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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 , 27 MÁRTA, 2017**

**MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, ÁRAS AN CHONTAE, TRALEE ON MONDAY, 27<sup>TH</sup> MARCH 2017**

**PRESENT/I LÁTHAIR**

**Councillors/Comhairleoirí**

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

**ABSENT/LEATH SCÉAL**

D. Quigg

**IN ATTENDANCE/I LÁTHAIR**

Mr. C. O'Sullivan, Deputy Chief Exec.	Mr. J. Breen, Director Water Services
Ms. A. McAllen, Head of Finance	Mr. M. Scannell, A/Dir. Job Cr/Sust. ED
Mr. M. O'Donoghue, A/Dir.H.&Corp.S.	Mr. L. Quinlan, Meetings Admin.
Ms. K. Lynch, SEO Finance	Mr. O. O'Shea, Press & Comm. Off.
Mr. G. O'Brien, A/SEO Envir. Serv.	Mr. D. Ginty, A/SE Planning
Mr. D. O'Malley, Sen. Exec. Planner	Ms. B. Reidy, SSO Corporate Support
Mr. D. Burke, Assistant Planner	Ms. O. O'Shea, CO Corporate Support
Ms. J. O'Sullivan, CO Corp. Support	

The meeting commenced at 11.35am.

On the PROPOSAL of Cllr. N. Foley, SECONDED by Cllr. M. Gleeson it was unanimously agreed that Cllr. J. Finucane would Chair the meeting in the absence of the Cathaoirleach and Leas Cathaoirleach.

### **Votes of Sympathy**

Cllr. R. Beasley proposed a vote sympathy to the McGuinness Family in Derry on the death of Martin McGuinness.

Cllr. D. Grady seconded this vote of sympathy.

All members indicated they wanted to be associated with this expression of sympathy and they acknowledged Mr. McGuinness's role in the peace process.

Cllr. J. Finucane proposed a vote of sympathy to the families of the crew of Rescue 116.

### **Vote of Congratulations**

Cllr. M. Gleeson extended a vote of congratulations to Dr. Crokes on winning the AIB All Ireland Senior Club Championship.

All members stated they wanted to be associated with this vote of congratulations.

Cllr. N. Moriarty congratulated Bryan Cooper and Jack Kennedy on their great success at Cheltenham.

Mr. L. Quinlan advised members that the hosting of a Civic Reception by the members of the Killarney MD for Dr. Crokes was agreed by CPG.

### **17.03.27.01 Cathaoirleach's Report on the CPG Meeting held on 21<sup>st</sup> March 2017**

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

#### **"Item 1 Agenda for the March Council Meeting**

Mr. L. Quinlan briefed the meeting on the Agenda for the March Council Meeting and stated that the Taoiseach will visit Kerry on the 27<sup>th</sup> March and this may impact on the start time of the Council meeting.

Following a discussion the CPG agreed that the March Council Meeting would commence at 11.30am.

In relation to Item 4 on the Council agenda Mr. M. Scannell outlined that Kerry County Council's submission on the National Planning Framework takes a strategic view of the issues relevant to the County including:

- Connectivity to Cork and Limerick
- Need for a strong internal economy

- Proposals for a Regional Air Strategy for Shannon, Kerry and Cork
- Connectivity within the county
- The need to build on the global companies already in Kerry

Mr. C. O'Sullivan highlighted that the National Planning Framework will have a statutory basis and it is important that Kerry County Council makes a strong submission.

**Item 2            Revised operating arrangements and charges at Kerry County Council's Waste and Recycling Facilities**

Mr J. Breen outlined that Kerry County Council has recently entered into a new contract for the collection and disposal of waste from our 5 waste and recycling facilities. Disposal costs have increased substantially compared to the previous contract. Based on existing tonnages it will increase Kerry County Council's disposal costs by approx. €500,000 per annum. Accordingly, he advised that revised operating arrangements and charges needed to be introduced to address this increase in costs to the local authority.

Mr. Breen also advised that for many years central government had provided a subvention grant towards the operating cost of recycling facilities; however this subvention has been reducing over time and was withdrawn in 2015. Mr Breen outlined that these increased disposal costs combined with the withdrawal of this subvention and the fact that Kerry County Council incurs expenditure on an annual basis in removing newspapers and plastics from our sites with no income to cover this, means that unless the situation is addressed now the viability of these facilities into the future will not be sustainable. Mr. Breen further advised that the setting of charges for waste services is an executive function under the Protection of the Environment Act 2003 and that the following revised charges and operating arrangements are being implemented from the start of April having regard to the above:

- The charge for vehicles going over the weighbridge will increase from €300 to €350 per tonne.
- Customers who recycle their newspapers and plastics will be required to purchase Eco Sense Bags to do so and the skips on sites for newspapers and plastics will be removed.
- The cost of a pack of 4Eco Sense Bags will increase from €6 to €8.

He advised that these charges are in line with charges presently in place by other local authorities and by private operators in Kerry and they will be effective from 3<sup>rd</sup> April. Notification will issue to customers and signage at Civic Amenity sites will be erected immediately.

Mr. Breen acknowledged and recognised the importance of these facilities and advised that the revised operating arrangements and charges were being implemented to safeguard their future viability.

Members highlighted the need for a Recycling Facility in North Kerry and advised that regional and local roads in the area are littered with recyclable material. They asked that a Litter Awareness Campaign would be undertaken in the schools in the area.

Mr. J. Breen pointed out that all existing facilities were provided when substantial state funding was available and while the Council has a site in the Listowel area there are no capital grants currently available to develop an Amenity Site.

Members asked that private operators would be approached with a view to providing a Civic Amenity facility in North Kerry.

**Item 3 Training and Development Programme for Councillors 2017**

Mr. L. Quinlan advised that members were invited to make submissions on the Training and Development Programme for Councillors 2017. The Draft Programme reflects what was in the 2016 Programme and it will be circulated to all members for the March meeting.

**Item 4 Taoiseach's visit to Kerry on the 27<sup>th</sup> March 2017**

The CPG noted that this item was previously discussed.

**Item 5 Update from the Chairs of SPCs**

The CPG noted that reports from the Tourism, Culture, Arts and Recreation SPC, the Operations SPC and Economic and Enterprise SPC would be considered at the March Meeting.

**Item 6 Requests for Civic Receptions**

The CPG agreed that a Civic Reception would be hosted at full Council for Frau Liebherr.

The CPG further agreed that the Dr. Crokes GAA Club would be honoured at a Civic Reception to be hosted by Killarney MD while Glenbeigh/Glencar GAA Team would be honoured at a Civic Reception to be hosted by the South and West Kerry MD.

Having regard to Kerry County Council's Adopted Protocol for Civic Honours Conferral the CPG also agreed that Ms. Paula Murríhy would be honoured at the proposed Tralee MD Annual Awards Event later in the year.

## **Item 7 Any other business**

### **Beach By-Laws**

In response to a query from Cllr. Beasley, Mr. O'Sullivan advised that the Beach By-Laws for Banna were presented to the Tralee MD the previous day and they would be put out for public consultation in the coming days. Following the public consultation they will be presented to a meeting of the Tralee MD for adoption. It is also intended to undertake a more fundamental review of all Beach By-Laws but there is no demand at present for casual trading licences at the other beaches.

### **Improvements to the N69**

Cllr. M. Kennelly highlighted that sections of the N69 are in a very poor condition and he asked that an application for funding would be made to TII.

Mr. C. O'Sullivan stated the Council regularly puts forward a strong case to TII for funding for improvements to the N69. No announcement has yet been made regarding allocations for Pavement Improvements on National Secondary Roads for 2017.

### **Response from NPWS**

Mr. L. Quinlan advised that following a resolution of Council the NPWS were invited to attend a Council Meeting. Mr. Pat Dawson responded and offered to meet the members of the Killarney MD at Muckross in April. Mr. Quinlan suggested that the members for the South & West Kerry MD should also be included.

CPG agreed to accept Mr. Dawson's offer of a meeting and recommended that members from Killarney and South & West Kerry MDs should be invited to attend.

### **Response from Gas Networks Ireland**

Mr. L. Quinlan advised that following a resolution of Council Gas Networks Ireland responded and offered to meet councillors.

CPG agreed that a representative from Gas Networks Ireland would be invited to attend a meeting of Listowel MD.

### **Upcoming events in the county**

Mr. L. Quinlan informed members of the following forthcoming events:

- Minister Patrick O'Donovan will launch the 2017–2022 Kerry Recreation & Sports Partnership Strategic Plan on Monday 27<sup>th</sup> March at 7.30pm at Siamsa Tíre.
- Launch of County Clean Up Day to be held on Monday 27<sup>th</sup> March at 6.30pm in Ballygarry House followed by Tidy Towns Seminar to be held at 7.00 at the same venue.
- Proposed opening of Dingle Creativity & Innovation Hub by Minister Mary Mitchell-O'Connor on Friday 28<sup>th</sup> April.”

Cllr. M. Gleeson highlighted that Transfer Stations have been a major factor in the effort to keep the county looking good. It is unjustified as we approach the County Clean Up Day to introduce charges. As a regular user of a Transfer Station he believed the Council is making a mistake in introducing these charges. The cost of collecting illegally dumped material and CCTV in addition to the disillusionment of staff will far exceed the income the Council believes it will collect. Cllr. Gleeson called on management to seriously reconsider their decision and to reverse these charges.

Cllr. N. Kelleher concurred with the views expressed by Cllr. Gleeson and while he accepted that the cost of recycling is becoming a burden the Council will have to deal with increased illegal dumping as a result of the charges. He suggested that a longer lead in time should be considered and he did not believe it was the right decision.

Cllr. M. Cahill stated the service provided by Kerry County Council is excellent. However the introduction of a charge will be detrimental and may result in the closure of the Transfer Stations. It should be an objective to get as many people as possible using the service. He believed the charges will lead to further illegal dumping even though it is already on the increase. He called on management to reconsider their decision on these charges. In conclusion Cllr. Cahill asked if the Civic Reception for Glenbeigh Glencar can be held at the next meeting of the South and West Kerry MD.

Cllr. D. McCarthy expressed concern at the introduction of these charges and stated the Council must be realistic. The survival of the Transfer Stations is vital for the county.

The Cathaoirleach welcomed (Name withheld for data protection purposes. A paper copy of the unedited minutes is available on request) and her students from the MOTE (My Opinion My Vote) class who were present in the public gallery to the meeting.

Cllr. J.F. Flynn strongly objected to the proposed charges and added that it will result in an increase in illegal dumping on the road sides. He recently contacted

the Council regarding the illegal dumping of in excess of 40 bags of rubbish at the top of Tralee Mountain and the Council took the bags away. Cllr. Flynn called on management to reconsider their decision on these charges.

Cllr. M. Kennelly stated illegal dumping is getting out of hand. There is no Transfer Station in North Kerry yet there are 5 in the rest of the county. While he accepted Kerry County Council owns a site outside Listowel he did not believe it would be acceptable to local residents that a Transfer Station would be located there. In conclusion Cllr. Kennelly asked that a Civic Amenity site would be provided for North Kerry.

As Chair of Tralee Tidy Towns Cllr. S. Locke advised it was incumbent on him to highlight the problem of illegal dumping. Any increase in charges will result in an increase in the amount of illegal dumping and will cause further problems for Tidy Towns groups. Kerry County Council must pay to dispose of material that is dumped illegally and he asked that the charges would not be increased.

Cllr. D. Grady asked why members were not informed of these charges when the Budget was being adopted. He expressed concern that the charges will result in an increase in illegal dumping.

Cllr. J. Healy-Rae stated he understood Kerry County Council provides services for the people of Kerry but these charges will remove a service. Management closed the landfill yet the ongoing maintenance costs are high. Kerry County Council is at the mercy of a few operators to remove material from the Transfer Stations. The amount of fly tipping has increased and these charges must be reviewed.

