised of this before they apply. Furthermore, this is depriving people of improving older houses with stone walls from accessing the Scheme and thus contributing to the housing crisis.

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

**The main trust of the Improvement Works in Lieu scheme was seen as the improvement of properties so as to provide an alternate to the direct provision of a social housing unit for approved local authority applicants.**

**The works, when completed, should, in essence, result in a residence comparable with other units provided under social housing schemes.**

**It is a requirement of the scheme that on completion of the works the building is structurally sound and free from damp and meets other normal standards such as fire safety. Houses of masonry and mass concrete construction can have difficulty meeting the requirements of the scheme. In particular it can be difficult to make such properties “free from damp and weather tight” in a manner which achieves value for money standards of the scheme. All of these issues are considered in the technical assessment of the property.**

**The Housing Department will review the information currently provided to applicants and if necessary will provide additional information to applicants of this scheme so as to clarify further the technical requirements so that potential applicants can determine if they should proceed with an application.**

**In all cases, applicants who are qualified for social housing are always guided and advised of the full suite of Housing supports/ schemes and grants that are available to them.**

Cllr. M. Healy-Rae pointed out that the application form for the Improvement Works in Lieu Scheme does not state that a house that does not have a cavity wall will not qualify under the Scheme and this is misleading applicants. The Minister for Housing informed Deputy Danny Healy-Rae that it is not a stipulation in the Scheme and she asked who implemented it. She further asked what will happen applicants who were refused and treated unfairly.

Cllr. J. Healy-Rae SECONDED the motion.

Mr. M. O'Donoghue advised members that following the works the building must be structurally sound, free from damp and must meet other normal standards such as fire safety. It can be difficult to bring some houses up to the required standard. It is only when the house has been technically examined that this can be determined.

Cllr. T. Ferris asked when was the last time Kerry County Council approved an application for Improvement Works in Lieu funding.

Mr. O'Donoghue highlighted that an application for €0.75m is presently with the Department for approval. A number of schemes can be used to make a house habitable.

**14. Amounts for Housing Grant Scheme from 2014 – 2017**

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

To ask this Council, to provide amounts received for housing aid for the elderly, mobility aid grants, and housing adaptation grants for people with disabilities for years, 2014, 2015, 2016 and 2017.

**The following reply issued:**

**The grant allocation for the various schemes for each year is as follows:**

<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
<b>1,631,022</b>	<b>1,788,778</b>	<b>2,096,050</b>	<b>2,220,979</b>

Cllr. J.J. Culloty welcomed the report and asked if the 2017 funding has been fully allocated.

Mr. M. O'Donoghue advised that the processing of grant applications is relatively up to-date. Funding received in 2017 enabled the funding of Priority 2 and 3 applications and he advised Cllr. Culloty to contact him if he wished to discuss a specific application.

**15. Call for a proactive approach to deal with overgrown roadside hedges**

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

Can Kerry County Council please take a proactive approach to deal with overgrown roadside hedges so that our roads are safe for all those that use them.

**The following reply issued:**

**The Council's policy and procedures on hedgecutting were reviewed in 2015, to address the concerns expressed by the members with compliance by landowners in maintaining hedgerows. These procedures included a more pro-active approach by Council staff in ensuring compliance and we also established a database to manage and monitor complaints.**

**Notwithstanding the restrictions imposed under Section 40 of the Wildlife Act 1976 (as amended), which prohibits the cutting of hedges between the 1st March and the 31st August, the Council has powers to cut a hedge where an immediate traffic hazard exists.**

**Since the Council established the position of a Roads Enforcement Officer, in 2003, the Council has been proactive in promoting the statutory obligations of landowners, providing advice, and investigating complaints from the public. This includes the issuing of an advice note to almost 6,000 landowners last year.**

**This year to date, we have received 79 complaints in relation to alleged overgrown hedges, which are recorded on our database - 8 of which were through representations made by Elected Members. All of these are fully investigated by our Roads Enforcement Officer. Additional inspections are also carried out by our Roads Enforcement Officer and by Area Staff. Furthermore, each of the Engineering Areas has a database of roads where lands are in our ownership, as well as critical junctions to be inspected annually. 402 km of hedges were cut by the Council in the past year. The Council recently commenced its hedgcutting programme and will be undertaking targeted cutting on safety grounds of national, regional and local primary roads with a particular focus on tourist routes. This work will concentrate on junctions and bends on these routes.**

Cllr. J. Lucid called on Kerry County Council to take a proactive and selective approach to dealing with overgrown hedges to improve road safety at this time of year. He understood fully that the Council does not have the resources to cut back every hedge in the County. However, his concerns are around road safety, in particular at junctions and in relation to road signage.

At the moment, at many junctions where minor roads join main roads the ditches and hedges are overgrown. Drivers have to move out too far to see if there is oncoming traffic and they are putting themselves and other road users at risk.

