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**MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, ÁRAS AN CHONTAE, TRALEE ON MONDAY, 21 DECEMBER, 2009**

**MIONTUAIRISCÍ NA CRUINNITHE MHIOSIÚIL DE COMHAIRLE CONTAE CHIARRAÍ A THIONÓLADH I SEOMRA NA COMHAIRLE, ÁRAS AN CHONTAE, TRÁ LÍ, AR AN LUAN, 21 NOLLAIG, 2009**

**PRESENT/I LÁTHAIR**

**Councillors/Comhairleoirí**

R. Beasley	J. Brassil	T. Buckley
M. Cahill	P. Connor-Scarteen	B. Cronin
P.J. Donovan	T. Ferris	J. Finucane
T. Fleming	N. Foley	M. Gleeson
B. Griffin	D. Healy-Rae	M. Healy-Rae
P. Leahy	P. McCarthy	A. McEllistrim
M. Moloney	T. O'Brien	B. O'Connell
M. O'Shea	J. Sheahan	A.J. Spring

**Apologies**

P. O'Donoghue	L. Purtill	S. Fitzgerald
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**IN ATTENDANCE/I LÁTHAIR**

Mr. J. O'Connor, Deputy Co. Manager	Mr. J.D. Flynn, Director of Corp. Servs
Mr. M. McMahon, Director of Planning	Mr. O. Ring, Director of Water Servs
Mr. J. Breen, Dir. Hsg & Comm & Ent	Mr. C. O'Sullivan, Director of Roads
Mr. G. O'Brien, Meetings Adminr.	Mr. P. Corkery, Press & Comm.
Ms. B. Reidy, SSO Corporate Affairs	Ms. D. Griffin, SO Corporate Affairs
Ms. M. Galvin, CO Corporate Affairs	Ms. O. O'Shea, CO Corporate Affairs
Mr. T. Sheehy, SE Planning	Mr. M. Boyce, A/SE Environment
Mr. M. O'Donoghue, SEO HR	Mr. L. Brosnan, AO Environment

**Apologies**

**Ms. A. Haugh, Director of Environmental Services**

The meeting commenced at 12.00 noon.

Mayor B. O'Connell took the Chair.

**Vote of Congratulations**

Cllr. M. Gleeson extended a vote of congratulations to the Castlegregory Football Club on their victory in the AIB Munster Junior Club Championship Final.

Mayor B. O'Connell welcomed Cllr. T. O'Brien back to Council after his period of absence due to illness.

**09.12.21.01 Mayor's Report on CPG Meeting held on 17<sup>th</sup> December, 2009**

Mayor B. O'Connell read the following report into the record of the meeting.

**Item 1 Agenda for the December Council Meeting**

Mr. G. O'Brien, Meetings Administrator, briefed members on the agenda for the December Council meeting.

In relation to Items 6 and 7 regarding the Draft Castleisland Functional Area Local Area Plan, it was noted that the Manager's Report on submissions received on the proposed amendments to the Draft Castleisland Functional Area Local Area Plan and report on the proposed variation to the County Development Plan have been circulated to members and will be considered in detail at the December Council meeting.

In relation to Item 13 regarding the making of a Traffic Management Plan for Ardfert, Mr. C. O'Sullivan, Director of Roads & Transportation, said this issue was considered at the February, 2009, Council meeting and it was agreed to defer a decision until further public consultation had taken place. The public consultation process is now complete and the Traffic Management Plan has been circulated to members for consideration at the December Council meeting.

In relation to Item 14 regarding recent and impending developments in Waste Management, Mr. J. O'Connor, Deputy County Manager, said Refuse Charges for 2010 have been determined and a report is issuing to elected members. At the Budget Briefing meeting the elected members gave a strong message that given the peninsular nature of Kerry and the value of the service to the overall environment Kerry County Council should continue to provide a refuse collection service. In this regard, the provision of the refuse collection service is dependent on containing the costs of the service and increasing the customer base. In 2010 it is proposed that a member of staff will undertake a door-to-door campaign. In 2010 an on-line payment service and an electronic telephone payment system will be made available.

**Item 2 Meeting with Party Representatives regarding Job Creation Initiatives**

Mr. J. O'Connor, Deputy County Manager, outlined report from County Manager regarding a meeting with party representatives regarding Job Creation Initiatives. Arising from that meeting the following recommendations were made:

- There was no support for a public meeting, similar to that held in February, 2009.
- Council has a key role to play in supporting existing employment and being a catalyst for attracting new business by ensuring good access to and within county and by providing adequate services and amenities.
- Council, through the County Development Board, should organise a "Jobs Fair" event to offer support/advice to the unemployed and to those considering setting up their own business.
- Council to invite each of the job creation agencies to make a presentation to the Council at the monthly meeting. One agency to be invited per month.

The approval of CPG and members is sought to these proposals.

On the PROPOSAL of Mayor B. O'Connell, SECONDED by Cllr. P. Connor-Scarteen, the proposals arising from the meeting with party representatives on 7<sup>th</sup> December, 2009, regarding Job Creation Initiatives were unanimously agreed by the CPG members.

**Item 3 Budget 2010**

Mr. J. O'Connor, Deputy County Manager, said work is progressing on Budget 2010. The Local Government Fund allocation for 2010 is €25.5m which is down from €26.5m in 2009. The national budget will reduce all public sector salaries and wages and in the Kerry context this will be a reduction of approximately 6%.

**Item 4 Protocol for Civic Receptions**

Mr. G. O'Brien, Meetings Administrator, referred to the updated draft Protocol for Civic Receptions which had been circulated. The Protocol has been updated following consideration of a draft document at the October CPG meeting.

It was unanimously agreed by the CPG members to approve the draft Protocol for Civic Receptions. The draft Protocol for Civic Receptions is listed on the agenda for the December Council meeting for consideration by full Council.

**Item 5 County Development Board Update**

Mr. G. O'Brien, Meetings Administrator, outlined report from the Director of Housing and Community & Enterprise on the County Development Board:

- The first meeting of the newly formed County Development Board took place on 27<sup>th</sup> November, 2009.
- The Board has committed to the holding of a "Jobs Fair" for the dissemination of information to those newly unemployed.
- A briefing was given by the Department of Education and Science on the educational provision challenges for the future – a copy of the presentation can be made available if desired.
- The meeting had a relatively poor attendance with only one SPC Chairman attending along with the new Chairman of the Board, Cllr. Spring.
- The next meeting is scheduled for 26<sup>th</sup> February, 2010, next.

**Item 6 Any Other Business**

Cllr. P. Connor-Scarteen referred to the re-instatement of the Cork/Swansea Ferry services and said Cork County Council has pledged €200,000 to the service. He suggested that Kerry County Council would pledge €50,000 in the form of bonds. Kerry County Council has been to the forefront in supporting the re-instatement of the ferry service which will provide immense benefit to Kerry's tourism industry.

Mr. J. O'Connor, Deputy County Manager, said this would be a an item for consideration in the context of the coming year's budget at the Budget 2010 meeting. He requested Cllr. Connor-Scarteen to provide background information on the bonds in order that the legal and financial capacity of Kerry County Council to pledge finance in the form of bonds can be considered."

Mr. J. O'Connor, Deputy County Manager, said following the secondment of Ms. Anne Haugh, Director of Services for Environmental Services, Town Manager for Listowel Town Council and Area Manager for the Listowel Electoral Area to the Limerick Regeneration Agencies, Mr. T. Curran, County Manager, has decided on the following staff reorganisation and subsequent assignments effective from 4<sup>th</sup> January, 2010.

- Mr. Oliver Ring will take up the assignment as Director of Services for Environmental Services in addition to his assignment as Director of Services for Water Services.
- Mr. Charlie O'Sullivan, Director of Roads and Transportation will take up the assignment as Town Manager, Listowel Town Council and Area Manager for the Listowel Electoral Area.
- Mr. John D. Flynn, Director of Corporate Services, will take up the assignment as Area Manager for the An Daingean Electoral Area in addition to his assignment as Area Manager for the Killorglin Electoral Area.
- Mr. T. Sheehy who has been the Senior Engineer in the Planning Department is to become Senior Engineer in the Environment Department.
- Mr. John Kennelly, who has been Senior Executive Engineer in the National Road Design Office, is to become Acting Senior Engineer in Water Services (Operations). This is following on the retirement of Mr. Brian Sweeney, Senior Engineer, Water Services (Operations).
- Mr. Paul Neary, Senior Executive Engineer, Roads & Transportation, is being assigned to Water Services as Senior Executive Engineer in recognition of the work load in this area. Mr. Colm Mangan, Senior Executive Engineer, Water Services will also remain in Water Services (Operations).
- The following Administrative Officer reassignments will also take effect:
  - Helen Switzer, AO Planning to AO Environment
  - Jean Foley, AO Housing to AO Water Services (Operations)
  - Liam Brosnan, AO Environment to AO Planning
  - Joan Brosnan, AO Water Services (Operations) to AO Housing
  - Sara Ronan, AO Housing General to AO RAS Housing

Cllr. J. Brassil thanked the Deputy County Manager for updating the members on the staff changes. He wished all staff well in their new roles and thanked them for the work in their current roles. He acknowledged the work done by Mr. Tom Sheehy, SE Planning, for the last number of years. Mr. Sheehy started the Forward Planning Unit and progressed it to become a fully functioning department that delivered great plans for this county in the County Development Plans and settlement plans. There is a mutual respect between Mr. Sheehy and the elected members. He thanked Mr. Sheehy for his work and wished him well in his new role.

Cllr. M. Healy-Rae wished all staff well in their new roles. He acknowledged the work rate and commitment of Mr. John D. Flynn as Area Manager in the Killorglin Electoral Area. He paid special thanks to Mr. Sheehy for his work in the Forward Planning Unit. He commended Mr. Sheehy's ability and

commitment to the job and acknowledged the volume of work he organised with his team of staff and the system he devised for dealing with development plans.

Cllr. B. Cronin wished staff well in their new roles and thanked them for their help over the years. He particularly thanked Mr. Sheehy for his work in developing the area plans as this was not an easy task and Mr. Sheehy was very fair with the elected members at all times. He also thanked Ms. Helena Switzer, AO Planning, who has a huge depth of knowledge in planning legislation.

Cllr. P. Leahy thanked the Deputy County Manager for updating the members on staff changes. He welcomed Mr. Charlie O'Sullivan as Listowel Area and Town Manager. He complimented Mr. Tom Sheehy and acknowledged the work he did over the years and said Mr. Sheehy dedicated many hours to dealing with the elected members on area plans and he was very fair at all times. He said Ms. Helena Switzer will be a great loss from the Planning Department. He wished all staff well in their new roles.

Cllr. P. McCarthy wished all staff every success in their new roles. He paid a special word of thanks to Mr. T. Sheehy for his work in the Planning Department and in his dealings with the elected members.

Cllr. T. O'Brien thanked Mr. T. Sheehy for his work in the Planning Department and said Mr. Sheehy was extremely patient in dealing with tough and controversial topics.

Cllr. D. Healy-Rae thanked all staff for their work in their current roles and wished them well in their new roles. He paid special thanks to Mr. Sheehy for the work he undertook in the Forward Planning Unit and said he worked very well with the members on the area plans.

Cllr. T. Ferris congratulated Mr. T. Sheehy on this reassignment and wished all staff well in their new roles.

Cllr. M. Gleeson welcomed Cllr. T. O'Brien back to council. He congratulated all staff on their reassignments and congratulated Mr. T. Sheehy on his dedication to the well being of the county in his role as Senior Engineer in the Forward Planning Unit. He wished Ms. A. Haugh well on her secondment and said he had worked with Ms. Haugh on the Lough Leane Catchment Committee which advanced the future well being of the Killarney Lakes.

Cllr. N. Foley wished all staff well in their new roles. She complimented Mr. T. Sheehy and Ms. H. Switzer on their work in the Planning Department. Mr. Sheehy brought the art of compromise to his role in the Planning Department and a lot can be achieved with diplomacy and compromise. She asked if the Forward Planning Unit will continue as a section of the Planning Department.

Mr. J. O'Connor, Deputy County Manager, said Mr. P. Stack will take up the assignment as Senior Engineer, Forward Planning Unit, in addition to his assignment as Senior Engineer Planning. The Planning Department also has

a Senior Executive Officer. Given the overall workload in the Planning Department at present and in the immediate future the Director of Planning, Senior Engineer and the Senior Executive Officer together with the incoming Administrative Officer will form the management team for the Planning Department.

#### **09.12.21.02 Confirmation of Minutes**

- (a) On the PROPOSAL of Cllr. N. Foley, SECONDED by Cllr. M. Gleeson, it was resolved that the Minutes of the November Ordinary Meeting of Kerry County Council held on 16<sup>th</sup> November, 2009, be confirmed.
- (b) On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. N. Foley, it was resolved that the Minutes of the Special Meeting of Kerry County Council held on 12<sup>th</sup> October, 2009, be confirmed.

#### **09.12.21.03 Report in accordance with Section 179(3) of the Planning & Development Act, 2000, Part VIII of the Local Government (Planning & Development) Regulations 2001 and Articles 17 to 19 of the Planning & Development Regulations 2006**

Mr. M. Boyce, Acting Senior Engineer, Environment, referred to report dated 21<sup>st</sup> December, 2009, regarding the proposed Landfill Gas Utilisation Project. The proposed works involve the construction of a 20m x 20m Landfill Gas Utilisation Facility within the confines of the existing landfill at Muingnaminnane to generate electricity from gas collected at the landfill. The Environment Department has undertaken the Part VIII process and no comments or submissions have been received on the process. It is recommended to proceed with the proposed development as presented in report of 21<sup>st</sup> December, 2009.

Cllr. M. Gleeson said he had previously queried the possibility of generating electricity from gas collection at the landfill by way of a Notice of Motion and welcomed this initiative. He asked what is the cost of the development and what would be the estimated amount of electricity generated.

Mr. M. Boyce, Acting Senior Engineer, said a private company will supply the equipment and operate the facility on the site. This company will contribute money to Kerry County Council on the electricity they supply. It is expected that up to 1 MW of electricity will be generated.

On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. J. Finucane, it was agreed to note the report on the proposed development and the Manager's report thereon in accordance with Section 179(3) of the Planning & Development Act, 2000, Part VIII of the Local Government (Planning & Development) Regulations 2001 and Articles 17 to 19 of the Planning & Development Regulations 2006 in respect of the construction of a 20m x 20m landfill gas utilisation facility within the confines of the existing landfill at Muingnaminnane to generate electricity from gas collected at the landfill.

#### **09.12.21.04 Disposal of Land**

- (a) On the PROPOSAL of Cllr. R. Beasley, SECONDED by Cllr. P. Leahy, it was agreed to approve the disposal of a plot of land comprising of 0.013 acres approximately in total at Woodgrove, Moyvane, Co. Kerry, to (Name and Address withheld for Data Protection purposes), in accordance with the terms of notice issued on 16<sup>th</sup> November, 2009, pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.
- (b) On the PROPOSAL of Cllr. T. Ferris, SECONDED by Cllr. J. Brassil, it was agreed to approve the disposal of a plot of land, by way of a long term lease, comprising of 4.963 acres approximately in total at Farranwilliam, Ardfert, County Kerry, to Ardfert GAA (Ardfert Football Club & St. Brendan's Hurling Club), Ardfert, Co. Kerry, in accordance with the terms of notice issued on 10<sup>th</sup> December, 2009, 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.
- (c) On the PROPOSAL of Cllr. J. Sheahan, SECONDED by Cllr. P. Connor-Scarteen, it was agreed to approve the disposal of a plot of land measuring 0.0068 hectares, at Library Place, Killorglin, Co. Kerry to Laune Properties, Daly's Lane, Killorglin, Co. Kerry, in accordance with the terms of notice issued 18<sup>th</sup> November, 2009, 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.

#### **09.12.21.05 Takeover of Group Water Supply Scheme**

Report dated 10<sup>th</sup> November, 2009, confirming that all requirements regarding the takeover of the Lissyconnor Group Water Supply Scheme have been met was noted.

On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. B. Cronin, it was unanimously agreed to approve the takeover of the Lissyconnor Group Water Supply Scheme in accordance with Section 95 of the Water Services Act, 2007.

#### **09.12.21.06 Draft Castleisland Functional Area Local Area Plan 2009-2015**

##### **(a) Manager's Report on submissions or observations received**

Mr. M. McMahon, Director of Planning, informed the meeting that this is the final stage in the Castleisland Functional Area Local Area Plan. The Plan incorporates the town of Castleisland and six settlements. The process commenced at the July Council Meeting when the Draft Plan was presented to members. The Draft Plan was on public display from 22<sup>nd</sup> July to 3<sup>rd</sup> September 2009. 40 submissions were received at that time. The County Manager's Report and Recommendation on submissions was considered by members at the Special Planning Meeting held on 12<sup>th</sup> October. The elected members adopted 46 proposed amendments at this meeting. These proposed amendments were then put on public display from 29<sup>th</sup> October to 27<sup>th</sup> November 2009. In total 10 written submissions on the proposed amendments were received during the consultation period.

Mr. T. Sheehy thanked councillors for their kind comments and said he enjoyed his time in the Planning Department while they were challenging times. He thanked members for their co-operation and support during the past few years.

### **Members' Duties under Ethics Legislation**

Mayor B. O'Connell informed members that he wished to remind them of their duties under Part 15 (Ethics Framework) of the Local Government Act 2001 and the Code of Conduct for Councillors. He then read the following statement into the record of the meeting.

"Councillors should be aware that the onus for complying with the requirement of the Act and the Code of Conduct lies with each individual Councillor. Under the beneficial interest provision and should that provision apply, a Councillor must

- (1) Disclose the nature of his/her interest or the fact of a connected persons interest at the meeting and before discussion or consideration of the matter commences and
- (2) Withdraw from the meeting for so long as the matter is being discussed or considered, and accordingly, he/she shall take no part in the discussion or consideration of the matter and shall refrain from voting in relation to it."

Mr. T. Sheehy informed the meeting that five General Submissions were received and he referred members to Page 13 of the Manager's Report where the Manager's Recommendations on the General Submissions are set out. He then read these into the record of the meeting.

"It is recommended that the amendments that went on public display be adopted as proposed except for the following:

It is recommended that Objective Ru-18 of Subsection '2.0 Overall Objectives' of section 3 (Rural Area) of the plan should be amended as follows:

*It is an objective of the Council to ensure that no projects which will be reasonably likely to give rise to significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites having regard to their conservation objectives shall be permitted on the basis of this plan (either individually or in combination with other plans or projects, **unless imperative reasons for overriding public interest can be established and there are no feasible alternative solutions.***

It is recommended that proposed Amendment No. 4 of the Currow Local Area Plan should not proceed and this land should remain zoned Rural General.

It is recommended to insert the following text into Objective RU17, after the word SPA Habitat

"Ensure that applications for windfarm developments in or in the vicinity of areas *proposed or* designated SPA's will address the cumulative effects of the proposed, existing and permitted windfarms in the area, on the *proposed or* designated SPA habitat. **These developments are subject to Habitat Directive Assessment screening.** Applicants are strongly advised to consult with the NPWS in this regard prior to arranging preplanning meetings".



Cllr. D. Healy-Rae requested that a map of Currow indicating the land referred to by Mr. Sheehy be provided to members.

Mr. Sheehy then circulated a map of Currow as requested and he indicated the land the subject of Amendment No. 4 on the map. This land is owned by (Name withheld for Data Protection purposes) and the proposed zoning is not in accordance with the proper planning and sustainable development of the area.

Cllr. T. Fleming PROPOSED that this amendment be adopted as it is necessary to have a balance. As you approach Currow this land is on the right hand side where there is just one house while the land on the left is built up. This land was zoned in the past for good reasons which he outlined at the last meeting.

Mr. T. Sheehy said that at the last meeting the Manager and Planning Department were opposed to this proposed zoning as no good reasons were put forward by members in support of the proposal. He referred members to Page 9 of the Manager's Report for his response to this proposed amendment and he read it into the record of the meeting.

"In relation to proposed amendment No. 4 of the Currow Settlement Plan, it is the opinion of the Council that this proposed amendment is not in accordance with the proper planning and sustainable development of the area having regard to the following issues:

This land is located a distance from the village in a rural area with no contiguous development. In view of the requirements to limit the quantity of zoned land in the plan to reflect the projected population growth, the objective to create a compact settlement and economical provision of public services, the lack of wastewater infrastructure in the village, the existing provision for residential zoning within the village and the provisions of Section 1.6.4 (Zoning Criteria) of the plan, it is considered that this land should not be zoned for residential development.

