

**MINUTES OF THE SPECIAL ROADS MEETING OF KERRY COUNTY
COUNCIL HELD IN THE COUNCIL CHAMBERS, ARAS AN CHONTAE, TRALEE
ON MONDAY, 29th MARCH 2010.**

**MIONTUAIRISCÍ AN CHRUINNITHE SPEISIALTA BÓITHRE DE CHOMHAIRLE
CONTAE CHIARRAÍ A TIONÓLADH I SEOMRA NA COMHAIRLE, ÁRAS AN
CHONTAE, TRÁ LÍ, AR AN LUAN, 29 MÁRTA 2010.**

PRESENT/I LÁTHAIR

Councillors/Comhairleoirí

R. Beasley
T. Buckley
P. Connor-Scarteen
P.J. Donovan
J. Finucane
T. Fleming
M. Gleeson
D. Healy-Rae
P. Leahy
A. McEllistrim
T. O'Brien
M. O'Shea
J. Sheahan

J. Brassil
M. Cahill
B. Cronin
T. Ferris
S. Cosai Fitzgerald
N. Foley
B. Griffin
M. Healy-Rae
P. McCarthy
M. Moloney
B. O'Connell (Mayor)
L. Purtill
A. Spring (Deputy Mayor)

IN ATTENDANCE/I LÁTHAIR

Mr. T. Curran, County Manager
Services
Mr. G. MacNamara, S.E.
Mr. F. Hartnett, S.E.E.
Mr. J. Flynn, Director of Corporate Affairs
Affairs
Mr. J. O'Connor, Head of Finance
Ms. K. Doody, S.O.
Mr. P. Corkery, Press Officer

Mr. C. O'Sullivan, Director of
Mr. M. Corridan, S.E.
Mr. P. Teahan, A/S.E.E.
Mr. G. O'Brien, S.E.O. Corporate
Ms. M. West, A.O.
Ms. L. Egan, C.O.

ABSENT/AS LÁTHAIR

Cllr. P. O'Donoghue

The meeting commenced at 10.35 am.

Cllr. A. Spring, Deputy Mayor, commenced the meeting.

Mr. G. O'Brien advised those present that the consideration of the Draft River Basin District Management Plans has been deferred until the April Meeting.

The adoption of the Minutes of the Special Roads Meeting held on 23rd March 2009 was proposed by Cllr. Michael Healy-Rae and seconded Cllr. Brendan Cronin.

Mr. O'Sullivan, Director of Service, outlined the Programme of Works for National Primary Routes, National Secondary Routes and for the Non-National Road Network as set out in the Roads Programme 2010, which was circulated to members. He pointed out that the programme was prepared in a difficult economic climate, highlighting that, following the adoption of the Roads Programme in 2009, the grant allocations, from the NRA and the D.o.T., were substantially reduced in the April 2009 Supplementary Budget. The grant allocations this year have been broadly retained at this reduced level. The severe weather experienced in 2009 and early 2010 had a major impact on the Roads Programme 2010. Mr. C. O'Sullivan highlighted that, as a result of the extreme weather, €20m of damage had been caused to the County's road network. The main priority is now to repair this damage and the protection of the existing network.

Members were advised that the substantial reduction in funding over the past year has had a significant impact on available resources and employment in the county, with the non replacement of retired staff and the non-renewal of temporary contracts for outdoor, technical and administrative staff. The total sum available for roadworks in 2010 is €41,888,042, which does not include Public Lighting, Clár Allocations, Gaeltacht Grants or Administration and represents an overall increase of €1,429,858 from the 2009 allocations. Mr. O'Sullivan highlighted the increase in Own Resources Funding (+7%) and thanked the Members for their contribution in securing this increase. He then outlined the key elements contained in the Roadworks Programme.

Mr. O'Sullivan welcomed the further allocation of €10.68m to complete the Castleisland By-Pass. He also identified that the significant deterioration in the condition of the public road network as a result of the unprecedented weather conditions represents a major challenge for Kerry County Council. This challenge has been acknowledged by the D.o.T., in the the 2010 Improvement Grant and, by the NRA, in the provision of funding for Weather Related Pavement repair. However he expressed disappointment with the non-funding of the Strategic Regional and Local Roads Grants again this year and to the continuing low level of funding for the National Secondary Pavement and Minor Works Programme. In particular he had serious concerns with regard to the grants being provided for Maintenance of National Routes. Mr. O'Sullivan reiterated that the reduction in Pavement Improvement and Maintenance funding for National Roads over the past two years contrasts with the costs associated with labour, plant and materials which remain at a relatively high level.

In concluding his report, Mr. O'Sullivan advised Members that the 2010 Roads Programme has been prepared with a focus on addressing the significant damage caused to our road infrastructure over the winter period. The Council will endeavour to retain existing staffing levels required for the essential maintenance of our roads and to protect the safety of all road users, as well as maintaining competitiveness. Deaths and serious injuries on the County's roads continue to be a major concern and significant engineering measures incorporated into this year's Roads Programme are very welcome. Mr. O'Sullivan thanked all Staff for their excellent contribution in delivering the 2009 Roads Programme, and also extended his appreciation to the

Mayor, Cllr. Bobby O'Connell, and to each Member of the Council for their continued support, co-operation and commitment.

