

**MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL  
HELD IN THE COUNCIL CHAMBER, ÁRAS AN CHONTAE, TRALEE ON  
MONDAY 18<sup>th</sup> JUNE, 2007.**

***MIONTUAIRISCÍ NA CRUINNITHE MHIOSIÚIL DE COMHAIRLE  
CONTAE CHIARRAÍ A THIONÓLADH I SEOMRA NA COMHAIRLE, ÁRAS  
AN CHONTAE, TRÁ LÍ, AR AN LUAN, 18 MEITHEAMH 2007.***

**PRESENT/I LÁTHAIR**

***Councillors/Comhairleoirí***

R. Beasley	J. Brassil	T. Buckley
M. Cahill	M. Connor-Scarteen	B. Cronin
T. Ferris	S. Fitzgerald	T. Fitzgerald
T. Fleming	N. Foley	M. Gleeson
D. Healy-Rae	M. Healy-Rae	P. Leahy
B. MacGearailt	P. McCarthy	A. McEllistrim
C. Miller	T. O'Brien	B. O'Connell
J. O'Connor	P. O'Donoghue	M. O'Shea
L. Purtill		

**IN ATTENDANCE/I LÁTHAIR**

Mr. T. Curran, Co. Manager	Mr. J. O'Connor, Head of Finance
Mr. M. McMahon, Director of Planning	Mr. J.D. Flynn, Director of Corp. Services
Mr. P. Stack, A/Dir. Roads & Transp.	Ms. A. Haugh, Dir. Of Environment
Mr. J. Breen, Director of Housing.	Mr. B. Sweeney, S.E. Environment
Mr. G. MacNamara, S.E. W. Services	Mr. C. O'Sullivan, SEO Corp. Affairs
Mr. M. Boyce, SEE Environment	Mr. G. O'Brien, AO Environment
Mr. P. Corkery, Press & Comm. Officer	Mr. L. Brosnan, SSO Environment
Ms. B. Reidy, S.S.O. Corp. Affairs	Ms. A. O'Sullivan, CO Corporate Affairs
Mr. K. Felle, CO Corporate Affairs	

The meeting commenced at 10.40am.

The Mayor, Cllr. T. Fitzgerald took the Chair.

**Vote of Congratulations**

The Mayor congratulated Mr. John O'Donoghue T.D. on being appointed Ceann Comhairle of the Dáil. He also congratulated Deputies Jackie Healy-Rae, Tom Sheahan, Jimmy Deehihan, Thomas McEllistrim and Martin Ferris on being elected at the recent General Election. He commiserated with all candidates who were not successful but said that it took a lot of courage to put their names forward for election. In conclusion he stated that he understood that for the next General Election Kerry would be a five seater constituency and he was opposed to this as it is a very dispersed county and a case should be made to the relevant Department to allow the existing two 3 seater constituencies to remain purely from a geographical point of view.

Cllr. M. Gleeson concurred with the views expressed by the Mayor.

**Vote of Sympathy**

Cllr. M. Gleeson extended a vote of sympathy to the Nelligan family on the tragic death of their daughter Sarah. The Nelligans have a holiday home in Cromane and it is an irony that Sarah's parents spent their entire working lives saving lives only to lose their own daughter so tragically.

All members said they wished to be associated with this expression of sympathy.

**Refusal by an Bórd Pleanála for the provision of a mast at Looscaunagh**

Cllr. D. Healy-Rae referred to the recent decision of an Bórd Pleanála to refuse planning permission for a mobile phone mast at Looscaunagh. This decision is a disgrace and it was the unanimous wish of the members of Kerry County Council that planning permission would be granted. The County Manager was requested to accede to this request but he refused and stated that he would only do so if he was directed by the members. Subsequently, a Section 140 motion was passed and the decision was appealed by An Bórd Pleanála by An Taisce who has now refused permission on the grounds that it is on the Ring of Kerry tourist route and it could be seen from this road. An Bórd Pleanála's report also stated that if an accident occurred someone would be along shortly. This is deplorable and completely unacceptable and an insult to the people of the area. Another part of the report suggests that the Investigating Officer had awaited a report from Kerry County Council and at the time of the decision being made that report had not been received. He required clarification on this issue.

Cllr. M. Healy-Rae agreed with the views expressed by Cllr. D. Healy-Rae and said that it was unacceptable that an investigator from Dublin could visit this vast area and state that if an accident happened somebody would be along shortly to call for help. This is an insult to the people of the area and there is no prospect at present of the people of the Black Valley being given access to a modern telecommunications network.

Cllr. M. Gleeson also supported the views expressed by Cllr. D. Healy-Rae and said that the decision of An Bórd Pleanála is disrespectful to the people of the Black Valley and to the members of Kerry County Council. He added that the people of the Black Valley and indeed the members of Kerry County Council have been ignored.

Cllr. B. Cronin supported the views expressed by Cllr. D. Healy-Rae and said that it clearly illustrates the mindset of the inspectors in An Bórd Pleanála who have no respect for human safety, Kerry County Council, the people of Kerry and in particular the people of the Black Valley.

Cllr. J. Brassil said that it was unfortunate that An Bórd Pleanála made this decision. However, he had a clear recollection that in the past the County Manager advised members of the process that needed to be followed in order to resolve this matter. However members did not take this advice and proceeded to submit and move a Section 140 motion.

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Cllr. M. Connor Scarteen said that An Bórd Pleanála had not shown any consideration for the people of the Black Valley in refusing permission for this mast. They need this very basic service and Kerry County Council must offer them every assistance possible.

Cllr. P. McCarthy agreed with the views expressed by members on this issue and said that it has resulted in the people of this area being left even more isolated. The decision of An Bórd Pleanála is an insult to the people of the Black Valley, Kerry County Council and the people of the entire county. The Black Valley is one of the few areas in the county where there is no mobile phone coverage. He PROPOSED that clarification be sought from the inspector on her comments about the course of action to be taken in the event of an accident. He added that the members of Kerry County Council must be seen to stand up for the people of the Black Valley.

The Mayor stated that if Kerry County Council refused planning permission for this mast we could be pursued under Health and Safety legislation.

Cllr. J. O'Connor PROPOSED that a small group be established immediately to consider this matter in an effort to find a solution.

Mr. M. McMahon, Director of Planning, stated that when an appeal is made to An Bórd Pleanála, Kerry County Council is notified of the appeal, and a copy of our file is forwarded to the Bórd. The Planning Department has no reason to believe that this report was not forwarded and it is not unusual for An Bórd Pleanála to request additional information or documentation from Kerry County Council such as a report on an adjacent site. No such request was received on this particular application. The only request received was for a copy of our planning file and he was satisfied that a copy of the full file was forwarded to the Bórd.

Cllr. D. Healy-Rae stated that the Bórd stated that they had requested the report from Kerry County Council but did not receive it. He requested that clarification on this issue be provided to members at the July meeting.

Mr. J. Breen, Director of Housing, Community and Enterprise, informed the meeting that Sigma Wireless and Alto Bridge, Tralee compiled a report on the possible solution to the telecommunication issues in the Black Valley. The report was presented to the members who then requested that Eircom be lobbied to fund the necessary works. He understands that Eircom have €0.5million provided in their budget for 2008 for this purpose and they are committed to using the report to provide a wireless/radio solution. In conclusion he stated that Kerry County Council, together with the Southwest Regional Authority, would continue to lobby Eircom to provide a solution to this problem.

Cllr. J. Brassil asked if it was possible that the report was not submitted to An Bórd Pleanála within the timeframe specified.

In response Mr. M. McMahon, Director of Planning, stated that Kerry County Council is notified of any planning appeal that is submitted to the Bórd, and at that time is requested to send a copy of our file as soon as possible to the Bórd. At any stage An Bórd Pleanála could

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have requested additional information. The Inspector's report mentions that she did not see the report, but even if she did, it wouldn't have influenced her decision.

Cllr. D. Healy-Rae asked when was the report received from the Southwest Regional Authority.

Mr. J. Breen stated that it was received at the end of February.

Mr. M. McMahon stated that that report was available on file at any time if the Bórd requested a copy and the Senior Planner's report made a reference to the findings of the report.

Cllr. P. McCarthy SECONDED Cllr. O'Connor's proposal that a small group be established to identify a solution to the telecommunications issue in the Black Valley.

### **07.06.18.01 Mayor's Report on the Corporate Policy Group meeting held on 14<sup>th</sup> June 2007.**

As the Mayor had not attended this meeting the Deputy Mayor, Cllr. R. Beasley, read the following report into the record of the meeting;

#### ***Item 1 – Agenda for June Council Meeting***

*Mr. C. O'Sullivan briefed the meeting on the agenda for the June Meeting.*

#### ***Item 2 – County Development Board***

*Mr. J. Breen informed the meeting that there are 3 main areas being dealt with by the CDB, which are of interest to Kerry County Council.*

- Inter Agency Traveller Strategy – efforts are being made to ensure that private rented accommodation is accessible to travellers. On the employment side Kerry County Council will be taking on three 5<sup>th</sup> year traveller students for the months of July and August.*
- Social Strategy around the Hub area – this strategy relates to health, education etc. and the CIF have been invited to attend to discuss the provision of facilities and how this can link into the Rural Development Programme.*
- Tourism Strategy – to develop a tourism strategy for the county. Mr. Breen also informed the meeting that Failte Ireland published a new innovation but most of the funding will require matching funding.*

*Cllr. J. O'Connor stated that the farming bodies had expressed an interest in making a presentation to the full council on the issues of concern to them.*

*Following a debate Cllr. O'Connor was advised that the most appropriate forum for this presentation would be the County Development Board or the relevant SPC.*

#### ***Item 3 – Update on the National Spatial Strategy***

*Mr. M. McMahon advised the meeting that the Local Area Plans for the Environs of Tralee and Killarney have been completed and would be circulated shortly. Consultants have been engaged to prepare local Action Plans for areas in Tralee and Killarney. He*

*understood that the preferred route for the western corridor would be published in early July. The working group on the implementation of the NSS would then have to consider the issues arising from the land use plan. At present the CDB are working on a strategy regarding the development of social infrastructure.*

*Mr. McMahon referred members to the report on Changing Settlement Patterns in Count Kerry which will be considered at the June Meeting. This report was compiled by the ITT and they examined the planning permissions granted over a 4 year period and they did a detailed social study of Lixnaw and Fries and how these communities are developing. Many people in these areas felt that they bought a house rather than a home. He stated however that most of the new inhabitants in these areas do not have school going children and it will take time to develop links with the local community and this is likely to happen when the children start school and become involved in the various activities in the area.*