The proposals conflict with the following objectives of the Local Area Plan.

### Functional Area Plan Introduction and Overall Strategy

OO-2	Provide for the development of the area in a manner which is sustainable and protects its social, cultural, environmental and economic assets for future generations.
OO-28	Provide a high quality of design in private and public development, increasing the quality of the public domain <b>while maintaining the character, form and settlement pattern of the settlements.</b>
OO-33	Ensure that developments comply with the <i>Sustainable Residential Development in Urban Areas</i> and the <i>Urban Design Manual – A Best Practice Guide</i> , as issued by the Department of the Environment, Heritage and Local Government in 2008, where appropriate.
OO-17	Ensure that the zoning of residential land shall comply with the provisions of the Zoning Criteria contained in Section 1.6.4 of this plan.

#### 1.6.4 Zoning Criteria

It is important that zoning within the settlements is carried out in a logical and informed manner which will provide for the long-term sustainable development of the settlements. The following criteria are used in deciding the extent and location of proposed residential zoning:

- Zoning within settlements shall not exceed the **calculated requirements of the plan.**
- The provisions of Section 11.4 of the County Development Plan 2009-2015 shall apply in relation to flood risk management and zoning of land.
- **All zoned land shall be contiguous to the existing settlements boundary.**
- Zoning of land is dependent on adequate wastewater infrastructure provision.
- **Preference shall be given to the development of the town centre and infill developments prior to the zoning additional lands on the outskirts of the settlement.**
- **All proposed zoning provisions shall be in accordance with the overall objectives of this plan."**

Mr. Sheehy pointed out that proposed Amendment No. 4 does not meet these criteria. At the special meeting held on 12<sup>th</sup> October members agreed that each area would stay within its limits of zoned land. Zoning this land will exceed the limit for the Castleisland Functional Area Local Area Plan and will result in 5 acres being reduced elsewhere in the county. If members continue to zone additional land in this way there will very little land to zone in the last plan. He urged members to be very cautious in proceeding with this proposal. There is no justification for zoning in excess of the limit for Castleisland. His Department had already allowed headroom of 2½ times in the Draft Plan. In accordance with the criteria all land zoned must be contiguous to the settlement. There is a difficulty in Currow with the disposal of effluent. The land already zoned in Currow is at or above the limit for that settlement. At the previous meeting he asked why the intervening lands were not zoned and members did not put forward any valid reason. It does not make sense to zone this land as it is not proper planning and sustainable development. Both he and the Manager recommend that members would not proceed with this proposal.

Cllr. D. Healy-Rae said this land could not be more contiguous because of the flight path for the airport. This land was zoned in the last Local Area Plan and he supported the proposed amendment for this reason. He said he would not be in favour of removing zoned land in any other area. This land was zoned a year and a half ago and it is only fair that it would remain zoned. The land is located very close to the village. If we are going to confine areas that can be built on we are doing that already in rural areas as only family members are allowed to build there. There will be no competition around towns and villages if the amount of land zoned is restricted. In conclusion he said that the Planning Bill has not been passed by the Dáil.

Mr. T. Sheehy informed the meeting that the legislation he referred to at the last meeting is in force. He referred to the Planning and Development Regulations 2009 which sets out the rationale for determining the population targets contained in the plan. If this land is zoned it will create an uneconomic demand

for services. The proposed zoning does not lead to a compact settlement. There is no established need to support this proposal. Lands cannot be taken out elsewhere at this stage.

Cllr. D. Healy-Rae said he was not proposing to take out land anywhere.

Cllr. J. Finucane said members agreed that no area can transfer its deficit to another area. Experts are predicting that it will take the country four years to get rid of the surplus housing stock.

Cllr. J. Brassil said members unanimously agreed with Cllr. Finucane's proposal that each area would stay within its own limits of zoned land. He represents the Listowel area and he would not jeopardise that area. For that reason he would not support this proposal. He PROPOSED that the Manager's recommendation on this proposal be adopted.

Cllr. M. Healy-Rae said the rules on zoning land have changed. The decisions taken by members on this issue will mirror other areas. The landowner whose land was zoned in the last plan cannot understand why their land is being rezoned now. It is important to inform the public why this is happening. If this proposal is passed 5 acres must be taken from another area. He pointed out that it is not councillors that changed the zoning rules.

Cllr. M. Gleeson said members are standing near the verge of a dangerous precipice. At the last meeting Cllr. Finucane proposed that members would remain within the limit of zoned land for each area and members agreed to this. Members cannot continue to discuss this proposed zoning unless that decision is reversed.

Cllr. M. Moloney asked if this land is rezoned Rural General is there anything to prohibit one off rural housing on it.

Mr. T. Sheehy said one off rural housing could be considered as the land is not being sterilised.

Cllr. B. Cronin thanked Mr. Sheehy for outlining the consequences of this zoning. At the last Special Planning Meeting members agreed that 121.4 acres would be zoned in the Castleisland Functional Area Local Area Plan. He asked the members making this proposal if they would identify where the 5 acres would be dezoned elsewhere as he was concerned if this proposal is adopted it could have a knock on effect on other areas. In Kenmare there is 1,000 acres zoned and this is to be reduced to 600 acres in the new plan. This proposal is putting members in a difficult position. Members have a duty in zoning land to consider the proper planning and development of the area and not to take personalities into account. Members must also have regard to the advice given by the Planning officials and they must take responsibility for their actions. This land is not contiguous to other zoned land. If a landowner requests that their land is zoned they are not necessarily entitled to have it zoned. In conclusion he said he could not support this proposal.

Cllr. T. Fleming referred to the criteria outlined by Mr. Sheehy and said he disputed the projected population growth. This land is located close to the airport and is available for development while other land may not be available for development. If this land is developed a footpath will be provided.

In response Mr. T. Sheehy said that during the period 2002–2006 the population of the county increased by 5.5%. The population targets used in the plan were issued by the Department of the Environment, Heritage & Local Government. These figures are setting a target for growth for the county of 10.4% over the period of this plan. Castleisland Functional Area grew by 2.2% during 2002-2006 and the draft plan is allowing for a population growth of 11.4% for 2009-2015 and an additional 2.5% times is also allowed for headroom. The figures allowed will more than adequately cater for growth during the lifetime of the plan.

Cllr. M. Healy-Rae asked if a proposal could be accepted if it is accompanied by a proposal to dezone land in another area.

Mr. T. Sheehy said that members unanimously agreed to accept the population figures and the resultant area of land to be zoned. If this proposal is adopted and the amount of land zoned for the plan is exceeded the Manager must then decide on the proposal. If this proposal is adopted Cllr. Finucane's proposal will have to be revisited.

Cllr. D. Healy-Rae said that if adopting this proposal means de zoning land in another area he would not second the proposal.

Cllr. J. Brassil PROPOSED that the recommendation in the Manager's Report in relation to this proposal be adopted.

Cllr. P.J. Donovan SECONDED this proposal.

Mr. G. O'Brien informed members that a vote would then be taken on Cllr. Brassil's proposal.

On the PROPOSAL of Cllr. J. Brassil, SECONDED by Cllr. P.J. Donovan, this Council having considered the County Manger's Report on submission received in relation to the Castleisland Functional Area Draft Local Area Plan and the County Manager's Report on the proposed amendments that went on public display for the Castleisland Functional Area Draft Local Area Plan resolves to accept the Manager's recommendation in respect of Amendment No. 4 in relation to Currow.

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

**For:** Cllrs. Beasley, Brassil, Buckley, Cahill, Connor-Scarteen, Cronin, Donovan, Ferris, Finucane, Foley, Gleeson, Griffin, M. Healy-Rae, Leahy, McCarthy, McEllistrim, Moloney, O'Brien, Spring, O'Connell **(20)**

**Against:** Cllr. Fleming **(1)**

**Not Voting:** Cllrs. D. Healy-Rae, Sheahan **(2)**

**Absent:** Cllrs. Fitzgerald, O'Donoghue, O'Shea, Purtill **(4)**

The Mayor declared the proposal CARRIED.

Mr. Sheehy informed members that it would also be necessary to adopt the remaining Manager's recommendations on the General Submissions as set on Page 13 of the Manager's Report.

On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. M. Moloney, it was unanimously agreed to adopt the Manager's recommendations on the General Submissions as set out on Page 13 of the Manager's Report.

### **Castleisland**

Mr. T. Sheehy referred members to Page 17 of the Manager's report for the Manager's recommendations on Castleisland. He then read these recommendations into the record of the meeting:

"It is recommended that the amendments that went on public display be adopted as proposed except for the following.

It is recommended to insert the following text after the words 'zoned for' in objective TM15: *The development of lands zoned for **Retail/Commercial or Industrial/Light Industrial** on the Tralee Road and the development of Opportunity Site No. 2 on the Killarney Road where access is to be provided outside the 50kph speed limit shall be dependent on the completion of the Castleisland Bypass.*

It is recommended that the following objective TM16 be inserted in the Castleisland Local Area Plan. *It is an objective of the Council in relation to lands zoned residential on the N21 National Primary Route/Limerick Road and marked 'TM16' on the zoning map, that access to the lands shall be restricted to being within the 50kph urban speed limit or alternatively that access outside the 50kph speed limit would be dependent on the completion and opening of the Castleisland Bypass. (See Map CD1)*

It is recommended that Proposed Amendment No. 12 in relation to Castleisland as outlined should proceed.

It is recommended to include an indicative road to the backlands directly west of the proposed continuation of the inner relief road as shown in Map CD2. **(See Map CD2)**

It is recommended to include the following objective "Ensure that proposals for bridge type developments are supported at planning application stage with "Appropriate Risk Assessments" as outlined in DEHLG Guidance on "The Planning System and Flood Risk Management".

On the PROPOSAL of Cllr. B. Cronin, SECONDED by Cllr. M. Gleeson it was unanimously agreed to adopt the recommendations outlined by Mr. Sheehy.

Cllr. M. Healy-Rae welcomed the zoning of land on the Tralee Road and asked if a stipulation could be included that in subsequent planning applications that existing shops/businesses would not be displaced. He wanted to ensure that shops that are in business for years would not be closed down. He asked Mr. Sheehy if this is possible.

Mr. Sheehy said that Retail Guidelines are incorporated in the Plan and the sequential test must be applied to each application to demonstrate that no other suitable site is available. Any application needs to take cognisance of the town centre.

Cllr. M. Healy-Rae said he did not want to see a repeat of what happened in Killarney where a number of businesses relocated outside the town centre. Castleisland is unique with a variety of shops.

Cllr. D. Healy-Rae pointed out that he made a submission on the Draft Plan to protect the businesses on the Main Street. At that time all members supported the submission. He asked if this is incorporated in the Plan.

Mr. Sheehy confirmed that this is provided for in the Plan.

### **Currow**

Mr. Sheehy referred members to Page 21 of the Manager's Report for the recommendations on the submissions on Currow. He then read the recommendations into the record of the meeting.

### **"OPINION OF MANAGER TO RECOMMENDATIONS CONTAINED IN SEA ADDENDUM TO THE DRAFT PLAN FOR CURROW**

It is recommended to include the following objective "Ensure that proposals for bridge type developments are supported at planning application stage with "Appropriate Risk Assessments" as outlined in DEHLG Guidance on "The Planning System and Flood Risk Management".

### **MANAGERS RECOMMENDATION ON CURROW SUBMISSIONS AND SEA ADDENDUM**

See recommendation to submission G3 in relation to Currow.

It is recommended to include the following objective "Ensure that proposals for bridge type developments are supported at planning application stage with "Appropriate Risk Assessments" as outlined in DEHLG Guidance on "The Planning System and Flood Risk Management".

On the PROPOSAL of Cllr. B. Cronin, SECONDED by Cllr. M. Moloney it was unanimously agreed to adopt these recommendations.

### **Knocknagoshel**

Mr. Sheehy informed the meeting that one submission was received on Knocknagoshel but as it did not relate to an amendment that was on display it could not be considered.

### **(b) Making of the Castleisland Functional Area Local Area Plan 2009 - 2015**

On the PROPOSAL of Cllr. R. Beasley, SECONDED by Cllr. B. Cronin, this Council having considered the County Manager's Report on submissions received in relation to the Castleisland Functional Area Draft Local Area Plan and the County Manager's Report on the proposed amendments that went on

public display for Castleisland Functional Area Draft Local Area Plan resolves to make the Castleisland Functional Area Local Area Plan subject to the amendments previously agreed.

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

**For:** Cllrs. Beasley, Brassil, Buckley, Cahill, Connor-Scarteen, Cronin, Donovan, Ferris, Finucane, Fleming, Foley, Gleeson, Griffin, D. Healy-Rae, M. Healy-Rae, Leahy, McCarthy, Moloney, O'Brien, Spring, O'Connell **(21)**

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

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

**Absent:** Cllrs. Fitzgerald, McEllistrim, O'Donoghue, O'Shea, Purtill, Sheahan **(6)**

**09.12.21.07(a) County Manger's Report on Proposed Variation No. 1 to the Kerry County Development Plan 2009 – 2015**

Mr. M. McMahon, Director of Planning, referred members to the County Manager's Report on the proposed Variation No. 1 to the Kerry County Development Plan 2009 – 2015 regarding the Castleisland Functional Area Local Area Plan which was circulated. Four submissions were received and the Manager's response to these submissions is set out in his report.

It was unanimously agreed to note the Manager's Report.

**09.12.21.07 Proposed Variation to the Kerry County Development Plan 2009-2015 to incorporate the provisions of the Castleisland Functional Area Local Area Plan 2009-2015**

Mr. M. McMahon informed the meeting that the Manager's Report recommends that the Kerry County Development Plan 2009-2015 be varied to incorporate the provisions of the Castleisland Functional Area Local Area Plan and to zone lands at and adjacent to Castleisland, Brosna, Cordal, Currans, Currow, Knocknagoshel and Scartaglin to reflect the provisions of the Castleisland Functional Area Local Area Plan as adopted.

On the PROPOSAL of Cllr. B. Cronin, SECONDED by Cllr. M. Moloney, this Council having considered the County Manager's Report on submissions received in relation to the Castleisland Functional Area Draft Local Area Plan and the County Manager's Report on the proposed amendments that went on public display resolves to incorporate the provisions of the Castleisland Functional Area Draft Local Area Plan and to zone lands at and adjacent to Castleisland, Brosna, Cordal, Currans, Currow, Knocknagoshel and Scartaglin to reflect the provisions of the Castleisland Functional Area Local Area Plan as adopted into the Kerry County Development Plan 2009-2015.

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

**For:** Cllrs. Beasley, Brassil, Buckley, Cahill, Connor-Scarteen, Cronin, Donovan, Ferris, Finucane, Fleming, Foley, Gleeson, Griffin, M. Healy-Rae, Leahy, McCarthy, Moloney, O'Brien, Sheahan, Spring, O'Connell **(21)**

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

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

**Absent:** Cllrs. Fitzgerald, D. Healy-Rae, McEllistrim, O'Donoghue, O'Shea, Purtill **(6)**

#### **09.12.21.08 Date for Special Planning Meeting**

On the PROPOSAL of Cllr. P. Connor-Scarteen, SECONDED by Cllr. M. Healy-Rae, it was agreed to hold a Special Planning Meeting on Monday, 8<sup>th</sup> February, 2010, at 10.30 a.m. to consider the County Manager's report on submissions received on the Draft Kenmare Functional Area Local Area Plan.

#### **09.12.21.09 Absence of Cllr. T. O'Brien due to Illness – Section 18(4)(b) of the Local Government Act, 2001**

Mr. G. O'Brien, Meeting Administrator, said this matter does not have to be dealt with as Cllr. T. O'Brien is in attendance at today's Council Meeting. He welcomed Cllr. O'Brien back to Council and wished him well.

Cllr. M. Healy-Rae said all members are delighted to welcome Cllr. O'Brien back to Council and he wished him well.

Cllr. T. O'Brien thanked elected members and management and staff of Kerry County Council for their support during his period of illness. He said the cards and letters he received were very welcome during this time.

#### **09.12.21.10 Protocol for Civic Receptions**

Report dated 17<sup>th</sup> December, 2009, regarding Draft Protocol for Civic/Mayoral Receptions which had been developed with and approved by the members of the Corporate Policy Group was noted.

On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. J. Finucane, it was unanimously agreed to adopt the Protocol for Civic Receptions.

#### **09.12.21.11 Nominations to the Kerry Vocational Education Committee**

Mr. G. O'Brien, Meetings Administrator, referred to report dated 9<sup>th</sup> December, 2009, regarding the appointment of four members by Kerry County Council to the Kerry Vocational Education Committee which had been circulated. These appointments must be two male and two female in accordance with current legislation. The nomination of the two females will be dealt with first and a vote taken on the nominations. The nomination of the two males will then be dealt with and a vote taken on those nominations.



Mayor O'Connell invited proposals for nominees for the appointment of two females to the Kerry Vocational Education Committee.

Cllr. P.J. Donovan PROPOSED Ms. Sheila Casey as one of the female nominees to the Kerry Vocational Education Committee.

Cllr. J. Sheahan SECONDED this proposal.

Cllr. M. Gleeson PROPOSED Ms. Marilyn Catapat-Counihan as one of the female nominees to the Kerry Vocational Education Committee.

Cllr. B. Cronin SECONDED this proposal.

Cllr. P. McCarthy PROPOSED Ms. Kerry Harty Beauseigneur as one of the female nominees to the Kerry Vocational Education Committee.

Cllr. T. Buckley SECONDED this proposal.

Cllr. M. Healy-Rae PROPOSED Ms. Kathleen Browne as one of the female nominees to the Kerry Vocational Education Committee.

Cllr. T. Ferris SECONDED this proposal.

Cllr. J. Brassil PROPOSED Ms. Margaret Broderick as one of the female nominees to the Kerry Vocational Education Committee.

Cllr. N. Foley SECONDED this proposal.

Mr. G. O'Brien, Meetings Administrator, informed the meeting that five females have been nominated for two positions as follows - Ms. Marilyn Catapat-Counihan, Ms. Margaret Broderick, Ms. Sheila Casey, Ms. Kathleen Browne and Ms. Kerry Harty and he proceeded to take a vote for the appointment of two females to the Kerry Vocational Education Committee. The vote resulted as follows:-

**For Ms. Casey:** Cllrs. Buckley, Connor-Scarteen, Cronin, Donovan, Finucane, Gleeson, Griffin, Leahy, McCarthy, Moloney, O'Brien, Sheahan, Spring, O'Connell **(14)**

**For Ms. Catapat-Counihan:** Cllrs. Cronin, Gleeson, D. Healy-Rae, M. Healy-Rae **(4)**

**For Ms. Harty Beauseigneur:** Cllrs. Beasley, Buckley, Connor-Scarteen, Donovan, Ferris, Finucane, Griffin, Leahy, McCarthy, Moloney, O'Brien, Sheahan, Spring, O'Connell **(14)**

**For Ms. Browne:** Cllrs. Beasley, Brassil, Cahill, Ferris, Fleming, Foley, D. Healy-Rae, M. Healy-Rae, McEllistrim, O'Shea **(10)**

**For Ms. Broderick:** Cllrs. Brassil, Cahill, Fleming, Foley, McEllistrim, O'Shea **(6)**

## **December Ordinary Meeting 2009**

Mr. G. O'Brien, Meetings Administrator, informed the meeting that Ms. Sheila Casey and Ms. Kerry Harty Beauseigneur were the two female nominees with the majority of votes.

Mayor O'Connell deemed Ms. Sheila Casey and Ms. Kerry Harty Beauseigneur the two female nominees elected to the Kerry Vocational Education Committee.

Mayor O'Connell invited proposals for nominees for the appointment of two males to the Kerry Vocational Education Committee.

Cllr. M. Healy-Rae PROPOSED Mr. P.J. O'Sullivan as one of the male nominees to the Kerry Vocational Education Committee.

Cllr. D. Healy-Rae SECONDED this proposal.

Cllr. P. McCarthy PROPOSED Mr. John J. O'Connor as one of the male nominees to the Kerry Vocational Education Committee.

Cllr. B. Cronin SECONDED this proposal.

Cllr. A. McEllistrim PROPOSED Mr. Patrick O'Sullivan as one of the male nominees to the Kerry Vocational Education Committee.

