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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 , 15 BEALTAINE, 2017

MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, ÁRAS AN CHONTAE, TRALEE ON MONDAY, 15TH MAY 2017

PRESENT/I LÁTHAIR

Councillors/Comhairleoirí

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

IN ATTENDANCE/I LÁTHAIR

Ms. M. Murrell, Chief Executive	Mr. J. Kennelly, A/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. C. O'Sullivan, Director of Operations
Mr. L. Quinlan, Meetings Administrator	Ms. J. McCarthy, SEO Tourism
Ms. C. Farrell, SEO Housing	Mr. O. O'Shea, Press & Comm. Officer
Mr. G. O'Brien, A/SEO Envir. Serv.	Ms. K. Kennelly, Arts Officer
Ms. B. Reidy, SSO Corporate Support	Ms. M. Galvin, CO Corporate Support
Ms. J. O'Sullivan, CO Corp. Support	

The meeting commenced at 10.30am.

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

The Cathaoirleach referred members to Pages 29 – 31 of the Sunday Business Post which was circulated to all members where there is an article by Graham Clifford on Kerry: A Kingdom of Innovation.

17.05.15.01 Cathaoirleach's Report on the CPG Meeting held on the 9th May 2017

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

"Item 1 Agenda for the May Council Meeting

Mr. L. Quinlan gave a briefing on the Agenda for the May Council Meeting.

The Cathaoirleach requested that (Name and address withheld for data protection purposes. A paper copy of the minutes is available on request) would be allowed make a brief Presentation to the May meeting on her personal experience of the impact of Lymes Disease.

The CPG agreed that this presentation would be made at the May meeting.

Item 2 Presentations to full Council

Mr. L. Quinlan advised that the following requests were received to make Presentations to Council:

1. Customer Services section of Iarnród Éireann who is undertaking a review of its customer service at all stations across the network.
2. Union of Students in Ireland regarding publicly funded education.

The CPG agreed to the Presentation by Iarnród Éireann but following discussion on the matter advised that this Presentation should be extended to include other significant issues which impact on the rail service for Kerry.

The CPG agreed that the President of the Union of Students of Ireland would make a Presentation to a future Council meeting around the possible introduction of student loans.

Item 3 Update from the Chairs of SPCs

Cllr. N. Kelleher advised that the next meeting of the Quality of Life SPC would be held on the 10th May.

Cllr. M. Kennelly stated a meeting of the Operations SPC was held on the 5th May and a detailed report will be circulated to members for the May Meeting.

Cllr. R. Beasley advised that a meeting of the Tourism, Culture, Arts & Recreation SPC was held on the 19th April and a detailed report will be circulated to members for the May Meeting.

Item 4 Review of requests for Civic Receptions

Mr. L. Quinlan briefed the meeting on requests for Civic Receptions deferred from the April CPG meeting, requests received since then together with the requests received so far this year in accordance with the procedures set out in the adopted Protocol for Civic Honours Conferral.

The CPG agreed the following:

- Frau Liebherr and Kerry Mountain Rescue to be honoured at Civic Receptions to be hosted by full Council.
- Dr. Crokes GAA Club to be honoured at a Civic Reception to be hosted by Killarney MD as previously agreed.
- Panissiere – Listowel Town Twinning to be afforded a Civic Reception to be hosted by Listowel Municipal District.
- Glenbeigh/Glencar GAA Team to be honoured at a Civic Reception to be hosted by South & West Kerry MD as previously agreed.
- Basketballer Áine McKenna to be honoured at the County Annual Awards event.
- Mezzo-Soprano Paula Murrehy and Boxer Patrick McCarthy to be honoured at the Tralee MD Annual Awards event.
- St. Brendan’s College Football Team, St. Brendan’s College U15 Soccer Team and Spa GAA Dance Team to be honoured at the Killarney MD Annual Awards event.

Item 5 Any other business

National Guidelines for Solar Farm Developments and Renewable Energy

Members expressed much concern at the processing of applications for planning permission for solar farm development in the absence of proposed updated renewable energy national guidelines which the Department of Housing, Planning, Community and Local Government are currently preparing and asked that County Development Plan be reviewed in this respect.

Both the Chief Executive and Mr. M. Scannell, A/Director of Services advised that the County Development Plan could not be reviewed until these proposed Guidelines are received.”

Cllr. M. Kennelly advised that he highlighted at CPG that energy demand is about to soar and the Renewable Energy Strategy for the county must be reviewed. Huge resources go into the processing of applications for both solar and wind farms and even though Kerry County Council refuses permission An Bord Pleanála subsequently grants it. This is impacting not just on North Kerry but on the entire county. In the County Development Plan there are areas in North Kerry 'open to consideration' yet there are no national guidelines in place for solar farm applications. Cllr. Kennelly called for an immediate review of the Kerry Renewable Energy targets in the County Development Plan.

Cllr. J.J. Culloty agreed that the Renewable Energy Strategy in the County Development Plan should be reviewed immediately. He also asked that the granting of permission for one off rural houses would be reviewed in light of a recent European Court ruling. He then moved Notice of Motion No. 31.

31. New Wind Farm Policy in the Kerry County Development Plan

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

That Kerry County Council would commit to immediately commence developing the new Wind Farm Policy in the Kerry County Development Plan, once the Department publishes the new guidelines.

The following reply issued:

The Wind Energy Development Guidelines 2006, issued by the Minister under Section 28, are, at present, subject to a review. Following the publication of these revised guidelines by the Minister, it is intended to review Kerry County Councils Renewable Energy Strategy with a renewed analysis of the assimilative capacity of the landscape to absorb renewable energy infrastructure, with respect to noise, shadow flicker, separation distances and visual amenity.

Cllr. Culloty stated Deputy Brassil recently spoke to the Minister who advised that it could be next September before the revised guidelines will issue. He advised that Donegal County Council amended their Renewable Energy Strategy so that wind turbines cannot be constructed within 10 times their height of any dwelling. When Kerry County Council refused permission and the An Bord Pleanála Inspector agreed with the Council that decision was overturned by the Bórd.

Cllr. N. Kelleher highlighted when the County Development Plan was being reviewed in 2014 members were informed that they could not review the Renewable Energy Strategy as new guidelines were imminent from the Department. However Donegal County Council reviewed their RES and he believed Kerry County Council should do likewise. Cllr. Kelleher **SECONDED** Cllr. Culloty's motion.

Cllr. M. Kennelly PROPOSED that an emergency meeting would be requested with Minister Coveney immediately.

Cllr. D. Nolan supported the views expressed by previous speakers in relation to the guidelines for the review of the Renewable Energy Strategy. Éir recently contacted members to advise that it is intended to connect Clare with Kerry under the River Shannon and it is clear that Kerry is being targeted for the production of renewable energy. It is time that Kerry set its own targets. Cllr. Nolan added that the amenity value of North Kerry must be changed in the review of the Renewable Energy Strategy.

Cllr. J. Finucane asked why the cost of energy has not reduced for the customer with all the alternate sources of energy. He asked that Minister Coveney would be requested to give a commitment as to when the new guidelines will be published. Cllr. Finucane agreed with management that the new national guidelines must be published before the RES can be reviewed. It could be argued that there is a requirement on the State to review tax incentives for wind turbines.

Cllr. M. Gleeson highlighted if we continue to diminish the amenity value of the county we will suffer hugely in the long term and in time there will be efforts to undo the rampant desecration of the county. 60% of our economy depends on tourism and if the number of wind turbine developments continues to increase it will have an adverse impact on tourism. If these developments were proposed for Dublin city they would not be permitted. Cllr. Gleeson PROPOSED that all applications for wind farms would be deferred pending a review of the Renewable Energy Strategy.

Cllr. D. Grady SECONDED this proposal.

Cllr. J. Moloney confirmed members were advised in 2014 they could not review the Renewable Energy Strategy until the new guidelines were published. Wind turbines are now being developed in low lying areas and they are causing a lot of damage during construction and the residents do not want them. In conclusion Cllr. Moloney supported Cllr. Gleeson's proposal.

The Cathaoirleach stated all members agree Kerry is a very scenic county that depends on tourism and it must be protected.

Mr. M. Scannell accepted there has been undue delay in the publication of the new national guidelines and this has been a concern for both members and management. Current legislation does not permit a planning authority to defer a planning application and there is a legal obligation on them to deal with applications as they are submitted. An applicant or objector who is not satisfied with a planning authority's decision can lodge an appeal with An Bord Pleanála who can overturn the decision of the planning authority. If an application for

planning is refused in accordance with the County Development Plan An Bord Pleanála may grant permission in the national interest. In that context it is important that the Kerry County Development Plan has cognisance of national policy and guidelines and members should focus their efforts on influencing the guidelines. Mr. Scannell advised members he has been assured that the guidelines are being finalised. He will meet with Department officials in the coming weeks and he undertook to raise this issue with them. He asked members to be patient and following the summer a mid term review of the County Development Plan will be undertaken and the review of the Renewable Energy Strategy can be included at that time.

Cllr. J.J. Culloty stated people who appealed to An Bord Pleanála did not find them helpful. Their inspector upheld the decision of Kerry County Council yet the Bord over turned his/her recommendation and granted permission. He asked if the people making these decisions have regard to the importance of the county for tourism. Donegal County Council reviewed their RES and wind turbines must be located 10 times the height of the turbine from the nearest house. In 2014 members were informed the new guidelines were imminent yet they have not been issued by the Department. That is not the fault of the members of Kerry County Council but it is to the cost of the county. He had no issue with the location of wind turbines on the county bounds but there is an issue in other areas as they are 150m high. The landscape is almost at saturation point and he believed when it is at capacity other options i.e. bio mass, tidal energy etc will be developed. Cllr. Culloty called for an immediate review of the Kerry Renewable Energy Strategy.

Cllr. M. Kennelly again stated energy demand is about to soar and he called for a meeting with the Minister in the next few weeks.

The Cathaoirleach stated the Minister would be requested to meet with a deputation from Kerry County Council on this issue as soon as possible.

Vote of Sympathy

Cllr. D. Grady extended a vote of sympathy to the Mannix family on the tragic death of their daughter and sister Annette on the Killarney Bypass the previous week.

Cllr. Gleeson supported this expression of sympathy and added that 20 years ago he proposed that there would be a left only turning at the Lewis Road junction. He asked that this dangerous junction would be addressed immediately.

17.05.15.02 Confirmation of Minutes

- (a) On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. J. Finucane it was resolved that the minutes of the Special Meeting of Kerry County Council to consider the 2017 Service Delivery Plan for the Operations Department held on the 3rd April 2017 be confirmed.
- (b) On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. S. Fitzgerald it was resolved that the minutes of the April Ordinary Meeting of Kerry County Council held on 24th April 2017 be confirmed.

17.05.15.03 Chief Executive's Report to Council

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

"Introduction

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

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

Members will also be aware that an update report is provided 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 has been prepared for the May 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 1 Financial report will be set out in the Chief Executive's Report presented at the June Council Meeting.

Infrastructure, Operations, Health & Safety Directorate

Tralee Active Travel - Redevelopment of The Mall

Works are on-going and on schedule. The Council has a full time Engineer on site liaising with local businesses. The Contractor has indicated that the works at the junction of Denny Street and the Mall, as well as the pavement overlay of Denny Street are expected to be completed this week, following which Denny Street will be opened to two way traffic. The Council is running an advertising campaign, in conjunction with local traders, identifying the availability of the 2,600 car parking spaces in the town centre and assisting traders in the promotion of the town centre whilst works are on-going.

Listowel By-Pass

The EIA for the Listowel By-Pass was submitted to An Bord Pleanála last Friday. The CPO for the scheme will also be published this week in the local press and will then be submitted to the Board. Details of the scheme will be available in the Listowel Municipal District office and on our website. The Council will also be issuing a press release in the local media.

CFRAM - Tralee Flood Risk Management Options

The OPW, through their Consultants, JACOBS, has reassessed the flood maps/risk and options for Tralee (driven by the 2015/16 winter flooding event). The remodelling and remapping is now complete, which the Council has proofed to ensure the model accurately reflects the flooding witnessed in recent years. The re-assessment to identify potentially viable options to manage this revised flood risk has also been completed.

The OPW held a public consultation day on the outcomes of this review, including revised flood maps and flood risk management options, last Thursday in the Brandon Hotel and invitations were issued to the members by the OPW.

Economic & Community Development Directorate

Kerry Local Enterprise Office

Six projects were approved funding worth €70,000 at the April meeting of the evaluation committee.

An extensive training programme is ongoing with courses underway in Start Your Own Business, a Business Growth Programme, a Food Academy Programme and Digital Marketing. Demand for mentoring and Trading Online Vouchers remains strong.

The Kerry Business and Jobs expo took place on April 9th in Killarney with LEO staff manning the stand and engaging with the public and participating businesses.

A new marketing export grant scheme was launched with €25,000 available to facilitate development of overseas markets. Eligible businesses can receive up to €2,500 towards trade show attendance and other marketing activities.

Economic Development Unit (EDU)

Dingle Creativity & Innovation Hub

The Dingle Creativity and Innovation Hub was officially launched by the Minister for Jobs, Enterprise and Innovation Mary Mitchell O'Connor TD on Friday 28th April 2017. It was attended by the Cathaoirleach of Kerry County Council, elected representatives and council management. The new facility provides state-of-the-art services for start-up companies to establish, expand and collaborate with other businesses.

The Dingle Hub is a community enterprise initiative supported by a range of significant partners including Eir, Dingle Business Chamber, Údarás na Gaeltachta, Kerry County Council and Net Feasa. Focusing on three key areas - Music/Film-making, Animation and Internet of Things (IoT), the Hub will place a significant emphasis on creativity and the role it can play in supporting and developing businesses.