*Cllr. R. Beasley asked if existing sports facilities and schools can cater for the increasing numbers.*

*Mr. McMahon stated that when permission for large scale developments is applied for the developer is required to carry out an assessment of the school structure in the area.*

*This has already happened in Barraduff where a developer has agreed to build 2 classrooms.*

***Item 4 – Update by the Chairs of the SPC's.***

*Cllr. R. Beasley stated that he would be giving an update on the activities of the Community, Cultural and Tourism SPC at the council meeting on Monday next.*

*Cllr. B. Cronin informed the meeting that the Economic Planning and Development SPC had a long awaited meeting with the mobile phone companies recently. A further meeting of the SPC will be held to decide on a recommendation for the full council.*

*Cllr. J. O'Connor informed the meeting that a report on the regulation of activities in the region of Lough Guitane would be considered at the June meeting. Sean O'Brassil made an excellent presentation to the SPC on the future of the river basins and he stated that Mr. O'Brassil's presentation should be considered for a full council meeting. A study of a number of treatment plants by E.G. Pettit's found that a number of plants exceed their capacity.*

***Item 6 – Acquisition of land***

*Mr. J. Breen informed the meeting that no land was acquired since the last CPG meeting.*

**Senate Elections**

*Mr. J.D. Flynn informed the meeting that the ballot papers for the Senate Elections would be issued shortly and Beth Reidy would be available to members to make their declarations. There is a major emphasis on the secrecy of the ballot and members will be advised of the times when they can have their declarations witnessed etc.*

**07.06.18.02**

**Confirmation of Minutes**

- (a) On the PROPOSAL of Cllr. P. McCarthy, SECONDED by Cllr. A. McEllistrim, it was resolved that the minutes of the April Ordinary Meeting of Kerry County Council, held on 16<sup>th</sup> April 2007 be confirmed.
- (b) On the PROPOSAL of Cllr. B. Cronin, SECONDED by Cllr. R. Beasley, it was resolved that the minutes of the Special Planning Meeting of Kerry County Council held on 30<sup>th</sup> April 2007 be confirmed.

**07.06.18.03**

**Filling of casual vacancy on the Council following the election of Deputy Thomas Sheahan to Dáil Éireann**

Cllr. B. O'Connell congratulated Deputy Thomas Sheahan on his election to Dáil Éireann for Kerry South. This was a fantastic achievement both for himself and his family. Thomas's late brother Denis also went for the Dail, and his mother and father are very active in Fine Gael. Thomas won the seat against all the odds and he proved, through his work on Kerry County Council, what could be achieved. He PROPOSED that Thomas's brother, John Sheahan, be co-opted onto Kerry County Council to replace Thomas Sheahan. He added that, unfortunately, for personal reasons, John was not in a position to attend that meeting.

Cllr. M. Connor Scarteen SECONDED this proposal and stated that John Sheahan had a great knowledge of local government and would make a great councillor.

The Mayor, Cllr. T. Fitzgerald, declared Cllr. John Sheahan to be co-opted onto Kerry County Council.

All members present congratulated Deputy Thomas Sheahan and his wife and family on his election to Dáil Éireann. The Sheahan family is very hard working, and they wished Deputy Sheahan every success in the future.

All members welcomed Cllr. John Sheahan to Kerry County Council and wished him every success in the future.

Members also paid tribute to former Deputy Breda Moynihan-Cronin who was defeated in the recent General Election. Breda worked very hard for her constituents and they wished her every success in the future.

Mr. T. Curran, County Manager, on his own behalf, and on behalf of the staff of the Kerry local authorities, congratulated Deputy Tom Sheahan on his election to Dáil Éireann. He

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had always found Deputy Sheahan to be very fair to deal with and he wished him every success in the future. He added that he looked forward to working with Cllr. John Sheahan and said that he would offer him every assistance possible.

The Mayor then called on Deputy Tom Sheahan to address the meeting.

Deputy Sheahan thanked all members for their kind remarks and the staff for their assistance over the last few years. He said there was mutual respect between himself and the staff. Unfortunately John, for personal reasons, could not be present at the meeting, but he stated that he would be as dedicated as he was. He offered his services to all members of the council and said that South Kerry would be top of his agenda. He thanked all his colleagues who helped him throughout his campaign and over the past few years. He also thanked all the Mayors he had served with since he became a member of Kerry County Council.

### **07.06.18.04                      Filling of casual vacancies on the following Forum/Board**

Mr. J.D. Flynn, Director of Corporate Services, referred members to correspondence received from the Health Service Executive South, Sliabh Luachra Local Development and Kerry Education Service requesting the filling of the casual vacancy on their Forum/Boards following the election of Deputy Thomas Sheahan to Dáil Eireann.

Cllr. B. O'Connell PROPOSED that Cllr. J. Sheahan be nominated to fill these vacancies.

Cllr. M. Connor Scarteen SECONDED this proposal and it was agreed.

### **07.06.18.05                      Filling of casual vacancies on committees of Kerry County Council following the election of Deputy Thomas Sheahan.**

Cllr. B. O'Connell PROPOSED that Cllr. J. Sheahan be nominated to fill the casual vacancy on the Kerry County Rural Water Committee and the Community, Cultural and Tourism SPC, following the election of Deputy Thomas Sheahan to Dáil Eireann.

Cllr. T. Fitzgerald SECONDED this proposal and it was agreed.

### **07.06.18.06                      Appointment of Mr. Tom Curran as Kerry County Manager**

Mr. J. D. Flynn, Director of Corporate Services, referred members to his report dated 11<sup>th</sup> June 2007 on this item, and stated that the Public Appointment Service has recommended Mr. Tom Curran for appointment for the position of County Manager, and in accordance with Section 145 of the Local Government Act 2001 he was requesting the elected members to make the said appointment.

On the PROPOSAL of Mayor T. Fitzgerald, SECONDED by Cllr. P. O'Donoghue it was unanimously agreed that Mr. Tom Curran be appointment to the position of the County Manager of Kerry in accordance with Section 145 of the Local Government Act 2001.

Mr. T. Curran stated that it was an honour to be appointed Kerry County Manager and he was overwhelmed by the support he had received since the announcement that he was to be appointed. He returned to work in Kerry County Council at a time when funding for roads increased. A substantial roadwork's programme has been delivered over the last number of years, however, in terms of the provision of water and waste water schemes, a lot of

infrastructure must yet be provided. The provision of broadband in the county in order to counteract our peripherality will also be given priority. Job creation is a challenge and there has been no major foreign investment in Kerry in many years. He acknowledged that planning is a very important issue that needs to be dealt with and he undertook to give favourable consideration to family members and to protect the environment as Kerry is very dependant on tourism. From a financial point of view, the country has come through boom times, but looking at the economic figures at present it appears that there are tougher times ahead. In conclusion he stated that he hoped to collectively work with the members for the betterment of the country and he thanked them for their support.

All members congratulated Mr. Curran on his appointment as Kerry County Manager and said that he was very committed to the county. Members said he had the ability to lead the county into the future and they looked forward to working with him.

On behalf of the staff of the council, Mr. J. O'Connor, Head of Finance, congratulated Mr. Curran on his appointment as Kerry County Manager and said that there is a tremendous swell of goodwill amongst staff towards Mr. Curran. Mr. Curran has first hand knowledge of the challenges facing the county and the Senior Management Team and all the staff look forward to working with him in the future.

#### **07.06.18.07 Disposal of Property**

On the PROPOSAL of Cllr. T. O'Brien, SECONDED by Cllr. N. Foley it was agreed to dispose of a plot of land measuring 1 acre 2 roods 34 perches at Blennerville, Tralee to Blennerville G.A.A. Committee in accordance with the terms of notice issued 5<sup>th</sup> June, 2007 pursuant to Section 183 of the Local Government Act, 2001, Section 211 of the Planning & Development Act, 2000 and Article 206 of the Planning & Development Regulations, 2001.

#### **07.06.18.08 Making of An Daingean Town Park Bye-Laws**

Ms. A. Haugh, Director of Environment, referred members to report date 5<sup>th</sup> June 2007 on this item which was circulated. She informed the meeting that the An Daingean Town Park Bye-Laws were formally adopted by the members of Kerry County Council at the April meeting held on 16<sup>th</sup> April 2007. Following the adoption of the Bye-Laws a procedural issue was identified whereby the date of the commencement of the Bye-Laws was not inserted in the Bye-Laws as adopted. This is a statutory requirement and for this reason the Bye-Laws were recirculated together with a copy of the report originally circulated for the April meeting. She advised members that the Bye-Laws would again have to be made.

Cllr. S. Fitzgerald PROPOSED that this Council resolves to make the An Daingean Town Park Bye-Laws, in accordance with Part 19 of the Local Government Act 2001 with a commencement date of the 1<sup>st</sup> August 2007.

Cllr. M. Gleeson SECONDED this proposal.

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

**For:** Cllrs. Beasley, Brassil, Buckley, Cronin, Ferris, S. Fitzgerald, Gleeson, McCarthy, McEllistrim, O'Brien, O'Connor, Purtill, T. Fitzgerald (13)

**Against:** None (0)

**Not Voting:** None (0)

The Mayor declared the resolution carried.

**07.06.18.09                      Adoption of the final Draft Kerry Local Authorities Annual Report 2006**

On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. B. Cronin it was unanimously agreed to adopt the final Draft Kerry Local Authorities Annual Report for 2006.

**07.06.18.10                      Requirements of the Disability Act 2005 on Kerry Local Authorities**

Mr. J.D. Flynn, Director of Corporate Services, referred members to his report dated 14<sup>th</sup> June 2007 on this item which was circulated and he briefed them in detail on the report. He informed the meeting that having regard to the Department's Sectoral Plan, local authorities are required to carry out access audits of all its facilities and services and to develop implementation plans to implement the commitments and objectives of the Disability Act 2005 and the Sectoral Plan. The statutory timeframe for the completion of the audits was 30<sup>th</sup> April 2007 with the implementation plan to be completed by 31<sup>st</sup> July 2007. The Council has completed the accessibility audit of all its services and is now in the process of developing a draft implementation plan for the 4 Kerry local authorities, which will be completed by the end of July. It is estimated that the cost of improving access to our services and facilities by the 4 local authorities will be in the region of €5million. The implementation plan will set out the targets and timeframe for addressing these issues whilst reflecting local issues. While subject to financial resources available it is intended that the objective will be reached by 2015. Whilst there is a statutory obligation to have the plan completed by 31<sup>st</sup> July 2007 the consultation for September, with the plan being presented to the Corporate Policy Group and Council in October 2007 for consideration and adoption.