Cllr. N. Foley stated illegal dumping is on the increase. Kerry is home to a number of Tidy Towns Gold Medals thanks to the excellent work of volunteers to make the county aesthetically pleasing. She expressed concern that the increase in charges will result in an increase in the level of illegal dumping. Cllr. Foley welcomed the education programme in schools but pointed out that many young people are doing excellent work but the problem is with adults and this should be addressed. In conclusion Cllr. Foley asked when the Banna Beach Bye-Laws would go on public display.

Cllr. P. Daly highlighted that Kerry County Council does not have a Civic Amenity facility in Tralee. When the public refuse service was outsourced profits were increased and the service reduced. Some people choose not to pay and this inevitably results in illegal dumping. The Tralee area needs a local authority refuse collection service similar to that in Killarney.

Cllr. M. Healy-Rae expressed her opposition to the charges as they will be beyond the means of many people. The charges will result in an increase in

illegal dumping and will also have a negative impact on the volunteers in Tidy Towns groups.

Cllr. A. Thornton asked if members had to vote for the charges.

The Cathaoirleach advised Cllr. Thornton that the charges are an executive function.

Cllr. Thornton asked that an item would be included on the April Agenda on the North Kerry Landfill and she added that it is not acceptable that there is no facility in North Kerry.

Cllr. M. Gleeson PROPOSED that Kerry County Council would not increase the charges at Transfer Stations.

Cllr. J. Healy-Rae SECONDED this proposal.

The Cathaoirleach again pointed out that this is an executive function.

Mr. J. Breen, Director of Services advised that Kerry County Council is dealing with a commercial reality. The new contract is €0.5m greater than the previous contract and the Council must comply with national policy. It was intended that pay by weight would be implemented last year but that has not yet happened. While Mr. Breen acknowledged the views expressed by members in relation to Tidy Towns groups the economic reality is that the cost of the service must be passed on to the customer as user of the service. This is provided for in the Protection of the Environment Act which transferred responsibility for these matters to the executive. The Polluter Pays Principle must be applied.

Mr. Breen acknowledged the concerns of members in relation to illegal dumping and he advised that the Council made an application for funding for anti dumping measures. It is important to be mindful that Kerry is a tourism county and a hotline is available whereby the public can report illegal dumping. Mr. Breen pointed out that refuse collection services are widely available. The issue of a Civic Amenity site for North Kerry was raised at CPG and this will be reviewed. The private sector also provides Civic Amenity sites and the proposed charges are in line with other local authorities and those charged by the private sector in the county. There is a legal requirement on the Council, in accordance with the EPA licence, to maintain and manage the landfill. As a result of the new contract there is a €0.5m shortfall within Environmental Services and these costs must be recovered. Mr. Breen confirmed that the decision on the charges is an executive function and an Order bringing the charges into effect from 3<sup>rd</sup> April was signed.

Cllr. J.F. Flynn stated as councillors do not have a say in these charges he PROPOSED that a letter would issue to the Minister highlighting members



concerns regarding illegal dumping and calling on him to introduce further measures to subsidise recycling.

Cllr. J. Finucane SECONDED this proposal.

Cllr. M. Gleeson asked that adequate staff numbers would be provided at Transfer Stations.

Cllr. M. Kennelly stated the condition of the Listowel to Tralee road is deteriorating rapidly and many roads in North Kerry are in a very poor condition. He urged management to contact TII to seek funding for the road from Coolnaleen Cross to Mountcoal.

### **17.03.27.02 Confirmation of Minutes**

On the PROPOSAL of Cllr. B. O'Connell, SECONDED by Cllr. J.F. Flynn it was resolved that the Minutes of the February Ordinary Meeting of Kerry County Council held on the 20<sup>th</sup> February 2017 be confirmed.

Cllr. P. Daly referred to Page 12 of the February Minutes and clarified that at the February Meeting he said he understood there is a proposal to include a housing element in the Denny Site. He requested that the February Minutes be amended accordingly.

### **17.03.27.03 Chief Executive's Report**

Mr. C. O'Sullivan read the following report into the record of the meeting:

#### **Introduction**

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

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

Members will also be aware that an update report is provided at each Municipal District Meeting on the work of the Directorates within Kerry County Council. These very detailed reports provide updates on the main activities per directorate at Municipal District level on such matters as the Housing Programme, the Roadworks Programme, Water and Wastewater projects, , Environmental

Services etc. Please note in particular that the revised Municipal District Housing Report presented at the Municipal District Meetings includes updates across all social housing activity at municipal district level for the information of Municipal District members. As previously advised in order to avoid duplication of reporting, updates on these matters are not included in the Chief Executive's Report.

The report circulated has been prepared for the March 2017 Council Meeting.

### **Finance Directorate**

As agreed with the Members, a Financial Report for Members will be provided on a quarterly basis in line with the Quarterly Reporting Process for Income and Expenditure already in place to the Department of Housing, Planning Community & Local Government. The Qtr 4 Financial report will be set out in the Chief Executive's Report presented at the April Council Meeting.

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

#### **South Kerry Greenway**

As I previously advised at the last meeting, the Council commenced the process in January by seeking a direction from An Bord Pleanála on the requirement for an Environmental Impact Statement (EIS). The Board responded on the 10th March, and have confirmed our initial determination that an EIS is required. The preparation of the CPO and EIS is quite complex, given the nature, scale and characteristics of the scheme, the ecological sensitivity of the surrounding environment, and the architectural heritage of some of the structures. The preparation of the CPO and the EIS has been significantly advanced, and I wish to put on record my appreciation for the support from the majority of the landowners who have allowed access on the lands for the various surveys required. There are a number of surveys and investigative works still on-going on the route at present. When complete, we intend to seek a meeting with An Bord Pleanála, in advance of the formal application being made.

#### **Tralee Active Travel - Redevelopment of The Mall**

The Contractor appointed to carry out the works started on site in mid February, and the works are on schedule. The Council has a full time Engineer on site, liaising with local businesses. Works on Denny Street, including the pavement overlay and realigning the parking are scheduled to be completed within the next 5 weeks. The new taxi rank in the Abbey Car Park will be in place within the next 2 weeks. The Council is proposing a road closure for vehicular traffic on the Mall from the 24th April to the 21st November, but the works will be progressed in phases to maintain access to local businesses. Discussions are on-going with the local businesses on the extent of the work stoppage over the summer period, which had been raised at a public meeting with the business sector.

### **Listowel By-Pass**

The CPO and EIS for the Listowel By-Pass is substantially complete and in advance of the formal submission to An Bord Pleanála, we have made an application to the board for a pre-planning meeting.

### **Plunkett Street, Killarney**

The street enhancement and improvement works on Plunkett Street commenced on the last week in February. Works are progressing on target and are scheduled to be completed and the road reopened to traffic before the Easter weekend. The Town Engineer is working with local businesses to ensure least disruption to trade whilst the works are on-going.

## **Economic & Community Development Directorate**

### **Kerry Local Enterprise Office**

#### **Promotion and Advertising**

The Local Enterprise Office did extensive online promotion of Enterprise Month which runs throughout March 2017.

In addition, a four page brochure advertising Enterprise Month was included in both the Kerryman and Kerry's Eye newspapers.

#### **Training**

Two new Business Growth Programmes commenced in February. These will run over 8 weeks and are taking place in Tralee in Killarney. Other half day workshops in social media were also held in February. Courses are continuing in Start Your Own Business and Digital Marketing

#### **Kerry's Best Young Entrepreneur**

From nearly 2000 entries, Derek Counihan of Harpoon Connect reached the national final held in Google HQ in Dublin on March 5th. He was not ultimately successful but the judges commented very favourably on his business prospects.

#### **Kerry Enterprise Month**

March is designated as Kerry Enterprise Month. There are over 40 events scheduled throughout the County. The LEO office is the organiser of 12 of these events, with many of these taking place during Local Enterprise Week- the 5th-10th March.

#### **Trading Online Voucher Scheme**

There continues to be very strong demand under this scheme and over 90 businesses are scheduled to attend an informational seminar in March. Payments worth €33,000 were made to 16 businesses in January and February.

### **Evaluation Meetings and Grant Payments**

€36,000 was paid in grants to businesses in January and February. Three projects were approved funding worth €45,000 at the February meeting of the evaluation committee.

### **Grads for Micro Scheme**

This is a pilot programme being trialled by the Kerry and Cork Leo's. Four Kerry businesses were approved funding in February to allow undergraduates and Masters Students undertake paid work placements on specialist projects in Micro-enterprises. The businesses should benefit from the technical knowledge of the students who themselves will gain valuable experience.

### **LEO Work Plan 2017**

The LEO Work Plan is currently with Enterprise Ireland awaiting final sign off from them. This is expected in late March 2017.

### **Economic Development Unit (EDU)**

#### **Skellig Centre for Research and Innovation – Skellig CRI**

Skellig Centre for Research and Innovation is an outreach campus for higher education, research and entrepreneurship based in County Kerry, Ireland. This is a catalyst for the entire region and is a space that fosters collaboration, community building, research and an entrepreneurial spirit.

This Centre is a unique higher education and community development partnership between Kerry County Council, University College Cork and South Kerry Development Partnership which promotes local level collaboration with national and international research communities emulating in a local context, the impact of a third level institution in a community.

Kerry County Council hosted the SmartLab conference in Cahirciveen Library in February 2017. This event is run in conjunction with SmartLab and UCD. There were approximately 35 international and 4 local Phd students based in Cahirciveen library for the week. This event is supported by Kerry County Council and NAISC the Skellig Coast Diaspora Network.

#### **Dingle Creativity & Innovative Hub**

Kerry County Council supports and continues its involvement in this project. The Dingle lothon 2017 was held on the weekend of the 3rd March 2017 in Dingle.

### **Community Department**

#### **Arts**

Creative Ireland ([www.creative.ireland.ie](http://www.creative.ireland.ie)) is a five year Government initiative, across departments, which aims to build on the power of cultural creativity to bring communities together.

Creative Ireland is the main implementation vehicle for the priorities identified in Culture 2025:

- Which states that arts and culture are intrinsic to the Irish State;
- Acknowledges the need to increase access to and participation in the arts;
- Boost our creative industries;
- And preserve our heritage with a particular focus on language, landscape and environment (ref page 7 Clár Éire Ildánach 2017-2022);

This national Government initiative is interdepartmental including the Department of An Taoiseach, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs, Department of Housing, Community and Local Government, Department of Finance and Department of Education etc.

Each Local Authority is tasked with establishing a Cultural Team, and nominating a Creative Ireland Co-ordinator (Arts Officer). The Cultural Team will include but not be limited to Arts, Heritage, Irish language, Libraries, and Museums. In the short term KCC is tasked to deliver a 2017 Creative Ireland Activation Plan.

This will comprise of actions from the existing work programme of the Cultural Team being linked directly to the delivery of the five pillars of Creative Ireland:

1. Enabling the Creative Potential of Every Child
2. Enabling Creativity in Every Community
3. Investing in our Creative and Cultural Infrastructure
4. Ireland as a centre of Excellence in Media Production
5. Unifying our Global reputation.

The Activation Plan is to be compiled in the coming month to allow for translation in order to be printed for the National deadline of April 28th 2017.

Creative Ireland is the Government's Legacy Programme from Ireland 2016 which places creativity at the centre of public policy. Creative Ireland is a culture-based programme designed to promote individual, community and national wellbeing. The core proposition is that participation in cultural activity drives personal and collective creativity, with significant implications for individual and societal wellbeing and achievement.

The programme is built around the themes of identity, culture and citizenship. The core operating principles are Collaboration and Communication, Community Empowerment, and Internationalisation.

Local authorities have a crucial role in the overall local delivery of the entire Creative Ireland programme and are exclusively mandated, through their culture teams, to deliver Pillar 2 of the programme – Enabling Creativity in Every Community. Each LA is asked to deliver free family friendly events for Cruinniú

na Cásca on April 17th 2017. The Arts Officer has drafted a programme with an event in each MD.

### **Community Support Fund**

Almost 350 projects and initiatives countywide will benefit from Kerry County Council's Community Support Fund in 2017. The number of projects supported in each of the four Municipal Districts is as follows:

Listowel MD	75
Killarney MD	79
Tralee MD	73
South & West MD	128

The Community Support Fund, which is now in its third year, supports a wide range of community, sporting and voluntary organisations across Kerry and a range of projects which are of benefit to local communities.

