

These Minutes are edited for Data Protection purposes because in effect putting them on the Internet is publishing them. An unedited paper copy is available on request.

MIONTUAIRISCÍ NA CRUINNITHE MHIOSIÚIL DE COMHAIRLE CONTAE CHIARRAÍ A THIONÓLADH I SEOMRA NA COMHAIRLE, ÁRAS AN CHONTAE, TRÁ LÍ, AR AN LUAN , 19 EANAIR 2015

MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, ÁRAS AN CHONTAE, TRALEE ON MONDAY, 19TH JANUARY 2015

PRESENT/I LÁTHAIR

Councillors/Comhairleoirí

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

IN ATTENDANCE/I LÁTHAIR

Mr. M. Murrell, Chief Executive	Mr. J.D. Flynn, Dir. of Corp. Servs.
Mr. O. Ring, Director IW Operations	Mr. M. McMahon, D. Job Creation/Sust. E.D.
Mr. J. Breen, Dir. Sust. Comm./Q of L	Mr. C. O'Sullivan, Dir. Op., Health & Safety
Ms. A. McAllen, Head of Finance	Mr. B. Looney, Head of IT
Mr. G. O'Brien, Meetings Admin.	Mr. L. Quinlan, SEO Env. Protection
Mr. M. O'Donoghue, SEO HR	Mr. M. Scannell, SEO Comm. Serv. & Eng.
Mr. M. Ó Coileáin, Env. Aware. Off.	Mr. M. Boyce, SEE Environment
Mr. P. Teahan, SEE Operations	Ms. B. Reidy, SSO Corporate Affairs
Ms. L. O'Donnell, AO Environment	Mr. J. O'Sullivan, SSO, HR
Ms. D. Moynihan, CO, LEO	Ms. T. O'Carroll, AE Environment
Ms. S. Leahy, CO Environment	Ms. M. Galvin, CO Corporate Affairs
Ms. O. O'Shea, C.O. Corp. Affairs	

The meeting commenced at 10.35am.

The Cathaoirleach, Cllr. J. Brassil took the Chair.

Irish Water Clinic

Mr. G. O'Brien informed the meeting that while it was intended to hold the Irish Water clinics in the Chairman's Room it was too small. For this reason the Clinic would be in Room 36 on the Ground Floor.

Votes of Sympathy

Cllr. M. Gleeson PROPOSED a vote of sympathy to Cllr. B. Cronin and his wife (name withheld for data protection purposes. A paper copy of the Minutes are available on request) on the death of his mother-in-law.

Cllr. Gleeson also extended a vote of sympathy to the wife and family of the late Jack Tonra who died recently. Jack worked in the Housing Department of Kerry County Council for many years.

Cllr. D. Healy-Rae extended a vote of sympathy to the wife and family of the late Nelius Reidy who was a dedicated employee of Kerry County Council.

15.01.19.01 Cathaoirleach's Report on the CPG Meeting

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

"Item 01 Agenda for the January Council Meeting

Mr. G. O'Brien briefed members on the Agenda for the January Council Meeting.

In relation to Item 7, in Mr. Breen's absence, Mr. O'Brien briefed members on the report on the establishment of a Joint Policing Committee which was circulated. The membership of the JPC has been designated as 31 and he outlined the breakdown between (a) Local authority elected members, (b) Oireachtas elected members, (c) Local authority officials (d) An Garda Síochána and (e) Community. The guidelines require that local authority elected members reflect the elected representational spread on the full council and as far as it is practical be representative of each municipal district within the local authority area. Mr. O'Brien referred members to Page 3 of the report where the representation for each of the Municipal Districts is set out and he asked that each party would agree their nominees in advance of the January meeting.

The Cathaoirleach suggested that Mr. O'Brien would phone the independent councillors in the relevant Municipal Districts to establish if they are interested in becoming a member of the JPC.

In relation to Item 8 Mr. L. Quinlan said the Timetable and Work Programme for the Development of the Second Cycle River Basin Management Plans is set out in accordance with the Water Framework Directive. The Council's response must be submitted to the Department by 31st January, 2015.

Item 2 Update on LEADER

Mr. M. McMahon informed the meeting J. Breen and M. Scannell were in Dublin at a meeting and he requested that this item would be deferred until the February CPG Meeting.

This was agreed.

Item 3 Civic/Mayoral Receptions

No receptions were requested.

Item 4 Any Other Business

The Cathaoirleach said he received a letter from Brú Columbanus seeking a meeting with himself and the Chief Executive and inviting them to visit their premises in Cork. He would discuss this matter further with the Chief Executive.

The Cathaoirleach said he also received a letter from Mr. Alan Bannon of Cannonball Ireland which states that Cannonball want to bring their event to Kerry from 11th to 13th September 2015. The event requires 250 hotel beds per night for the participants and organisers.

Mr. M. McMahon suggested that a copy of the letter should be given to Ms. Joan McCarthy of the Tourism Unit for follow up."

Infrastructure Charge

The Cathaoirleach said he had a briefing note which he wished to bring to members attention in relation to the Infrastructural Charge. He then read the following into the record of the meeting.

"Following representations from the Elected Members, Kerry County Council made a submission to Irish Water to review the charging of an Infrastructural Contribution on persons applying to Irish Water for a water or sewer connection. An Infrastructural Contribution - €1,500 for water and €4,750 for sewerage – has been charged since 2002 where applicants were not liable for a Planning Development Levy/contribution.

The following revised charging policy has been agreed with Irish Water for Kerry County Council until a new National Connection Policy is determined by the Commission for Energy Regulation (CER) during 2015:

- In cases where an existing Planning Permission (pre 2014) applies, the applicant is liable to pay the development levy specified in the conditions attached to their Planning Permission.*

- *In cases where a Planning Permission was granted since 1st January, 2014, no development levy is attached to any Planning Permission granted, but an Irish Water Infrastructural Fee applies. This fee is calculated at the same rates as the development levy that would have applied in Planning Permissions granted prior to 1st January 2014.*
- ***In cases where no Planning Permission condition applies, for example old/mature developments and regularising of existing connections, no Infrastructural Contribution will apply.***
- *In all cases, applicants will continue to pay the appropriate connection fee: namely €1,100 for standard water and €2,210 for standard sewer connections or individually calculated fees for non-standard connections.*
- *Kerry County Council, as heretofore, will continue to operate a Waiver Scheme on behalf of Irish Water.*

This agreed revised Charging Policy is being implemented with immediate effect.

In view of the above, Irish Water has agreed to refund the Infrastructural Fees that have been paid since 1 January 2014 and the applications which are in hand can now be completed.”

Mr. O. Ring said this change in policy by Irish Water arose following representation by members and in fairness to Irish Water they agreed to drop the Infrastructural Charge. Approx. 10 applicants paid the charge in 2014 and they will get a refund.

Cllr. D. Healy-Rae said he was not satisfied that an Infrastructural Charge should apply to any permission granted. When the Development Levy Scheme was put in place originally, Mr. John O'Connor said the Council would be fined if the infrastructure was not up to standard and that was the reason these charges were introduced. Water and sewerage charges have now been introduced for domestic customers therefore they should not have to pay the Infrastructural Charge. He PROPOSED that Irish Water would revisit this charge as it is unfair to ask young couples trying to provide a home to pay this charge.

Cllr. J. Healy-Rae SECONDED this proposal and said where there is an existing house and an applicant applies for permission they are being asked to pay full levies. He was aware of a case where there is an existing water and sewer connection to the property but they are still being charged.

Cllr. Ferris said she was confused and asked if this means since the 1st January applicants are not being charged a development levy but must pay the Infrastructural Charge instead.

The Cathaoirleach said members requested clarification on this issue and he confirmed from 1st January applicants will not have to pay a development levy but they will be liable for the Infrastructure Charge which will be at the same rate as the previous Kerry County Council charge.

Cllr. Ferris said there was always a charge for new connections.

The Cathaoirleach said Irish Water representatives are in Room 36 if members want to discuss this issue with them.

Cllr. D. Healy-Rae pointed out there is a Connection Charge and an Infrastructure Charge.

The Cathaoirleach said people who want to regularise their situation will not now be liable for the Infrastructure Charge which is a welcome development. While members would support Cllr. D. Healy-Rae's request that the Infrastructure Charge would not apply that is a matter for Irish Water.

Cllr. D. Healy-Rae said people should not have to pay these charges as they will be paying water and sewerage charges annually. He was involved in one case where the person was asked to pay up to €15,000 in levies.

Cllr. Cronin said in some instances there are multiple connections from the original connection and he asked what charge they would be liable for to regularise their situation as he understood they would not be liable for the Infrastructure Charge. He also asked what the difference is between the Infrastructure Charge and Kerry County Council's Development Levy Charge.

Cllr. N. Foley said she understood they would be liable for a connection fee of €1,100. There are a large number of people in Kerry with a number of family connections from the original connection. She asked if there was a Waiver Scheme for the €1,100 connection charge for those who cannot afford it but want to regularise their situation.

Mr. O. Ring said the connection fee covers the cost of making the connection. A Waiver Scheme is in place to facilitate hardship cases. The removal of the Infrastructure Charge by Irish Water for those who want to regularise their position is very welcome. This applies only to cases where planning permission is not required and they will only be liable for the connection fee. Approximately 10 applicants who paid the Infrastructure Charge in 2014 will get a refund. The Infrastructure Charge was introduced in 2002 to ensure the same charge applied as to those applying through the planning process.

Cllr. J. Healy-Rae said where a house is knocked and it is proposed to build another house the applicant is being asked to pay the full levy even though they already have a water connection. From the discussion so far he presumed they would not be liable for this charge. Cllr. Healy-Rae asked in future that Irish Water Clinics would be held on the third floor.

Minutes January 2015

It was agreed that these Clinics would be held in the Conference Room in future.

Cllr. N. Foley asked if the €1,100 connection charge was set by Irish Water.

Mr. Ring said this charge which was previously set by Kerry County Council is being continued at the instruction of Irish Water. At present Irish Water are making an application to the Commissioner for Energy Regulation in relation to the charges to be applied and it is anticipated they will be finalised this year. A Waiver Scheme is in place and of the 10 that paid the Infrastructure Charge in 2014, three got Waivers.

Cllr. Ferris asked if that was a full waiver.

Mr. Ring said they got a partial waiver.

Cllr. J. Healy-Rae again asked if a person, who applies for permission and already has a connection, must pay the full charge.

Mr. Ring said it was not appropriate to discuss individual cases but if planning permission was not required the person would not be liable for the Infrastructure Charge.

The Cathaoirleach asked Cllr. Healy-Rae if the person got permission.

Cllr. Healy-Rae confirmed they received permission.

The Cathaoirleach said any levies due would then be a condition of planning.

Mr. McMahon said in relation to the point raised by Cllr. J. Healy-Rae regarding rebuilding on the site of a demolished house, that the levy charged would be the difference between the floor area of the original house and the floor area of the new house.

Cllr. P. McCarthy asked how much of a waiver can be given and who qualifies for it.

Mr. Ring said it depends on income and there is a formula to calculate the waiver.

Cllr. O'Shea asked how this would benefit those who have one original connection but three or four family connections from it.

Mr. Ring said they will not be liable for the Infrastructure Charge but will be liable for the connection fee.

15.01.19.02 Confirmation of Minutes

- (a) On the PROPOSAL of Cllr. S. Fitzgerald, SECONDED by Cllr. B. O'Connell it was resolved that the Minutes of the Special Meeting of Kerry County Council, regarding Local Property Tax and the Council's Budget Strategy for 2015, held on 22nd September, 2014 be confirmed.

- (b) On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. T. O'Brien it was resolved that the Minutes of the Budget Meeting of Kerry County Council held on 17th November, 2014 be confirmed.
- (c) On the PROPOSAL of Cllr. N. Foley, SECONDED by Cllr. J.F. Flynn it was resolved that the Minutes of the Special Meeting of Kerry County Council, regarding NUI Cork, held on 17th November, 2014 be confirmed.
- (d) On the PROPOSAL of Cllr. N. Foley, SECONDED by Cllr. J.J. Culloty it was resolved that the Minutes of the Special Meeting of Kerry County Council, regarding the Corporate Plan, held on 15th December, 2014 be confirmed.
- (e) On the PROPOSAL of Cllr. B. O'Connell, SECONDED by Cllr. M. Kennelly it was resolved that the Minutes of the December Ordinary Meeting of Kerry County Council held on 15th December, 2014 be confirmed.

15.01.19.03 Chief Executive's Report

The Chief Executive read the following report for Q4 of 2014 into the record of the meeting:

"Introduction

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

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

Members will also be aware that an update report is provided to each Municipal District Meeting on the work of the Directorates within Kerry County Council. These reports provide updates on such matters as the Roads Works Programme, Water and Wastewater projects, Housing Programme, Environmental Services etc. In order to avoid duplication of reporting, updates on these matters are not included in the Chief Executive's Report.

The attached report has been prepared for the end of Quarter 4 2014.

Financial Position

As agreed with the Members, a Financial Report will be provided on a quarterly basis.

Operation / Progress on the LCDC

The Social Inclusion & Community Activation Programme (SICAP) is the successor programme to the Local & Community Development Programme (LCDP) and is being tendered locally through the LCDC. The SICAP is a local social inclusion programme focused on the most marginalised in Irish society. It aims to tackle poverty and social exclusion through local engagement and partnership between disadvantaged individuals, community organisations and public sector agencies, and will operate across the Republic of Ireland.

As previously advised to Members, the LOTS (division of the County) for the roll out of SICAP have been agreed and the tenders have issued to the successful applicants who came through stage one of the tender process which was organised nationally through POBAL and the Department of the Environment, Community & Local Government. The closing date for receipt of tenders was 19th December 2014, and the LCDC through its evaluation team and evaluation committee are currently assessing the tenders received. Detailed guidance has been issued from Pobal to ensure consistency of approach to the assessment of tenders throughout the country.

The SICAP programme is for a period of 5 years and the allocated budget for Kerry for the period April (commencement of programme) to the end of 2015 is €1,222,199.

Local Economic & Community Plan

There will be a presentation on the Content and the preparation process of the LECP at today's meeting.

SOCIAL HOUSING

Housing Programme

Following the announcement in the recent national budget of the development of a housing construction and acquisition programme, Kerry County Council is carrying out an extensive analysis of our housing list, our available lands and our need to build and acquire properties. In this analysis we are cognisant of the needs in particular of single applicants, elderly and disabled persons and larger families. This analysis will inform Kerry County Council's submission to the Department of Environment, Community & Local Government.