The Deputy Mayor brought attention to the cuts in funding and complimented all Staff involved in preparation of the Programme. He extended his compliments for securing funding for the Castleisland By-Pass and the finalising of land acquisitions.

The Members discussed the programme at length. The Members thanked Mr. Tom Curran, County Manager, Mr. Charlie O'Sullivan, Director, Roads, Transportation & Safety and his staff for the preparation of the Roads Programme for 2010. Members also wished to acknowledge and compliment the works carried out by the Area Engineers and Outdoor Staff in extremely difficult weather conditions.

The following specific issues were raised by the Members:

- Members extended a note of sympathy to all families who suffered fatalities on the County's roads and sympathy extended to the Polish Community who experienced a loss at the weekend.
- Members expressed concern at the decrease in funding for maintenance on National Primary, National Secondary and Local Roads.
- Members expressed disappointment at the decrease in Local Improvement Scheme Funding and Cllr. John Brassil suggested writing to the Minister expressing discontent and request that grant amount be increased. Cllr. Norma Foley supported comments with regard to Local Improvement Scheme Funding and suggestion of writing to Minister to request supplementary funding. Cllr. Anne McEllistrim also proposed that the Council write to the Minister for Community Rural & Gaeltacht Affairs to request CLÁR funding.
- Cllr. Michael Gleeson, Cllr. Marie Moloney & Cllr. Jim Finucane expressed concern that the condition of the County's Roads would affect tourism, one of the County's principle employers, in the County. Cllr. Michael Gleeson suggested writing to the Minister to secure additional funding. Following discussions, Cllr. John Brassil felt that a clear message should go out from this Meeting to state that the roads in Kerry are no worse than the roads in any other county and therefore should not be a deterrent to tourists as tourists come to Kerry for the scenery and the welcome they receive. Members acknowledged that the level of public anger is high with regard to the condition of the roads and damage to their vehicles.
- Cllr. Pat Leahy and Cllr. Danny Healy-Rae welcomed the CIS Retro Scheme. It was suggested by Cllr. John Brassil that a programme be prepared for each Area containing the proposed roads that are going to be re-addressed and requested that Members be given an input into same.
- Cllr. Brendan Griffin welcomed the investment of €950,000 for the N86, and clarification was sought by Cllr. Michael O'Shea on the works to be carried out as a result of this funding.
- Cllr. Brendan Cronin, Cllr. John Brassil & Cllr. Norma Foley discussed the matter of Hedgecutting. Landowners who trimmed hedges were complimented. Clarification was requested on the number of prosecutions before the courts. It was suggested that the Roads Department seek a copy of the REPS maps from the Department of Agriculture as the carrying out of hedgecutting is a condition of the REP scheme. It was also suggested that Kerry County Council should prepare a cost per meter for cutting hedges and advertise same. It was felt that this would generate income. It

was also suggested that landowners who neglect to cut their hedges should have their hedges cut by Kerry County Council and the landowner should be billed for the cost.

- Cllr. Michael Gleeson highlighted the importance of a smooth and even footpath surface. A standard approach to footpath repair countywide was requested by Cllr. Jim Finucane.
- Members discussed local issues of concern and requested these matters be addressed. Members also welcomed funding for Projects in their local area. Concerns were raised and disappointment was expressed by Members regarding projects that did not receive funding in 2010, such as Cromane Hill; Dale Road; Kennedy's Cross; Lower Road, Tarbert; R551 Ballylongford to Tarbert Road; Larhar Road, Asdee. Concerns was also expressed by some members on the level of funding for Barraduff Village and it was proposed that the Council write to the NRA requesting additional funding.
- Cllr. Marie Moloney, Cllr. Pat McCarthy, Cllr. Michael O'Shea, Cllr. John Sheahan and Cllr. Anne McEllistrim highlighted pothole repairs. They requested information and clarification on the methods and materials used by Kerry County Council including the cost for pothole repairs. It was suggested that this matter be brought before the Transport SPC for investigation by Cllr. Anne McEllistrim.
- Cllr. Brendan Cronin requested clarification with regard to the Killarney By-Pass.
- Cllr. Pat McCarthy and Cllr. Michael O'Shea sought information with regard to the implementation of Chapter 8 and the costs of same .
- Cllr. Michael Gleeson, Cllr. Michael O'Shea & Cllr. Michael Cahill raised the issue of the county's bridges, and expressed that the funding for bridges was a matter of concern. In particular they requested that the foliage growth around bridges was maintained and clipped. Request also made by Cllr. Michael Cahill for the county's bridges to be surveyed.
- Cllr. Michael Healy-Rae. Cllr. Patrick Connor Scarteen sought clarification on the €300,000 allocated to the Western Relief Road, Kenmare, in light of the recent announcement to halt any further works with this funding. They asked if the funding could be re-allocated to the Eastern Relief Road.
- Cllr. Seamus Cosai Fitzgerald asked if there would be a review of the speed limits for the county in 2010. He also highlighted that no Gaeltacht Funding has been made available in 2010, and queried if it would be possible for Kerry County Council to request additional funding from the Minister to maintain these roads as roads previously repaired are falling into a state of disrepair.
- Cllr. Anne McEllistrim enquired on the status of the Tralee Ring Roads having regard to the decision of Kerry County Council to adopt the Supplementary Development Contribution Scheme and if Tralee Town Council does not adopt the scheme
- Cllr. Jim Finucane queried if statutory bodies paid their motor tax in Kerry, or in the county where their head offices were located, and the implication of this for the councils road budget.
- Cllr. Pat McCarthy welcomed the funding for the Castleisland By-Pass and asked if the project was on schedule.