It recognises the valuable contribution the community and voluntary sectors make to the overall wellbeing of the people of the county and the vital and beneficial work that such organisations do.

This year, for the first time, some of the Community Support Fund will be used to target strategic projects in Municipal Districts and will be used to co-fund projects which are in receipt of grants from other sources. A portion of the fund is therefore being retained in each Municipal District.

### **Social Inclusion and Community Activation Programme (SICAP)**

We are now in the final year of the current SICAP programme. The Department have initiated a comprehensive consultation process in relation to the successor programme. Ms. Catherine Byrne, T.D. Minister of State visited a 'Social Farming' SICAP funded project in Killarney on the 28th of February.

### **LEADER 2014-2020**

The closing dates for the first call for project submissions under LEADER were Friday 20th January and Friday 27th January for areas covered by South Kerry Development Partnership (SKDP) & North, East & West Kerry Development (NEWKD) respectively. Applications are currently being assessed by the evaluation committees for the three implementing partners SKDP, NEWKD & IRD Duhallow and will be presented to the Kerry Local Action Group for decision on the 10th of April 2017.

### **Tourism Unit**

#### **MEITHEAL 2017**

Meitheal is Fáilte Ireland's biggest trade show, which allows overseas tour operators meet and make direct bookings with our tourism providers. It acts as a dedicated and effective platform to engage with both industry and buyers and

takes place in Punchestown Racecourse on the 29th and 30th March 2017. The Tourism Unit has secured a stand to promote Co. Kerry, and a number of tourist attractions from all around the county will be represented on both days.

## **Planning and Sustainable Development**

### **Killarney Municipal District Plan**

Further public consultation has taken place for the Killarney MD plan. An online survey held between 7/2/17- 3/3/17 resulted in 217 submissions. These are currently being collated and analysed by the Planning Dept.

### **National Planning Framework**

This is a separate item on Council agenda. The proposed submission from Kerry County Council has been prepared following consideration by the Economic and Community Development SPC.

### **Conservation**

Kerry County Council was allocated €50,000 under the Built Heritage Investment Scheme 2017.

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

### **2017 Anti-Dumping Initiative**

Kerry County Council has been notified by the Department of Communications, Climate Action and Environment of the 2017 Anti-Dumping initiative. The aim of the initiative is to work in partnership with local community organisations in identifying high risk or problem areas, developing appropriate enforcement resources and carrying out clean up operations.

The Department is making available an initial allocation of €650,000 from the Environment Fund to support this initiative which will be delivered through the Waste Enforcement Regional Lead Authorities (WERLA's). Funding will be allocated to support projects where community groups and other state agencies work in partnership to clean up and prevent illegal dumping and where appropriate enforcement actions are being taken by local authorities. Kerry County Council has submitted proposals for funding under this initiative.

### **Publication of draft River Basin Management Plan for Ireland 2018-2021**

The Minister for Housing, Planning, Community and Local Government has recently, published the draft River Basin Management Plan for Ireland 2018-2021. The draft plan will now be subject to six months public consultation as required by the Water Framework Directive.

The Department is now seeking the views and comments of all those interested in the draft River Basin Management Plan. This presents an opportunity for members of the public and interested parties in Kerry to make submissions on

how they feel the rivers and watercourses in Kerry should be managed and to make suggestions about the future.

### **Review of Ireland's Nitrates Action Programme – Public Consultation**

The Minister for Housing, Planning, Community and Local Government has announced the opening of public consultation in relation to the review of Ireland's Nitrates Action Programme.

Ireland's Nitrates Action Programme is given effect by European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014 (S.I. No. 31 of 2014). The regulations contain specific measures to protect surface waters and groundwater from nutrient pollution arising from agricultural sources. In accordance with the Nitrates Directive these regulations are due to be reviewed this year.

The present public consultation process presents an opportunity for interested parties, environmental groups and members of the public in Kerry to make their views known and to suggest how the directive should be implemented.

### **Further accreditation for Kerry County Council laboratory**

Kerry County Council laboratory has recently received confirmation from the Irish National Accreditation Board that following a successful application process that our scope of accreditation has been extended to cover testing for Clostridium Perfringens, Sodium, Zinc and ecoli for bathing waters. This follows on from the previous accreditation following successful applications in other significant chemical & microbiological parameters."

Cllr. J. Moloney noted that Waterford Greenway opened at the weekend and funding was allocated for it on the same day that funding was allocated for the South Kerry Greenway. He hoped there would be no further delays in progressing the South Kerry Greenway. At the recent meeting of the members of Listowel MD in relation to the Community Support Fund members were advised that €8,100 was being deducted from their allocation for county wide projects. This was a substantial sum and he PROPOSED in 2018 that the Community Support Fund would be divided equally between the four MDs or that the deduction for county projects would be on a pro rata basis. Cllr. Moloney requested an increase in the allocation for the Listowel MD in 2018.

Cllr. M. Kennelly SECONDED this proposal.

Cllr. M. Gleeson requested the address to which submissions on the River Basin Management Plans can be sent. Rivers in Kerry are short and any examination should be on the entirety of the river and not of just one area. He noted that Waterford Greenway opened at the weekend and 30 years ago he proposed that the South Kerry Greenway would be developed. Cllr. Gleeson pleaded with the landowners to come on board as this area has suffered population decline and it needs this initiative to boost the economy.



Cllr. D. Grady highlighted that the Community Support Fund is very important for the Killarney area. He acknowledged the wonderful job being done on Plunkett Street and the excellent communication with businesses.

Cllr. N. Moriarty concurred with the views expressed by Cllr. Gleeson in relation to the South Kerry Greenway and added that the executive are working hard to make it a reality. This project is vital for South Kerry as it will re-invigorate the local economy and all areas on the route will benefit.

Cllr. P. Connor-Scarteen welcomed the work on Skellig CRI and LEADER funding. He then moved Notice of Motion No. 27.

## **27. Update on the South Kerry Greenway**

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

That Kerry County Council please give an update in relation to progressing with the South Kerry Greenway.

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

**The preparation of the CPO and EIS for the South Kerry Greenway is quite complex, given the nature, scale and characteristics of the scheme, the ecological sensitivity of the surrounding environment, and the architectural heritage of some of the structure.**

**In accordance with statutory provisions, the Council sought a direction from An Board Pleanála on the requirements for an Environmental Impact Statement (EIS) and the board confirmed, in correspondence dated 10th March 2017, the Council's determination that an EIS is required.**

**The preparation of the CPO and the EIS has been significantly advanced, with the appreciative support of the majority of the landowners who have allowed access on the lands for the various surveys required to comply with due diligence on the process. There are a number of surveys and investigative works on the route on-going at present.**

**It is our objective to complete the process as speedily as possible.**

Cllr. P. Connor-Scarteen highlighted that this is the biggest tourism initiative in Kerry since Muckross House. It is the only option to improve the economy of South Kerry. It is important that the project progresses without further delay. Cllr. Connor-Scarteen complimented the Chief Executive on her recent radio interview when she clarified the facts on the Greenway.

Cllr. M. Gleeson SECONDED the motion.

Cllr. M. Cahill stated the South Kerry Greenway is one of the most important projects undertaken in the county for years. South Kerry has been ravaged by emigration and landowners should be encouraged to use common sense to ensure the project becomes a reality. Cllr. Cahill asked what process Waterford used to bring their Greenway to fruition. He understood Minister Ross will meet with concerned landowners and he asked that Kerry County Council would also arrange a meeting with Minister Ross to highlight the importance of this project for South Kerry. The Community Support Fund is very beneficial and he called on Kerry County Council to organise a major fund raising day to fund additional projects. Cllr. Cahill requested an update on his proposal to have a cable car in the county.

Cllr. P. Daly welcomed any progress on the South Kerry Greenway but added that Management prioritised this Greenway over all other walkways.

Cllr. R. Beasley referred to the River Basin Management Plans and stressed the need to address the flooding problems in the Cashen and Ballyhorgan areas. These areas were flooded in the past and continue to be flooded.

Cllr. N. Foley referred to the Community Support Fund and stated that from 2018 countywide projects should be decided by full Council prior to going to the Municipal Districts.

Cllr. A. Thornton asked if members were issued with a copy of the Draft River Basin Management Plan.

Mr. J. Breen advised that it is available online and he would send on the details to her.

Cllr. Thornton stated the problems with flooding in the Cashen in North Kerry must be addressed. She asked what the closing date is for submissions on the Nitrates Action Programme.

Mr. J. Breen stated the closing date is Friday 28<sup>th</sup> April.

Cllr. Thornton requested an update on Listowel By-Pass and the Great Southern Trail.

Cllr. J. Healy-Rae stated while he welcomed the LEADER funding applicants had to wait 2 years for it and funding was reduced by 50%. Cllr. Healy-Rae stressed that he was always in favour of the South Kerry Greenway but he was opposed to the CPO.

Mr. C. O'Sullivan informed members that the Waterford Greenway was on a railway line that transferred to Waterford City and County Council but that is not the case in Kerry. That is why it was necessary to go the CPO route. The

position regarding Listowel By-Pass is that the CPO and EIS are substantially complete and in advance of the formal submission to An Bord Pleanála, the Council made an application to the Board for a pre-planning meeting. In relation to the Great Southern Trail consultants will be engaged to prepare the design and it hoped to advertise for consultants in the coming weeks.

Cllr. M. Kennelly asked when the distribution of the Community Support Fund would commence and when are clubs likely to receive their allocation.

Cllr. J. Healy-Rae asked if applicants for LEADER funding will be advised if they are successful or not in April.

Mr. M. Scannell informed members that work on the distribution of the Community Support Fund has already commenced and will continue over the coming weeks. A review of the Community Support Fund will be undertaken in the coming months and the countywide projects will form part of that review. In relation to LEADER funding Mr. Scannell confirmed that once the Local Action Group has decided on the applications successful groups will be notified.

#### **17.03.27.04 Submission in respect of the National Planning Framework**

Mr. M. Scannell referred members to his report dated 27<sup>th</sup> March 2017 on Kerry County Council's submission as part of the initial phase of consultation in the National Planning Framework development process. With the aid of a PowerPoint presentation Mr. Scannell briefed members in detail on Kerry County Council's draft submission.

Mr. C. O'Sullivan, Deputy Chief Executive highlighted that this is one of the most critical issues to come before Council. Mr. Scannell's Directorate compiled a comprehensive submission and developments in the next few years in the context of BREXIT and the US will have a significant impact on Ireland. For the first time the National Planning Framework will be put on a legislative basis and for this reason it is important that a strong submission is made on behalf of the Council.

Cllr. J. Finucane stated as Chair of the Economic and Enterprise SPC this is a crucial document and the proposed corridor does not include Kerry and this must be addressed.

Cllr. J.J. Culloty stated the Taoiseach spoke earlier that day of the prospect of 500,000 extra jobs therefore it is important that the south of the country secures as many of these as possible or they will all go to Dublin. He knew a person who lives outside Killorglin who is considering moving to Dublin as the broadband in his area is inadequate.

Cllr. D. Nolan welcomed the Draft Submission which is well thought out and balanced. It introduces the idea of the internal economy and the possibilities for reaching outwards. At the last meeting of the Southern Regional Assembly their Draft Submission was discussed and it was obvious that tourism and Tralee were omitted from the submission. The Council's submission is particularly strong and she hoped a wish list would be included in the Appendix to the new National Planning Framework.

Cllr. J. Moloney stated it is proposed that Kerry would be excluded from the main economic corridors. 92% of international flights land in Dublin. He asked if the idea of grouping Shannon, Kerry and Cork Airports will be supported by Clare and Cork.

Cllr. M. Cahill stated the IDA has failed Kerry over the last 20 years. There is no point in having strategies if proper access via road, air and sea are not available. FEXCO acquired the Liebig Factory in Killorglin and they hope to create 300 to 400 jobs there. However the road leading to it is in a very poor condition and members and locals have been campaigning for a footpath for years. Astellas were granted permission for a major extension but the road from the factory to Killorglin town is appalling. Cllr. Cahill called on TII to improve this road immediately. When members visited the Liebherr facility they were informed that the Killarney factory is the only one the company has in the EU where there is room for expansion.

