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**MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL
HELD IN THE COUNCIL CHAMBER, ÁRAS AN CHONTAE, TRALEE ON
MONDAY, 17 OCTOBER, 2011**

**MIONTUAIRISCÍ NA CRUINNITHE MHIOSIÚIL DE COMHAIRLE CONTAE
CHIARRAÍ A THIONÓLADH I SEOMRA NA COMHAIRLE, ÁRAS AN
CHONTAE, TRÁ LÍ, AR AN LUAN, 17 DEIREADH FÓMHAIR, 2011**

PRESENT/I LÁTHAIR

Councillors/Comhairleoirí

R. Beasley	J. Brassil	T. Buckley
M. Cahill	P. Connor-Scarteen	J.J. Culloty
B. Cronin	P.J. Donovan	J. Finucane
S. Fitzgerald	N. Foley	M. Gleeson
M. Griffin	D. Healy-Rae	J. Healy-Rae
P. Leahy	P. McCarthy	A. McEllistrim
T. O'Brien	B. O'Connell	P. O'Donoghue
M. O'Shea	L. Purtill	J. Sheahan
G. Wharton-Slattery		

APOLOGY/LEATH SCÉAL

B. Moynihan-Cronin

IN ATTENDANCE/I LÁTHAIR

Mr. T. Curran, County Manager	Mr. J.D. Flynn, Dir of Corp. Servs
Mr. O. Ring, Dir Water & Env. Servs.	Mr. C. O'Sullivan, Director of Roads
Ms. A. McAllen, Acting Head of Finance	Mr. P. Stack, D/Director of Planning
Mr. L. Quinlan, D/Director of Housing	Mr. B. Looney, Ethics Registrar
Ms. C. Carmody, Project Mgr. Finance	Mr. G. O'Brien, Mtgs. Administrator
Ms. B. Reidy, SSO Corporate Affairs	Ms. M. Galvin, CO Corporate Affairs

The meeting commenced at 10.40 a.m.

Mayor T. Buckley took the Chair.

11.10.17.01 Mayor's Report on CPG Meeting held on 11th October, 2011

Mayor T. Buckley read the following report into the record of the meeting:

"Item 1 Agenda for the October Council Meeting"

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

Item 2 County Development Board Update

Mr. J. Breen, Director of Housing and Community & Enterprise, outlined that a County Development Board meeting was held on Friday, 7th October at Listry Community Centre.

Minutes October Meeting

The CDB Executive meets on a monthly basis and is performing good work on behalf of the CDB in considering matters and preparing Agendas.

Presentation on Children's Services Committee

- Presentation by Michael Fitzgerald of HSE
 - Focused on work to date of Committee
 - Data capture exercise completed
 - Sub-groups have been established
- Industry Closure Response Strategy
 - Strategy document prepared by Executive and endorsed by Kerry Economic Development Unit was considered
 - Broke into discussion groups
 - Feedback into document and will be updated
 - A toolkit for responding to industry closures or potential closures through County Manager
 - Statistical Framework Data
 - An attempt to develop a number of high level indicators for the County across the social, cultural and economic spectrum
 - Discussed recent housing need figures and impact for County
 - Discussed Citizen Information Centres Activity Report
 - 11,500 queries in January - June period
 - 8,106 personal callers
 - Major increase in queries from sole traders
 - 20 different nationalities
 - Agreed for members to consider other data requirements
 - Concern expressed at tie in with Cork for aggregate data
 - Infrastructural projects for approval
 - CDB to monitor and lobby as appropriate for tourism, transport, health, community, education and justice infrastructure projects
 - Kerry Economic Development Unit
 - Formerly known as KEAT
 - Updates from its sub-groups:
 1. Business Liaison, Innovation and Creativity
 2. Energy Sub-Group
 3. Food Sub-Group
 - Kerry Farmleigh Meeting
 - County Manager and Ogie Moran updated the Board on the event and the likely outcomes
 - Held in IT Tralee in late September
 - Ballybunion link and recently approved new jobs for Tralee
 - SIM
 - Chairman Bill Morrell updated CDB on current work of Social Inclusion Measures Group

Minutes October Meeting

- Rural Broadband Survey
 - Carried out by Community & Voluntary Forum
 - Shows 420 people surveyed re level of coverage
 - Poor coverage all over County
 - Kerry County Council now talking to "3" with results of survey
 - Shows value of Community & Voluntary Forum
- Review & Co-ordination Template
 - Standard reporting mechanism for CDB Sub-Groups
- Operational Framework
 - Sets out the structure of CDB workings and recent changes made
- Monitoring and Evaluation of Sub-Groups
 - All sub-groups must report on an annual basis to the full Board
 - Next CDB Meeting on 25th November
- Core Strategy Submissions
 - CDB Executive prepared core strategy submissions to the published plans for County Kerry and Tralee and Listowel
 - Killarney Plan published this week and submission will be made also
 - Agreement with Planning Department for CDB to work closely with them on the Listowel area Local Area Plan review process
- UN Conference on Sustainable Development
 - Submission considered by Executive and drawn up
 - Short timescale

Item 3 Update from Chairs of SPCs

Cllr. P. Connor-Scarteen outlined a report from the Roads SPC meeting. A full report will be presented to the October Council meeting.

Mr. C. O'Sullivan, Director of Roads & Transportation, said the Draft Harbour Bye-Laws will be considered at the appropriate forthcoming Electoral Area meetings.

Cllr. B. Cronin said a meeting of the Water & Environment SPC will be held in the next three weeks and an update will then be presented to Council. He referred to the An Bord Pleanála decision regarding the abstraction of water from the River Sheen. There is concern regarding the restrictions imposed by the board in its decision.

Mr. T. Sheehy, SE Environment, said the condition in the decision which is causing concern relates to the maximum extraction rates. This condition is being examined at present.

Item 4 Financial Update

Ms. A. McAllen, Acting Head of Finance, said income and expenditure to quarter three is progressing in accordance with the adopted Budget 2011. A number of rate payers are on payment plans and they are adhering to those plans. Securing credit continues to be a difficulty for businesses. Income from the NPPR is down slightly. The Revenue Department will be pursuing a review of the NPPR payments in the coming months.

Item 6 Any Other Business

Unfinished Housing Estates

Mr. P. Stack, SE Planning, outlined that the Planning Department has completed a detailed report on unfinished housing estates in the county.

CPG members agreed that this report would be considered in committee at the next round of Electoral Area meetings.

Broadband

CPG members requested that a detailed update report on the provision of Broadband in the county would be presented to the November Council meeting”.

Vote of Sympathy

Cllr. M. Gleeson PROPOSED a vote of sympathy to the family of the late Lillian Carmody who was responsible for the Planning Department for many years. She was strict but much admired and always fair.

Cllr. B. O’Connell PROPOSED a vote of sympathy to the family of the late Larry McAuliffe who worked with Kerry County Council in the Castleisland area.

All members indicated that they wished to be associated with these expressions of sympathy.

11.10.17.02 Confirmation of Minutes

On the PROPOSAL of Cllr. B. O’Connell, SECONDED by Cllr. P. McCarthy it was unanimously agreed that the Minutes of the September Ordinary Meeting of Kerry County Council held on 12 September, 2011 be confirmed.

11.10.17.03 Reports in accordance with Section 179(3) of the Planning & Development Act, 2000, Part VIII of the Planning and Development Regulations 2001 and Articles 17 to 19 of the Planning & Development Regulations 2006

- (a) On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. B. O'Connell it was agreed to note the Manager's Report in accordance with Section 179(3) of the Planning and Development Act 2000, Part VIII of the Planning and Development Regulations 2001 and Articles 17 to 19 of the Planning & Development Regulations 2006 in respect of the construction of a Single Rural Cottage with appropriate effluent treatment facilities at Rossalia, Glenflesk.

Cllr. P. Leahy said there are two Single Rural Cottage applications in the Listowel Electoral area being progressed for some time and he requested an update on their progress.

Cllr. M. O'Shea also requested an update on the progress on Single Rural Cottage applications in his Electoral Area.

Mr. G. O'Brien, Meetings Administrator, informed members that an update on Single Rural Cottages would be presented at the next round of Electoral Area Meetings or members could be contacted individually with an update if necessary.

Cllr. J. Brassil stated the members in the Listowel Electoral Area were informed that two Part VIII reports on Single Rural Cottage applications in that area would be on the Agenda for the October meeting but this is not the case. If a Part VIII report for a Single Rural Cottage is approved at the meeting will funding be available to commence construction. There needs to be clarity in relation to funding for these houses and the reports promised should be on the Agenda.

Cllr. D. Healy-Rae said it is important to ensure that funding is available to commence the Single Rural Cottage, the subject of this Part VIII. A Part VIII for a house in Kilcummin was approved a number of months ago and the applicants applied for housing two or three years ago. He called on the Housing Department to secure funding to allow these houses to proceed. The system of providing houses in rural areas works very well and should be continued.

Cllr. B. Cronin said in the past three years 23 or 24 single rural cottages were constructed. However, in the current year no new houses have commenced. At the last Killarney Electoral Area Meeting he moved a motion on this topic and asked that the concerns of members would be relayed to the Department of Environment, Community and Local Government. He was most anxious to ensure that some single rural cottages would commence in 2011.

Cllr. M. Gleeson said these applicants are paying considerable rent and it is time this issue was resolved. The applicants are entitled to know if funding is available to construct the house the subject of this Part VIII. He asked that the term Single Rural Cottage would be changed to Single Rural Residence/Dwelling.

In response Mr. L. Quinlan, Deputy Director of Housing said that the housing allocation is notified each year and members are aware there was a substantial reduction in the 2011 allocation with just €2m allocated between all four local authorities in Kerry. Any houses started this year will require substantial expenditure in 2012 and the Housing Department needs to know what the 2012 allocation is likely to be. A meeting with Department officials is scheduled for October and he undertook to highlight members concerns at that meeting. The Housing Department recognises the valuable resource that this type of housing is to applicants but said that adequate funding is required to deliver the housing programme.

Cllr. P. Leahy said the cases he referred to were delayed over the past few years due to a breakdown between the Housing and Planning Departments and he expressed his disappointment that these issues were not resolved sooner.