Mr. Charlie O'Sullivan, Director of Services replied to the key issues raised and thanked the Members for their compliments to the Staff. Mr. O'Sullivan also thanked the Members for their input to the development of the Roads Programme and in particular their commitment at the Special Area meetings.

In relation to Road Safety, he outlined that the Council had given a strong commitment in promoting road safety in recent years and the continuing number of fatalities on our roads is a matter for concern. All fatalities and serious accidents on the County's roads are investigated by both the Gardaí and Kerry County Council. Of the accidents investigated, in the past three years, he stated that not one accident has been attributed to the condition of the road and therefore it is fair to say that our roads are safe and the County is open for tourists. The primary causes, of the accidents investigated, were inappropriate speed, drink and non-wearing of seat belts. He also outlined that the Council would be giving priority to tourist routes in advance of the tourism season, as was the case in previous years.

He stated that the materials used for pothole repairs depend on the type of road and patching is a temporary measure until more permanent works can be undertaken, when more favourable weather conditions permit. He confirmed that the bridges over the Gaddagh will be installed in the coming weeks.

In response to Cllr Cronins query on the continuation of the 3 year restoration programme, he confirmed that the Restoration Improvement Programme is suspended this year but he anticipated that the roads listed on the programme will be considered again in 2011. He outlined that the Lower Road, Tarbert, which was raised by Cllr. Purtill is not in the Roads Programme as works on this road are funded by Development Contributions from the Shannon LNG project.

With regard to Chapter 8, he stressed that the Council has a statutory requirement to comply with this Health and Safety Legislation. It was previously estimated that the cost of implementing Chapter 8 requirements was in the order of 20%, but this depended on the type of work activity. However, the Council has a statutory responsibility to protect the safety of its staff and other road users and on this basis will continue to ensure compliance with such legislation.

The Western Relief Road Project is currently on hold and no further information has been received from the NRA to date. Members of the Killorglin Electoral Area will be notified of any further developments.

In response to the request for a speed limit review, he outlined that a review of the temporary speed limits at schools was still awaited from the NRA and given the substantial reduction in engineering staff it will not be possible to carry out this review in 2010.

With regard to the local private roads in Gaeltacht areas, it is a matter for the landowners to carry out the maintenance of these roads including the clearance of dykes and drains, similar to the requirements of landowners on roads repaired by means of Local Improvement Scheme.

Mr. O'Sullivan outlined that the OPW have indicated that there may be funding available for areas susceptible to flooding and Kerry County Council are currently preparing a programme of works for a submission on funding.

Members were advised that following the adoption of the Supplementary Development Contribution Scheme by Council, he would be seeking loan approval from Council for the construction of the link roads as part of the Tralee Eastern By-pass

In response to Cllr. Finucane he outlined that monies collected from motor tax go directly to the State regardless of where the monies are collected. Mr. O'Sullivan highlighted that there is a significant amount of monies received through grants compared to the monies collected from road tax.

Matt Corridan, Senior Engineer, advised that the Castleisland By-Pass is slightly behind schedule due to heavy rainfall. However, the Project is due for completion in December 2010. He also updated the members on the peer review of the Killarney By-Pass. There are five locations being looked at as it is now proposed that this road would be a dual carriageway as opposed to the single carriageway as designed. The locations under review are very localised and the affected landowners have been consulted. The 5 locations are at Farranfore Village, Dromore Hill, the Spa Area and Lissivigeen. A Progress Report is to be prepared for the next Local Area Meetings.

Mr O'Sullivan outlined that a policy on hedgecutting was being reviewed through the Transport SPC, as outlined in the report by the Chair to the March meeting.

The replies were noted.

On the PROPOSAL of Cllr. T. Ferris, SECONDED by Cllr. B. Cronin, it was agreed to adopt the 2010 Road Programme as presented. All members agreed.

The Meeting concluded at 1.20 p.m.

Charlie O'Sullivan
Director of Roads & Transportation

Mayor of Kerry