Heritage Council

The Economic Development Unit is currently working in partnership with the Planning Section KCC, IT Tralee and Tralee Chamber Alliance on a Heritage Council Pilot "Health Check" Study for Tralee Town Centre. This study has been underway since its launch and the first national workshop for the 9 participating Pilot Study Towns in September 2016. The collaborative work is designed to identify the strengths and weaknesses of town centres and to establish a starting point for the revitalisation of the town centres.

The Economic Development Unit presented at the second Heritage Council workshop on the future revitalisation of Tralee Town Centre and the ongoing work of the Health Check partnership.

Island of Geese

The rejuvenation of Tralee Town Centre West and the former Denny bacon factory at the Island of Geese in Tralee has taken another step forward with the appointment of consultants to draw up a master-plan for the 2.3 acre site.

Reddy Architecture + Urbanism have been tasked with identifying options for the strategic site which was gifted to the people of Tralee by Kerry Group in 2014. Reddy will be required to assess how best to utilise the site while incorporating a number of guiding principles including:

May Ordinary Meeting

- Stimulating economic growth and job creation in the town
- Enhancement of the physical fabric of the area
- Promoting the regeneration of Tralee Town Centre West
- Ensuring the area is vibrant and socially inclusive
- Retaining a minimum of 30% of the site for public realm/amenity space.

Tourism

Destination Kerry Promotion in Germany

The German tourism market is extremely important to Kerry and is a growth area year on year. Increased direct access into Kerry Airport from Frankfurt and Berlin is a welcome boost. Kerry tourism caters well to the German tourist who have been identified by Failte Ireland and Tourism Ireland under the main target segments of the 'Culturally Curious' and the 'Great Escapers'. To build on the current number of German visitors to the county, Destination Kerry Tourism Forum are organising a presence by the Kerry Tourism Trade at The Castle Festival in Frankfurt during the weekend of the 23rd to 26th June 2017. The Mayor of Frankfurt has issued an invitation to our Cathaoirleach Cllr Michael O'Shea to join him to officially open the festival. County Kerry will enjoy a prominent presence at the festival and every opportunity will be taken to promote and market the diverse range of natural attractions and activities on offer throughout our beautiful county.

Mobile Observatory

The Tourism Unit is developing a proposal for a high-tech Mobile Observatory as a shared resource for communities in the International Dark Sky Reserve in South-West Kerry. The Observatory will be able to operate in all weathers and during the day as well. Input is being provided by a range of national and international agencies and institutions including the European Space Agency. It will be the only such facility in Europe and give the Kerry Dark Sky Reserve an advantage over competitor astrotourism destinations. The observatory is a key objective of both Kerry County Council's new County Tourism Strategy, 2016-2022 and Failte Ireland's Skellig Coast Visitor Experience Development Plan. The next stage is the detailed design of the vehicle and preparation of a business plan and submission of the project for capital grant support.

Bray Head Discovery Point

Design work and environmental monitoring is continuing on the joint signature discovery point at Bray Head, Valentia Island. It is planned to hold a public consultation in Valentia at the end of the month as part of Environment Impact Assessment process. The Council expects to be in a position to lodge a planning application with An Bord Pleanála before the end of August.

Community Department

2017 Town and Village Renewal Scheme

On the 25th of April, Kerry County Council announced a call for Expressions of Interest from towns and villages with populations of less than 10,000, who may have a suitable project for consideration under the 2017 Town and Village Renewal Scheme.

The Town and Village Renewal Scheme is an initiative under the Government's Action Plan for Rural Development, Realising our Rural Potential, and is part of national and local support measures to rejuvenate rural towns and villages throughout Ireland.

All Expressions of Interest must be submitted by the 15th of May and will be assessed based on the priorities as contained in the Scheme Outline. A maximum of 15 proposals will be selected for development into detailed applications, which will be submitted to the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs for final approval on the 30th of June 2017.

Project proposals must include activities that will have clear positive impacts on the town or village making them more attractive places in which to live and work, and to increase their tourism potential. Extra priority will be given to projects which can stimulate economic activity between a town/village and neighbouring townlands.

CLAR 2017

On the 5th of May, Kerry County Council submitted 20 applications under the 2017 CLAR Scheme to the Department of Arts, Heritage, Rural & Gaeltacht Affairs which were broken down as follows:

- Measure 1: Support for Schools/Community safety measures - 9 applications
- Measure 2: Schools/Community Play Areas - 2 applications
- Measure 3: Targeted Community Infrastructure Needs - 9 applications

The projects submitted build on the excellent results achieved under the 2016 CLAR Programme and the positive response from both the schools and communities in relation to the funding. In the coming months, it is the intention of management in consultation with the Members to:

- review the priority list and amend/expand as maybe necessary in line with this Programme and other funding Programmes such as the Rural Recreation Fund etc.
- agree the process going forward to ensure all grant opportunities are maximised for schools and communities throughout Kerry.

Planning and Sustainable Development

Killarney National Park was awarded UNESCO Biosphere Reserve status in 1982 due to the high ecological diversity, extensive habitats and range of wildlife

found within the park. A periodic review is currently underway by UNESCO examining the functioning of the biosphere. Kerry County Council in conjunction with NPWS have appointed Mc Carthy, Kelvin and O'Sullivan consultants to co-ordinate and formulate a submission to retain the current UNESCO Biosphere accreditation for Killarney National Park and the surrounding area. The retention of this accreditation involves no new designations and will not result in any additional constraints for land owners. The submission of this application to retain the Biosphere accreditation builds upon the existing network of reserved land in state ownership (The National Park), and the excellent agricultural practices already in existence by the farming community in the surrounding SAC's and SPA's.

There is potential for numerous opportunities through biosphere accreditation:

- Biosphere branding available for tourism initiatives and local agricultural products.
- Website and social media promoting the biosphere and associated groups and events.
- Potential funding opportunities for stakeholders e.g. agri-environment schemes, EU Life projects.

Water, Environment, Fire & Library Services Directorate

Anti Dumping Initiative Funding

Kerry County Council recently applied for funding under the National Anti Dumping Initiative and has secured the maximum available funding of €23, 000 for a range of anti dumping initiatives to further assist in our fight against litter in Kerry. This funding will assist with surveillance and monitoring of known dumping black spots as well as assisting with clean ups and waste removal at these locations.

Draft River Basin Management Plan for Ireland 2018 - 2021

The Waters and Communities Office are hosting public meetings to discuss the natural waters of County Kerry over the coming weeks. The Community Water Officer for Kerry will present information and seeking feedback on the latest draft River Basin Management Plan for Ireland 2018 – 2021. There will be a discussion on local interests such as: water quality, angling, heritage, biodiversity, amenity use or issues affecting your local waterways. This is an opportunity to share your knowledge of your local waterways.

Rural Development (LEADER) Programme: Rural Environment Theme

South Kerry Development Partnership (SKPD) and North East and West Kerry Development (NEWKD) will be present for the meetings within their area, to

discuss the upcoming targeted call for Expressions of Interest in the Rural Environment theme and sub-themes.

The times, dates and venues for the meetings are listed below. Two meetings have already been held in Tralee (3rd May) and Killarney (11th May).

Location	Venue	Date	Time
Caherciveen	Ring of Kerry Hotel	Tuesday 30 th May	7.30 pm
Killorglin	Killorglin Library	Thursday 1 st June	7.30 pm
Listowel	Listowel Family Resource Centre	Thursday 8 th June	7.30 pm
Kenmare	Carnegie Arts Centre	Tuesday 13 th June	7.30 pm
Dingle	Benners Hotel	Thursday 15 th June	7.30 pm

Housing Directorate

There is a separate item on the Council agenda giving updates on various recent national housing initiatives & announcements.”

Cllr. N. Foley welcomed the proposed Mobile Observatory which is a very innovative proposal. There has been huge public engagement on the Island of Geese and she asked that the public would be updated as the project progresses. The people of Tralee have bought into this project and it is important they are kept informed. She welcomed the additional funding for anti littering measures and added that the level of illegal dumping is disheartening. Cllr. Foley asked that additional covert cameras would be purchased with the additional funding as this is the only way to catch those responsible. The public consultation on CFRAMS was held in Tralee the previous Thursday and there is a need to aggressively pursue funding for the county. There must be a determined political campaign to get as high up the priority list as possible.

Cllr. Foley welcomed progress on Tralee Active Travel, the redevelopment of the Mall and the awareness that there are 2,600 car parking spaces in the town. She asked that appropriate signage would be erected to direct motorists to available parking. Cllr. Foley further asked that priority would be given to advancing Pay by Text. Denny Street will shortly open to two-way traffic and Cllr. Foley asked that this would be well publicised. While works are ongoing in the Mall she asked that the area would be made aesthetically pleasing with flowers, art exhibitions, sculptor etc.

Cllr. P. McCarthy welcomed the additional funding to address illegal dumping and added that covert cameras are the most effective means of dealing with illegal dumping. He recently spent 4 hours with the Litter Warden at Dromadda where a lot of refuse was dumped illegally and while the refuse was removed it was as bad as ever a few days later. It is proposed to hold just one meeting in North

Kerry to discuss the upcoming targeted call for Expressions of Interest in the Rural Environment theme and sub-themes and Cllr. McCarthy asked that a further meeting would be held in Castleisland. The closing date for receipt of expressions of interest under the 2017 Town and Village Renewal Scheme is the 15th May and he asked if all towns and villages were notified and could the deadline be extended by a week.

Cllr. J. Finucane welcomed the fact that work on the Tralee Active Travel project is on schedule and he congratulated all involved. He referred to the Destination Kerry promotion in Germany and called on the Chief Executive to consider an exchange of staff working in tourism between Kerry and Berlin. Cllr. Finucane asked that the plight of the undocumented Irish in the US would be a priority for the Council. There appears to be a shortage of trades' people especially in Dublin and he called on the Construction Industry Federation to make the application process easier for those who wish to return to Ireland from abroad.

Cllr. P. Daly welcomed the recent meeting on the River Basin Management Plan and added that Mr. J. Breen and Ms. C. Fisher made very good submissions. Cllr. Daly called on the Water Services Department to raise the issue of the Big River with Irish Water with a view to having it addressed immediately. He was aware it is intended to survey the river shortly but it is too late for that as the problem needs to be addressed immediately.

Cllr. D. Quigg stated at the recent meeting in Killorglin in relation to the UNESCO Biosphere Reserve he asked if this would impact on river walks, farms etc. and he was advised it would not. He requested confirmation that this is correct as farmers are concerned it will impact on farming and fishing. He welcomed the Town and Village Renewal Scheme and asked that Killorglin would get priority. Cllr. Quigg asked if the funding available from the Fisheries Local Area Group Development 2016 – 2023 is being fully availed of and will any projects come to fruition as a result in the near future.

Cllr. S. Fitzgerald welcomed the Dingle Creativity Hub and he thanked management for progressing this important project. If it is a success it will have potential for other areas. Cllr. Fitzgerald thanked officials for the support given to groups in submitting projects for Clár funding.

Cllr. M. Cahill referred to CFRAMS and called for projects to protect family homes as there is no funding available for them at present. He asked if the Council is assisting families interested in availing of funding under the relocation scheme as he was aware of one family that is interested in it. Cllr. Cahill welcomed the Destination Kerry promotion in Germany as it is important for the tourism industry in the county. He welcomed the additional funding to address illegal dumping and he moved Notice of Motion No. 1.

1. Increased incidents of 'illegal dumping'

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

That Kerry County Council declare war as a matter of extreme urgency on the increased incidents of 'illegal dumping' that is now becoming a major problem throughout the County.

The following reply issued:

The 2016 Litter Pollution Report was considered by the Members at the April 2017 Council Meeting. This report highlighted the many activities that the Council undertook in 2016 to prevent and control litter pollution and illegal dumping in the County. The newly adopted Litter Management Plan 2017 -2019 shows our continued commitment to dealing with these ongoing issues.

During 2016, 676 cases of littering/illegal dumping were investigated. This resulted in 71 on the spot fines being issued and 9 successful prosecutions in Court. The biggest impediment to pursuing further convictions is the lack of available evidence to link the perpetrator to the offence as required by legislation. 2016 also saw a reduction in the amount of fly tipping collected. Considerable resources were allocated to promotional events, environmental awareness initiatives, clean up campaigns and enforcement activities during 2016.

While tackling littering/illegal dumping remains an ongoing challenge, good progress is being made. The council will continue to work with all stakeholders, including community groups and tidy towns committees to address this issue.

Kerry County Council recently applied for funding under the National Anti Dumping initiative and has secured the maximum available funding of EU 23, 000 for a range of anti dumping initiatives to further assist in our fight against litter in Kerry.

Cllr. Cahill stated it is evident over the past 12 months that there is an increase in illegal dumping all over the county. This is unfair on Tidy Towns groups and volunteers and it must be tackled.

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

Cllr. T. Ferris congratulated all involved in meeting the targets in Tralee and she welcomed the emphasis on economic development in the county especially in relation to the Town and Village Renewal Scheme. Public toilets and a coach car park are urgently needed in Ardfert and in 2016 there were 8,000 visitors to the Cathedral with just a few coaches. She commended Mr. T. Hayes and the staff in the LEO for the unseen work they do with businesses. A large amount of

employment is generated as a result of the advice they give. Cllr. Ferris welcomed the NEWKD programme on economic inequality. Studies have shown that it is possible to deliver economic equality and she asked if Kerry County Council equality proofs plans and policies. She asked that a member of staff would attend this programme to ensure that Kerry County Council is meeting its legal obligations in adopting plans etc.