On the outskirts of many villages speed limit signs are now obscured. Other road safety signs similarly cannot be seen rendering them totally ineffective. He noticed Wild Atlantic Way signs while out walking which are not visible in a car yet these signs were put in place at a financial cost to the taxpayer. In the first instance the signs were put in place because it was deemed necessary for road safety and it does not make sense that they cannot be seen. It does not make sense that drivers have to take risks at road junctions. Therefore, he asked that a programme be put in place to tackle these issues and that it is followed through annually.

Cllr. M. Healy-Rae **SECONDED** the motion and she asked why the Council waits until the 1<sup>st</sup> September to write to landowners. She suggested that the Council should buy tractors and hedge cutting machines and cut the hedges themselves.

**16. Call for the use of up to-date census information to inform the next SICAP Programme**

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

That we write to the new Minister of State responsible for Communities, Minister Sean Kyne seeking the use of the up to date census information in informing the next SICAP programme which will be up for tender shortly. The use of the Pobal

Deprivation Index is flawed and results in an inaccurate reflection of the real level of Social Inclusion Issues in dispersed areas.

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

Cllr. N. Moriarty advised that budgets are about to commence with the new 2018 Programme. The Department should be using a better means to establish disadvantage than the Pobal Deprivation Index and it is unfair that good work is being hampered due to lack of funding.

Cllr. J.J. Culloty SECONDED the motion.

**17. Call on Irish Water to open an office in Kerry**

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

That Kerry County Council request Irish Water to open an office in Kerry to deal with all issues especially people who have difficulty with their bills and are being overcharged.

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

Cllr. J. Healy-Rae highlighted that Irish Water do not have an office in Kerry. When bills are issued they include arrears outstanding from 2012 and 2013 and he asked if they are entitled to collect these arrears when Kerry County Council was responsible for the collection of water charges at that time. When the arrears amount is queried they cannot guarantee that it was not paid.

Ms. A. McAllen confirmed that Irish Water are entitled to collect outstanding arrears because when they took over water charges they also took over existing debt. The Revenue Department deals with these queries directly with Irish Water.

Cllr. Healy-Rae again stated the Irish Water has issued bills including arrears and when they are asked if they are satisfied that the customer owes the money they are not sure. He was aware of one customer who paid his water charges yet he is now being billed for arrears. Irish Water should be in a position to prove that the arrears are outstanding.

**18. Completion of a design and projected costing for the widening or replacing of Listry Bridge**

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

To ask have Kerry County Council completed a design and projected costing for the widening or replacing of Listry Bridge on the R563 as it has now been confirmed that the Department of Transport have never received a design proposal or costing to replace the bridge from Kerry County Council.

**The following reply issued:**

**The Council will submit an application to the Department of Transport, Tourism and Sport for funding to engage a Consulting Engineer to prepare a design proposal for a new bridge on the R563 at Listry. This application will be submitted to the Department of Transport, Tourism and Sport by the end of August 2017.**

**Safety and structural works were completed on this bridge in 2016.**

Cllr. B. Cronin highlighted it has been a long running campaign to sort out Listry Bridge and after almost 18 years an application is to be submitted to prepare a design. When Minister Ross was in Killarney recently he asked him to check the status of Listry Bridge and he replied that no application for funding was received for it. Minister Griffin has the same response. He welcomed the fact that it is now progressing and he asked how long the process would take before funding would be sought.

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

Mr. C. O'Sullivan advised members that following on from the motion moved at the April Meeting he informed members there was no funding stream to repair or replace this bridge. He subsequently spoke to Department officials who advised that a Feasibility Study should be submitted together with a request for the appointment of consulting engineers. There is no guarantee that funding will be provided as very limited funding is available for this type of work.

Cllr. Cronin stated a 120yd single lane bridge is unacceptable.

**19. Responsibility for the maintenance and upkeep of the road to the Upper Torc car park and the road from Derrycunnihy Church**

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

That the Council would in conjunction with the NPWS seek to clarify where legal responsibility rests for the maintenance and upkeep of [a] the road to the Upper Torc car park at Cloghereen Upper, on the Old Kenmare road and [b] the road from Derrycunnihy Church that links with the Old Kenmare Road. The condition of these prime tourist roads leaves much to be desired.