Cllr. N. Moriarty welcomed the comprehensive submission and added that it is important that there is balanced development around the country.

Cllr. G. Spring complimented Mr. Scannell and his staff on the excellent submission. Following 10 years of being at a disadvantage in relation to regional aid Kerry is now entitled to the same grants as other counties. Our competitive edge is that the cost of living is cheaper in Kerry. Cllr. Spring emphasised the importance of the availability of a skilled workforce.

Cllr. P. McCarthy congratulated Mr. Scannell and his staff on the draft submission and added he hoped it would receive favourable consideration. The submission mentions that access is critical and he requested an update on the Adare By-Pass.

Cllr. J. Healy-Rae complimented staff on the extensive submission. Dublin airport is starving Cork Airport of business and this in turn is having an impact on Kerry. The Bus strike is impacting on everyone and he called on the Minister to get involved with a view to resolving it. In his opinion IDA Ireland and Connect Ireland are not working together and this is disappointing. He approached the IDA regarding an investor who wanted to set up a business but they did not contact him. Cllr. Healy-Rae stated there is a serious shortage of houses for letting and buying in the county. Consideration should be given to the general

area around Kilgobnet, Beaufort and also the reasons for refusals of permission in the Muckcross area.

Mr. C. O'Sullivan informed members that he understood planning for the Adare By-Pass is progressing.

On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. B. O'Connell it was agreed to note and endorse the Kerry County Council submission in respect of the National Planning Framework.

**17.03.27.05 Implementation of Circular EL04/2017 (unwinding of FEMPI Legislation) and Circular LG 01/2017 (Expenses incurred by Elected Members)**

Ms. A. McAllen referred members to her report dated 16<sup>th</sup> March 2017 on this item which was circulated and she briefed them on the report.

Cllr. B. O'Connell PROPOSED that we the members of Kerry County Council hereby approve the implementation of Circular EL04/2017 (unwinding of FEMPI Legislation) and Circular LG 01/2017 (Expenses incurred by Elected Members).

Cllr. S. Fitzgerald SECONDED this proposal.

A vote was taken on this proposal which resulted as follows:

**For:** Cllrs. Connor-Scarteen, Culloty, Daly, Finucane, Fitzgerald, Foley, Grady, J. Healy-Rae, M. Healy-Rae, Kelleher, Kennelly, Locke, Lucid, D. McCarthy, P. McCarthy, Moloney, Moriarty, Nolan, O'Brien, O'Connell, Spring, Thornton **(22)**

**Against:** None **(0)**

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

The Cathaoirleach declared the proposal CARRIED.

**17.03.27.06 Draft Development Contribution Scheme 2017**

Mr. M. Scannell referred members to his report dated 27<sup>th</sup> March 2017 on this item which was circulated.

The Cathaoirleach informed members that the Draft Development Contribution Scheme was being put out to public consultation and it is for noting by members.

Cllr. J. Healy-Rae asked that the existing Development Contribution Scheme for each Municipal District would be circulated to members.

Cllr. P. Daly noted that Skate Parks are not included and neither is the big river walk.

On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. J. F. Flynn it was agreed to note the Draft Development Contribution Scheme 2017.

**17.03.27.07 Training and Development Programme for Councillors 2017**

Mr. L. Quinlan referred members to the Draft Training and Development Programme for Councillors 2017 which was circulated and he briefed them on the Programme.

It was unanimously agreed to note the Training and Development Programme for Councillors 2017.

**17.03.27.08 Annual Report on the operations of Kerry Local Community Development Committee (LCDC) for the year ending 31<sup>st</sup> December 2016**

In introducing the LCDC Annual Report for 2016 Cllr. N. Moriarty, Chair of the LCDC paid tribute to all staff in the Community Department who do incredible work. The changes have been well managed and good relationships established. The programme implementers are the community development companies who are tried and trusted. The time spent on nurturing these relationships has worked well. In South Kerry a lot of good work is done with farmers etc. In conclusion, Cllr. Moriarty highlighted there is a need to increase LEADER funding.

On the PROPOSAL of Cllr. N. Moriarty, SECONDED by Cllr. S. Fitzgerald it was agreed to note the Annual Report on the operations of Kerry Local Community Development Committee (LCDC) for the year ending 31<sup>st</sup> December 2016.

**17.03.27.09 Date for a Special Meeting**

On the PROPOSAL of Cllr. N. Moriarty, SECONDED by Cllr. J. Moloney it was agreed that a Special Meeting of Kerry County Council to consider the 2017 Service Delivery Plan for the Operations Department incorporating the Roads Programme would be held on Monday 3<sup>rd</sup> April 2017 at 10.30am.

**17.03.27.10 Report on the Tourism, Culture, Arts and Recreation SPC**

It was unanimously agreed to note Cllr. R. Beasley's written report on the meeting of the Tourism, Culture, Arts and Recreation SPC meeting held on the 31<sup>st</sup> January 2017 which was circulated.

**17.03.27.11 Report on the Operations SPC**

It was unanimously agreed to note Cllr. M. Kennelly's written report on the Operations SPC Meeting held on the 24<sup>th</sup> February 2017 which was circulated.

**17.03.27.12 Report on the Economic and Enterprise SPC**

It was unanimously agreed to note Cllr. J. Finucane's written report on the Economic and Enterprise SPC Meeting held on the 14<sup>th</sup> March 2017 which was circulated.

**17.03.27.13 Summary of proceedings at events**

On the PROPOSAL of Cllr. S. Fitzgerald, SECONDED by Cllr. P. Connor-Scarteen it was agreed to note the following reports on behalf of the Kerry County Council delegates that attended in accordance with Section 142(5)(f) of the Local Government Act 2001 as amended.

- (a) ALLG Autumn Seminar held in Gorey, Co. Wexford on the 13<sup>th</sup> and 14<sup>th</sup> October 2016 by Cllr. M. Cahill.
- (b) Irish Council for Social Housing Conference held in Kilkenny on the 20<sup>th</sup> October 2016 by Cllr. B. O'Connell.
- (c) Conference on the theme "Rebuilding Ireland Action Plan for Housing & Homelessness" held in Carlingford, Co. Louth from 18<sup>th</sup> to 20<sup>th</sup> November 2016 by Cllr. B. O'Connell.
- (d) Training on the theme "Audit Committees – Meeting Rising Expectations" held in Dublin on the 9<sup>th</sup> December 2016 by Cllr. B. O'Connell.
- (e) Conference on the theme "Rebuilding Ireland Action Plan for Housing and Homelessness" held in Carlingford, Co. Louth from 10<sup>th</sup> to 12<sup>th</sup> February 2017 by Cllr. J. Finucane.

**17.03.27.14 Approval for the opening of a Tender**

On the PROPOSAL of Cllr. N. Foley, SECONDED by Cllr. J.F. Flynn it was agreed to approve the opening of tenders for the supply of School Flashing Lights – Closing date: Thursday 6<sup>th</sup> April 2017 at 4pm.

### **17.03.27.15 Notices of Motion**

#### **1. Funding under the Coastal Protection Works Scheme**

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

That Kerry County Council give a detailed breakdown of the specific areas in the County that they will be applying to the OPW in 2017 for funding under the Coastal Protection Works Scheme, the Minor Flood Relief Work Scheme and will the Council clarify what is the policy in regards to family homes that are prone to flooding and do not qualify under any of these Schemes. Will the Council consider introducing a specific budget to assist these families.

**The following reply issued:**

**A dedicated business unit has been established to examine, assess and prioritize coastal protection works and flood relief works in the county, having regard to the flooding experienced in recent years, and to pursue funding options.**

**To date, the Council has made an application to the OPW under the Minor Works Scheme for flood relief measures at Clieveragh, Listowel. The Council is currently completing the design for flood relief measures at Incherea, Currow and Foiladuane/Glenflesk and it is proposed that they will be submitted to the OPW shortly. The unit will also be assessing what works may be required to address the risk of flooding in Cahersiveen, following the heavy rainfall experienced last October.**

**In relation to Coastal Protection Works, Consultants will need to be retained to undertake Coastal Risk Management Studies, with funding being sought from the OPW. The study areas will have to be prioritized having regard to a strategic risk assessment, particularly of those areas which have previously experienced coastal flooding and also where there is a potential risk of serious damage to strategic infrastructure. The procurement of the Consultants will require a detailed design brief, which will be prepared, when the designs for the flood relief measures above are complete. The Council is also engaging with NUI Galway and UCC, as partners in EU funding opportunities for various studies on coastal erosion.**

**With regards individual properties that do not qualify under the above Minor Works Schemes, or indeed the CFRAMS level of economic justification, the two main options as highlighted in the CFRAMS Study are Individual Property Protection (IPP) or voluntary home-relocation.**

**As part of this CFRAMS process, a national Inter-Departmental Flood Policy Coordination Group from a number of Government Departments was established to consider and develop these options. The government is**



**expected to consider a report in tandem with the outcome of the draft Flood risk Management Plans in mid 2017.**

**Minister of State with responsibility for the OPW, Mr. Seán Canney T.D., announced funding of €2m for the introduction of a once-off targeted Voluntary Homeowner Relocation Scheme in November 2016. This is a targeted humanitarian aid scheme for primary residential properties that flooded during the 2015 winter, and had flooded in previous years, to ensure those worst affected homeowners have a primary residence. The scheme is being piloted along the River Shannon.**

Cllr. M. Cahill stated when the CFRAMS was presented to members he expressed his disappointment that areas such as Cromane and Incharee were not included as they have been highlighted on numerous occasions. The land in these areas is low lying while the tides are getting higher. Rossbeigh Spit was breached a number of years ago which resulted in a gap of over half a mile but now two other areas are on the verge of being breached. Rossbeigh Spit is virtually gone and this will put huge pressure on low lying areas. While he accepted that it is costly to address coastal erosion, Kerry is enduring more than most coastal counties. Cllr. Cahill referred to the proposed Relocation Scheme recently announced by Minister Canney and he asked if the funding can be used for minor works to protect property. There is also huge concern in the Maharees area. Cllr. Cahill also requested an update on the Valentia Road, Caherciveen. The OPW Report on flooding is still awaited and he called on the Minister to provide additional funding. He requested that a letter would issue to Minister Canney seeking a meeting with him.

Cllr. J.F. Flynn **SECONDED** the motion and the request for a meeting with Minister Canney and asked that the OPW would also be invited to attend.

Mr. C. O'Sullivan clarified that the recently announced funding was for relocation only.

### **3. Human trafficking**

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

That any person convicted in an Irish Court of Law of involvement in human trafficking for the purpose of enslavement would receive a sentence of equal severity with that imposed on persons convicted of 1st Degree Murder.

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

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

“March is probably a most appropriate month during which to propose this Motion as just 10 days ago we celebrated the feast day of our national saint, Patrick, who was a victim of both trafficking and enslavement. So they are not new phenomenon.

We may however be surprised to learn that both trafficking and enslavement are widespread in this so-called enlightened age. It is believed that there are at least 13,000 victims in Britain at this time.

We recall fairly recently reading of a major court case in Britain where an extended Irish family were charged and found guilty of the enslavement of a large number of people.

We have all heard of young females, quite often from poorer countries who came to this country in the belief that they were coming to be with family friends who had promised to secure them a respectable job. They were to be sadly disillusioned on both counts. In reality their Passports were seized, they were then most likely raped as a form of humiliation and subjugation and then condemned to a terrible life of prostitution which is probably the ultimate form of enslavement.

Since 2009, 144 victims of human trafficking have been provided with legal services by the Legal Aid Board. We can be quite certain that there are many others who have not been that fortunate and who continue to live sub human lives as slaves to pimps and selfish so-called clients. Would we be shocked and surprised to learn that there are such victims in our very beautiful county!”

In conclusion Cllr. Gleeson proposed his motion and asked that those found guilty of trafficking and enslavement would be most severely punished.