All members welcome to the report.

The Mayor stated that he has attended the 02 Ability Awards and he was conscious of the need for consultation.

Mr. J. Flynn informed the meeting that Kerry County Council was invited not to apply for the 02 Ability Awards in 2007.

**07.06.18.11                      Report on the Regulation of Agricultural Activities in the Lough Guitane Catchment**

Mr. B. Sweeney, S.E. Environment, referred members to a report dated 12<sup>th</sup> June 2007 on this item which was circulated and he briefed them in detail on the report. In conclusion he stated that many of the restrictions specified under the current nitrates regulations are similar to those contained in the proposed Lough Guitane Bye-Laws. While the regulations afford some level of specific protection to drinking water sources, it is important to note that the land spreading restrictions in question (article 17(2)(a) – Prohibition on spreading within 200metres of an abstraction point) relate to the spreading in the vicinity of the abstraction

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point and not the source itself. He stated that the abstraction point for the Lough Guitane supply is within the lake body itself. However, the current version of regulations which came into effect in July 2006 contains an option to increase the land spreading buffer zone in the vicinity of drinking water sources such as Lough Guitane. Consultants will be hired to advise Kerry County Council on the appropriate buffer zone to be used.

Cllr. B. Cronin welcomed the report and stated that Lough Guitane is the main source of drinking water in the county. He called for a reassessment of the buffer zone with a view to expanding it to ensure the protection of this water source. He acknowledged the work of the Environment Department in monitoring drinking water in the county. The implementation of the Nitrates Directive and the Farm Waste Management Scheme, together with the REPS Scheme, has made a tremendous improvement in the management of waste by farmers, and the provision of adequate storage facilities is crucially important.

Cllr. M. Gleeson said that water is central to life and the greatest natural asset is clean, drinking water. The long term well-being of the water source at Lough Guitane is of central importance to a huge part of the county and anything that would impact adversely on it would be a disaster for Kerry. The recent difficulties in Galway with the water supply have had an adverse impact on tourism in that county. If there was any contamination of the main water supply in Co. Kerry it would be a disaster of enormous proportions. He stated that when land is required for roads a landowner is compensated. However, water is a much more important commodity, and he called on the Dept. of the Environment Heritage and Local Government and Kerry County Council to compensate landowners affected by the introduction of a buffer zone around Lough Guitane. He PROPOSED that Kerry County Council would approach the 3 farmers in the vicinity of Lough Guitane who are not in the REPS Scheme with a view to encouraging them to join this scheme. In conclusion he said it is vital that Kerry County Council is aware of and sympathetic to the concerns of landowners adjacent to Lough Guitane.

Cllr. D. Healy-Rae acknowledged that an appropriate buffer zone must be provided at Lough Guitane, but added that he had concerns for the landowners who would be affected by it. He called on the council to work with them and he requested that they be compensated adequately and fairly.

Cllr. J. O'Connor stated that many people felt that there was insufficient protection for the water source at Lough Guitane. The introduction of the Nitrates Regulations resulted in an increase in the storage capacity on many farms and this must be welcomed. He called for the carrying out of an in-depth study to establish if any activities are having an adverse impact on the lake. He said that in the past the farming community has been blamed when pollution occurred and many times this was not correct. In Galway it has been confirmed that the source of contamination of the water supply was coming from human waste. He called on the Environment Department to renew their approaches to the 3 farmers in the Lough Guitane catchment who are not already in the REPS Scheme with a view to encouraging them to join this scheme.

Cllr. T. Fleming complimented all the farmers adjacent to Lough Guitane and said that they have behaved very responsibly since the installation of this as a water source. He called on the Council to work in conjunction with farmers and the Department of Agriculture and to

ensure that farmers in this area are adequately compensated. Any increase in the buffer zone will have an adverse impact on their income and this must be taken into account. He called on the planning department to facilitate one-off houses for family members around Lough Guitane.

Mayor T. Fitzgerald stated that when the water supply in Galway was infected with cryptosporidium he requested that a report be prepared on the quality of water sources in Kerry. The quality of the water supply must take precedence over everything else and while he respected farmers, he expected officials to ensure that every action is taken to protect water quality in the county.

Mr. T. Curran, County Manager, assured members that the preservation of a clean water supply is top priority for the Council. Remedial works have been carried out at Lough Guitane and testing of the water supply at this location is being carried out daily. As an open lake, Lough Guitane is at risk and the Council must do everything in its power to protect this source and must do so in consultation with all involved.

**07.06.18.12 Report on Changing Settlement Patterns in Co. Kerry**

Mr. M. McMahon, Director of Planning, referred members to his report dated 11<sup>th</sup> June 2007 on this item, which was circulated, together with the Kerry County Council/Institute of Technology Tralee Report on Changing Settlement Patterns in Co. Kerry.

Mr. McMahon stated that previously there was very little research done on the impact of development and the planning authority was conscious of the increase in the number of planning applications being granted. For this time the time was opportune to carry out this study and for this reason the ITT was engaged to look at planning applications granted between 2002 and 2005 and to look at two areas where substantial development had taken place. The researchers were asked to establish the reason why this development had taken place and what was the perception of the area on this development and what level of support they had and what areas needed more attention. The report established that the age profile of many of the children in both Lixnaw and Fieries is under the age of 5 or 6 and when these children go to the local school they will develop ties with the existing community in that they will be involved with local clubs/organisations.

He stated that the research highlights the following:-

1. Lixnaw and Fieries have effectively become dormitory settlements for the larger towns of Tralee and Killarney
2. Support for the development of greater community capacity in each settlement is essential
3. The provision of civic and public spaces are essential
4. Residents view themselves as having purchased a 'house' rather than a home.

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The report makes a number of recommendations which are set out on Page 70 to address these issues including:

- a. Equal attention to be given to the development of social infrastructure as is given to physical infrastructure.
- b. More co-ordinated forward planning between agencies.
- c. Consideration should be given to the establishment of structures such as a Parish Council, to enable communities engage with the Planning Authority.
- d. Development levies should be 'ring-fenced' for investment where development takes place.

In relation to the examination of planning decisions between 2002 and 2005 the following emerged:

1. There is a high uptake of permissions with 80% plus going to construction.
2. Housing construction is considerable outstripping population growth.
3. The increased rate of growth is predominantly in towns and villages with 'one off' units in the countryside relatively stable.

Among the recommendations made on Page 70 of the report to address these issues are:

- a. Completion of Local Area Plans for all the settlements should be advanced in the shortest possible timeframe.
- b. Local Area Plan should address the drivers of residential development in order to access the implications for other service provision such as schools, community centres, shops, recreation etc.
- c. Large scale proposals in villages where no Local Area Plan is in place should be regarded as premature
- d. The County Development Board structure should be used to co-ordinate the provision of services such as schools, health facilities and public transport outside of the control of the planning authority.

Mr. McMahon informed the meeting that recent CSO figures show that over 10,000 units of housing were provided while the population growth during this period was just 6,000. He urged members to study the report and added that it highlights trends that are emerging and challenges facing the Council and other agencies to ensure that adequate services are provided for growing communities.

Cllr. B. Cronin, Chairperson of the Planning SPC, welcomed the report and complimented all those involved in compiling it. He stated that the findings of this report are crucially important to the county. He asked if the report and the recommendations contained in it would be used as a template for future local area plans. He hoped that mistakes made in the past would not be repeated. He added that towns and villages must have a community focus with amenity areas and community centres provided. People who were interviewed for this report stated that the provision of an adequate sewerage scheme is one of the most important amenities that must be provided.

He expressed his surprise that just one developer had agreed to speak with the research team and he said that of the seven developments in Fieries only two have public lighting. The green areas in many of these estates have gone wild and are not maintained as

Management Companies were not established. He added that development levies collected in an area should be spent on that particular area. The report also highlights problems with overcrowding in schools as a result of development. He referred to proposals to extend Barraduff National School, which will be funded by a local developer and said that this approach should be adopted throughout the county.

Cllr. M. Gleeson welcomed the report and complimented those involved in compiling it. He called for the provision of adequate classrooms in areas where there has been a substantial increase in development. He said that it was unfair that the social fabric of an area would be destroyed because of intense population growth and due to the lack of proper infrastructure. Smaller towns are being allowed to mushroom without provision of adequate infrastructure.

Cllr. M. O'Shea welcomed the report and said that it would require a full meeting of the council to discuss it otherwise it could be considered at Area Meetings. He stated that it was important that unsightly concrete jungles without adequate facilities should not be permitted and over the past number of years everyone had witnessed small towns mushrooming overnight. He called on the planning authority to liaise with developers to ensure that play areas are provided in all housing developments. He also requested that the density of housing permitted in small towns and villages would be reduced to ensure a greater quality of life for all concerned. He requested that a special meeting be held to discuss this report in detail or that it be considered at Area Meetings.

Cllr. J. Brassil indicated his agreement with this suggestion and he PROPOSED that the report be considered in detail by the Planning SPC to summarise the information provided in the report. This is a very professional report, which has major significance for the county, and it would be important that it is considered in detail. He asked that the findings of the Planning SPC be considered at a full council meeting or at a Special Planning Meeting. It is clear from the report that multi residential developments are proceeding without the infrastructure to support them. The only amenity in Lixnaw is the GAA field. He added that the level of occupancy of houses in Kerry is nearly four times less than that of the rest of the country. It is a matter of fact that despite the enormous number of planning permissions granted houses are not being lived in. This issue must be addressed if local people are to be facilitated.

The Mayor, Cllr. T. Fitzgerald, agreed that this report would be referred to the Planning SPC and Area Meetings to allow a detailed debate on it.

Cllr. D. Healy-Rae said that housing construction has outstripped population growth in the county in recent years yet he was aware of areas where schools were in danger of losing a teacher due to a fall in population. It was not correct to say that more planning permissions were granted than those required as many people are having extreme difficulty in securing permission for 'one off' houses in rural areas. In many instances they are forced to move into towns and villages and their parents are left alone in rural areas.