**The following reply issued:**

**The road to the Upper Torc car park at Cloghereen Upper is not in the charge of Kerry County Council. The Council will contact the NPWS to determine whether or not they maintain this road. The road from Derrycunnihy Church that links with the Old Kenmare Road is in the charge of Kerry County Council. This road forms part of the Kerry Way which is a walking trail.**

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

*“I placed these roads on the agenda because one is the Killarney electoral area and the other is in the South and West electoral area.*

*I also placed them on the agenda because I am almost weary from year after year seeking to find out where responsibility lies for their upkeep and from trying to have the potholes filled in order that locals and visitors can travel in safety to behold great beauty.*

*Yesterday we travelled as far as the car park of the road known as the Old Kenmare Road. Thank heavens after months of pleading the potholes were filled and travel was easy.*

*But for how long I wonder and when will I have to start all over again going from the NPWS to the Council.*

*It would be wonderful if an arrangement or agreement similar to that which existed in the past where the Council filled the potholes and was compensated by the NPWS was put in place.*

*We are a tourist county. Visitors are our lifeblood. We must not only facilitate our visitors but we must ensure that their visitor experience is of the very highest order.*

*We can't have dirt tracks where there should be roads. We can't have danger where there should be safety. We must have the very highest standards.*

*Yesterday CEO the N71 Torc car park was overflowing onto to the road with cars parked in unsafe places. Yesterday the so- called car park for Cardiac Hill was overflowing onto the road with cars parked very dangerously by the narrow roadside.*

*We have a paradise to showcase we must ensure safety, security and respect for all who come to be enriched.”*

Cllr. D. McCarthy SECONDED the motion.

The meeting adjourned for lunch at 1.30pm.

The meeting resumed at 2.30pm.

## **21. Legislation to eradicate Japanese Knotweed**

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

That Kerry County Council call upon the Government to enact legislation similar to other countries to help eradicate Japanese Knotweed.

**The following reply issued:**

**The Council is committed to managing Japanese Knotweed and prevent its spread on our own lands or through our own activities. We have received funding from the TII to manage it on the national road network over the past few years and have worked with local communities on pilot projects in a number of other locations. However, the responsibility for managing the species on private lands is the responsibility of the landowner. A leaflet outlining the potential risk of structural damage by the species and measures to address same is included each year with the correspondence issued to landowners regarding their responsibility for hedgecutting on their property.**

**It is not feasible to eradicate Japanese Knotweed and other invasive species found in the county without significant financial aid but the Council will continue to work with communities in raising awareness and educating landowners on its management.**

Cllr. P. Connor-Scarteen complimented the Council on taking the eradication of Japanese Knotweed seriously and highlighted that additional funding is required. Where Japanese Knotweed is present in a property the owners cannot get a mortgage. Section 14 of the Wildlife and Countryside Act 1981 states "*if any person plants or otherwise causes to grow in the wild any plant which is included in the Schedule they shall be guilty of an offence.*" While the Environmental and Protection Act 1990 relates to the disposal of controlled waste. In 2014 legislation was enacted making it a criminal offence under anti-social behaviour laws for home owners who fail to control Japanese Knotweed on their property. This must be handled with sensitivity and property owners should first receive warning notices. Cllr. Connor-Scarteen asked that a letter would also issue to the Department of Education calling on them to create greater awareness among children who in turn will educate their parents on the dangers of this weed. Other jurisdictions should be consulted to establish how they dealt with this problem. In conclusion he agreed with Cllr. Moloney's suggestion that an App should be developed which would allow the mapping of all locations where Japanese Knotweed is growing.

Cllr. M. Gleeson SECONDED the motion.

**22. Call for the provision of a Nurse and Physiotherapist at St. Francis School, Beaufort**

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

That this Council call on the Minister for Health to provide a Nurse and a Physiotherapist at St Francis Special needs School in Beaufort immediately.

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

Cllr. D. Quigg advised he recently visited St. Francis' School and met some parents. One child can only attend school 3 days a week as a nurse is not there 5 days. The onus is on the State to provide care and ensure a child can attend school 5 days a week. The physiotherapist is on leave and a replacement is urgently needed.

Cllr. N. Moriarty SECONDED the motion.

**23. Provision of road signs in multiple languages to remind people to drive on the correct side of the road**

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

Ask Kerry County Council erect signs on the outskirts of towns and villages in multiple languages to instruct/ remind people the correct side of the road to drive on.

**The following reply issued:**

**There are a number of signs at key locations throughout the county to advise tourists/motorists to drive on the left hand side of the road. It is not feasible to provide similar signs on the approaches to all towns and villages. Kerry County Council will write to car hire companies to request them to advise tourists who hire cars, to drive on the left hand side of the road.**

Cllr. D. McCarthy stated he believed these signs could save lives. The message should also be promoted in hotels; guesthouses etc and he called on all tourist accommodation providers to provide signs inside their doors to remind tourists to drive on the left hand side of the road.

Cllr. D. Grady SECONDED the motion.

**24. Evaluation of waste water treatment plants in advance of the expected Capital Investment Programme 2017 – 2021**

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

Has Kerry County Council conducted an evaluation of waste water treatment plants in advance of the expected Capital Investment Programme 2017 to 2021.