Cllr. D. Grady SECONDED the motion.

**4. Provide assistance to historical groups to document and preserve the oral, written and photographic history of our County**

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

That Kerry County Council through its Library and Local Studies Service, would work with and assist local historical groups to document and preserve the oral, written and photographic history of our County.

**The following reply issued:**

**Kerry County Council has a dedicated Local History & Archives Section based at Library Headquarters, Tralee. This service provides support and guidance on an ongoing basis to several local historical groups and societies county wide, including the Kerry Archaeological & Historical Society which operates from Library HQ.**

**The library service continues to support study and research on the history of the county both through personal visits to libraries and by access to the growing range of online sources that continue to be made available. During 2016, there were 5,289 visits to the Local History & Archives section while the various branch libraries deal with enquiries on a daily basis. The majority of the over 80 Kerry related publications during 2016 were researched to varying degrees through the Kerry library network.**

**Over the past no. of years Kerry Library has enhanced public access to the archives collections it holds. Primarily among these is the digitisation of the majority of the 19th & 20th century Kerry newspapers and these are now accessible, fully searchable at each Kerry library. In addition the enhancement of the library catalogue and the ongoing development of finding aids to the sources already in the possession of Kerry Library assist local groups in a major way.**

**Nationally, a range of sources, which were previously only available at the national institutions in Dublin or on microfilm at Library HQ in Tralee, have been made available online. These include the Tithe Applotment Books 1820/30's], the Griffith Valuations {1840's], the 1901 & 1911 census and the 1937/38 Schools Folklore Collection.**

**There is an ongoing programme to digitise unique Kerry sources and thus further facilitate research and in 2017 for example it is planned to digitise The Taxpayers News newspaper [December 1957 – May 1961]. Further details of sources available at [www.kerrylibrary.ie](http://www.kerrylibrary.ie)**

**Kerry Library will continue to welcome local historical groups and societies, provide assistance in usage of relevant sources, view any relevant archives that are available for preservation and continue to add to the archive of the published history of the county.**

Cllr. P. McCarthy stated based on the success of the initiative by the Killorglin Historical Society to archive the history of their area this could be extended to many towns and villages in the county. He asked how his motion could be progressed.

Cllr. J.F. Flynn SECONDED the motion.

Mr. J. Breen undertook to discuss the motion with the County Librarian and County Archivist to see how it can be progressed.

**5. List of Plant Hire and Haulage Contractors employed by Kerry County Council in 2016**

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

To request that the Elected Members of this Council be provided with the full list of all Plant Hire and Haulage Contractors employed by Kerry County Council from January 1st 2016 to December 31st 2016 and the full amounts paid to each contractor.

**The following reply issued:**

**The attached schedule provides details of the total payments made and accrued to Contractors in respect of the hire of plant/equipment and haulage services in the financial year 2016.**

**The hire of plant and machinery for all Local Authorities is procured through a Multi-Party Framework Agreement (Tender process) for 2016 and a Dynamic Purchasing System for 2017. Following the evaluation of the tenders, only contractors who meet the requirements set out in the tender documentation are appointed to the Multi-Party Framework Agreement / Dynamic Purchasing System. Essentially this procurement arrangement takes the form of a short listing of qualifying contractors from which Local Authorities can look to award future contracts. In each Local Authority the available work is tendered among the qualified (shortlisted) framework contractors by means of mini-competition tenders via [www.Supplygov.ie](http://www.Supplygov.ie).**

**When Kerry County Council purchasers (the “Buyer”) need to hire an item of plant, a mini-competition tender is created on [www.Supplygov.ie](http://www.Supplygov.ie) Once the tender is created and published, the SupplyGov system will generate an email to contractors who have been approved to the framework and expressed an interest in that type of plant e.g. Excavator. The request for tender includes specific information about the service required such as type of machine, pricing method (e.g. Rate per Hour with Driver) and will state the time limit available to Tenderers/Contractors to submit their response. It will also specify the selection criteria and the award procedure.**

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

As previously indicated to Council, it is planned during 2017 to centralise procurement across the County, with the initial pilot being plant hire expenditure.

### 2016 Response

#### PRIVATE - PLANT / EQUIPMENT HIRE AND HAULAGE SERVICES 2016:

Name & Address	Total
Aska Sykes Ltd, Greenogue Business Park, Rathcoole, Co Dublin	8,409.40
Atlantic Cabins and Containers Ltd, Mount Mungret, Mungret, Co Limerick	3,849.90
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	11,120.44
BTM Drains Of Ireland Ltd ta Irish Drain Services, 4 Park Business Centre, Farranfore	30,472.48
Charleville Plant Hire (CPH), Kilmallock Road, Charleville, Co Cork	24,135.06
Clancy Plant Hire Ltd, Knockanure, Moyvane, Listowel, Co Kerry	252,972.20
Crean & McHugh t/a CMP, Grange, Killumney, Ovens, Co Cork	57,550.00
Cyril Wharton Plant Services Ltd, Lissataggle, Gortatlea, Tralee, Co Kerry	3,542.40
D & L Tool Hire Dingle, C/O D & L Tool Hire, Clash Industrial Estate, Tralee, Co Kerry	7,198.57
D and L Tool Hire, Clash Industrial Estate, Tralee, Co Kerry	25,949.54
Dan and John O'Driscoll Plant Hire Ltd., T/A O Driscoll Plant Hire, Tinnies, Valentia Island	6,088.50
Dave Power Plant Ltd, Owenacurra Business Park, Knockgriffin Road, Middleton, Co Cork	34,855.74
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	54,597.50
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	2,228.23
Dillons Waste Disposal, The Kerries, Tralee, Co Kerry	104,897.57
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	5,169.06
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	174,306.07
Eddie Stack, Agri and Plant Hire, Moyvane South, Moyvane, Co Kerry	5,345.85
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	2,475.00
Farran Plant Hire Ltd, Farran, Castleisland, Co Kerry	70,979.64

<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	167,570.85
Frayden Haulage Ltd, Knocknaskeha, Killarney, Co Kerry	12,982.67
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	15,557.70
GPT Plant & Tool Hire (Cork), Little Island Ind Est, Little-Island, Co Cork	54,521.03
GPT Plant & Tool Hire Commerical Estate(Galway), Tuam Road, , Co Galway	9,168.15
Healy-Rae Plant Hire Ltd, Main Street, Kilgarvan, Co Kerry	183,049.35
Higgins Waste & Recycling Services Ltd, The Kerries, Tralee, Co Kerry	16,389.92
Hireservices (I) Limited, T/A Hireservices, Plovervale, Castlebar, Co Mayo	3,709.53
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	35,277.42
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	66,186.36
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	95,784.56
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	8,754.00
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	18,164.65
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	7,846.98
Kelliher Crane & Hoist Ltd, Clashatlea, Ballymacelligott, Tralee, Co Kerry	11,150.03
Kerry Drain Services Ltd, Orchid House, Upper Park Road, Killarney, Co Kerry	8,628.11
Kerry Plant & Tool Hire Ltd, T/A Kerry Tool Hire & Allo Sales, Woodlands Ind Pk, Killarney	5,180.12
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	70,406.59
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	48,637.87
Killarney Waste Disposal Ltd, Aughacurreen, Killarney, Co Kerry	104,839.53
Kingdom Fast Hire Ltd, John Joe Sheehy Road, Tralee, Co Kerry	27,860.98
Leanes Tool Hire, Woodlands Industrial Estate, Killarney, Co Kerry	41,811.82
Lixnaw Plant Hire Ltd, T/A T McCarthy & Sons, Tullacremmin, Abbeydorney, Co Kerry	91,723.15
Mac Fuels & General Supplies Ltd, Ballylongford Road,	9,424.80

Clieveragh, Listowel, Co Kerry	
McSweeney Bros. Contracts Ltd., Mid Cork Tarmacadam, Manch, Ballineen, Co Cork	6,600.00
Michael F Quirke & Sons, Ranguel, Killorglin, Co Kerry	15,482.00
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	8,280.96
Mike Cronin & Sons Limited, Coolnageragh, Currow, Farranfore, Co Kerry	104,939.97
ML Lynch Civil Engineering Ltd, Brewsterfield, Headford, Killarney, Co Kerry	2,850.00
Mr Patrick Lawlor t/a Green and Growing, Sackville, Ardfert, County Kerry	3,632.00
Murphy Tool Hire, Listellick North, Tralee, Co Kerry	89,967.68
Nicholas Browne & Son Limited, Clahananoe, Balinskelligs, Killarney, Co Kerry	71,165.09
Northgate Vehicle Hire Ltd, Norflex Ctr, 38 Rosemount Business Pk, Ballycoolin, Dublin 11	42,649.23
O Connor Kerry Haulage Ltd, 5 Clonmore Cottages, Boherbee, Tralee, Co Kerry	2,595.30
O Connors Hardware & Farm Supplies Ltd, Duagh, Listowel, Co Kerry	100,390.31
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	54,053.84
Pat O'Driscoll Civil Engineering Ltd, Woodfield, Castlefreke, Clonakilty, Co Cork	29,009.00
Randles Bros Fussa Kilgarvan Plant & Agri Hire Ltd, Fussa, Kilgarvan, Co Kerry	29,587.19
RT Hedge & Tree Cutting Limited, Mullin, Cordal, Castleisland, Co Kerry	49,786.77
Sandmore Ltd, Camp Cross, Tralee, Co Kerry	122,490.00
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	53,643.76
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	3,874.50
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	24,083.40
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	27,535.12
<i>Name and address withheld for data protection purposes. A paper copy of the unedited minutes is available on request.</i>	150,912.46
Westpark Motor Co Ltd, Kylemore Park, West, Dublin 10	7,232.40
Miscellaneous Payments under €2,000 (25 Suppliers)	16,247.60
The Collector-General Reverse Charge Vat (Approx)	243,215.10
<b>Total</b>	<b>3,260,993.00</b>

Cllr. B. Cronin welcomed the reply.

**6. Call to simplify the Housing Application form**

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

That this Council will simplify the Housing Application form.

**The following reply issued:**

**Part 2 of the Social Housing Assessment Regulations 2011 (S.I. No.84 of 2011) states that all Housing Authorities are required to use the prescribed form of the housing application form.**

**An Authority cannot amend the prescribed form but may add their own cover sheet or add an inset sheet which would allow them ask for some additional information.**

**The information requested in the prescribed form is considered to be the minimum information that can be sought in respect of an application and this is the form that is in use by Kerry County Council.**

**The Council will shortly be launching a new Easy Read Guide to Completion of Social Housing Support Applications. This Easy to Read Document was developed by Inclusion Ireland for the Housing Agency. The document was proof-read by men and women with a disability. This should assist those who may have difficulties with completion of the form. In addition the Housing Staff are available to assist any prospective applicant who may have difficulty completing the form.**

Cllr. P. Daly stated the Housing Application Form is 24 pages and a tenant applying for a Transfer or who wants to down size must complete this form. They are also asked for a copy of their Birth Certificate even though they are already a tenant of the local authority. Cllr. Daly requested that a shorter form would be permitted for those applying for a transfer.

Cllr. N. Foley SECONDED the motion.

**8. Call on the Energy Regulator to review the application process regarding tariffs etc. for the Shannon LNG Project**

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

In light of the recent statements by the Energy Regulator regarding the cost of energy in this country, that we ask him/her to review the entire application process regarding tariffs etc. of the Shannon LNG Project.

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



Cllr. J. Finucane stated the Office of the Energy Regulator has a number of Commissioners. The cost of energy in Ireland is 49% more expensive than mainland Europe and this is because it is operated by a cartel. There is now a change because of BREXIT and the majority of gas for the Irish market comes from Scotland and this will put extreme pressure on these companies who have over charged consumers for the past 8 or 9 years.

Cllr. J.J. Culloty SECONDED the motion.

**9. Call for an immediate restoration of funding for the Centre for Narcolepsy in St. James Hospital, Dublin**

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

That Kerry County Council calls on the Minister for Health, Mr. Simon Harris TD and the HSE to review, as a matter of urgency, the decision to cut funding for the Centre for Narcolepsy in St. James Hospital, Dublin and ensure the necessary financial support for such a vital service is put in place immediately.