Cllr. B. MacGearailt said that planning permission has been granted for a large number of houses some of which are holiday homes. This has caused problems in many areas as local people who are genuinely in need of a home have been refused planning permission.

Cllr. B. Cronin, Chair of the Planning SPC, said that the proposed findings should be integrated in local area plans. He could see no difficulty with the report being considered in detail by the Planning SPC and at Area Meetings and he added that the findings and recommendations in the report would be integrated with local area plans in the future.

The Mayor informed the meeting that he would then take Item 18 as it was listed on the agenda to be dealt with at 1pm.

**07.06.18.18 Presentation by Mr. Paddy Power, Chief Executive of Shannon LNG**

Mr. Paddy Power, Chief Executive of Shannon LNG thanked the members for the opportunity to address them. He informed the meeting that it is proposed to build a €400m liquefied natural gas import terminal at Ballylongford. The liquefied natural gas will be pumped from tankers to storage tanks, converted back to natural gas and piped to the end users. The terminal will include the following:-

- Marine berth
- Jetty and secure mooring
- LNG offloading facilities
- Storage tanks
- Vaporisers to turn LNG from a liquid back into natural gas.

It will also consist of an interconnecting pipeline to the national gas grid. The project will use approximately 281 acres of the 600-acre land bank. He indicated a graph which showed the consumption of natural gas and said that there is a demand for 11 billion cubic feet per day. Production of natural gas is falling at present and by 2010 the UK will be importing natural gas from Russia. Over 85% of gas used in Ireland is imported and over 60% of electricity is generated using natural gas. The Company undertaking this project is an Irish subsidiary of US Firm Hess LNG.

Mr. Power stated that natural gas is a fossil fuel. It is colourless, odourless and shapeless in its pure form. Natural gas is lighter than air, non-toxic and generates energy when burned. Unlike other fossil fuels, natural gas is clean burning and emits lower levels of potentially harmful by-products into the air. LNG is a natural gas that has been cooled to -160°C to become a liquid. It is stored and transported in insulated tanks at normal atmospheric pressure like a cold drink in a thermos flask. It is 600 times less in volume than in its gaseous state and this makes it manageable for storage and transportation. LNG is transported in liquid form by ships worldwide and locally by road tanker. It is primarily produced in locations where large gas reserves have been discovered such as Algeria, Australia, Egypt, Indonesia, Malaysia, Nigeria, Oman, Qatar and Trinidad. There are 56 LNG import terminals in operation worldwide and an estimated 60 more are currently in the course of construction or at planning.

Mr. Power informed the meeting that Ireland must compete for gas on the world market and with the development of this terminal we will be in a position to do that. Gas is the fuel of choice and the Kinsale gasfield is almost depleted. He outlined the present natural gas grid in the country on a map and stated that it is proposed to build a small pipeline from the site at Ballylongford towards Foynes to connect up with the existing gas network. There is a 75% growth in the use of LNG anticipated to 2010. LNG must be treated carefully but this is one of the safest industries in the world. This project needed to be close to deep water to ensure that ships as big as 300m could be used for the import of the gas.

An EIS will be required before the project can proceed. The pipeline that will be built will provide for expansion capacity. The Health and Safety Authority have been consulted on the project and a planning process will have to be undertaken and a Fire and Safety certificate will also have to be acquired. All the preliminary design work has been carried out and ecology and architectural studies have been undertaken together with risk analysis for the project. There has been substantial public consultation in Tarbert and Ballylongford and subject to planning permission and other approvals it is hoped to commence the permitting process in June. It is anticipated that this will take approximately one year and construction will take approximately three years. The value of this project is that it will provide security and diversity of supply and should have a favourable impact on price. Ireland consumes 600m cubic feet of gas per day and he stated that the Corrib gasline should be online by 2009.

#### **Suspension of Standing Orders**

The Mayor thanked Mr. Power for his presentation and he stated that it would be necessary to suspend Standing Orders as it was 1.30pm.

On the PROPOSAL of Cllr. T. Fitzgerald; SECONDED by Cllr. M. Healy-Rae it was agreed to suspend Standing Orders to allow the Meeting to continue.

#### **07.06.18.18 Presentation by Mr. Paddy Power, Chief Executive of Shannon LNG (Cont'd.)**

Cllr. L. Purtill stated that the proposed LNG Terminal is a serious and credible proposal and has been approached in a very professional manner by Shannon LNG. The Shannon LNG Company is looking for very little from the State, apart from basic infrastructure, e.g. the upgrading of the road from Kilcolgan to Tarbert to a suitable standard. He added that he was sure that Shannon LNG would be willing to contribute to these works.

He acknowledged the openness with which Paddy Power and his team are approaching this project. They have been in constant contact with the local community, and among the first initiatives they undertook was to establish a local liaison group comprising of members of both the Ballylongford and Tarbert Development Associations. Some members have travelled to Europe to see LNG plants in operations and he understood they were most impressed. Cllr. Purtill stated that at this point in time everyone in the Reenturk/Tarbert area knows Paddy Power, and Paddy's personal approach is welcomed and appreciated by all who live in the area. With the prospect of up to 500 jobs during construction and over 50 permanent jobs to follow, he was sure that there will be no

major difficulties for what is a very vital project for Ballylongford/Tarbert, for County Kerry and for the country.

Cllr. Purtill said the Shannon Estuary is acknowledged as one of the finest deep sea ports in Europe but until now it has been shamefully neglected. He added that his own family farmed 65 acres of the land, which now forms part of the site for the proposed LNG Terminal and approximately thirty years ago his family were forced to sell the family farm for what they thought was immediate development. Many more families were similarly forced to sell up and move from the Kilcolgan area.

In conclusion he said that he was delighted, that thanks to Paddy Power, the promised development has finally arrived, and that the sacrifice made by the Kilcolgan community for the greater good can finally be appreciated.

Cllr. J. Brassil welcomed Mr. Paddy Power, Mr. Michael Biggane and Ms. Christine O'Keeffe to the meeting and he complimented Mr. Power on his presentation. He commended Mr. Power and Shannon LNG for bringing this project to Ballylongford and he said that he hoped it would be the first of many projects brought to the Ballylongford landbank. He added that Mr. Power indicated that LNG projects and power stations tend to go hand in hand and he hoped that a gas powered power station could be considered for the future on this site. He also complimented Shannon LNG on engaging with local communities and stated they even took offices in the Shannon Development Centre in Listowel and they are employing people directly from the Listowel area. He hoped that the planning process would continue on target and he noted that to-date there has been no objections to the project and this is to the credit of the way the company has engaged all involved. He noted that construction is due to commence in January 2009 and he hoped that this goal could be achieved. In conclusion he stated that as a member of Kerry County Council and Chairman of Shannon Development he would do everything in his power to assist this project to a successful conclusion.

Cllr. P. McCarthy welcomed the Shannon LNG project to North Kerry and the prospect of employment from it. He asked if there were any plans to bring natural gas to the rest of the county when this project is operational.

Cllr. S. Fitzgerald asked if it was true that a large gas field had been discovered off the West Kerry coast?

In response Mr. P. Power said that he was not involved and he did not think that this was true as he understood no drilling had been carried out. He said that he was unaware of any discoveries off the West Kerry coast.

Cllr. T. Buckley welcomed Shannon LNG to Kerry and said that this is one of the most important projects for North Kerry in recent years and the onus is on everyone in North Kerry, including elected members to ensure that this project gets a speedy passage through the planning process.

Cllr. J. O'Connor welcomed the proposed Shannon LNG project for Ballylongford. He asked if there was any possibility that a pipeline would be provided to Tralee.

In response Mr. P. Power said that if a third party wanted to get access to the pipeline to provide natural gas for the rest of Kerry it would be made available.

Cllr. B. MacGearailt welcomed the project and said that it is an interim measure as Americans will double their consumption of gas over the next number of years. Consideration should also be given, however, to the use of wind, wave or crops in the production of energy. In order for this to happen it is important to provide the infrastructure required.

Cllr. N. Foley complimented Mr. Power and his company on the proposed project which will have a positive impact on the area. She welcomed the consultation with local people from the outset and said she hoped this would continue into the future. She stated that the elected members of Kerry County Council would do everything in their power to move this project forward.

Cllr. T. Fleming welcomed Mr. Power, Mr. Biggane and Ms. O'Keeffe to the meeting and thanked them for their presentation. He asked when would construction commence and how many permanent jobs would be at the plant when construction is completed.

Mr. P. Power stated that at the peak of construction 500 jobs would be created and there would be 50 long term permanent jobs at the terminal. He informed the meeting that Michael Biggane is the Manager in Listowel and he is originally from Castleisland.

Mayor T. Fitzgerald thanked Mr. Power for his presentation and stated that Kerry County Council would be proactive in its efforts to speed up the planning process and to ensure that no obstacle would be put in their way. He said that he was delighted that the landbank was being utilised and he hoped that there would be further potential for development on it.

The meeting adjourned for lunch at 2.10pm.

The meeting resumed at 3.00pm.

#### **07.06.18.13 Summary of proceedings at Conferences**

##### **(a) TJK Conferences Ltd. Planning Seminar**

Cllr. M. Healy-Rae informed the meeting that he attended this Seminar, which was held in the Earl of Desmond Hotel, Tralee on the 17<sup>th</sup> February. There was considerable debate on the issue of agents sending in planning applications with failed percolation tests. It was agreed that this was very sloppy work and councillors are then left to sort out the problems. There was a debate on An Bord Pleanála and also Judicial Reviews. There was a lengthy debate on enforcement and it was agreed that all local authorities must provide additional funding for enforcement.

**(b) Mid-West Regional Authority 13<sup>th</sup> Annual Conference**

Cllr. S. Fitzgerald informed the meeting that the Mid-West Regional Authority Conference was held in Adare, Co. Limerick on Friday 16<sup>th</sup> February, 2007. The theme of the conference was based on Implementing the National Development Plan over the next six years from 2007 – 2013 and what role the Regions would play in the implementing of the Plan.

The Conference was aimed at Regional, Local and Public Authorities, the private sector and voluntary bodies. The conference examined in detail the National Development Plan for the next six years and how the priorities of this NDP will be delivered at regional level, how it will facilitate development and encourage a regional distribution of research and development. In conclusion Cllr. Fitzgerald said that the role of the Regional Authorities in the implementation of the NDP was also presented.