Cllr. B. Cronin asked what message councillors could give to applicants on the commencement of rural housing.

Mr. L. Quinlan said the Housing Department needs to know what level of funding will be allocated to Kerry County Council in 2012 before they commence construction of any further houses.

Cllr. M. Cahill pointed out that the funding difficulties not only apply to rural housing but also to group schemes. There is a very long housing list in Kerry and it will reach crisis point shortly.

Cllr. M. O'Shea asked what the delay is in implementing the Long Term Leasing Scheme - is the delay with the Government or the local authority? There is a lot of interest in this scheme.

Mr. L. Quinlan said this Scheme has not taken off in Kerry because suitable properties have not been offered for inclusion in the Scheme. A number of proposals have been made to the Council but there can be planning and funding issues which make them unsuitable. A number of proposals are being progressed but before the Council takes on a twenty year lease they must be satisfied that everything is in order.

Cllr. D. Healy-Rae said a number of housing estates do not comply with the conditions of planning and there is no funding to complete them. This is a very difficult situation and it is not easy to see it being resolved in the near future. In the meantime the housing waiting list continues to grow.

- (b) On the PROPOSAL of Cllr. T. O'Brien, SECONDED by Cllr. J. Brassil it was agreed to note the Manager's Report in accordance with Section 179(3) of the Planning and Development Act 2000, Part VIII of the Planning and Development Regulations 2001 and Articles 17 to 19 of the Planning & Development Regulations 2006 in respect of the N69 Rea to Tullig Road Scheme.

11.10.17.04 Take Over of Group Water Supply Schemes

- (a) On the PROPOSAL of Cllr. M. O'Shea, SECONDED by Cllr. P. McCarthy, it was agreed to approve the takeover of the Camp Group Water Supply Scheme in accordance with Section 95 of the Water Services Act 2007.
- (b) On the PROPOSAL of Cllr. D. Healy-Rae, SECONDED by Cllr. A. McEllistrim it was agreed to approve the takeover of the Renagown No. 3 Group Water Supply Scheme in accordance with Section 95 of the Water Services Act 2007.

11.10.17.05 Nomination to the Board of South Kerry Development Partnership Ltd.

Mr. G. O'Brien informed the meeting that Kerry County Council has three nominees on the Board of South Kerry Development Partnership – Cllrs. B. Moynihan-Cronin who was recently appointed, Cllr J. Sheahan and Cllr. M. Cahill. Cllrs. Cahill and Sheahan retire by rotation but they can be nominated again.

Cllr. A. McEllistrim PROPOSED that Cllr. M. O'Shea would be nominated to the Board of South Kerry Development Partnership Ltd.

Cllr. J. Brassil SECONDED this proposal.

Cllr. J. Sheahan PROPOSED that Cllr. P. Connor-Scarteen would be nominated to the Board of South Kerry Development Partnership Ltd.

Mayor T. Buckley SECONDED this proposal.

It was unanimously agreed that Cllrs. M. O'Shea and P. Connor-Scarteen would be nominated to the Board of South Kerry Development Partnership Ltd.

11.10.17.06 Submission to the OPW on the Catchment Flood Risk Management Programme – Preliminary Flood Risk Assessment

Mr. O. Ring, Director of Environment and Water Services referred members to his covering letter and report dated 10 October 2011 on this item which was circulated and he read his covering letter into the record of the meeting.

“The **Catchment Flood Risk Assessment and Management (CFRAM)** Programme is designed to assess and map the country's river systems to identify areas at risk of significant flooding and to provide for the management of flood risk in Ireland. The **Office of Public Works (OPW)** is the lead agency for flood risk management in Ireland.

The CFRAM Programme provides for three main consultative stages:

- **2011 Preliminary Flood Risk Assessment (PFRA)**
- 2013 Flood Hazard Mapping
- 2015 Flood Risk Management Plans

The Preliminary Flood Risk Assessment (PFRA) is a national screening exercise, based on available and readily-derivable information, to identify areas where there may be a significant risk associated with flooding. These areas are referred to as **Areas for Further Assessment (AFAs)**.

The OPW is consulting on a draft of the PFRA before it is reported to the European Commission. The relevant PFRA documents, including maps and related reports, were put on public display in the Planning Department, Aras an Chontae, Tralee, Co. Kerry. These documents were, and continue to be, available for viewing/download on the CFRAM website (www.cfram.ie). This was outlined in recent correspondence to each of the elected members, which also included an Explanatory Leaflet on the CFRAM Programme. The closing date for submissions on the PFRA is the 28th October 2011.

The Regulations (S.I. 122 of 2010) stipulate that the making of a submission from a County Council, in regard to the PFRA, is a **reserve function**. The attached report (see Appendix 1) summarises the contents of the PFRA. Following a review of the documentation, and consultation with the relevant council departments, it is recommended to accept the Areas for Further Assessment (AFAs) identified in the PFRA, and furthermore that the following submission is made to the OPW:

The following areas should be added to the list of possible AFAs, because of local knowledge of historical flooding:

- **Feale River Valley, north of Duagh**
- **Clydagh Valley”**

In conclusion Mr. Ring informed members that it is recommended that the Feale River Valley, north of Duagh and the Clydagh Valley would be included in the 2011 Preliminary Flood Risk Assessment.

Cllr. D. Healy-Rae asked if Foiladown is included in the PFRA.

Mr. Ring asked if Foiladown is close to Glenflesk.

Cllr. D. Healy-Rae confirmed that it is near Glenflesk.

Mr. Ring said it is probably included with Glenflesk.

Cllr. D. Healy-Rae asked Mr. Ring to ensure that Foiladown is included with Glenflesk. He referred to the Muckcross Grove, Killarney and said that the residents of this estate are very concerned their houses will be flooded. He added that the Cullowa River floods the Rathmore to Gneeveguilla road and a small amount of work would alleviate this problem.

Mr. O. Ring said he understood this area is included in the PFRA. The list is based on submissions from Area Engineers. Killarney is included and any roads issues mentioned are included. The only two areas not included are the Feale River Valley, north of Duagh and the Clydagh Valley as mentioned in his covering letter.

Cllr. D. Healy-Rae asked that the areas he mentioned would be checked to ensure they are included and that the inclusion of these areas would be confirmed to him.

Cllr. M. Gleeson said he hoped local people would be consulted on the preparation of the PFRA as they are only too aware of the areas prone to flooding. His local area of Minish is subject to flooding. He asked that an advertisement would be placed in the local media asking the general public to notify the Council of areas known to them that are prone to flooding. It is important to ensure that all flood planes are identified.

Cllr. J. Healy-Rae said Kenmare is included in the list as ‘probable’. At the suspension bridge in Kenmare, at times of high tide, the area is guaranteed to flood. When the road is flooded traffic is diverted through narrow roads that cannot take the volumes of traffic diverted.

Cllr. P. Leahy supported the inclusion of the Feale River Valley, north of Duagh in the PFRA.

Mr. O. Ring informed the meeting that advertisements were placed in local papers inviting submissions. The public can still make a submission to the OPW as the closing date is not until 28th October, 2011. The areas that are likely to be included are those where there is a significant risk of damage to property or a threat to life.

Cllr. M. Cahill said he presumed the Killorglin to Killarney Road is included as it is subject to flooding every year.

Mr. Ring said in some cases an entire area is included. He pointed out that it is not possible to include every area that experiences flooding and this Programme relates to river flooding only where there is a possibility of significant damage. It must be focussed on areas that are most vulnerable. It is open to any member of the public to make a submission to the OPW by 28th October.

Cllr. B. Cronin welcomed the inclusion of Fossa in the PFRA as it is subject to significant flooding. He also referred to Faha West and the area at Flynn's Forge and Rockfield which is subject to flooding. When this area is flooded a significant area is isolated. He asked that consideration would be given to including this area as it is an ongoing problem.

Cllr. D. Healy-Rae referred to Ballymalis which is on the list as 'possible' and it should be 'probable' as it is always flooded.

Mr. O. Ring said he did not know if roads would be included. The areas to be included are those where there is significant danger to property and to life. The list in the report is likely to be reduced substantially. Certain areas will be prioritised and major urban areas are likely to get priority.

Cllr. D. Healy-Rae said where a road is flooded there is a danger to motorists and that area should be included as 'probable' on the list.

Mr. O. Ring said the list indicates areas for further assessment. The aim of this assessment is to produce hazard maps.

On the PROPOSAL of Cllr. B. Cronin, SECONDED by Cllr. P. Leahy it was agreed to make a submission to the OPW requesting the inclusion of the Feale River Valley, north of Duagh and the Clydagh Valley in the PFRA.

Mr. O. Ring informed the meeting that he would ensure the areas mentioned by members are checked and if they are not included he would assist members in making a submission to the OPW on those areas.

11.10.17.07 Appointment of an Ethics Registrar for Kerry Local Authorities

Mr. J.D. Flynn, Director of Corporate Services referred members to the County Manager's report dated 13 September, 2011 on this item which was circulated and he briefed them on the report. In conclusion Mr. Flynn said he was also available to members if they wanted advice on any ethics issues.

On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. A. McEllistrim it was unanimously agreed to note the report.

11.10.17.08 Dates for Meetings

- (a) On the PROPOSAL of Cllr. B. O'Connell, SECONDED by Cllr. A. McEllistrim it was agreed to hold the Briefing on the Council's Budget 2012 on Monday 28 November, 2011 at 10.30am.
- (b) On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. N. Foley it was agreed to hold the Kerry County Council Budget 2012 Meeting on Monday 9 January, 2012 at 10.30am.

11.10.17.09 Dates for the next round of Electoral Area Meetings

- (a) On the PROPOSAL of Cllr. A. McEllistrim, SECONDED by Cllr. N. Foley it was agreed to hold the next Tralee Electoral Area Meeting on Monday 7 November, 2011 at 11.00am in the Council Chamber, Tralee.
- (b) On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. B. Cronin it was agreed to hold the next Killarney Electoral Area Meeting on Wednesday 9 November, 2011 at 10.00am in the Council Chamber, Town Hall, Killarney.
- (c) On the PROPOSAL of Cllr. M. O'Shea, SECONDED by Cllr. P. Connor-Scarteen it was agreed to hold the next Dingle Electoral Area Meeting on Thursday 10 November, 2011 at 10.30am at Farranakilla House, Dingle.
- (d) On the PROPOSAL of Cllr. P.J. Donovan, SECONDED by Cllr. P. O'Donoghue it was agreed to hold the next Killorglin Electoral Area Meeting on Wednesday 23 November, 2011 at 10.30am in the Carnegie Arts Centre, Kenmare.
- (e) On the PROPOSAL of Cllr. P. Leahy, SECONDED by Mayor T. Buckley it was agreed to hold the next Listowel Electoral Area Meeting on Monday 28 November, 2011 at 2.00pm in the Council Chamber, County Buildings, Tralee.