**The following reply issued:**

**Prior to the publication of Irish Water's Emerging Capital Investment Plan 2017-2021, Kerry County Council, in conjunction with the DECLG, commissioned a comprehensive and detailed assessment of urban wastewater requirements , for every settlement , including unsewered villages in Co. Kerry in the "County Kerry Wastewater & Sludge Strategy".**

**Kerry County Council made a submission to Irish Water in February 2016 on the Emerging Capital Investment Plan 2017-2021.**

**The submission was in accordance with, and followed from, the Irish Water Capital Investment Plan for priority Water and Wastewater Infrastructure which is referenced in the Kerry County Development Plan 2015 – 2021.**

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

- **Ensuring sufficient Water Quality and Capacity for all our water supplies, but particularly for those supplies that will be of critical importance to the economic development of the county (e.g. the Central Regional water supply), to be achieved through investment in new infrastructure and water conservation measures.**
- **The preparation of Drainage Area Plans aimed at identifying and “bottlenecks” in our sewer networks which could potentially limit development, particularly for the larger towns of Tralee, Killarney and Listowel.**
- **Ensuring a regional approach within the county to the proposal to rationalise the number of water supplies within Kerry so that it does not inhibit economic development.**
- **The emerging CIP should take account of the existing Wastewater & Sludge Strategy for Kerry, which assessed all of the wastewater needs for every settlement in the county, including unsewered villages.**
- **The emerging CIP should look to advance more projects through the Planning and Design stages of development in order to have a sufficient number of projects ready to advance through the next funding cycle.**
- **The plan should make provision for the small number of water schemes in Kerry that remain vulnerable without adequate treatment being in place.**
- **A strategic plan is required to ensure security of supply through the provision of a minimum of 24 hours storage to all supplies in Kerry**
- **A strategic plan is required to look at the capacities of all schemes in Kerry to ensure that sufficient capacity is in place to facilitate future development**

- **The emerging CIP should clarify the status of certain schemes that have funding approval but are not listed in the Plan as well as those schemes that were approved in previous Water Services Investment Programmes (WSIP) and are not listed in the emerging Plan.**
- **That Irish Water's capital investment priorities take account of other important environmental and economic assets in Kerry, e.g. blue flag beaches, designated shellfish waters, and the entire coastline of the county, which has the largest portion of the Wild Atlantic Way of any county. Investment priorities should not simply be confined to the narrow set of parameters set out in the licenses and certificates of each wastewater scheme.**

Cllr. A. Thornton highlighted that different villages have different requirements for sewerage treatment facilities. She understood it was proposed to provide a Wetland facility in Lixnaw which would be welcome. She asked if plans are in place for rural villages.

Mr. J. Breen advised that Irish Water has a business plan and there is also the Rural Water Programme. Any unsewered villages are brought to the attention of Irish Water by his Department.

Cllr. Thornton requested that a letter would issue to both the Department of Environment and Irish Water pointing out that villages are not catered for in the existing Schemes.

Cllr. D. Quigg **SECONDED** the motion.

## **25. Recording of meetings**

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

How much was spent during the refurbishment of the Council Chamber to provide the new audio system? Considering the expense to the tax payer and the fact that other local authorities are moving to live streaming of council meetings, Kerry County Council should at the very least use that system to record all meetings.

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

**The amount paid in relation to the installation of the Delegated Conference System & Audio/Visual Equipment at the Council Chambers was €102,420 ex VAT. The system installed provides enhanced sound facilities for meetings and includes audio & visual aids for presentations etc. as well as facilitating the video streaming of events in the Council Chamber which is currently primarily used for civic receptions and certain presentations to full Council. Also it facilitates bilingual translation including an interpreter booth.**

**The live streaming of Council meetings was considered previously by CPG at its meeting in February 2015 where issues around defamation and potentially exposing the Body Corporate and members' privilege were considered and was included in the Cathaoirleach's report to the February full Council meeting. It is proposed to further consider this request by convening the members of the Corporate Policy Group and additional members as required to ensure cross party & independents representation. As part of its remit, it is proposed that this wider group, which previously considered and inputted significantly into our adopted Protocol for Civic Honours Conferral, will examine the experience of the limited number of local authorities which provide a live streaming service in respect of their Council meetings and any other relevant matters and potential issues its introduction could cause. It is proposed that the findings of this group, including recommendations and any proposed amendments to the existing Standing Orders to facilitate proposals in this regard if required, would be considered and decided by CPG and full Council.**

Cllr. T. Ferris stated it was a substantial amount for the rate payers of the county to fund for the system yet it is not used to record meetings. Despite the fact that Louth County Council does not have the funding to put equipment in place they have committed to live stream meetings. Cllr. Ferris asked why meetings are not recorded for future generations and they could be used where the minutes do not accurately reflect what was said at a meeting. She PROPOSED that from September there would be an audio recording of all Council Meetings.

Cllr. J. Moloney SECONDED this proposal.