Additional Grant Funding

The Council has again been successful at the end of 2014 in securing an additional €200,000 in State funding towards our disability and elderly grant programme. The additional €200,000 allocated for Housing Adaptation Grants allowed a further 50 grants to be awarded.

Purchase of Houses for People with a Disability

In December 2014 the Department provided funding to Kerry County Council for the immediate purchase of 6 houses for persons with disabilities on the housing list. These houses will require some modification and adaptation work before being available for letting.

Roads Funding

The Council has recently been advised of its National Road Grant Allocations for 2015 from the NRA, with a funding commitment of €15.78 million for roads in Kerry. This represents approximately 8.5% of the national grant allocation to local authorities and the details have already been circulated to all members.

In 2014, the Council received an initial allocation of €9.64 million for national roads. Kerry County Council's Design Office advanced the designs on a number of National Secondary Pavement Improvement Schemes and additional funding of approximately €4 million was subsequently secured to progress works on a number of schemes, notably including €1 million for the N70 Laharn to Muingaphuca scheme; €1 million for the N71 Releagh to Letterduane Scheme; €0.5 million for Muckross Road, Killarney; €400,000 for Milltown Village and €450,000 for the N70 at Castlecove. An additional €1 million was secured for maintenance works to the National Road Network. The total funding received in 2014 was €14.66m from the NRA for National Roads.

The initial grant allocation from the Department of Transport in 2014 was €12.74 million for non-national roads in the County and €661,800 for roads in the charge of the former Town Councils. However additional funding of €507,531 was subsequently secured under the Road Restoration Improvement Program and €440,037 for works under the Community Involvement Scheme. The total funding received from the Department in 2014 was €14.84 million.

Kerry County Council are still awaiting details of funding from the Department of Transport for the non-national road network (Local and Regional Roads) for 2015, and members will be informed when details are available. In accordance with the provisions of the Local Government Reform Act 2014, the Council will be developing the Schedule of Municipal District Works for consideration by the members. This will incorporate the Roads Program for each Municipal District when we have full details of the allocations.

Storm Damage Funding

Following the assessment of damage caused by the storms in early 2014, the Council made a submission for €21.74 million for repairs to infrastructure and strengthening works, particularly to coastal infrastructure. The Council received a funding allocation of €3,314,292 for the repair of damaged infrastructure and this funding was expended in full and recouped from the relevant State Agencies as follows - €1,422,836 from the Department of the Environment, Community and Local Government; €575,291 from the Department of Transport, Tourism and

Minutes January 2015

Sport; €109,891 from the Department of Agriculture, Food and the Marine and €1,206,274 from the Office of Public Works.

Update on Gateway Scheme

Within the Local Government commitment to promote this Gateway Scheme, Kerry County Council were assigned responsibility for the engagement of 80 placements.

As of 19th January 2015, a total of 72 placements will be in place across the County in various Council services.

The experience of the scheme to date has been positive - both the employer experience and indeed from the participants. We believe that the scheme is also yielding benefits in the areas where placements have been in place.

The remaining placements are planned to be filled in the coming weeks. They primarily refer to placements where we had some difficulties in getting candidates - the towns of Caherciveen, Dingle and Kenmare. We had a low level of referral in Caherciveen and Dingle and in Kenmare we received no referrals from the Department of Social Protection. We are working with Social Protection to try and secure sufficient candidates and referrals to fill placements in these areas. The scheme provides for self-referral and the Council would welcome any such self-referrals to Social Protection for these areas.

Update on "Keeping Communities Safe" - Implementation in Kerry

An Annual Service Development Plan has been prepared and is being implemented to the template/format set out in Keeping Communities Safe and a draft Section 26 Plan has been submitted to the National Directorate.

An External Validation Group (EVG) from NDFEM visited Kerry in mid 2014 to review and discuss all reports, processes and progress to date. The team comprised of the National Director for Fire and Emergency Management, Mr. Sean Hogan and the International Validating Adviser to NDFEM, Mr. Brian Sweeney. The comments received from the team were substantially positive and supportive of the work being undertaken.

During 2015 the following matters will be attended to as part of the Keeping Communities Safe Project in Kerry. We will develop a statutory plan and discuss with the relevant SPC regarding the components of Keeping Communities Safe in Kerry. It is envisaged that we will have a final plan forwarded to the National Directorate by year end 2015.

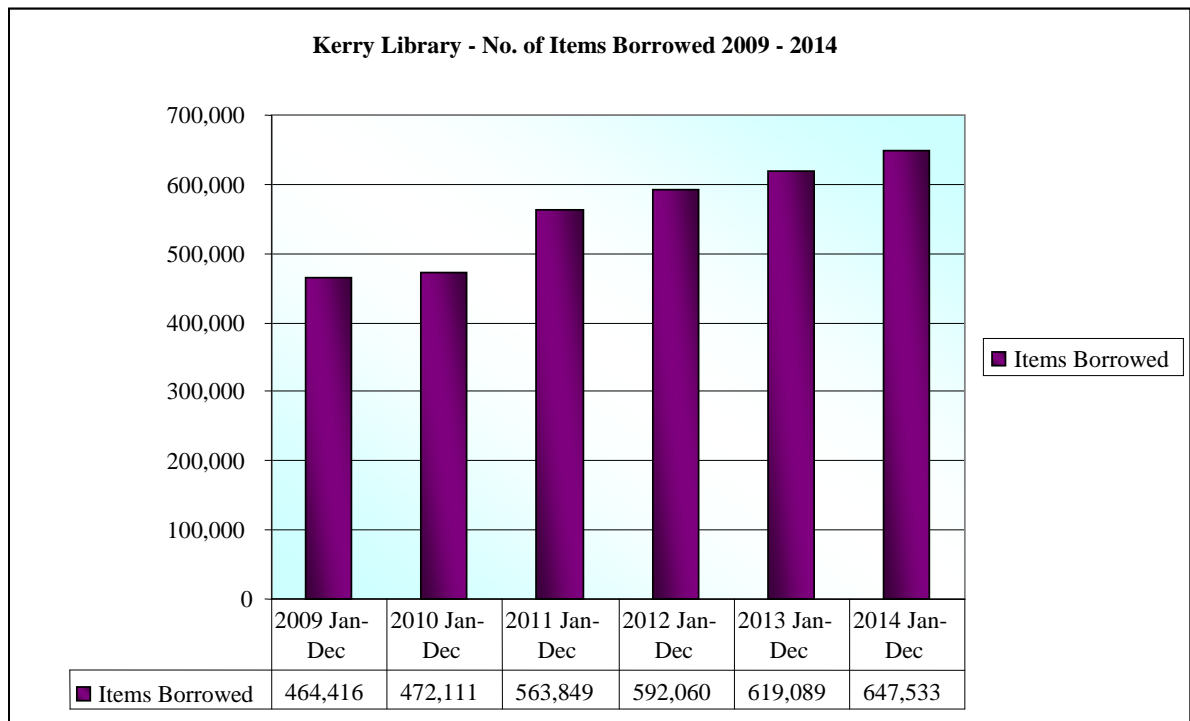
Our work on this initiative aims to develop a more resilient and safe community in Kerry and aims also to develop the skills required by individuals and communities to deal with weather and other related events in our County.

Library Service

2014 statistics show that a record number of **647,533 items were borrowed** from Kerry's libraries, an **increase of 5%** on the 2013 figure.

This is the **8th successive year** that the number of items borrowed has increased.

In addition, **435,010 individual visits** were recorded while **53,221 free internet sessions** were provided.



Performance of the Local Enterprise Office During 2014

- **Grant aid in the sum of €308,823** was approved in respect of **31 micro enterprises** with the potential to create **71 full time jobs and 11 part time/seasonal jobs**. This additional support will help **retain an additional 47 jobs** in supported businesses.
- A total of **€263,274 was actually paid in grant assistance** to businesses with a further financial commitment to businesses of **€210,381 is awaiting drawdown**.
- The Local Enterprise Office spent a sum of **€280,007 on the provision of a range of training initiatives**.

- **836 individuals** participated in events. These events include Business Start Up Training, Business Growth Training, Digital Marketing, IT skills, Design, Networking and One to One Mentoring.
- A range of other initiatives such as Coder Dojo, Ireland's best Young Entrepreneur, County Enterprise Awards and Schools Enterprise Programmes have been completed.
- **2015 training schedules** are currently under development and people can now book on line at www.localenterprise.ie/kerry
- A presentation on the operation of LEO will be given at the next round of Municipal District Meetings."

In conclusion the Chief Executive advised the meeting that the previous week An Taisce took legal proceedings and got permission from the High Court to seek a Judicial Review of An Bord Pleanála's decision to grant permission for the N86. The letter from the NRA reads as follows:

"I refer to the recent developments on the N86 scheme, whereby a further Judicial Review is to be taken against the scheme by An Taisce.

The Grant allocations for 2015 to Kerry County Council reflect the Authorities support for this scheme and the substantial efforts made by the Council to secure planning to allow it develop. In total €4.35m was allocated this year to progress the scheme in certain areas with further funding likely to be following in the coming years.

Indeed our commitment to the recently completed 4km scheme near Annascaul, illustrates how well the environment was sensitively dealt with, as well as providing a safer road environment for all road users.

The legal challenge is likely to have a considerable negative impact on activities proposed this year. In such an event, we have no option but to consider re-allocating these monies elsewhere in a timely fashion to allow their use and benefit to others.

We will await developments in the coming weeks to ascertain if this is necessary."

The Chief Executive said as a result of this development the €4.3m allocated for the N86 could be deducted from the allocation received from the NRA. The County Solicitor is considering the overall position in relation to the Judicial Review. This is very disappointing news given the negative impact it will have on a critical route in the county. In conclusion the Chief Executive said it is intended to defend the Council's position on this Scheme.

The Cathaoirleach thanked all Council staff who were out day and night in preparation for the storm and icy conditions.

Cllr. S. Fitzgerald expressed his disappointment that An Taisce is challenging An Bord Pleanála's decision in relation to the N86. This is very regrettable considering there was already a full Oral Hearing in Dingle. An Bord Pleanála initially refused permission but following a Judicial Review permission was granted. This road is extremely dangerous with large volumes of traffic including coaches. People want to walk and cycle this road but it is very dangerous for them. The new section of road from Annascaul to Dingle was very well received and gives an indication of what the improved road will be like. While driving the new section of road that morning he counted 15 people out walking and jogging and it is much safer for them now. The benefits of upgrading this road are both economic and social and it would give much needed employment. The entire project would cost approx. €70m and funding has been sought for this road for years. The section that was improved did not destroy the landscape but opened it up. Cllr. Fitzgerald called on An Taisce to withdraw their request for a Judicial Review. The Cathaoirleach was on Radio Kerry the previous Friday and he expressed the sentiments of the people of West Kerry. In conclusion Cllr. Fitzgerald asked who will pay for the Judicial Review.

Cllr. M. Gleeson said he has great affinity with Chorce Dhuibhne and this is a deplorable situation. He agreed with the views expressed by Cllr. Fitzgerald in relation to An Taisce and said if they are concerned for the county they should withdraw their request for a Judicial Review. Cllr. Gleeson expressed concern that there appears to be no funding for vital improvements to the road between Killarney and the county bounds. The roundabouts at Daly's and at Lissivigeen are in a dangerous state and unless something is done the economy of the county will suffer and there will be accidents. This artery to the county urgently needs to be upgraded and made safe.

Cllr. M. O'Shea said it was very disheartening to hear that An Taisce is seeking a Judicial Review of the proposed works on the N86 as the people of West Kerry are waiting for this road to be upgraded for years. When these improvement works are completed it will be worth a lot to the local economy. He asked why An Taisce got involved so late in the process and if they receive public funding they should come before the Council to answer their questions. An Taisce's request for a Judicial Review is denying the county of much needed funding and there would be greater employment in West Kerry if there was better access. Cllr. O'Shea called on the Cathaoirleach and the Chief Executive to invite An Taisce to a Council meeting to explain why their actions.

Cllr. D. Healy-Rae referred to the Social Housing Programme and said there is no mention of either building or buying houses in Killarney. There is a long social housing waiting list in Killarney and families cannot afford to rent as the rent allowance is not adequate as rents have increased. He asked that an application for funding would be submitted to the Department to allow houses to be built in the towns and villages where the Council owns land. Cllr. Healy-Rae expressed his disappointment at the challenge by An Taisce to the N86 and said Management proposed An Taisce would have a representative on the LCDC. He asked was that the correct decision in light of this development and also of the hardship they

cause by objecting to planning applications. Cllr. Healy-Rae said he did not agree should be represented on the LCDC while IRD Duhallow is not. Cllr. Healy-Rae asked that an application for funding for local/cul de sac roads would be submitted and that the Department would be requested to reinstate funding for the LIS. He PROPOSED that the Department would be requested to meet with a deputation from Kerry County Council with a view to securing funding for Class III roads as many of these roads are in a dreadful condition. In relation to the Gateway Scheme Cllr. Healy-Rae asked if this Scheme will result in additional work for the supervisors.

Cllr. D. Grady concurred with the views expressed by Cllr. Gleeson in relation to the condition of the road from Killarney to the county bounds. There is a crisis in Killarney in relation to housing and the only option now is the RAS Scheme but applicants must be on rent allowance for 18 months to qualify. Funding was allocated for the construction of 8 houses in Killarney in 2014 but they have not commenced and this is unacceptable. Cllr. Grady said a group in Killarney want to set up a Committee to address homelessness and he had arranged a meeting with an official from the Housing Department but it did not go ahead. He welcomed the funding provided for the purchase of 6 houses for persons with disabilities on the housing list but asked if tenants who are in urgent need of more suitable housing would get a transfer to these houses. He was aware of one family, who have a child with a disability, who have been trying for the past 6 or 7 years to get a transfer to a more suitable house. Cllr. Grady asked what type of jobs are being created in Kerry County Council under the Gateway Scheme and said this Scheme provides cheap labour for some companies.

Cllr. J.F. Flynn referred to the recent improvements to the N70 Laharn to Muingaphuca road and said there is some outstanding work i.e. entrances to driveways, provision of a crash barrier etc. and he asked when these works will be completed. In relation to the Storm Damage Fund he asked if funding will be provided to the people of Incharee who are very concerned as there will be a high tide in the coming days and they are afraid their homes will be flooded again. Cllr. Flynn PROPOSED that the NRA would be requested to meet with the Council as there was no progress on the issues raised with them through Notices of Motion.