11.10.17.10 Deputation to meet with the Commission for Energy Regulation

Mr. G. O'Brien said that following a recent Council meeting letters were issued to the Minister for Jobs, Enterprise and Innovation, the Minister for Communications, Energy and Natural Resources and the Commission for Energy Regulation regarding the Shannon LNG Project. A deputation from the Council met with officials from the Department of Jobs, Enterprise and Innovation and the Department of Communications, Energy and Natural Resources in September. The Commission for Energy Regulation has agreed to meet with a deputation on the 26 October. The following Members went on the previous deputation- Mayor Buckley, Cllrs. J. Finucane, J. Brassil, P. Leahy and L. Purtill.

On the PROPOSAL of Cllr. N. Foley, SECONDED by Cllr. P. O'Donoghue it was agreed that the members who attended the previous deputation would be authorised to meet with the Commission for Energy Regulation.

Mr. O'Brien informed the meeting that efforts are being made to arrange a meeting with Minister Richard Bruton on that day also.

11.10.17.11 Dedication of the roundabout at Lissivigeen, Killarney

Mr. C. O'Sullivan, Director of Roads referred members to his report dated 11 October, 2011 on this item which was circulated and he briefed them on the report.

Cllr. M. Gleeson said it was his privilege to PROPOSE that the roundabout at Lissivigeen, Killarney would be dedicated to Killarney athlete, Gillian O'Sullivan. Gillian was one of the great athletes to represent Ireland. In Kerry we are very proud of her and also of Tom O'Riordan and Gerry Kiernan who represented Ireland in athletics. Gillian won a Silver medal at the 2003 World Championships in Paris. She has accepted this honour and thanked the members for it.

Cllr. B. Cronin SECONDED this proposal and said Gillian represented Ireland on the world stage for a number of years.

Cllr. J. Sheahan supported the proposal and said Gillian is a great example for young people of Kerry and she is very worthy of this honour.

Cllr. J.J. Culloty supported the proposal and concurred with the tributes paid to Ms. O'Sullivan. He said she was very dedicated to her training and she deserves this recognition.

Cllr. N. Foley asked if many roads or roundabouts in the county are dedicated to women.

Mr. C. O'Sullivan said he did not have that information to hand but the Kit Ahern Road in Ballybunion is one example. It is a matter for Council to decide on these issues.

Cllr. N. Foley welcomed the dedication of the roundabout at Lissivigeen to Gillian O'Sullivan.

11.10.17.12 Report on the Roads & Transportation SPC

Cllr. P. Connor-Scarteen read the following report into the record of the meeting:

"The Transport Strategic Policy Committee met on Monday, 26th September 2011. The following items were discussed:-

Provision of Taxi Ranks

The Committee considered an update on the provision of taxi ranks in the larger towns in the county, which service primary functional areas (i.e. Cahersiveen, Castleisland, Dingle, Kenmare, and Killorglin) and a presentation was given by Garda Jim O'Brien, SPSV Licence Inspector. A copy of the report is attached for the members.

Members were advised that the National Transport Authority (which incorporates the Office of the Taxi Regulator) has issued 520 SPSV (Small Public Service Vehicle) licences in County Kerry, of which 255 are licensed as taxis, and there are in excess of 1,000 SPSV drivers licensed in the county.

Garda O'Brien, advised members of the roles of the various statutory bodies (the National Transport Authority, An Garda Síochána and the Local Authority). He informed the members that the initial cost of a taxi plate is €5,600 with an annual fee thereafter of €500; the cost of a hackney licence is €2,500 with an annual fee thereafter of €500. He also clarified that it was legal for taxi operators to ply their trade in other towns. However, difficulties arise when there are no designated parking spaces/ranks in towns. It was noted that it is the responsibility of local authorities to provide taxi ranks.

He further outlined that a number of issues need to be considered when determining if and where taxi ranks should be installed, including the impact on existing hackney & taxi operators and the impact on local businesses where ranks are to be located. From his experience, the provision of taxi ranks encouraged an increase in applications for taxi licences in other counties. Initiatives such as allowing taxi's park in loading bays, outside of loading bay hours, could also be considered, particularly to cater for increased demand in the late evenings.

He also advised the members that whilst the majority of taxi operators are based in Tralee and Killarney, where taxi ranks are provided, there are a number of taxi owners resident throughout the county as follows:- Listowel 6; Killorglin 6; Caherciveen 1; Ballybunion 1; Kenmare 2. Mr. O'Brien advised that An Garda Síochána would recommend the provision of two spaces in each of the main towns.

The committee had a detailed discussion on the costs involved and some members expressed concerns with the impact this would have on existing hackney operators, in certain towns. Other members expressed the view that the provision of taxi ranks in tourist towns would be beneficial to visitors and particularly those needing transport at night, after pub closing time.

The Director of Services informed the members that, as the last review of the Parking Regulations took place in the mid 1990's, he was now proposing an update of the current Bye-Laws. He proposed to include for the provision of taxi ranks in this review, given national policy on sustainable public transport. The making of such Bye-Laws is a reserved function and would be subject to a statutory public consultation process.

Motor Tax Services – Review & Future Direction

Ms. Liz O'Donnell presented a report, copy of which is attached, on the review and future direction of Motor Tax Services. The report outlined the changes in the delivery of Motor Tax Services in recent years and future proposals in this area, having regard to national policy.

In particular, the Government is proposing to centralize the Driver Licence process for the entire country and the RSA have been appointed as the lead authority for this process. It is envisaged that all elements of driver licence processing will eventually be taken from the Motor Tax Offices with no residual role remaining.

The Council has actively promoted the use of the on-line motor tax system with 50% of applicants now using this facility. This represents a substantial increase, from 23% in 2007, and is the highest percentage for a licensing authority outside of Cork and the greater Dublin area.

The Committee also reviewed the local service level indicators for the motor tax service which showed that practically all postal applications were being processed within 1 day, and greater efficiencies are being achieved through business process planning. This has resulted in the elimination of the need for overtime and the volume of transactions per employee increased by 6% in 2010, compared to 2009 (and by 20% in the past 9 years).

Given the reductions in staffing, and changes in the delivery of the service, the Council will be critically examining the level of service to be provided through the Motor Tax Office over the coming months and priority will continue to be given to promoting the on-line and postal service.

Members welcomed the report and the targets achieved.

On-Street Parking Regulations & Funding

The Director of Services presented a report on “On-Street Parking Regulations and Funding”, copy of which is attached.

The report consisted of details in relation to the following:-

- Legislation in respect of current on-street parking in our towns
- Results of Parking Surveys undertaken in Castleisland, Caherciveen, Dingle, Kenmare and Killorglin
- Primary benefits of paid on-street parking
- Statutory process required for the introduction of paid on-street car parking

The primary benefits of paid on-street car parking were outlined as:-

- (a) Encouraging increased turnover of car parking spaces for shoppers and visitors, particularly in town centres
- (b) Easier to regulate
- (c) Increasing usage of existing paid car parking facilities in An Daingean, Ballybunion and Killorglin
- (d) Providing an alternative source of income to fund local initiatives – such as street cleaning, maintenance of facilities, provision of street furniture, support for tidy towns etc.

The Director of Services advised that, given the current constraints on local government funding, with a projected substantial decline in the Local Government Fund, there will be increased pressure on members to either increase rates to fund the cost of local services, or to reduce or eliminate services. The introduction of paid parking would help to transfer the burden of the cost from ratepayers.

The report outlined that the introduction of paid parking could potentially generate €900,000 income annually.

Following a lengthy discussion the members expressed their strong reservations regarding the introduction of pay parking.

Draft Harbour Bye-Laws

Mr. Eamon Scanlan presented a report on the submissions received on the proposed Harbour Bye-Laws for County Kerry, following the statutory period of public consultation. He outlined that the bye-laws had been prepared in respect of 16 scheduled piers and the selection of the piers, to be regulated by the Bye-Laws, was determined on the basis of their level of usage, the resources available for mapping these facilities and the Council's capacity to implement the proposed regulations.

In total two submissions were received and the report recommended that the majority of the observations received, in the submissions, be incorporated in the draft bye-laws, to be presented to Council.

This was discussed further at the CPG meeting on the 11th October, where it was agreed that the draft Bye-Laws and the submissions received would be considered at the relevant local area meetings, in advance of it being presented to Council for resolution".

Cllr. P.J. Donovan said he moved a Motion at the September meeting of the Killorglin Electoral Area asking when the Bye-Laws would be in place with regard to Caherciveen Pier. The following is the reply to that motion:

"The Draft Harbour Bye-Laws have been through the public consultation process and comments, received from the Commission of Irish Lights and the Marine Survey Office of the Department of Transport, have been incorporated into the final Draft. This document has also been tabled at the recent Transport SPC. It is proposed to bring the final draft of the document before the next full Council meeting for ratification."

Cllr. Donovan asked why the Harbour Bye-Laws were not on the agenda.

Mr. T. Curran, County Manager, said he made a decision to refer the Draft Harbour Bye-Laws to the Electoral Area Meetings in case any areas were excluded in error. When they have been considered by each of the electoral areas they will be brought before the full Council for adoption.

Cllr. T. O'Brien referred to the item on Taxis and said taxis for wheelchair users are cheaper but some owners are not using them for this purpose. He welcomed the report from Garda Jim O'Brien and asked that this matter would be kept under review.

Cllr. M. O'Shea expressed his concern regarding the proposal to centralise the Driver Licence process. He called on the Government to reverse this decision.

Cllr. P. O'Donoghue asked if there are job implications arising from the decision to centralise the Driver Licence process.