Mr. M. O'Donoghue highlighted if a member does not turn on their microphone their comments will not be recorded. Supplementary equipment would be required to record meetings as there maybe issues regarding the sound quality. There were complaints from the media that they could not hear members but with the new system all contributions can be clearly heard. There is also a facility for a translation service but the existing system was not designed for audio recordings. A review of the system will be undertaken to establish what is required to record meetings.

Cllr. Ferris pointed out despite the fact that the amplification system is in place the reporting of proceedings at Council Meetings is not always accurate. It would be preferable to record some of the proceedings at meetings and to enhance the system later.

The Chief Executive advised members there was agreement to refer this issue to the CPG and following consideration they decided to live stream Civic Receptions. This issue should be referred back to the CPG for further detailed

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consideration as there are considerations and concerns that must be taken into account before a decision can be reached.

Cllr. T. Ferris pointed out that members do not have privilege and this only applies to the Houses of the Oireachtas.

Cllr. N. Foley PROPOSED that this matter would be referred back to the extended CPG Group for consideration.

Cllr. J.J. Culloty SECONDED this proposal.

Cllr. D. Grady asked what will be gained from recording meetings.

The Chief Executive reiterated that a full assessment and review must be undertaken by the CPG before a decision is taken to record meetings.

Mr. M. O'Donoghue advised that Standing Orders prohibit the recording of meetings and proper processes must be followed.

Mr. L. Quinlan suggested that the extended Group, to include CPG and cross party and independent representatives, as was convened when drawing up the now adopted Civic Honours Protocol, could consider the request to record meetings and depending on the outcome Standing Orders may have to be reviewed also.

Cllr. T. Ferris pointed out there would be no potential liability to the Council unless the recordings were published.

Cllr. N. Foley asked that members would be furnished with a detailed report so they can make an informed decision.

Cllr. J. Healy-Rae stated while he had no objection to the live streaming of meetings he believed the Group as set out by Mr. Quinlan should consider the request to record meetings in the first instance and then full Council can make a decision.

A vote was then taken on Cllr. Foley's proposal which resulted as follows:

**For:** Cllrs. Connor-Scarteen, Cronin, Culloty, Foley, Grady, J. Healy-Rae, M. Healy-Rae, Kelleher, Lucid, Moriarty, Sheahan, Thornton  
**(12)**

**Against:** Cllrs. Ferris, Moloney, Nolan, Quigg **(4)**

**Not Voting:** None **(0)**

The Cathaoirleach declared the proposal CARRIED.

**26. Recommendation that all future road developments along major routes within Kerry to include a cycle lane**

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

That Kerry County Council write to the Minister for Transport to negotiate with the TII and recommend that any future road developments along major routes within Kerry will have the inclusion of a cycle lane.

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

Cllr. J. Sheahan stated while he accepted it is all down to finance we as a Council must insist that the way forward is the inclusion of cycle lanes.

We are encouraging people to leave their cars at home and avail of the cycle to work schemes but we can't offer them safe passage the way our roads are currently designed.

The N22 from Killarney to Killorglin, a very popular route being on the Ring of Kerry, has been recently overlaid to a very high standard but this same road is a dangerous road for cyclists. Cllr. Sheahan added that he would like to see Kerry leading the way as pioneers of cycle lanes being incorporated on all major routes.

Cllr. J.J. Culloty SECONDED the motion.

**27. Call to ban the advertising of alcohol**

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

As excessive consumption of alcohol in this country contributes to unnecessary social, human and economic costs, I ask that this Council call on the Taoiseach, Leo Varadkar, to begin the process of banning the advertising of alcohol on all media outlets.

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

Cllr. J.J. Culloty read the following statement into the record of the meeting:  
*"As someone who enjoys a couple of pints one or maybe two times a week, I see the benefits of socialising in our public houses which are run in the main in a very professional manner. They are very important to our tourist industry, unfortunately today, many teenagers have easy access to alcohol and there is a tendency for these teenagers to binge drink. This easy access is facilitated by the large number of off-licences and supermarkets which can sell any amount of spirits and beers to anyone over 18 years of age. I believe that advertising by alcohol companies influences children from a young age. I consider it*

*inappropriate to have advertisements at anytime which glamorises alcohol consumption which can be viewed by children.*

*I talked to a guard in Killarney the day after St. Patrick's Day and he spoke on the drink related incidents in the Kerry division. 80% of cases are alcohol related and work time is lost as a result.*

*1,200 cases of cancer are diagnosed every year owing to alcohol, such as cancer of the liver, pancreas, mouth, throat, oesophagus and large intestine. 1 in every 8 breast cancers diagnosed are caused by alcohol. Men and women in their twenties and thirties are presenting with sclerosis of the liver, in previous decades it would only be men in their fifties and sixties who would be diagnosed with this condition. In Ireland, one person dies every seven hours from alcohol related illness. There are 900 new alcohol related cancer cases every year.*