Cllr. J. Healy-Rae said An Taisce is depriving the county of €4.4m in funding for the N86 and he asked if this will be spent elsewhere in the county. He welcomed the allocation of €450,000 for the N70 at Castlecove but said €45m would not be adequate to bring the Ring of Kerry up to a proper standard. He asked that the €4.4m would be spent on the Ring of Kerry even though he would prefer if it could be spent on the N86. Cllr. Healy-Rae said he was undecided if the Gateway Scheme is of any real value. It is costing Kerry County Council but if it allows people to upskill it would be acceptable. He asked if this Scheme would have an impact on the number of temporary staff to be taken on this year. He pointed out that some of the temporary staff worked with the Council for the past 10 years and it is time they were made permanent. He was informed each area will only be allowed to take on three temporary staff this year. The progress made in upgrading libraries is very welcome and he hoped the open libraries would come to pass. Many local roads are in an abysmal state and the school bus and milk

lorry are refusing to travel some roads in the Kenmare area as they are in such a bad state of repair. It is time these roads were prioritised. The road from Sneem /Kenmare/Kelly's Cross is not being salted at present while similar category roads are. There were 11 accidents on the road from Pat Spillane's to Loo Bridge the previous day. The School Bus failed to travel out of Sneem that morning because of frost. Cllr. J. Healy-Rae requested that these roads would be salted in future.

Cllr. J. Moloney said the Roads Programme is up to 2016 and when it was drafted the Town Councils were in place. In 2014 Listowel got a block road grant of €191,000 and he asked if the abolition of the Town Councils will be taken into account and will the Roads Programme be expanded to take account of this.

Cllr. S. Locke agreed with the views expressed by previous speakers in relation to the Gateway Scheme and said it is only a means of taking people off the live register. This Scheme will not provide permanent jobs and it would be more acceptable if temporary staff were made permanent. He welcomed the additional allocation of €200,000 for housing grants but said it is still not adequate. At present the Housing Department is allocating grants based on applications received in 2012 and the additional allocation will only fund the adaptation of an additional 20 to 30 houses. He asked that an application would be submitted for additional funding due to the high volume of applications.

Cllr. P. Connor Scarteen thanked the Council for their PR efforts to advise the public of the condition of roads in the county in recent days. At the weekend he drove to Temploe and two cars were in the ditch due to icy road conditions. This road should be salted to Sneem. Cllr. Connor-Scarteen welcomed the additional allocation of €200,000 for housing grants and added that further funding is required to address the backlog of applications on hand. He welcomed the funding for the purchase of 6 houses for persons with a disability. While Cllr. Connor-Scarteen welcomed the additional funding received for roads in 2014 he said additional funding is required for the Ring of Kerry road. He asked that the Council would liaise with local businesses when carry out this work as it is sometimes done during peak season and business people would prefer if it was done off season. Cllr. Connor-Scarteen referred to An Taisce's request for a Judicial Review of An Bord Pleanála's decision to grant permission for improvements to the N86 and said members are always seeking to improve access to all parts of the county and it is essential that this project proceeds. He asked that a strong message would be sent to An Taisce calling on them to withdraw their request for a Judicial Review.

Cllr. J. Finucane acknowledged the work of the NRDO Office who had plans in place that allowed the Council to avail of an additional €4m in funding in 2014. He asked when the LEO Offices will relocate to the main building. As Mayor of the Tralee Municipal District he was deeply concerned that the improvements to the N86 have been impeded. He PROPOSED that the Cathaoirleach and the Chairs of the Municipal Districts would meet with local representatives of An Taisce and ask them to withdraw their request for a Judicial Review as their actions are having a significant impact on the economy of the county.

Cllr. P. McCarthy SECONDED this proposal.

Cllr. M. Cahill said he wanted to bring the Council's attention to a major slippage at the Cliff Road in Rossbeigh in recent days. There are 14 houses on the road and a Council unit and he asked that this would be addressed. He asked if funding was secured to address the flooding problems at Incharee and Cromane as these areas are low lying and at risk of further flooding when there will be high tides in the coming days. If the high tides are accompanied by a storm these areas will be flooded again. Members requested a meeting with the OPW but they would not agree to it and members then requested a meeting with the Minister. He asked if a response was received to this request. It is time that the housing construction programme recommenced and he would like to see progress in this area. Cllr. Cahill referred to funding from the NRA for road works in towns and villages and suggested that this work should commence late in the evening and continue into the night. The delays experienced in Milltown, when improvement works were ongoing, were not acceptable. He welcomed the allocation of €450,000 announced recently for Iveragh Road, Killorglin but said the works could cost double that amount. He asked that the works would be carried out prior to the tourist season.

Cllr. J.J. Culloty said the road from the county bounds to Killarney is in a very poor condition and urgently needs attention. This is also the case with many minor roads. A farmer offered to remove a ditch on a local road to facilitate the widening of a road by the Council but he was informed funding was not available for this work. No funding is being provided for these roads and they are deteriorating to such an extent that they will not be passable. Residents on these roads pay charges and taxes like everyone else and something must be done to improve these roads. Cllr. Culloty thanked Council staff for their work in salting roads during the recent cold weather and he also thanked Padraig Corkery for his concise updates on the condition of roads on Radio Kerry. This was very helpful to motorists.

Cllr. D. Quigg supported the views expressed by previous speakers in relation to the N86 and called on An Taisce to withdraw their objection. He referred to the Ambulance Service and said the turnaround times are not great and need to be improved. It takes longer to get to A&E because of the poor condition of many roads in the county. The sub contractors working on the N70 are not there every day and that is still a problem. Work in Milltown is not finished and he asked that when contracts are being awarded consideration would be given to the number of jobs a contractor has ongoing and the amount of plant they have available.

Cllr. P. McCarthy asked, of the 72 Gateway jobs, how many are in Operations.

Cllr. B. Cronin supported the Cathaoirleach's position in relation to An Taisce and said at the meeting he should point out the consequences of their actions for the county and ask them to withdraw their objection. Funding for housing grants for the elderly are critically important and he welcomed the additional funding. There is a huge backlog of applications and this Council is one of the best local authorities to administer this Scheme. He welcomed the funding allocated for the

Muckross Road and said as this is a very important tourist route a lot of consideration must be given to the timing of the work and traffic management while the work is ongoing. There is no direct funding for local roads or for the LIS. There are 140 roads presently on the LIS list and at least 200 to 300 waiting to apply. Funding for this vital scheme must be reinstated and he asked that a letter to this effect would issue to the Department. Cllr. Cronin asked if applications for single rural houses are now being processed.

Cllr. T. Ferris referred to the grant aid of €308,823 allocated by the LEO in 2014 in respect of 31 micro enterprises with the potential to create 7 full time jobs and 11 part time/seasonal jobs and said this gives employees greater prospects than Gateway. She checked the jobs website recently and three jobs were for the Job Bridge Scheme while four were for the Gateway Scheme. These are not real jobs and those taking part are not getting paid enough. She asked, of the 72 placements under the Gateway Scheme, how many are in Operations. Some local authorities are employing people under the Gateway Scheme for Operations only and they could be open to discrimination claims. Some people are interested in jobs in administration. The use of libraries is up 8% for the 8th consecutive year yet participants in the Gateway Scheme are not placed in this service area where the demand is increasing. Cllr. Ferris said the Gateway Scheme is slave labour and participants are expected to work for an additional €20 per week and she doubted that people attending the briefings will self refer. An application for funding of €21m was submitted for storm damage yet just €3m was allocated. She asked what does this mean for areas where infrastructure needs to be protected. Cllr. Ferris welcomed the additional funding for the purchase of 6 houses for people with a disability however; she said she was deeply concerned there are 65 vacant local authority houses. She could not see the logic in the State not funding the repair of these houses while they pay so much to private landlords. She asked that priority would be given to housing single middle aged males and said it could be construed the Council is discriminating on the basis of their family status. There is a huge problem with the working poor who do not qualify for rent allowance. Cllr. Ferris said there are unacceptable delays in dealing with applications for RAS. There were almost 70 cases of home reposessions before the Court prior to Christmas and these families will have to be accommodated.

Cllr. P. Daly said the Government policy of facilitating private landlords instead of building houses is bound to fail. He asked that the funding for the N86 would be used on another part of that road i.e. the Blennerville to Camp section of that road is dangerous and he asked that cycle/walking lanes would be included. The High Court granted permission to An Taisce to take a Judicial Review and they feel there is merit in the argument that an EIA was not carried out. Cllr. Daly said it appears strange that an EIA was not carried out.

Cllr. A. Thornton referred to the housing programme and asked when the analysis would be completed and the submission made to the Department. Those on the housing list are vulnerable and she asked that the making of the submission would be speeded up if possible. She welcomed the funding allocated for roads and asked if funding could be sought more aggressively from the NRA. She requested that members would be provided with a list of submissions made to the NRA for

funding and she asked who prepares these submissions. In recent years 5 or 6 new housing estates were built in Lixnaw village yet the water treatment plant was not upgraded. From her discussions with Irish Water that morning she understood it was in the remit of Kerry County Council to provide an Asset Needs Brief to Irish Water on this Scheme.

Cllr. M. Kennelly concurred with the views expressed by Cllr. Finucane in relation to the N86 and agreed a meeting should be arranged with An Taisce. He commended Kerry County Council and Pdraig Corkery for the excellent service provided to the public last week when the code red storm was predicted. Cllr. Kennelly said his biggest concern is funding for roads. William Street in Listowel is in a dreadful state and 60% of roads in North Kerry are on poor surfaces. If emergency funding is not provided to improve these roads up to 40% of them could be lost. He was advised that signs would be erected to advise motorists to slow down but that is not acceptable to him. He asked that the NRA would be invited to see the appalling state of William Street which is embarrassing. Last Saturday the people came out in support of the business people in William Street. He asked that members would be kept updated on any developments in future as this is not happening at present. He accepted that funding has now been promised for William Street and Tarbert but unfortunately the work will not commence until late 2015. He lobbied for this funding and Minister Deenihan was responsible for securing it. Cllr. Kennelly asked that the Design Plan would be drawn up immediately and that the works would be completed by June.

Cllr. R. Beasley said in relation to housing he got the impression a few years ago there were plenty of houses in the county for everyone but that is not the case. There is an urgent need for housing in particular for single males. Many roads are in a very poor state of repair and are only being patched. Cllr. Beasley said during the storms last winter dozens of houses in the Cashen were flooded and there is concern there will be further flooding. Unfortunately funding was not allocated for the Cashen and the residents there asked that the wall would be raised but this has not happened. Many of these residents are elderly and if something is not done to protect these houses from flooding the Cashen village will be washed away.

Cllr. J. Sheahan supported the views expressed by Cllrs. Fitzgerald and Finucane in relation to the N86. It is vitally important there is good access to all parts of the county and he hoped the meeting with An Taisce would be fruitful and that a solution can be agreed. He welcomed the funding allocated for the Muckross Road which will be very beneficial and cycle lanes and walking lanes will be provided as part of this scheme. He welcomed the improvements to the N72 at Gortahaneboy but said there were a number of accidents on a section of approx 200m to 300m of this road. He asked when the results of the tests on this section of road would be available and when would works commence at this location. Cllr. Sheahan asked when the application forms for the CIS would be available. Many rural roads are in a poor state of repair and funding for LIS should be reinstated. He thanked Kerry County Council and Pdraig Corkery for the regular updates on Radio Kerry on road conditions and said this was very beneficial for motorists.

Cllr. N. Foley concurred with the views expressed by Cllr. Finucane and said she hoped there would be a positive outcome to the meeting with An Taisce. She wanted to be associated with the compliments paid to Council staff, including Pdraig Corkery, for the updates on roads conditions etc especially during the recent storm. The storm last February was very serious and she acknowledged there was no choice but to close schools the previous week. She commended the Library Service on the increase in the use of their service for the eight consecutive year. She complimented the staff on the self service check out used in the Library and she PROPOSED that a letter would issue to the staff acknowledging the strides they have made in recent years. Cllr. Foley then referred to the LEO and said with an investment of €300,000, 71 jobs were created and she PROPOSED that a letter of acknowledgement would issue to them also. She welcomed the prioritising of single and older people for housing and the funding received to purchase houses for people with a disability. In conclusion Cllr. Foley asked if the 2015 Housing Allocation was received.

Cllr. D. Nolan referred to the funding provided to purchase houses for people with a disability on the housing list and said a number of people who needed adapted housing went on RAS. She asked that they would be allowed onto the Transfer List and she asked if this area has been identified for investment. Cllr. Nolan referred to the Gateway Scheme and the new areas that participants are being assigned to and said members were assured they would not displace workers.

Cllr. M. O'Shea referred to comments in relation to works at Milltown and said prior to the commencement of the works the surface was very poor. He thanked Mr. O'Sullivan for securing funding for this work. He acknowledged there is a disturbance for the business people while this work is ongoing but said the contractors accommodated them where possible. There is one road into and out of Milltown and this work can only be done by day. There are 70 residents in Milltown and they are mostly elderly and for this reason the work cannot be done by night.

The Chief Executive informed members that the 2015 Housing Allocation was not yet received. A Housing Strategy will be prepared and presented to Council. The Council has some sites where there is planning and these will be given priority. There has been no housing construction programme for a number of years and a case will be made to the Department to have a Housing Construction Unit. In preparing the Strategy regard will be had to (1) the profile of the people on the housing list, (2) the locations where we have land and are paying loan charges and (3) vacant properties. In relation to the N86 funding is provided by the NRA and a case will be made to retain that funding in the county. However the letter from the NRA stated *"the legal challenge is likely to have a considerable impact on activities proposed this year. In such an event, we have no option but to consider re-allocating these monies elsewhere in a timely fashion to allow their use and benefit to others."*

We will await developments in the coming weeks to ascertain if this is necessary."

The Chief Executive assured members that a strong case would be made to have this funding retained in the county but she pointed out this funding was for a specific project. This Scheme stood up in a Judicial Review already and she was satisfied that our processes and procedures were robust. The Chief Executive then suggested that she would write to An Taisce requesting a meeting with herself and the Cathaoirleach to discuss this matter further.

The members agreed with this suggestion.