Cllr. J. Brassil SECONDED this proposal.

Cllr. T. Fleming PROPOSED Mr. Michael O'Mahony as one of the male nominees to the Kerry Vocational Education Committee.

Cllr. M. Cahill SECONDED this proposal.

Cllr. P. Leahy PROPOSED Mr. David Toomey as one of the male nominees to the Kerry Vocational Education Committee.

Cllr. A.J. Spring SECONDED this proposal.

Cllr. B. Cronin PROPOSED Mr. James Kenny as one of the male nominees to the Kerry Vocational Education Committee.

Cllr. R. Beasley SECONDED this proposal.

Cllr. M. Cahill PROPOSED Mr. Andrew McCarthy as one of the male nominees to the Kerry Vocational Education Committee.

Cllr. J. Brassil SECONDED this proposal.

Mr. G. O'Brien, Meetings Administrator, informed the meeting that seven males have been nominated for two positions as follows – Mr. P.J. O'Sullivan, Mr. John J. O'Connor, Mr. Patrick O'Sullivan, Mr. Michael O'Mahony, Mr. David Toomey, Mr. James Kenny and Mr. Andrew McCarthy and he proceeded to take a vote for the appointment of two males to the Kerry Vocational Education Committee. The vote resulted as follows:-

**For Mr. P.J. O'Sullivan:** Cllrs. Brassil, Cahill, Ferris, Fleming, D. Healy-Rae, M. Healy-Rae, McEllistram, O'Shea **(8)**

**For Mr. O'Connor:** Cllrs. Buckley, Connor-Scarteen, Cronin, Donovan, Finucane, Gleeson, Griffin, Leahy, McCarthy, Moloney, O'Brien, Sheahan, Spring, O'Connell **(14)**

**For Mr. Patrick O'Sullivan:** Cllrs. Beasley, Brassil, Ferris, Foley, D. Healy-Rae, M. Healy-Rae, McEllistram, O'Shea **(8)**

**For Mr. O'Mahony:** Cllrs. Cahill, Fleming, Foley **(3)**

**For Mr. Toomey:** Cllrs. Beasley, Buckley, Connor-Scarteen, Donovan, Finucane, Griffin, Leahy, McCarthy, Moloney, O'Brien, Sheahan, Spring, O'Connell **(13)**

**For Mr. Kenny:** Cllr. Cronin **(1)**

**For Mr. McCarthy:** Cllr. Gleeson **(1)**

Mr. G. O'Brien, Meetings Administrator, informed the meeting that Mr. John J. O'Connor and Mr. David Toomey were the two male nominees with the majority of votes.

Mayor O'Connell deemed Mr. John J. O'Connor and Mr. David Toomey the two male nominees elected to the Kerry Vocational Education Committee.

#### **09.12.21.12 Nominations to the Membership of the Kerry County Joint Policing Committee**

Mr. J. Breen, Director of Housing and Community & Enterprise, referred to report dated 11<sup>th</sup> December, 2009, which had been circulated and which outlines the process for the re-establishment of the Joint Policing Committee for County Kerry following the Local Elections 2009. The membership of the Joint Policing Committee is outlined in the report circulated and the Oireachtas members are yet to be determined. It is intended to meet twice per year with the first meeting scheduled for February, 2010. Ratification of the membership is required from today's consideration of this report.

On the PROPOSAL of Cllr. A.J. Spring, SECONDED by Cllr. J. Finucane, it was unanimously agreed to ratify nominations to the membership of the Kerry County Joint Policing Committee as follows:

<b>County Councillors</b>		
An Daingean Electoral Area	1.	Cllr. Brendan Griffin
	2.	Cllr. Seamus Cosáí Fitzgerald
Killorglin Electoral Area	3.	Cllr. Michael Cahill
	4.	Cllr. Patrick Connor-Scarteen
	5.	Cllr. P.J. Donovan

<b>County Councillors, Contd.</b>		
Killarney Electoral Area	6.	Cllr. Bobby O'Connell
	7.	Cllr. Michael Gleeson
	8.	Cllr. Tom Fleming
Listowel Electoral Area	9.	Cllr. Pat Leahy
	10.	Cllr. Robert Beasley
	11.	Cllr. Tim Buckley
Tralee Electoral Area		<b>For the Term 2010-2011</b>
	12.	Cllr. Anne McEllistrim
	13.	Cllr. Toireasa Ferris
	14.	Cllr. Arthur J Spring
		<b>For the Term 2012-2014</b>
		Cllr. Norma Foley
		Cllr. Jim Finucane
		Cllr. Terry O'Brien
<b>Oireachtas Members</b>	5 No.	representatives to be determined
<b>Community and Voluntary Members</b>	1.	Mr. John O'Sullivan
	2.	Mr. Sean Quinlan
	3.	Mr. Bill Morrell
<b>Garda Síochána Members</b>	1.	Chief Superintendent John Kerins
	2.	A.N. Other Superintendent
<b>Kerry County Council Executive Members</b>	1.	County Manager, Mr. Tom Curran
	2.	Director of Housing, Community & Enterprise, Mr. John Breen

### 09.12.21.13 Traffic Management Plan for Ardfert

Mr. C. O'Sullivan, Director of Roads and Transportation, referred to report dated 14<sup>th</sup> December, 2009, regarding the Traffic Management Plan for Ardfert which had been circulated. He outlined that at the request of Council the Roads Department undertook a traffic study of Ardfert village in 2005 with a view to improving traffic flow and car parking facilities. Following extensive public consultation on three options, a Traffic Management Plan was prepared based on the preferred option primarily providing for the introduction of a one-way traffic system and controlled parking to alleviate blockages for through traffic particularly during the peak tourism season, while providing an improved environment for residents and the commercial sector. In consultation with the members of the Tralee Electoral Area Committee it was agreed to implement this proposal and allow a further period for a review of its operation and submissions from the local community on issues arising. Following the review period a report was considered by the members of the Tralee Electoral Area and then presented to the February 2009 Council Meeting where members agreed to defer the decision to allow for a further public meeting. Following a public meeting in October 2009 the Council was requested to consider the "New Line Road" as an additional measure. Preliminary design and land search has been carried out on the feasibility of this proposal. In particular existing junctions on this road are unsatisfactory for large

vehicle turning movements and the road would need substantial upgrading to facilitate the additional volume of traffic. Substantial design work would be required and a source of funding for any proposed works identified to progress this option.

At present there is no statutory basis for the existing traffic arrangements in Ardfert. Following further consultation with the elected members of the Tralee Electoral Area and Listowel Electoral Area and having regard to the statutory provisions of the Roads Act 1994, there are only two options that can be considered at present:

1. Adopt the plan in its current form.
2. Abandon the existing plan and remove the current traffic arrangement.

The elected members have indicated that there is widespread support from the locals for the current plan but there are a number of areas which they consider could be improved. Kerry County Council has given an undertaking that this would be investigated further and also gave a commitment to further progress the feasibility study for the New Line Road. On the basis of the above it is recommended that in accordance with the provisions of Section 38 of the Road Traffic Act 1994, the Traffic Management Plan for Ardfert, as presented to the public for consultation, be adopted by Council with the amendments agreed at the Tralee Electoral Area Meeting of 9<sup>th</sup> February, 2009.

Cllr. T. Ferris thanked the Director of Roads and Transportation for taking the concerns of the residents in Ardfert on board with regard to the road hazards. No system can be introduced that will satisfy everyone and for the most part the majority of people are satisfied with this system than the old system. There are a number of concerns remaining by some people. She referred to Notice of Motion No. 28 on the agenda which was submitted by the members of the Tralee Electoral Area Committee regarding the New Line Road. Improvements to the New Line Road will resolve the majority of difficulties remaining. She suggested that consultation be undertaken with the OPW regarding the land across from the community centre in order to provide parking in that area. Any assistance to provide parking in this area would be greatly appreciated. It is very important that remaining issues are resolved. Pedestrian crossings are required and to make the village safer for pedestrians. Cllr. Ferris PROPOSED the adoption of the Traffic Management Plan for Ardfert.

Cllr. R. Beasley SECONDED this proposal.

## **28. Traffic Management System in Ardfert**

**Pursuant to notice duly given, the members of Tralee Electoral Area PROPOSED:**

"That Kerry County Council study the feasibility and cost of improvements to the New Line to further improve the traffic management system in Ardfert".

**The following report issued:**

**Kerry County Council Road Design Office have given an undertaking to the Members, at the recent Tralee Electoral Area Committee Meeting, to carry out a feasibility study of the New Line Road in Ardfert to evaluate its suitability in improving traffic issues in the village of Ardfert.**

**If the inclusion of the New Line Road is deemed to be beneficial to the traffic issues in the village of Ardfert, Kerry County Council will initiate a public consultation process. The implementation of such a revision to the plan will be subject to successful land acquisition by agreement and funding being made available.**

Cllr. P. McCarthy said the traffic management system at present is a big improvement on the older system. At the public meeting residents of Ardfert requested that the feasibility of the New Line Road be investigated. He welcomed the commitment from the Director of Roads and Transportation to proceed with the investigation of the New Line Road.

Cllr. J. Finucane supported the proposal for the adoption of the Traffic Management Plan for Ardfert. He acknowledged the attendance of the Director of Roads and Transportation and Senior Executive Engineer for North Kerry at public meetings. The current system is working to a great extent. He said consideration should be given to enhancing and developing Ardfert Cathedral as it is a huge asset which is not being utilised and the village is not benefiting as it should from this asset. Consideration should be given in particular to providing parking for coaches and to developing the village as a heritage village.

Cllr. J. Brassil supported the proposal for the adoption of the Traffic Management Plan for Ardfert and welcomed the reply to Notice of Motion No. 28 which answers many of the concerns raised by residents of Ardfert. He asked that the submission made by the caravan park regarding transporting caravans during peak season be considered and arrangements put in place immediately. He referred to the area in front of (Name withheld for Data Protection purposes) shop where drivers should turn left but are driving straight across this area and using the parking area as a thoroughfare. This practice is not safe and is not acceptable and some methodology should be put in place to stop the use of this area as a thoroughfare.

Cllr. A. McEllistrim thanked the Director of Roads and Transportation for agreeing to undertake the feasibility study for the New Line Road. She asked when it is expected to present this report to the Tralee Electoral Area meeting. She requested that a letter issue to the Minister regarding the provision of car parking spaces near Ardfert Cathedral.

Cllr. A.J. Spring said he had received some representations against the Traffic Management Plan for Ardfert as this is not a finite solution. Residents have asked that the Council acknowledge that improvements are required. 32 of the 34 submissions had issues and there is a petition of 230 people who have issues with the system. He said there was a break down of communication between the community and Kerry County Council and he would like Kerry County Council to engage with the community when considering proposals again. He supported the adoption of the Traffic Management Plan for Ardfert.

Cllr. T. O'Brien said many issues have been addressed and he supported the adoption of the Traffic Management Plan for Ardfert.

Cllr. N. Foley acknowledged the amount of work done by staff in producing the Traffic Management Plan for Ardfert. She welcomed the reply to the Notice of Motion regarding the New Line Road and supported the adoption of the Traffic Management Plan for Ardfert.

Mr. C. O'Sullivan, Director of Roads and Transportation, thanked the members for their comments regarding the report presented on the Traffic Management Plan for Ardfert. He said it is hoped to present the report on the feasibility study of the New Line Road to the February 2010 meeting of the Tralee Electoral Area Committee.

On the PROPOSAL of Cllr. T. Ferris, SECONDED by Cllr. R. Beasley, it was agreed to make a Traffic Management Plan for Ardfert, that plan being the plan as presented to the public for consultation with the amendments agreed at the Tralee Electoral Area Meeting of 9<sup>th</sup> February, 2009, in accordance with Section 38 of the Roads Traffic Act, 1994.

#### **09.12.21.14 Recent and Impending developments in Waste Management and the implications for Kerry County Council**

Mr. M. Boyce, Acting Senior Engineer, Environmental Services, referred to briefing report dated 15<sup>th</sup> December, 2009, regarding recent developments in the Waste Management area which had been circulated. He outlined that the latter half of 2009 has seen a number of significant developments in the waste management area, both locally and nationally, including:

1. Review of the waste licence for North Kerry Landfill:

A number of new/revised conditions have been included in the draft, however, two issues are of particular significance, as follows :

1. A requirement that only waste which has been subject to pre-treatment may be accepted at the landfill for disposal;
2. A requirement that, by July 2010, a maximum of 40% (by weight) of waste landfilled at North Kerry Landfill may comprise Biodegradable Municipal Solid Waste\* [BMW]. Stricter targets have also been set for 2013 (24%) and 2016 (15%)

\* Biodegradable Municipal Solid Waste includes: food waste, garden waste, wood, paper, cardboard and textiles.

2. Increasingly competitive waste market

The increasingly competitive nature of the waste market is evident from a number of developments over the past few weeks :

- o A number of private waste operators based within the Kerry/Mid-West/Cork area have come together to form a consortium and it is likely that waste collected by the Kerry-based members of the consortium will move out of the county for disposal in 2010. The cumulative impact of continually declining tonnages, a phased increase in the landfill levy and further competition for residual waste on the continuing viability of the landfill in its current set-up needs to be carefully considered. Specifically alternative options need to be explored for expansion and/or diversification of operations at the facility either by Kerry County Council alone or in partnership with the private sector in order to continue to generate a return on investment in this infrastructure.
- o 2010 will see the entry of a number of new operators into the waste collection market (both domestic and commercial) in County Kerry. This is likely to result in changes in the waste collection charging regime in the short-term, and has resulted in wide-spread reductions in customer charges for 2010. It is debatable, however, whether this approach can be sustained

in the short to medium term. While Kerry County Council remains committed to the future of the Refuse Collection service, there needs to be an acknowledgment that in the face of such competition, its viability is dependent on sustaining a satisfactory customer base and a consistent drive to minimise costs.

### 3. International Review of Waste Management Policy

The report on the outcome of the International Review of Waste Management Policy was published in late November, 2009. The review has recommended a number of changes to waste management policy in Ireland and, if implemented, could have potentially significant future implications for local authorities. Among the major policy recommendations put forward in the report are the following :

- Collection of all household waste to be made the responsibility of local authorities. All household waste would be collected directly by the local authorities, or by an enterprise acting on its behalf;
- The establishment of binding targets for residual waste generation (ie. less than 150kg per inhabitant by 2020)
- Replacement of the regional waste management plans with one national waste management plan;
- Significant changes in recycling rates for various materials;
- A legal requirement that all householders sign up to, and pay for, a dedicated waste collection service;
- Significant changes to the landfill levy structure - In this regard, the Minister has already announced that the levy will increase from its current level of €20 per tonne of waste landfilled to: €30 in 2010, €50 in 2011 and €75 in 2012.

It is understood that the recommendations from the review will be considered by the Minister and are likely to form the basis for forthcoming changes in national waste management policy and legislation.

### 4. Implications for Kerry County Council and the general public

- The diversion of increasing quantities of waste from landfill, such as BMW, will reduce the volumes traditionally sent directly for disposal to landfill and is likely to result in reduced income for landfill operators into the future.
- Local authorities are heading into an uncertain period. The regulatory and policy framework is seeking increased and more expensive levels of treatment (and diversion) for waste prior to final disposal.
- Local authorities are coming under increased competition in the areas of waste collection and landfill, which is driving prices downwards towards unsustainable levels.
- It will be a challenge to retain the refuse customer numbers that were held in 2009 and in previous years. In addition, in the area of waste disposal, it is highly likely that the volume of waste going for disposal at North Kerry Landfill will drop significantly due to a combination of factors. This will have implications on revenue at the landfill.
- National waste management policy is likely to undergo significant change in the near future and this will have implications for local authorities and the waste market.



Mr. Boyce said a review of the waste services currently provided has been carried out and this process will continue on an on-going basis. Given the nature of the challenges involved, it is certain that changes will have to be made in the way in which many waste services are currently provided by Kerry County Council. This may necessitate changes in charging regimes, opening hours of facilities, etc. and will most certainly involve the minimisation of costs across all services.

Cllr. M. Gleeson welcomed this report and said for a long time he has called for a reduction in the standing charge for the refuse collection. The standing charge is the core of the problem as it was set too high and resulted in householders going to other service providers. He welcomed the standing charge for 2010 at €100 down from €185 and said he hoped it is not too late to retain existing customers and encourage customers that left the Kerry County Council service to return. Kerry County Council is being competitive and must be competitive otherwise the entire service will disappear from local authorities and the country will be in a desperate state with illegal dumping. There is more than enough illegal dumping at present. There is a huge challenge for the Local Authority and one of the issues relates to the acceptance of certain recycling materials in the local recycling centres e.g. inability to accept grass and timber. All waste is being dumped unsegregated. There is a need to provide a segregation facility at Kerry County Council's facilities. He thanked the Environment Department for providing a cardboard compactor at Coolcaslagh Transfer Station. He said the proposal in the International Review of Waste Management Policy that every householder sign up for a service that they might not even be using will have to be resisted strongly.

Cllr. J. Finucane supported Cllr. Gleeson's comments and said the commercial drive behind the refuse collection service is very welcome. The local authority must provide a refuse collection service as it is a crucial service and there are a lot of jobs involved. A competitive service must be provided and the market must be made aware that it is a competitive service. He asked if staff will be assigned to market this service as a consistent marketing campaign is required. Local Authorities are reluctant to sell the service provided. There are a lot of community groups in the county which could be brought on board for this campaign and they could be given a commission for selling the service offered by Kerry County Council. There are many innovative ways to get this information to the public. This initiative must be followed up with commercialism and a marketing approach. Kerry County Council should not apologise if costs are covered and a profit is made in order to continue to invest in the service.

Cllr. A. McEllistrim said there will be a loss of revenue if the Council has fewer customers. People living in the Muingnaminnane landfill area must be assured that there continues to be an amount of money provided towards the upkeep of the area and maintaining the roads servicing the landfill. The introduction of a third bin and pre-treatment of waste was mentioned at a previous meeting. The Environment Department should write to customers to encourage them to use a compost bin and alleviate as much waste as possible from going to landfill.

Cllr. M. Healy-Rae welcomed the report and the reduced standing charge for the refuse collection service in 2010. With regard to the landfill, at the time of its establishment Councillors and management had great vision to see the need for this facility. He said substantial upgrading has been undertaken at the facility and asked if the landfill will always be a burden on the finance of this county.

Cllr. D. Healy-Rae welcomed the reduction of the standing charge for the refuse collection service in 2010. He said 3-4 years ago he had raised the issue of Kerry County Council's competitiveness in this sector. In any market the service provider must be competitive to survive. Kerry County Council market its service and ensuring that new houses take on the refuse collection services of Kerry County Council. The wavier system provided by Kerry County Council is a very important factor of the refuse collection service. Private companies will not provide a wavier system.

Cllr R. Beasley welcomed the reduced standing charge for 2010. The service should be advertised so the public are well aware of what is available from Kerry County Council. Consideration should be given to marketing in areas that Kerry County Council did not service previously. There are a lot of areas that are not being serviced and this would draw customers back to Kerry County Council.

Cllr. T. Ferris welcomed the reduction in the standing charge for 2010 and said Kerry County Council is moving towards what Cllr. Gleeson has been advocating, i.e. that people paying for the waste they generate. She asked how the waiver system will operate with the reduced standing charge. She asked that Kerry County Council review the policy whereby its service is not extended into an area unless there are 15 households on a mile of road. Kerry County Council should show some initiative in marketing the refuse collection service. With regard to the residents in Muingnaminnane, she said she understood that a representative from the local Committee was to be invited to attend the Environment SPC meetings. She sought clarification on this issue.

Cllr. B. Cronin said as Chair of the Environment SPC he wished to assure Cllr. Ferris that the residents and their committee are more than welcome to attend the Environment SPC meetings to make a presentation to the Environment SPC. The monitoring and local knowledge they have is very important.

Cllr. B. Cronin welcomed the reduced standing charge for the refuse collection service in 2010. It is vitally important that Kerry County Council continues to provide a refuse collection service and that this service is promoted. Kerry County Council is providing an excellent refuse service which is cost effective. Kerry County Council must remain in the refuse collection service in order to set competitiveness and excellence standards as well as providing the wavier scheme for OAPs, people with disabilities and people on low income. If Kerry County Council opts out of the refuse collection service the private collectors have no accommodation for the provision of a waiver scheme. He asked what is the position on the wavier scheme for 2010. Indiscriminate dumping continues to be a problem in the county and the people responsible have no respect and total disregard for the environment and people's property. He paid tribute to and complimented the work of the Litter Warden who does excellent work but in order to prosecute, identification of the offenders is required and people who have seen people dumping rubbish should report details, e.g. vehicle registration, to the Environment Department.