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

Cllr. N. Foley highlighted there is a large number of families who have family members who suffer from sleep issues. Temple Street provides an excellent service but the problem arises when a child progresses to the adult service. There is insufficient staff with just 1 full time nurse specialist and 1 part time specialist in St. James Hospital. She requested that a letter would issue both to the HSE and the Minister for Health outlining the urgent need for this facility.

Cllr. J.J. Culloty SECONDED the motion.

**10. Cost of the recount for the Listowel MD**

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

What are the full costs involved in the recount in the Listowel Municipal District in February 2016. Have all costs been settled.

**The following reply issued:**

**At this point not all Cost Accounts have been submitted for settlement. We are not in a position therefore to outline the final costs. When this matter has been concluded we will revert to Council with a report on the final position.**

Cllr. J. Moloney welcomed the reply.

**12. Call for a grant for the installation of intruder alarms for over 66s living in rural areas**

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

To ask the Minister for Housing, Planning, Community and Local Government to review costing and feasibility for the provision of a grant to install monitored intruder alarms for over 66s living in rural areas, in light of the increase in rural crime and break-ins. The current senior alert scheme does not act as a deterrent to intruders and does not allay fears of older people who are vulnerable. I call on the Minister to make a statement on the matter.

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

Cllr. J.F. Flynn stated rural crime and burglaries increased substantially in 2017. The Community Alert system gives some peace of mind but adequate measures are not being taken to address this problem. Cllr. Flynn called on the Minister to subsidise the installation of house alarms to give security to the elderly in their own homes.

Cllr. M. Cahill SECONDED the motion and stated the elderly living alone particularly in Killorglin and Mid Kerry need comfort.

**13. Call to address the social housing shortage**

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

That Kerry County Council take immediate steps to address the serious issue regarding the shortage of social houses in Ballybunion and throughout the County.

**The following reply issued:**

**Details of the current Housing Construction Programme have been provided to Members at previous Meetings. Following the completion of the most recent Housing Needs Analysis we are currently scoping the further phase of our Construction Programme for agreement with the Department.**

**At this point it is proposed that the construction of a number of Units in Ballybunion will be included in those proposals.**

Cllr. R. Beasley called for the construction of housing in Ballybunion as there is substantial demand there.

Cllr. D. Nolan SECONDED the motion.

**14. Call to put a deer management plan in place for Killarney National Park**

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

That this Council call on the Manager of Killarney National Park to put a deer management plan in place immediately. Also to place information signage at entrances to the Park which would inform the public about staying safe in the Park. This information must include simple measures that can be taken to reduce the risk of Tick bites.

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

Cllr. J.J. Culloty stated there is a problem in Killarney National Park with the number of red deer and they should be culled as they are doing a lot of damage to the National Park. It is important that this is carried out immediately. Signage should also be put in place at the entrance to the Park to highlight the dangers of Lyme disease to visitors.

Cllr. N. Kelleher SECONDED the motion.

**15. Plans for tourism promotion in 2017**

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

What are Kerry County Council's plans in terms of tourism promotion in 2017?

**The following reply issued:**

**Kerry County Council's Tourism Unit work through the Destination Kerry Tourism Forum and local tourism groups and businesses, to help promote Kerry at home and abroad.**

**The Tourism Strategy contains several short, medium and long-term actions aimed at ensuring Kerry remains a market leader while differentiating itself in the crowded marketplace. Several of these actions are currently being progressed by the Tourism Unit including:**

- **Attendance at international promotional events provides a great opportunity to create demand and engage with tour operators. Already this year, with the help of Failte Ireland and Tourism Ireland, some local businesses attended promotional events in Stuttgart in Germany and also at ITB Berlin - the worlds leading travel trade show. Later this month, a number of our tourism attractions will be represented at Meitheal 2017 – Failte Ireland's biggest trade show exclusively for trade, where overseas tour operators can make direct bookings. Having a Kerry presence at these shows is extremely important and the Destination Kerry Tourism Forum and Kerry County Council recognise their potential to help sell the county as a**

**must-see destination, with wide availability of authentic visitor packages.**

- **The development of a new clear and compelling tourism brand for Kerry, based on our strengths and characteristics will be launched shortly and communicated to a diverse audience across all platforms.**
- **Both Failte Ireland and Tourism Ireland work in close partnership with the Tourism Unit on the promotion of the Wild Atlantic Way, adventure tourism, heritage and culture, and events and festivals. The Tourism Unit are active partners in the Skellig Coast Visitor Experience Development Programme – a pilot project for the entire Wild Atlantic Way. The Skellig Coast Visitor Experience Development Plan and Skellig Coast Tourism Network were launched in Ballinskelligs in January 2017 by our Chief Executive along with Ms Orla Carroll, Director Failte Ireland. The Tourism Unit will be working closely with the network to develop a strategic plan to broaden appeal and increase dwell time in the region by developing compelling and motivating attractions/experiences for our national and international visitors.**
- **Social media is now a key marketing tool for destination marketing and forms a key part of our marketing plan. The Tourism Unit's facebook and twitter pages have a growing number of followers and our interactive events calendar ensures events and festivals throughout the county, both big and small, are promoted on our social media platform.**
- **The Tourism Unit continues to work closely with the local community, UCC, CIT and Blackrock Observatory, Failte Ireland, Udaras na Gaeltachta and SKDP to ensure the potential of the Kerry Dark Sky Reserve in South Kerry is maximised and that this niche tourism opportunity is exploited. Following on the success of an accredited night sky guides course in 2016, further training opportunities will be provided in May this year. The feasibility of providing a mobile observatory for use throughout the reserve is also being investigated.**
- **The Unit is liaising with the Kerry Convention Bureau, the Chambers and Failte Ireland to support and grow Business Tourism in the county. A Wild Atlantic Way Conference is to be held in Kerry in early Summer 2017, which will bring together representatives from both the public and private sectors in counties all along this 2,500 km touring route.**

- **The Tourism Strategy recognises the importance of food tourism and Kerry County Council in collaboration with Taste Kerry and Failte Ireland is working to ensure Kerry gains a reputation as a food experience region. The Taste Kerry Food Trail, which includes several food and drink producers, bars, restaurants, accommodation providers, retailers, farmers markets and food festivals throughout the county, where local Kerry produce can be enjoyed, was officially launched on the 8th March 2017. The Tourism Unit has worked closely with Taste Kerry on their re-branding, website launch and food trail development to ensure an enhanced experience for visitors to the county.**

Cllr. P. Connor-Scarteen welcomed the reply.

Cllr. J.F. Flynn SECONDED the motion.

#### **16. Call for a School Traffic Warden for Fossa National School**

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

To ask Kerry County Council if they are going to provide the funding for a School Traffic Warden which has been promised for a long time for Fossa National School on the National Secondary Road.

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

**No commitment was given on the provision of a school warden service at Fossa National School. A commitment was given that the Council would examine the location with An Garda Siochana, the T.I.I. and school management in relation to the concerns raised by the members of the Killarney Municipal District, which are on-going. A number of options have been examined including greater usage of the car park in the adjoining community centre.**

**Further updates on the on-going discussions will be provided at the Killarney MD meetings.**

Cllr. M. Healy-Rae stated she understood a commitment was given that funding would be provided for a School Traffic Warden at Fossa National School. She appreciated the engagement with An Garda Siochana and TII. There is very heavy traffic on this road and it is dangerous.

Cllr. M. Gleeson SECONDED the motion.

## **17. Revised Casual Trading and Beach Bye-Laws**

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

Will Kerry County Council have the revised/updated Casual Trading and Beach Bye Laws ready for implementation ahead of the 2017 tourist season.

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

**A report on Casual Trading throughout the County was recently presented to the members of the Operations SPC. In relation to our beaches, there has been very little demand for casual trading licences, though it is an objective of our Tourism Strategy and Action Plan to promote water sports and outdoor activities, The exception to this has been Banna beach, where there is a very strong demand for casual trading licences, particularly for water sport activities and the provision of refreshments. However, it is recognized that this has to be balanced with the needs of others using the car park and therefore requires regulation to ensure the safe use of the facilities by all visitors.**

**The draft Banna Beach Casual Trading Bye-Laws were published last week, following a briefing to the Tralee MD members. The draft Bye-Laws provide for an increase in the casual trading area, allowing for additional service providers. Concerns raised by members in recent years have also been addressed in the new Byelaws. It is proposed to monitor the impact of the new Bye-Laws over the coming year and review how they may be applied in other areas of the county to promote the development of other activities.**

**It is proposed to have a report on any submissions received, on the draft Bye-Laws, prepared for consideration by the Tralee MD members in May.**

Cllr. J. Lucid welcomed the reply and the public consultation on the Banna Beach Casual Trading Bye-Laws. User needs must be taken into account when the Bye-Laws are being finalized. He asked if the Car Park Bye-Laws would be reviewed to address the ongoing issue of camper vans parking overnight on beach car parks.

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

Mr. C. O'Sullivan highlighted that the most pressing matter is the review of the Casual Trading Banna Beach Bye-Laws. The issue of camper vans parking is a broader issue for the entire county. A pilot programme has been put in place at Inch Beach for the summer and this will be reviewed and it will inform further proposals for other beaches.

**18. Call on the Road Safety Authority to reconsider the implementation of NCTs for tractors**

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

To ask the Road Safety Authority to reconsider the implementation of NCTs for tractors.

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

Cllr. D. McCarthy stated the requirement that tractors must undergo an NCT will cause further hardship for farmers. He asked where the test centres will be located. If a tractor must be brought from Lauragh to Killarney it will take a long time and will cause delays for other traffic on the road. While it is intended that this will apply only to contractors initially he believed it will apply to all tractors in due course.

Cllr. D. Grady SECONDED the motion.

Cllr. J. Healy-Rae then moved Notice of Motion No. 31 which also related to this topic.

**31. Proposal to introduce an NCT/DOE on tractors**

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

That Kerry County Council writes to Minister Shane Ross with regards to the proposal to introduce an NCT/DOE on tractors, as this proposal is unrealistic.

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

Cllr. J. Healy-Rae highlighted that the key issue is that tractors are agricultural vehicles and many do not leave the yard. This proposal will have an adverse impact on the farming community and will put onerous restrictions on farmers. There is no Test Centre from Castleisland to Iveragh and back to Tralee and this is a large area. Cllr. Healy-Rae stated he was opposed to this proposal.

These motions were unanimously agreed.

**19. Acting positions in the Fire Service and the timeframe for filling these positions**

Cllr. D. Grady declared in accordance with Section 177 of the Local Government Act that members of his family are employed in the Fire Service and he would leave the meeting while Notice of Motion No. 19 was being taken.

Cllr. Grady then left the meeting.

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

That Kerry County Council confirm the percentage of acting positions by grade within our Fire Service and outline the time frame for filling these acting positions on a permanent basis.

**The following reply issued:**

**Of the 108 positions within the retained fire service there are currently 19 of the positions being filled in an acting capacity. i.e. 17.6% of staff positions within the retained fire service. The permanent filling of these positions will be done on a staggered basis starting with the most senior acting positions.**

Cllr. Nolan asked what the timescale is for the filling of the acting posts.

Cllr. M. Cahill SECONDED the motion.

Mr. M. O'Donoghue stated arrangements will be made in the near future to advertise and fill these positions.

Cllr. D. Grady then returned to the meeting.

**20. Charging of levies on masts**

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

Mobile phone coverage mast operators are saying that Kerry County Council are one of 3 Counties charging levies on masts and that this is one of the main reasons our coverage has not improved. Are we charging levies and if so, how much.