**(d) Colmcille Winter School**

Cllr. P. Leahy stated that he attended the 18<sup>th</sup> Colmcille Winter School, which was held in Gartan, Churchill, Letterkenny, Co. Donegal from 23<sup>rd</sup> - 25<sup>th</sup> February, 2007. The topics covered at the Winter School included: 'Clubs and Young Peop', 'GAA-The Early Years,' 'A View from the Fringe: The Rugby Perspective', 'The GAA's Last Two Counties; Gaelic games and their adversaries in Tir Chonaill and Doire, 1888-1938'. The final debate was on 'The GAA in the Future: A Perspective'. This was a very well attended conference which was very informative.

**(f) Safe Driving Conference:**

Cllr. P O'Donoghue stated that he attended this conference which was held in Ennis from the 28<sup>th</sup> -30<sup>th</sup> of March and the theme of the conference was 'Death on our Roads-Community Action'. This was a follow on from the conference held in 2006 which focused on the need for driver education in schools. The conference examined the potential for communities to become directly involved in working towards reducing the slaughter which tragically remains a daily and nightly occurrence in our roads. Topics included, 'The rule of the Local Authority Roads Safety Officer', examples of community action projects in Ireland and in other countries, Garda community involvement and the role of the media. The keynote speaker was Noel Brett, CEO of the Road Safety Authority.

**(g) ACCC Annual Conference**

Cllr. B Cronin stated that he attended this conference which was held in Dungarvan, Co Waterford on the 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> of March. On the Thursday the conference was opened by the Mayor of Waterford, County Council, Councilor Mary Gaine and by the national Chair of the Association of County and City Councils, Councillor Nora Fynn. The main topics for discussion at the conference were

- The Senate elections explained
- Recycling on a regional level
- Council late community transport
- Sport, the Arts and Local Government
- Opportunities for network and learning , what is new in Irelands Local Authority sector

On Friday Mr. Paul Daly, Senior Engineer with Waterford County Council, discussed The Importance of making Recycling Work, a Practical Approach. He highlighted that Waterford has an award winning regional recycling centre, which processes 25million tonnes of dry recyclables each year for the south-west region. Mr. James O'Donoghue, Waterford Rural Transport discussed the topic of Council lead Community Transport. Mr O'Dwyer, Waterford County Manager gave a keynote address on driving economic development and outlined the role of how councils should take a lead role. Mr Tadgh O'Murchú of the Department of Government of University of Cork gave a very interesting presentation on the senate, a refresher course. He outlined the mechanics of the election to the Upper House. On Saturday morning Mr John Treacy, CEO of the Sports Council and Olympic medalist and world athletic champion gave a presentation on Building Sport for life-the role of Local Authorities and the Irish Sports Council Strategy. This was a very informative and interesting conference.

**07.06.18.15 Date for Special Planning Meeting**

Mr C O'Sullivan, SEO informed the meeting that it would be necessary to fix the date of the 2<sup>nd</sup> July 2007 for the holding of the Special Planning Meeting to consider the Managers Report on submissions and observations received in relation to the Draft Local Area Plans for the West Kerry Settlements and North Kerry Settlements. Having regard to the number of submissions received it may require a second day and it was intended that Wednesday the 4<sup>th</sup> July 2007 would be agreed to complete the Managers Report if necessary.

Mayor T. Fitzgerald PROPOSED that the 2<sup>nd</sup> July 2007 be fixed for the holding of the Special Planning Meeting to consider the Managers report on submissions and observations received in relation to the following: Draft Local Area Plan for West Kerry Settlements and Draft Local Area Plan for North Kerry Settlements.

Cllr. J O'Connor SECONDED this proposal.

A vote was taken on this resolution which resulted as follows:-

**For:** Cllrs. Brassil, Buckley, S Fitzgerald, Fleming, Foley, Gleeson, M Healy-Rae, Leahy, MacGearailt, McCarthy, O'Connor, Purtill and T Fitzgerald (13)

**Against:** None (0)

**Not Voting:** Cllr. D Healy-Rae (1)

The Mayor declared the resolution carried.

**07.06.18.17 Report by Cllr D Healy-Rae Chair of the Housing SPC.**

Cllr. D Healy-Rae informed the meeting that a meeting of the Housing SPC was held in Killarney on the 28<sup>th</sup> March 2007. At this meeting the recently prepared Tenants Handbook was officially launched. The handbook sets out tenant's responsibility and offers advice regarding maintenance. A discussion also took place on the increasing share of qualified housing applicants who are either separated or divorced. In accessing these applicants it was pointed out that the disposal of assets has to be taken into account and the members also drew attention to problems arising in shared custody cases, due to one bedroom houses not

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being suitable for such applicants. It was agreed that a further report on this issue would be brought back to a future meeting to the SPC.

At this meeting, the transfer of on-site units under Part V of the planning act was also discussed, it was agreed there was a necessity to strike a balance to ensure the units are affordable while at the same time blending in with the whole estate with regard to external finishes etc. A report was also circulated to members on the new policy document from the Department of the Environment, Heritage and Local Government entitled 'Delivering Houses, Sustainable Communities'. It was agreed that this document and other policy issues would be discussed at a future SPC meeting.

A report was also considered on the Rent Assessment Scheme and the provision of voluntary and co-operative housing in the county.

### 07.06.18.19 Reception of Deputations.

(a) Cllr. M. Healy-Rae requested that a deputation be received from Sneem Community Sports Facility Committee regarding flooding. It was agreed that this deputation would be received at the next Killorglin Electoral Area Meeting.

(b) Cllr. M. Healy-Rae requested that a deputation be received from An Banshagh Residents Association regarding the building of a community centre base on their estate. It was agreed that this deputation would be received at next Killorglin Electoral Area Meeting.

(c) Cllr. M. Healy-Rae requested that a deputation be received from Valentia Island Heritage Centre Group. It was agreed that this deputation would be received at the next Killorglin Electoral Area Meeting.

(d) Cllr. B. Cronin requested that a deputation be received from the residents of Parkmore Estate, Farranfore regarding the non-completion of works by Kerry County Council. It was agreed that this deputation would be received at the next Killarney Electoral Area Meeting.

### 07.06.18.20 Opening of Tenders

On the PROPOSAL of Cllr. B. Cronin, SECONDED by Cllr. M. Gleeson it was agreed to approve the opening of the following tenders:-

- (a) Servicing of Fire Extinguishers
- (b) Kenmare Water Supply Scheme – Network Contract
- (c) North Ardfert Water Supply Scheme – Source Protection
- (d) N86 Lispole Bridge Remedial Works
- (e) N86 Derrymore Bridge Widening Contract
- (f) Gaddagh Bridge Replacement Works – Expressions of Interest
- (g) Reconstruction of Gaddagh Bridge, Beaufort
- (h) N69/N86 Bridge Widening Works
- (i) Delivery of Bitumen Products
- (j) Supply of 1 No. Tractor
- (k) Dingle Civic Amenity Site

**07.06.18.21 Notices of Motion**

**1. Policy in relation to the designation and preservation of flood-plains**

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

"That the Council would detail its policy in relation to the designation and preservation of the naturally occurring Flood-Plains of our waterways"

**Mr. C. O'Sullivan, SEO, read the following report:-**

*The Kerry County Development Plan 2003 -2009 contains no specific provisions regarding development on floodplains. Notwithstanding this, it is the policy of the Council that development on floodplains will only be considered where it can be clearly demonstrated that the proposed development will not have adverse effects on the hydrological regime of the area. This may involve mitigation measures such as river bank reinforcement, river retrainment or on site attenuation. Proposal for such measures must be accompanied by a hydrological impact assessment prepared by a suitably experienced engineering professional. It is intended that the policies outlined above will be incorporated into the County Development Plan during the review which commences in November 2007.*

Cllr. M. Gleeson said that flood plains are nature's essential collolory of the actual river. Flood plains survival and well being are essential to the well being of a river and an area. The elimination of a flood plain for planning reasons or for whatever reason may enrich a particular person but it impacts adversely on many other people and on other places. In conclusion he stated that he hoped that recommendations on this issue would be forthcoming in due course.

Cllr. J. O'Connor said that if flood plains are changed it impacts on other areas. It appears that there is no one body in charge of flood plains and the Environment SPC has asked different bodies to clarify their role. He PROPOSED that clarification be sought from the Department of the Environment, Heritage and Local Government.

Mayor T. Fitzgerald SECONDED this proposal and it was agreed.

**2. Funding of the cost of Community Based CCTV in Killorglin**

**Pursuant to notice duly given Cllr. J. P. O'Connor PROPOSED:**

"That Kerry County Council would support and fund all maintenance and any licence costs associated with the community based CCTV in Killorglin that is being installed in August of this year"

**Mr. C. O'Sullivan, SEO, read the following report:-**

*The Killorglin Community CCTV Scheme Group approached Kerry County Council in relation to this issue and sought the Council's support in writing for the proposal and the Council's consent to act as Data Controller for the scheme.*

*This scheme comes under the Code of Practice for CCTV Systems authorised under Section 38 (3) (C) of the Garda Síochána Act 2005 and issued by the Department of Justice, Equality and Law Reform. The*

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*scheme clearly provides that a "community based group" will at all times ensure the proper and responsible operation of the CCTV system.*

*I understand that the annual maintenance and licence costs is of the order of EUR8,784 plus VAT.*

*At the time of the Council consenting to the community groups proposal and agreeing to act as Data Controller, it was made clear to the group, that that the costs associated with the CCTV project were a matter for the group.*

Cllr. J. O'Connor informed the meeting that he had discussed this matter with the Director of Corporate Services. The total cost involved would be €2,000 to €2,500. He requested that as a once off measure this be funded from the budget for the Killorglin Electoral Area. All the committees involved are voluntary bodies with the exception of the Gardaí. The introduction of community based CCTV will be delayed because of the establishment of new Joint Policing Bodies. He called on the Council to provide funding for this project.

In response Mr. J.D.Flynn, Director of Corporate Services, stated that he understood that the figure involved was €8,000. The provision of community CCTV is clearly a community based initiative and under their control. When this project was discussed initially he made it perfectly clear to the groups involved that they needed to have the finance required to operate it. He would be very reluctant to agree that Kerry County Council would fund it. It is intended that a Joint Policing Committee would be established in Kerry and part of the remit for that Committee would be any community CCTV scheme. They would have to approve it and then it would have to go before the full council. The local committee were warned by the Department of Justice of the need to have the finances available for the ongoing maintenance of the community CCTV as well as a substantial capital contribution.