Mr. M. Boyce, A/SE, thanked the members for their comments on the reduced standing charge for the refuse collection service in 2010. Kerry County Council markets its refuse collection service and will raise marketing efforts over the next year. Additional staff are being assigned to the marketing of the service. Kerry County Council has a good service with a competitive charge and will compete

aggressively in the market. Kerry County Council has a successful home composting scheme in operation and that scheme will continue.

With regard to the residents in the Muingnaminnane area, the fund that is in place will be continued. The Environment SPC received representations and presentations from the Muingnaminnane Working Group previously. He undertook to follow up this issue and continue this arrangement into the future.

Mr. J. O'Connor, Deputy County Manager, said the annual fixed charge for the refuse collection service has been discussed at many Council meetings. Over the past couple of years Environment and Finance have done everything possible to contain costs in this area. The costs are as trim as possible now having regard to all the rules under which Kerry County Council must operate. Kerry County Council must and does comply with the law of the land, health and safety regulations, working time regulations, etc. In 2010 a staff member will be assigned specifically to marketing the refuse collection service in association with local area staff. A feature of Kerry County Council's service is coverage of extensive routes in the county, i.e. 2,500 miles every week, and there is a cost attached to this coverage. The pay back for the provision of the refuse collection service by Kerry County Council is the protection of the environment in the most scenic and environmentally worthwhile parts of the county. Not all the Council's competitors have to service routes to this extent and this is a factor that must also be borne in mind. There is enthusiasm and drive within Kerry County Council to retain the refuse collection service, however, there is a limit to how much of a deficit can be carried from year to year.

With regard to the wavier scheme, Kerry County Council has a substantial number of wavier customers and it is the intention to continue the scheme as in recent years with the fixed charge being eliminated. People will manage their refuse charges through management of their waste. The segregation of waste by the private customer and the implications of that is also an issue. If the regulations are implemented as is intended from national level there will be very significant challenges for everyone from waste facility operators, refuse collectors and private individuals.

There is also a cost driver for Kerry County Council in that it maintains four transfer stations as well as the North Kerry landfill. This is expensive infrastructure to maintain. Kerry County Council would be more competitive if it had the landfill only, however, given the nature of the county this is not the position. There is a Working Group in Muingaminane and there has been a very good working relationship with them. The fund that Kerry County Council operates works to the satisfaction of the Muingaminne Working Group and the Local Authority. Engagement of the Working Group with the Environment SPC is very worthwhile.

#### **09.12.21.15 Dates for the next round of Electoral Area Meetings**

Dates for the next round of Electoral Area meetings were agreed as follows:

<b>Area</b>	<b>Date</b>	<b>Location</b>	<b>Time</b>
Tralee	Mon 1 <sup>st</sup> Feb 2010	Council Chambers	10 40am
Killarney	Wed 10 <sup>th</sup> Feb 2010	Town Hall, Killarney	10.00am
An Daingean	Wed 17 <sup>th</sup> Feb 2010	An Daingean Area Office	10.30am
Listowel	Mon 1 <sup>st</sup> Mar 2010	Áras an Phiarsaigh, Listowel	10.00am
Killorglin	Fri 5 <sup>th</sup> Mar 2010	Caherciveen	10.00am

### **09.12.21.16 Summary of Proceedings at Conferences**

#### **(a) The Blascaod Mór Commemoration 2009**

It was unanimously agreed to note Cllr. A. McEllistrim's written report on this item which was circulated.

#### **(b) LAMA Annual Winter Seminar 2009**

It was unanimously agreed to note Cllr. J. Brassil's written report on this item which was circulated.

#### **(c) National Tourism Conference 2009**

It was unanimously agreed to note Cllr. B. Cronin's written report on this item which was circulated.

### **09.12.21.17 Reception of Deputation**

#### **Residents of Scartaglin/Knockreagh/Knockrower**

Cllr. D. Healy-Rae requested that a deputation be received from the residents of Scartaglin/Knockreagh/Knockrower regarding the condition of roads. On the PROPOSAL of Cllr. D. Healy-Rae, SECONDED by Cllr. M. Healy-Rae, it was agreed that this deputation would be received at the next Killarney Electoral Area Meeting.

### **09.12.21.18 Notices of Motion**

Mr. G. O'Brien, Meetings Administrator, informed the meeting that it was 2.45 pm and asked if members would be in agreement to note the replies to the Notices of Motion and the members could reserve the right to resubmit them for the January 2010 Council meeting.

This was unanimously agreed.

#### **1. Roundabout at the junction of the N22 and the L-3011 to Upper Lissivigeen/Coolcashlagh**

##### **Pursuant to Notice duly given, Cllr. M. Gleeson PROPOSED:-**

"Has the NRA given any indication of providing a roundabout at the junction of the N22 and the L-3011 to Upper Lissivigeen/Coolcashlagh. This is a lethal junction and also one which inflicts inordinate delays on traffic seeking to exit onto the N22."

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

**A number of motions in relation to this junction have previously been moved at Killarney Electoral Area meetings, over a number of years. Arising out of these motions, the Roads Engineer liaised with the local NRA Inspector to ascertain if funding could be provided for junction improvements at this location.**

**The provision of a roundabout at this location is difficult to justify, having regard to the volume of traffic using the local road. However, the NRA recognised that there were some safety issues, particularly due to the additional slow lane on Pike Hill provided for HGVs. Under the National Primary Safety Measures Programme the NRA provided €150,000 for traffic calming measures between the bottom of Pike Hill and Lissivigeen Junction, which were installed in 2007.**

In April 2006, the Council granted permission for a light industrial development on the L-3011, at Coolcaslagh. A development contribution of €120,000 was applied to this development towards junction improvements at the intersection of this local road with the N22. These works had been identified in a road safety audit which had been submitted as part of the planning application for this development. The most significant issues in the audit were subsequently dealt with when the NRA funded traffic calming scheme was implemented.

Whilst the primary risks to road users have been addressed through these measures, the widening of the local road at the junction is desirable to facilitate easier turning movements for HGVs and it is hoped to fund these works from the development contribution on the light industrial development. A preliminary design was prepared for the junction. However, negotiations with adjacent landowners are proving difficult.

There have been no reported accidents at this location since the traffic calming measures were implemented.

## 2. Compensation paid in claims for damage to vehicles

**Pursuant to Notice duly given, Cllr. M. Moloney PROPOSED:-**

"That Kerry County Council would advise how much money has been paid out in compensation to the public in claims for damage to their vehicles due to potholes and road works in 2008 and to date in 2009 and how many claims are pending and to what amount."

**The following report issued:**

Table1

<b>Pothole Claims</b>	<b>2008</b>		<b>2009 (year to date)</b>	
	<b>(no.)</b>	<b>(value €)</b>	<b>(no.)</b>	<b>(value €)</b>
Total Claims	146	-	147	-
Settled Claims	55	29598.28	41	10123.85
Denied / Closed Claims <sup>1</sup>	91	-	81	-
Pending / Ongoing Claims <sup>2</sup>	0	-	25	10667.72

Table 2

<b>Roadworks Claims</b>	<b>2008</b>		<b>2009 (year to date)</b>	
	<b>(no.)</b>	<b>(value €)</b>	<b>(no.)</b>	<b>(value €)</b>
Total Claims	43	-	16	-
Settled Claims	15	23817.7	8	6701.82
<b>Denied / Closed Claims<sup>1</sup></b>	<b>21</b>	<b>-</b>	<b>1</b>	<b>-</b>
Pending / Ongoing Claims <sup>3</sup>	7	-	7	-

Table 3

<b>Roadworks &amp; Pothole Claims</b>	<b>2008</b>		<b>2009 (year to date)</b>	
	<b>(no.)</b>	<b>(value €)</b>	<b>(no.)</b>	<b>(value €)</b>
Total Claims	189	-	163	-
Settled Claims	70	53415.98	49	16825.67
Denied / Closed Claims <sup>1</sup>	112	-	82	-
Pending / Ongoing Claims <sup>3</sup>	7	-	32	-

1. **Not all claimants submitted valuation of damage therefore accurate value of claims cannot be assessed.**
2. **Valuation based on submitted invoices, some of these claims may be denied.**
3. **Claims may involve personal injury to be assessed - inappropriate to comment on value for legal reasons.**

**The Council holds public liability insurance cover in respect of third-party claims where the Council is liable. However, the Council does not have liability in many of the pothole and roadworks claims made owing to the non-feasance legal principle. The settlement of claims, or otherwise, is a matter for our insurers.**

3. **Availability of Toilet facilities at Community Centres for use by tourists/visitors during the summer months**

**Pursuant to Notice duly given, Cllr. M. O'Shea PROPOSED:-**

"We ask that Kerry County Council liaise with Community Centres/Hall Committees to ascertain their interest and agreement to make their toilet facilities available during the summer months for tourists/visitors in villages and towns where there are no public conveniences. Where they agree to this, that the Head of Finance would waive the water charges for these Community Centres/Halls."

**The following report issued:**

**Kerry County Council would be happy to discuss any proposals which a Community Centre Committee might have in relation to a partnership or joint approach to the provision of toilet facilities in towns and villages where no such public facilities exist at present.**

**Issues such as standards of facilities, disabled access, opening hours, maintenance, insurances and finances would form part of the discussions. The matter of water charges for the facilities could be dealt with in that context as well.**

4. **Fines issued to motorists using the M50 Barrier Free Tolling System**

**Pursuant to Notice duly given, Cllr. M. Cahill PROPOSED:-**

"That Kerry County Council immediately call on the National Roads Authority to urgently change the current most unfair system that the NRA operate whereby fines are being issued to motorists using the M50 Barrier Free Tolling System who are totally unaware that any rules have been broken because of inadequate information, warnings, signage etc."

**Mr. G. O'Brien, Meetings Administrator, said this is a matter for consideration by the Members.**

5. **Spike Island Prison**

**Pursuant to Notice duly given, Cllr. M. Cahill PROPOSED:-**

"To call on the Minister for Justice to immediately re-open Spike Island Prison to deal with the ongoing situation of space not being available to allow people complete their full sentence."

**Mr. G. O'Brien, Meetings Administrator, said this is a matter for consideration by the Members.**

**6. Bonds held by Kerry County Council**

**Pursuant to Notice duly given, Cllr. B. Cronin PROPOSED:-**

"To request that this Council provide the Elected Members with a detailed list of (a) all development bonds held by Kerry County Council to include names, addresses and amount of bonds, (b) a list of all cash bonds held by Kerry County Council to include names, addresses and amounts, (c) a list of all bank deposit accounts held by Kerry County Council as bonds."

**The following report issued:**

**Where a Planning Authority considers that a security is necessary to secure the satisfactory completion of a development, a bond is required by way of condition attached to the grant of permission. In the majority of cases, this condition would be applied in respect of multi-residential developments where there are significant site development works incorporated within the development.**

**The following is a summary of bonds currently held and full details are given in the attached document:**

<b>Insurance Bonds held by KCC</b>	<b>355 No.</b>
<b>Cash Bonds held by KCC</b>	<b>46 No.</b>
<b>Joint Deposits held by KCC</b>	<b>10 No.</b>

## Insurance Bonds

Ping Reg No	Developer	Developer Address	Development Location	Bond Amount
00/3334	REDMORE DEVELOPMENTS LTD	COOLCASLAGH, KILLARNEY	SHINNAGH,RATHMORE	€23,600.00
00/1124	LIMESTONE PARTNERSHIP	RATHMICHAEL, BRAY, CO. WICKLOW	FARRANTOREEN, KILLORGLIN	€25,200.00
00/3403	(Name withheld for Data Protection purposes), GLENTON LIMITED.	DUNFORD, HEADFORD, KILLARNEY	BALLYOUGHTRAGH NORTH, MILLTOWN	€32,697.00
03/1760	(Name withheld for Data Protection purposes), GLENTON LIMITED.	DUNFORD, HEADFORD, KILLARNEY	BALLYOUGHTRAGH NORTH, MILLTOWN	€32,697.00
97/485	HOBBY INVESTMENTS LTD.	MILLSTREET ROAD, MACROOM	BALLYBRACK, WATERVILLE	€3,174.00
01/2648	(Name and Address withheld for Data Protection purposes)		DERRA WEST, LISTOWEL	€30,000.00
99/2842	COLLISWOOD DEVELOPMENTS LTD.	KILLEEN, OAKPARK, TRALEE	KILLEEN OAKPARK, TRALEE	€40,000.00
99/3480	(Name and Address withheld for Data Protection purposes)		BOHERBOY, CAHERCIVEEN	€1,900.00
00/2083	(Name and Address withheld for Data Protection purposes)		BALLYOUGHTRAGH, MILLTOWN	€65,000.00
02/1764	(Name and Address withheld for Data Protection purposes)		ARDAMORE, BAILE NA NGALL	€600.00
02/1437	(Name and Address withheld for Data Protection purposes)		BANNA MOUNTAIN, ARDFERT	€40,000.00
99/467	LARTIGUE DEVELOPMENTS LTD.	MONAVALLEY IND. ESTATE, TRALEE	REEN & KNOCKLYNE,KILLORGLIN	€353,761.00
00/2857	(Name and Address withheld for Data Protection purposes)		KILLOWEN, KENMARE	€12,697.00
01/869	(Name and Address withheld for Data Protection purposes)		KILLOWEN, KENMARE	€15,000.00
00/4092	(Name and Address withheld for Data Protection purposes)		LAHARN, KILLORGLIN	€11,400.00
01/3585	JAMES LYNCH CONSTRUCTION LTD.	THE MILL, VALENTIA ISLAND.	KNIGHTSTOWN, VALENTIA	€121,500.00
03/844	MARGLANN AN DAINGEAN TEO	SPA ROAD, DINGLE	GORTONORA, DINGLE - 34/35 JOHN STREET	€30,000.00
03/2416	(Name and Address withheld for Data Protection purposes)		GORTONORA, DINGLE - 36 JOHN STREET	€10,000.00
03/1090	(Name and Address withheld for Data Protection purposes)		VENTRY, TRALEE	€50,000.00
02/1910	M.F. QUIRKE & SONS	RANGUE, KILLORGLIN	BALLAHACOMMANE, KILLARNEY	€135,000.00



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<b>Ping Reg No</b>	<b>Developer</b>	<b>Developer Address</b>	<b>Development Location</b>	<b>Bond Amount</b>
03/883	WHITEGATE CONSTRUCTION LTD.	WHITEGATE, CASTLEMAINE	SHANAHILL EAST, KEEL	€5,079.00
02/2655	(Name and Address withheld for Data Protection purposes)		BARLEYMOUNT, KILLARNEY	€15,000.00
00/92	(Name and Address withheld for Data Protection purposes)		CAMP VILLAGE	€19,046.00
01/2851	PAT GRIFFIN CONSTRUCTION LTD.	BALLINAKILLA, GLENBEIGH	KEELNABRACK LOWER, GLENBEIGH	€40,000.00
02/731	(Name and Address withheld for Data Protection purposes)		CROHANE, FOSSA, KILLARNEY	€20,000.00
01/3506	MURPHY & MCKENNA LTD.	KILLAHAN, ABBEYDORNEY	BALLINAGERAGH, LIXNAW	€21,600.00
03/1443	(Name and Address withheld for Data Protection purposes)		GLENBEIGH	€95,000.00
02/2463	GORTAHOOSH CONSTRUCTION CO. LTD.	GLENFLESK, KILLARNEY	GORTAHOOSH, KILLARNEY	€20,250.00
00/3866	(Name and Address withheld for Data Protection purposes)		MOYVANE, CO. KERRY	€37,711.00
03/1137	ALEO LIMITED	13 BEAUFORT PARK, KILLARNEY	BEAUFORT, KILLARNEY	€40,000.00
02/1801	DOUBLE D DEVELOPMENTS LTD.	31 MOUNTHAWK MANOR, CAHERSLEE	KENMARE OLD, KENMARE	€62,579.00
03/1651	AMELIO PROPERTIES LIMITED	4 ST. GARVANS TCE, KILGARVAN	MAIN STREET, KILGARVAN	€30,000.00
03/877	(Name and Address withheld for Data Protection purposes)		GORTAMULLIN, KENMARE	€5,000.00
99/3029	SUNDAY'S WELL PROPERTIES LTD.	MINISH, KILLARNEY	CLOGHEREENS, MUCKROSS, KILLARNEY	€15,000.00
01/1844	(Name and Address withheld for Data Protection purposes)		GURTEEN NORTH, ANNASCAUL	€20,000.00
00/93276	MARTIN WALSH CONSTRUCTION LTD.	COOLCORCORAN, KILLARNEY	CHURCH ROAD, MILLTOWN	€17,104.00
01/2038	WHITEOAK DEVELOPMENTS	39 MAIN STREET, CASTLEISLAND	BALLYBEG, DINGLE	€50,000.00
99/2916	(Name and Address withheld for Data Protection purposes)		BALLINSKELLIGS	€25,394.76
99/3189	GAIN FLAMENGO CONSTRUCTION LTD.	KILLARNEY ROAD, CASTLEISLAND	LIMERICK ROAD, CASTLEISLAND	€20,000.00
02/1885	DEM PARTNERSHIP	KNOCKAVINNANE, BALLYMACELLIGOTT	OAKPARK, TRALEE	€3,000.00
00/44	LAKEPOINT DEVELOPMENTS LTD	DENNEHY'S BOHEREEN, KILLARNEY	BALLINVARRIG, FIRIES	€22,856.00

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Ping Reg No	Developer	Developer Address	Development Location	Bond Amount
02/1371	(Name and Address withheld for Data Protection purposes)		BALLAHACOMMANE, KILLARNEY	€15,000.00
03/2486	(Name and Address withheld for Data Protection purposes)		SCARTAGLIN	€162,000.00
03/1889	MICHAEL SHEEHAN & SONS LTD.	KILLARNEY	FARRANTOREEN, KILLORGLIN	€53,5380.00
03/166	BEGINISH MANAGEMENT CO. LTD.	C/O JOHN O'CONNELL, CLONMEL	CAHERCIVEEN	€60,000.00
03/2803	WALSH PRINTING WORKS	TRALEE ROAD, CASTLEISLAND	MOANMORE	€79,461.00
99/1947	S. T. O'SHEA (BUILDERS) LTD.	LAHARN, KILLORGLIN	LAHARN, KILLORGLIN	€53,998.00
99/3164	(Name and Address withheld for Data Protection purposes)		FLINTFIELD, FIRIES	€30,473.71
99/2051	(Name and Address withheld for Data Protection purposes)		EMLAGH, BALLYDAVID	€26,665.00
00/2480	GRIFFIN BROS. CONTRACTING	CHURCH STREET, CASTLEISLAND.	CAHERWEESHEEN, TRALEE	€181,000.00
00/3464	DOUBLE D DEVELOPMENTS	TRALEE	SPUNKANE, WATERVILLE	€13,332.25
02/2960	RODCLIFF CONSTRUCTION LTD.	RACECOURSE ROAD, TRALEE	KILLEEN ROAD, TRALEE	€10,150.00
01/3584	(Name and Address withheld for Data Protection purposes)		TEERNABOUL, KILLARNEY	€1,550.00
98/653	CHERRYHILL DEVELOPMENTS LTD.	COOLMAGORT, BEAUFORT	GROIN, KILLORGLIN	€50,789.53
00/3287	(Name and Address withheld for Data Protection purposes)		KNOCKNACASKA, KILFLYNN	€3,375.00
02/1191	(Name and Address withheld for Data Protection purposes)		KILNABRACK LOWER, GLENBEIGH	€20,250.00
03/2527	(Name and Address withheld for Data Protection purposes)		KNOCKANE, LISTOWEL	€25,000.00
03/92027	KOMIK DEVELOPERS LTD.	CHURCH ROAD, BALLYBUNION	CHURCH ROAD, BALLYBUNION	€87,750.00
00/2624	(Name and Address withheld for Data Protection purposes)		SLAGHT, KILGARVAN	€6,750.00
03/2711 & 00/2624	(Name and Address withheld for Data Protection purposes)		SLAUGHT, KILGARVAN	€6,750.00
04/205	(Name and Address withheld for Data Protection purposes)		AGHAMORE, ABBEYDORNEY	€8,100.00
02/1878	BRENDAN MCELLIGOTT FTM DEVELOPMENTS LTD.	10 WALNUT GROVE, STATION RD., ARDFERT	KILMOYLEY SOUTH	€50,000.00
01/902	DOUBLE D DEVELOPMENTS LTD.	31, MOUNTHAWK MANOR, CAHERSLEE	SPUNKANE, WATERVILLE	€71,994.00
03/2403	(Name and Address withheld for Data Protection purposes)		KNOCKNAGOSHEL	€10,500.00
03/136	CHERRYHILL DEVELOPMENTS LTD.	RANGUE, KILLORGLIN	CASTLEQUIN, CAHERCIVEEN	€148500.00
95/1727	(Name and Address withheld for Data Protection purposes)		RATH WEST, CAHERDANIEL	€14,983.00