*1,500 beds occupied every night out of approximately 11,000 beds in our system are related to alcohol. That equates to 547,500 bed nights every year. Alcohol plays a huge part in obesity. Alcohol is a contributing factor in at least 50% of suicides. Excessive consumption of alcohol contributes to domestic violence.*

#### *Drink Related Incidents in Kerry Division*

	2014	2015	2016	Total
<i>Drink Driving</i>	313	328	318	959
<i>Public Order S4 Drunkenness</i>	481	609	565	1655
<i>Public Order S6 Violent/Threaten</i>	859	905	769	2533
<i>Assaults S3 Serious</i>	125	123	110	358
<i>Assaults Section 2 Minor</i>	290	313	340	943
				6448"

Cllr. D. Grady SECONDED the motion.

Cllr. J. Healy-Rae stated he did not want to be associated with the motion. He was born and reared in a bar and he believed if a ban on the advertising of alcohol was introduced it would not solve the problem of alcoholism. He PROPOSED that a letter would not issue to the Government on this motion.

Cllr. M. Healy-Rae SECONDED this proposal.

Cllr. Culloty accepted that a ban on the advertising of alcohol would not solve all the alcohol related problems.

Cllr. T. Ferris asked if a letter issues to the Taoiseach that he would be asked to outline the implications of an outright ban on advertising alcohol as she was concerned at the impact this may have.

Cllr. A. Thornton stated she represents Kerry County Council on the Southern Regional Drug and Alcohol Task Force and she suggested that their evidence on the impact of advertising would be considered prior to referring the motion to the Taoiseach.

Cllr. T. Ferris concurred with this suggestion.

The Cathaoirleach advised the meeting that clarification would be sought from this Task Force before a decision is taken on the motion.

Cllr. Culloty asked that this matter would be revisited at the September Meeting.

Cllr. T. Ferris moved Notice of Motion No. 28 in Cllr. Beasley's absence.

## **28. Call to continue with Phase 2 of the Ahabeg road**

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

That Kerry County Council call on the Minister for Transport to continue with Phase 2 of the Ahabeg road from Ballinclogher to Abbeydorney which is in a deplorable state.

### **The following report issued:**

**This motion has been moved on a number of occasions in the past and submissions made to the Department of Transport, Tourism and Sport for funding.**

**A 2.5km section of the road, north of Ballinclogher Cross, was improved in 2009 under a Specific Improvement Grant, at a cost of approximately €3 million. Similar grant funding is required to address the 2.2km section of road south of Ballinclogher Cross. The Specific Improvement Grant funding available to Kerry County Council for such schemes, was suspended in 2014.**

**Some safety works were undertaken in 2015, specifically, some verge strengthening and the provision of extra warning signage and road markings.**

**We also raised the need for a Specific Improvement Scheme or similar source of funding, with senior officials in the Department of Transport, Tourism and Sport to address the Dale Road, but they were unable to commit to such funding given the overall level of monies available to the Department.**

**29. Support the IDA in their bid for Kerry as a location for the Amazon and Apple style data centres**

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

To ask Kerry County Council to support the IDA in their bid for Kerry as a location for the new Amazon and Apple style data centres and to put in place a policy that will support an application for planning as it will obviously have to be built in an area that is classified as rural general. This is exceptionally important to promote jobs in our county.

**The following reply issued:**

**Kerry County Council supports job creation proposals through policies contained in the Current County Development Plan 2015 – 2021, the Local Economic and Community Plan 2015 – 2021 and the Tourism Strategy.**

**In order to further facilitate job creation proposals Kerry County Council offers a pre-planning service pursuant to Section 247 of the Planning and Development Act. Where a developer or entities such as the IDA seek to discuss a significant proposal involving job creation, it is normal practice that a multi-disciplinary team will be made available at pre-planning stage through the Director of Job Creation and Economic Development and the Planning Department.**

**This team will consist of representatives from all relevant business units within Kerry County Council. All necessary information in relation to consents both pre-and post development will be outlined to the prospective applicant and all relevant Planning matters including, where relevant, zonings, will be discussed and clarified.**

**The Council has met with the IDA on a number of occasions and has provided details of strategic sites throughout the county that are suitable for economic development and commercial investment. Details of infrastructure, services, access, connectivity and other relevant information regarding the suitability of these sites has also been researched and provided.**

**The Council will continue to engage with the IDA, Enterprise Ireland and other relevant agencies to ensure that the planning process is supportive of economic development and job creation in the county.**

Cllr. M. Healy-Rae welcomed the positive reply and added that the IDA places advertisements for expressions of interest.

Cllr. J. Healy-Rae asked if Kerry County Council has provided a list of suitable locations for development to the IDA.