Mr. T. Curran, County Manager, said the streamlining of services is being examined at a national level. This proposal would give the Council the flexibility to reallocate staff to Departments that have reduced numbers as a result of retirements etc. Jobs will not be lost as a result of this proposal and consideration is being given to the redeployment of staff for a number of days a week to deal with work peaks.

Cllr. P. O'Donoghue asked what reduction in staff numbers had taken place since January 2011.

In response Mr. J.D. Flynn said staff numbers have reduced by approx. 200 over the past 2 years. This is due to retirements and the reduction in temporary staff because of the reduced Road Works Programme.

Cllr. J. Healy-Rae supported the sentiments expressed by Cllr. O'Shea and said the experience with the centralising of the processing of Medical Card applications did not instil confidence in any proposals to centralise any other service.

Cllr. D. Healy-Rae said this is a reversal of decentralisation by stealth.

11.10.17.13 Summary of proceedings at Conferences

(a) LAMA Autumn Seminar - 23 & 24 September 2011

It was agreed to note Cllr. L. Purtill's written report on behalf of the delegates that attended the LAMA Autumn Seminar held on the 23rd and 24th September, 2011.

(b) Local Government and Planning Seminar - 7 – 9 October 2011

It was agreed to note Cllr. A. McEllistrim's written report on behalf of the delegates that attended the Local Government and Planning Seminar held from 7th to 9th October 2011.

(c) AMAI 98th Annual Conference – 8 – 10 September 2011 & the A – Z in Local Government Services Conference - 3 October 2011

It was agreed to note Cllr. B. O'Connell's written reports on behalf of the delegates that attended (a) the AMAI 98th Annual Conference held from 8th to 10th September 2011 and (b) the A – Z in Local Government Service Conference held on 3rd October 2011.

11.10.17.14 To note the Opening of Tenders previously opened

- (a) On the PROPOSAL of Cllr. S. Fitzgerald, SECONDED by Cllr. P. O'Donoghue it was agreed to note the opening of tenders for the Supply, installation and commissioning of pipe network and ancillary works at Inch, Annascaul – Closing Date: Thursday 29th September, 2011 at 4pm.
- (b) On the PROPOSAL of Cllr. S. Fitzgerald, SECONDED by Cllr. P. McCarthy it was agreed to note the opening of tenders for the Supply, installation and commissioning of pumps with associated valves at two Waste Water Pump Stations (Lohercannon and Garryruth) – Closing Date: Wednesday, 12 October, 2011 at 4pm.
- (c) On the PROPOSAL of Cllr. B. Cronin, SECONDED by Cllr. J. Sheahan it was agreed to note the opening of tenders for the Supply, installation and commissioning of pipe network and ancillary works at Anablaha/Tureenamult, Killarney – Closing Date: Thursday 13 October, 2011 at 4pm.

11.10.17.15 Approval for the Opening of Tenders

- (a) On the PROPOSAL of Cllr. B. O'Connell, SECONDED by Cllr. P. Connor-Scarteen it was agreed to approve the opening of tenders for External Wall Insulation Works to Corporate Services/Planning Extension at County Buildings – Closing Date: Tuesday, 18 October, 2011 at 3pm.
- (b) On the PROPOSAL of Cllr. B. Cronin, SECONDED by Cllr. P. O'Donoghue it was agreed to approve the opening of tenders for the Kerry Central Regional Water Supply Scheme – Scart Reservoir – Closing Date: Wednesday, 2 November, 2011 at 4.30pm.
- (c) On the PROPOSAL of Cllr. P. Connor-Scarteen, SECONDED by Cllr. P. Leahy it was agreed to approve the opening of tenders for the N69 Rea to Tullig Road Realignment Scheme – Closing Date: Wednesday, 9 November, 2011 at 12.00 noon.

11.10.17.16 Approval for the reception of Deputations

- (a) Cllr. B. O'Connell requested that a deputation would be received from the Residents of Coolfada Estate, Castleisland regarding unfinished works on the Estate.

On the PROPOSAL of Cllr. B. O'Connell, SECONDED by Cllr. B. Cronin it was agreed that this deputation would be received at the next Killarney Electoral Area Meeting.

- (b) Cllr. J. Sheahan requested that a deputation would be received from Rathmore Community Council regarding recent burglaries and thefts in the area.

On the PROPOSAL of Cllr. J. Sheahan, SECONDED by Cllr. D. Healy-Rae it was agreed that this deputation would be received at the next Killarney Electoral Area Meeting.

11.10.17.17 Notices of Motion

Mr. G. O'Brien informed the meeting that Notice of Motion Nos. 1, 7, 8 and 23 all relate to the possible closure of Garda Stations and would be taken together.

1. Closure of Garda Stations

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

That this Council calls on the Department of Justice and the Garda Commissioner to refrain from permanently closing any Garda Stations, small or part-time, in this County as a Garda presence serves as both a crime prevention reality and a vital community service. Station closure would result in all people, and particularly the elderly, being more fearful and vulnerable.

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

Cllr. M. Gleeson said 20 years ago there was great distress and anger in this country at the number of elderly people in rural Ireland that were being robbed, attacked and brutalized. Very real fear stalked the land and people talked openly of the possibility of the elderly and those living alone having to relocate from their homes and move in with family or relations.

At that time the Minister for Justice and the Garda Commissioner accepted the importance of having a Garda presence in the villages and small towns of the country. That presence coupled with the Garda supported Community Alert scheme reaffirmed people in their own communities.

It is one of the special joys of life, particularly for a rural dweller like himself, to walk down a quiet country road and to stop and chat with an elderly person at peace with themselves and their environment.

The presence of those people enriches greatly an area and particularly enriches the lives of the younger residents. That interaction creates continuity and ensures that the new generation has a real sense of place and of true identity.

The recent rumours, no doubt deliberately propagated, have resurrected the fear that had been 20 years a fading. People are asking what they will do if the Garda presence disappears. People are asking how can they feel safe in their own home and fields if there is no one to turn to.

The elderly read and hear just as we read and hear of terrible crimes and cruel killings. They need re-assurance now that their safety link of a Garda presence will not be disconnected.

We have read and heard that the city criminals are re-locating to country villages and small towns. The heat from Garda surveillance has become too hot. Won't it be savagely ironic if because of Station closure they can rob and plunder with impunity in quiet places where gentle people now live at one with neighbour and neighbourhood.

There will not be any cost savings in closure there will certainly be greater cost to society and to the exchequer. There will be the cost of people relocating, of people moving into nursing homes and of Garda chases from afar. Above all else there will be the cost to individual well being and the cost to community.

In conclusion Cllr. Gleeson said Gardaí based in a community are not just a refuge for the living alone they are also the ones who can pre-empt trouble by having a quiet word and a listening ear. Cllr. Gleeson appealed to the Minister and the Garda Commissioner not to use the early retirement scheme as a reason for station closure. Big is not necessarily always best.

7. Closure of ten small Garda Stations in Kerry

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

That Kerry County Council agree to ask the Minister for Justice to review any consideration for the closure of ten small Garda Stations in Kerry. Actions such as this will further reduce the quality of life in rural Ireland.

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

Cllr. M. O'Shea said the population of Castlemaine and its catchment area is 7,500. At one time there were three Gardaí in Castlemaine and they had excellent interaction with the community and there was 24 hour cover. They served the community well. Ten years ago the number was reduced to two Gardaí while seven years ago it was reduced to one. He believed this Garda Station will be centralized to Killorglin and when there is no one on duty in Killorglin the Gardaí from Caherciveen, 37 miles away, will cover the area. In the past five weeks there were seven burglaries in this area by night, five at homes and two at commercial premises. He asked if this is the price of cost savings. If the Garda Station in Castlemaine is closed the local community will be at the mercy of thugs. He called on all members to unite on this issue and to oppose any proposals to close rural Garda Stations.

8. Closure of Garda Stations in Kerry

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

I am calling on the Minister for Justice, Alan Shatter, TD not to close Garda Stations in Kerry as it will have serious implications for safety of the elderly, vulnerable and residents living in rural areas and will result in an increase of all types of crime in rural isolated areas and there is a moral duty on all our Government TDs and Senators to ensure that Gardaí are always in a position to protect the citizens of our County.

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

Cllr. B. Cronin said he was deeply concerned for his constituents that proposals to close rural Garda Stations will proceed. He complimented the members of An Garda Síochána on their continuous fight against crime. It is said that in recession criminality increases. It appears there will be a large number of Gardaí retiring shortly and it is proposed to close rural Stations at that time. Stations in urban areas always have good staffing levels. Kerry is a large rural county and he was particularly concerned for the elderly living in remote areas if this proposal becomes a reality. The closure of rural Stations will have a devastating effect. There is already a big increase in the theft of heating oil, copper, jewellery etc. and if rural Garda Stations are closed it will be an open invitation to criminals. Such a move would mean those living in isolated areas would be very vulnerable. The present position is compounded by an earlier decision to reduce the number of recruits to An Garda Síochána. He called on all members to take a unified stance on this issue.

23. Closure of any rural Garda Stations

Pursuant to notice duly given Cllrs. J. Healy-Rae and D. Healy-Rae PROPOSED:

That we the Members of Kerry County Council write to Government to reject any proposal to close any rural Garda Stations.

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

Cllr. J. Healy-Rae said he was opposed to the closure of any Garda Stations in Kerry. Kerry is a large rural county with a long coastline and the Gardaí are very active in the community calling on the elderly which makes them feel secure in their homes. He agreed that the closure of a Garda Station will make it easier for criminals to operate when the nearest Garda Station could be 36 miles away or 1 hours drive. In a rural area the Garda will know all the people of the area. He believed that the closure of rural Stations will result in very little savings as they are inexpensive to maintain.

Cllr. D. Healy-Rae said it is a well know fact that in a recession the level of crime increases. Some time ago there were a number of robberies in Kilgarvan but the local Garda identified those responsible very quickly. The cost of running rural Stations is small and the saving achieved through closures would be small. A number of Garda Stations are self financing because of the masts on Garda property. It will be very difficult for local communities to have to endure the closure of their Garda Station while the mast, which in some areas is very close to schools, remains in place. Deputy Healy-Rae raised this matter in the Dáil last week and Minister Shatter's response was that buildings are not essential to good policing. The local Garda always has local knowledge and this is very helpful in solving crimes. He asked that the concerns of members would be referred to the Minister for Justice.