Cllr. J. Healy-Rae referred to the UNESCO Biosphere Reserve status for Killarney National Park and highlighted that the problem of overgrown rhododendron must be addressed. He hoped additional restrictions would not be imposed on people living in the area or on landowners as a result of this designation. It was said that Kerry County Council wanted the entire Caragh catchment included and he requested clarification on this. There are already enough restrictions on landowners in this area and he highlighted that they must apply for permission to reseed a field due to restrictions to protect the pearl mussel. Cllr. Healy-Rae asked when applicants for LEADER funding will be informed if they were successful or not and when will the second call be made for applications for funding. It is 6 or 8 weeks since management increased the charges at Transfer Stations and he believed this is having a huge impact on illegal dumping. He asked that a report would be presented to members at the June Meeting on the level of illegal dumping over the past 6 to 8 weeks in comparison with the same period last year together with a comparison between the number of transactions at Transfer Stations in this period also. If the increased charges are resulting in an increase in illegal dumping it maybe better to revert to the old charges as the Council is responsible for the cost of removing refuse that is dumped illegally.

Cllr. J. Sheahan highlighted that Clonkeen, Glenflesk and many other areas in his MD were adversely affected by flooding and he asked that Kerry County Council would assist these areas. Tidy Towns groups do great work and he called for the use of CCTV cameras to address the problem of illegal dumping.

Cllr. D. Grady welcomed the work carried out in 2016 in cleaning rivers but expressed disappointment that funding was not provided in 2017 to continue this work. Further work needs to be urgently done near the Flesk Bridge. Since pay by weight was introduced the amount of illegal dumping has increased and he called for the appointment of a Litter Warden for Killarney.

Cllr. B. Cronin stated there is great potential now that there is a direct air service to and from Germany. Killarney always had great links with Germany with the Liebherr Factory that employs almost 1,000 people. Both he and Cllr. Gleeson met a visiting group from Lieberhausen who informed them they celebrate an Irish day each year in their town and they would be interested in creating further links with Kerry and Ireland. At the recent meeting in Killarney regarding the UNESCO Biosphere Reserve he asked if there would be an extension to the reserve or the buffer zone and if it would impact on farming, planning permission,

percolation tests for planning applications or river maintenance. He was advised there would be no changes to environmental requirements and he called on management to confirm this.

The Chief Executive advised it is hoped that the Master Plan for the Island of Geese will be completed by the end of the year by which time the demolition of the Denny Factory will be completed. There has been a lot of engagement on the Town and Village Renewal Scheme and she was satisfied with the high level of engagement with communities and it will not be necessary to extend the closing date. However, if a community wants to make an expression of interest they should contact Niamh O'Sullivan. There will be projects coming through FLAG. She referred members to Page 5 of the Chief Executive's Report where it states that Kerry County Council in conjunction with NPWS will have a submission formulated to retain the current UNESCO Biosphere accreditation for Killarney National Park and the surrounding area. The retention of this accreditation involves no new designations and will not result in any additional constraints for land owners. The Chief Executive confirmed that the Council does equality proof our main policies. The LCDC will update members on the expected dates for the 2nd call for LEADER funding. The additional funding received to deal with waste will be targeted at areas where specific issues have arisen. There has been a high level of take up of the recycling bags at Transfer Stations and there was a €0.5m shortfall because of the market. The Chief Executive undertook to establish if an additional meeting could be held in Castleisland. In conclusion, she also undertook to consider Pay by Text.

Cllr. B. Cronin asked if there will be an extension of the UNESCO Biosphere Reserve as the maps circulated show a buffer zone.

Mr. M. Scannell advised members there will be three areas in the Biosphere Reserve (1) Core which is the National Park, (2) Buffer zone and (3) Transition area. The other biosphere area in Ireland is Bull Island and Dublin city is the Transition area and there are no restrictions in the Transition area. The broader area will be educated on the Core area. He also asked if there would be any restrictions in the Buffer zone and Transition area and he was informed there would not be any restrictions other than existing EU designations.

Cllr. D. Quigg asked if farmers could have this clarification in writing.

Cllr. J. Healy-Rae stated the UNESCO site is the same as last time but are the Buffer and Transition areas the same as heretofore.

Cllr. P. Daly asked that a letter would issue to Irish Water regarding the sewerage in the big river and he further asked that works would be completed to Shaws while work is ongoing at the Mall.

Mr. M. Scannell advised under the old UNESCO Biosphere designation there was no buffer or transition area. These are broader areas that include the Reeks and Caragh areas. These areas are included solely for education purposes.

The Chief Executive welcomed the opportunity to educate people in the broader area and added that this designation is very important for Kerry from a tourism point of view. There will be no additional restrictions on land owners as a result of the designation.

17.05.15.04 Housing Update

Mr. M. O'Donoghue referred members to his report dated 11th May 2017 on this item which was circulated and he briefed them in detail on the report under the following headings:

- Repair & Leasing Scheme – application forms available from 17th May, closing date 1st June.
- Housing Capital Programme
- Housing Support Grants
- Housing Circular 17/2017 – Summary of Social Housing Assessment 2017
- Easy to Read Guide to Filling in the Social Housing Support Application Form
- Housing Circular 11/2017 – Mortgage to Rent Scheme for Borrowers of Commercial Private Lending Institutions
- National Oversight and Audit Commission – A Review of the Management and Maintenance of Local Authority Housing
- Housing VOIDS – Vacant Properties
- Energy Retrofitting.

Cllr. T. Ferris asked what safeguards are built into the Repair & Leasing Scheme if a landowner needs to sell or move into a property himself. She asked if Kerry County Council is approved for a maximum of 17 properties under this Scheme. There is a housing crisis in Kerry and it is not being adequately addressed. In conclusion Cllr. Ferris asked if the Tenant Purchase Scheme is either being replaced or suspended.

Cllr. D. Grady asked if funding from the Capital Account of the former Town Councils can be used for repairs etc. He would welcome changes to the Tenant Purchase Scheme as the current Scheme is unfair.

Cllr. S. Locke advised that the application form for the Tenant Purchase Scheme stipulates that the tenant must have paid water charges to qualify to purchase their house. As water charges no longer apply he asked can this be excluded from the application form.

Mr. M. O'Donoghue informed members that the lease arrangement is a formal contract and Kerry was sanctioned for an initial tranche of up to 15 units under the Repair & Leasing Scheme. No update on the Tenant Purchase Scheme was received from the Department recently however the Government carried out an extensive review of it at which time Kerry County Council made a submission including the concerns expressed by members. He anticipated an outcome from this review in due course. Capital funding can only be used for the purpose sanctioned by the Department.

Cllr. M. Kennelly welcomed the Repair and Leasing Scheme and asked if any applications were received to-date.

Mr. M. O'Donoghue stated no applications were received to-date as the application process only commences on Wednesday 17th May.

Cllr. Kennelly asked if it was intended to house applicants in villages with a view to renewing them. He added that repairs to older housing stock are taking months and he asked what the reason for the delay is.

Cllr. J. Moloney requested a report on the properties purchased by the Council in private estates etc.

Mr. M. O'Donoghue stated it is a stipulation in the Tenant Purchase Scheme that an applicant must have paid water charges but he undertook to seek clarification from the Department on it. The release of information on properties purchased is under review nationally in the context of Data Protection. The Data Protection Commissioner recently engaged with local authorities and this is one issue being addressed. The aim of the Repair & Leasing Scheme is to make additional units available, to address dereliction and to renew towns and villages if suitable units are available. There have been problems in North Kerry in getting builders to carry out works and concerns have been expressed regarding the capacity of the private market to deliver.

Cllr. D. Grady requested an update on proposals submitted some time ago for turn key developments.

Mr. M. O'Donoghue advised that a number of projects are with the Department for final sanction while a number are in the planning process and his Department is engaging with developers on others.

The Cathaoirleach highlighted that there is a serious housing crisis in Dingle and employers cannot get workers as they cannot source accommodation. He asked if floating accommodation could be located at the Quay in Dingle.

17.05.15.05 2016 Kerry County Council Annual Report

Mr. L. Quinlan referred members to the 2016 Kerry County Council Annual Report and stated the Draft was considered at the April meeting and it was now before Council for formal adoption. It is intended to formally launch the Report on the day of the June Council Meeting.

On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. M. Gleeson it was unanimously agreed to adopt the 2016 Kerry County Council Annual Report in accordance with Section 221 of the Local Government Act 2001 as amended by the Local Government Act 2014.

17.05.15.06 Report on the Tourism, Arts, Culture and Recreation SPC

It was agreed to note Cllr. R. Beasley's written report on the meeting of the Tourism, Arts, Culture and Recreation SPC held on the 19th April 2017.

17.05.15.07 Report on the Operations SPC

It was agreed to note Cllr. M. Kennelly's written report on the meeting of the Operations SPC held on the 5th May 2017.

17.05.15.08 Approval for the opening of Tenders

- (a) On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. P. McCarthy it was agreed to approve the opening of Tenders for Consultancy Services for the Construction of 7 No. Dwelling Houses and Associated Siteworks at Listowel – Closing date: Wednesday 17th May 2017 at 3pm.
- (b) On the PROPOSAL of Cllr. M. O'Shea, SECONDED by Cllr. M. Cahill it was agreed to approve the opening of Tenders for N70 Kilderry Bends Improvement Scheme – Archaeological Consultancy Services Contract Stage (i) – (iv) – Closing date: Friday 2nd June 2017 at 2pm.

The Cathaoirleach thanked Mr. P. Curry and the staff of the NRDO for progressing Kilderry Bends Improvement Scheme and added that he hoped construction would commence later in 2017.

**17.05.15.09 Presentation on the impact of Lymes Disease by
Ms. A.M. O'Connor**

Ms. Anne Marie O'Connor read the following statement into the record of the meeting.

“Firstly I want to thank you for giving me the opportunity to be here today. I am here to offer my husbands struggle with Lymes disease and also to give you a perspective on behalf of other patients like my husband who are experiencing difficulties of the diagnosis and treatment of this horrible disease.

Peter first got sick 6 years ago after getting a bite from a tick. He had the classic bulls eye rash on his arm but 6 years ago my husband or I knew very little if anything about the disease which was about to change our lives. 2 weeks after getting bitten, Peter was rushed by ambulance to Kerry University Hospital with chest pain which we thought was a heart attack but after a weeks stay and having various tests including an angiogram, doctors could not find any thing wrong with him and he left the hospital undiagnosed with anything. The following few months his health continued to steadily decline with a mixture of symptoms ranging from blurred vision, pins and needles in his arms and legs, body weakness and chronic fatigue, Countless trips to our GP and doctors still could not understand what was wrong. At one point a doctor told him it must be depression and told him to go and seek counselling and prescribed anti-depressants. As the months progressed into years his health problems continued to get a lot worse which resulted in him having to give up work as he was in bed with chronic pain most of the days. It was heart breaking to see a person of 51 who was so fit and healthy going through such terrible pain. I was at my wits end with worry and I didn't know who to turn to for medical help. I asked my GP to do a lymes test, in the hope that it might shed some light on things, which he did and it came back negative. So as I thought he doesn't have lymes. We were referred to a neurologist in Kerry and she organised a muscle biopsy, which was negative. The MRI was negative, and countless other unnecessary tests, all came back negative. I mentioned lymes disease to her and she disagreed with me stating that it is more likely that my husband has Motor Neurons. This was a misdiagnosis that totally shattered our world and we spent weeks fearful for his future until one day a friend of my husbands had been watching a documentary named 'Living with Lymes' and had suggested my husband watch it as he said, 'watching the people on it with Lymes disease was like watching you Peter'.

This was a programme that put a little light at the end of a tunnel for us as we could see from the programme that our Irish Testing System is not at all accurate. So we sent his bloods to a German Lab for testing and low and behold they came back positive for Lymes disease and three co-infections. But little did we know that that German positive test result was not recognised here in Ireland and no treatment would be offered on the basis of it. I showed this result to our GP and neurologist and requested that another Irish test be done. But this time I asked for it to be sent to Portadown, and finally after 6 weeks it came back stating he was positive for Lymes.

Now the big problem started to arise, how to get proper treatment here? Two weeks of an antibiotic was all that was offered to him from our Irish Health System, two weeks would probably have been sufficient as treatment when he first got the tick bite and the bulls' eye rash, but after 6 years of this deadly disease being in his system, two weeks is definitely not enough to cure you. Documentation is available which demonstrates that short courses of antibiotics fail to eradicate lymes and lots of people end up with long term problems as a result of this.

We found a Lyme literate infectious disease doctor who was willing to treat my husband in Ireland with long term oral antibiotics. He is on this treatment since December 2016 but he is not tolerating this treatment. We have been advised that long term IV treatment is what he requires to recover but we will not be offered this treatment here in Ireland so we are left with no other option but to go abroad for treatment to save his life. I feel very angry about this, as an Irish citizen we should have this treatment available to us in Ireland and not have to travel for it. In Ireland doctors are forced to treat patients with chronic Lymes for a restricted time only. This is proved to be unsuccessful and patients continue to have symptoms. I don't know what the future holds for my husband's health and for many others like him but I hope the powers that be start to listen to us.