**The following reply issued:**

**There are, at present, four development contribution schemes in existence in County Kerry. Three of these apply to developments in the administrative areas of the former Tralee, Killarney and Listowel Town Councils. There are no development contributions for telecommunication masts specified in these three schemes.**

**The fourth development contribution scheme, Kerry County Councils, applies to development outside of the administrative boundaries of the former Town Councils. This scheme specifies the following levies for telecommunication masts:**

- **Permission for new masts: €7000 for roads and €700 for amenity, total contribution => €14,000**
- **Retention of existing masts: €14000 (for Amenity).**



**The proposed new Development Contribution Scheme replaces the four schemes currently in force with a single County wide scheme. This scheme proposes a levy for telecommunications masts as follows:**

- **€5,000 for roads and transport + €5,000 for community and amenity, Total contribution => €10,000**

**The proposed new Development Contribution Scheme also includes a full waiver for all masts which form part of the National Broadband Scheme (NBS) as defined by the Department of Communication, Energy and Natural Resources (DCENR) and the Community Broadband Scheme.**

Cllr. J. Healy-Rae acknowledged there must be development levies but he did not believe levies should be charged for masts as they are very small. Kerry is one of just 3 counties charging levies on mobile phone masts. He understood the Minister is about to publish a report but he will not insist on the implementation of the recommendations in the 3 counties that charge levies. Kerry needs more masts and he called on Management to review this charge. Cllr. Healy-Rae acknowledged that the charge is reduced to €10,000 in the new Scheme but he believed this charge is counter productive. In conclusion he called on officials to contact mobile phone companies on this issue.

Mr. M. Scannell brought members attention to the last paragraph of the reply which states that the proposed new Development Contribution Scheme includes a full waiver for all masts which form part of the National Broadband Scheme (NBS) as defined by the Department of Communication, Energy and Natural Resources (DCENR) and the Community Broadband Scheme.

## **21. Inscription of the age of the deceased person on their headstone**

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

That next of kin would, in the interest of historical fact, favourably consider the inscription of the age of the deceased person on the headstone over her/his grave. Such information may in the future years be of considerable interest to historians and genealogists.

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

Cllr. M. Gleeson stated very many people come to Ireland to trace their roots and to visit the ancestral homestead and the graveyard where their forebears lie. It can be very disappointing for them on locating the grave to find that the dates of birth and death are not inscribed. Inscribing facts on a headstone is not betraying a secret and it can and often does serve to inform and enrich. The dates on headstones can and do also inform of how times past were from the perspectives of health and longevity.

The Franciscan Friary in Killarney has a little graveyard beside the Church in which 34 people are interred. Of those born in the 19<sup>th</sup> century, 13 of the 24 died before the age of 50, ie 54%. Of the 10 born in the 20<sup>th</sup> century, 3 died before age 50, ie 30%. That little piece of history shows how life expectancy has greatly extended in 60 or 70 years. It shows the impact of the introduction of Penicillin and other aspects of modern medicine and nutrition. It also shows how inscriptions on headstones can reveal history.

Cllr. N. Kelleher SECONDED the motion.

## **22. Call for replacement of Listry Bridge**

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

I am requesting the immediate allocation of funding and a timeline of works for the full replacement of Listry Bridge on the R563 tourist route where two vehicles cannot pass. Council Management informed the Killarney MD Members last year that there was no funding available for bridge replacement and recently €2m has been allocated to replace Dysart Bridge where two vehicles can pass.

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

**This motion has been moved on a number of occasions at Killarney MD meetings. As previously stated, the cost of widening this bridge would be of the order of €750,000 and the cost of a new structure would be of the order of €2 million. The only funding mechanism previously available for such works was through the Department of Transport, Tourism and Sport's Specific Improvement Grant Scheme.**

**There is very limited funding available nationally under the Specific Improvement Grant programme and the Department have advised that for the foreseeable future, given the constraints on funding and the priority in improving the non-national road surface, any funding under this programme will only be on the basis of the strategic importance of the route. Kerry County Council made a strong case to the Department for improvement works on the access route to Fenit harbour, given its importance to Liebherr Container Cranes expansion proposals in Killarney and were successful in securing €400,000 towards necessary improvement works on the Tralee – Fenit road for this reason.**

**In 2016 road safety works were carried out at Listry Bridge including kerbing, surfacing, signing and lining.**

**There is adequate capacity on the bridge to accommodate the traffic volumes on this road, notwithstanding that the road safety works now require that traffic approaching the bridge give way to oncoming traffic on the bridge, similar to other locations in the county and nationally.**

**Dysert Bridge is located on the N23 National Primary Killarney to Limerick/ Dublin route, for which the T.I.I. are the funding authority, and which is of strategic importance, also providing access to Kerry Airport.**

Cllr. B. Cronin stated this is a critically important issue. Since he was first elected he has highlighted that just one vehicle can cross Listry Bridge at a time. This is a major access route and funding of €750,000 has not been provided to widen the bridge while €2m was allocated for a new bridge at Dysart where two vehicles can pass safely. He wrote to Shane Ross who advised him that Kerry County Council must make the decision to have a new design drawn up for Listry Bridge. Yet there is no indication that funding will be allocated for it. Cllr. Cronin requested an explanation as to why funding was provided for Dysart Bridget but not Listry Bridge.

Cllr. N. Kelleher **SECONDED** the motion.

Mr. C. O'Sullivan pointed out that two different funding authorities are responsible for the bridges. Dysart Bridge was included in a programme for bridges compiled by TII on national routes. Kerry County Council is leading out a programme of works on bridges on regional routes on behalf of a number of local authorities. The Department of Transport has clarified that the only funding available for bridges is the Specific Improvement Grant. Kerry County Council is one of a few local authorities getting funding under this Programme for the Tralee/Fenit road. There is no point in preparing a design for Listry Bridge when the Department of Transport has clearly stated funding will not be available unless a strong strategic case can be made.

#### **24. Review of the Free Legal Aid System**

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

That Kerry County Council write to the Minister for Justice, Ms Frances Fitzgerald to look at a system for Free Legal Aid where if someone had over three convictions, they would not qualify for the Free Legal Aid or that after three convictions, they would have to pay it back in some way.

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

Cllr. J.F. Flynn stated where a person has in excess of three convictions the cost of the Free Legal Aid should be deducted from social welfare payments or taken from their assets. It is the same people who are up in Court and the elderly are afraid to come out at night. The law should be changed to ensure a fairer system which would discourage crime.

Cllr. M. Cahill **SECONDED** the motion.

Cllr. P. Daly stated the motion is out of order as Free Legal Aid is a constitutional right. In real life some people are charged when they should not be charged while others get convictions when they should not.

It was agreed to refer the resolution to the Minister for Justice for consideration.

Cllr. D. Nolan declared that in accordance with Section 177 of the Local Government Act 2001 that she is employed by the OPW Visitors Services and she would leave the meeting while Notice of Motion 25 was being considered.

Cllr. Nolan then left the meeting.

## **25. Call to acquire Daniel O'Connell, The Liberator's Birthplace**

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

That Kerry County Council make a very special case and call on the OPW and the Government to acquire, on behalf of the State and the Irish people, one of Kerry's remaining greatest treasures, Daniel O'Connell, The Liberator's Birthplace, Carhan, Caherciveen.

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

Cllr. M. Cahill stated Daniel O'Connell The Liberator was born at Carhen, Cahirciveen in 1775. He was adopted by his wealthy uncle the hunting captain O'Connell of Derrynane and educated to Barrister level. He was educated at St. Omer and Douai in France. He entered Lincoln's Inn in London and qualified in 1794 and he qualified from King's Inn in Dublin in 1796.

Daniel O'Connell made a major speech opposing the Act of Union 1800. He founded the Catholic Board in 1811 and the Catholic Association in 1823. He was elected M.P. for Clare in 1828 when he forced new legislation to allow Catholics in to Parliament. He was elected MP for Kerry in 1830 and was the first catholic Lord Mayor of Dublin in 1841.

Cllr. Cahill PROPOSED that the ruins of the House at Carhen, Cahirciveen and the surrounding plot, the birthplace of the great Liberator Daniel O'Connell be purchased by the State before it deteriorates further and that it be preserved and made into a national visitor attraction.

Cllr. Cahill stated the great interest in the life and work of Daniel O'Connell inspired great men like Martin Luther King and Mahatma Gandhi and others to fight for justice and equality by peaceful and non-violent means. There is a growing and awakening interest in the life's work of this great Irishman who was against discrimination of all kinds religious or otherwise and his active support against slavery in the United States and the discrimination against the Jewish community were testament to his international stature as a successful political

pacifist. The huge crowds of tourists now stopping daily at his birthplace and the establishment of the successful annual Daniel O'Connell Summer School at Cahirciveen, make a compelling case for this monument of his birthplace to be preserved by the nation.

Cllr. J.F. Flynn SECONDED the motion.

Cllr. Nolan then returned to the meeting.

## **28. Call to seek extra funding to repair roads in North Kerry**

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

That Kerry County Council seek extra funding from the Department of Transport, Tourism and Sport towards the cost of repair of our roads especially in North Kerry where many of our roads are in an appalling condition and are in urgent need of repair.

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

**The funding provided by the Department of Transport, Tourism and Sport, for the non-national roads is allocated for the entire County. Funding for improvement works to the national road network, (including the N69 Tralee Listowel Limerick Road and the N67 Tarbert – Ferry Road) is provided by the TII, based on condition surveys carried out independently by the TII.**

**A grant allocation of €15,273,049 was received from the Department of Transport, Tourism and Sport for the maintenance and improvement of the local and regional (non-national) road network. In this grant allocation, the Council received additional funding of €797,000 under the Restoration Improvement Programme in 2017. The Restoration Maintenance Grant of €1.95 m, which is for the surface dressing of roads is the same as last year. The grant funding allocated to Kerry is distributed across the Municipal Districts based primarily on the length of road in each Municipal District.**

**However, the critical under funding of road maintenance and improvement is recognized by the Department of Transport, Tourism and Sport, in the framework strategy "Investing in our Transport Future - A Strategic Investment Framework for Land Transport", published in August 2015, in which it is acknowledged that a significant investment was required to maintain the road network in it's current state, notwithstanding any investment required to bring the condition of many of our roads up to an adequate standard.**

**In a recent survey of the road network in Kerry, almost 50% of our local roads have been identified as being in a poor condition and requiring state funding for improvement works.**

Cllr. J. Lucid stated in 2017 the allocation for local road restoration and improvement was approx. 60% of the 2008 allocation. In the mean time costs have increased e.g. tar, cost of machinery etc. Therefore we are nowhere near achieving a proper maintenance in fact we are going backwards. It is no wonder then that the roads in the county and particularly in North Kerry are consistently deteriorating and in decline and unless there is a significant intervention matters will get worse.

This is totally unacceptable, for example the road from Lowe's Cross, Ballyheigue to the Lodge Cross, Causeway is in a terrible condition. Given that this road is part of the WAW makes the situation ridiculous. It only seems logical that if Fáilte Ireland would spend money promoting a route that the roads on the route are maintained in a satisfactory condition. There are other roads such as the Dale Road which has been spoken about on numerous occasions. Then there is the road from Ballylongford to Ballydonoghue and sections of this road are so bad that one could question the fact that it is open at all. This is the main road from Limerick to Ballybunion, Ballyduff, Causeway and Ballyheigue.

In 2016 there were five deputations to the Listowel MD with groups pleading to have something done with their road but members were not in a position to help.

Cllr. Lucid also asked why the LIS was not re-instated in 2017. This Scheme gave support to people living on private roads and who were willing to make a contribution themselves. Since 2011 these people have been totally neglected, abandoned and treated with utter disrespect by the State.

Cllr. Lucid then referred to staffing levels. Kerry County Council staff do an excellent job with the resources they have, but there is not enough staff on the ground. Local knowledge has been lost and drains, gullies and inlets are not routinely cleared and opened. Then in times of heavy rain there is severe flooding as happened on Friday 3<sup>rd</sup> March. Significant investment is needed now or the situation will continue to get worse and the level of investment required will continue to increase.

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

**29. Call to transport children from urban areas to rural areas to attend National Schools**

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

To ask both the Minister for Transport and Minister for Education to consider transporting children from urban areas to rural areas to attend National Schools.

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

Cllr. D. McCarthy stated big schools in towns are looking for extensions while some rural schools have only 2 or 3 teachers. He called on the Ministers for Transport and Education to pay the cost of transporting children to rural schools. This would help to sustain rural schools and would relieve the pressure on the larger schools in towns.