Cllr. A. McEllistrim supported the motions and said there is real concern in communities over this proposal. She was concerned that the level of crime would increase if Stations are closed.

Cllr. P. O'Donoghue concurred with the views expressed by previous speakers and said this is another attack on rural Ireland. The crime figures are not that relevant as the presence of Gardaí is a deterrent. We have an excellent Garda force in Kerry. He said that it was very disappointing that the District Court Office in Killarney was moved to Tralee. This is very inconvenient for family law cases as they must now travel to Tralee. There is also a suggestion that the Courthouses in Killorglin and Castleisland will be closed. There is a continuous erosion of services in Kerry. He called on the eleven Oireachtas members in Kerry to put down a joint motion in the Dáil and Seanad opposing the closure of any Garda Stations in Kerry. The Dáil and the Seanad only have the power to reverse this decision.

Cllr. P. Connor-Scarteen supported the motions and the sentiments expressed by previous speakers and said he is opposed to the closure of any Garda Stations. Many rural Post Offices closed in recent years and it is important that rural Garda Stations are retained. He called on all members to attend the Joint Policing Committee Meeting that evening as Chief Superintendent Pat O'Neill will be in attendance and members will have the opportunity to discuss this proposal with him.

Cllr. P. Leahy said the presence of a Garda in a community is very important and the closure of rural Stations will have a devastating effect on communities. There is great security for an area where there is a Garda Station. If Stations are closed there will be a huge increase in crime. He called on all Kerry Oireachtas members to oppose the closure of Garda Stations in Kerry.

Cllr. M. Cahill said the closure of Garda Stations would be a retrograde step. The Government is reducing the number of Gardai at a time when serious crime is on the increase. The local Garda always had the trust of the local community and they instilled confidence in the community.

Mr. G. O'Brien informed the meeting that Notice of Motion No. 2 and 10 relate to broadband and would be taken together.

2. Broadband coverage in the Dingle Area

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

To ask the Department of Communications to investigate broadband coverage around the Dingle area as it is still weak in some areas.

The following report issued:

At Council's request we will write to the Department of Communications Energy & Natural Resources requesting their assistance in resolving broadband blackspots which lie in areas where they have agreed with a contracted party, namely "3" (a Hutchison Whampoa company trading as 3), to provide broadband services under the National Broadband Scheme.

The attached map indicates the areas of contracted broadband coverage by "3" using 3G mobile technology in the Dingle Area (Green shading).



It would be helpful if Councillors wish to identify, with their communities, the particular areas of poor or no broadband service in the contracted areas and we will take this up with both “3” and the DCENR. The more specific the location the better (Townland is good but point on a map or GPS co-ordinates would be best for feedback). Council should note that other broadband service providers also operate in parts of the Dingle area / Corca Dhuibhne.

Cllr. S. Fitzgerald said he submitted this motion in August and since then a survey was carried out by the Kerry County Community and Voluntary Forum and the results published. The results confirm what people in the Dingle area have been saying. It is very worrying how inadequate broadband is in this area and it is bad for business. The report on the survey is very comprehensive. When respondents were asked ‘Is the Internet connection you have adequate for the purposes you need it for?’ 66.8% considered their Internet connection adequate, but over 22% of these left comments outlining that they considered it ‘just’ adequate. Sample comments included:

‘I pay for 3mb but only get half most of the time’

‘Adequate but regularly off line’

‘Hard to watch documentaries for college’

‘Drop out often occurs with larger files’

‘Could be faster wireless connection not 100% reliable’

‘Very patchy coverage cuts out a lot’

The report also states that ‘it should be remembered that as well as the above 33.2% considered their connection inadequate.

When asked ‘Are you aware of any area in your locality with no internet coverage’ the following was the response:

‘Over 30% stated they were aware of areas without coverage. 107 gave details of the area concerned. For the purposes of this survey there had to be a least two independent reports before an area was considered a black spot. With this proviso the following would be considered to have areas with no or very poor internet coverage.

- Ventry
- Dingle
- Annascaul
- Lispole
- Ballyferriter.”

The conclusions in the report are as follows:

“The public statements given by the government about the national coverage of Broadband are patently incorrect when it comes to County Kerry. As can be seen from the above, large areas of the County have no or at best limited coverage.”

“Also a worrying factor is the number who receive their signal by line of sight from small private operators; although they are supplying a good service in the majority of cases, the long term reliability of these operators could be open to question and should their service cease, there does not appear to be a ‘backup’ service, which could create problems especially for small businesses reliant on internet access.

It is also noted from many of the responses that the maximum speeds available in the County are far below those available in other parts of the Country, with very few obtaining anything greater than 5mb it is very frustrating especially for business users who see operators offering 15 to 20mb as normal elsewhere”.

Cllr. Fitzgerald asked that the results of this survey would be forwarded to the Minister for Communications, Energy and Natural Resources to highlight the lack of broadband in Kerry. There is a contradiction between the outcome of the survey and 3G’s view on the availability of broadband in Kerry.

Cllr. A. McEllistrim SECONDED the motion.

10. Provision of improved broadband in Kerry

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

That Kerry County Council would call on the Minister for Communications, Energy & Natural Resources to urgently introduce measures to improve the broadband coverage in Kerry. A more reliable supply of a quality internet service via cable is required as 3G will not adequately supply the needs of the County.

The following report issued:

The members are aware that ‘3’ were awarded the national contract to provide wireless broadband to rural areas across the country that were deemed to have no broadband coverage whatsoever. It is our understanding that ‘3’ have completed their contract. However, we are aware that many areas of rural Kerry have a very poor service at this stage.

The County Development Board, through the Community & Voluntary Forum, initiated a survey amongst their members on the quality of their broadband service. Over 400 responses were received and it is clear from the survey that many areas have no or a totally inadequate broadband service. It is proposed to check broadband speeds in a number of ‘blackspot’ areas to verify what is being reported. This information will be helpful in any meetings with the Department or the service providers.

Broadband services are accessed in a variety of ways, e.g. DSL (cable), WiMax & Wireless (licensed and unlicensed wireless networks), 3G (Mobile phone network) and dial-up (analog phone modems).

Owing to physical and technical limitations of DSL technology, there are limits and quality of service implications on the distance from the exchange to the customer premises. The age and quality of the physical copper twisted pair cable also determines the quality of the DSL service received.

Councillors should also understand that a project to provide up to 20Mb broadband by cable (or fibre) to every premises would be of the scale (and cost) of the rural electrification project. In the current economic difficulties, a call for investment on this scale is unlikely to succeed.

In a County with the topological and disperse demographics like Kerry, broadband over wireless or mobile phone technology is the only realistic way to provide wide geographical coverage outside of the bigger towns.

There have been many discussions in this Chamber on the 1km rule which restricts the siting of masts within 1km of any house. Providers who offer services delivered or facilitated by wireless technology, frequently cite this Council's 1km planning rule for telecommunications masts as an inhibitor or delaying factor in the development of broadband and telecommunications in parts of the County outside of the urban areas of Killarney, Tralee and Listowel.

Cllr. J.J. Culloty said there is no broadband coverage in 30% of the county. The farming sector needs to download forms and transact their business on-line and the availability of this service is very important for them. He thanked the Community and Voluntary Forum for undertaking this survey. He referred to the 1km rule and said because of the mountainous nature of the county this rule should be reviewed. With improvements in technology it should be possible to reduce the distance a mast must be located from houses, schools etc. It is time to put more pressure on the Department to ensure all areas have an adequate service. '3' were awarded the contract to provide broadband but they appear to have focused mostly on urban areas. A minimum of 5 Mb should be available to all households. The lack of adequate broadband coverage in Kerry puts household and businesses at a disadvantage.

Cllr. D. Healy-Rae said he is opposed to any reduction in the 1km rule on health and safety grounds.

3. Provision of a credit facility for small to medium sized businesses through the Credit Union movement

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

That the Council would call on the Minister for Finance, in conjunction with the Credit Union movement, to initiate a facility for small to medium sized businesses using the principles of the Credit Union movement.

Mr. G. O'Brien said this is a matter for consideration by the members.

Cllr. J. Finucane said small to medium retail businesses are finding it difficult to access credit. Consideration must be given to using alternative institutions to provide this credit. Post Offices act like a bank and Credit Unions give personal loans to their members. Credit is the life blood of business and unless a solution is identified soon a number of small businesses will not be able to continue. The Credit Unions could provide the same service as they already do to private individuals who save with them and can access loan facilities. There is a preponderance of regulation in this country and access to credit must be given to the self employed and small business. He requested that his motion would be forwarded to the Minister for Finance asking him to permit Credit Unions to offer this facility for small to medium businesses.

Cllr. P. McCarthy SECONDED the motion.

4. Provision of proper markings on roundabouts

Pursuant to notice duly given Cllr. B. O'Connell PROPOSED:

That Kerry County Council, in conjunction with the NRA, put proper markings on roundabouts to advise drivers which lane they should be in.

The following report issued:

All roundabouts are marked in accordance with Section 7.13 of Chapter 7 of the Traffic Signs Manual produced by the Department of Transport, Tourism & Sport.

Where sufficient width of road allows, there will generally be 2 lanes indicated at the approach to the roundabout. As per the Rules of the Road, a driver should:

- 1. Keep in the left lane if he/she wishes to turn left**
- 2. Keep in the right lane if he/she wishes to turn right**
- 3. Keep in the left lane if he/she wishes to go straight on – unless the lane markings indicate otherwise**

It is clear that it is the “straight on” situation that is leading to confusion. In order to maximise the capacity of the roundabout the straight on lane can be marked either on the left lane or the right lane depending on traffic flows. However, these will always be clearly marked and the driver needs to anticipate these on his/her approach to any roundabout. If there are any particular roundabouts of concern to the members, these can be examined.

Cllr. B. O’Connell said there is a lot of confusion for drivers of all ages at roundabouts. It is the straight on lane that is causing confusion. He asked that adequate road markings would be put in place to address this problem. He accepted that there are arrows on the approach to some roundabouts but said this is not the case at all roundabouts. It is important to give adequate notice of which lane a motorist should be in.