Question I would like answers to;

- I would ask why the proven most accurate test is not used as medical standard. Why use a test with a high false negative factor, when an alternative is available?
- If you have symptoms of Lymes disease, Western Blot Testing should always be available as a second test, despite a negative result on the Elisa Test. The common Elisa Test, which is the one you commonly get at the GPs office, misses 35 to 60% of proven Lymes disease, whereas the Western Blot finds about 60% of chronic infected patients. Why are we not using Western Blot Tests?
- We must acknowledge foreign tested and clinically diagnosed patients here in Ireland. Patients should not be turned away for not having an Irish positive test result, what Irish patients have to endure here because they do not have an Irish positive result only a foreign one is to the point of scandalous.
- The risk of contacting Lymes disease is rapidly growing and Kerry seems to be a high risk area. This risk is strongly correlated by the high number of deer in Kerry, a problem that has to be seriously addressed.
- A lack of public awareness and awareness by our medical professionals means that patients are going undiagnosed and mis-diagnosed. This I

should think demands an educational effort to make the public aware. Public signage on parks and wooded areas is a must. We have a world class medical facility in Ireland and we should put it to use to research more accurate testing to put Ireland in the lead on this fast growing vector borne global epidemic.

Finally I will close and thank you all for giving me the time to address these issues. I am not just doing this to help my husband but to help the many other Irish patients suffering from this deadly disease. Our government needs to make changes and the HSE need to listen.”

All members thanked Ms. O'Connor for her excellent presentation and the insight into the lives of patients living with this disease and they wished her and her husband well for the future.

The Cathaoirleach also welcomed Ms. O'Connor's daughter and sister in-law to the meeting and added that her presentation was important to raise awareness among members of the impact of Lymes disease. The Health Service must acknowledge and provide appropriate services for those suffering from this disease.

Cllr. M. Cahill stated in 2010 he met a lady in Beaufort whose husband was suffering from Lymes disease and he was aware of 3 other cases. Families want to raise awareness of this disease among the general public. He called on the Minister for Health to establish a dedicated Lyme disease treatment unit and he also called on the media to highlight the impact of this disease.

Cllr. P. Connor-Scarteen stated he was aware that Lymes disease is very debilitating. Many people walk in the National Park and other wooded areas and they need to be aware of the dangers of Lymes disease. Deer carry the ticks and appropriate signage should be provided to warn the public. It is unacceptable that patients must travel abroad for treatment and the Department of Health should provide appropriate treatment.

Cllr. J.J. Culloty highlighted that he moved a Notice of Motion at the March meeting calling on the NPWS to provide appropriate signage. There are simple preventative steps that walkers can take to protect themselves and these include putting the legs of their pants inside their socks. The number of deer must be controlled as they carry the tick that transmits Lymes disease. The National Park is an important tourist attraction but this very serious issue must be highlighted.

Cllr. J. Finucane commented that it was amazing that the results of tests analysed in Europe are not recognised in Ireland. Surely patients can be treated abroad through the Treatment Purchase Scheme. The health system must respond positively to the need for suitable treatment for Lymes disease and the treatment is more effective if the illness is diagnosed early.

Cllr. B. Cronin stated Ms. O'Connor outlined a catalogue of bad/wrong diagnosis and as a result a lot of time was lost in treating her husband. A number of Kerry County Councillors are on the HSE Regional Health Forum and he advised that they would submit a Notice of Motion calling for a more accurate testing system to be put in place. Kerry has a high incidence of Lyme disease as a large number of people walk the countryside and for this reason signage and information for the general public is critical.

Cllr. N. Kelleher stated the documentary 'Living with Lymes disease' was frightening but it has done a service in highlighting the plight of patients living with the disease. The dangers of Lymes disease should be highlighted to secondary school students.

Cllr. M. Gleeson advised that to receive a misdiagnosis of Motor Neuron is dreadful. It is vital that all doctors are educated so that they recognise the disease. Lymes disease is not transmitted just by ticks but it can also be transmitted by some smaller creatures. There is a recommended way to remove the tick and there is a need for an education campaign at medical, individual and pharmacy level to ensure the disease is recognised at an early stage.

Cllr. D. Quigg concurred that awareness of Lymes disease should be part of the education process. The HSE tend to be reactive rather than proactive. He called for a reduction in the number of management layers in the HSE and that the resultant savings could be used to provide better services. Cllr. Quigg also undertook to raise this issue at the Regional Health Forum.

Cllr. S. Locke highlighted that a lot of people in Kerry take part in outdoor activities and they are unaware of the dangers of Lymes disease. The diagnosis process is not acceptable and must be addressed. Signage should be provided around the county on how to deal with the tick if a person is affected.

Cllr. D. McCarthy welcomed the briefing on Lymes disease and asked that more signage would be provided around the county.

Cllr. J. Sheahan stated he knew a person who was recently diagnosed with Lyme disease but the diagnosis took some time. There is a need to upskill GPs and all medical staff so that they are familiar with Lymes disease.

Cllr. M. Kennelly stated he knew a patient who had to go to Germany to get tested for Lymes disease. Unfortunately the test used in Ireland is not accurate and there is an urgent need for a public awareness campaign and he called on the Department of Health to take immediate action on this.

Cllr. N. Moriarty stated as the current test for Lymes disease is so inaccurate the HSE should not longer use it and they should use a more accurate one. The

NPWS and Kerry County Council should address the issue of appropriate signage. The public should be educated on the dangers of Lymes disease and she called on Kerry County Council to utilise their website to promote public awareness.

Cllr. D. Grady advised that he knew a person with Lymes disease who had to go to Germany for treatment. He understood RTE will show the documentary 'Living with Lymes disease' shortly and this will help to raise awareness among the general public. Public information notices should be displayed in all GP offices but that is not the case at present.

Cllr. N. Foley stated there are two issues involved i.e. testing and awareness. The issue of signage was highlighted a few months ago and all public buildings including schools should have an information campaign. It is imperative that the testing is accurate. Cllr. Foley advised that Ms. O'Connor had done a great service by highlighting this issue.

Cllr. J. Healy-Rae stated the lack of information by the HSE and the fact that patients must travel out of the country for treatment is unacceptable. Kerry County Council should run an information campaign on Lymes disease.

Cllr. A. Thornton requested details of the service available in Germany for patients suffering with Lymes disease.

Ms. O'Connor thanked members for their time and the opportunity to address them. She hoped some progress would be made as a result of her presentation. Her husband attended Kerry University Hospital the previous week and was offered IV treatment but unfortunately following one treatment it was stopped as his positive test result came from outside the country. At that time her husband had 4 positive test results but if the test is done in Cork it will be negative. She asked that it would be sent to Portadown but this was refused.

The Cathaoirelach then moved Notice of Motion No. 3.

3. Call to alert people of the dangers of contracting Lyme Disease

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

To ask that Kerry County Council will write to the Parks and Wildlife Services, Coillte and the HSE to ask what are the State services doing to alert people of the dangers of contracting Lyme Disease, whilst partaking in recreational activities.

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

Cllr. O'Shea asked that a letter would issue to the HSE on this very serious issue and he assured Ms. O'Connor that the members of Kerry County Council on the Regional Health Forum will raise it at the Forum.

The Cathaoirleach then left the meeting.

Cllr. J. Finucane took the Chair.

17.05.15.10 Presentation by Mr. Philip King of Other Voices

The Cathaoirleach welcomed Mr. Philip King of Other Voices to the meeting and invited him to make his presentation.

Mr. P. King thanked members for the opportunity to address them. He grew up in Cork city and in the late 50's or early 60's his father bought a radio and this was the first piece of technology that gave him contact with the outside world. It had a remarkable influence on him. It nourished him and gave him the impetus to set out on the journey he has been on for the past 40 years. On the radio, he heard music from America while in the cinema he saw James Deane movies etc. It was not long before he realised the way America colonised the rest of the world. In 1966, he came to West Kerry and fell in love with the place and he always wanted to come back. Sean Ó Riada and Sean Ó Riordáin live on through their music and poetry. 22 years ago, he moved with his family to West Kerry and while so much has changed the tradition remains important to the people.

Mr. King asked what assets Kerry has to differentiate us for the challenging road ahead. He recently met Mr. Liam McGrath of DCU in a government department and he expressed concern that Ireland does not have the talent to meet future demands. We must consider what can be done to produce the intellectual product. Innovators have something in common with artists and we must be careful to naturally replenish that natural resource. Mr. King highlighted that he views tradition as an accelerator. The Creative Ireland project is very important and during the course of discussions the question was asked does Ireland have the necessary talent. Of the 18-people working in digital design in Intercom just one is Irish. The education system should be reviewed and the universities need creative energy on their campus. In Kerry, we have the natural resource in the people and if that could be coupled with the education system and a good broadband service then it would be possible to work remotely. Other Voices and Ireland's Edge make Dingle audible and visible. There is a need for strategic thinking and while tourism is important it is not the only employer in the county. There is a need for a balance so that the county can attract high level employment. There are things in the offing in this county and if we have the sense these things can be realised. We must recognise our talent and become a model that will be replicated all over the country. Legislators must think strategically also. In conclusion Mr. King thanked everyone for the support received for making 'Other Voices' which had 17.5m YouTube hits last year.

The Cathaoirleach and members thanked Mr. King for his inspirational presentation.

Cllr. P. Daly congratulated Mr. King on all he is doing to promote the county.

Cllr. M. Gleeson stated it is important to be careful not to let our culture and traditions die. One of the great weaknesses in this country is our inability to accept failure because its parallel is success. He moved a notice of motion calling for the establishment of a committee comprising of industry and cultural representatives to identify the needs and riches of the county to ensure we have the talent in the county to make dreams a reality.

Mr. King stated people come to West Kerry for a reason. Hozier performed at Other Voices and he takes the story of this powerful inspirational place with him around the world.

Cllr. N. Foley pointed out in Kerry we are naturally blessed to have such talent and art and it is vital to have the ability to acknowledge that and to harness it for more that is important. Mr. King sees the possibilities where others see the impossibilities. Sometimes we need an outsider to point out the potential and value around us. The key is to reach for the shore of possibility and she hoped that would help us achieve greater things.

Cllr. S. Fitzgerald confirmed that West Kerry has scenery, music and culture but industry has changed. He remembers farmers ploughing with horses and turning hay with a pike but all these farming practices are changing and he asked if we are in danger of losing this connection and tradition. In conclusion Cllr. Fitzgerald asked where Mr. King sees Kerry in 50 years.

In response Mr. King stated the fishing and agricultural industries are dissipating but citizens of a community carry on traditions. Many children leave and never come back to their area. However, if we are strategic we can invite those children back to work in a diverse situation. Price Waterhouse Cooper has indicated in 20 years 80% of their work will be done by robots. Technology is fundamentally changing the way we operate and if we do not embrace it, it will leave us behind. Today young people speak of digital loneliness but if people continue to play music together and to talk this will become more important. In Kerry, we have a resource that is remarkable and if we replenish it and marry it with technology it will last into the future.

Suspension of Standing Orders

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

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

17.05.15.10 Presentation by Mr. Philip King of Other Voices (Cont'd)

Cllr. N. Moriarty highlighted that post Brexit and Trump we need deep and broad reflection. Automation is an enormous problem and how to equip people to cope with it. Education is very important together with the need to promote self esteem. Our natural resources must be protected to ensure they continue into the future.

Cllr. J. Healy-Rae stated he grew up in a pub in rural Ireland where he got to know everyone. As a family, they were into music and culture. People are not communicating with one another and they only use mobile phones. Smaller rural communities are struggling to survive but there are many benefits to living in rural Kerry.

The Chief Executive stated Mr. King's vision for the county is fantastic and he has shown how we can deliver. Kerry County Council supports Other Voices and Ireland's Edge as it opens Dingle up to the outside world. It is all about building the reputation of the county and she thanked Mr. King for his presentation and the work he is doing on behalf of the county.

Mr. King highlighted that he recently read in a newspaper article and Ireland's investment in the creative sector is 0.1% of GDP which is the lowest in Europe. This is not good strategic thinking and it is important to invest strategically in this resource. However, he believes the State is now beginning to realise this. Mr. King again emphasised the need to invest in people to deliver the intellectual product. This exists in Kerry and if we develop the right relationships it will be fantastic for the county.

The meeting adjourned for lunch at 1.40pm.

The meeting resumed at 2.20pm.

17.05.15.11 Notices of Motion

Cllr. J. Finucane advised the meeting there were two emergency motions and he called on Cllr. Cronin to move the first one.

Emergency Motion

Cllr. B. Cronin moved the following Emergency Motion.

Lewis Road Junction with Killarney Bye-Pass

At the outset as Cathaoirleach of Killarney MD, Cllr. Cronin extended his sympathy to the Mannix family on the death of Annette last week.

“Following another fatal accident on the Killarney Bye-Pass, adjacent to Lewis Road junction, which has plunged another family into tragic loss and grief and shocked the local community, I am again calling for immediate action to address this lethal section of the Killarney Bye-Pass from the TII Roads Safety Engineers and Senior Roads Engineers of Kerry County Council. We in Killarney MD have for years repeatedly requested changes to this lay out and approaches to these junctions and nothing has happened. We want an immediate meeting with TII and a commitment for safety improvement works.”

Cllr. Cronin advised that all members for the Killarney MD have repeatedly highlighted the urgent need for safety measures at the Lewis Road junction and a number of accidents have taken place there. However, no works were carried out. Cllr. Cronin pleaded with the TII and management to facilitate his request for an immediate meeting with the TII Road Safety Office and senior Council officials. He emphasised the importance of providing cycleways on all roads from a safety point of view.

Cllr. N. Kelleher **SECONDED** the motion which has the unanimously support of all the members for the Killarney MD. The following reply issued to Deputy Brendan Griffin from TII following a Parliamentary Question.

“I refer to your recent parliamentary question to Mr. Shane Ross, T.D., Minister for Transport, Tourism & Sport, regarding the Lewis Road and Kilcummin Road junctions on the N22 Killarney Bypass. The position in relation to your enquiry is as follows:

Proposals in relation to improvement works on national roads are normally developed in the first instance by the relevant road authority, in this case Kerry County Council. Any proposals submitted by the Council in relation to improvements at junctions on the N22 Killarney Bypass would be carefully examined and considered for funding by TII having regard, of course, to the level of funding available for national roads generally and the many competing demands for these resources”.