The Chief Executive confirmed that Council officials engaged with the IDA on the list of strategic sites that are included in the County Development Plan.

**30. Legal Aid Board Office in Caherciveen**

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

That we write to the Minister for Justice, Mr. C. Flanagan to make the case for the Legal Aid Board Office in Caherciveen to be the administrators of the provisions that will arise following the passing of the proposed Criminal Justice - Legal Aid Provision currently working its way through the Houses of the Oireachtas.

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

Cllr. N. Moriarty highlighted that the passing of the Criminal Justice – Legal Aid Provision will require administrative work and could result in 6 to 10 additional jobs. She called for the support of all members for this proposal.

Cllr. T. Ferris SECONDED the motion.

**31. Details of Group Schemes not taken over by Irish Water**

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

To request the details and location of all group schemes in Kerry that are not taken over by Irish Water and to clarify what the situation is when a break occurs on one of these schemes where the water flowing through the system is supplied by Irish Water and there are no longer active group members in the community, is there a system to fix these breaks.

**The following reply issued:**

**There are a total of 272 Group Schemes in Kerry, 128 of which are served by public water supply. A total of 69 Group Schemes have applied for takeover by Kerry County Council (prior to January 2014) and/or Irish Water, 62 of which are served by public water supply.**

**A list of 42 larger Group Schemes, which are subject to the Drinking Water Regulations, is provided by Municipal District below. A total of 32 of these larger group schemes have applied for takeover.**

**A National Working Group has been established to develop an agreed approach to the takeover of Group Schemes by Irish Water. This National Working Group comprises representatives from the DHPCLG, Irish Water and the Local Authority sector. Early clarification on the outcome of the working groups work would be welcome.**

**Municipal District of Killarney**

Ardaneanig
Ardteegalvin
Ballagh-Beaufort
Ballinahulla no.4
Cloghavoola
Cloonagh
Cordal Kilmurray
Corran
Currow Hill
Inch-Foildaun
Shanera No. 2
Spa/Tiernaboul

**Municipal District of Listowel**

Asdee
Ballymacaquim/Abbeydorney
Ballynoneen No 2
Bedford / Knockane
Brosna / Knocknagoshel
Clanmaurice
Coolkeragh
Lyreacrompane
Pilgrim Hill
Saleen
Trieneragh no.2

**Municipal District of Tralee**

Curraheen
Kilcusnan
Knockeen
Laccabawn
Meenbannivane - Clar
Reamore
Tonevane Slieve

**Municipal District of South & West Kerry**

Bonane
Castlequin No2
Cillin Liath
Commaun
Darrynane
Dawros
Dromin Kilderry
Inchiboy – Clar

<b>Kells</b>
<b>Muingaphuca</b>
<b>Rossdohan/Tahilla</b>
<b>Tuosist</b>

Cllr. B. Cronin PROPOSED that a letter would issue to Irish Water calling on them to take over the 69 group schemes that have applied to be taken over forthwith as they do not have the funding for repairs. He further asked that where Irish Water provides the water to the group scheme and breaks occur on the network that Kerry County Council would be given the resources to carry out the repairs. Cllr. Cronin advised that some group schemes were formed 30 or 40 years ago and some of the founding members have passed away. He wanted to ensure that those on group schemes would not be left without a water supply.

Cllr. J.J. Culloty SECONDED the motion.

### **32. Call for a meeting the RSA**

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

That Kerry County Council look for a meeting with the R.S.A. regarding the ridiculous situation of people especially elderly people having to present in Tralee in person to get a driving licence.

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

Cllr. J. Healy-Rae highlighted if applicants for a driving licence live in South Kerry and they are over 80 years they must get a drive or a taxi to Tralee. If they don't have all the correct documentation there is no leeway and inevitably many of elderly people must return a second time to get their licence. Cllr. Healy-Rae requested that a meeting would be arrange with the relevant Department and the RSA with a view to ensuring that a community travelling driver licence facility would be put in place.

Cllr. M. Healy-Rae SECONDED the motion.

Cllr. T. Ferris stated given the significance of a driving licence she understood why they are so particular to ensure all documentation is in order before a licence is issued. For this reason she did not agree that a mobile driver licence facility would be a good idea but she suggested that a postal service should be considered similar to the system in place for a Passport.

It was agreed that the resolution would be referred to the Department of Environment and the RSA for consideration.

**33. Number of disabled car parking spaces in the county**

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

Can Kerry County Council outline the number of disabled car parking spaces in the County and state what if any funding was received from central government to upgrade or introduce new disabled car parking spaces over the last five years, and finally how many new spaces are planned for the next twelve months.

**The following reply issued:**

**The total number of accessible parking spaces on public roads and car parks in the county is 308. No funding has been provided by Central Government for accessible car parking in Kerry over the past five years.**

**The Council has an adequate number of accessible parking spaces in the scheduled towns. If specific requests are made to the Municipal Districts for additional accessible spaces these will be considered and provided if they are required.**

Cllr. J. Lucid welcomed the reply.