Cllr. M. Gleeson said there are two roundabouts within a few hundred meters of one another in Killarney. At the first roundabout to go straight ahead the motorist remains in the centre lane while at the second one the motorist goes to the outside lane to go straight ahead. Many markings are on the road and if there is heavy traffic motorists can’t see them. In cities overhead signs are used and he asked that they would be provided in Kerry. The situation is chaotic at present and must be addressed. There needs to be total clarity a considerable distance from the roundabout.

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

5. Publication of the minutes of the bi-monthly Area Meetings on the Internet

Pursuant to notice duly given Cllr. L. Purtill PROPOSED:

That Kerry County Council would make the minutes of the bi-monthly Council Area Meetings available on their website.

The following report issued:

The Minutes of the bi-monthly Council Area Meetings can be made available on Kerry County Council’s website. Prior to uploading the Minutes to the Internet, they will need to be edited for Data Protection Purposes. This will entail some additional work but once the Minutes are adopted and edited, they will be uploaded to the website.

Cllr. L. Purtill welcomed the report.

6. Fairer taxation system

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

That this Council calls on the Minister for Finance to spread the taxation system in a fairer and equitable way across all revenue generating sources in Ireland. In particular, I mention the horse breeding sector where some stud horses are generating over €100m per year tax free for people who pay no taxes in Ireland and some are not even resident in Ireland.

Mr. G. O'Brien said this is a matter for consideration by members.

Cllr. P. McCarthy said it is vital that the taxation system is fair to all. This was not the case in the past and his motion mentions just one area. It is important that all areas are scrutinised as the tax payer is already carrying a huge burden. It would help existing tax payers tolerate the tax burden if it was spread fairly.

Cllr. J. Sheahan supported the motion and said that the Exchequer should benefit from large Lotto winnings.

9. Provision of speed ramps at Gleann Rua Estate, Rathmore

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

That this Council install speed ramps to control the speed of traffic and thus create a safer environment at Gleann Rua Estate, Rathmore.

The following report issued:

This motion was previously moved at the Killarney Electoral Area meeting on the 7th September 2011, to which the following reply was given "The Roads' Department will examine the need for these speed ramps having regard to current design guidelines".

Cllr. J. Sheahan said the residents in this estate are very concerned about speeding in their estate and they asked him to ensure that it is given priority. There are a lot of young children playing in this estate and there is concern for their safety. The speed is creating a very unsafe environment for everyone living there. He called on the Council to ensure these works are carried out as soon as possible as the residents believe it will be an effective solution.

11. Funding to complete works adjacent to Reen's Garage and Top of the Hill Bara, Rathmore

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

To ask Kerry County Council and the NRA to provide funding to complete the unfinished section of the National Secondary Road adjacent to Reen's Garage and Top of the Hill Bar, Rathmore as this is part of one of the main arteries into our County.

The following report issued:

This section of the N72 was previously included in the submission by Kerry County Council to the NRA for funding in the 2011 Programme but no funding was provided. It will be submitted to the National Roads Authority for consideration of inclusion in next year's National Secondary Pavement and Minor Improvement Programme.

Cllr. D. Healy-Rae said this is a small section of road between sections previously improved. This is the main artery into the county and it is in a very bad state of repair every winter. It is a serious traffic hazard in its present condition.

12. Tus Programme

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

That we the Members of Kerry County Council convey our dissatisfaction with the present regulations regarding the Tus Programme where the participant must be in continuous unemployment for a 12 month period. Kerry, being a tourist County, has a lot of seasonal work available and people who avail of summer employment find themselves in the unfortunate position of not being able to qualify for the Tus Programme as they will have broken their unemployment and will have to start their 12 months again.

Mr. G. O'Brien said this is a matter for consideration by members.

Cllr. J. Healy-Rae said a participant must be in continuous unemployment for 12 months to qualify for inclusion in this Programme. In a tourism county such as Kerry this is very unsatisfactory as it maybe possible to get work for a few months during the summer. He called on the Minister for Social Protection to reduce the length of time a participant must be unemployed to qualify for this programme. At present a participant in the Programme cannot apply again for 3 years. This should be amended to allow them to apply every second year.

Cllr. D. Healy-Rae **SECONDED** the motion and said it is unfair to penalise a person that wants to work.

Cllr. N. Foley **PROPOSED** an amendment to the motion that special derogation would be given to tourist counties in relation to the Tus Programme.

13. Sea Lettuce Ulva

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

That the Council would state if Sea Lettuce Ulva has established a presence on any of Kerry's beaches and if it has, how serious a threat is it to the well being of those beaches and their tourist potential.

The following report issued:

Ulva or "Sea Lettuce" has become a serious problem in some beaches in County Cork and County Dublin as well as recently on beaches along the Brittany Coast in France.

While Ulva is present occasionally in some of the Kerry beaches, it has not to date reached the levels required to be a significant threat.

Cllr. M. Gleeson said this is potentially a very serious matter for Kerry which is a tourist county. Sea Lettuce can and will form a film-like skin on the surface of water. The weed underneath, when heated by the sun, becomes a putrefying aerobic digester, blocking access to the sea. Land banks and mud flats become covered in mats of weeds which will be lifted to float on the tide. The proliferation is due to excess nitrates reaching bays and harbours. This material has the potential to destroy our world famous beaches and thus do irreparable damage to our vital tourist industry. The cost of sorting the problem will be small when compared or contrasted with the potential loss from tourism decline.

Cllr. J. Finucane **SECONDED** the motion.

Mr. O. Ring, Director of Water Services said the run off of excessive pollution from land is monitored and so far we do not have that problem in Kerry. He also pointed out that the River Basin Management Plans are in place to help protect rivers and waterways.

14. Opening of a third Ward in West Kerry Community Hospital in Dingle

Pursuant to notice duly given Cllr. S. Fitzgerald:

To ask the HSE to open the third ward (24 bed spaces) at the new West Kerry Community Hospital in Dingle.

Mr. G. O'Brien said this is a matter for consideration by members.

Cllr. S. Fitzgerald asked that a letter would be forwarded to the Minister for Health calling on him to open a third six bed Ward at the West Kerry Community Hospital in Dingle to alleviate the backlog of people waiting for beds at this facility.

Cllr. J. Finucane SECONDED the motion.

15. New procedures for tendering for machine operators

Pursuant to notice duly given Cllr. B. O'Connell PROPOSED:

That Kerry County Council explain in full the new procedures for tendering for machine operators etc which will commence in January 2012.

The following report issued:

The LAQuotes system, www.LAQuotes.ie was developed by Kerry County Council Procurement section in 2003, as an online annual quotation solution, and is now being used by 33 Local Authorities in Ireland. In April 2011 a review of the LAQuotes system was undertaken. While great progress has been made in the past seven years and the savings achieved through streamlining the process has been immense, the system and process has become very complex. The current system has a number of areas of concern, such as non-compliance with Directive 2004/18/EC, exceeding threshold limits based on the aggregated expenditure for the various commodities listed under the existing LAQuotes system. The LAQuotes 2012 system is moving away from quotations and static pricing to multi-party framework agreements and pricing per job, which will deliver full compliance with national and EU Procurement Regulations and better value for money.

Suppliers/Contractors have been invited to tender and express their interest via www.LAQuotes.ie. The closing date was 7th October 2011. All tenders received will be evaluated by KCC. Suppliers/Contractors will be notified in the coming weeks as to their inclusion on the Plant Hire & Haulage framework or not. Following notification a standstill period of 16 days will commence. Once the standstill period has expired and provided there are no challenges all successful Tenderers will be required to sign a Framework Agreement (Contract) document with KCC.

In January 2012 KCC buyers will run mini-competitions for short-term hire (less than five days work) where a price per hour will be sought. All Suppliers approved for KCC for Plant Hire & Haulage will get an opportunity to tender for these mini-competitions. The mini competitions will be run using the Mini-tender module which will be available via the LAQuotes system. A Suppliers Guide will be circulated to all Suppliers in December and we are hoping to hold Supplier workshops in December or January. Separate mini-competitions will be held for all jobs exceeding five days hire.

Mini-competition will be evaluated using the following Pass/Fail selection criteria:

- **The tenderer has the required machines/plant available**
- **The tenderer can supply the Plant Hire & Haulage Services**
- **Confirmation that the requirements of the Specification identified in Schedule 1 to the Framework Agreement can be met.**
- **If applicable, Suppliers possess the relevant specific qualification/certification**
- **If applicable, the tenderer has provided evidence to demonstrate its competence to carry out the role of Project Supervisor for the Construction Stage (PSCS).**
- **Relevant Experience - The tenderer must have satisfactorily experience and must have successfully completed similar works to the contract being offered.**
- **Response Time -Tenderers and their plant/resources must be available out of hours. A minimum response time may be required by a local authority**

Tenderers that satisfy the selection criteria above will then be assessed on Price and Quality - Reliability & Performance Record in order to determine the most economically advantageous tender.

Cllr. B. O'Connell asked what is the difference between what is proposed and the old system. The inclusion of the term 'relevant experience' is worrying as the tenderer must have completed similar work in the past. If a tenderer does not get work they cannot build up their experience.

Mr. C. O'Sullivan, Director of Roads said the Council must comply with the Department of Finance Guidelines.

Cllr. D. Healy-Rae asked if he and Cllr. J. Healy-Rae should leave the meeting while this motion was being considered as they have a plant hire business.

Mr. J.D. Flynn, Director of Corporate Services said this is a discussion on the tendering system and not on any specific tenders, prices or works. It is a personal call for members to make if they feel they should leave the meeting or not.

Mr. C. O'Sullivan said it is not envisaged that the term mentioned by Cllr. O'Connell would prevent any tenderer getting work and it only applies to specialist works. If a contractor is employed for five to seven weeks surely they will give a better price than for a shorter contract.

Cllr. B. O'Connell asked if the Area Engineer has discretion in relation to who is employed.

Mr. C. O'Sullivan said they must comply with Department Guidelines. If a contractor is being employed for five or six week's procurement procedures must be adhered to.

Cllr. B. Cronin said he was aware that some people find it very difficult to get any work from the Council. They have good drivers, insurance and top of the range machinery but when they go to the Area Engineer they are told it is not their decision. He asked who makes the decision on who gets the work. He was concerned that any phraseology would prevent good operators from getting work.