Cllr. Kelleher stated there are accidents on an ongoing basis at this location and he called on the Director of Services for Operations to arrange to have a plan for this junction drawn up to address the issues highlighted by members.

Cllr. D. Grady advised that he moved a Notice of Motion regarding this junction at a recent Killarney MD meeting and he asked if the letter issued to TII.

Ms. A. McAllen, Manager for Killarney MD confirmed that a letter issued to TII requesting a meeting.

Mr. C. O'Sullivan informed members that a Garda investigation is ongoing and the outcome will be a matter for the Coroners Court. The issues at the Lewis Road junction raised by members in the past were brought to the attention of TII. Following any accident, a review is undertaken with An Garda Siochana and TII.

The Leas Cathaoirleach confirmed that a meeting would be sought with TII.

Cllr. T. Ferris then moved the following Emergency Motion.

Recurring Grant Allocation Programme for Institutes of Technology

“That this Council requests a meeting with the subgroup currently reviewing the recurrent grant allocation Programme for Institutes of Technology. We call for funding to recognise basic function, area costs regardless of the number of students, particularly in more peripheral colleges”.

Cllr. T. Ferris advised there is agreement between all parties that a delegation from the Council would seek a meeting with the sub group and that the motion would be circulated to all local authorities.

Cllr. D. Grady SECONDED the motion.

The Cathaoirleach stated Cllr. Thornton would move Notice of Motion No. 33.

33. Support for Fáilte Ireland's 'Extend the season campaign'

Pursuant to notice duly given Each Member of the Listowel Electoral Area PROPOSED:

That Kerry County Council call on the Minister of State with responsibility for the Office of Public Works and the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs to support Fáilte Ireland's 'Extend the season campaign' for North Kerry by extending the opening seasons for both Carraigafoyle Castle and Listowel Castle and giving much needed support to tourism in North Kerry and it's development of a viable local tourism economy.

The following reply issued:

With the development of the Wild Atlantic Way, visitor numbers, both domestic and international, at Carrigafoyle and Listowel Castle have increased significantly. Both of these attractions form an important part of the tourism offering in North Kerry. Both are included in the North Kerry Heritage Trails brochure and website, developed through the funding of North & East Kerry Development in 2013. Carrigafoyle is a Discovery Point in a highly scenic area on the River Shannon and features in Failte Ireland

promotional brochures for the Wild Atlantic Way. However, Carrigafoyle does not offer a guided experience and its current season finishes at the end of September. There is an opportunity, by extending the opening period to the shoulder season, to increase awareness of the heritage and cultural richness of the area which will over time, help to ensure increased visitor numbers and dwell time in the locality. As well as the extension of the opening period, it must be stated also that the introduction of a guide at Carrigafoyle would also greatly enhance the visitor experience.

Currently Listowel Castle's opening season runs until the end of August. There is no doubt that September/October have in recent years, become an important time on the tourism calendar especially for the culturally curious traveller who likes to visit outside of peak season. September also features Listowel Race Week – a seven day racing festival which attracts huge numbers to the town and surrounding areas from all over the country and overseas. It is an opportunity lost that Listowel Castle is not accessible at this time. Due to its location, the Castle affords visitors the opportunity to explore the town, stay overnight and spend money in local businesses which will in time, lead to a growth in business start-ups and an increase in employment opportunities.

Cllr. A. Thornton highlighted that the tourism season has extended to September or October in particular with Race Week in September. The extension of the season for Listowel and Carrigafoyle Castles is critical for tourism in North Kerry.

Cllr. R. Beasley **SECONDED** the motion and added that Listowel Castle closes at the end of August but Race Week is in September. The extension of the season for Carrigafoyle Castle is important for Ballylongford.

2. Repair of the road from Banshagh to St. James Church, Killorglin

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

That this Council request that TII supply immediate funding to repair the sections of the main N70 road from Banshagh, Killorglin to St. James' Church in Killorglin and also from Waterville Church to Waterville Village. These two sections of National roads are now the worst in the country.

The following reply issued:

Kerry County Council has recently secured confirmation from the T.I.I. to prepare pavement design reports and drawings for the N70, from the recently completed Iveragh Road to the Laune Bridge, and on the N72 towards Killarney. The Council is in discussions with the T.I.I. to incorporate a cycleway/ footway on the N72 as part of this project, and as previously requested by the members in the South & West MD.

The Council has also highlighted the need for pavement improvement works on the N70 from the Laune Bridge towards Bansagh. The T.I.I. have indicated that they will review our request in the context of available funding and this will be raised again at our next meeting.

Pavement improvement works to sections of the N70 at Tahilla, N70 north of Caherciveen, on the N72 at Kilbonane have commenced recently. A further request has been made to the T.I.I. for the section of the N70 from Waterville Church to Waterville. The condition of this section of the N70 will be brought to the attention of the T.I.I. again.

Cllr. D. Quigg highlighted he has raised this issue on a number of occasions in the past. Members went on a deputation to TII but to little avail. He believed roads, housing, health services etc. in Kerry are not being improved and this is not acceptable.

Cllr. N. Moriarty **SECONDED** the motion and stated at least 5 or 6 locations could be added. She called on TII to publish a works programme with a timeframe as these roads are impacting on the lives of the people of the areas.

Cllr. M. Cahill advised all members raised the problems with the road from Astellas to Killorglin town which is in a dreadful condition.

Cllr. J. Finucane stated the Minister for Transport would be invited to visit Kerry and to arrange for officials from TII to accompany him and to meet with councillors and officials.

4. Japanese Knotweed

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

That the Council would detail the degree of progress being made towards the identification of all the Japanese Knotweed sites in the County and of the proposed schedule of treatment towards elimination of the plant and that it would state how it proposes to interact with landowners into whose property this weed has spread. That the Council would also, in the overall context of Invasive Species, seek to determine from the NPWS the progress being made towards the elimination of the Rhododendron scourge within the beautiful Killarney National Park.

The following reply issued:

The Council has been active in promoting public awareness to prevent the spread of Japanese Knotweed. We have also carried out a number of initiatives to prevent its spread, particularly on our own lands. These include:-

- **Treatment of Japanese Knotweed on our national road network and large infestations on some of our non-national roads,**
- **Working with local communities on pilot treatment projects,**
- **Training staff and hedge cutting contractors on the identification of Japanese Knotweed**
- **Surveying locations and erecting signage to prevent cutting and spread**
- **Issuing information to over 5,000 landowners with the annual hedgecutting reminders, of the impact of the invasive species on homes and other structures, if not properly controlled.**

There have been numerous surveys carried out by volunteers, which has identified a very extensive spread of this invasive species throughout the county, primarily along rivers. Given the extent of the species, it would be extremely challenging for the Council to eradicate it. However, our Biodiversity Officer, Ms. Cathy Fisher, and local Area Engineers provide advice to local communities and individuals on the treatment of Japanese Knotweed on private lands and we will continue to support these communities in addressing the spread of the species, as well as continuing treatment along our road network.

This Council will write to the NPWS to seek an update on the issue of Rhododendron in Killarney National Park.

Cllr. M. Gleeson highlighted that Japanese Knotweed is growing on the approach to Firies and Ballyfinnane Cross. It is also growing in a raised flower bed in Killarney and he asked that it would be marked to prevent it from being cut. Most Japanese Knotweed is transported by Council lorries at road works and it has spread onto private property. Cllr. Gleeson called on management to consider running an information campaign for the public on Japanese Knotweed. If this does not happen the cost of removing it will escalate hugely with time.

Cllr. J.J. Culloty **SECONDED** the motion and added a lot more needs to be done to eradicate Japanese Knotweed. There needs to be ongoing interaction with the public also.

Cllr. Gleeson then moved Notice of Motion No. 19.

19. Macroom to Baile Bhúirne By-pass

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

That this Council would provide an update to the Members on the progress being made by TII towards the development of the By Pass road from Macroom to Baile Bhúirne and also in the matter of the long awaited Adare By Pass.

The following reply issued:

The T.I.I. has advised of the progress on the above schemes as follows:-

The Baile Bhuirne to Macroom Scheme is in the Capital Investment Plan and the delivery of the contract is being managed by Cork County Council, who are the administrative road authority. The lands for the scheme are currently being acquired. Advance Works Contracts are underway to carry out site clearance and to erect the scheme fencing. The availability of the necessary funding will determine when the Tender can be published for the Main Contract.

The Adare Bypass is also included in the current Capital Investment Plan and the delivery of the contract is being managed by Limerick City and County Council, who are the administrative road authority. It is being developed as part of the N69 Foynes to Limerick scheme which is also part of the Capital Investment Plan. Environmental studies/ Investigative works are nearing completion on the ground. It is envisaged that the CPO/EIS documentation will be prepared by the end of 2017.

Cllr. M. Gleeson highlighted that Kerry is dependant on the good will of Cork and Limerick to pursue the bypasses for Macroom and Adare. The people of Kerry, tourists and business people have had to endure the torment of travelling these bad roads and he pleaded with the Chief Executive to pursue these issues with her colleagues in Cork and Limerick and with TII.

Cllr. N. Kelleher **SECONDED** the motion and added these bypasses are extremely important for the county. A significant number of Kerry people work in Cork and it is important that these projects are delivered.

The Cathaoirleach, Cllr. M. O'Shea returned to the meeting and took the Chair.

5. Anomaly of places being used for post codes and addresses which are not appropriate

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

That Kerry County Council call upon the Department of Communications, Climate Action and Environment to rectify the anomaly of places being used for post codes and address which are not appropriate.

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

Cllr. P. Connor Scarteen advised that some postal addresses do not make any sense and are in fact misleading. There are many examples of this in South Kerry including Castlecove which has a postal address of Killarney but it is over an hour from Killarney. People are proud of their parish and townland and they hoped their postal addressed would change to reflect their location more

accurately with the introduction of Post Codes but that did not happen. Tourists arrive in Killarney and believe they are at Lauragh as the postal address is Lauragh, Killarney when it should be Lauragh, Kenmare. Cllr. Connor Scarteen requested that a letter would issue to the Minister for Communications calling on him to address this issue.

Cllr. D. McCarthy **SECONDED** the motion.

Cllr. J. Healy-Rae highlighted that he raised this issue at MD level on two occasions. It makes no sense that people living 60km away are associated with another town and it causes great confusion.

6. Call to clear more sections of the Flesk River

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

To ask Kerry County Council and the TII to clear more sections of the Flesk River where bushes and mounds of silt are blocking the flow of the water. This work should be done now while the season is open for it, it is vital, as we may not be as lucky next Winter as we were in the previous Winter and the risk is still there that many homes will be flooded again.

The following reply issued:

The clearance of the River Flesk has been the subject of a number of motions moved at Council meetings and at the Killarney Municipal District Meetings, most recently at the February meeting in Killarney, and at which the following response was given:-

“The responsibility for the maintenance of rivers which are not in the control of the OPW or Kerry County Council lies with the riparian landowners. The River Flesk is not under the control of the OPW or Kerry County Council. However, the Local Authority has responsibility to ensure bridge infrastructure is not damaged as a result of blockages on streams and rivers. Considerable work has been carried out in the removal of material in the vicinity of bridges in the Glenflesk area, notably at Glenflesk Church, Annabeg Bridge, Garries Bridge and Gortacoosh Bridge, following consultation with the Fisheries and Wildlife Services, and these bridges will continue to be monitored for potential blockages.”

The TII has no responsibility for the maintenance of rivers and their functions are clearly defined under the statutory provisions of the Roads Acts, 1993 – 2015, which are solely in relation to the national road network. As part of any significant national road improvement scheme, the TII require that an assessment of such works on the existing drainage network be carried out. It is on this basis that consultants have been retained to examine any potential impact of addressing the flooding of the N22 at Garries bridge, near Glenflesk.

Cllr. M. Healy-Rae confirmed that the clearing of bridges carried out over the past year made a big difference however it is important to be mindful that there were no big floods last winter or spring. 16 houses at Foiladuane are prone to flooding and there are 2 or 3 other areas where the river is blocked and she asked that they would be cleared. Cllr. Healy-Rae asked when the consultants report would be published and she stated the level of the road cannot be raised.

Cllr. J. Healy-Rae **SECONDED** the motion and stated Kerry County Council is responsible for roads and bridges. While the work carried out over the past while is welcome residents are concerned if the level of the road is risen it will result in further flooding in the valley. Cllr. Healy-Rae called on management to resolve this issue before the winter.

Cllr. N. Kelleher supported the motion and asked that members would be provided with a copy of the consultant's report when it is available. Rock armour was put in place in a part of Foiladuane but more is needed. There are several locations where the river is blocked and these need to be addressed as soon as possible.

7. Dress Code for all Dáil and Council Members

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

That this Council calls for a dress code to be introduced for all Dáil and Council Members in order that they respect the office that they hold.

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

Cllr. P. McCarthy advised that he submitted the motion following his observations of Dáil Debates. TDs who do not dress appropriately are disrespectful both to the Dáil and the people they represent. This is not a reflection of the majority of TDs and he was aware that the Dáil Ethics Committee is reviewing a number of issues including the dress code. Cllr. McCarthy asked that Kerry County Council would consider a suitable dress code for Council Meetings. If the motion is agreed he asked that it would be circulated to local authorities.

Cllr. D. McCarthy **SECONDED** the motion.