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Ping Reg No	Developer	Developer Address	Development Location	Bond Amount
03/3695	(Name and Address withheld for Data Protection purposes)		DROMIN UPPER, LISTOWEL	€37,000.00
02/2501	KILCARAGH GREEN DEVELOPMENTS	C/O T. O'CONNOR, CERTIFIED CHARTERED ACCOUNTS, QUAYSIDE HOUSE, PRINCES ST., TRALEE.	LIXNAW	€133,000.00
01/2308	(Name and Address withheld for Data Protection purposes)		DROMKEEN EAST, CAUSEWAY	€2,057.00
99/3156	(Name and Address withheld for Data Protection purposes)		FARRANTOREEN, KILLORGLIN	€30,474.00
01/3094	CAPRICE DEVELOPMENTS LTD.	4 LR. DUNDRUM ROAD, DUBLIN 14	SPUNKANE, WATERVILLE	€84,000.00
01/2091	PAT LYONS, C/O SEERSHA MANAGEMENT CO. LTD.	NEW STREET, ABBEYFEALE.	SEERSHA, FAHA, KILLARNEY	€15,427.00
02/3083	(Name and Address withheld for Data Protection purposes)		BUNAGHARHA, LISTOWEL	€25,000.00
04/871	(Name and Address withheld for Data Protection purposes)		GORTNASKEHA, BALLYBUNION	€100,000.00
03/2913	(Name and Address withheld for Data Protection purposes)		KIELDUFF, TRALEE	€2,869.00
00/1398	(Name and Address withheld for Data Protection purposes)		CLAHANE, BALLYARD	€31,743.00
03/2798	COLLISWOOD DEVELOPMENTS LTD	KILLEEN TRALEE	BALLYNAHOULART, TRALEE	€39,240.00
03/2587	COLLISWOOD DEVELOPMENTS LTD	KILEEN TRALEE	BALLYNAHOULART, TRALEE	€20,000.00
03/1403 & 03/1407	MURCOR DEVELOPMENTS LTD.	4 GREENVIEW TERRACE, PRINCES	BALLYSEEDY, TRALEE	€56,185.00
03/1059	(Name and Address withheld for Data Protection purposes)		MAIN STREET, CASTLEISLAND	€56,000.00
04/3355	(Name and Address withheld for Data Protection purposes)		COOLCORCORAN, KILLARNEY	€304,490.00
02/3110	(Name and Address withheld for Data Protection purposes)		MURREAGH, BALLYDAVID	€33,750.00
03/2915	(Name and Address withheld for Data Protection purposes)		TONREAGH, KIELDUFF	€15,000.00
03/3287	(Name and Address withheld for Data Protection purposes)		BALLINVARRIG, FIRIES	€54,000.00
04/1323	(Name and Address withheld for Data Protection purposes)		HEADFORD, KILLARNEY	€49,050.00
00/4003	(Name and Address withheld for Data Protection purposes)		BALLYMACPRIOR, KILLORGLIN	€37,141.00
04/1245	(Name and Address withheld for Data Protection purposes)		CORDAL WEST, CASTLEISLAND	€19,350.00
04/4492	LAUNE PROPERTIES LIMITED	KILLORGLIN,	IVERAGH ROAD, LAHARN, KILLORGLIN	€500,000.00
01/2105	(Name and Address withheld for Data Protection purposes)		BALLINVARRIG, FIRIES	€124,434.33

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Ping Reg No	Developer	Developer Address	Development Location	Bond Amount
99/322	(Name and Address withheld for Data Protection purposes)		LAHARN, KILLORGLIN	€44,440.83
04/3170	MANGERTON CONSTRUCTION	KILLARNEY	MARKET ROAD, KILLORGLIN	€67,500.00
04/299	(Name and Address withheld for Data Protection purposes)		DERRYMORE EAST, TRALEE	€27,000.00
01/134	WATEFRONT HOMES LTD.	THE SQUARE, KILLORGLIN	SEAMUS O'SULLIVAN	€25,125.00
01/2002	FOSSA CONSTRUCTION LTD.	FOSSA, KILLARNEY	SHINNAGH, RATHMORE	€118,180.00
04/3947	(Name and Address withheld for Data Protection purposes)		BALLYCONNELL, KILFLYNN	€67,500.00
02/1240	(Name and Address withheld for Data Protection purposes)		KNOCKNAHOE, KILLARNEY	€27,000.00
04/3867	GALVIN DEVELOPMENTS LTD	KNOCKAVOTA, MILLTOWN, CO. KERRY	KNOCKAVOTA, MILLTOWN	€405,000.00
03/1503	(Name and Address withheld for Data Protection purposes)		GORTNABOUL, KILGARVAN	€120,000.00
03/1516	(Name and Address withheld for Data Protection purposes)		KILLOWEN, KENMARE, CO KERRY	€135,000.00
03/1518	LAUNE PROPERTIES LTD	DALY'S LANE , KILLORGLIN	FARRANREAGH, KNIGHTSTOWN, VALENTIA	€95,000.00
04/2672	(Name and Address withheld for Data Protection purposes)		STRAND ROAD, CASTLEGREGORY	€85,000
04/879	VODAFONE IRELAND	MOUNTAIN VIEW, LEOPARDSTOWN, DUBLIN 18	KILMURRAY, KENMARE, CO. KERRY	€10,000.00
04/1143	(Name and Address withheld for Data Protection purposes)		KEALID, KNOCKANURE, LISTOWEL	€2,000.00
04/196	(Name and Address withheld for Data Protection purposes)		GORTAMULLIN, KENMARE	€365,000.00
98/379	(Name and Address withheld for Data Protection purposes)		CLASHEDMOND, BALLYSEEDY	€22,855.29
04/597	(Name and Address withheld for Data Protection purposes)		MILLTOWN, CO. KERRY	€250,000.00
01/3883	RODCLIFF CONSTRUCTION LTD	RACECOURSE ROAD, TRALEE	CHUB'S CORNER, KILLORGLIN	€2,500.00
03/1526	TINAL ELECTRICAL LTD	THE ATLANTIC BAR, THE SQUARE, KENMARE	DROMNAVANE, KENMARE	€202,500.00
99/3071	(Name and Address withheld for Data Protection purposes)		KILLOWEN BEG, KENMARE, CO. KERRY	€181,573.00
00/1371	SEAN DOOLAN & SONS	COCKHILL, KILCUMMIN, KILLARNEY	FIRIES, KILLARNEY	€82,350.00
04/189	(Name and Address withheld for Data Protection purposes)		THE HEIGHT, DUAGH	€100,000.00

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<b>Plng Reg No</b>	<b>Developer</b>	<b>Developer Address</b>	<b>Development Location</b>	<b>Bond Amount</b>
04/2389	(Name and Address withheld for Data Protection purposes)		BOHERBOY, CAHERCIVEEN	€70,632.00
04/4476	L.I.F.I. CONSTRUCTION LIMITED	CHARLEVILLE ROAD, NEWMARKET, CO. CORK	MONACAPPA, DINGLE	€200,000.00
05/730	JOHN P. MCCARTHY ENTERPRISES LTD	NORTH COMMONS, ARDFERT	NORTH COMMONS, ARDFERT	€116,542.80
03/4004	(Name and Address withheld for Data Protection purposes)		LISBABE, HEADFORD	€15,000.00
00/165	DUKE TRADING LTD.	20, THE CRESCENT, LIMERICK	GORTAMULLEN, KENMARE	€121,894.86
02/91311	G & H HOMES LIMITED	LITTLE ISLAND IND. ESTATE, CORK	DROMIN UPPER, LISTOWEL	€275,000.00
05/34	HL HOMES LIMITED	COOLOGUES, KILGARVAN	BALLINOUGHTERAGH, MILLTOWN	€42,858.00
04/4569	(Name and Address withheld for Data Protection purposes)		LARTIGUE ROAD, BALLYBUNION	€20,000.00
01/1532 & 01/1533	(Name and Address withheld for Data Protection purposes)		LAHARN, FAHA, KILLARNEY	€15,237.00
04/4182	(Name and Address withheld for Data Protection purposes)		GORTAMULLIN, KENMARE	€540,000.00
01/3600	SEA SHORE PROPERTIES LTD	INCHINALEEGA, SNEEM, CO. KERRY	INCHINALEEGA, SNEEM, CO. KERRY	€212,000.00
05/602	KILCARAGH GREEN DEVELOPMENTS LTD	"THE PADDOCK", LIXNAW, CO. KERRY	LIXNAW, CO. KERRY	€200,000.00
98/2255	COLLISWOOD DEVELOPMENTS LTD.	MONAVALLEY, TRALEE	KILLEEN, OAKPARK	€25,000.00
05/720	(Name and Address withheld for Data Protection purposes)		CASTLETOWN, KILFLYNN	€33,250.00.
03/818	(Name and Address withheld for Data Protection purposes)		CAHERDANIEL	€75,000.00
03/1222	(Name and Address withheld for Data Protection purposes)		CAHERDANIEL	€50,000.00
99/3090	JOHN QUIRKE CONSTRUCTION LTD.	DONEEN, CAHERCIVEEN	CARHAN, CAHERCIVEEN	€53,713.00
00/2483	(Name and Address withheld for Data Protection purposes)		BALLYCONNELL, KILFLYNN	€107,927.73
04/2973	(Name and Address withheld for Data Protection purposes)		MARTRAMANE CASTLEGREGORY	€270,000.00
04/2194	MAW MANAGEMENT LTD	BALLYEIGH, BALLYBUNION, CO. KERRY	BALLYEIGH, BALLYBUNION	€65,000.00

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<b>Plng Reg No</b>	<b>Developer</b>	<b>Developer Address</b>	<b>Development Location</b>	<b>Bond Amount</b>
98/1115	SEAN MCCARTHY & SONS (LIXNAW LTD)	AHABEG, LIXNAW	WOODVIEW ESTATE, CAHIRDOWN	€34,283.00
01/3512	FLEETGOLD LIMITED	IRISH WIRE COMPLEX, DOCK ROAD, LIMERICK	CLIFF ROAD, BALLYBUNION	€33,750.00
04/4235	SOUTHBOUND PROPERTIES LTD.	BAILE NA BUAILE, DINGLE	GORTANORA, DINGLE	€270,000.00
00/4038	(Name and Address withheld for Data Protection purposes)		POUND ROAD, CASTLEISLAND	€7,500.00
04/7	JOHN J. CASEY PROJECT MANAGEMENT LTD.	EAST END HOUSE, POULAVONE, BALLINCOLLIG, CORK.	BALLYHEIGUE, TRALEE.	€6,000.00
00/2885	BOYLE BROS. BUILDING SERVICES LTD.	BOYLE IND. ESTATE, CLASH, TRALEE.	DROMIN, LISTOWEL	€190,000.00
03/91692	THOMAS O'SULLIVAN CONSTRUCTION LTD.	RATHKERIN, THE GLEN, EMLAGHMORE, KILLARNEY	GARRANEANE, CAHERCIVEEN	€25,000.00
03/1340	(Name and Address withheld for Data Protection purposes)		KILLOWEN, KENMARE	€400,000.00
04/4444	CASTLEROSS PROPERTIES LTD.	KILNABRACK, GLENBEIGH	KILNABRACK UPPER, GLENBEIGH	€61,803.00
04/4636	(Name and Address withheld for Data Protection purposes)		BALLYDAVID, DINGLE, TRALEE	€15,000.00
04/1082	(Name and Address withheld for Data Protection purposes)		DROMTACKER, TRALEE	€41,925.00
04/4555	J.L. N. CONSTRUCTION LTD	TULLIG BEG, KILLORGLIN, CO. KERRY	TULLIG BEG, KILLORGLIN	€13,500.00
04/2460	BROSNAN BROS. BUILDING CONTRACTORS LTD.	TOREENAMULT, GNEEVEGUILLA, RATHMORE	GNEEVEGUILLA, RATHMORE	€75,210.00
04/2554	(Name and Address withheld for Data Protection purposes)		LISSYCONNOR, RATHMORE	€31,785.00
04/4555	(Name and Address withheld for Data Protection purposes)		TULLIG BEG, KILLORGLIN	€13,500.00
05/3092	OOGAN CONSTRUCTION LTD.	CLASH, TRALEE	LARTIGUE ROAD, BALLYBUNION	€10,000.00
01/3718	TRENTDALE DEVELOPMENTS LTD	20 THE CRESCENT LIMERICK	TEMPLENOE, KENMARE	€145,000.00

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<b>Ping Reg No</b>	<b>Developer</b>	<b>Developer Address</b>	<b>Development Location</b>	<b>Bond Amount</b>
00/3026	CARNOL DEVELOPMENTS LTD	SUNHILL, KILLORGLIN	BALLYOUGHTERAGH MILLTOWN	€85,707.45
04/4469	KENCALLAN LIMITED	UNIT 2S MONAVALLEY IND. ESTATE, TRALEE	DROMNEVANE, KENMARE	€258,000.00
04/180	(Name and Address withheld for Data Protection purposes)		MAIN STREET, MOYVANE	€50,800.00
00/2445	THOMAS O'SULLIVAN CONSTRUCTION LTD.	BALLINSKELLIGS	COIS TRA, BALLINSKELLIGS	€76,184.00
04/4276	MDZ LIMITED	FITZGERALD HOUSE, GRAND PARADE, CORK.	DROMNEVANE, KENMARE	€555,900.00
04/3964	PAIRC AN FHILE MANAGEMENT COMPANY LIMITED	CLOUNALOUR HOUSE, OAKPARK, TRALEE	CAHEREENS WEST, CASTLEISLAND	€42,510.00
96/1566	MDZ LIMITED		DROMNEVANE, KENMARE	€56,388.00
05/33	PKD CONSTRUCTION LTD.	BALLAUGH, BEAUFORT, KILLARNEY	BALLYOUGHTERAGHT HEIGHTS, MILLTOWN	€77,142.86
04/3854	MICHAEL SUGRUE DEVELOPMENTS LTD.	4 GREENVIEW TERRACE, TRALEE	TURSILLAGH, TRALEE	€ 17,658.00
04/1528	DUNBOY CONSTRUCTION & PROPERTY DEVELOPMENTS LTD.	WOODLODGE PARK ROAD, KILLARNEY	CLASHNAGARRANE, KILCUMMIN, KILLARNEY	€138,500.00
05/1104	VODAFONE IRELAND LIMITED	MOUNTAIN VIEW, LEOPARDSTOWN, CO. DUBLIN	TOOREENAFERSHA, KENMARE	€10,000.00
04/2466	(Name and Address withheld for Data Protection purposes)		GORTAMULLIN, KENMARE	€57,388.50
05/454	FLEETGOLD LTD	DOCK ROAD, LIMERICK	CHURCH STREET, BALLYBUNION	€99,769.00
05/524	COOLFADDA DEV. LTD.	LAURAGH, BANDON, CO. CORK	CAHEREEN WEST, CASTLEISLAND	€438,180.00
03/2471	(Name and Address withheld for Data Protection purposes)		KILMURRY, KENMARE, CO. KERRY	€21,600.00
04/3323	(Name and Address withheld for Data Protection purposes)		KINARD EAST, BALLINSKELLIGS	€48,559.00
04/2945	CILMARA DEV. LTD	KILMURRY, KENMARE, CO. KERRY	KILMURRY, KENMARE	€87,750.00
04/2943	CILMARA DEV. LTD	KILMURRY, KENMARE, CO. KERRY	KILMURRY, KENMARE	€104,625.00
04/4084	GALVIN DEVELOPMENTS LTD.	MUCKROSS ROAD, KILLARNEY	KNOCKAVOTA, MILLTOWN	€405,000.00

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00/92	(Name and Address withheld for Data Protection purposes)		CAMP TRALEE	€19,046.00
04/2880	(Name and Address withheld for Data Protection purposes)		KILSHANNIG, CASTLEGREGORY	€27,000.00
04/4099	(Name and Address withheld for Data Protection purposes)		BALLINORIG SOUTH, TRALEE	€52,974.00
05/1205	(Name and Address withheld for Data Protection purposes)		THE KERRIES EAST, TRALEE	€6,213.00
04/1780	SOUTH BOUND PROPERTIES LTD	BAILE NA BUAILE, DINGLE, CO. KERRY	CLOONTIES, BALLYFERRITER	€270,000.00
01/2659	(Name and Address withheld for Data Protection purposes)		TRIENERAGH, DUAGH	€10,000.00
05/4015	(Name and Address withheld for Data Protection purposes)		AULLANEDUFF, ABBEYDORNEY	€176,580.00
05/2558	(Name and Address withheld for Data Protection purposes)		KILGOBNET, KILLARNEY	€57,389.00
03/1528	TINAL ELECTRICAL LTD	THE ATLANTIC BAR, THE SQUARE, KENMARE	INCHINALEEGA WEST, SNEEM, CO. KERRY	€648000.00
00/3713	(Name and Address withheld for Data Protection purposes)		BARRADUFF, KILLARNEY	€19,046.00
04/4307	PEAK PROPERTIES LIMITED	20 CRESCENT COURT, DOORADOYLE, LIMERICK	FARRANREAGH, VALENTIA	€173,000.00
05/3987	S & T O'SHEA (BUILDERS) LTD	LAHARN, KILLORGLIN, CO. KERRY	HAWTHORN PLACE, LAHARN, KILLORGLIN	€109,350.00
02/1765	OAKBARROW MANAGEMENT SERVICES LTD. (Name withheld for Data Protection purposes)	57 HIGHFIELD GROVE, CAHERSLEE	BARROW, ARDFERT, TRALEE	€24,300.00
04/2838	VODAFONE IRELAND LTD.	MOUNTAIN VIEW, LEOPARDSTOWN	MONEYFLUCH, SNEEM	€10,000.00
04/581	(Name and Address withheld for Data Protection purposes)		LAHARN, MILLTOWN	€10,000.00
03/3236	(Name and Address withheld for Data Protection purposes)		CLASHNAGARRANE, KILCUMMIN	€221,000.00
04/2610	(Name and Address withheld for Data Protection purposes)		WATERVILLE	€18,000.00
01/1532	(Name and Address withheld for Data Protection purposes)		LAHARN, FAHA, KILLARNEY	€7,618.43
01/1533	(Name and Address withheld for Data Protection purposes)		LAHARN, FAHA, KILLARNEY	€7,618.43