Mr. C. O'Sullivan said the Council has had many good contractors and they try to facilitate new people. However they must meet the requirements in relation to health and safety, insurance etc. The final decision in relation to the taking on of machinery rests with the Area Engineer.

Cllr. P. Leahy requested that the reply to the motion would be circulated to all members.

This was agreed.

Cllr. J. Finucane said at least there is a detailed process to be followed as outlined in the reply to the motion. There is no such process in place for agents who act on behalf of planning applicants. Consideration should be given to the introduction of a process for agents. When a problem arises with a planning application the agent advises the applicant to contact their local councillor instead of addressing the issues.

Cllr. P. Connor-Scarteen complimented Cllr. O'Connell on raising this issue and said he hoped the work would go round. For many years it was seen to be a closed shop.

16. Election Posters

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

Has there been any follow-up on my previous Motion in March 2011 regarding confining election posters and advertising hoarding to specific locations with consideration to the forthcoming Presidential Election and Referenda.

The following report issued:

Under the Electoral and Litter Pollution Acts, candidates are permitted to erect election posters within specified timeframes which therefore gives them a legislative right in relation to election posters. Any local arrangements to be put in place would have to be on a voluntary basis with the agreement of all candidates.

Following this matter having been raised by way of Notice of Motion at the March 2011 Council Meeting, it was referred to the Environment & Water Services SPC for consideration. I understand that this matter will be discussed at the next Environment & Water Services SPC Meeting.

17. Installation of a pedestrian crossing at Barraduff School

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

When will this Council proceed with the installation of a pedestrian crossing at Barraduff School.

The following report issued:

This motion was previously moved at the Killarney Electoral Area meeting on the 8th June 2011, to which the following reply was given "A school crossing point at Barraduff National School is currently being examined by the Road Design Office. If an appropriate solution can be found, then it will be considered for inclusion in the 2012 Road Works Programme".

Given the limitations on available resources in our Design Office, the examination of this location cannot be prioritized ahead of projects for which design works are required and funding provided for construction this year.

Cllr. J. Sheahan welcomed the report and said he looked forward to this work proceeding in 2012. A pedestrian crossing is needed to regulate the chaotic situation that exists at this location at present.

Cllr. D. Healy-Rae said he also looked forward to this work progressing in 2012.

18. Shannon LNG

Pursuant to notice duly given Cllr. L. Purtill PROPOSED:

Now that a decision is imminent from the Energy Regulator re the Shannon LNG Plant, it is of the utmost importance that Kerry County Council send a strong message to the Regulator about the importance of this plant to the economy of North Kerry. It will help to stop the haemorrhaging of our young people to emmigration and to provide much needed employment which would put money back into the economy and also it would encourage further investment to the Ballylongford / Tarbert landbank.

Mr. G. O'Brien said this is a matter for consideration by members.

Cllr. L. Purtill said since the 1950's the importance of the Shannon Estuary for marine based activity has been recognised by successive governments. In 1959 the IDA began purchasing land in the Kilcolgan/Ralapane area. In all 600 acres were purchased. These 600 acres are now owned and managed by Shannon Development. Despite many trojan efforts by Shannon Development to encourage investment to the area and bring badly needed jobs through the investment, sadly there are no jobs to-date.

While there were many announcements in the past in relation to the Tarbert/Ballylongford Landbank none have come to fruition. Consumers in this region do not have a gas supply presently. Kerry and Donegal are the only two counties without a gas grid connection. It is a shame that we cannot avail of the benefits that will arise from the foreign direct investment being offered by Shannon LNG.

In 2006 Shannon LNG announced their plans for the Tarbert/Ballylongford Landbank. Since that announcement Shannon LNG spent over €40m on the project. They went through a rigorous planning process and paid over €1m to Kerry County Council for road widening. They are committed to further infrastructural improvements and they will invest almost €1b on the gas and power plant projects.

Cllr. Purtill said that Kerry County Council must recognise that Shannon LNG is committed to the Landbank project. This is a foreign direct investment and no investment from the Irish tax payer is required. The members of Kerry County Council have supported this project from the outset and now as it enters a critical phase we must do and be seen to do everything possible to get this project over the line. Members must continue to make representation to the Regulator, Ministers and Government to ensure that this project goes ahead and brings much needed employment to the area.

Cllr. J. Finucane supported the motion and said the recent deputation to meet with officials of the two Government Departments was a chastening experience. He asked if politicians decide on policy or is it an individual. Since the last deputation he was not satisfied that such an important decision should rest with one individual. There are 450 construction jobs at stake with this project and it is crucial for North Kerry that it commences. The country is not in a position to risk this project. State funding will not be required and if this project is delayed any further what message is given to foreign companies considering investing in Ireland. The forthcoming meeting with the Commission for Energy Regulation is vital and if this project does not proceed it will have huge implications for Ireland Inc.

Cllr. P. Leahy supported the motion.

19. Requirement to get permission to reclaim, drain or re-seed land

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

That we the Members of Kerry County Council deplore the new regulations introduced by the Ministers for Agriculture and Environment where landowners will now have to get permission to reclaim, drain or re-seed their land.

Mr. G. O'Brien said this is a matter for consideration by members.

Cllr. D. Healy-Rae said this legislation was signed into law without debate in Dáil Éireann. Land owners know best what to do with the land and this will impede them when they want to improve their land. There needs to be clarity on this legislation. If a drain is blocked does a landowner need permission to clear it? Agricultural contractors do a lot of reclamation work and this will impact on them also. Cllr. D. Healy-Rae called for the support of all members for the motion and asked that letters would issue to the Minister for Agriculture, Fisheries and Food and the Minister for Environment, Community and Local Government to inform them of the severe hardship that this legislation will cause to farmers.

Cllr. M. Cahill supported the motion and said that we are becoming too regulated. It is a bit much that a farmer will have to get planning permission to re-seed his land. He asked if the Council has received Guidelines on this legislation and exactly what works require permission.

Mr. P. Stack, Deputy Director of Planning said this legislation commenced in September 2011 and some guidance was received on it. The development threshold for drainage of wetlands is being reduced from 20 hectares to 0.1 hectare and there is a reduction in the threshold for mandatory EIA from 20 hectares to 2 hectares. There is a need to get clarification on the term 'wetland'.

20. Widening of bridge adjacent to Sneem Graveyard

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

To ask the NRA Bridges Section to widen the bridge adjacent to the graveyard in Sneem as it is impossible for local people to carry any kind of turf hopper and the likes over the bridge and are forced to cross through the river.

The following report issued:

This motion was previously moved at the Killorglin Electoral Area Meeting on the 30th September 2011, to which the following reply was given “This is a significant masonry arch structure and a preliminary estimate for widening the bridge would be of the order of €250,000. There is no funding currently available for projects of this type”.

This structure is located on a local tertiary road. Given the significant number of bridges on our road network and the limited funding available for their repair and maintenance, the Council has to critically prioritise all bridgeworks. Priority has to be given having regard to the classification of the road, the volume of traffic using the route and the structural condition of the bridge. I regret that the Council cannot consider this bridge for widening works on this basis.

Cllr. J. Healy-Rae expressed his disappointment with the report and said the works he requested could not cost €250,000. The people who use this bridge to access their bog are desperate and must depend on the good will of the landowners on either side of the bridge to allow them to cross the river. This is unacceptable and something should be done to resolve this situation.

Cllr. D. Healy-Rae SECONDED the motion and said if the land on either side of the bridge is sold the new landowner could refuse to allow turf cutters cross the river. He asked that the costing of the works would be reviewed and said it is unfair on the people of the valley to be told this bridge will never be widened.

21. Removal of loose gravel following road resurfacing works

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

To ask the Roads Department to ensure that following the resurfacing of roads, that all loose grit is removed as soon as possible as this loose material left on the roadway is just as dangerous as an oil spill or ice and is highly dangerous for drivers with the potential to cause a serious accident.

The following report issued:

The methodology that Kerry County Council use in surface dressing operations is carried out in accordance with the Institute of Asphalt Technology publication “Guidelines for Surface Dressing in Ireland”.

Each year, Kerry County Council surface dress approximately 200 kilometers of roadway.

The Guidelines recommend that “excess chippings should be swept off the surface dressing as soon as is practicable, provided that chippings are not dislodged and the chipping mosaic is not disturbed. Binder setting times can vary with climatic and underlying road surface conditions. In normal circumstances, sweeping can be carried out on the morning following completion of construction”.

Health and Safety considerations dictate that slippery surface and loose chipping signs be erected over the length of the road being surface dressed. The signs erected are in accordance with the Department of Transport’s Traffic Signs Manual, Chapter 8 - Temporary Traffic Measures and Signs for Road works. In addition, cautionary speed plates of 25, 35 or 45km/hr are also displayed depending on site conditions.

Compliance with the above requirements ensures that the surface dressing operations are safe and the site is left in a safe manner, but there is also a responsibility on drivers to drive through road works at a speed that is appropriate to the conditions.

Cllr. B. Cronin said as a result of road works, on occasion, excessive loose chippings remain on the road for too long. There are three tracts of loose chippings one in the middle with one on either side. When driving on loose chippings it is highly dangerous and a driver can lose control of the vehicle. He asked, from a road safety point of view, that loose chippings would be removed as soon as possible following re-surfacing. Loose chippings have contributed to accidents and it is important that adequate signage would be provided to warn motorists of the danger.

Cllr. B. O’Connell supported the motion.

22. Safety measures at Kennedy's Cross Junction

Pursuant to notice duly given Cllrs. P. O'Donoghue and M. O'Shea

PROPOSED:

Has Kerry County Council made a submission to the NRA for safety measures regarding Kennedy's Cross Junction? It is proving to be a dangerous junction to access or exit the N70.

The following report issued:

The Council carried out safety improvement works to this junction in 2006 which were funded by the NRA. The works carried out significantly improved safety at the junction. Projects for funding under the National Secondary Remedial Safety Measures Programme are prioritised in accordance with NRA guidelines and having regard to the accident history for the site, analysis of the nature of the recorded accidents and the volume and nature of traffic using the route. Given the extent of the National Secondary Road network in the County and the fact that works were carried out at this location in 2006, priority has to be given to other locations in accordance with the NRA guidelines.