Cllr. T. Ferris stated it is not for the members of Kerry County Council to make a determination on what a Dáil Committee must do. In relation to a dress code for the members of Kerry County Council she believed all members appreciate the honour it is to be elected and they respect their position on the Council. With the abolition of Town Councils members divested themselves of a formal dress code. Cllr. Ferris opposed the motion.

Cllr. D. Grady highlighted that some TDs are not dressed appropriately and he concurred with the motion. The members of Killarney Town Council had a blazer and pants which was smart and he PROPOSED that a similar dress code would be adopted for Kerry County Council.

Cllr. J.J. Culloty also supported the motion.

Cllr. N. Foley advised that members should be and are more than the sum of their apparel. There has been a blurring of the lines and leisure wear is just that. She did not agree with the proposal to have a uniform.

In response Cllr. P. McCarthy stated he did not advocate that Kerry County Council should dictate the Dáil Ethics Committee but rather he asked that the Council's Ethics Committee would consider a dress code.

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

For: Cllrs. Cahill, Connor-Scarteen, Cronin, Culloty, Fitzgerald, Grady, Kelleher, Kennelly, Lucid, D. McCarthy, P. McCarthy, McEllistrim, Moloney, Sheahan, O'Shea **(15)**

Against: Cllrs. Beasley, Ferris, Foley, J. Healy-Rae, M. Healy-Rae, Moriarty, Quigg **(7)**

Not Voting: None **(0)**

The Cathaoirleach declared the motion CARRIED.

8. Circle of North Kerry

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

That Kerry County Council in conjunction with the Wild Atlantic Way approve of a circle of North Kerry coming from Tarbert into Ballylongford, Astee, and Ballybunion on to Ballyduff, Causeway and Ballyheigue including Ardfert, Tralee and out by Listowel and have the route mapped out in brochures in conjunction with Failte Ireland.

The following reply issued:

This project would greatly help to promote North Kerry as a tourism destination showcasing the beautiful beaches, cliffs, walks, activities, heritage and cultural attractions and also its many welcoming towns, villages and communities. A review of the Wild Atlantic Way programme is due to be carried out by Failte Ireland later this year and as part of the review, the development of loops off the Wild Atlantic Way will also be considered. The Tourism Unit will be proposing this North Kerry project to

Failte Ireland as an attractive addition and destination for inclusion in their extended Wild Atlantic Way Development Programme.

Cllr. R. Beasley welcomed the reply.

Cllr. J. Lucid SECONDED the motion and highlighted that the Circle of North Kerry should be advertised as part of the Wild Atlantic Way.

9. Call for the reinstatement of the telephone allowance

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

That we write to the Minister for Communications, Denis Naughten requesting the reinstatement of the telephone allowance which was abolished by the last Government. This has had a detrimental effect on the numbers of elderly people taking up the panic button activated seniors alert system. They must have a landline in order to avail of this service fully.

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

Cllr. Moriarty highlighted that the Telephone Allowance was discontinued a number of years ago and it is impacting adversely on people who want to avail of text alerts. If they live in an area with poor mobile phone coverage they need a landline. She called on the Minister for Communications to reintroduce this allowance.

Cllr. M. O'Shea SECONDED the motion.

10. Appreciation of the dedication and effort of the staff of Kerry County Museum

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

That this Council appreciates and commends the dedication and effort of the staff of Kerry county museum involved in planning and producing family events throughout the year.

The following reply issued:

The sentiments expressed in this Notice of Motion which is a matter for resolution of the Members are welcomed. In 2012 Kerry County Museum reversed an overall downward trend in visitor figures by concentrating on growing our audience during the off-peak months. Since then, we have managed to retain and grow that audience by developing imaginative low cost programmes for schools and families. The Museum has also taken full opportunity of small grant funding from the Department of Arts, Heritage and the Gaeltacht, and from the Heritage Council. This has given the Museum the capacity to devise and implement programmes on a scale that has sustained our visitor numbers. And it is sustainable growth because it

taps into an audience that is right on our doorstep twelve months of the year.

For the past five years the Museum has transformed the Medieval Experience at Easter, Halloween and Christmas into a magical, creative space for schools and all the family. Each holiday event attracts on average over 2,500 local families and schools. At the heart of our strategy is giving visitors to the Museum, both local and non-local, a sense of place. This involves recognising that our visitors are not passive, and that the Museum is a resource to be used by them to gain an understanding of the distinct culture and heritage of County Kerry.

Cllr. T. Ferris highlighted that the staff at the County Museum run many of these family events during their own time. They create a magical experience for children and they must be commended for their efforts. The County Museum should receive greater financial support to keep history alive.

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

11. Calling on car rental companies to ensure all rental cars have a spare wheel

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

That we at Kerry County Council ask the relevant authorities that car rental companies ensure that all rental cars are equipped with a spare wheel.

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

Cllr. D. McCarthy stated he recently encountered a tourist who sought his help as he had a puncture in his hired car. As there was no spare tyre it took 4 hours to get someone to come and repair the puncture. Cllr. McCarthy called on all car hire companies to include a spare wheel in hired cars.

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

12. Call to repair and surface dress all roads leading to beaches

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

To call on Kerry County Council to repair and surface dress all the roads leading to beaches in Kerry for the benefit of the locals and tourists.

The following reply issued:

The condition of the roads leading to our blue flag beaches and major beaches have been inspected and are all considered to be in good condition.

In developing the roads programme for 2017, and in particular the non-national roads to be funded from the Restoration Improvement programme and the Restoration Maintenance programme, priority was given to identifying local strategic routes in need of upgrading, having regard to the economic and social development of the county, including access routes to our blue flag beaches as well as other major beaches and tourist attractions. This plan was adopted by Council in March.

There is no specific funding available to surface roads, outside of the adopted Roads programme. However, if there are specific roads, identified by the members, these will be maintained and can be considered in the 2018 programme.

Cllr. T. McEllistrim welcomed the reply but highlighted that some roads lead to smaller beaches and he referred in particular to the road leading to Cappaghclough Beach at Camp which is in a poor condition. As summer approaches Cllr. McEllistrim called on the Operations Department to inspect all roads leading to beaches and to carry out repairs if necessary.

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

13. Process in the allocation of houses

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

Can Kerry County Council clearly outline each stage of the process involved in reaching a decision to allocate a house to a person who has applied to Kerry County Council for housing, how their personal information is dealt with and how a successful applicant is notified.

The following reply issued:

- **When an application for social housing supports is received it is first checked to ensure that the household is eligible to apply for social housing supports. There are four eligibility criteria:-**

- i. Household Income less than €30,000 - €36,000 depending on household composition**
- ii. Residency status**
- iii. Alternative accommodation available**
- iv. Rent arrears**

If the application fails to meet any of the above criteria then the application is closed and the applicant(s) advised accordingly.

- **Once the application has been entered on our records it is then assessed by the Housing Investigations Officer in order to qualify and categorise the household's housing need in accordance with our**

adopted Social Housing Allocation Scheme 2011. This scheme sets out the manner in which dwellings will be allocated and the order of priority that shall apply to same.

- **All qualified applicants are then placed on the appropriate housing waiting list as per their household need and areas of choice.**
- **The applicant(s) are notified of the council's decision as to whether they are qualified for inclusion on the housing waiting lists. All information provided by the applicant(s) including application form etc. is placed in their housing file and stored in the housing office.**
- **When a property becomes available for letting/re-letting in an area, the Housing investigations Officer will consider all qualified applicants, having regard to our Social Housing Allocation Scheme, in that area of choice. A recommendation based on the household with the most need for the property is then forwarded to Housing Management for consideration and decision. A request for a Garda check is simultaneously submitted for all adult members of that applicant household.**
- **When the decision to allocate is approved by Management an offer letter is then issued, subject to the applicant household having a clear Garda Check, by registered post.**
- **However, if any member of the household fails to pass the Garda check then the offer is not issued and the application is placed on stand-by.**
- **The applicant(s) are normally given five working days to respond.**

All personal information/ data supplied in support of the Housing application is processed in accordance with Data Protection legislation/ guidelines and legalisation generally and only processed for the purpose of which it was provided to the Council – in conjunction with the Housing application and related processes. These processes on occasion involve third parties (e.g. Garda checks, Approved Housing Bodies etc). Such personal data or information cannot be provided to third parties except in accordance with the law, authorised processes or where the applicant expressly provides consent to do so.

Where representations are made by an elected Representative on behalf of a Housing applicant, in accordance with Data Protection Commissioner advice, the Council can assume consent i.e. the Council can assume the applicant has provided consent to the Council to deal with the representation made.

Cllr. B. Cronin acknowledged the comprehensive reply and referred in particular to the last paragraph of the reply. A constituent advised him recently that a TD got a house for him and this was confusing. Cllr. Cronin asked what role has a TD in the decision making process.

Mr. M. O'Donoghue confirmed that the allocation of local authority housing is an executive function and a TD has no role in this process.

Cllr. Cronin called on the media present to highlight that a TD has no input in the process for the allocation of local authority housing.

Cllr. J. Healy-Rae asked if a TD has the same rights to make representations on behalf of constituents as councillors.

Mr. M. O'Donoghue confirmed that the members of Kerry County Council and TDs can make representations on behalf of housing applicants. Data Protection is very complex and changes must be implemented as a result of EU legislation. At present the Data Protection Commissioner has advised that the Council can assume consent i.e. the Council can assume the applicant has provided consent to the Council to deal with the representation made. However this may change under the new Data Protection Directive. The Data Protection Commissioner made a presentation on this at the last AILG Conference.

14. Use of water reeds for dealing with untreated sewage

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

To ask Kerry County Council to consider the planting of water reeds in Kerry as they are acknowledged as an effective means of water filtration and a treatment plant for dealing with untreated sewage.

The following reply issued:

Wetland Vegetation and Reeds have been in use in the treatment of wastewater for quite a number of years and can be incorporated into a wastewater treatment process in numerous ways.

Reed Beds are a structured arrangement of beds of stone, gravels and sand planted with reeds. Effluent is allowed to flow either vertically or horizontally over and through the gravel beds and bacteria that develop on the surfaces of the granular material and the roots and stems of the reeds break down and treat the effluent so that it can be safely discharged. A Reed Bed system is in operation in Farranfore WWTP

Over the past decade Kerry County Council has also piloted small scale Integrated Constructed Wetlands at Rossbeigh and Cé Bhreannain.

Integrated Constructed Wetlands use a series of shallow lagoons or ponds planted with wetland vegetation. As the effluent passes through the series of shallow ponds, it is broken down and treated by the bacteria which develop on the stems of the wetland vegetation. Integrated Constructed Wetlands discharge little or no effluent in dry weather. For this reason they are ideally suited to situations where the availability of receiving waters is limited. Where generous suitable receiving waters are available, as is regularly the case, the justification for an Integrated Wetland is generally diminished.

Irish Water is also considering developing Integrated Constructed Wetlands at other sites provided sufficient suitable lands can be acquired.

Reed Beds and Integrated Constructed Wetlands have an important place in the Treatment of Wastewater. However they are not the solution in every situation. Reed Beds are mostly considered suited to improving or polishing the effluent following a traditional wastewater treatment process. Integrated Constructed Wetlands (ICWs) are also suitable for polishing final effluent and in some circumstances can play a greater role in the treatment process. ICWs require a large area of land, typically as much as one acre of wetland pond is required per 100 Population Equivalent (P.E.)

Wetlands can be economical depending on circumstances such as the population to be served, site suitability, prevailing land prices, and the characteristics of the available receiving waters. It must also be borne in mind that the cost of developing a Reed Bed or an Integrated Constructed Wetland is only part of the cost associated with providing a complete sewerage scheme. The budget must also cover the construction of gravity sewers, pumping stations, buildings, outfall pipelines and other equipment.

The use of Reed Beds or Integrated Constructed Wetlands is an option which can be considered where circumstances are appropriate. They can also have a considerable amenity value and can provide a suitable habitat for a wide range of wildlife.

Cllr. J. Sheahan stated reed beds offer a real solution to untreated sewage that is flowing into rivers in this county. He moved the motion to try to find a solution to this problem. He believed Kerry County Council should liaise with the EPA to progress this initiative as it is a cost effective system and he is advised that it is effective. In Northern Ireland they are using the Reed Bed system and for this reason he believed it should be considered in Kerry to ensure our rivers and lakes are clean and safe.

Cllr. J.J. Culloty **SECONDED** the motion and stated he moved a similar motion last July in respect of Scartaglin where raw sewerage is flowing into the river. At

that time Kerry County Council had a small pilot project and he asked if it was a success.

15. Air B&B providers

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

Can Management clarify whether or not Air B&B providers have a competitive advantage over authorised accommodation providers. Do they need planning permission, are they complying with Health and Safety Regulations, are they paying water charges and are they liable for rates.

The following reply issued:

Under Article 10(4) of the Planning and Development Regulations 2001 – 2015, the use of not more than 4 bedrooms in a house, (where each is used for the accommodation of not more than 4 persons) as overnight guest accommodation is exempted development. Article 5, which defines a house, specifically excludes a building used as two or more residential units or an apartment from availing of this exemption.

An Bord Pleanála have also issued a Section 5 declaration regarding the use of an entire residential apartment for short term holiday lettings. The Bord has ruled that such a use constitutes a change of use, is not exempted development and therefore, requires planning permission.

In order to be liable for commercial rates; accommodation providers must be registered as a guesthouse or hotel with Fáilte Ireland. The current legislation does not legislate for the rating of Bed & Breakfast properties that are not registered.