Ms. Murrell pointed out that the Gateway Scheme was agreed with the Unions and said it presented an opportunity for in excess of 70 people in Kerry to acquire new skills. Most of these positions are in Operations and participants get a range of training including health and safety. Following their participation in this Scheme they are better equipped to secure employment and she hoped the Council will be allowed to recruit staff in the near future. Five participants in Gateway would start work in the Library that day and the Scheme does not allow them to replace staff but to be additional to existing staff. Ms. Murrell said the Council must be mindful of our agreement with the Unions. She did not agree that the participants do not benefit from the Gateway Scheme. She referred to members queries on the salting of certain roads and said she would ask the Director to consider this issue.

The Chief Executive agreed that it is important to relocate the LEO into the main building and said it is hoped that will happen by the end of February. She thanked members for their complements in relation to the work of the Council during the recent bad weather. When there is a red alert appropriate action must be taken. She acknowledged the work of all staff across the organisation during recent weeks and the inter agency approach worked well. She acknowledged the role Radio Kerry played in keeping the public informed during these events. Ms. Murrell said she noted the areas specifically raised by members in relation to national roads and she assured members that a strong business case would be made to the NRA for funding. A Special Roads meeting will be held when the Roads Allocation is received. In conclusion the Chief Executive referred to the comments in relation to the nomination of a representative from An Taisce to the LCDC and said that person is a very valued member of the LCDC and they make a valuable contribution to that Committee.

Cllr. D. Healy-Rae said he proposed that a deputation would be sought with the Minister in relation to the reinstatement of funding for the LIS.

Mr. C. O'Sullivan said when the Roads Allocation for 2015 is received the Roads Programme will be presented to Council for consideration at a Special Roads Meeting. He assured members that he took their concerns on board and in some instances they were successful in getting funding and their efforts to secure additional funding will continue. Funding for roads is received under different categories and the Restoration and Improvement Programme runs till 2016. The Council also receives discretionary funding. Previously the Town Councils got block funding which was discretionary and he undertook to make a case for discretionary funding for the three former Town Council towns in 2015. Generally the Roads Allocations are received by the end of January and he expected to

receive some discretionary funding. When the 2015 Allocation is received Mr. O'Sullivan said he would meet with the members for each of the Municipal Districts to establish their priorities and the Programme will then be considered at a Special Roads Meeting. A case was made to the NRA for funding for the N22 from the County Bounds to Killarney but they do their own assessments. Kerry received 8.5% of the national funding in 2014 and he felt this was reasonable. The difficulty is that the NRA is funded by the national exchequer and their funding is limited. Mr. O'Sullivan said the outstanding works at Inchaphuca will be completed. The previous Thursday he received a letter from the Department in relation to William Street when the Council was requested to do a design proposal for submission to the Department. The indication is that funding for improvements to William Street will be made available and the works should commence in 2015.

The Cathaoirleach requested that a letter would issue to the NRA seeking a meeting with them and if the response is positive Council can then decide what members will go on the deputation.

Cllr. J.F. Flynn said his preference would be for the NRA to meet with the full Council.

15.01.19.04 Issuing of Ethics Declaration Forms

Mr. G. O'Brien referred members to his report, dated 13th January, 2015 on this item which was circulated. He briefed them on the report and said revised Guidelines and forms are awaited from the Department and they will be circulated once received. Members who were members for the full year in 2014 must complete the declaration for the full twelve months while those elected in June would complete the declaration in respect of the period 1st June to 31st December 2014.

It was unanimously agreed to note the issue of Annual Declaration Forms in accordance with Part 15 (Ethics) of the Local Government Act 2001.

15.01.19.05 Naming of the Road between the Oakpark Road and the Killeen Road

Mr. C. O'Sullivan referred members to his report dated 7th January, 2015 on this item which was circulated and he briefed them on the report.

On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. T. O'Brien it was unanimously agreed to name the road between the Oakpark Road and the Killeen Road the 'Old Killeen Road / Sean Bhóthar Cilín'.

15.01.19.06 Dedication of Phase 1 of the new Eastern Relief Road in Kenmare.

Mr. J.D. Flynn referred members to his report dated 13th January, 2015 on this item which was circulated and he briefed them on the report.

Cllr. S. Fitzgerald PROPOSED that Phase 1 of the new Eastern Relief Road in Kenmare would be dedicated in honour of the late Mr. Pat O'Connor-Scarteen, former Member of Kerry County Council, Senator and TD.

As Cathaoirleach of the Municipal District of South and West Kerry, Cllr. M. O'Shea said this issue was discussed in detail by the members for the Municipal District of South and West Kerry and following a vote it was agreed to recommend to the full Council that Phase 1 of the New Eastern Relief Road, Kenmare would be dedicated to honour Mr. Pat O'Connor-Scarteen, former Member of Kerry County Council, Senator and TD. He SECONDED Cllr. Fitzgerald's proposal.

Cllr. Ferris said in the past members of the Tralee Electoral Area agreed to dedicate a road to a former politician and it was a democratic decision. However the residents in the area objected and at that time she proposed that all future dedications would in the first instance be put out for public consultation. She accepted that this is a democratic decision but said residents should be given a say and should be consulted. The majority of dedications are in respect of former politicians but there are other people in communities who contribute equally. Cllr. Ferris supported Cllr. J. Healy-Rae's motion which relates to the dedication of this road.

As Chair of the Operations, SPC Cllr. J. Sheahan PROPOSED that the procedures for the dedication/naming of roads and roundabouts would be revised.

Cllr. J. Healy-Rae then moved Notice of Motion No. 26.

26. Naming of the Inner Relief Road in Kenmare.

Pursuant to notice duly given Cllr. J Healy Rae PROPOSED

That the naming of the Inner Relief Road in Kenmare be put out to public consultation for the people of Kenmare and it's environs to decide what it would be called as this is what the people of Kenmare want.

The following reply issued:

In accordance with existing Council procedures, this matter was dealt with at the last meeting of the members of the Municipal District of South & West Kerry, held on the 27th November 2014. A report has been circulated to the members as the matter is listed on the Council Agenda for today's meeting for the Members' consideration.

Cllr. J. Healy-Rae said a proposal was presented to the members of the South and West Kerry Municipal District to dedicate this road to Pat Connor-Scarteen at their last meeting. While he has nothing against the Connor-Scarteen family he felt he had to put down a counter proposal to dedicate the road to the now, late, Jackie Healy-Rae. At that time he felt it was inappropriate to name the road when just Phase 1 was constructed. Unfortunately Jackie Healy-Rae passed away since that meeting but he was responsible for securing the funding for this road. Cllr. Healy-Rae said the public should have a say in the naming of a road. The

Kenmare Chamber of Commerce asked that an online vote would be taken on it and he would prefer if the people of Kenmare had their say. He asked that a vote would be taken on his motion.

Cllr. D. Quigg **SECONDED** the motion.

Cllr. M. Gleeson said it is sad that nothing in this life is more important than naming a road. There are other more important Notices of Motion on the Agenda. It was his privilege, in recent years, to propose that the roundabout at Lissivigeen would be dedicated to Gillian O'Sullivan while the three roundabouts in Castleisland are dedicated to three great sportspeople. He spent from 2012 to 2014 fighting for local democracy but the then Minister, Phil Hogan, rejected his pleas. The strongest form of local democracy is now the Municipal Districts and decisions taken by the members of the Municipal Districts are democratically taken on behalf of the people who elected them and their decision should be respected by the community and the Council. If there was public consultation in relation to the Lissivigeen Roundabout he did not know who would be consulted. The decision taken by the members of the South and West Kerry Municipal District was a democratic decision and should be upheld by the full Council. He **PROPOSED** that the recommendation of the members of the South and West Kerry Municipal District would be adopted.

Cllr. P. Daly said he would prefer not to be put in this position where members must vote for one former councillor over another. He suggested it would be more appropriate that the SPC would recommend that the road would be called after a townland or something that happened in the area. He did not believe a plebiscite would be appropriate.

Cllr. T. O'Brien said he was not comfortable voting on this proposal. If a recommendation was made by the members for a Municipal District that should be respected. He agreed that the SPC should revise this policy as soon as possible.

Cllr. D. Grady said he has great respect for Jackie Healy-Rae and it is unfortunate members are being asked to choose between two former members of the Council. He suggested that it would be referred back to the Municipal District for further consideration.

The Cathaoirleach said the item on the Agenda reads "*To consider the dedication of Phase 1 of the new Eastern Relief Road in Kenmare, between the Killowen Road and the Railway Road in honour of the late Mr. Pat O'Connor-Scarteen, former Member of Kerry County Council, Senator and TD.*"

Cllr. D. Healy-Rae said he has the highest regard for the Scarteen family and he did not agree that this should be a confrontational issue. He was very disappointed that when Jackie Healy-Rae was in hospital he could not tell him the Inner Relief Road would be named after him. However Jackie's memory is not dependant on a plaque as he achieved so much he will always be remembered by the people. His family rely on the people and in 1997 when Jackie stood as an independent candidate for the Dáil the people elected him. The Chairperson of the

Kenmare Chamber of Commerce has asked that the people of Kenmare would be given a say in the naming of this road. However, if this cannot happen and the procedure must be followed he would accept that. If the people of Kenmare are given a say they may not decide to dedicate the road to any politician.

Cllr. B. Cronin said this is an unfortunate saga. A decision was taken by the members for the South and West Kerry Municipal District and the report circulated states that the members agreed that the 2nd Phase of the Relief Road will be dedicated to whoever is unsuccessful on this occasion. At the December Meeting members agreed to dedicate the Council Offices and Library in Killorglin to honour Timothy 'Chub' O'Connor. He pointed out that the members for this Municipal District were democratically elected and are entitled to make this decision. Cllr. Cronin then referred to the Book of Condolence and expressed concern that when he wants to put down a vote of sympathy for a good friend or neighbour he cannot do so as it is already entered in the Book by another councillor. He wanted that abuse to end and he PROPOSED in future each member would be restricted to proposing two votes of sympathy and that the Book of Condolence would only be available in the Chamber when the meeting commences.

Cllr. S. Fitzgerald SECONDED this proposal.

The Cathaoirleach said this issue would be referred to the CPG for consideration. The item on the Agenda is proposed by Cllr. Fitzgerald and seconded by Cllr. O'Shea.

Cllr. J. Healy-Rae called for a vote to be taken on his motion.

The Cathaoirleach said a vote would be taken on the Agenda item and if that is defeated a vote would be taken on Cllr. Healy-Rae's motion.

Mr. G. O'Brien clarified that the vote would be taken on the Agenda item which reads as follows: *"To consider the dedication of Phase 1 of the new Eastern Relief Road in Kenmare, between the Killowen Road and the Railway Road in honour of the late Mr. Pat O'Connor-Scarteen, former Member of Kerry County Council, Senator and TD."*

The vote was taken which resulted as follows:

For: Cllrs. Cahill, Connor-Scarteen, Cronin, Culloty, Finucane, Fitzgerald, Flynn, Foley, Gleeson, Grady, Kelleher, Kennelly, P. McCarthy, McEllistrim, Moloney, O'Brien, O'Connell, O'Shea, Purtill, Sheahan, Spring, Thornton, Brassil **(23)**

Against: Cllrs. Beasley, Ferris, D. Healy-Rae, J. Healy-Rae, Quigg **(5)**

Not Voting: Cllrs. Daly, D. McCarthy, Nolan **(3)**

The Cathaoirleach declared the proposal CARRIED.

Cllr. D. Healy-Rae referred to the Book of Condolence and said if a councillor puts down a vote of sympathy another councillor can do likewise for the same person.

Mr. J.D. Flynn said he understood members wanted the procedure for the naming of roads to be reviewed by the Operations SPC. In that case he asked that members would agree not to submit proposals for the naming of roads until the new procedure is adopted.

This was unanimously agreed.

15.01.19.07 Update on the establishment of a Joint Policing Committee

Mr. J. Breen referred members to his report dated 13th January, 2015 on this item which was circulated. He briefed members on his report and said the most significant changes to the guidelines reflect both the new local government arrangements and a strengthening of strategic and collaborative functioning within each Committee. The purpose of JPCs is to provide a forum where a local authority and the senior Garda officers responsible for the policing of that area, with the participation of Oireachtas members and community interests, can consult, discuss and make representations on matters affecting the policing of the area.

The guidelines emphasise that it is essential that JPCs take a strategic approach to their work so that issues arising can be dealt with in a considered and properly coordinated manner. The guidelines require the committees to be more than an exchange of views on Garda & local authority reports and their work is to be based around a 6 year strategic plan designed to link with the Local Economic & Community Plan for the area and an Annual Plan which will include objectives derived from the relevant Annual Policing Plans.

The membership of the JPC shall be as follows:

- | | |
|-----------------------------------|----|
| • Local authority elected members | 15 |
| • Oireachtas elected members | 5 |
| • Local authority officials | 2 |
| • An Garda Siochana | 2 |
| • Community | 7 |

Mr. Breen briefed the meeting on the requirements for local authority membership and outlined the number of seats assigned to each political party. He also outlined the breakdown based on Municipal District. He said all nominations will be available for the Council at the February meeting so that the Committee can be established and convene its first meeting in late February/early March.

Cllr. N. Kelleher expressed concern that Rathmore and Gneeveguilla are governed by the Cork North West Garda Division and said he would like to see that area represented on the JPC by both the community and the Gardaí. He asked that this would be taken into account when the JPC is being established.

Cllr. J. Finucane said he served on the last JPC and he had a number of concerns. The dates for meetings were being constantly changed to facilitate Oireachtas members and he would like to see stronger Garda representation as the JPC should be dealing with policy and the enforcement of law and order. The JPC should highlight the lack of resources for the Gardaí if necessary. In future if the date for a meeting is set it should not be changed.

Cllr. S. Locke said he had reservations in relation to the representation from the Tralee Municipal District. He was a member of the Tralee Town Council JPC for the last 6 years but he is now excluded from the new structure. He is the only councillor running 5 day clinics and he raised many issues at the JPC that were highlighted to him at these clinics. He was very concerned that he is being excluded and he asked that this would be addressed.

Cllr. D. Grady said it is important for the community that members can raise issues with An Garda Síochána. He submitted a motion for the February Council meeting asking that the Kanturk Garda Division would be given representation on the JPC in Kerry.

Cllr. P. Connor Scarteen said he was Chair of the JPC for a number of years and it was difficult to agree dates for meetings as they were constantly changing to facilitate Oireachtas members. Oireachtas members should be informed that meetings will be held on a Monday or a Friday and once a date is agreed it will not be changed. The Chief Superintendent was very accommodating in changing the dates for meetings. He suggested that the JPC should focus on a few issues only and he emphasised the need to tackle crime. The input of elected members is helpful to the Gardaí.