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05/3156	VODAFONE IRELAND LTD.	MOUNTAIN VIEW, LEOPARDSTOWN, DUBLIN, 18.	EIRK TOWNLAND, MOLLS GAP QUARRY, KILLARNEY	€5,000.00
05/3155	VODAFONE IRELAND LTD.	MOUNTAIN VIEW, LEOPARDSTOWN, DUBLIN, 18.	EIRK TOWNLAND, MOLLS GAP QUARRY, KILLARNEY	€5,000.00
00/4003	(Name and Address withheld for Data Protection purposes)		BALLYMACPRIOR, KILLORGLIN	€37,141.00
05/1578	S.F. CONTRACTORS & BUILDERS LTD	111 CLONARD, WESTBURY, CORBALLY ROAD, CO. CLARE	MONTANAGAY, ABBEYDORNEY	€74,000.00
04/1771	MANGERTON CONSTRUCTION LTD	1 MOUNT KENNETT PLACE, HENRY STREET, LIMERICK	SHINNAGH, RATHMORE	€17,658.00
02/1316	COVEN DEVELOPMENTS LTD	C/O LIAM LACEY A/C, STEAMBOAT QUAY, LIMERICK	GARRYNADUR, LISPOLE, CO. KERRY	€27,000.00
03/3688	(Name and Address withheld for Data Protection purposes)		CASTLECONWAY, KILLORGLIN	€58,500.00
02/1245	(Name and Address withheld for Data Protection purposes)		BRACKHILL, CASTLEMAINE	€54,000.00
03/2304	(Name and Address withheld for Data Protection purposes)		BRACKHILL, CASTLEMAINE	€13,500.00
05/3875	VODAFONE IRELAND LTD	MOUNTAIN VIEW, LEOPARDSTOWN, DUBLIN 18	TULLIGEALANE, CAHERCIVEEN	€5,000.00
05/2007	(Name and Address withheld for Data Protection purposes)		ARDMONEEL, KILLORGLIN	€23,966.00
04/4340	DINGLE DEVELOPMENTS LTD	BALLYMOREREAGH, DINGLE, CO.KERRY	DEERPARK, LISPOLE, CO KERRY	€81,000.00
01/962	JOE HALLISSEY DEVELOPMENTS LTD.	SHEEN HOUSE, BLACKMORE LANE, SULLIVAN'S QUARY, CORK.	GORTAMULLEN, KENMARE	€203,158.09
03/3654	(Name and Address withheld for Data Protection purposes)		DOON, BALLYBUNION	€202,500.00
03/1521	CAPRICE DEVELOPMENTS LTD	SPUNKANE, WATERVILLE, CO. KERRY	SPUNKANE, WATERVILLE	€58,860.00
04/4412	LAUNE PROPERTIES LTD	DALY'S LANE, KILLORGLIN	WEST MAIN STREET, CAHERCIVEEN	€65,000.00
00/2590	(Name and Address withheld for Data Protection purposes)		DROMNEVANE, KENMARE	€373,500.00

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01/3137	(Name and Address withheld for Data Protection purposes)		SHANNERA LOWER, KILGOBNET, BEAUFORT	€20,000.00
01/3645	HERITAGE DESIGNS & DEVELOPMENT LTD	DROMIN, FOSSA, KILLARNEY, CO. KERRY	GLANAGILLAGH, CARAGH LAKE, KILLORGLIN	€20,000.00
05/2582	(Name and Address withheld for Data Protection purposes)		KILLOWENBEG, KENMARE	€192,230.00
03/3175	VEESIDE LTD	33/34 WASHINGTON STREET, WEST CORK	MONTANAGAY, ABBEYDORNEY	€200,000.00
04/4440	BALLYEIGH DEVELOPMENTS LTD	BALLYEAGH, BALLYBUNION	BALLYEAGH, BALLYBUNION	€67,500.00
06/378	(Name and Address withheld for Data Protection purposes)		DERRA, ASDEE, LISTOWEL, CO. KERRY	€36,000.00
05/1890	LAKE CASTLE DEVELOPMENTS LTD	BALLYOUGHTRAGH NORTH, MILLTOWN	BALLYOUGHTRAGH NORTH, MILLTOWN	€167,132.00
05/3146	(Name and Address withheld for Data Protection purposes)		BALLYCONNELL, KILFLYNN, CO. KERRY	€220,000.00
06/1477	ID DEVELOPMENTS & PROJECTS MANAGEMENT LTD	KNOCKYLINE, KILLORGLIN, CO. KERRY	KNOCKYLINE, KILLORGLIN	€26,600.00
05/2032	THREEJAY CONSTRUCTION LTD	BEENBAWN, WATERVILLE, CO. KERRY	GARRANEARAGH, CAHERCIVEEN	€590,000.00
04/4475	DEMASTA LTD	KENMARE	SHEEN FALLS ESTATE LODGE, KENMARE OLD, GORTNADULLA	€150,000.00
00/2665	(Name and Address withheld for Data Protection purposes)		NEW ROAD, BALLYBUNION	€154,274.00
04/4512	(Name and Address withheld for Data Protection purposes)		KENMARE BAY HOTEL, KENMARE, CO. KERRY	€80,000.00
01/2246	PENINSULA DEVELOPMENTS LTD.	GREEN STREET, DINGLE, CO. KERRY	FARRANAKILLA, DINGLE, CO. KERRY	€8,000.00
03/1950	CASTLESPRING DEVELOPMENTS LTD.	TRALEE ROAD, CASTLEISLAND	BAWNLUSKAHA, CASTLEISLAND	€371,250.00
03/1430	(Name and Address withheld for Data Protection purposes)		SPUNKANE, WATERVILLE	€108,000.00
03/1429	(Name and Address withheld for Data Protection purposes)		BANNA MOUNTAIN, ARDFERT, CO. KERRY	€100,000

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<b>Ping Reg No</b>	<b>Developer</b>	<b>Developer Address</b>	<b>Development Location</b>	<b>Bond Amount</b>
05/3794	KILCARAGH GREEN DEVELOPMENTS LTD	PRINCES'S QUAY, TRALEE, CO. KERRY	LIXNAW VILLAGE, CO. KERRY	€20,928.00
05/351	(Name and Address withheld for Data Protection purposes)		BALLYLUSKEY, BALLYDAVID	€20,000.00
03/179	(Name and Address withheld for Data Protection purposes)		DEERPARK, LISTOWEL	€12,650.00
03/1413	GALVIN DEVELOPMENTS (KILLARNEY) LTD	MUCKROSS ROAD, KILLARNEY, CO. KERRY	CHURCHTOWN, BEAUFORT, KILLARNEY	€25,000.00
93/740	(Name withheld for Data Protection purposes) T/A PEMBROKE CONSTRUCTION	PEMBROKE COURT, PEMBROKE ST., TRALEE	TONEVANE, TRALEE	€19,046.00
05/4242	(Name and Address withheld for Data Protection purposes)		KNOCKREAGH, ABBEYDORNEY	€42,000.00
05/2529	SANDHILL VENTURES LTD	MAIN STREET, BALLYBUNION, CO. KERRY	LARTIGUE ROAD, BALLYBUNION	€50,000.00
05/4191	PKD CONSTRUCTION LTD.	BALLAGH, BEAUFORT	31A LONGFORD STREET, KILLORGLIN	€45,000.00
00/2895	COLLISWOOD DEVELOPMENTS (Name withheld for Data Protection purposes)	KILLEEN, OAKPARK, TRALEE	KILLEEN, OAKPARK, TRALEE	€20,000.00
06/559	(Name and Address withheld for Data Protection purposes)		THE GROVE, DINGLE	€270,000.00
06/559	(Name and Address withheld for Data Protection purposes)		THE GROVE, DINGLE	€270,000.00
05/335	(Name and Address withheld for Data Protection purposes)		SHANACLOON, BEAUFORT, CO. KERRY	€2,500.00
04/2297	Boyle Homes & Development Ltd.	Manor House, Tralee	Ballygarron, The Spa, Tralee	€147,150.00
05/3373	Coolfadda Developers Ltd.	Bandon Business Centre, Bandon, Co. Cork	Killowen, Kenmare	€200,000.00
05/4196	Boyle Homes & Development Ltd.	Manor House, Tralee	Ballygarron, The Spa, Tralee	€20,880.00
05/589	GARVOY DEVELOPMENTS LTD.	UNIT S, MONAVALLEY IND. ESTATE, TRALEE	BALLYMAKEGOGGE, KILFENORA	€21,500.00
06/682	CPM PROPERTY DEVELOPMENT LTD.	RANGUE, KILLORGLIN	LAHARAN, KILLORGLIN	€145,800.00
06/2379	COOLFADDA DEVELOPERS LTD.	BANDON BUSINESS CENTRE, LAURAGH INDUSTRIAL ESTATE, BANDON, CO. CORK	CAHEREEN WEST, CASTLEISLAND	€612,360.00

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06/422	COOLFADDA DEVELOPERS LTD.	BANDON, CO.CORK	DRIMNABEG, SNEEM	€163,500.00
06/4224	CARNOL DEVELOPMENTS LTD.	SUNHILL, KILLORGLIN	KILGARVAN	€262,500.00
06/3168	CASTLEMORRIS CONSTRUCTION LTD.	DOON NORTH, TRALEE	DROMIN UPPER, LISTOWEL	€100,000.00
05/4259	(Name and Address withheld for Data Protection purposes)		CASTLEGREGORY	€35,000.00
02/3076	KNOCKROE DEVELOPMENTS LTD.	CALLINAFERCY, MILLTOWN	FAHA EAST, KILLARNEY	€48,000.00
05/607	(Name and Address withheld for Data Protection purposes)		AUGHACASLA, CASTLEGREGORY	€67,500.00
04/3888	FOSSA CONSTRUCTION LTD.	FOSSA, KILLARNEY	MONTANAGAY, ABBEYDORNEY	€101,250.00
05/1659	(Name and Address withheld for Data Protection purposes)		BALLYEAGH, BALLYBUNION	€206,101.00
06/79	VODAFONE IRELAND LTD.	MOUNTAINVIEW, LEOPARDSTOWN, DUBLIN 18	BAWNARD, GNEEVEGUILLA	€5,000.00
05/4077	VODAFONE IRELAND LTD.	MOUNTAINVIEW, LEOPARDSTOWN, DUBLIN 18	CURRAHEEN, GLENBEIGH	€5,000.00
03/3950	COIS CLYDAGH MANAGEMENT CO. LTD.	C/O KAY WALSH, BROSNA EAST, BROSNA	BROSNA WEST	€60,630.00
06/706	GARRISON BUILDERS LTD.	4 GREENVIEW TCE., PRINCES ST. TRALEE	KILMOYLEY SOUTH, ARDFERT	€218,700.00
05/1675	PKD CONSTRUCTION LTD.	BALLAGH, BEAUFORT	BALLYOUGHTRAGHT NORTH, MILLTOWN	€385,000.00
05/2462	W.K. O'CONNOR & SONS LTD.	TOUHILLS LANE, MAIN ST. KILLARNEY	SHRONEDARRAGH, BARRADUFF	€380,000.00
04/3935	(Name and Address withheld for Data Protection purposes)		BALLYNABRENNAGH UPPER, TRALEE	€54,000.00
06/1860	(Name and Address withheld for Data Protection purposes)		CARRIGADAV, CASTLEGREGORY	€15,000.00
04/4429	(Name and Address withheld for Data Protection purposes)		WATERVILLE	€104,640.00
06/1836	(Name and Address withheld for Data Protection purposes)		LISTRIM, THE SPA, TRALEE	€31,590.00
03/3156	(Name and Address withheld for Data Protection purposes)		INCHINALEGA EAST, SNEEM	€175,500.00

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<b>Plng Reg No</b>	<b>Developer</b>	<b>Developer Address</b>	<b>Development Location</b>	<b>Bond Amount</b>
05/529	COOLFADDA DEVELOPERS LTD.	BANDON BUSINESS CENTRE, LAURAGH IND. EST., BANDON, CO. CORK	CAHEREEN WEST, CASTLEISLAND	€228,900.00
05/533	(Name and Address withheld for Data Protection purposes)		BALLYBEG, DINGLE	€10,000.00
04/2744	DEREK MCCARTHY MASONRY LTD.	BALLINPRIOR, ARDFERT	CROTTA, KILFLYNN, TRALEE	€27,000.00
06/3803	ID DEVELOPMENTS & PROJECT MANAGEMENT LTD.	CALLINAFERCY, MILLTOWN	ARDMONEEL, KILLORGLIN	€41,040.00
04/4589	(Name and Address withheld for Data Protection purposes)		BALLINTAGGART, DINGLE	€135,000.00
05/1	MOLONEY ENTERPRISES LTD.	UNIT 25, MONAVALLEY IND. EST., TRALEE	MOYNASHA, SHANBALLA, ABBEEFEALE, CO. LIMERICK	€50,000.00
02/2720	CRONIN DEVELOPMENTS LTD.	KINNARD EAST, BALLINSKELLIGS	DUNGEAGAN VILLAGE, BALLINSKELLIGS	€66,000.00
04/3651	GEM ISLAND CONSTRUCTION LTD.	16 MAIN ST. CAHERCIVEEN	FARRANREAGH, VALENTIA	€225,140.00
05/1767	GRIFFIN BROS. CONTRACTING LTD.	CHURCH STREET, CASTLEISLAND	HUNTERS WOOD, CAMP, BALLYSEEDY, TRALEE	€542,840.00
04/2954	J & B O'SULLIVAN BUILDERS LTD.	THE HILL, ABBEEFEALE, CO. LIMERICK	KEELNABRACK UPPER, GLENBEIGH	€72,000.00
06/1131	(Name and Address withheld for Data Protection purposes)		TULLIG, BEAUFORT, KILLARNEY	€94,500.00
06/8	KARMIC CONSTRUCTION LTD.	RING, DUNGARVAN, CO. WATERFORD	GLANNALAPPA WEST, MOYVANE	€21,600.00
06/143	(Name and Address withheld for Data Protection purposes)		BARR NA TSRAIDE, BALLYHEIGUE	€116,640.00
06/1514	BNL CONSTRUCTION LTD.	FAHA, GLENBEIGH	CHAPELTOWN, VALENTIA ISLAND	€106,920.00
04/4259	(Name and Address withheld for Data Protection purposes)		MARTRAMANE, CASTLEGREGORY	€135,000.00
06/1088	(Name and Address withheld for Data Protection purposes)		SITE NO. 4, CLAHANE, TRALEE	€29,203.98
05/1442	P&T FITZGERALD (HARDWARE) LTD.	MAIN STREET, DINGLE	BALLINABOULA, DINGLE	€100,000.00

**December Ordinary Meeting 2009**

<b>Ping Reg No</b>	<b>Developer</b>	<b>Developer Address</b>	<b>Development Location</b>	<b>Bond Amount</b>
05/1490	BNL CONSTRUCTION LTD.	FAHA, GLENBEIGH	DROMKEEN WEST, CAUSEWAY VILLAGE	€70,632.00
06/959	(Name and Address withheld for Data Protection purposes)		SPUNKANE, WATERVILLE	€85,500.00
06/2992	(Name and Address withheld for Data Protection purposes)		BALLYMACPRIOR, KILLORGLIN	€100,000.00
97/201	DUNCAIRN BUILDERS LTD.	95 KENT ROAD, BALLYPHEHANE, CORK	ROSSMORE ISLAND, SNEEM	€31,750.00
04/1937	MOORMAC DEVELOPMENTS LTD.	BALLINAGERAGH, LIXNAW	BALLINAGERAGH, LIXNAW	€345,000.00
04/3070	RODCLIFF CONSTRUCTION LTD	RACECOURSE ROAD, TRALEE	LISLOOSE, TRALEE	€521,000.00
00/1808	BROSNAN BROTHER BUILDING CONTRACTORS LTD	QUARRY CROSS, GNEEVEGUILLA, RATHMORE, CO KERRY	SAME	€15,236.86
06/2483	SEAN MCCARTHY AND SON LTD	AHABEG, LIXNAW, CO KERRY	WOODVIES, DROMIN UPPER LISTOWEL	€27,000.00
03/1503	(Name and Address withheld for Data Protection purposes)		GORTNABOUL, KILGARVAN, CO KERRY	€120,000.00
04/286	CASTLESPRING DEVELOPMENTS LTD	BALLYRONAN, BALLYHEIGUE	BALLYHEIGUE	€310,500.00
04/418	CASTLESHANNON DEVELOPMENTS LTD	BALLYRONAN, BALLYHEIGUE	BALLYHEIGUE	€155,250.00
04/414	CASTLESHANNON DEVELOPMENTS LTD	BALLYRONAN, BALLYHEIGUE	BALLYHEIGUE	€148,400.00
04/1487	BRENDAN HURLEY CONSTRUCTION LTD	14 LIOSCARRAIG COURT, CAHERSLEE, TRALEE	CLASHAPHUCA, TRALEE	€86,250.00
03/1428	DUNKERRON COTTAGES CONSORTIUM	DUNKERRON, KENMARE	DUNKERRON, KENMARE	€100,000.00
07/180	(Name and Address withheld for Data Protection purposes)		FARRANREAGH, KNIGHTSTOWN, VALENTIA ISLAND	€180,000.00
01/2720	PALLAS WINDFARM	KNOCKBRACK, ARDFERT, TRALEE	KILFEIGHNY SOUTH, LISTOWEL	€325,000.00
03/3036	EAMONN LINNANE BUILDERS	MOUNTHAWK, TRALEE	GRAFFEENS, FIRIES	€40,000.00
06/37	PALLAS WINDFRAM LTD	ARDFERT, TRALEE	BANEMORE, LISTOWEL	€10,000.00
99/1277	(Name and Address withheld for Data Protection purposes)		GOAT STREET, DINGLE	€68,566.00

**December Ordinary Meeting 2009**

Ping Reg No	Developer	Developer Address	Development Location	Bond Amount
04/25	GROVE VALLEY DEVELOPMENTS LTD.	RATHMORE, KILLARNEY	CLOONTS, RATHMORE	€78,000.00
00/3746	MF QUIRKE	RANGUE, KILLORGLIN	RANGUE, KILLORGLIN	€76,184.00
06/2234	THREEJAY CONSTRUCTION LTD	BEENBAWN, WATERVILLE	SCART, CASTLECOVE	€238,140.00
06/2123	RAJON DEVELOPMENTS LTD	ATHEA	DUAGH VILLAGE	€116,640.00
00/3744	MF QUIRKE	RANGUE, KILLORGLIN	RANGUE, KILLORGLIN	€38,092.00
06/4815	(Name and Address withheld for Data Protection purposes)		MULLENAGHLEMIG, DINGLE	€35,000.00
06/1793	PAT GRIFFIN CONSTRUCTION LTD	GLENBEIGH	KILNABRACK, GLENBEIGH	€25,000.00
07/2893	(Name and Address withheld for Data Protection purposes)		DUNEAGAN, BALLINSKELLIGS	€61,538.00
06/2133	(Name and Address withheld for Data Protection purposes)		KILLBALLYLAHIFF, CASTLEGREGORY	€15,000.00
05/1536	KENFOL DEVELOPERS LTD	CLASH, TRALEE	DOONARD, TARBERT	€241,980.00
04/4024	TARA DEVELOPMENTS LTD	LONHERT, KILLORGLIN	MEANUS, KILLORGLIN	€20,000
04/3256	CONHILL CONSTRUCTION LTD	PRINCESS STREET, TRALEE	BALLYDAVID, TRALEE	€100,650.00
05/3809	BOYLE HOMES LTD	MANOR HOUSE, TRALEE	THE SPA, TRALEE	€10,000.00
05/2162	THE BROSNANS	KILLARNEY	GNEEVEGUILLA, RATHMORE	€269,280.00
04/4613	(Name and Address withheld for Data Protection purposes)		OLD CHAPEL LANE, CASTLEISLAND	€17,550.00
05/1997	(Name and Address withheld for Data Protection purposes)		BALLYARD, TRALEE	€42,673.00
06/3714	(Name and Address withheld for Data Protection purposes)		LIXNAW	€38,800.00
04/1496	MAIN VALLED EVELOPMENTS LTD	36 LOWER CASTLE STREET, TRALEE	BOOLASALLAGH, FIRIES	€65,400.00
04/3494	VODAPHONE IRELAND LTD	DUBLIN	KNOCKAGARRANE, MILLTOWN	€14,175.00
04/4132	(Name and Address withheld for Data Protection purposes)		BALLYCULLANE, INCH, ANNASCAUL	€10,000.00
04/2458	(Name and Address withheld for Data Protection purposes)		CASTLEQUIN, CAHERCIVEEN	€15,000.00
05/4197	BOYLE HOMES	TRALEE	BALLYCARTY, TRALEE	€125,000.00
00/3333	(Name and Address withheld for Data Protection purposes)		LOUGHAN, KILGARVAN	€25,712.00
07/4364	SWS INCHINCOOSH WIND FARM LTD	SHINAGH HOUSE, BANDON, CO CORK	INCHINCOOSH, KILGARVAN	€10,000.00