**17.07.17.09 Correspondence – Conferences and Seminars**

- (a) On the PROPOSAL of Cllr. N. Foley, SECONDED by Cllr. B. Cronin it was agreed to approve the attendance of Cllr. N. Moriarty, Chair of the LCDC, at the Leader Forum Meeting held in Dublin on the 17<sup>th</sup> May 2017.
- (b) On the PROPOSAL of Cllr. N. Foley, SECONDED by Cllr. D. Grady it was agreed to approve the attendance of Cathaoirleach, Cllr. J. Sheahan at the National Day of Commemoration held in Cork on the 9<sup>th</sup> July 2017.
- (c) On the PROPOSAL of Cllr. D. Grady, SECONDED by Cllr. J.J. Culloty it was agreed to approve the attendance of Cllr. P. Connor-Scarteen, Leas-Chathaoirleach at the National Day of Commemoration Ceremony held in Dublin on the 9<sup>th</sup> July 2017.
- (d) On the PROPOSAL of Cllr. N. Foley, SECONDED by Cllr. J.J. Culloty it was agreed to approve the attendance of Cllr. P. Connor-Scarteen, Leas-Chathaoirleach, at the Museum Standards Programme for Ireland 10<sup>th</sup> Anniversary Celebration and Accreditation Ceremony held in Dublin on the 11<sup>th</sup> July 2017.
- (e) On the PROPOSAL of Cllr. J.J. Culloty, SECONDED by Cllr. N. Foley it was agreed to approve the attendance of the Cathaoirleach, Cllr. J. Sheahan at the Disability Inclusion Event held in Dublin on the 12<sup>th</sup> July 2017.

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- (f) On the PROPOSAL of Cllr. N. Foley, SECONDED by Cllr. J. Moloney it was agreed to authorize the attendance of all Councillors at the National Tourism Conference 2017 on the theme “Working as One on the Wild Atlantic Way – Building Sustainable Communities” to be held in Listowel on the 6<sup>th</sup> September 2017.
- (g) On the PROPOSAL of Cllr. J. Lucid, SECONDED by Cllr. D. Quigg it was agreed to authorize the attendance of Cllr. J. Moloney at the 2017 Communities in Bloom Awards to be held in Ottawa, Canada from 12<sup>th</sup> to 18<sup>th</sup> September 2017.
- (h) On the PROPOSAL of Cllr. N. Kelleher, SECONDED by Cllr. J.J. Culloty it was agreed to approve the attendance of the Cathaoirleach, Cllr. J. Sheahan on a visit to Rhode Island from 6<sup>th</sup> to 8<sup>th</sup> July 2017.
- (i) On the PROPOSAL of Cllr. A. Thornton, SECONDED by Cllr. J. Moloney it was agreed to approve the attendance of Cllr. N. Moriarty, Chair of the LCDCC, at the SICAP Regional Support Workshop held in Limerick on the 4<sup>th</sup> July 2017.
- (j) On the PROPOSAL of Cllr. J. Moloney, SECONDED by Cllr. J. Lucid it was agreed to approve the attendance of Cllr. N. Kelleher at the JPC Meeting of Chief Executives and Chairpersons of JPCs held in Dublin on the 5<sup>th</sup> July 2017.

### 17.07.17.10 Correspondence General

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

1.	Letter dated 8 <sup>th</sup> June 2017 from the Office of the Minister for Foreign Affairs in response to a resolution from Kerry County Council in relation to Brexit.
2.	Letter dated 14 <sup>th</sup> June 2017 from the Department of Social Protection in response to a resolution from Kerry County Council in relation to pensions for CE Supervisors.
3.	Email dated 15 <sup>th</sup> June 2017 from the Office of the Minister for Justice and Equality in response to a resolution from Kerry County Council in relation to grants for house alarms for the over 66s.
4.	Letter dated 13 <sup>th</sup> June 2017 from Tipperary County Council in relation to a resolution adopted by that authority calling on the Minister for Health to take the necessary measures to make Regional Health Forum Committees relevant.
5.	Letter dated 13 <sup>th</sup> June 2017 from Tipperary County Council in relation to a resolution adopted by that authority calling on the government to extend children’s allowance for parents who have children in Third Level Education but have no access to grants due to their before tax earnings.

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6.	Letter dated 16 <sup>th</sup> June 2017 from Sligo County Council in relation to a resolution adopted by that authority calling on the AILG to provide a briefing for elected members on “The role, funding and activities of the Local Government Management Agency”.
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The meeting concluded at 3.35pm.

**Liam Quinlan**  
**Meetings Administrator**

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**Cathaoirleach of Kerry County Council**