Cllr. T. Buckley **SECONDED** the motion.

### **3. Water supply in Kenmare**

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

"To ask the Department of the Environment and Kerry County Council Water Services Dept. that in the quest of providing an all year round proper water supply to the town of Kenmare to forget about the idea of extracting water from the Sheen River and to consider instead the lakes around Kenmare and Kilgarvan as these would provide a cleaner and more consistent supply and also sourcing water from the Sheen River could forever disrupt farming and rural planning and the way of life for all the people of Bonane"

#### **Mr. C. O'Sullivan, SEO, read the following report:-**

*Kenmare Water Supply Scheme is a critical infrastructural project to provide the people of Kenmare and it environs with a satisfactory quality and quantity of water to meet immediate, urgent and future demands. As part of this project it is proposed to abstract up to 2,500m<sup>3</sup> of water per day from the Sheen River. The Abstraction Order for this proposal was approved by resolution of the Council in December 2006.*

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*As part of the assessment of water sources for this scheme 5 catchment source options were considered*

- River Finnihy (includes Lough Eirk)
- River Sheen
- River Roughty (includes Gullaba lake)
- Dromoghty Lake
- Owbeg River

*The conclusion of this assessment was that the most viable way to provide a sufficient quantity and quality of water for Kenmare town, for the present and foreseeable future, was to progress with an abstraction at Sheen River, combined with retaining the existing source at Lough Eirk. In the longer term an additional source, probably, from a lake impoundment at Dromoghty Lake would be required, to supplement the above two sources.*

*If the lakes in the vicinity of Kenmare such as Gullaba, Barfinny and Lough Eirk, were to be the means of supplying the required quantities of water for Kenmare, then major dams would be required to provide the necessary impoundments. Lake levels would have to be raised by 2.7 to 7.9m and this would be prohibitive.*

*The assessment of potential impacts arising from the proposed abstraction at Sheen Falls concluded that the only possible negative impact could be fisheries and that the effect could be minimised by limiting the abstraction to a maximum of 25% of the river's low flow. There is no possible impact on farming or rural planning or the way of life of the people of Bonane.*

Cllr. D. Healy-Rae stated that many local people are very concerned about proposals to take water from the Sheen River especially since the recent incident in Galway, which was also a low lying source. There are many lakes around Kenmare which are well elevated and there would be no risk of pollution to them. The Sheen River is low lying and if any incident occurred it would be very easily polluted. An abstraction rate of 25% of the river at low flow in August would be almost nil and this is the time when most water is needed in the town. It would involve a lot of disruption to take water from the river up to the reservoir. He believed that taking water from the lakes would result in less of a risk and would ensure that Kenmare gets a proper water supply. The Sheen River is 12 – 15 miles long and he was concerned that if water is abstracted the way of life in this area will be changed. He was also concerned that planning permission may not be granted to family members if water is abstracted from the river. He asked if landowners in the vicinity would be compensated if their way of life is changed as a result of this abstraction.

Cllr. M. Connor-Scarteen supported the motion and said that the expansion of Kenmare town urgently requires an adequate water supply. He asked the Director of Water Services to ensure that when the consultants report is available it would be forwarded to the five councillors for the area. Farmers in the area are very concerned about the proposed abstraction of water from the Sheen River and how it will impact on them – will they be permitted to spread slurry on their lands and would they be granted planning permission to build a house. In many instances the only good land these landowners have is near the river. He pointed out that there are alternative sources available and these should be considered before a final decision is taken.

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Cllr. T. Fleming supported the motion and said there is a lot of concern in the Bonane area amongst farmers that some of their lands will have to be set aside. This would have a detrimental effect on their livelihood and other possible sources in the area should be considered.

Cllr. M. Healy-Rae stated that a vast number of new houses have been constructed in Kenmare in recent times and there is an urgent need for a dependable water supply in the town. He complimented Mr. Frank Sheehan, Waterworks Caretaker, in Kenmare for the ingenious methods he uses to ensure that the town is supplied with water. He asked if it would be practical to use the lakes as a water source and requested that consideration be given to this option.

In response Mr. G. MacNamara, SE Water Services, stated that an assessment had been carried out and the Sheen River is the largest catchment which is suitable to supply the town. The lakes above Kenmare have a very small catchment and it would require a lot of rainfall to ensure a guaranteed supply. There have been a lot of objections to the Abstraction Order and consultations will be held with each person who objected. Kerry County Council would not abstract water from any source without putting in a treatment system. He assured members that the abstraction of 25% of the water from the Sheen River would not have a detrimental effect on the river or the surrounding areas nor would it impact on anyone applying for planning permission.

Mr. J.D. Flynn, Director of Corporate Services, stated that he attended a public meeting on this issue and official went to great lengths to explain to those in attendance that it was not possible to use the lakes as a water source. On that occasion two people from Bonane were totally opposed to the proposed water abstraction from the Sheen River yet most other people in attendance were convinced that there was no other option available. Regardless of whether a Water Abstraction Order proceeds farmers must comply with the Nitrates Directive.

Cllr. D. Healy-Rae stated that he was concerned that if water was abstracted from the Sheen River it would be another excuse for not granting planning permission similar to that in Lough Leane. He could not understand how all the lakes in the vicinity of Kenmare could not be used to provide a water supply. He suggested that Carrig Lake, which is at the top of a hill, could be used and water could be abstracted here without interfering with the view from the Ring of Kerry.

In response Mr. G. MacNamara said that there was full treatment of the water supply in Kenmare.

Cllr. M. Healy-Rae asked that this matter be given priority as it is essential that an adequate water supply is provided in Kenmare during the summer months.

#### **4. Appointment of neurologist to treat MS sufferers**

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

"That this Council calls on the incoming Government to immediately appoint extra neurologists to treat our 10,000 MS sufferers. Ireland has one of the worst patient to neurologist ratios in Europe with 1 neurologist to 625 patients in comparison the Czech Republic has a 1:34 ratio and Iceland has a 1:18 ratio. Kerry County Council are well positioned to make this call considering our consecutive O2 Ability Awards"

**Mr. C. O'Sullivan, SEO, said that this is a matter for consideration by the members.**

Cllr. P. McCarthy said that there are 10,000 MS sufferers in Ireland with only 16 neurologists in the country. This is the lowest rate of neurologists per patient in the EU. While no cure has yet been found for MS surely everything possible should be done to ease the burden and pain of MS sufferers.

Mayor T.Fitzgerald SECONDED the motion and suggested that the resolution be sent to all local authorities for support.

Cllr. J. O'Connor also supported the motion.

#### **5. Taking over of Birchfield Estate, Loreto Road, Killarney.**

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

"That Kerry County Council take over Birchfield Estate, Loreto Road, Killarney"

**Mr. C. O'Sullivan, SEO, read the following report:-**

This matter was dealt with comprehensively at the May meeting and I attach copy of reply for the Members' info. Birchfield Estate, Killarney is included on our schedule of Estates to be taken in charge, however as stated previously the legal process will not commence until a policy has been adopted formally by the Council.

*"As the members are aware, Section 180 of the Planning and Development Act 2000 places a legal obligation on Local Authorities, to take in charge housing estates where certain conditions have been met.*

*Developments have to be completed to the satisfaction of the Planning Authority in accordance with the planning permission granted. Either the Developer or a majority of qualified electors, who are owners or occupiers of the houses involved can apply to have their estate taken in charge.*

*In cases where developments have not been completed to the satisfaction of the Planning Authority and enforcement proceedings have not been commenced, within seven years beginning on the expiration of the permission authorising the development, the Planning Authority on the request of the owners/occupiers, shall commence a public consultation procedure, on the taking in charge of the estate in question.*

*In these cases, the Planning Authority, may apply any Security lodged by the Developer, for the satisfactory completion of the development.*

## Minutes of June 2007 meeting

Kerry County Council have currently thirteen applications on hand (See Schedule) for the taking in charge of estates. However, the process has not been completed due mainly to the fact that our existing policy (which has been in place for many years) is not to take further roads in charge.

During the Summer of 2006, a preliminary examination of all housing estates in the County (excluding Town Councils) was undertaken and in excess of 200 estates have been identified, which have not been taken in charge. A preliminary discussion paper was also considered in 2006 by the Planning and Development SPC and the broad principles regarding policy were agreed. A detailed policy is now being considered by the Senior Management of our operational services such as Roads and Water Services which is being coordinated by the Senior Engineer in the Planning Department. It is proposed that a complete draft policy will be brought back to the SPC for full consideration over the coming months with a view to having a policy agreed by the full Council in the Autumn.

It is clear however that the formulation of the policy cannot be considered in isolation from consideration of resource issues which will arise where estates are not up to the required standards and no security exists to fund remedial works.

### Schedule 1

	Name	Development Address
1	Residents Birchfield Estate	Birchfield Estate, Scartlea, Killarney
2	Killarney Holiday Cottages	Beaufort, Killarney
3	Killarney Holiday Cottages	Beaufort, Killarney
4	B & J Rochford Ltd., Consulting Engineers	Sunnyhill Estate, Dromnevene, Kenmare
5	Residents Lake View Park	Lake View, Killeentierna, Currow
6	Michael O 'Halloran	Fossa, Killarney
7	Nuala Griffin	Clogherbrien, Tralee
8	Colliswood Developments Ltd.	Killeen Wood, Tralee
9	Colliswood Developments Ltd.	'Woodview Park', Killeen, Tralee
10	Residents Clashaphuca, Ballyroe, Tralee	Clashaphuca, Ballyroe, Tralee
11	Colliswood Developments	Killeen, Tralee
12	Michael Sheehan	Ballinvarrig, Firies (Firies Drive)
13	Range Construction	Mountain Range, Firies

Cllr. T. Fleming said that this has been an ongoing saga for a long time and the residents have been practically abandoned by the developer who had not complied with all conditions of his planning. However, all conditions have now been complied with and the onus is on Kerry County Council to proceed to take over this estate immediately. He PROPOSED that a vote be taken on this matter to ensure that the estate is taken over.

Cllr. B. Cronin supported the motion and said that he had a motion at the May council meeting which was similar wherein he indicated that Minister Roche had stated that estates would have to be taken in charge by local authorities. He understood at that time that a policy document was being prepared by Kerry County Council and also the Department of the Environment, Heritage and Local Government. He recognised that the residents of Birchfield Estate have a major difficulty but he felt that it was premature to vote on one particular estate until the members are aware of the full extent of the implications for Kerry County Council.