**December Ordinary Meeting 2009**

Ping Reg No	Developer	Developer Address	Development Location	Bond Amount
07/4701	SWS INCHINCOOSH WIND FARM LTD	SHINAGH HOUSE, BANDON, CO CORK	LETTERCANNON, KILGARVAN	€10,000.00
07/4515	SWS INCHINCOOSH WIND FARM LTD.	SHINAGH HOUSE, BANDON, CORK	LETTERCANNON, KILGARVAN	€10,000.00
07/1605	SWS INCHINCOOSH WIND FARM LTD	SHINAGH HOUSE, BANDON, CORK	INCHINCOOSH, KILGARVAN	€50,000.00
05/2748	(Name and Address withheld for Data Protection purposes)		DUAGH	€52,974.00
03/1359	SWS INCHINCOOSH WIND FARM LTD	SHINAGH HOUSE, BANDON, CO. CORK	SILLAHERTANE, KILGARVAN	€100,000.00
07/1171	(Name and Address withheld for Data Protection purposes)		CAPPAGANEEN, BEAUFORT	€16,350.00
05/18	(Name and Address withheld for Data Protection purposes)		ANNASCAUL	€27,500.00
05/9269	(Name and Address withheld for Data Protection purposes)		KNOCKREAGH, MILLTOWN	€29,700.00
06/915	RTE	VENTRY	VENTRY	€10,500.00
04/2384	(Name and Address withheld for Data Protection purposes)		BARRADUFF, KILLARNEY	€75,210.00
05/3089	(Name and Address withheld for Data Protection purposes)		KNOCKERAGH, KILLARNEY	€15,000.00
04/4321	(Name and Address withheld for Data Protection purposes)		RACOMANE EAST, KILLARNEY	€11,000.00
98/3197	(Name and Address withheld for Data Protection purposes)		CROMANE UPPER, KILLORGLIN	€25,781.00
06/1395	(Name and Address withheld for Data Protection purposes)		CASTLEGREGORY	€14,850.00
07/3927	FOB CONSTRUCTION	BALLYLONGFORD	BALLYLONGFORD	€21,600.00
07/2958	VODAFONE IRELAND	DUBLIN 18	MASTERGEEHY	€13,500.00
07/2960	VODAFONE IRELAND	DUBLIN	KILFLYNN	€14,175.00
07/2957	VODAPHONE	DUBLIN	CLOGHANE	€14,175.00
07/2956	VODAFONE	DUBLIN 18	GLENCAR	€13,500.00
07/3596	RICHARD BOYLE ANS SONS	KILLORGLIN	LAHARN, KILLORGLIN	€150,660.00
04/878	VODAFONE	DUBLIN 18	DUAGH	€14,175.00
04/4651	(Name and Address withheld for Data Protection purposes)		BALLINSKELLIGS	€98,100.00
06/3132	(Name and Address withheld for Data Protection purposes)		LISNAGREE, AUGHACASLA	€54,000.00
07/1482	(Name and Address withheld for Data Protection purposes)		BEAUFORT	€44,145.00
03/2427	BOYLE BROS BUILDING SERVICES	CLASH, TRALEE	TAWLAGHT, FENIT	€347,274.00
03/3468	(Name and Address withheld for Data Protection purposes)		KILLOWEN, KENMARE	€60,000.00



**December Ordinary Meeting 2009**

<b>Plng Reg No</b>	<b>Developer</b>	<b>Developer Address</b>	<b>Development Location</b>	<b>Bond Amount</b>
08/493	(Name and Address withheld for Data Protection purposes)		CHURCH STREET, TARBERT	€21,384.00
07/1270	KEATING DEVELOPMENTS	KILLORGLIN	BALLYBUNION	€337,500.00
06/656	ESB	TRALEE	CASTLEISLAND	€10,500.00
03/1910	(Name and Address withheld for Data Protection purposes)		MWEEVOO, LISSELTION	€15,000.00
97/2394	(Name and Address withheld for Data Protection purposes)		CLOGHANE LOWER, THE CASHEN, BALLYDUFF	€21,769.00
00/2123	DAVID HERLIHY		BALLAGHACOMMANE, KILLARNEY	€1,524.00
03/3120	(Name and Address withheld for Data Protection purposes)		LEAGH, BALLYDUFF	€40,500.00
03/3824	(Name and Address withheld for Data Protection purposes)		Meadow Lane, Lacca, Ballyduff	€135,000.00
03/3824	(Name and Address withheld for Data Protection purposes)		Meadow Lane, Lacca, Ballyduff	€135,000.00
01/1946	Seafront Properties Ltd	c/o Donal Cronin, Spunkane, Waterville	Waterville Village	€27,000.00
03/2508	SWS Inchincoosh Wind Farm Ltd.	Shinagh House, Bandon, Co. Cork	Lettercannon, Kilgarvan	€50,000.00
02/1241 and 03/2306	SWS Kilgarvan Wind Farm Ltd.	Shinagh House, Bandon, Co. Cork	Inchee and Lettercannon, Coomagearlahy, Kilgarvan	€13,500.00 and €189,000.00

**CASH BONDS RECEIVED 2005**

<b>Planning Reg. No.</b>	<b>Cash Bond Amount €</b>	<b>Developer</b>	<b>Developer Address</b>	<b>Development Location</b>
02/3106	1,750.00	(Name and Address withheld for Data Protection purposes)		Derra East, Listowel
02/154 & 04/3276	10,800.00	(Name and Address withheld for Data Protection purposes)		Ballyplymouth, Cordal, Castleisland
97/1716	10,000.00	Southbound Properties Ltd.	1 Gortalin, John St., Dingle	Gortmore, Ballyferriter
97/730	18,000	Barr na Choille Teoranta	Michael Street, Limerick	The Wood, Dingle
02/3050	5,000.00	(Name and Address withheld for Data Protection purposes)		Rahane West, Ventry
04/167	40,500.00	Southbound Properties Ltd.	1 Gortalin, John St., Dingle	Ballyheabought, Dingle
00/842	38,100.00	(Name and Address withheld for Data Protection purposes)		Annascaul Village

**CASH BONDS RECEIVED 2006**

<b>Planning Reg. No.</b>	<b>Cash Bond Amount €</b>	<b>Developer</b>	<b>Developer Address</b>	<b>Development Location</b>
00/842	13,324.20	Moriarty Design and Construction	Annascaul	Annascaul Village
99/3307	7,713.65	(Name and Address withheld for Data Protection purposes)		Ballyeagh, Ballybunion
00/3885	32,000.00	(Name and Address withheld for Data Protection purposes)		Killorglin Road, Milltown
00/578	44,567.00	(Name and Address withheld for Data Protection purposes)		Carhoomeengar East, Kenmare
00/3718	12,700.00	(Name and Address withheld for Data Protection purposes)		Teer, Brandon
05/845	25,000.00	BSS Construction	8 Elm Wood, Mill Road, Killarney	Ardlaghas, Killorglin
97/1512	22,779.31	O'Brien Kenmare Ltd.	Kenmare	The Lodge Wood, Kenmare

**CASH BONDS RECEIVED 2007**

<b>Planning Reg. No.</b>	<b>Cash Bond Amount €</b>	<b>Developer</b>	<b>Developer Address</b>	<b>Development Location</b>
00/2830	51,424.00	Ardenhill Property Ltd.	Suite 3, The Forum, Ballymoss Road, Sandymount Industrial Estate, Dublin 18.	Murreagh, Ballydavid, Tralee
05/91529	10,125.00	(Name and Address withheld for Data Protection purposes)		Market St., Farranreagh, Valentia
03/3804	30,000.00	Gorteen Construction Ltd.	The Forum, 29-31 Glashule Road, Glashule, Co. Dublin	Killoccrim, Listowel
04/3152	27,000.00	Airtricity Developments Ltd	The Forum, 29-31 Glashule Road, Glashule, Co. Dublin	Clydaghroe, Clonkeen
06/4894	40,000.00	Airtricity Developments Ltd	The Forum, 29-31 Glashule Road, Glashule, Co. Dublin	Cummeennabuddoge
07/306	13,500.00	Airtricity Developments Ltd	The Forum, 29-31 Glashule Road, Glashule, Co. Dublin	Clydaghroe, Clonkeen
01/2559	13,500.00	Meteor Mobile Communications	PARK HOUSE ARTHURS QUAY LIMERICK	Kilbane, Ballymacillgot
01/416	12,697.00	(Name and Address withheld for Data Protection purposes)		Gortdromerillagh, Fries
04/3742	25,000.00	(Name and Address withheld for Data Protection purposes)		Ballynabooly, Dingle
05/2436	5,341.00	(Name and Address withheld for Data Protection purposes)		Doon North, Tralee

**CASH BONDS RECEIVED 2008**

<b>Planning Reg. No.</b>	<b>Cash Bond Amount €</b>	<b>Developer</b>	<b>Developer Address</b>	<b>Development Location</b>
02/526	12,000.00 4,200.00	(Name and Address withheld for Data Protection purposes)		Ballygarron, The Spa, Tralee
07/2381	16,875.00	(Name and Address withheld for Data Protection purposes)		Deerpark, Killarney
05/855	13,500.00	Moylist Construction	Gortdromasilihy, Moyvane	Bunagaraha, Listowel
06/2378	5,000.00	(Name and Address withheld for Data Protection purposes)		Kilshannig West, Castlegregory
07/3447	20,000.00	(Name and Address withheld for Data Protection purposes)		Kerries East, Tralee
06/5019	13,000.00	(Name and Address withheld for Data Protection purposes)		Knockreagh, Milltown
08/492	30,000.00	Golden Vale Co-Op Mart (GVM) Ltd	Railway Road, Killmallock, Co. Limerick.	Muingnatee/Knockatarriv, Tralee
06/2378	1,250.00	(Name and Address withheld for Data Protection purposes)		Kilshannig West, Castlegregory

**CASH BONDS RECEIVED 2009**

<b>Planning Reg. No.</b>	<b>Cash Bond Amount €</b>	<b>Developer</b>	<b>Developer Address</b>	<b>Development Location</b>
03/3441	54,825.00	McAllen Construction Ltd.	Anabla, Maularkane, Kilcummin, Killarney	Old Chapel Lane, Castleisland
03/1284	174,000.00	Golden Vale Co-Op Marts Ltd	26 Glentworth St., Limerick	Cahercullenagh Upper, Muingnatee, Muingnaminane, Tralee
03/886	101,500.00	Golden Vale Co-Op Marts Ltd	26 Glentworth St., Limerick	Knocknagoum, Lyreacrompane, Listowel
01/416	4,443.00	(Name and Address withheld for Data Protection purposes)		Gortdromerillagh, Furies, Killarney
04/799	8,000.00	(Name and Address withheld for Data Protection purposes)		Doon East, Ballybunion
05/150 & 03/2096	7,200.00	(Name and Address withheld for Data Protection purposes)		Tubridmore, Ardfert
02/3141	1,000.00	(Name and Address withheld for Data Protection purposes)		Lissyclearig Lower, Kenmare
99/1994	27,000.00	(Name and Address withheld for Data Protection purposes)		Cloghane, Tralee
03/2676	75,000.00	Golden Vale Co-Op Marts	26 Glentworth St., Limerick	Maghanknockane, Lyreacrompane, Tralee
04/1154	21,600.00	Donie O'Leary		Kilquane, Headford
06/2034	10,500.00	O2 Communications	28/29 Sir John Rogersons Quay, Dublin 2	Kilpaddoge, Tarbert
06/2099	10,500.00	O2 Communications	28/29 Sir John Rogersons Quay, Dublin 2	Caherdaniel
05/1770	45,000.00	Bride View Developments Ltd.	Dundanion House, Blackrock, Cork	Ballycullane, Inch
08/2548	10,000.00	Meteor Mobile Communications Ltd	12A Liosban Business Park, Tuam Road, Galway	Rossmore Td., Furies

**Joint Deposit Receipts**

<b>Planning Reg. No.</b>	<b>Developers Name and Address:</b>	<b>Dev Location:</b>	<b>Amount Eur:</b>
90/77	Fionnula Murphy & Co. & (Name withheld for Data Protection purposes), Knockanush West, The Spa, Tralee.	Killeen, Oakpark, Tralee	€2,539.48
95/872	(Name and Address withheld for Data Protection purposes)	Camp/Skehanagh	€18,411.20
90/524	(Name withheld for Data Protection purposes), c/o Frank L Benson and Partners, Planning and Development Consultants, Hainault House, 69-71 St. Stephen's Green, Dublin 2.	Ballycarnahan, Caherdaniel	€5,078.95
95/1812	(Name and Address withheld for Data Protection purposes)	Tahilla, Sneem	€14,601.99
95/1805	(Name and Address withheld for Data Protection purposes)	Kilnabrack Upper, Glenbeigh	€2,539.48
98/2678	Baxley Boutiques, c/o Hotinson Kelly & Co, 92 South Mall, Cork	Killaha West, Kenmare	€8,532.64
94/321	(Name and Address withheld for Data Protection purposes)	Ballynaraha North, Dunquin	€3,809.21
98/487	MHB Windfarm Ltd, Wilton Place, Dublin 2.	Beennageeha	€19,046.07
95/610	Martin Arthur/Arthur Bros., Reenagappul, Kenmare	Reenagappul, Kenmare	€3,809.21
95/2020	EAMON COSTELLO LTD., 17 Murphy's Terrace, Ballymullen, Tralee	Killeen, Oakpark, Tralee	€6,348.69

**7. Bus Éireann Bus Services in County Kerry**

**Pursuant to Notice duly given, Cllr. S. Fitzgerald PROPOSED:-**

"That Kerry County Council call on Bus Éireann not to reduce the bus service it provides to our towns around the County and to make known to the Minister for Transport that the service provided is vital to the whole rural transport system which he so often advocates as part of improving safety on our roads."

**Mr. G. O'Brien, Meetings Administrator, said this is a matter for consideration by the Members.**

**8. Safety/Structural Audit of Bridges**

**Pursuant to Notice duly given, Cllr. P. O'Donoghue PROPOSED:-**

"That Kerry County Council furnish a report as to how often a Safety/Structural Audit is carried out in relation to bridges in the County as there is concern as to the stability and structural soundness of some bridges in the County and in particular, the bridge over the River Fertha in Caherciveen."

**The following report issued:**

**Bridges on the National Road Network are inspected regularly by the NRA. Major bridges in the Regional and Local Road Network are inspected on a needs basis, depending on available resources. In relation to the Fertha Bridge in Caherciveen, a Principal Inspection was carried out in 2002. A further inspection was carried out in 2007. The latest inspection was carried out in April 2009 as a result of concerns being expressed as to its stability. The report states that "the structure has not deteriorated at the rate forecasted in the 2002 Principal Inspection Report, which expected the bridge to be in such a condition in 2012 as to need replacement. In fact, while corrosion of the reinforcement within the concrete is assumed to be ongoing, the bridge is showing few, if any, signs of significant deterioration since 2002". A further inspection will be arranged for 2012. The report also recommended that some improvement works be undertaken, these works will be discussed with the Department Inspector when next he visits the County with a view to determining a mechanism for funding these works.**

**9. Generic One-Off Rural House Designs**

**Pursuant to Notice duly given, Cllr. B. Griffin PROPOSED:-**

"That Kerry County Council Planning Department would facilitate the preparation of a selection of potentially suitable generic one-off rural house designs to be made available to applicants for a nominal fee as a low cost, time efficient option for users of the planning application process in the County."

**The following report issued:**

**Kerry County Council published Design Guidelines entitled 'Building a House in Rural Kerry' in July 2009. The main purpose of the Guidelines is to assist applicants and their agents in the location, design and orientation of houses in the rural countryside.**

**Part 4 of the Guidelines gives extensive guidance on the design of houses in relation to form/shape, massing, proportions, scale and height and energy efficiency. It also includes detailed sketches of a number of house types and advice on design features to be avoided. The Design Guidelines are available for purchase at the Planning Office or can be downloaded free from the website.**

## **10. Removal of Gravel from Rivers**

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

"That in the extraordinary present circumstances farmers should be allowed to remove gravel from our rivers which is causing additional flooding since a ban has been put on taking gravel out. This is stopping the free flow of water and in many instances, is a major contributing fact in the recent flooding. I know one particular instance where a river is now higher than the road because of gravel being deposited there continuously."

**The following report issued:**

**Class 3 of Part 3 of Schedule 2 of the Planning & Development Regulations, 2001 provides that in relation to minor works and structures:**

**"Works relating to the construction or maintenance of any gully, drain, pond, trough, pit or culvert, the widening or deepening of water courses, the removal of obstructions from watercourses and the making or repairing of embankments in connection with any of the foregoing works" is exempted development.**

However, the indiscriminate removal of material from rivers can have potentially significant impacts. Removal of gravel may result in scouring of the river bed up-stream of the point of removal which can, in certain circumstances, undermine structures such as bridges and culverts. In addition, removal can also have serious water-quality impacts and can result in damage to important spawning grounds with potential impacts on fish stocks.

Notwithstanding the exempted status of such development, such works may be subject to control by the relevant Fisheries Board, the Office of Public Works or the National Parks & Wildlife Service and anybody contemplating works of this nature would be advised to contact these agencies in advance.

## **11. Siting of Houses on Low-Lying Sites**

**Pursuant to Notice duly given, Cllr. D. Healy-Rae PROPOSED:-**

"To ask the Planning Section of Kerry County Council to take into account the devastation many householders had to endure in other parts of the country due to flooding on lower ground and in future, not to be insisting that applicants in Kerry build on low-lying sites which could also be flooded."

**The following report issued:**

**It is the policy of the Council where possible to avoid siting of houses on elevated and exposed sites. This is required to protect the visual amenity of the County which is an extremely important economic asset and also to promote energy efficient development.**

**It should be pointed out that the planning application form specifically requests the applicant to state if the site in question has ever been flooded. Furthermore, if the Planning Authority is of the view that the site could be liable to flooding, planning permission would not be forthcoming.**

The site assessment carried out to establish the suitability of a site to deal adequately with effluent disposal also provides details of the water table on the site. If a high water table is identified in this test, the site will be deemed unsuitable for effluent disposal and planning permission will be refused.

## **12. Salary and Expenses for Directors of Service in 2008**

**Pursuant to Notice duly given, Cllr. J. Sheahan PROPOSED:-**

"That Kerry County Council publish how much each Director of Services received in salary and expenses in 2008."

**The following report issued:**

**The nationally approved salary scale for Director of Service, including Head of Finance, for 2008 was:**

- from 1 Jan 2008 to 28 Feb 2008  
88,739 - €92,774 - €96,807 - €100,840 - €104,874
- from 1 March 2008 to 31 August 2008  
€90,957 - €95,093 - €99,227 - €103,361 - €107,496
- from 1 Sept. 2008 to 31 December 2008  
€93,231 - €97,470 - €101,708 - €105,945 - €110,183

The current scale outlined will be reduced in accordance with the public sector pay reductions announced in the recent budget by the Minister for Finance.

The total paid in travel and subsistence payments to the Directorate grade was €39,684.21 in respect of 2008.

## **13. Speed Limit Review**

**Pursuant to Notice duly given, Cllr. T. Fleming PROPOSED:-**

"That Roads & Transportation Department initiate the speed limit review immediately."

**The following report issued:**

The Speed Limit Bye-Laws were adopted in November 2006. The procedures required to be followed in a review of speed limits are set out in Part 2 of the Road Traffic Act, 2004 (No 44 of 2004). There is an extensive consultation process involved, which requires significant resources. There is no requirement in law to carry out a review in any set timeframe.

Members will be aware that there has been significant reduction in staff numbers which has impacted on the workload for the Road Design Office. Given the implications of this and reduced levels of available funding, our priorities for 2010 will primarily be on the roadworks programme, for which funding has yet to be determined, and ensuring compliance with a number of other statutory regulations imposed in recent years (i.e. Health & Safety at Work, Chapter 8 etc.)

This request will be examined when we are preparing our work programme in 2009, after the adoption of the Budget and the receipt of road grant allocations from the NRA and the Department of Transport.



**14. Traffic Safety Measures at Iveragh Park and An Bhainseach, Killorglin**

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

"That Kerry County Council urgently put in place better safety and traffic measures at the entrances to Iveragh Park and An Bhainseach, Killorglin. Urgent funding is sought for these two projects from the Department of Transport and the NRA."

**The following report issued:**

In 2006, the NRA provided funding for traffic calming measures along Iveragh Road at the entrance to Iveragh Park. This location is within the 50 km/h speed limit. Also, in 2006, traffic calming measures were provided at the entrance to An Bhainseach, on the Tralee Road. The 60 km/h speed limit was also extended beyond the entrance to the estate. Both these safety features were installed in accordance with current design guidelines and safety standards.

The Roads Department is not aware of any accidents at these locations, since these measures were implemented to support a funding application for further traffic safety measures. However, we will discuss these locations with the NRA Road Safety Officer in advance of any submissions for funding in 2010.