Cllr. S. Fitzgerald highlighted that he was contacted by a family who have provided accommodation for in excess of 40 years as they are concerned at the growth in the Air B&B business. Those involved in Air B&B may or may not be paying rates, water charges etc and he asked if Air B&B providers are compliant in the way other providers of accommodation are. Must they comply with fire safety regulations, pay water and waste water charges, insurance etc. Cllr. Fitzgerald stated he was not opposed to Air B&B providers but they should be treated the same as other accommodation providers.

Ms. McAllen advised that the legislation is clear in relation to rates as outlined in the reply. Fáilte Ireland is reviewing Air B&Bs in relation to water charges etc.

Cllr. Fitzgerald advised that B&Bs find it harder to fill rooms because of the number of Air B&Bs. He asked that a letter would issue to the Minister for Housing, Planning, Community & Local Government and Irish Water asking them to review this matter urgently.

16. Demountable Units

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

To call on this Council to discontinue the practice of purchasing demountable units, and instead consider the option of using modular units, which would have better insulation and draught proofing, and would also have a longer life span. Also, to ask how many demountable units does this Council own? How many are in use? How many are no longer fit for purpose? How many have been purchased in the past 10 years? And currently, what is the cost of a standard two bed demountable unit.

The following reply issued:

Kerry County Council has a number of demountable units in use in predominantly rural areas throughout the county. These have traditionally been used to meet a specific housing need in a particular area. They were generally used where no viable alternative housing option was available.

The principle of Social Housing is to provide sustainable social housing, to a specific standard, to meet the need of all our housing applicants and we continue to seek alternative long term solutions in all cases for occupants of demountable units provided by the Council. Therefore, the provision of new demountable units, while they remain an option, is deemed appropriate only in very exceptional and limited cases.

Kerry County Council has assessed the option of using modular units instead of demountables units. It was initially expected nationally they would provide a cheaper and quicker to construct than conventional housing units, The Dublin Councils commenced the program in 2016. The experience to date is that they are proving to be very similar in cost as conventional housing. It is also proving to take almost as long to deliver these units as conventional housing.

There are currently 88 occupied units within the county-including official halting sites.

There are also a number of vacant units through the county but these are largely derelict or demolished. None are considered viable for repair due to the costs involved in repairing and re-siteing costs.

The cost to purchase, deliver, site and carry out ancillary site works to connect to the services will run to over €60,000 per unit.

Kerry County Council has provided no new Demountable Units in the last two years. The Council has replaced 2 Demountable Units from existing stock in this period.

Cllr. J.J. Culloty stated the insulation in demountable units is not effective and the floors tend to give way. These should be replaced with steel framed units especially in halting sites as they will last longer. Cllr. Culloty asked that modular units would be considered for use going forward especially for halting sites.

Cllr. M. Healy-Rae opposed the motion as demountable units are a suitable housing option especially for single men in some cases and in emergency situations.

Cllr. T. Ferris supported the views expressed by Cllr. M. Healy-Rae. It is clear that the motion is calling for an end to the use of demountable units and she has asked management to continue using them in certain cases. She highlighted that no demountable unit has been approved in the last few years.

Cllr. J. Moloney **SECONDED** the motion.

Mr. M. O'Donoghue stated the use of demountable units would not be absolutely discontinued but they will only be considered in certain situations. Alternative construction methods will be considered.

Cllr. Culloty agreed to amend the first sentence of his motion to read as follows:

“To call on this Council to consider discontinuing the practice of purchasing demountable units, and instead consider the option of using modular units, which would have better insulation and draught proofing, and would also have a longer life span.”

The amended motion was agreed.

17. Call for grant support for all septic tank owners who need to replace their septic tanks

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

Can Kerry County Council write to the Minister for Communication, Climate Action and Environment to ask to have legislation amended to make grant support available to all septic tank owners who need to replace their septic tanks.

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

Cllr. J. Lucid highlighted there is an anomaly with regard to grant assistance for the replacement / upgrade of septic tanks.

The current situation is, if a septic tank is inspected by the Environment Section and they issue a decision that it must be replaced then the owner is entitled to a grant to replace it. However if a property owner knows that his/her septic tanks should be replaced because it is not up to the required standard and if they want

to take the initiative to replace it in the interest of the environment they are not entitled to any form of assistance. This does not make sense and if we are serious about protecting the environment and wish to bring septic tank standards up to the required level then some consistent form of incentive must be put in place.

Cllr. N. Moriarty SECONDED the motion.

18. Call for funding to reconstruct part of the Laune Bridge

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

That this Council calls on the TII to provide funding to reconstruct part of the Laune Bridge in Killorglin as the bow is now clearly visible at the town side of the bridge and people are very worried as to its condition. This bridge is on the main N70 route, Ring of Kerry, servicing not only Killorglin but most of South Kerry.

The following reply issued:

The TII have responsibility for the maintenance of bridges on the National road network. The Laune Bridge, in Killorglin, has been the subject of a number of surveys/ inspections since 2006 when settlement of piers on the town side of the bridge became pronounced. A Rehabilitation Contract, which included underpinning of three piers on the Killorglin side, repairs to scour protection at all the piers, reconstruction of the bull nosed cutwaters, masonry repairs, re-pointing throughout, replacement of road gullies, kerb re-alignment and footpath reinstatement was carried out in 2009/ 2010 and funded by the T.I.I. Since the works were completed, the surveys carried out to date have indicated that the settlement has been arrested and there is no evidence to support any concerns of the bridge collapsing.

The bridge was most recently inspected in December 2016 by a Senior Bridge Consultant who is satisfied that there are no structural concerns with the bridge but some minor local defects, which do not pose a concern, were noted. These repairs will be carried out in the coming weeks.

In conjunction with the TII, given the strategic importance of the river crossing, we have initiated a regular monitoring programme for this bridge.

Cllr. D. Quigg stated there is concern in Killorglin regarding the bow in the bridge which is clearly visible. When the bridge was constructed in the 1800's no one envisaged the size of trucks and tour buses that would use it. There are 900 jobs in FEXCO and it is time Kerry County Council and TII gave serious consideration to the main access to South Kerry. Cllr. Quigg called for the construction of a modern bridge over the River Laune and that the old bridge would be restricted for cars only once the new bridge is in place.

Cllr. J. Healy-Rae highlighted that Laune Bridge is of the utmost importance to the Iveragh Peninsula. It is Kerry County Council's responsibility to maintain and monitor bridges and he asked if Laune Bridge is capable of carrying current traffic volumes.

Cllr. M. Cahill stated he expressed concern regarding Laune Bridge last year. Following a TII inspection no problems were identified. Cllr. Cahill stated he was opposed to banning any kind of traffic from using Laune Bridge.

Cllr. M. O'Shea advised his father in law who lives in Killorglin has indicated that Laune Bridge has deteriorated. The people of Killorglin and indeed South Kerry are very concerned and he expressed his amazement that TII believe this is not an issue.

Cllr. Quigg pointed out he was not asking that heavy traffic would be prevented from using the bridge at present but when a new bridge is in place.

In response Mr. C. O'Sullivan clarified that Laune Bridge is not an issue for buses etc. due to the span of the bridge. A few years ago some scouring was undertaken and since then underpinning was carried out. Since this work was done there is no evidence of subsidence. This is the only crossing into Killorglin and during the peak tourism season there is traffic congestion. This was raised with TII who indicated that funding for a new bridge was unlikely to be allocated. These projects take 10 to 15 years to plan and he undertook to prioritise this project with TII.

20. Establishment of a dedicated Rural Development Unit

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

That Kerry County Council set up a dedicated Rural Development Unit.

The following reply issued:

Kerry is predominantly a rural county, with only two towns with populations in excess of 10,000. Rural Development is therefore an integral part of Kerry County Council's remit and the new Directorate of Economic & Community Development, through its relevant business units Economic Development, Tourism, Community, Local Enterprise & Development Management is invested heavily in the economic, community and cultural advancement of rural areas within the county. There is a clear recognition that the economic growth in Kerry is dependent on a strong rural economy. Policies in relation to its advancement are contained in all the strategic plans prepared by or in association with the council, including;

Kerry County Development Plan 2015-2021

Local Economic & Community Plan 2016-2022

County Kerry Tourism Strategy and Action Plan 2016-2022

Kerry Local Development Strategy (LEADER Programme)

The strategic involvement of Kerry County Council in the delivery of the LEADER programme, in developing the Local Development Strategy with key partners, its role as financial partner and through the Chief Officer in monitoring and implementing the local Economic and Community Plan has positioned the Council firmly within all aspects of rural development within the county. The appointment of the Broadband Officer has further strengthened this remit.

Within these strategic plans there are a range of objectives and actions to develop the economy of rural towns and villages as well as the wider rural areas. Included in these objectives are the areas of natural resources, marine, forestry, home working, the development of economic hubs in towns and villages, the improvement of infrastructure (including broadband), community tourism, events and festivals, adventure tourism, environmental, natural and cultural heritage tourism, aquaculture, social enterprise, renewable energies and a range of other economic drivers for rural areas.

The Council has also successfully pursued all relevant grant funding for the advancement of rural areas, including REDZ, Town & Village Renewal, Rural Recreational Funding, Clar, and through the strategic use of the Councils own Community Support Fund significant investment has occurred across the county in recent years.

As outlined above, rural development is core to the functions, operations and delivery of all sections of Kerry County Council. This continued focus on rural development throughout the organisation offers the best avenue for rural development within the county and this can be achieved through the existing structures.

Cllr. P. Connor-Scarteen stated he recently attended an AILG Conference in Clare where he heard Clare County Council established a Rural Development Unit in October 2016. He felt this would also be a good idea for Kerry and he called on management to liaise with Clare County Council at the initial stages. The work areas could include measures to halt rural decline. The Unit in Clare stemmed from the Action Plan for Rural Ireland' Throughout Europe more and more people are moving from rural to urban areas and in some cases this is a life style choice. Thankfully there are extra resources being put into rural areas, yet some services are still being cut. All members are doing what they can to maintain and enhance rural Ireland. He called on the CPG to consider his motion and to revert to Council with a report within two months.

Cllr. D. McCarthy **SECONDED** the motion.

The Chief Executive highlighted that Kerry County Council has 4 Municipal District Officers and she was satisfied there is a good level of engagement with relevant organisations and local communities. She believed there are adequate structures in place.

21. Progress report on all Group Sewerage Schemes

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

That Kerry County Council give a detailed up to date progress report in respect of the various stages of where all Group Sewerage Schemes are at in the County and will the Council confirm what additional funding if any, has been provided to address these Schemes in view of the fact that there is in excess of a 50% failure rate of all septic tank inspections carried out to date, the fact that many of our villages have no Waste Water Treatment facilities which impacts on our waterways, rivers and streams.

The following reply issued:

Further to previous reply given to the South & West Municipal District meeting, The administration and development of the Group Sewerage (and Water) Scheme sector continues to be a function of the Local Authorities under the guidance and supervision of the Department of Housing, Planning Community and Local Government.

The only Group Sewerage Schemes in Kerry are the Killeen Road, (a 7-house scheme completed in 2015) in Tralee and the Dingle High Road (4 houses), which is currently under way. Grant aid has also been made available for a proposed group sewerage scheme of circa 80 houses at Alderwood Road, Tralee.

In the Government's National Rural Water 2016-2018 Multi-Annual Programme, only 2 newly proposed Group Sewerage Schemes were allocated specific funding in the whole country, of which Alderwood Road is one.

Since most septic tanks are attached to rural housing, the proposed development of group sewerage schemes to replace these appliances is neither practical nor economically feasible, mainly because of the low density / dispersed nature and remote location of rural settlement. The maximum grant allocation per household of €6,750 is generally not sufficient to meet the capital costs involved in constructing a sewer extension.

In 2014, Kerry County Council made a submission to Irish Water for its Water Services Strategic Plan, to request the provision of sewerage infrastructure to all unsewered villages in the county.

However, Irish Water's stated policy in their capital Investment Plan 2017-2021 is to give priority to upgrading the existing sewerage schemes, in order to meet the requirements of the EPA Discharge Licenses and Certificates for these schemes, prior to considering investment in new schemes or in extensions to existing schemes. For the moment, they will only consider developer-led extensions to the public sewer network.

Cllr. M. Cahill pointed out that lower Cromane would be suitable for a group sewerage scheme. In Caherdaniel raw sewerage is flowing into a stream and onto a Blue Flag Beach. He expressed his disappointment there are only 2 group sewerage schemes in Kerry and he called on the Minister to make additional funding available.

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

22. Minish Railway Crossing, Killarney

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

To ask Kerry County Council what progress has been made with Irish Rail to rectify Minish Railway Crossing, Killarney.

The following reply issued:

Following the moving of this motion at the December Council meeting, and previous motions by members of the Killarney MD, the Council made direct contact with senior management in Irish Rail, clearly expressing an urgency to have the poor riding quality at the Minish Railway Crossing addressed and highlighting their responsibility in this regard, under an agreement reached in 1996.

The TII have agreed to fund any repairs to the road surface but the critical issue that has been identified is with the settlement of the railway tracks. Irish Rail sought surveys of the line which were subsequently forwarded to them.

At a follow up meeting with Irish Rail on the 27th April, there was a consensus on the extent of the works required and Irish Rail has confirmed that they will carry out the necessary repair works to the rail line. Given the complexity of the works involved, which may require restrictions on rail services to Tralee, Farranfore and Killarney as well as a temporary traffic diversion, it is envisaged that the works will be scheduled for next September. Further updates in relation to these works will be advised to the MD members.

Cllr. M. Healy-Rae welcomed the reply and added she has raised this issue consistently since she was co-opted to the Council. She welcomed the fact that works would commence in September.

Cllr. J. Healy-Rae supported the motion.

Cllr. J. Sheahan advised he raised this issue on a number of occasions as it was a health and safety issue. He asked that the traffic warning signs would be upgraded with this work.