Cllr. T. Ferris said she hoped this JPC would focus on the development of policy and actions to deal with crime rather than just being a talking shop. She would not like to see this process started with exclusions and if members agree to give up some time on the JPC no member would be excluded.

The Cathaoirleach said it is proposed there would be four members for the Municipal District of Tralee and these are Cllrs. McEllistrim, McCarthy, Daly and Spring. He asked if these members would be willing to give up some of their time on the JPC to facilitate Cllr. Locke.

Cllr. P. Daly said Cllr. Spring is on Tralee Chamber Alliance and he could represent that body on the JPC and allow Cllr. Locke to have his position.

The four members for the Municipal District of Tralee agreed to share representation on the JPC with Cllr. Locke.

Cllr. Locke said he did not know if that would work as a member could be focussing on a particular issue when their time on the JPC is up and the issue could fall.

Mr. O'Brien then read the names of the members nominated to the JPC as follows:

Tralea: Cllrs. McEllistrim, McCarthy, Daly, Spring and Locke (to be shared by all five members). **(4)**

Killarney: Cllrs. Kelleher and Culloty to share, Cllr. Sheahan, Cllr. Grady, Cllr. Cronin. **(4)**

Listowel: Cllrs. Moloney, Kennelly, Nolan **(3)**

South & West Kerry: Cllrs. Flynn, Connor-Scarteen, Quigg, Cahill **(4)**

On the PROPOSAL of Cllr. B. Cronin, SECONDED by Cllr. J.J. Culloty it was agreed to note the establishment of the JPC and that the members listed by Mr. O'Brien would be nominated to the JPC.

Suspension of Standing Orders

The Cathaoirleach informed the meeting that it was 1.30pm and it would be necessary to suspend Standing Orders.

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

15.01.19.08 Development of the Second Cycle River Basin Management Plans

Mr. J. Breen referred members to his report dated 13th January, 2015 on this item which was circulated. This item was brought to member's attention at the December Council meeting. As outlined at that time, the Department of the Environment, Community & Local Government has published a Consultation Document in relation to the Timetable and Work Programme for the Development of the Second Cycle River Basin Management Plans and has invited responses in respect of this initial consultation to be received by 31st January, 2015. Mr. Breen briefed the meeting on Kerry County Council's draft response to the Consultation Document and invited member's comments.

On the PROPOSAL of Cllr. J.J. Culloty, SECONDED by Cllr. B. Cronin it was agreed to note the submission to the Department on the Timetable and Work Programme for the Development of the Second Cycle River Basin Management Plans.

The meeting adjourned for lunch at 1.35pm.

The meeting resumed at 2.15pm.

15.01.19.09 Draft Regional Waste Management Plan 2015-2021 for the Southern Waste Region

Mr. J. Breen said the Draft Regional Waste Management Plan is a substantial 300 page Plan and he circulated the link for it to members. At the November meeting he informed Council that public consultation had commenced and he would revert to Council with an analysis of the Draft Plan. He circulated the Executive Summary to members also. In 2001 Ireland was divided into 10 regions and since then there were two Waste Management Plans. The Regional Waste Management Plan is managed by the Regional Waste Management Office in Limerick. The Plan is underpinned by the following statement *“National Policy – A Resource Opportunity - local authorities undertaking their waste management planning responsibilities, guided by the programme of reform of local government structures which is currently underway, will significantly reduce the number of regional formations, (currently 10) to no more than 3”*. Mr. Breen then displayed a map of the country showing the three Waste Management Regions and said Kerry is in the Southern Region with Clare, Limerick City and County, Tipperary, Cork, Waterford, Kilkenny, Carlow and Wexford. The Southern Waste Region has a population of 1.5m with 10 local authorities. The joint lead authority is Limerick City & County Council and Tipperary County Council and they manage the Regional Waste Management Office. The advertisement for the pre-Draft Consultation was published on the 10th October, 2013 and submissions were accepted up to the 19th December 2013. At that time the Environment SPC discussed the public consultation. The public consultation process for the SEA commenced with a national advertisement on the 4th June, 2014 for a period of one month. A scoping Workshop was held on the 23rd June, 2014 for the statutory consultees. 6 non-statutory submissions and 5 statutory submissions were received and these were considered in the preparation of the SEA.

Part 1 of the Draft Plan sets out the background and emerging policies under the following heading:

- Introduction
- Regional Waste Planning Framework
- Policy and Legislation
- Emerging Policy
- Regional Waste Strategy
- Regional Profile

Mr. Breen said notification was received from the Department in late December that pay by weight must now apply to all waste presented at Civic Amenity Sites. Waste must be presented at the Civic Amenity Site the same way as it is at the kerbside. The strategic vision of the Regional Waste Management Plan is to RETHINK our approach to managing wastes, by viewing our waste streams as valuable material resources that can contribute to a healthier environment and sustainable commercial opportunities for our economy. There are three overall performance targets in the Draft Plan (1) Reduce Household Waste – the Plan Target is to achieve a 1% reduction per annum in the quantity of household waste generated per capita over the period of the plan. (2) Recycle More – the Plan Target is the preparing for Reuse and Recycling Rates of 50% of Municipal Waste

by 2020. Mr. Breen said in Kerry 60% of waste is recycled at present so we are ahead of this target. (3) Less to Landfill – the Plan Target is to reduce to 0% the direct disposal of unprocessed residual municipal waste to landfill (from 2016 onwards) in favour of higher value pre-treatment processes and indigenous recovery practices. This target is informed by EU legislation and will involve having an intervention before waste goes to landfill. The target in the last plan was 10% to 20% therefore the new Plan sets a high target in this area.

Part 2 of the Draft Plan sets out the Present Position under the following headings:

- Regional Waste Data
- Prevention and Reuse
- Household Waste
- Municipal Waste
- Packaging Waste and Other Priority Waste Streams
- Pre Treatment and Recovery Infrastructure
- Disposal Infrastructure
- Enforcement and Regulation

Mr. Breen then displayed a graph showing the % of household waste being directed for recycling/recovery and the % of residual waste going to landfill. He also displayed a graph showing the percentage of household on a collection service and said it is estimated there is 19,000 tonnes of unmanaged waste in Kerry. Part 3 of the Plan deals with Implementation under the following headings:

- Waste Projections
- Market Analysis and Infrastructure Planning
- Roles and Responsibilities
- Finances and Investment
- Policy Actions and Targets
- Monitoring and Reporting

The Plan supports the following:

- Careful consideration of existing approved and licensed treatment capacity in the authorisation of future capacity.
- Nationally – The provision of 300,000t of thermal treatment capacity for non hazardous and 50,000t for hazardous waste.
- Regionally – The provision of 40,000t of biological treatment.
- The development of indigenous reprocessing and recycling capacity for waste streams.
- The development of repair and preparing for reuse enterprises and will provide supports.

The main issues for Kerry are:

- Remediation of historic landfills and potential costs. There are 13 landfills in the county and it is estimated it will cost €8m to €14m for planned remediation of these and this will be subject to funding from the DoE.
- Assessment of licensed capacity in considering an application for a new facility.
- Overall financial implications re infrastructure and enforcement.
- The impact of the Household Waste Regulations.

Mr. Breen said the tag line of the Plan is “Do one more thing” with waste. The public consultation will conclude on the 30th January. Submissions must be made in writing and they will be considered in the preparation of the final Draft. It is intended that the final Plan will be published in April 2015. It is intended to make a submission on behalf of Kerry County Council which will incorporate member's views. Mr. Breen then called on Mr. Liam Quinlan to brief members on the main policy issues and infrastructure issues for Kerry.

Mr. L. Quinlan said the Waste Management Plan is not just strategy driven but it is also action driven. Kerry County Council will be working with the lead authority and will focus on the implementation of the Plan. Chapter 19 of the Draft Plan sets out the Policy Actions and Targets for the region and the policies of the plan are further expanded into implementable actions with associated timelines and measures of success. Mr. Quinlan then briefed the meeting on the Objectives and policies as set out in Chapter 19 as follows:

Strategic Objective 1

“The Region will implement EU and national waste and related environmental policy, legislation, guidance and codes of practice to improve management of material resources and wastes”.

The underlying policies to achieve this Objective are as follows:

- A.1 - Take measures to ensure the best overall outcome by applying the waste hierarchy to the management of waste streams.
- A.2 - Implement the polluter pays principle across all waste services and regulatory activities in a manner appropriately reflecting the risk to the environment and human health.
- A.3 - Contribute to the improvement of management performance across all waste streams through the implementation of policy actions and monitor progress towards national targets.
- A.4 - Aim to improve regional and national self-sufficiency of waste management infrastructure for the reprocessing and recovery of particular waste streams, such as mixed municipal waste, in accordance with the proximity principle.

Mr. Quinlan said Kerry is very fortunate to have Micheal Ó Coileáin, Environmental Awareness Officer who works with Schools, Businesses etc.

Strategic Objective 2

“Prioritise waste prevention through behavioural change activities to decouple economic growth and resource use”.

Mr. Quinlan outlined the underlying policies to achieve this Objective as follows:

- B.1 – Local authorities in the region will ensure the resources required to implement waste prevention activities are available through the lifetime of the plan.
- B.2 – Promote behavioural change and extend waste prevention activities through information campaigns, targeted training and local capacity building, working with households, communities, schools, business, and other public institutions.
- B.3 – Build and maintain a strong partnership with the National Waste Prevention Programme.
- B.4 – Harmonise prevention activities in the region to link with the national hazardous management plan, producer responsibility operations and other related programmes (such as litter, sludge, water etc).

Strategic Objective 3

“The Region will encourage the transition from a waste management economy to a green circular economy to enhance employment and increase the value recovery and recirculation of resources.”

The underlying policies to achieve this Objective as follows:

- C.1 – Establish reuse, repair and preparing for reuse activities and networks to recirculate and extend the lifespan of items.
- C.2 – Optimise the value of recycled and residual waste resources in the system to turn these materials into reliable sources of secondary raw materials for reprocessing and recovery.
- C.3 – Identify and promote the growth of secondary material markets and enterprises in the region through regional and local supports.
- C.4 – Contribute to the greening of public procurement in local authorities through the inclusion of resource efficient criteria in all tendering processes related to waste plan activities.

Strategic Objective 4

“Coordinate the activities of the Regions and to work with relevant stakeholder to ensure the effective implementation of objectives”.

The underlying policies to achieve this Objective are as follows:

- D.1 – The Lead Authority on behalf of the region will participate in the national waste co-ordination group and other national groups relevant to the implementation of the waste management plan.
- D.2 – The Lead Authority and local authorities will work together on the structures required to implement the waste plan, capacity building, training and knowledge share on delivering waste management activities.
- D.3 – Foster links and activities with relevant stakeholders including businesses and Industry Groups, NGO's and other relevant networks (including cross-bordering networks) to extend the reach of the plan.
- D.4 – Work with key stakeholders, including government and industry operators, on the funding of local authority waste activities in the region and co-ordinate applications for relevant national and European funding.

Strategic Objective 5

“The Region will implement a consistent and coordinated system for the regulation and enforcement of waste activities in cooperation with other environmental regulators and enforcement bodies”.

The underlying policies to achieve this Objective are as follows:

- F.1 – Enhance the enforcement of regulations related to household waste to ensure householders, including apartment residents, and owners are managing waste in accordance with legislation and waste collectors are in compliance with regulatory requirements and collection permit conditions.
- F.2 – Enforce all waste regulations through increased monitoring activities, and enforcement actions for non-compliance with authorisations and regulatory obligations.
- F.3 – Take measures to prevent and cease unauthorised waste activities by way of investigation, notifications, remediation requests or legal action as appropriate.
- F.4 – Improve the consistency of local authority waste authorisations and conditions issued to waste collectors and facility operators.

Strategic Objective 6

“Apply the relevant environmental and planning legislation to waste activities to protect and reduce impacts on the environment in particular Natura 2000 sites and human health from the adverse impact of waste generated”.

The underlying policies to achieve this Objective are as follows:

- G.1 – Ensure the highest environmental and human health benefits are achieved by prioritising the implementation of the upper tiers of the waste hierarchy and ensuring these actions are funded appropriately.
- G.2 – Rollout the plan for remediating historic closed landfills prioritising actions to those sites which are the highest risk to the environment and human health.
- G.3 – Ensure there is a consistent approach to the protection of the environment and communities through the authorisation of locations for the treatment of wastes.
- G.4 – Implement a co-ordinated approach to address unmanaged waste and the potential impact to the environment and human health.

Strategic Objective 7

“The Region will establish policy measures for other waste streams not subject to EU and national waste management performance targets”.

The underlying policies to achieve this Objective are as follows:

- H.1 – Work with the relevant stakeholders and take measures to ensure systems and facilities are in place for the safe and sustainable management of sludges (sewage, waterworks, agricultural, industrial, and septic tank) generated in the region having due regard to environmental legislation and prevailing national guidance documents, particularly in relation to the EU Habitats and Birds Directive.
- H.2 – Investigate the opportunity to establish and expand management schemes for particular waste streams including (but not limited to) paints, medicines, mattresses, other bulky wastes, agricultural and horticultural chemicals and waste oils (where technically, environmentally, and economically practicable).
- H.3 – Co-operate and input into the setting up of new national producer responsibility schemes (statutory or voluntary) for waste streams to ensure the role of local authorities is clear and can be practically achieved.

Mr. Breen then briefed the meeting on the key Policies in relation to infrastructure.

All members thanked Mr. Breen and Mr. Quinlan for their excellent presentations.