Cllr. M. O'Shea acknowledged that improvement works were carried out at this location in the past but said there are still accidents at this Junction, not all of which are recorded. A deputation of the residents from this area was received a few years ago and he understood that the Council intended to provide big signs at this junction. This is a four road junction and the continuous white line is not always observed. He asked if it would be possible to apply to the NRA for funding for large signs or traffic calming measures for this junction. He believed that motorists would pay attention to the large signs. In conclusion he asked that proper signage would be provided either side of this junction.

11.10.17.17 Correspondence – Conferences and Seminars

- (a) On the PROPOSAL of Cllr. A. McEllistrim, SECONDED by Cllr. S. Fitzgerald it was agreed to authorise the attendance of Cllrs. D. Healy-Rae and J. Healy-Rae at the Irish Planning Institute Autumn Conference 2011 to be held at The Gibson Hotel, The Point Village, Dublin 1 on 21st October, 2011.

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

- (b) On the PROPOSED of Cllr. S. Fitzgerald, SECONDED by Cllr. N. Foley it was agreed to authorise the attendance of Cllrs. D. Healy-Rae, J. Healy-Rae and P. Connor-Scarreen at the Public Sector Reform Seminar on the theme Integrated and Efficient Government to be held at Croke Park, Dublin on Thursday, 27th October, 2011.

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

- (c) On the PROPOSAL of Cllr. N. Foley, SECONDED by Cllr. A. McEllistrim it was agreed to authorise the attendance of Cllrs. P. O'Donoghue, S. Fitzgerald, M. O'Shea, B. O'Connell, D. Healy-Rae, J. Healy-Rae and B. Cronin at the A – Z of Irish Local Government – Local Government Water Services Seminar to be held at Clare County Council, New Road, Ennis, Co. Clare on 7th November, 2011.

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

- (d) On the PROPOSAL of Cllr. S. Fitzgerald, SECONDED by Cllr. M. Griffin it was agreed to authorise the attendance of Cllrs. R. Beasley, P. McCarthy, S. Fitzgerald, P. O'Donoghue, M. O'Shea, B. Cronin, D. Healy-Rae, J. Healy-Rae, M. Griffin, P. Connor-Scarreen, P.J. Donovan and J. Finucane at the National Tourism Conference on the theme Tourism – The Potential for Economic Growth to be held at The Falls Hotel, Ennistymon, Co. Clare from 24th to 26th November, 2011.

Cllr. P. McCarthy was nominated to report back to Council on this Conference.

- (e) On the PROPOSAL of Cllr. S. Fitzgerald, SECONDED by Cllr. L. Purtill it was agreed to authorise the attendance of Cllrs. P. O'Donoghue, M. O'Shea, D. Healy-Rae, J. Healy-Rae, M. Griffin and M. Gleeson at the 'Bad Weather – Good Practice – Effective public and internal communications tools and strategies for dealing with severe weather using ICT and Social Media – a workshop for Local Authorities' to be held in the Malton Hotel, Killarney on 8th November, 2011.

Cllr. P. O'Donoghue was nominated to report back to Council on this Workshop.

- (f) On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. P.J. Donovan it was agreed to approve the attendance of Mayor Buckley at the AMAI 98th Annual Conference held in Knightsbrook Hotel, Trim, Co. Meath from 8th to 10th September, 2011.

11.10.17.18 Correspondence General

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

1.	Letter dated 6 September, 2011 from the Office of the Minister for Finance regarding the release of funding from the banks to small businesses.
2.	Circular Letter LG 09/11 dated 6 September, 2011 from the Department of Environment, Community and Local Government regarding the Environment (Miscellaneous Provisions) Act 2011 Placename Provisions: Daingean Uí Chúis Commencement Orders.
3.	Letter dated 14 September, 2011 from the HSE regarding the provision of a dedicated unit within which hospice type quality palliative care would be available in each public hospital.
4.	Letter dated 13 September, 2011 from the OPW regarding the reimbursement of funds to Kerry County Council for Pier development works at Knightstown, Valentia and emergency coastal protection works at Inch.
5.	Letter dated 17 September, 2011 from Deputy Michael Healy-Rae regarding a reply to a Parliamentary Question on funding for water mains replacement in County Kerry.
6.	Letter dated 23 September, 2011 from Deputy Brendan Griffin regarding Caherciveen Ambulance Service.
7.	Letter dated 23 September, 2011 from Deputy Arthur J. Spring regarding Caherciveen Ambulance Service.
8.	Letter dated 23 September, 2011 from Deputy Michael Healy-Rae regarding Caherciveen Ambulance Service.
9.	Letter dated 27 September, 2011 from the Department of Social Protection regarding the payment of the Back to School Clothing and Footwear Allowance.
10.	E-mail dated 28 September, 2011 from Deputy Michael Healy-Rae regarding a reply to a Parliamentary Question regarding the maintenance of rural roads.
11.	Letter dated 27 September, 2011 from Senator Paul Coghlan regarding Caherciveen Ambulance Service.
12.	Letter dated 27 September, 2011 from the Minister for Justice, Equality and Defence regarding the operation of speed cameras.
13.	Letter dated 30 September, 2011 from Deputy Tom Fleming regarding the 24 hour Caherciveen Ambulance Service.
14.	Letter dated 30 September, 2011 from the Minister for Justice and Equality regarding persistent offenders.

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15.	Letter dated 30 September, 2011 from the Office of the Minister for Education and Skills regarding the changes to the Student Grant Scheme 2011.
16.	Letter dated 30 September, 2011 from the Office of the Minister for Justice and Equality regarding the transparency of Irish charities.
17.	Letter dated 3 October, 2011 from the Minister for Health regarding Caherciveen Ambulance Service.
18.	Letter dated 4 October, 2011 from the Minister for Environment, Community and Local Government regarding the inspection of septic tanks.
19.	Letter dated 4 October, 2011 from the Minister for Environment, Community and Local Government regarding the proposed yearly charge on septic tanks.
20.	Letter dated 5 October, 2011 from Senator P. Coghlan regarding Caherciveen Ambulance Service.
21.	Letter dated 6 October, 2011 from the HSE regarding the Caherciveen Ambulance Service.
22.	Letter dated 6 October, 2011 from Minister J. Deenihan regard the Caherciveen Ambulance Service.
23.	Letter dated 12 September, 2011 from Tralee Town Council regarding Kerry County Council's sponsorship of the Festival of Kerry.
24.	Letter dated 15 September, 2011 from Killarney Town Council regarding under-age drinking in Killarney.
25.	Letter dated 20 September, 2011 from Monaghan Town Council regarding their support for the Justice for Magdalenes survivor advocacy group.
26.	Letter dated 21 September 2011 from Clare County Council regarding a resolution adopted by that authority concerning the \$20 charge on patrons who watch GAA games live on TV in pubs.
27.	Letter dated 22 September, 2011 from Killarney Looking Good regarding Killarney's success on winning the overall title in the Tidy Towns Competition for 2011.
28.	E-mail dated 27 September, 2011 from Mayo County Council regarding their support for the Justice for Magdalenes survivor advocacy group.
29.	Letter dated 27 September, 2011 from Edenderry Town Council regarding their support for the Justice for Magdalenes survivor advocacy group.
30.	E-mail dated 29 September, 2011 from Monaghan County Council regarding their support for the Justice for Magdalenes survivor advocacy group.
31.	Email dated 29 September, 2011 from Kilkee Town Council regarding their support for the Justice for Magdalenes survivor advocacy group.
32.	Letter dated 30 th September, 2011 from Monaghan Town Council regarding a resolution adopted by that authority calling on the Government (a) not to introduce water charges and property taxes (b) to fast track the Criminal Justice Community Service Bill 2011.

Cllr. D. Healy-Rae referred to the letter from the Office of the Minister for Environment, Community and Local Government regarding the inspection of septic tanks. This reply is not satisfactory as many home owners who have septic tanks have been trying to get an extension to existing sewerage schemes to cover their area eg residents in Castleisland have been waiting for approx. 30 years to get an extension to the main scheme to facilitate development on the outskirts of the town.

Votes of Sympathy

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

- (a) Cllrs. D. Healy-Rae, J. Healy-Rae and B. Cronin proposed that a vote of sympathy would be extended to the family of the late Jeremiah Daly.
- (b) Cllrs. D. Healy-Rae, J. Healy-Rae, B. O'Connell and L. Purtill proposed that a vote of sympathy would be extended to the family of the late James O'Sullivan.
- (c) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy would be extended to the family of the late Sheila O'Brien.
- (d) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy would be extended to the family of the late Hannah O'Brien.
- (e) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy would be extended to the family of the late Mary O'Connor.
- (f) Cllrs. D. Healy-Rae, J. Healy-Rae, B. O'Connell and L. Purtill proposed that a vote of sympathy would be extended to the family of the late Peggy O'Connor.
- (g) Cllrs. D. Healy-Rae, J. Healy-Rae, P. Connor-Scarteen and B. O'Connell proposed that a vote of sympathy would be extended to the family of the late Bridget Furlong.
- (h) Cllrs. M. Gleeson, J.J. Culloty and B. Cronin proposed that a vote of sympathy would be extended to the family of the late Dan Moynihan.
- (i) Cllrs. J. Healy-Rae and D. Healy-Rae proposed that a vote of sympathy would be extended to the family of the late Jeremiah Lynch.
- (j) Cllrs. D. Healy-Rae, J. Healy-Rae and B. O'Connell proposed that a vote of sympathy would be extended to the family of the late Larry McAuliffe.
- (k) Cllrs. B. O'Connell and L. Purtill proposed that a vote of sympathy would be extended to the family of the late Mairín Ó Ciardubháin.
- (l) Cllrs. B. O'Connell, L. Purtill, D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy would be extended to the family of the late Josephine Brosnan.

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- (m) Cllrs. P. Connor-Scarteen and B. O'Connell proposed that a vote of sympathy would be extended to the family of the late Tony Looney.
- (n) Cllrs. P. Connor-Scarteen and B. O'Connell proposed that a vote of sympathy would be extended to the family of the late Sr. Francis McCarthy.

The meeting concluded at 1.40pm.

Gerard O'Brien

Meetings Administrator

Mayor of Kerry