Mr. C. O'Sullivan advised that this issue has been under review for the past 9 or 10 years. It was raised by Danny Healy-Rae and by all members for the Killarney MD. It is Council policy to keep all members updated and when confirmation was received from Iarnród Éireann that they acknowledged the issue notification issued to all members at the same time. Mr. O'Sullivan undertook to review signage at this location in conjunction with the works.

23. Continuation of funding for counselling and psychology services through primary and secondary schools

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

That we write to both Tusla and Minister Zappone to seek the continuation of funding for counselling and psychology services through our primary and secondary schools. Tusla's decision to cease all funding is tantamount to turning their backs on our young people and to do so when we are only beginning to realise the depth and breadth of mental health issues being experienced by our young beggars belief.

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

Cllr. N. Moriarty advised that the grant received for counselling is of assistance to students on a family bereavement. Councillors attend schools 1 or 2 days a week and students have access to this service. The grant of €5,500 paid by the Department is heavily subsidised by the school by approx. €12,000 per annum. Following a review of the programme grants were discontinued and now there is no funding for counselling services. There was good public consultation around suicide prevention and one of the questions asked was had the Government ring fenced funding for the recommendations arising from the public consultation. She did not believe the funding will be provided and she added that the Government is paying lip service to mental health. Cllr. Moriarty asked that the resolution would be referred to the relevant Minister and authority calling for the restoration of funding for counselling services in schools.

Cllr. T. Ferris supported the motion and added there is a crisis in the mental health service and virtually all counselling services have been removed. Services for children are very poor and one parent had to take to the air waves to access suitable services for their child. Not only has the mental health services budget been cut but there has not been any investment in preventative measures.

Cllr. M. Healy-Rae also supported the motion and added in school she has witnessed the consequences of the cuts of this nature. Services are not in place for students under stress.

24. Number of signed housing contracts that have commenced building

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

To ask the Director of Housing how many of the previously signed housing contracts have commenced building.

The following reply issued:

Kerry County Council has signed 4 No. Housing contracts for construction projects in 2016/2017, all these projects have proceeded to construction stage – projects in Listowel, Lixnaw, Tralee and Killarney.

In addition a further contract for the provision of 4 units in Tralee was signed on 4th May and will commence shortly.

Cllr. M. O'Shea welcomed the reply.

25. Proposals to resolve the difficulty in getting properties for HAP and Long Term Leases

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

What steps do Kerry County Council propose to take to resolve the difficulty in seeking properties that meet the criteria for HAP and long term leases.

The following reply issued:

The Housing Department is undertaking a review of the criteria used by Kerry County Council for Longterm Leases. In relation to HAP, it is a National scheme and the criteria is set out nationally. However, since 1st January 2017, Kerry County Council has signed up 119 HAP tenancies.

Cllr. T. Ferris pointed out that 119 HAP tenancies have commenced but in Tralee there are 2,000 housing applicants alone. Since 1st January 146 new applications were received but just 119 HAP tenancies commenced. Cllr. Ferris accepted that Kerry County Council is restricted by Government policy but she expressed her disappointment that individuals are buying up premises, converting them and letting them. It is not good policy to depend on private landlords to provide social housing. Cllr. Ferris called on the Council to be more imaginative in securing properties.

Mr. M. O'Donoghue clarified that the HAP Scheme is a new scheme that only went live in December 2016. The number of tenancies is low but will increase and the Scheme is predicated on availability. Kerry County Council is obliged to

implement government policy. The Repair and Leasing Scheme is aimed at property owners and the Council cannot buy and repair properties. Any repairs are subject to Department ceilings together with the repairs that can be carried out.

26. Review of time frame for full time residential care

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

That the HSE review it's time frame given to families where a member of the family is in need of full time residential care.

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

Cllr. D. McCarthy highlighted a case where the patient is in full time care and it will be up to 12 months before the paper work is completed. He called on the HSE to review this process and to ensure the necessary documentation is in place within 3 or 4 weeks.

Cllr. N. Moriarty SECONDED the motion.

27. Making of public toilets at High Street Carpark, Killarney accessible for people with disabilities

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

Following repeated requests which I have made at MD meetings, why have Kerry County Council made no effort to make the public toilets at High Street Carpark Killarney accessible for people with disabilities.

The following reply issued:

There are 4 public toilet facilities, provided by the Council in Killarney. The toilets at the Ha Ha (Kenmare Place), Knockreer, and New Street car park are fully accessible. The Public Toilet at New street car park was fully refurbished in 2015, at a cost of €30,000 which induded works to fully facilitate disabled access.

The public toilet at High street is not currently accessible. The layout and internal dimensions of this facility does not allow for easy adaptation for disabled access.

An extension or full reconstruction would be required.

Based on a preliminary estimate, having regard to similar works, the estimated cost of providing fully accessible facilities at this location would cost in the region of €50,000.

Given the investment needs, priorities for other works in Killarney town identified with the member's, demands for other public conveniences

throughout the county and the provision of 3 other fully accessible facilities in the town, no funding provision has been made in the current adopted budget for these works.

Cllr. B. Cronin stated he has highlighted that the public toilets at the High Street Car Park are not disability friendly. He asked that a new design would be drawn up to adapt the toilets. There are disabled parking spaces next to the toilets but they cannot use them. Ironically the Irish Wheelchair Association held their conference in Killarney the previous weekend and the theme of the conference was 'Breaking Boundaries'. It is difficult to get parking at Knockreer car park and all accessible toilets are on one side of town. Cllr. Cronin called for a commitment that the Toilets at the High Street car park would be made accessible.

Cllr. M. Healy-Rae SECONDED the motion.

Cllr. J.J. Culloty also supported the motion.

Mr. C. O'Sullivan highlighted that the reply took into account that the toilets may have to be demolished. However it maybe possible to refurbish them at a cost of €25,000 to €30,000.

28. Call to install a pumping station at Mountain View Estate

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

To ask Irish Water to install the Pumping Station for the Kilcummin Sewerage Scheme at Mountain View Estate, north of Kilcummin village as this would deal with the difficult situation which has been experienced at this Estate for many years.

The following reply issued:

Further to previous reply to the Killarney Municipal District meeting, it is intended to construct a waste water pumping station and rising main to connect this development to the proposed public sewerage scheme for Kilcummin. However, work will only commence on site at Mountain View when the current Planning process for Kilcummin Sewerage Scheme is complete and when the schedule for the construction of the proposed public scheme is confirmed. Planning permission for the Kilcummin Sewerage scheme was granted by Kerry County Council recently and has been appealed to An Bord Pleanála.

Cllr. J. Sheahan stated there is confusion as to where the pumping station will be located. If it was located at Mountain View the Bond could be used to resolve outstanding issues.

Mr. J. Kennelly stated it is proposed to provide a pumping station at this estate and that the sewerage will be pumped to the new public sewer.

29. Call to give Community Childcare Centre's the option of being managed by the state

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

That we the Members of Kerry County Council seek support in getting the Government to give Community Childcare Centre's the option of being managed by the state.

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

Cllr. S. Fitzgerald stated that childcare facilities are under pressure and pay and conditions are not being adequately addressed.

Cllr. M. O'Shea SECONDED the motion.

Cllr. J. J. Culloty referred to his Notice of Motion No. 31 and advised that he wanted to delete the last 7 words from his motion.

Mr. M. O'Donoghue advised that the motion was dealt with earlier in the meeting and it cannot be amended at the meeting at which it was moved.

The Chief Executive stated that an approach to this issue was agreed earlier in the meeting. It is intended to review what developments have been constructed and those where permission has been granted but have not yet been developed.

The Cathaoirleach advised members that a Planning Briefing for members would be held on Monday 29th May.

Mr. M. O'Donoghue stated members are referring to commencing a significant process while the Planning Department is in the process of preparing Municipal District Plans. At the Briefing it is intended to update members on policies and any proposed changes. It is intended to hold the Planning Briefing on the 29th May.

Cllr. Culloty again highlighted that Donegal County Council amended their County Development Plan and it has made a huge difference.

Cllr. N. Kelleher called on the executive to consider the Variation adopted in Donegal.

32. Call to re-instate the Local Improvement Scheme

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

Can Kerry County Council request that the Minister of Transport, Tourism and Sport re-instate the Local Improvement Scheme with immediate effect.

The following reply issued:

Similar motions have been made on this issue by Council and referred to the Minister for Transport, Tourism and Sport. The scheme was suspended in 2012 and prior to this, the funding was ring fenced by the Department in the grant allocations to road authorities. Strong representations were made by this Council to the Minister on the suspension of the scheme and subsequently the scheme was restored in 2013. However the funding was not ring fenced and road authorities had discretion to allocate up to 7% of the Discretionary Grant to fund the repairs of private roads under an LIS scheme.

The Council has made some provision in the adopted roads programme for limited funding towards this programme since 2013, but this only allows for approximately 5 to 6 private roads to be completed. This is due to the lack of adequate funding to repair public roads, with over 1500 km of local and regional roads, identified in surveys of the non-national road network, as being in a poor state of repair.

The need for increased investment in the maintenance and upkeep of the road network has been highlighted in reports by the Department of Transport , Tourism and Sport to Government.

The Programme for Partnership Government provides that “as the economy recovers the Government will promote increased funding for local improvement schemes on an annual basis”. The Minister has previously indicated in response to Dáil questions that it is a major objective of the new Government to prioritise new investment in local and regional road maintenance and improvements and local improvement scheme funding will be promoted in that context.

This is a matter for resolution by the members.

Cllr. J. Lucid welcomed the comprehensive reply and requested that a further letter would issue to the Minister for Transport.

Cllr. N. Moriarty SECONDED the motion.

17.05.15.12 Conferences and Seminars

- (a) On the PROPOSAL of Cllr. D. McCarthy, SECONDED by Cllr. N. Kelleher it was agreed to approve the attendance of the Cathaoirleach, Cllr. M. O'Shea at the Annual Daniel O'Connell Commemoration held in Dublin on the 14th May 2017.
- (b) On the PROPOSAL of Cllr. N. Kelleher, SECONDED by Cllr. D. McCarthy it was agreed to authorise the attendance of Cllrs. J. Healy-Rae, M. Healy-Rae and T. Ferris at the Conference on the theme "Brexit, Regional Planning and EU Affairs to be held in Wicklow on the 26th May 2017.
- (c) On the PROPOSAL of Cllr. J. Lucid, SECONDED by Cllr. N. Kelleher it was agreed to authorise the attendance of Cllr. M. Kennelly, Chair of the Operations SPC at the RSA Annual Conference to be held in Dublin on the 1st June 2017.

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

- (d) No member expressed an interest in attending the Conference on the theme "The Local Authority Waters and Communities Office" to be held in Clonakilty from 16th to 18th June 2017.
- (e) On the PROPOSAL of Cllr. J. Lucid, SECONDED by Cllr. D. McCarthy it was agreed to authorise the attendance of Cllrs. Culloty and Kelleher at a twinning event in St. Avertin, France from 23rd to 25th June 2017.

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

- (f) No member expressed an interest in attending the Conference on the theme "What Does a Hard BREXIT mean for Ireland" to be held in Clonakilty from 23rd to 25th June 2017.

17.05.15.13 Correspondence General

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

1.	Letter dated 20 th April 2017 from University Hospital Kerry in response to a resolution from Kerry County Council in relation to the provision of a Stroke Unit at UHK.
2.	Email dated 24 th April 2017 from the Office of the Minister for Transport in response to a resolution from Kerry County Council in relation to the national bus strike.

3.	Email dated 24 th April 2017 from the Office of the Minister for Transport in response to a resolution from Kerry County Council in relation to transport for children from towns to National Schools in rural areas.
4.	Letter dated 24 th April 2017 from the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs in response to a resolution from Kerry County Council in relation to the eradication of mink.
5.	Letter dated 25 th April 2017 from the Department of Housing, Planning, Community and Local Government in response to a resolution from Kerry County Council in relation to the Mortgage to Rent Scheme.
6.	Email dated 28 th April 2017 from the Office of the Minister for Housing, Planning, Community and Local Government in response to a resolution from Kerry County Council in relation to a call for a grant to install monitored intruder alarms for over 66s living in rural areas.
7.	Email from Mr. John Halligan TD in response to a resolution from Kerry County Council in relation to the provision of transport for children from towns to rural primary schools.
8.	Letter dated 18 th April 2017 from Tipperary County Council in relation to a resolution adopted by that authority calling on the Government to progress the Coroner's Bill and that the Coroner's Bill will provide for an automatic inquest into every maternal death.
9.	Letter dated 24 th April 2017 from Tipperary County Council in relation to a resolution adopted by that authority calling on the Minister for Social Protection to allow those over 55 on Community Employment Schemes to continue to do so until they reach 65.
10.	Letter dated 24 th April 2017 from Waterford City & County Council in relation to a resolution adopted by that authority in support of the legalisation of the use of cannabis for medicinal purposes.
11.	Letter dated 24 th April 2017 from Waterford City & County Council in relation to a resolution adopted by that authority calling for amendments to allow for medical certification for the 80% attendance requirement for members Annual Expense Allowance.

17.05.15.15 Any other business

Cllr. T. Ferris requested that the CPG would consider granting proxy voting to members on maternity leave to enable the parents of young children to vote on important issues.

The Chief Executive advised that the Department would be consulted on this issue.

May Ordinary Meeting

Cllr. Ferris asked if this was not possible that business would be conducted at a particular time to allow the councillor to be present for a limited time only.

The meeting concluded at 4.30pm.

Liam Quinlan
Meetings Administrator

Cathaoirleach of Kerry County Council