Cllr. M. Gleeson said it is wonderful to drive through Killarney and to see the town in pristine condition. He congratulated the Council staff for the way they present the county as this is of fundamental importance to tourism. He remembered when our towns were a disgrace but they have improved greatly. Last Christmas a suite of furniture was dumped near his home but this year it was a dead sheep which was thrown out of a lorry because it died. The people responsible are very disrespectful of residents and also uncaring for the environment. Whoever was responsible for dumping those items disrespected him and his neighbours and he held them in low esteem. One of the great successes was when the Council purchased a consignment of composting bins and sold them at a reduced cost to the general public. He asked that the Council would consider doing this again as the composting bin is one of the most incredibly efficient ways of dealing with food waste which can then be reused. Transfer Stations are maintained to a high standard and due to the large numbers of people using them they are preserving our county from litter. Cllr. Gleeson complimented voluntary groups who keep towns and villages to a high standard and the amount of work they do is highlighted in the IBAL report. He thanked those voluntary groups for their efforts. The Green Schools Scheme has had an enormous influence on our county and it is an indication of the commitment to the environment of those schools taking part. One of the schools sends just 1% of its waste to landfill and this is an extraordinary achievement. Unfortunately some of the young people who are so superb when they are at school forget when they become young adults and they leave chip cartons etc. on the roadside. There was no reduction in the amount of roadside littering over the past 10 to 15 years and the only difference is that the local community ensures it is kept clean. He asked that the age group from 16 to 25 years would be targeted in any advertising campaign. In conclusion Cllr. Gleeson called for the full reinstatement of the dump at Rockfield.

Cllr. M. O'Shea commended all those involved in waste management and also all the voluntary organisations involved in keeping towns and villages clean. A few years ago incineration was mentioned as an option but that appears to have been dropped. Mr. Breen mentioned that thousands of tonnes of waste is exported from Ireland each year for thermal use and Cllr. O'Shea said there must be a cost associated with this. He asked if there is any mention of incineration in the national guidelines.

Cllr. J.J. Culloty referred to Policies E17 and E18 which deal with biological treatment of waste and said he understood last year if Ireland did not comply with an EU Directive to provide anaerobic digestion we would be fined by the EU. He requested clarification on this matter.

Cllr. D. Quigg said Ireland is only catching up with other European countries in the area of waste management. He disagreed with Cllr. Gleeson that young people between the ages of 16 and 25 years are responsible for littering and said anyone can be responsible for it. He was contacted by a constituent who pointed out that some people taking loads to Transfer Stations do not secure the load properly and some of it ends up on the roadside. However he did accept that some people

throw litter out of car windows. Cllr. Quigg said anyone who does not secure a load while in transit should be fined.

Cllr. B. Cronin referred to Policy E15 and asked is it intended to direct waste towards incineration. He asked if the future of Recycling Facilities is secure.

The Cathaoirleach said up until a few years ago Kerry County Council was active in the waste collection business and also had a landfill. He asked now that the Council is no longer in this business do we have good data on the tonnage of waste collected and the number of customers in the county.

Mr. J. Breen said the new Household Waste Regulations require all households to segregate their waste. These new Regulations were introduced at the end of December and his Department are assessing them and will revert to Council on them in due course. Policy E15 supports the development of up to 300,000 tonnes of additional thermal recovery capacity for the treatment of non-hazardous wastes nationally to ensure there is adequate active and competitive treatment in the market and the State's self-sufficiency requirements for the recovery of municipal wastes are met. The waste plan also supports the development of up to 50,000 tonnes of additional thermal recovery capacity for the treatment of hazardous wastes nationally. Mr. Breen assured members that the Council still has very good data. There are 55,500 households in the county and of these 39,000 avail of a collection service. Mr. Breen referred to Cllr. Culloty's query and said the Regulations pertained to municipal waste. It is intended that the capacity to treat biodegradable waste will be increased.

Cllr. O'Shea asked if Transfer Stations will remain in Council ownership.

Mr. J. Breen said there are no plans at present to dispose of the Transfer Stations.

Cllr. J. Sheahan asked to what country waste is being exported.

Mr. Breen said it is being exported to China and the Netherlands etc. and he would circulate a map to members showing the countries to which Ireland exports waste.

15.01.19.10 Presentation on the Local Economic and Community Plan

Mr. M. Scannell SEO informed the meeting that the Local Government Reform Act 2014 provides for the making of a 6 year Local Economic and Community Plan (LECP) as a reserved function of the elected council in accordance with the principles of sustainable development. The purpose of the LECP is to set out the objectives and actions needed to promote and support the economic development and the local and community development of Kerry. Mr. Scannell said the LECP is part of a series of plans and strategies that have, and are being developed, at national, regional and local level. They include:

- The National Spatial Strategy, National Development Plan, Rural Development Strategy, the Action Plan for Jobs and the National Anti-Poverty Strategy.

- The Regional Spatial and Economic Strategies
- The County Development Plan and other local strategies.

Mr. Scannell said it is important to note that this is an integrated economic/community process with integrated high level goals for the local authority area. These will be supported by specific economic objectives and specific community objectives and, as needed, shared economic and community objectives. These objectives must be supported by specific, time-bound and measurable actions to achieve the objectives under each stream with responsibility for the delivery or oversight assigned to either the SPC for economic development or the LCDC. To get the process underway the following are required:

- Single socio-economic evidence-base to inform decision making;
- Statement setting out the context (policy, evidence-base and needs of the area) and establishing the high level goals for the plan. The statement should also set out the broad outcomes to be achieved by the LECP;

Following this there will be a public consultation phase where stakeholders from both economic development and community development are consulted, as well as the wider public. The overall goals will then be linked to economic and community elements through the elaboration of specific economic objectives, community objectives and shared objectives, underpinned by measurable, time-bound actions.

Mr. Scannell then outlined the LECP development process for the meeting. He briefed the meeting on the membership of the Advisory Steering Group together with the work carried out to-date. He outlined the timeline and the key activities in the preparation of the LECP and said it is hoped the final Draft of LECP will be adopted by the members of Kerry County Council in November 2015. The six economic actions areas are:

1. Planning for economic development (LECP, contribution to RSES etc.)
2. Mobilising local government powers and functions to promote economic development.
3. Enterprise support for SMEs and Micro-enterprise – operating the LEO;s, engaging with other enterprise agencies.
4. Economic components of local and community development e.g. Community Enterprise Centres.
5. Action Plan for Jobs and Labour Market Activation through CE Schemes.
6. Promoting economic development within a regional context.

Mr. Scannell said the LECP must set sustainable economic development objectives and it must outline how the following can be achieved:

- Attract investment with growth potential
- Sustain/Expand existing enterprise
- Economic transformation/regeneration
- Strengthen the fabric of smaller towns/villages
- Strengthen the economic aspects of community/local development and micro-enterprise supports.

The LECP must also identify the Actions to secure these objectives. The purpose of the community element of the LECP is to ensure effective co-ordination of relevant publicly funded local and community development programmes and actions in a way that reduces duplication, targets available resources to where they are most needed and maximises benefits for communities. The focus of the community element of the LECP will be (1) primarily on social, local and community development issues at local level which address the needs of communities and (2) leadership on identifying these needs to be LCDCs.

Mr. Scannell then outlined the sustainable community development Objectives and Actions to be included in the LECP. In conclusion Mr. Scannell outlined the process to be gone through before the LECP is finalised.

Cllr. M. O'Shea asked if the proposed plan can realistically work with so many involved in it. He suggested that the objectives and actions in the Plan should be divided into Municipal Districts and that each Municipal District would be given a say in what they want for their area as each Municipal District is different. Cllr. O'Shea asked that the membership of the LCDC would be revisited as he believed it is too big.

Cllr. N. Moriarty thanked Mr. Scannell and the staff in his Department for their work on the LCDC and said she is a member of the Evaluation Sub-Committee and it involves a tremendous amount of work for all involved.

The Chief Executive thanked Mr. Scannell and his staff who have progressed the research on data required for the Plan. She pointed out that a Tourism Plan is also being prepared for the county and Destination Kerry also has an important role to play. She hoped this Plan would be a strong economic driver and while the Board is big she anticipated each partner would be assigned a different theme to pursue i.e. the IDA could be asked to investigate what type of opportunity there is for FDI investment. The South and West Kerry Municipal District could be a pilot Municipal District for the county with a view to feeding their views into the Plan.

Cllr. T. Ferris said in relation to the demographics the emigrant community who left the country since 2008 were omitted and anything that would drive the economy and attract these emigrants back should be investigated. She asked what is the difference between what the LCDC is doing and what the County Development Board did. Cllr. Ferris expressed concern that community groups could feel disempowered by this process and she asked how this could be prevented to ensure the plan is also community driven.

Mr. M. Scannell said the LCDC has an important role to play in this process as have the Public Participation Network and the Municipal Districts. There is a lot of community involvement with local government structures in this process.

Cllr. N. Foley acknowledged the substantial volume of work involved in preparing the LECP. She said she was also concerned that the size of the Board may be unmanageable. She noted that the ITT and KETB are represented on the Board but she asked why other education providers were not given representation.

Mr. M. Scannell said the areas of research will not be confined to the people on the Board. From the research so far it is evident that the levels of attainment are greater in some towns than other. There are two broad education providers and it is not intended to exclude any other body from the process.

Cllr. Foley asked if one other education provider could be represented on the Board.

The Chief Executive acknowledged Cllr. Foley's point and said one of the key themes of the Plan acknowledges the local authority function to keep graduates at home. It is hoped to tailor courses to meet the demand in the county.

15.01.19.11 Date for March Meeting

On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. B. Cronin it was agreed that the March Ordinary Meeting would be held on Monday 9th March, 2015.

15.01.19.12 Approval for the Opening of Tenders

- (a) On the PROPOSAL of Cllr. B. Cronin, SECONDED by Cllr. S. Locke it was agreed to approve the opening of tenders for Maintenance Dredging and Disposal at Fenit Harbour - Closing date: Wednesday 28th January, 2015 at 4.30pm.
- (b) On the PROPOSAL of Cllr. S. Fitzgerald, SECONDED by Cllr. M. O'Shea it was agreed to approve the opening of tenders for Archaeological Investigation Services for the N86 Lispole to Ballynasare Lower and Mountoven to Camp Road Improvement Scheme – Closing date: Monday 9th February, 2015 at 12 noon.
- (c) On the PROPOSAL of Cllr. S. Fitzgerald, SECONDED by Cllr. M. O'Shea it was agreed to approve the opening of tenders for Land and Property Valuation Services for the N86 Lispole to Ballynasare Lower and Ballygarret to Camp Road Improvement Scheme – Closing date: Friday 13th February, 2015 at 12 noon.
- (d) On the PROPOSAL of Cllr. J. Healy-Rae, SECONDED by Cllr. M. Gleeson it was agreed to approve the opening of tenders for the Supply of Bitumen Emulsions – Closing date: Thursday 19th February, 2015 at 3pm.

15.01.19. 13 Notices of Motion

1. Measures to ensure Invasive species such as the Zebra Mussel and the Asian Clam are not brought to Kerry

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

As water sports such as kayaking and surfing are ever growing in popularity that the Council would inform of what if any measures are in place so that participants in those sports can ensure that their clothing and equipment are decontaminated against the possibility of introducing invasive species such as the Zebra Mussel and the Asian Clam.

The following report issued:

The National Parks Service have advisory signage in place at access points to the Lakes of Killarney advising regarding the need for boat users to be vigilant regarding invasive species and there is a requirement for registration and permitting of all water craft using the lakes. On a broader scale, there are no measures in place at present regarding provision of cleaning or boat wash facilities at locations for watersports. This matter will be reviewed by the relevant SPC and consideration given to the practicality and feasibility of such measures being implemented to safeguard our waters.

Cllr. M. Gleeson said the threat from invasive species on land and in water is becoming ever greater and the challenge to control and eliminate them is becoming more and more difficult. At the outset he complimented the Council, certainly in the Killarney Municipal Area, on its efforts to eliminate the Japanese Knotweed and said he would watch with interest when the growing season begins in order to gauge the success of the efforts made to date.

The Zebra Mussel and Asian Clam, both of which are tiny thumbnail size shell fish that have successfully colonised considerable stretches of freshwater rivers and lakes in Ireland. The River Shannon, its lakes and tributaries are home to the Zebra Mussel as is the great River Erne. The Asian Clam is present in Lough Ree and in some of the rivers in the South West. Indeed last September the Inland Fisheries introduced a ban on fishing on a stretch of the Shannon at Lanesborough, Co. Longford in an effort to prevent the spread of the Clam.

The Zebra Mussel and the Asian Clam remove the Phytoplankton and small Zooplankton from the water through filtration thus depriving native species of their regular feeding. They also feed on the bottom of the rivers and lakes and attach themselves to the floor thus interfering with the breeding of creatures such as the stone fly that need a gravel base in which to develop. Members have spoken much of the Freshwater Pearl Mussel. Its survival is already threatened by pollution and it will certainly have no hope of survival if the Zebra Mussel or Asian Clam come along and attach themselves to the shells of the Pearl Mussel thus in a sense asphyxiating them.

These two species are thumb-nail in size and so there can be up to 10,000 in 1 square metre. As prolific breeders they can very quickly colonise an entire lake or river. Many of our vitally important sewerage treatment plants are close to rivers or lakes and are thus readily accessible to the Zebra Mussel or Asian Clam who would/could very quickly seriously interfere with the workings of the plants. There is need for very stern action and very firm guidelines if these species are to be kept from our county. Decontamination Units should be established for boats and fishing gear. Waders and Wellingtons should be washed in a special hot water solution. Adequate and clearly visible signage must be put in place warning visitors not to make contact with the water until all appropriate precautions are taken. Water sport enthusiasts who enjoy skiing and surfing can also spread these creatures. They must be cautioned that their equipment has to be cleaned. These are very mobile people and tend to go from location to location in quick succession. Our fresh water lakes and rivers are vital components of our tourist product and we must take every possible precaution to protect and enhance them. Carelessness has the potential to have lethal consequences for their favourite place.

In conclusion, Cllr. Gleeson said he was asking fisher people and water sports enthusiasts to exercise extreme caution and he asked public bodies to erect clearly visible warning signage.

Cllr. S. Locke **SECONDED** the motion and said he always sterilises his fishing equipment to ensure he does not transfer bacteria. He also called on the Council to erect appropriate warning signs calling on those using rivers, lakes etc to sterilise their fishing equipment, boats etc. to ensure bacteria is not transferred from one water body to another.

2. Increased resources and hours for Alzheimer patients

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

That Kerry County Council request the Minister for Health and the HSE to immediately increase resources and hours for Alzheimer patients and their families in South Kerry as the current level of 82 hours per week falls far short of what is required by these people.

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

Cllr. M. Cahill said there are 48,000 Alzheimer patients in Ireland and it anticipated this number will increase. 63% of people with dementia are living in the community and there is an urgent demand for better services. The allocation of 82 hours per week to Alzheimer patients is miniscule and it is important that these families get every assistance possible. Cllr. Cahill pointed out there is no Day Care Centre for Alzheimer patients in South Kerry and he requested that his motion would be forwarded to the Minister for Health and the HSE.