Cllr. M. Gleeson supported the motion and said that while there has been progress in the completion of this estate it has been painfully slow. He understood the Area Engineer was to speak to the developer regarding repairs to footpaths which would cost approximately €6,000. He stated that all developers should be compelled to comply with the conditions of their planning permission.

Cllr. D. Healy-Rae also supported the motion.

Cllr. T. Fleming agreed to defer further consideration of this motion until a policy on the taking in charge of estates is adopted by the Council.

Mr. T. Curran, County Manager, informed the meeting that he anticipated that the guidelines would be received from the Department in the near future and he hoped that funding would be provided. When the guidelines are received they will be considered by the appropriate SPC.

## **6. Name of An Daingean**

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

"I have been asked by Todchai na Gaeltachta to propose this compromise resolution: "That the wording of An Daingean or Daingean Ui Chúis be on all signs regarding the town name within the Gaeltacht and that the words An Daingean or Daingean Ui Chuis plus the word Dingle be on all signs outside the Gaeltacht"

Cllr. B. MacGearailt stated he wanted to withdraw the motion and resubmit it as he wished to reword it.

Cllr. M. Healy-Rae requested a debate on the motion and said that people from the area were present in the public gallery all day awaiting this motion.

Cllr. B. MacGearailt stated that he did not wish to have a debate until the motion was amended.

## **7. Provision of a specialized Cystic Fibrosis unit in Kerry County Council**

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

"As Ireland has the highest rate of Cystic Fibrosis in Europe, which threatens the lives of hundreds of young people, I am calling on the new Government and the Minister for Health to provide a specialized Cystic Fibrosis unit in Kerry with modern isolation units to help deal with cystic fibrosis patients who are vulnerable to fatal infections"

**Mr. C. O'Sullivan, SEO, said that this is a matter for consideration by the members.**

Cllr. B. Cronin stated that as all members are aware Cystic Fibrosis has claimed the lives of many of our young people ie Billy Burke, Mary Hand. He stated that he was humbled by the extraordinary courage, bravery and dignity of CF sufferers and their families. CF once meant certain death in childhood, however, advances in medicinal treatment worldwide have pushed back the disease whereby now the life expectancy in America is 40 years while in Britain it is 30 and in Northern Ireland the life expectancy is 31 years. The sad fact in this booming economy, where our Government is awash with money is that the life expectancy of CF patients in southern Ireland is 21 years. This when compared to other nearby countries is a scandalous shame. We must ask why the treatment of CF patients is inadequate. CF sufferers are vulnerable to fatal infections. They need isolation units. They need repeated treatment with nebulisers and inhalers, injections and isolation from potential infections. Yet they are forced to share hospital rooms with other patients who may have chest infections or respiratory problems. They must share rooms with other patients who may have MRSA.

Two years ago the Pollock Report warned "*that putting CF patients and other patients with respiratory problems in tightly constrained spaces meant that fatal infections are waiting to happen.*" It is long overdue that urgent action is taken for CF patients. All public representatives must stand up and be counted. They can no longer tolerate the premature death of our young people because of mismanagement. CF patients are entitled to the same treatment here in Ireland as they have in Britain, USA and Northern Ireland. He called on the new Government, the Health Service Executive and Dáil Deputies to provide Kerry with modern isolation units to help deal properly with CF patients.

Cllr. M. Gleeson SECONDED the motion and said that two former pupils of his had died in their late teens or early twenties. Unfortunately young people fade from life before they are old enough to state their case. This is a case of criminal neglect.

The Mayor stated that this motion had the full support of all the members of Kerry County Council. He requested the members of Kerry County Council on the Regional Health Forum to raise this matter with the HSE.

Cllr. T. Fleming undertook to do this.

## 8. Use of Saint Finian's Hospital, Killarney

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

"That Kerry County Council in conjunction with Killarney Town Council would request the Health Service Executive to return the magnificent building known as Saint Finian's Hospital and an appropriate amount of the land attached to the Hospital, when the property is no longer required for Psychiatric purposes, to the aforementioned Local Authorities and thus allow the building and land continue to serve the public and community needs of the greater Killarney area"

### **Mr. C. O'Sullivan, SEO, read the following report:-**

*This is a matter for consideration by the members. However, members are advised that Saint Finian's Hospital is a protected structure and I would anticipate that there are a substantial amount of works to be undertaken on the property to adapt the building for any possible public and community needs. Notwithstanding any other considerations considerable capital investment would be required to adapt the building for such purposes.*

Cllr. M. Gleeson stated that he was totally in favour of St. Finian's Hospital continuing to function as a psychiatric hospital for as long as is deemed necessary. However, when that magnificent building becomes available he would like to see it made available to the local authorities to allow them to provide as many services as possible from a One Stop Shop. The location of St. Finian's Hospital building would provide immediate and ready access to services for all the people in the general area.

## 9. Removal of the flowers from the Park Road Roundabout

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

"That all the flowers be removed from the Park Road Roundabout in Killarney in the interest of safety"

### **Mr. C. O'Sullivan, SEO, read the following report:-**

*The provision and maintenance of the planting on the Park Road roundabout is a matter for Killarney Town Council and subject to consideration by the members, the request can be referred to the town council for response.*

Cllr. D. Healy-Rae stated that there are many problems with the roundabout at this location and the flowers are obstructing the view of motorists. He contended that there was not adequate visibility at this location and he was anxious to ensure the safety of all road users.

Cllr. M. Gleeson said that the flowers at this location are a matter for Killarney Town Council and the Entent Floral Competition would be judged on July 4<sup>th</sup> following which there would be judging in the Tidy Towns Competition. He had asked Killarney Town Council to ensure that the Cleeney Roundabout is redeveloped to reflect the importance of water to Killarney and the reply he received stated that it would be developed in line with the symbols.

Cllr. B. Cronin stated that the location of a pedestrian crossing at the Parkroad Roundabout is very dangerous.

#### **10. Design of proposed new roundabout at Lissivigeen Junction, Killarney.**

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

"That the design of the proposed new roundabout at Lissivigeen Junction, Killarney be prepared at an early date"

##### **Mr. C. O'Sullivan, SEO, read the following report:-**

*Preliminary discussions have taken place with National Roads Authority officials in relation to the design and construction of a roundabout at Lissivigeen.*

*However, to date, finance has not been approved by the National Roads Authority to initiate the design process and this process cannot commence until such finance and approval is received.*

*Kerry County Council officials will continue to make representations to the National Roads Authority on this issue.*

Cllr. T. Fleming requested that due to the importance of this matter that Kerry County Council proceed to design the new roundabout at Lissivigeen Junction. He suggested that they would get agreement in principal from the NRA and receive funding retrospectively.

Cllr. M. Gleeson said that requests for the provision of roundabout at Lissivigeen have been ongoing for many years. The real difficulty is the lack of an outer relief road in Killarney. He believed that funding for the relief road was withdrawn to facilitate the provision of roads in Dublin. He asked if there was any possibility that the roundabout would be provided and if not, that traffic lights be provided in the short term. This is a major access to a principal tourist county.

Cllr. D. Healy-Rae supported the motion. When he met with the NRA on a deputation they had agreed to send an Inspector to view this location and he subsequently approved the provision of a roundabout. He called on the NRA to provide the funding for this roundabout immediately.

#### **11. Planning in West Kerry**

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

"The recent drop in population in many townlands in West Kerry is being blamed on planning by many sectors of the community there. In that context, I ask Management to address this serious problem"

##### **Mr. C. O'Sullivan, SEO, read the following report:-**

*As can be seen from the maps below the population loss in the intercensal period 2002 – 2006 has occurred in the townlands of Ventry, Dunquin and Kilmakeadar. Table 1 below gives the population figures for each of these areas. Table 2 indicates the number of dwellings granted permissions in the same period. It is clear that the number of dwellings granted permission has no relationship with the population growth or loss. The number of dwellings granted permission at an occupancy rate of 2.8 persons per household, in the period 2002 – 2006, would*

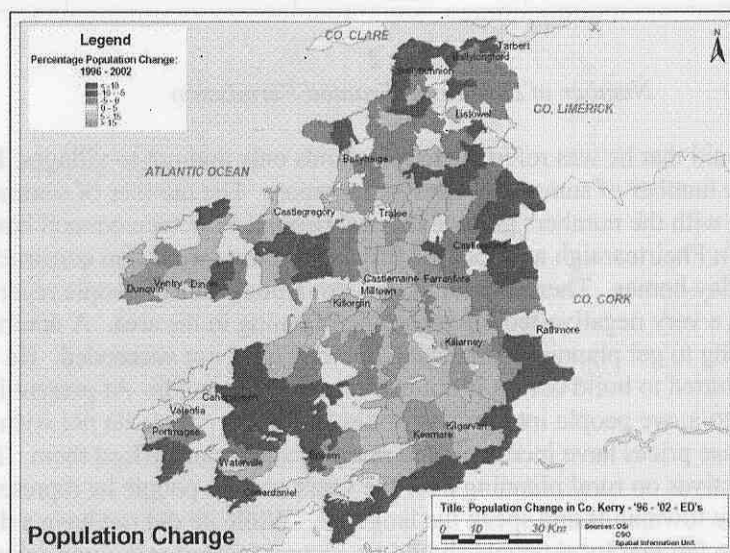
*In 1996 – 2002 there was a loss of 6 people in the Kilmakeadar, while 125 permissions were granted. In 2002-2006 the population reduced by 38, eventhough 141 permissions were granted for residential dwellings, an increase of 12.8%. So eventhough the number of permissions granted increases the population falls. Enough permissions were granted to cater for a population growth of 394 persons. Clearly planning is not the limiting factor when it comes to population growth.*

Population loss in rural areas is largely related to employment opportunities. There has been a significant decrease in agricultural employment in recent years and employment opportunities in more built up areas attract greater numbers from rural areas.