Cllr. M. Healy-Rae SECONDED the motion.

### **30. Types of social housing being considered by Kerry County Council**

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

To ask Kerry County Council to explain if there are single bed, two beds or even four beds for larger families being considered for housing developments in the County.

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

**The Housing Programme includes the provision of various types of Units apart from the more traditional 3 bed units. The Housing Construction Programme has regard to the demand and need for units/ units types identified in our Housing Needs Analysis/ Housing Waiting List.**

**Kerry County Council's current Housing Construction Programme as outlined to Members previously includes multiple unit types as follows;**

**8 No. four bedroom units (construction of one house has commenced)  
57 No. two bedroom units (construction of four units has commenced)  
12 No. one bedroom units**

**In addition the Programme provides for the construction of a large multi-bedroom unit responding to an actual specific need in a particular case.**

**The Programme also provides 2 No. five bedroom units.**

**Kerry County Council works in partnership with and supports and monitors Approved Housing Body Programmes – their current programme has committed to provide 25 No. two bedroom units and 20 No. one bedroom units and these projects are in progress.**

Cllr. M. Healy-Rae asked when construction of the 12 No. one bedroom units would commence. The greatest demand for housing is from single people who cannot afford to rent in the private market and they must be catered for. Single parents with a child also find it difficult to get a 2 bed house. She asked when the 57 No. two bedroom units will commence. Cllr. Healy-Rae pointed out that the 12 houses to be constructed in Killarney will all be 3 bed units.

Cllr. N. Kelleher SECONDED the motion.

Mr. M. O'Donoghue undertook to forward details of the Capital Programme to members.

Cllr. D. Grady highlighted that he was totally opposed to 1 bed units.

### **32. Table and Chair Tax**

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

That this Council will not follow other Local Authorities and start introducing a Table and Chair Tax for people eating and drinking outside bars and restaurant premises.

**The following reply issued:**

**It is a statutory obligation to obtain a license under Section 254 of the Planning and Development Acts 2000-2016 to erect, construct, place or maintain specified structures on, under, over or along a public road. Article 201 of the Planning And Development Regulations 2001 - 2015 specifies that a table and chairs outside a hotel, restaurant, public house or other establishment where food is sold for consumption on the premises are specified structures that are to be licensed under Section 254.**

Cllr. R. Beasley asked how much does a license cost and he pointed out that these businesses are already paying rates.

Cllr. N. Kelleher SECONDED the motion.

Mr. M. Scannell informed members that the standard charge is €125 for a table and 4 chairs and this charge is set nationally.

### **33. Dog License Renewals**

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

When Kerry County Council issues Dog License Renewals, that all options to renew are outlined with similar significance, not just promoting the online renewal as has been done.

**The following reply issued:**

**The current Dog Licence reminders do outline with similar significance all options to renew. Customers are asked to renew Dog Licence in one of the following ways:**

- **On-line at <https://payments.kerrycoco.ie>**
- **At your local Post Office**



**For the benefit and convenience of customers wishing to use our on-line services, an additional instruction sheet is included with the reminders listing how to access the service on-line. The online system allows owners to include additional and amend existing information also without having to contact Kerry County Council directly.**

Cllr. N. Kelleher stated this is taking business from Post Offices. His mother is a Post Mistress and the second page sent out with renewal notices is encouraging online renewal. Both options to renew a dog license should get the same prominence. He asked that the second sheet would not longer issue with renewal notices.

Cllr. D. McCarthy SECONDED the motion and added it is vital that Post Offices are supported. It is important also that all dog owners would license their dogs.

Mr. J. Breen undertook to comply with Cllr. Kelleher's request not to send out the second instructions sheet with dog license renewal notices going forward.

#### **34. Broadband service in the county**

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

That this Council call on the Minister for Communications, Climate Action & Environment to explain when we can expect to have a modern broadband service in this County. The current level of service is unacceptable and is a barrier for many companies who wish to set up here.

**The following reply issued:**

**While this is a matter of resolution by the Members Kerry County Council have appointed a broadband officer as recommended in the recent 'Report of the Mobile Phone and Broadband Task Force'. The Broadband officer will act as a single point of contact for engagement with operators within the local authority and will assist with accelerated rollout of the National Broadband Plan. It should also be noted that there is high speed broadband available in parts of the County.**

Cllr. J.J. Culloty stated broadband is good in some towns but not in many rural areas. Delegates at a recent conference were informed that in Europe 24% of people work from home but in Ireland just 5% of people work from home. The lack of an adequate broadband service is stifling business. In the context of BREXIT jobs may be gained but these are likely to be in Dublin. A better broadband service is urgently required for rural Ireland.

Cllr. M. Healy-Rae SECONDED the motion.

## **Emergency Motion**

Cllr. D. Nolan then moved the following emergency motion.

“That Kerry County Council call on the Minister for Transport to meet with Unions regarding the National Bus Strike as a matter of urgency for our rural county with a limited rail service this is a vital service.”

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

### **17.03.27.16 Correspondence – Conferences and Seminars**

- (a) On the PROPOSAL of Cllr. N. Kelleher, **SECONDED** by Cllr. J. Sheahan it was agreed to approve the attendance of the Cathaoirleach, Cllr. M. O’Shea at the Pride of Place Awards in Belfast on the 26<sup>th</sup> November 2016.
- (b) On the PROPOSAL of Cllr. N. Kelleher, **SECONDED** by Cllr. J.J. Culloty it was agreed to approve the attendance of Cllrs. Cahill, Flynn and Quigg at the Conference “The Fair Deal Scheme” held in Carlingford, Co. Louth from 10<sup>th</sup> to 12<sup>th</sup> March 2017.
- (c) On the PROPOSAL of Cllr. J.F. Flynn, **SECONDED** by Cllr. S. Fitzgerald it was agreed to approve the attendance of Cllrs. O’Connell and Kelleher at the Conference on the theme “The Finance Act 2016” held in Clonakilty, Co. Cork from 24<sup>th</sup> to 26<sup>th</sup> March 2017.

Cllr. Kelleher was nominated to report back to Council on this Conference.

- (d) On the PROPOSAL of Cllr. B. Cronin, **SECONDED** by Cllr. J. Moloney it was agreed to authorise the attendance of the Cathaoirleach, Cllr. M. O’Shea at the Tourism Seminar to be held in Enniscorthy, Co. Wexford on the 29<sup>th</sup> and 30<sup>th</sup> March 2017.

Cllr. O’Shea was nominated to report back to Council on this Seminar.

- (e) On the PROPOSAL of Cllr. J.J. Culloty, **SECONDED** by Cllr. J.F. Flynn it was agreed to authorise the attendance of Cllrs. O’Connell, Kelleher, Beasley, J. Healy-Rae, M. Healy-Rae, Finucane, Lucid, Purtill, Fitzgerald and Sheahan at the IPI Conference on the theme “Reimagining Planning System” to be held in Westport, Co. Mayo from 5<sup>th</sup> to 7<sup>th</sup> April, 2017.

Cllr. Beasley was nominated to report back to Council on this Conference.

- (f) No member expressed an interest in attending the Conference on the theme “Social Media Training for Councillors” to be held in Clonakilty, Co. Cork on the 19<sup>th</sup> and 20<sup>th</sup> April 2017.
- (g) On the PROPOSAL of Cllr. J.F. Flynn, SECONDED by Cllr. J.J. Culloty it was agreed to authorise the attendance of Cllrs. O’Connell, Kelleher, J. Healy-Rae and M. Healy-Rae at the Conference on the theme “LGAS – An Overview of the work of Local Government Auditors Services” to be held in Clonakilty, Co. Cork from 21<sup>st</sup> to 23<sup>rd</sup> April 2017.

Cllr. M. Healy-Rae was nominated to report back to Council on this Conference.

**17.03.27.17 Correspondence General**

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

1.	Letter dated 20 <sup>th</sup> February 2017 from Revenue in response to a resolution from Kerry County Council regarding excise duty applied to specific champagnes/sparkling wines.
2.	Letter dated 20 <sup>th</sup> February 2017 from University Hospital Kerry in response to a resolution from Kerry County Council calling for a change to free parking at UHK from 20 minutes to at least 45 minutes.
3.	Email from the Minister for Transport, Tourism and Sport in response to a resolution from Kerry County Council regarding the retention of Expressway Routes to Kerry.
4.	Email from the Minister for Transport, Tourism and Sport in response to a resolution from Kerry County Council regarding the payment of a subsidy or tax relief scheme for taxi drivers in rural areas.
5.	Letter dated 21 <sup>st</sup> February 2017 from the Office of the Minister for State at the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs in response to a resolution from Kerry County Council regarding the Post Office Network.
6.	Letter dated 21 <sup>st</sup> February 2017 from the Department of Social Protection in response to a resolution from Kerry County Council regarding the closure of the Community Welfare Office in Ballyduff.
7.	Letter dated 1 <sup>st</sup> March 2017 from the National Transport Authority in response to a resolution from Kerry County Council regarding Bus Éireann’s Expressway Services.
8.	Letter dated 8 <sup>th</sup> March 2017 from the Department of Finance in response to a resolution from Kerry County Council calling for the imposition of a social responsibility levy on banks and financial institutions.

9.	Letter dated 9 <sup>th</sup> March 2017 from the Office of the Minister for Public Expenditure and Reform in response to a resolution from Kerry County Council regarding the Post Office Network in County Kerry.
10.	Email dated 10 <sup>th</sup> March 2017 from the Minister for Transport, Tourism and Sport in response to a resolution from Kerry County Council regarding local road signage.
11.	Letter dated 14 <sup>th</sup> March 2017 from Revenue in response to a resolution from Kerry County Council calling for the introduction of a subsidy or tax relief for hackneys or taxis working in rural areas.
12.	Email dated 6 <sup>th</sup> March 2017 from South Dublin County Council in relation to a resolution adopted by that authority calling for a debate on the case for a Basic Income as a means of addressing social and economic inequality.
13.	Letter dated 10 <sup>th</sup> March 2017 from Kilkenny County Council in relation to a resolution adopted by that authority calling on the Minister for Health and the HSE to change the review on the standard of cancer care in Ireland.

Cllr. J. Healy-Rae referred to the correspondence from the HSE in relation to the 20 minutes free parking at University Hospital Kerry and stated it was disrespectful to vulnerable people.

#### **17.03.27.19 Any other business**

##### **Food truck in the Fair Hill Car Park, Killarney**

Cllr. B. Cronin asked management if permission was given to a food truck to operate from the Fair Hill Car Park in Killarney in opposition to local businesses.

Ms. A. McAllen undertook to make enquiries and to revert to Cllr. Cronin on this matter.

##### **Works on the Molls Gap Road**

Cllr. D. McCarthy requested an update on the works to the Molls Gap Road which have been delayed by a month.

Mr. C. O'Sullivan stated the road had to be closed due to the nature of the works required following the collapse of a section of retaining wall. Whilst the works were ongoing, further stabilization of the retaining walls was identified by the Consulting Engineer engaged to oversee and certify the project, which necessitated an extension to the road closure to the 28th April. The road cannot be reopened until the works to stabilize the retaining wall are substantially complete, repairs carried out to the damaged road and certified by the Consulting

Engineer that the road can be re-opened taking into consideration the safety of road users. However, he gave an undertaking that the Council would seek to have road opened as soon as possible and hopefully in advance of the advertised date. He also confirmed that the Area Engineer would continue to liaise with any business that may be impacted by the road closure.

### **Mid Kerry Water Supply Scheme**

Cllr. M. Cahill pointed out there has been a surge of water outages in the Mid Kerry Water Supply Scheme and he asked when this will end for customers.

Mr. J. Breen highlighted that funding is being allocated for pipe replacement on this Scheme and work is ongoing.

Mr. M. O'Donoghue advised members that a meeting of the members of South and West Kerry MD would be held the following Friday and a report will be presented by Water Services.

The meeting concluded at 2.35pm.

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

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**Cathaoirleach of Kerry County Council**