**15. Use of empty housing units in the country to meet Local Authority housing list needs**

**Pursuant to Notice duly given, Cllr. M. Gleeson PROPOSED:-**

"That this Council once more calls on Government to enter into meaningful discussion with developers/builders with a view to maximising the potential of the many empty housing units in the country to house the tens of thousands on Local Authority housing lists."

**Mr. G. O'Brien, Meetings Administrator, said this is a matter for consideration by the Members.**

**16. Grant Aid for works undertaken to meet new EPA Guidelines for septic tanks**

**Pursuant to Notice duly given, Cllr. M. O'Shea PROPOSED:-**

"That we the Members of Kerry County Council pass a resolution asking the Minister for the Environment to consider a programme of grant aid for works undertaken by residents to meet the new EPA guidelines to provide certification for septic tanks. Grant aid of possibly 60% - 40% would provide a stimulus for the local and national economy."

**Mr. G. O'Brien, Meetings Administrator, said this is a matter for consideration by the Members.**

**17. Coastal Erosion at Rossbeigh**

**Pursuant to Notice duly given, Cllr. M. Cahill PROPOSED:-**

"That Kerry County Council give a detailed report in relation to the unprecedented coastal erosion to the sand dune area at Rossbeigh and what plans are in place to address this important issue."

**The following report issued:**

Examination of Ordnance Survey mapping and aerial survey photography of the Rossbeigh area clearly shows that the erosion problem at Rossbeigh has been ongoing for some time. However, the dramatic breach that occurred in late 2008, and which continued in early 2009, highlighted the problem.

The Rossbeigh Spit is essentially a sand bar. Sand bars are notoriously difficult to stabilise and manage. The methodologies traditionally used in the County to protect against coastal erosion, rock revetments, sea walls etc, would be completely ineffective in dealing with the problem at Rossbeigh. It would be possible to engage in a large scale sand dredging project and move sands from out in the Castlemaine Harbour channel to replace the sands removed by the erosion, but this would be very expensive and may not stabilise the area. Funding would be very difficult to secure given the very limited resources available for coastal protection works nationally. The Council has had discussions with practitioners both nationally and internationally about the problem at Rossbeigh. The consensus is that there is little if anything that can be done to repair the breach and prevent further erosion. The processes at hand are entirely natural and complex.

The key issue facing the Council will probably be how to deal with the low lying areas at Incherea. These lands are already subject to flooding and that risk may now be greater following the breach in the Rossbeigh Spit. Funding was sought from the OPW in 2009 under their Coastal Protection Programme to enhance and strengthen the existing defences in this area. Given the very limited monies made available at National level for coastal protection, we were unsuccessful in receiving funding in 2009 and may not receive funding again in 2010.

#### **18. Traffic Calming Measures on the Fossa Road**

**Pursuant to Notice duly given, Cllr. B. Cronin PROPOSED:-**

"That this Council again call on the NRA to urgently provide adequate funding for traffic calming measures including footpaths and improved drainage on the Fossa Road and most importantly, a pedestrian crossing adjacent to Fossa National School and Parish Church."

**The following report issued:**

In 2009, Kerry County Council received a small grant allocation from the NRA to progress a traffic calming design in the Fossa Area. It is anticipated that a further grant allocation will be received in 2010 to complete the design and allow us to progress a scheme through the statutory procedures set out in Section 38 of the Road Traffic Act, 1994, which includes for public consultation.

An application was also made to the OPW, who have responsibility for Coastal and Non-Coastal Drainage, for funding to address the drainage at Fossa. Unfortunately, the application was not successful.

## **19. Forging of Diplomatic Links**

### **Pursuant to Notice duly given, Cllr. B. Griffin PROPOSED:-**

"That Kerry County Council would forge closer diplomatic links with regions and cities connected directly to Kerry via the air route to Kerry International Airport such as Frankfurt and London and given the importance of the Cork Swansea sea link as a means of indirect access to Kerry, the Welsh City of Swansea."

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

**This is a matter for consideration by the Members, however, the forging of diplomatic links would be a matter for National Government.**

## **20. Siting of houses on Elevated Sites**

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

"That this Council instructs the Planning Officials of this County to take the precautionary approach when looking at planning permission applications in rural areas and request that developments be on the most elevated areas of sites rather than the present policy of pushing people down into bogholes where they will of course eventually be flooded out as has been proved in the recent past."

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

**It is the policy of the Council where possible to avoid siting of houses on elevated and exposed sites. This is required to protect the visual amenity of the County which is an extremely important economic asset and also to promote energy efficient development.**

**It should be pointed out that the planning application form specifically requests the applicant to state if the site in question has ever been flooded. Furthermore, if the Planning Authority is of the view that the site could be liable to flooding, planning permission would not be forthcoming.**

**The site assessment carried out to establish the suitability of a site to deal adequately with effluent disposal also provides details of the water table on the site. If a high water table is identified in this test, the site will be deemed unsuitable for effluent disposal and planning permission will be refused.**

## **21. Clearing of Rivers Prone to Flooding**

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

"To ask Kerry County Council to liaise with the NRA and the OPW to ensure that all rivers in the County prone to flooding be cleared and any obstructions, i.e. silt, gravel and trees be removed immediately and in particular, the River Flesk and the River Cullowa. Flooding on the Flesk recently caused the residents of Foiladown to be marooned and threatened many houses in Curreal and Glenflesk. One of the eyes in each of the three bridges on the Flesk are blocked and must be opened up."

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

**Under the Arterial Drainage Act, 1945, the OPW undertook a number of arterial drainage schemes to improve land for agricultural production. The OPW has a statutory duty to maintain these schemes, which is delivered through their arterial drainage maintenance programme. The OPW only have powers to undertake river or channel maintenance where these rivers form part of an arterial drainage scheme or flood relief scheme.**

There are also a number of Drainage Districts, where drainage schemes to improve land for agricultural purposes were conducted and managed by Local Authorities. Kerry County Council has responsibility for two such districts, namely Ardkearagh Lough at Ballyheigue and Lough Gill at Castlegregory.

The cost for Kerry County Council to maintain their two drainage districts is a significant financial drain on our own resources. In 2009, approximately €150,000 was spent on these.

Kerry County Council will contact the OPW to request that rivers in their responsibility are cleared.

In other areas, the responsibility for the condition of the channel and riverbanks typically rests with the riparian owner. However, landowners are strongly advised to liaise with the relevant local Fisheries Board to ensure compliance with statutory requirements, particularly within cSAC areas.

In certain circumstances, where there is a risk to the safety of the public and to our infrastructure, the Council will carry out maintenance under bridges on the public road network. It is intended to inspect each of the bridges on the Flesk to determine the extent of blockage and maintenance will be carried out within available resources provided.

Kerry County Council are presently seeking quotations from suitably qualified people to carry out a feasibility study on flooding at both Glenflesk and Sneem. It is hoped that funding for both these studies will be forthcoming from the OPW.

## **22. Platinum Cards**

**Pursuant to Notice duly given, Cllr. J. Sheahan PROPOSED:-**

"That Kerry County Council Executive confirm that each Director of Services hold platinum cards solely for expenses."

**The following report issued:**

**None of the Council's Senior Management Team has a platinum card for Council business.**

## **23. Job Creation Forum**

**Pursuant to Notice duly given, Cllr. T. Fleming PROPOSED:-**

"That Kerry County Council recommend that the County Development Board convene a forum of all interested parties in the County, including politicians, representatives of industry, unions and State Agencies to discuss and map out the current and economic, infrastructural, employment and social problems facing the County of Kerry with a view to improving co-ordination between all the active agencies in the County."

**The following report issued:**

**The role of the County Development Board is to provide a forum for co-ordination and greater co-operation amongst agencies for the betterment of the social, cultural and economic development of County Kerry. There are**

39 agencies represented on the County Development Board, representing all of the sectors referred to in the Notice of Motions. At its most recent meeting on 27th November last, the Board recognised and discussed the economic situation facing the County and possible solutions which it could undertake.

Resulting from this, the Board is presently organising, with the commitment and assistance of each of its members, a "Jobs Fair" to be held early in the New Year, where information and options available to those who have recently become unemployed will be set out and each agency on the Board has been requested to provide an information stand on the day.

The very essence for the existence of a County Development Board in each City and County Area, as set out in Part B of the Local Government Act, 2001, is:-

"to take such steps, as the Board may consider appropriate, to enable each of the Bodies and interests, whose functions affect the economic, social or cultural development of the County or any part of the County and its people to provide the maximum benefit each of them can to such development, both individually and collectively".

#### **24. Funding for the Relief Road in Kenmare**

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

"That Kerry County Council seek funding in 2010 for the relief road in Kenmare from the R569 Kilgarvan Road to the Killarney Road N71 as Kenmare often gets congested with traffic, especially during the summer. Construction of this road was due to start in 2008 at an estimated cost of €4m."

**The following report issued:**

In 2009, Kerry County Council applied to the Department of Transport for funding for the link road between the R569 and the N71 as part of the Specific Improvement Grant Scheme. However, this project did not receive any funding. It was also hoped to deliver part of this road under condition of planning permission granted for a private development on the lands through which it is situated. This project has not yet started.

Due to other works which require on-going funding, and the diminishing grant aid available, it was anticipated that no funding will be available for this project in our Specific Improvement Grant 2010.

#### **25. Works Programme to Clean Main Rivers and Streams**

**Pursuant to Notice duly given, Cllr. M. O'Shea/P. O'Donoghue PROPOSED:-**

"That Kerry County Council liaise with other State Agencies, i.e. Board of Works, State Fishery Boards to immediately establish a works programme to dredge and clean main rivers and streams which are currently under tremendous pressure due to the lack of attention."

**The following report issued:**

Under the Arterial Drainage Act, 1945, the OPW undertook a number of arterial drainage schemes to improve land for agricultural production. The OPW has a statutory duty to maintain these schemes, which is delivered

through their Arterial Drainage Maintenance Programme. The OPW only have powers to undertake river or channel maintenance where these rivers form part of an arterial drainage scheme or flood relief scheme.

There are also a number of Drainage Districts, where drainage schemes to improve land for agricultural purposes were conducted and managed by Local Authorities. Kerry County Council has responsibility for two such districts, namely Ardkearagh Lough at Ballyheigue and Lough Gill at Castlegregory.

The cost for Kerry County Council to maintain their two drainage districts is a significant financial drain on our own resources. In 2009, approximately €150,000 was spent on these.

Kerry County Council will contact the OPW to request that rivers in their responsibility are cleared.

In other areas, the responsibility for the condition of the channel and riverbanks typically rests with the riparian owner. However, landowners are strongly advised to liaise with the relevant local Fisheries Board to ensure compliance with statutory requirements, particularly within cSAC areas.

## **26. Progress Report on Underpinning Works at Laune Bridge**

**Pursuant to Notice duly given, Cllr. M. Cahill/T. Fleming PROPOSED:-**

"That Kerry County Council give a detailed progress report in relation to the underpinning works at Laune Bridge. Have the works carried out to date proved to be successful or will additional works need to be carried out in the future."

**The following report issued:**

Following detailed investigations of the Laune Bridge, the NRA provided an allocation of €300,000 to allow remedial works to be carried out on this important structure.

Ward and Burke Construction Ltd. commenced work on site in late September. Works to be undertaken on the bridge structure were as follows - underpinning of three piers on the Killorglin side, repairs to scour protection at all the piers, reconstruction of the bull nosed cutwaters, masonry repairs and re-pointing throughout, replacement of road gullies, kerb re-alignment and footpath and road reinstatement.

The contractor has indicated that the structural repairs will be completed by the end of the year, with the remaining works to be completed early in the New Year.

The works carried out to date have indicated that the settlement has been arrested. The structure will be monitored over time by both the NRA and Kerry County Council. Any further requirements will be addressed in light of this monitoring.

## **27. Purchase of Land for Castleisland By-Pass**

**Pursuant to Notice duly given, Cllr. B. Cronin/P. Connor-Scarteen PROPOSED:-**

"To clarify from the NRA in conjunction with Kerry County Council, how many landowners in total did they have to purchase lands for the construction of Castleisland By-Pass and as work is now at an advanced stage, have all relevant landowners been paid in full for their property."

**The following report issued:**

**The total number of landowners from whom lands are being acquired on the N21 Castleisland Bypass Road Improvement Scheme is 32. Agreement has been reached with 27 of these landowners.**

**A total of 25 landowners have been paid in full and, in the other two cases, the landowners' legal representatives are in the process of providing proper title to the properties to enable payment to be made.**

**The remaining five agreements are likely to be completed in 2010 subject to their title being in order.**

### **Notices of Motion Nos. 12 & No. 22**

Cllr. J. Brassil referred to Notices of Motion No. 12 & No. 22 and expressed disappointment that Notices of Motion of this nature had been tabled. He said he has no personal interest in the salaries of Directors of Service and the nationally approved salary scales are a matter of public record.

Cllr. T. Ferris supported Cllr. Brassil's comments and requested that such Notices of Motion would not be tabled again.

### **Notice of Motion No. 21**

Cllr. M. Moloney requested a copy of the reply to Notice of Motion No. 21 tabled by Cllr. D. Healy-Rae regarding clearing of rivers in the county which are prone to flooding. She said she had a similar motion tabled however it was deemed to be area specific.

Mr. G. O'Brien, Meetings Administrator, said the Notice of Motion submitted by Cllr. Moloney referred to clearing rivers in specific areas and he had ruled that this was a local area issue and the Notice of Motion deemed as area specific. Cllr. Healy-Rae's motion requests that Kerry County Council liaise with the NRA and the OPW on this issue.

Cllr. D. Healy-Rae said the reply to Notice of Motion No. 21 could be circulated to Cllr. Moloney.

## **09.12.21.19 Correspondence – Conferences and Seminars**

- (a) On the PROPOSAL of Cllr. A. McEllistrim, **SECONDED** by Cllr. J. Finucane, it was agreed to authorise the attendance of Cllrs. B. O'Connell and P. Leahy at the UCC Business Conference 2010 to be held in Cork on 19<sup>th</sup> January, 2010.

Cllr. P. Leahy was nominated to report to Council on this conference.

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- (b) On the PROPOSAL of Cllr. A. McEllistrim, SECONDED by Cllr. T. Buckley, it was agreed to authorise the attendance of Cllrs. R. Beasley, B. O'Connell, M. Healy-Rae and D. Healy-Rae at the Irish Renewable Energy Summit 2010 to be held in Dundalk on 21st January, 2010.

Cllr. R. Beasley was nominated to report to Council on this conference.

- (c) On the PROPOSAL of Mayor B. O'Connell, SECONDED by Cllr. A. McEllistrim, it was agreed to authorise the attendance of Cllr. T. Fitzgerald on a visit to the US in March, 2007.
- (d) On the PROPOSAL of Cllr. M. Healy-Rae, SECONDED by Cllr. A. McEllistrim, it was agreed to authorise the attendance of Mayor B. O'Connell at the Irish Public Bodies Mutual Insurances Extraordinary General Meeting held in Dublin on 3rd September, 2009.
- (e) On the PROPOSAL of Cllr. B. Cronin, SECONDED by Cllr. A. McEllistrim, it was agreed to authorise the attendance of Mayor B. O'Connell at the Ethics in Public Life, Your Responsibility! Seminar held in Sligo from 13<sup>th</sup>-15<sup>th</sup> November, 2009.
- (f) On the PROPOSAL of Cllr. M. Healy-Rae, SECONDED by Cllr. B. Cronin, it was agreed to authorise the attendance of Mayor B. O'Connell at the Council Budgets 2010 Seminar held in Letterkenny, Co Donegal from 20<sup>th</sup>-22<sup>nd</sup> November, 2009.
- (g) On the PROPOSAL of Cllr. P. Leahy, SECONDED by Cllr. T. Fleming, it was agreed to authorise the attendance of Mayor B. O'Connell at the National Tourism Conference held in Ennistymon, Co Clare from 26<sup>th</sup>-28<sup>th</sup> November 2009.
- (h) On the PROPOSAL of Cllr. T. Buckley, SECONDED by Cllr. P. Connor-Scarteen, it was agreed to authorise the attendance of Mayor B. O'Connell at the Value of Volunteering Conference held in Dublin on 3<sup>rd</sup> December, 2009.
- (i) On the PROPOSAL of Cllr. P. Leahy, SECONDED by Cllr. J. Finucane, it was agreed to authorise the attendance of Mayor B. O'Connell at the Internet Constituents Training Seminar held in Clondalkin, Dublin, from 4<sup>th</sup>-6<sup>th</sup> December, 2009.
- (j) On the PROPOSAL of Cllr. M. Healy-Rae, SECONDED by Cllr. A. McEllistrim, it was agreed to authorise the attendance of Cllr. T. Ferris at the Training Seminar on the Welfare of Children to be held in Letterkenny from 15<sup>th</sup>-17<sup>th</sup> January, 2010.

## **09.12.21.20 Correspondence General**

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

1. Letter dated 5<sup>th</sup> November, 2009, from Teagasc regarding the current difficulties in farming.
2. Letter dated 10<sup>th</sup> November, 2009, from HSE South regarding Waiting List for Orthodontic Treatment in Kerry.
3. Letter dated 11<sup>th</sup> November, 2009, from the Minister for Arts, Sport and Tourism regarding Sports Inclusion Development Officers.
4. Letter dated 12<sup>th</sup> November, 2009, from the NRA regarding funding for improvements to the junction at Kennedy's Cross and other junctions between Milltown and Killorglin.



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5. Letter dated 12<sup>th</sup> November, 2009, from the NRA regarding annual funding for National Secondary Roads in County Kerry.
6. Letter dated 13<sup>th</sup> November, 2009, from the Minister for Transport regarding the Local Improvement Scheme.
7. Letter dated 30<sup>th</sup> November, 2009, from HSE South regarding Kenmare Community Hospital.
8. Letter dated 30<sup>th</sup> November, 2009, from the Department of Transport regarding funding for roads in Kerry in 2010.
9. Letter dated 30<sup>th</sup> November, 2009, from the Department of Transport regarding the management of the regional and local roads programme.
10. Letter received on 1<sup>st</sup> December, 2009, from the Olympic Council of Ireland regarding training bases to National Olympic Committees.
11. Letter dated 1<sup>st</sup> December, 2009, from the Department of Social and Family Affairs regarding the Christmas Bonus.
12. Letter dated 5<sup>th</sup> November, 2009, from South Tipperary County Council calling for the abolition of FÁS in its present format.
13. Letter dated 13<sup>th</sup> November, 2009, from South Dublin County Council calling on the Minister for Children to give an undertaking to expedite the negotiations towards a bilateral agreement with Ethiopia so that adoption of Ethiopian children by Irish families can continue.
14. Letter dated 26<sup>th</sup> November, 2009, from Limerick County Council calling on the Government to introduce legislation that Local Authorities, as the statutory Housing Authority, be given full responsibility for all Social Housing provision and associated housing supports, including the administration of the Rent Supplement Scheme.
15. Letter dated 2<sup>nd</sup> December, 2009, from Ballina Town Council calling that rent supplement should not be paid to tenants of landlords who are evading taxes by not paying the levy to the Local Authority on their non-residential homes or those who are not registered with the Private Residential Tenancies Board, as is a requirement under the Residential Tenancy Act 2004.

### **Local Improvement Scheme**

Cllr. M. Gleeson referred to letter received from the Minister for Transport regarding the Local Improvement Scheme and queried the number of applicants for this scheme with Kerry County Council.

Mr. C. O'Sullivan, Director of Roads & Transportation, undertook to contact Cllr. Gleeson directly on this matter.

### **Training bases for National Olympic Committees**

Cllr. M. Gleeson referred to letter received from the Olympic Council of Ireland regarding training bases to National Olympic Committees and asked if a reply will issue regarding facilities available in the county.

Mr. J. O'Connor, Deputy County Manager, said a reply will issue on this matter.

### **Votes of Sympathy**

The following Votes of Sympathy were noted from the Vote of Sympathy book.

- (a) Vote of Sympathy to be expressed to the family of the late Michael Jack Cronin, Snr., Shrone, Rathmore.

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- (b) Vote of Sympathy to be expressed to the family of the late Ted Moynihan, Lissivygeen, Killarney.
- (c) Vote of Sympathy to be expressed to the family of the late Sean O'Shea, Over-the-Water, Caherciveen.

The meeting concluded at 2.50 p.m.

**Gerard O'Brien**  
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**Meetings Administrator**

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**Mayor of Kerry**