Cllr. J.J. Culloty **SECONDED** the motion.

The Cathaoirleach said as Cllr. Cahill had to leave he would allow him to move Notice of Motion NO. 18.

18. Provision of adequate facilities for campervans

Pursuant to notice duly given Cllr. M Cahill PROPOSED:

That Kerry County Council provide adequate facilities for campervans where necessary and seaside resorts in the County.

The following report issued:

The provision of services for campervans and motor-homes is a commercial activity. It is the responsibility of the owners of the individual caravan parks to apply for planning permission, to cater for touring caravans or motor-homes. There are currently 40 licensed caravan parks throughout the County, the majority of which are located near seaside resorts. A number of these parks, some of which are also located along the Ring of Kerry and the Wild Atlantic Way, do provide the necessary facilities for campervans and motor-homes. In general, the type of facilities provided include: hard core/standing pitches, electric hook-ups, washrooms, toilet facilities, open air drying rooms; some also provide specific motor-home hygienic service areas. In general the Parks that do not provide facilities to touring caravans and campervans are well established parks where their capacity is full with long-term paying tenants. This is an issue which can be considered further in the Tourism Strategy for the County.

Cllr. M. Cahill said the county is crying out for facilities for camper vans and all coastal counties should facilitate them. Kerry County Council has lands in many seaside areas and he asked that consideration would be given to the provision of these facilities.

3. MOT and NCT testing of vehicles which have been off the road

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

That we the members of Kerry County Council highlight our concerns with the RSA's insistence that commercial vehicles be MOT tested backwards even though the vehicles would have been off the road. Likewise to complain about their insistence that passenger vehicles have to be NCT'd backwards as well even though these vehicles would have been also off the road. This is placing undue and unnecessary extra cost to the owners involved.

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

Cllr. D. Healy-Rae said motorists are being treated badly by the RSA on this issue. If a lorry, van or jeep was off the road for 2 or 3 months and the owner complied with the requirements to declare it off the road, and the vehicle must go for an MOT test the Certificate will only issue for the remainder of the twelve months since the previous MOT expired. If the vehicle is off the road for 12 months then the Certificate is issued for 6 months only. It is unfair that motorists are being penalised in this way when the vehicle was off the road. The same

applies to the NCT. The RSA have the power to stop a vehicle and demand that the vehicle must go through their test even if they have a current MOT/NCT. Cllr. Healy-Rae asked that his motion would be forwarded to the RSA for consideration.

Cllr J. Healy-Rae SECONDED the motion.

4. Sub Committee to deal with 1916 Commemorations

Pursuant to notice duly given Cllr. D Quigg PROPOSED:

That this Council agree to a Sub Committee being set up from the 33 Elected Members to deal with the very important issue of 1916 Commemorations. This Committee would in turn work through the SPC.

The following report issued:

The Council has previously agreed that a Commemorations Policy would be developed through the SPC. A draft policy has been developed for presentation to the SPC at its first meeting in the coming weeks. It is felt that the SPC chaired by Cllr. Beasley working with the internal staff sub committee comprised of various disciplines is the most appropriate structure for developing and advancing commemorative proposals. The internal commemorations committee is being coordinated by our Arts Officer Ms. Kate Kennelly.

Cllr. D. Quigg said it is very important that the centenary of 1916 is appropriately celebrated in Kerry. The SPC will not meet until early February therefore he requested that a sub-committee would be established to progress this very important issue. The public should be consulted to establish how they want 1916 to be commemorated. The schedule of events should be adopted by June at the latest.

Cllr. T. Ferris took issue with the reply and said a similar motion was considered three years ago. Tralee Town Council had a sub-committee to prepare for this historic event. The centenary of 1916 is less than a year away and Kerry County Council does not have a plan in place despite the huge role Kerry played in 1916. She said this task should be handed over to the general public and other organisations could also hold events. She supported Cllr. Quigg's motion and the call to engage in public consultation. Cllr. Ferris said a timeframe for the plan should be agreed and that local historians should be consulted.

Cllr. M. Gleeson said the preparation of this Plan is part of the SPC's brief and it should have an entitlement to discuss it with other agents. He said he would resign from the SPC if the preparation of the Plan is removed from the SPC.

The Cathaoirleach supported the views expressed by Cllr. Gleeson.

Cllr. R. Beasley said it is very disappointing that the SPC has not held its first meeting yet, however he accepted the first meeting will be held in early February.

The public are frustrated as nothing is happening to prepare for the centenary of 1916 and do they know how much funding will be available.

Mr. J. Breen said at the first meeting of the SPC a policy document on the 1916 commemorations will be presented for consideration by the SPC. Following this the issue of funding will be addressed. If proposals are received that do not comply with the policy they will not be funded.

Cllr. T. Ferris said the previous SPC should have prepared a plan.

Mr. Breen said the policy was discussed by the SPC and they agreed the new SPC should agree the policy. He was satisfied the policy to be presented to the SPC will address the events pertaining to Kerry.

Cllr. D. Quigg said since he became a member of Kerry County Council in June last there has been no emphasis on 1916. €26m is available nationally and it is rumoured Kerry will get just €36,000 as there is no plan in place. He asked that an application for additional funding would be made to Minister Humphries. The Proclamation states that all children should be cherished equally but that is not the case for children with autism and he suggested that as part of the 1916 programme funding could be assigned to benefit these children.

Mr. Breen assured members that the Policy and Plan would be brought to the full Council in the next few months.

Cllr. D. Quigg asked that the Draft Plan would be brought to the March Council Meeting with the final Plan being adopted in June.

5. Support for Ireland's bid for 2023 Rugby World Cup

Pursuant to notice duly given Cllr. J Moloney PROPOSED:

That this Council makes fully known its support for Ireland's bid for the Rugby World Cup in 2023, and that formal contact is made with the IRFU offering any assistance needed to ensure that Kerry is chosen as one of the host venues.

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

Cllr. J. Moloney said the hosting of the 2023 Rugby World Cup would present an opportunity for both Kerry and Ireland. This will be a 32 county initiative and it is reported the GAA support the bid. The 2011 Rugby World Cup, which was held in New Zealand, a country of similar size and population to Ireland was very successful. The World Cup is broadcast to 200 countries in 5 continents reaching 4 billion people. This presents a great marketing opportunity for Ireland and Kerry and it would give an economic boost to the county and the country. There were 133,000 visitors to New Zealand in 2011 with a direct benefit of €300 million to the economy with an average spend of €2,300 per person. The availability of an adequate number of bed nights etc. is an asset and the possibility of sharing a group hosting with Limerick should be explored. Cllr. Moloney requested that contact would be made with the IRFU indicating the

support of Kerry County Council for their bid and asking that Kerry would be considered as a host venue for a group with Limerick.

Cllr. N. Kelleher **SECONDED** the motion and suggested that the Council should write to all the Rugby Clubs in Kerry with a view to establishing their views on this suggestion. It is important that the Kerry Clubs would support this proposal.

6. Preservation of 14-17 Moore Street

Pursuant to notice duly given Cllr. T Ferris PROPOSED:

That this Council calls on the Minister for Arts, Heritage and the Gaeltacht, Ms. Heather Humphreys, to recognise and act on her responsibility as Heritage Minister to protect and preserve the historic Moore Street area of Dublin City, including the terrace 10-25 Moore Street which was occupied by the Volunteers at the end of Easter Week 1916 and where the final meeting of the Provisional Government of the Irish Republic took place. This requires the preservation not only of the National Monument 14-17 Moore Street but the protection of the terrace and of the integrity of the surrounding area which has been described as 'the lanes of history' and which has the potential to be sensitively developed as an historic quarter of our Capital City, enhancing the living market trading tradition and bringing to life the area's central role in the 1916 Rising.

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

Cllr. T. Ferris said this is another example of how this country destroys our heritage. The preservation of these buildings and our heritage in general would have huge tourism potential.

Cllr. R. Beasley **SECONDED** the motion.

7. Removal of blanket ban on people fitted with ICD defibrillators for grade 2 vehicles

Pursuant to notice duly given Cllr. P Daly PROPOSED:

That Kerry County Council write to the RSA and demand that the blanket ban on people fitted with ICD defibrillators for grade 2 vehicles be removed and instead be subject to medical assessment.

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

Cllr. P. Daly said a person fitted with an ICD can be very fit and may not have had cardiac arrest. While they are allowed to drive a car they are not permitted to drive a van. These people should be medically assessed to decide if they should be permitted to drive a van or not.

Cllr. T. Ferris **SECONDED** the motion.

8. Concerns at areas designated for the Hen-Harrier

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

That we the members of Kerry County Council raise concerns about the area designations for the Hen-Harrier and the negative financial implications to landowners of the landholdings involved.

The following reply issued:

The area designated for the protection of the Hen-Harrier is called an SPA (Special Protected Area) and the location and extent of this area is a matter for the National Parks & Wildlife Service (NPWS).

This is a matter for consideration by the members.

Cllr. J. Healy-Rae said the designation of areas for the Hen Harrier is causing problems for farm families. This bird is protected through the Natural 2000 Directive and while it is good to protect wildlife the reality is that farmers whose lands are designated cannot carry out normal farming practices and find it very difficult to sell their land. They may not be allowed to cut silage, plant the land etc. 4,000 farms are affected and it was wrong to designate these lands for the hen harrier that may or may not be seen on these lands once or twice a year. He requested that his motion would be forwarded to the Minister for Agriculture and the NPWS for consideration.

Cllr. D. Healy-Rae SECONDED the motion and said farmers whose land is designated do not receive compensation. This designation devalues farms and farmers whose land is designated cannot sell the land. They are not permitted to plant forestry and there are other restrictions also. He requested that appropriate compensation would be paid to farmers affected by this designation.

9. Implementation of Phase 2 of the Dale Road Project

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

That Kerry County Council would take immediate action to eliminate the difficulties that are on the Ballyduff/Tralee Road, from Ballinclogher Cross to Abbeydorney and that the Council call on the NRA to implement Phase Two of the Dale Road Project before there would be serious loss of life.

The following report issued:

This road is the R556 Regional Road from Tralee to Ballyduff. The section of road from Ballinclogher Cross to Abbeydorney is built on a bog rampart which, due to the nature of the underlying ground conditions, is subject to settlement resulting in a significant number of undulations on the road surface. The pavement was overlaid in 2010 and further minor repairs works were carried in 2014 to the worst sections of this road. Consideration was also given to the erection of crash barriers on this section of road, where the road level is above the adjoining ground level, but considerable works would be required to extend the embankments on either side of the road, to facilitate these measures.

It is acknowledged that a full road reconstruction is required to adequately improve the riding quality of this road, similar to the works completed on the 2.5 km section north of Ballinclogher Cross in 2009, which was funded under a specific improvement grant and at a cost of €3 million. The estimated cost of these works is €3million.

The Council has made repeated requests to the Department of Transport, Tourism and Sport for specific funding for these works but due to the reduction in overall grant aid, have been unsuccessful. Since 2014, the Specific Improvement Grant Scheme has been suspended and the scale of the works could not be considered for funding under the Discretionary Maintenance Grant scheme.

Given the scale of works required, Central Government funding is required and we will continue to raise this issue with the Department.

Cllr. R. Beasley said all members are familiar with this road and it is the most dangerous stretch of road in the 26 counties. There is no place for a car to pull in to allow a truck or a bus to pass. Parents whose children travel from North Kerry to Tralee for work or college are very concerned at the danger posed by this section of road. Part of the road was overlaid in 2010 but that section has deteriorated recently. He was concerned there would be a very serious accident there and he called on the NRA to provide the funding to address this most serious issue immediately.

Cllr. T. Ferris **SECONDED** the motion.

The Cathaoirleach also supported the motion and endorsed the comments made by Cllr. Beasley.

The Cathaoirleach informed the meeting that Notice of Motion Nos. 10 and 25 would be taken together.

10. Provision of enhanced warning signs on approaches to dangerous bend on the N22 at Boulicullane, Farranfore

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

To request the NRA to urgently erect appropriate reflective chevrons and enhanced warning signs and lining on both approaches to the dangerous bend on the N22 at Boulicullane, Farranfore which was the scene of a major accident on Monday night 29th December.

Mr. O'Brien informed the meeting that the same replies is given for Notice of Motion Nos. 10 and 25.

The following reply issued:

There are statutory 'Series of sharp bends' signs on both approaches to the bend on the N22 at Boulicullane. However, there has been no NRA Safety Measures Scheme undertaken at the location as it did not have a record of recent accidents (the last recorded accident on the NRA database was in 1999). The Killarney Area Office was made aware of 1 material damage accident that occurred within the last year, where a boundary wall was damaged on the Farranfore side of the bends.

As is our policy with all serious RTAs, a detailed evaluation of the cause of the most recent accident will be carried out, in consultation with An Garda Síochána. This evaluation is used to inform the NRA of the appropriateness of any measures that may be required to mitigate against similar incidences.

We will consult with the NRA to undertake a review of this location under the Network Safety Ranking process which is in accordance with national procedures prescribed in the NRA Design Manual of Roads and Bridges under the standard NRA HD 15. Following this review, a scheme may be prepared to address any safety issues at this location and submitted to the NRA for funding.

Cllr. B. Cronin said all members were aware of the extremely serious accident that took place at this location during Christmas. Luckily there were no fatalities given the large number of children involved in the accident. According to the report the last recorded accident at this location was in 1999 and he asked was this information per An Garda Síochána records. The real danger at this location is by night when there are large volumes of traffic. A recent traffic survey showed that 10,000 vehicles pass through Farranfore daily. The signage at this location is not adequate on the approach from Farranfore and Killarney. Cllr. Cronin requested that large reflective chevrons, which would reflect from a good distance, would be provided on both approaches to this bend and he added that additional road lining is also required. This bend is not too bad by day but at night when it is raining it is difficult to see the edges of the road. There is a need for 'cats eyes' to clearly define the road. He PROPOSED that the NRA Road Safety Officer would be consulted with a view to securing the funding to carry out the improvements mentioned at this location.

25. Carrying out of a safety audit on the National Primary Route adjacent to the junction at Skahies, Farranfore

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

To ask Kerry County Council and the NRA to carry out a safety audit on the national primary route adjacent to the junction at Skahies, Farranfore. There have been several serious accidents at this bend. Something needs to be done to address the problem immediately before someone is killed. I have raised the concerns with Kerry County Council about this matter previously.