	<i>Glin</i>	<i>Ventry</i>	<i>Dunquin</i>	<i>Dunurlin</i>	<i>Kil'keadar</i>	<i>Marhin</i>	<i>Total</i>
1996	1294	386	174	396	555	203	3008
2002	1471	460	212	422	549	243	3357
2006	1496	405	163	453	511	274	3302

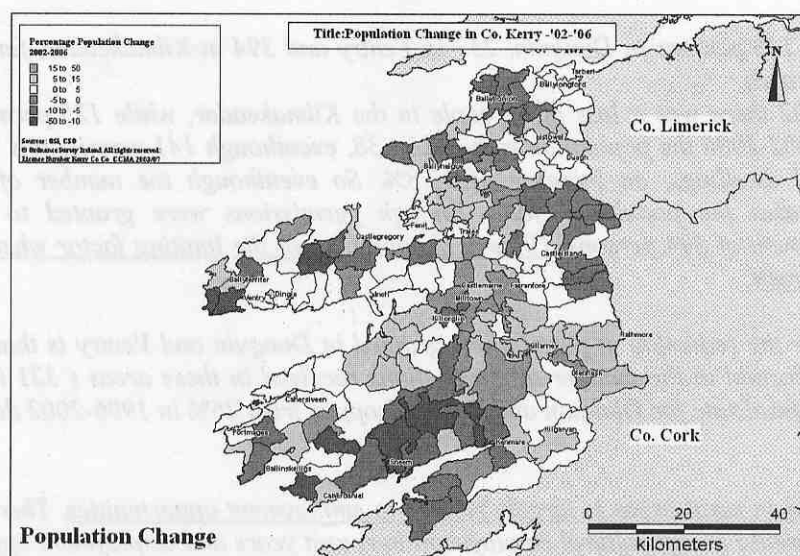
2002	1471	460	212	422	549	243	3357
2006	1496	405	163	453	511	274	3302

**Table 1.**  
**Population Trends in West Kerry EDs**



**Population Change 1996-2002**  
(Darker Green = Greater population Loss) (Darker Orange= greater Population Gain)

(Darker Green = Greater population Loss) (Darker Orange= greater Population Gain)



*Population Change 2002 - 2006*  
(Darker Green = Greater population Loss) (Darker Orange = greater Population Gain)

	1996-2001	2002-2006
Dunquin	80	53
Ventry	139	92
Kilmakedar	125	141

*Table 2*  
*Number of Dwellings Granted Permission*

Cllr.B. MacGearailt said that he was referring to townlands only and not to villages. It was very interesting to note the number of summer houses in the report. The number of summer houses granted is at variance with the numbers granted to local people. Nineteen council houses were constructed in Baile 'n Fheirtearaigh and forty or fifty new houses were also constructed and these are mostly holiday homes. There is a lot of concern amongst local people regarding this and he said there was a very negative feeling regarding planning in his area. A number of local people have been trying to get planning permission but they have not succeeded. He asked where would people be permitted to build homes if not in their own townlands. At present it is the policy of the council to move people into growth nodes and many people do not wish to do this. As a result of this house prices have increased and many locals cannot afford them. There have been different perspectives on rural planning over the years and the people he represents have raised families in these townlands and speak the language. While he did not have a difficulty with holiday homes he felt that local people should be accommodated and given priority. He called on management to bring more reality and understanding into the granting of planning permission for local people.

Cllr. D. Healy-Rae **SECONDED** the motion and stated that he was aware of five families in the Ventry area with five family members seeking planning permission but they were refused on the

grounds that there were enough holiday homes in the area and the granting of further permissions would constitute excessive density. He called on the planning authority to review these cases.

## **12. Use of the term "visually obtrusive in planning refusals**

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

"To ask the Planning Department to explain what "visually obtrusive" means when they use this in a planning refusal"

### **Mr. C. O'Sullivan, SEO, read the following report**

*The use of the term 'visually obtrusive' used in the context of assessing a planning application is intended to convey to all parties concerned that the development proposed does not integrate into the surroundings in which it is proposed to place it. In this context, the more sensitive the landscape designation, the more exacting will be the demands for integration to reduce or remove the visual intrusion of the proposal on the surrounding area.*

Cllr. B. Cronin expressed his disappointment with the report. This reason for refusal of a planning permission is given where family members are seeking planning permission in the middle of a family farm and there are no third party objections. This term is also used in glens and valleys. If these areas were Prime Special Amenity or of scenic amenity he acknowledged that any dwelling would have to blend in with the landscape but he said that this reason for refusal is being given in ordinary rural areas and he was concerned at the 'ad lib' use of it. He said that he wished to record his dissatisfaction with the use of this term too freely.

Cllr. D. Healy-Rae supported the motion.

Cllr. B. MacGearailt also supported the motion.

### **Enhancement of services provided at the Killorglin Area Office**

Cllr. J. O'Connor stated that he had made a specific proposal regarding the Killorglin Area Office, which was seconded by Cllr. O'Sullivan and it was not recorded in the minutes of the April meeting. He requested that this item be considered at the July meeting.

### **07.06.18.22 Conferences – Conferences and Seminars**

- (a) On the PROPOSAL of Mayor T. Fitzgerald, SECONDED by Cllr. B. MacGearailt, it was agreed to authorise the attendance of Cllrs. A. McEllistrim, B. O'Connell, T. O'Brien, J. Brassil, P. O'Donoghue and B. Cronin at the Training Seminar for Councillors to be held in Baltimore, West Cork from the 5<sup>th</sup> – 7<sup>th</sup> July, 2007. Cllr. B. Cronin was nominated to report back to the council on this Seminar.
- (b) On the PROPOSAL of Mayor T. Fitzgerald, SECONDED by Cllr. B. MacGearailt, it was agreed to authorise the attendance of Cllrs. B. O'Connell, J. Brassil, P. O'Donoghue and B. Cronin at the Kilkee Waterworld Conference to be held in Kilkee, Co. Clare on the 6<sup>th</sup> & 7<sup>th</sup> September, 2007. Cllr. P. O'Donoghue was nominated to report back to the Council on this Conference.
- (c) On the PROPOSAL of Mayor T. Fitzgerald, SECONDED by Cllr. B. MacGearailt, it was agreed to authorise the attendance of Cllrs. B. O'Connell and P. O'Donoghue at the Association of Irish Regions 10<sup>th</sup> Annual Conference to be held in Killarney

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- on the 19<sup>th</sup> October, 2007. Cllr. B. O'Connell was nominated to report back to the Council on this Conference.
- (d) On the PROPOSAL of Mayor T. Fitzgerald, SECONDED by Cllr. B. MacGearailt, it was agreed to approve the attendance of Cllr. P. McCarthy at the Local Government Housing Conference held on the 27<sup>th</sup> & 28<sup>th</sup> April, 2007.
  - (e) On the PROPOSAL of Mayor T. Fitzgerald, SECONDED by Cllr. B. MacGearailt, it was agreed to approve the attendance of Cllr. Cllrs. T.Fleming and T. Buckley at the Tourism Conference held in Newtownmountkennedy, Co. Wicklow on the 21<sup>st</sup> and 22<sup>nd</sup> February, 2007.
  - (f) On the PROPOSAL of Mayor T. Fitzgerald, SECONDED by Cllr. B. MacGearailt, it was agreed to approve the attendance of Cllr. B.Cronin at the LAMA Conference held in Killarney on the 12<sup>th</sup> & 13<sup>th</sup> April, 2007.
  - (g) On the PROPOSAL of Mayor T. Fitzgerald, SECONDED by Cllr. B. MacGearailt, it was agreed to approve the attendance of Cllr. M. Healy-Rae at the AMAI Conference held in Tralee on the 9<sup>th</sup> & 10<sup>th</sup> February, 2007.
  - (h) On the PROPOSAL of Mayor T. Fitzgerald, SECONDED by Cllr. B. MacGearailt, it was agreed to approve the attendance of Cllr. M. Healy-Rae at the All Ireland Nuclear Free Local Authorities Forum held in Newry, Co. Down on the 3<sup>rd</sup> June, 2007.
  - (i) On the PROPOSAL of Mayor T. Fitzgerald, SECONDED by Cllr. B. MacGearailt, it was agreed to approve the attendance of Cllrs. L. Purtill, P. McCarthy and J. O'Connor at the Energy Conference held in Carlingford, Co. Louth on the 13<sup>th</sup> June, 2007.

### 07.06.18.23 Correspondence General

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

1. Letter dated 11<sup>th</sup> May, 2007 from the Office of the Minister of State at the Department of Education and Science regarding school transport for pupils attending Scoil Gealach.
2. Letter dated 17 June, 2007 from An Post regarding the closure of the Post Offices at Scartaglin and Park Road, Killarney.
3. Letter dated 25<sup>th</sup> May, 2007 from the HSE South regarding a replacement medical centre for Kenmare.
4. Letter dated 11<sup>th</sup> May, 2007 from Dublin City Council regarding a resolution adopted by that authority calling on all local authorities to adopt the three aims of the "Right to Read Campaign".

### Vacancy in the position of Director of Roads and Transportation

Mr. T.Curran, County Manager, informed the meeting that following his appointment as County Manager there was a vacancy in the position of Director of Roads and Transportation. The next person on the panel to be appointed Director is Mr. Charlie O'Sullivan and this would be his last meeting as Meetings Administrator. He was being assigned as Director of Roads and Transportation with effect from early August. He thanked Mr. O'Sullivan for his commitment and co-operation as Meetings Administrator and wished him well in his new portfolio.

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All members said that they wished to be associated with these remarks.

### **07.06.18.24    Matters arising from the minutes as confirmed**

Cllr. J. O'Connor referred to the minutes of the April meeting regarding the leasing of offices in Killorglin. At that time he had stated that he was very disappointed that the One Stop Shop was not provided in Killorglin and he had proposed that a facility be provided to allow the general public to tax their vehicles at the Killorglin Offices on a pilot basis. He requested that further consideration be given to this proposal.

The meeting concluded at 4.50pm.

C. O Suilleabhain  
SEO Corporate Affairs

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Mayor of Kerry

*[Handwritten signature]*

Minutes of June 2007 meeting

All members said that they wished to be associated with these reforms.

07:06:18.34 Minutes relating from the minutes are continued

Cllr J. O'Connell referred to the minutes of the April meeting regarding the leasing of offices in Killybeggs. At that time he had stated that he was very disappointed that the One Stop Shop was not provided in Killybeggs and he had proposed that a facility be provided to allow the general public to use their vehicles at the Killybeggs Offices on a pilot basis. He requested that further consideration be given to this proposal.

The meeting concluded at 7:10pm.

*[Signature]*  
SEO Corporate Affairs

*[Signature]*  
Mayor of Londonderry