Cllr. D. Healy-Rae **SECONDED** Cllr. Cronin's request for the provision of chevron signs at this location. He asked why were the 'Accident Black Spot' signs at either side of this bend removed and he said it was a retrograde step to remove them. There have been numerous accidents at this location and he was aware of three other accidents at this location in 2014. An entrance wall was knocked on two occasions and the owners of the property were very concerned a vehicle would crash into their back garden where the children play. He asked that a barrier would be erected to protect these people who sought and secured planning to move their entrance to ensure their safety. They blocked up their former entrance and it was knocked on two occasions in the past 12 months. Cllr. D. Healy-Rae said he believed there was something wrong with the camber of the road and he asked that a safety audit would be carried out as a matter of urgency.

Cllr. J.J. Culloty supported the motions and said some of the stats from the NRA are not accurate. From 2014 all accidents are recorded based on the GPS co-ordination. Previously he moved a notice of motion in relation to the By-Pass in Killarney when he was informed there were no accidents on the By-Pass since 2000 yet he was aware of at least three fatalities on the road in recent years. He supported the views expressed by previous speakers on these motions.

11. Planning statistics

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

To ask this Council, how many planning permissions for private dwellings have expired without work commencing on the sites for the period – 1/1/2009 to 31/12/14. Also, how many planning permissions were granted extensions in the past three years and to date, in how many of these extensions has work commenced.

The following report issued:

In the six year period between 01/01/09 and 31/12/14 a total of 1312 no. permissions were granted for single residential houses in County Kerry. During the same period, a total of 1180 no. Commencement Notices were received by the Building Control Unit.

It is important to note however that these Commencement Notices may not relate to the 1312 no. permissions granted as they could relate to permissions granted in the 5 year period prior to 01/01/09, therefore, Commencement Notices received during a specified period do not relate to permissions granted during that period.

In relation to Extensions of Time, a total of 149 no. were granted in the three year period 2012 to 2014 incl.

Commencement Notices are the only record that a development has commenced or is about to commence. Therefore it is not possible to provide an accurate figure for the number of houses commenced during the period identified or how many developments with extensions of time granted have commenced.

Cllr. J.J. Culloty said planning has become very strict and in the past permission was granted where it should not have been granted. From the reply given it appears that of the permissions granted over the past number of years very few houses have been built and the permissions could expire. He asked that this would be taken into account when planning applications are being assessed. The new waste water systems are much more environmentally than septic tanks therefore there are no environmental concerns with new houses.

The Cathaoirleach **SECONDED** the motion.

Cllr. D. Healy-Rae disagreed with Cllr. Culloty that some permissions should not have been granted.

Cllr. Culloty said he was referring to permissions granted on flood plains.

12. Mandatory wearing of high visibility vests for pedestrians and cyclists after daylight hours

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

That Kerry County Council write to the Minister for Transport to make it mandatory that pedestrians and cyclists travelling in unlit areas after daylight hours, wear high visibility vests.

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

Cllr. J. Sheahan said every night people are walking and cycling without appropriate reflective clothing. He passed two cyclists the previous night in an unlit area and they had no lights or high visibility vests. While it is good to see people exercising it is important that they are visible to motorists. He called on the Minister for Transport to address this matter immediately.

Cllr. T. Ferris **SECONDED** the motion.

Cllr. J.J. Culloty also supported the motion and said it is vital in rural roads that cyclists and pedestrians are visible to other road users.

13. Live streaming of Council meetings

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

That Kerry County Council look at live streaming our monthly meetings via our website.

The following reply issued:

This matter was previously considered by Council and the decision at the time was not to proceed with live streaming of our Council Meetings. If the members so wish, the matter can be discussed further with the CPG and brought back to Council for further consideration.

Cllr. N. Kelleher said he considered putting this motion down since getting elected and it has been on his mind since.

The merits of doing so were confirmed for him when he watched the Budget Meeting of Dublin City Council which was held before the Kerry County Council Budget Meeting late last year. It helped him to put into context the task before him as an elected official.

He remembered for years looking at the Minutes of Council Meetings on Kerry County Council's website and the delay in uploading the Minutes, which he understood could not be avoided, meant they were out of date by the time they were uploaded. He, as a member of the public with a keen interest in politics, often misinterpreted media reports on debates at Council meetings due to the facts that only the interesting/controversial facts of the debates made the headlines. The media themselves have even admitted that they miss important subtleties of various exchanges or the tone of what is being said in a debate.

In Ireland, three local authorities currently do what is proposed in his motion, Dublin City, Fingal and Wicklow and some even archive them.

If Kerry County Council was to proceed with his proposal it would go a long way towards extending transparencies and revealing the wordings of the Council for anyone interested in tuning in. The technology is available and whether anyone will watch it or not it would go a long way to rebuilding trust between the public and politicians.

Cllr. Kelleher asked his colleagues to support his motion and if they do he would ask the CPG to consider it and to make a recommendation to Council at the next meeting.

Cllr. J. Moloney **SECONDED** the motion and said it would ensure accountability and transparency which the general public expect from politicians.

The Cathaoirleach said it was unanimously agreed to refer the motion to the CPG for consideration.

Cllr. G. Spring suggested before this proceeds that a study would be undertaken to establish if there is a demand for the live streaming of Council meetings.

The Cathaoirleach said the CPG would consider this also.

14. Introduction of parking incentives on an ongoing basis in the County

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

Due to the success of the various parking initiatives for the Christmas period throughout the County, that Kerry County Council would look favourably at introducing parking incentives on an ongoing basis in the County.

The following report issued:

Over the past number of years the Town Councils have provided a period of free parking in Tralee, Killarney and Listowel, during the month of December. Following the dissolution of the Town Councils, Kerry County Council maintained this commitment in 2014. Similar initiatives are also provided throughout the year for various local events, to support local festivals etc.

However, the primary purpose of paid parking is to regulate parking in these towns and ensure an adequate turnover of car parking spaces for shoppers and visitors. The cost of regulating traffic in the 3 towns in 2014 was approximately €1 million. This is funded from an income of €2.32 million, generated primarily from parking fees.

In presenting the budget to Council for adoption, provision is made for the estimated income from paid parking and this is used to balance the budget and support local services, such as enhanced street cleaning, festive lighting etc, particularly in these towns. In the adopted budget for 2015, this income has allowed the Council to provide significant discretionary funding under the GMA for the Municipal Districts.

The potential loss of car parking income through the provision of free parking over the past Christmas period is estimated to be €116,000.

Whilst the Council will give favourable consideration to any initiatives to support business activity in the town, provision will have to be made by members for any potential reduction in income.

Cllr. N. Foley acknowledged the huge success of the Christmas free parking campaign and commended the Council on this initiative. These are the kind of initiatives the Town Council would have supported and the initiative at Christmas was particularly successful as businesses are struggling. She acknowledged that this resulted in a loss of income for the Council but said they will benefit from the rates paid by the town centre businesses. It is particularly important to be vigilant in relation to town centre businesses and to introduce initiatives to encourage growth. Free parking is one initiative that could be applied and others should be investigated also such as free parking after 4pm to facilitate parents collecting children from school. She called on Management to consider implementing initiatives to support businesses in the town centre.

Cllr. J.J. Culloty **SECONDED** the motion.

The Chief Executive said the regeneration of town centres was raised at the Budget Meeting and an undertaking was given that the Council would consider an overall package to support this. Work is underway on this at present but consideration must be given to the budgetary implications of any proposed initiative and she hoped to revert to Council in July on this issue.

Cllr. P. Daly said 50% of the Lewis Road Car Park is taken over for bus parking and the remaining area is full most of the time. He suggested that the time for bus parking could be reduced to facilitate additional cars.

15. Proposed new N70 route from Kennedys Cross to Milltown

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

To ask for an update on the proposed new N70 route from Kennedys Cross to Milltown and will construction commence in 2015.

The following report issued:

The detailed design for the scheme is ongoing and the extent of the lands required is being determined at present. A number of advance works contracts (Topographical Survey, Site Investigations and Archaeo-geophysical Survey) have been procured and will be complete by the end of February. Kerry County Council have appointed Land & Property Valuation Consultants to negotiate land acquisition / accommodation works agreements with affected landowners and/or their agents during Q1-2015. It is hoped that the land required for the project will be acquired by agreement but if this proves unsuccessful a CPO will be required.

The preparation of the Construction Contract Documentation will follow in Q3-2015. If the land can be acquired successfully, and subject to NRA approval, the Tender process will be commenced in late 2015 with a view to commencing construction in early 2016.

Cllr. M. O'Shea welcomed the report and said this link road is urgently needed and if he could assist in any way he would be happy to do so. The vast majority of landowners are in favour of this road and he welcomed the proposed commencement date of early 2016. When this type of work is being done it is done to a very high standard and it cannot be rushed so he asked people to be patient and he said this would also apply to the works on the Iveragh Road.

Cllr. J. Healy-Rae SECONDED the motion and said this road is long overdue. There was a fatality at Tyther's bends and when the new road is completed the existing road will be downgraded to a local road. At present that road is not fit for purpose and he asked that the cost of bringing this road up to a reasonable standard would be included in the contract. In conclusion Cllr. Healy-Rae said a few businesses are not satisfied with the signage agreed for their businesses.

Cllr. O'Shea said there was a meeting with the NRA to discuss this issue and they gave a commitment that it would be resolved.

16. Education programme regarding alcohol and drug use for second and third level students

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

To ask the Minister for Education and the Minister for Health to implement an educational programme with regards to alcohol and drug use for our second and third level students.

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

Cllr. D. McCarthy said he deplores the way alcohol is abused and it is readily available to young people through supermarkets and off licences. It is time that new regulations were introduced to address the abuse of alcohol and drugs through our education system.

Cllr. N. Kelleher SECONDED the motion and said as a publican he cannot serve triple vodka but anyone can buy it in an off licence. There is a need to educate young people on the dangers of alcohol and drugs.

17. NPPR charge on houses in which the owner is unable to reside for economic reasons

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

As some people are forced for economic reasons to leave their own home and their own place to seek employment elsewhere and, therefore, reside in rented accommodation, that this Council calls on the Government to end the immoral and possibly unconstitutional Non Principal Private Residence Act (2009) that compels such people to pay the annual NPPR on the only property that they own but in which they are unable to reside.

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

Cllr. M. Gleeson said NPPR was originally introduced to address holiday homes but then it was extended. A person who is lucky enough to have their own home but who is forced, for economic reasons, to relocate to Dublin or Cork and to rent a flat is now being forced to pay NPPR yet this is the only home they own. This is unjust and he felt it maybe unconstitutional. He asked that this provision would be re-examined and that this category of home owner would be exempt from the charge.

Cllr. J. Sheahan SECONDED the motion and said it is unjust that home owners who are forced to seek employment elsewhere are liable for this charge. He called on the Government to rescind this provision immediately.

Cllr. T. Ferris requested a report from Management in relation to NPPR, the penalties being applied and what constitutes a 'hardship case' under the Waiver Scheme.

The Chief Executive informed Cllr. Ferris once all the information is available a report would be prepared for Council.

Ms. A. McAllen said the NPPR national steering group will meet in the next six weeks with a view to having a consistent national approach. She pointed out that NPPR is not an annual charge since December 2014 and LPT is the only charge that now applies.

19. Adequate level of care for elderly and special needs patients in the county

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

That this Council, in light of the recent revelations on the Prime Time television programme surrounding Áras Attracta, Swinford, Co Mayo, write to the HSE to make sure that our elderly and special needs patients in this County are receiving an adequate level of care.

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

Cllr. D. Quigg said the revelations in the Áras Attracta documentary were shocking. He asked that the HSE would be contacted immediately calling on them to ensure our elderly and special needs patients are looked after carefully.

Cllr. B. Cronin SECONDED the motion and said the TV documentary was horrific. In the year 2000 he brought about an investigation into the treatment of older people in Kerry. Disciplinary action should be taken where necessary to ensure a stop is put to any mistreatment of older people or people with a disability.

20. Backlog of claims for asylum status

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

That this Council calls on Minister Fitzgerald to consider the Irish Refugee Council and Doras Luimní's joint proposal which outlines ways in which the asylum backlog can be cleared before a new single procedure is brought in.

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

Cllr. T. Ferris said it is costing the State €51m per annum for accommodation for 12,000 asylum seekers. As a result of the deficiencies in the system some people are waiting 6 or 7 years for a decision on their application. From time to time the Department, on an ad hoc basis, grant leave to certain applicants to remain in the State and this undermines the asylum process. At present there are 4,309 asylum seekers who are awaiting a decision on their application. It has been suggested that certain category of applicants, whose applications are in for in excess of two years, would have a decision within six months. Emily O'Reilly has said that the system for assessing applications needs to be reviewed.

Cllr. D. Quigg SECONDED the motion.

21. Abolition of milk quotas in 2015

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

To call on the Minister for Agriculture, Simon Coveney, T.D and the Department of Agriculture to carefully monitor the consequences and impact the abolishment of milk quotas in 2015 will have on the income of the small to medium dairy farms in Kerry. There are serious future viability concerns in this sector if the market is flooded with milk resulting in a collapse in price. Some experts are predicting a 50% drop in milk price to the dairy farmer in the next 12 months which would wipe out the small to medium producers.

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

Cllr. B. Cronin said the prediction by experts is that there could be a 50% reduction in the price of milk when milk quotas are abolished in 2015. He hoped his fears and concerns are unfounded but a lot of people are expressing serious concern about the reduction in farm incomes as a result of the predicted reduction in the price for milk. If the market is flooded then the price will drop for producers but not for the consumer. Factory farms will be established with between 500 and 1,000 cows once the quota is abolished. If farm incomes suddenly drop they will not get social welfare. A few years ago there was in excess of 6,000 milk suppliers in the county but now there are just over 4,000 suppliers. Cllr. Cronin called on the Minister for Agriculture to monitor the impact of the abolition of milk quotas on small farms. Farming is labour intensive and the abolition of milk quotas could do irreversible damage to or even wipe out that sector. If small farms close down, factory farms will control the supply of milk and that would not be good for anyone.

Cllr. D. McCarthy SECONDED the motion and said small farmers are important for rural Ireland.

22. Review of Speed Limit Bye-Laws in the County

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

To call on Kerry County Council to begin the undertaking of the Speed Limit Review. At present, there are many locations where the current speed limits are not appropriate and are putting lives at risk.

The following report issued:

As previously outlined in our response to similar motions moved at previous Council meetings and at Municipal District meetings, it is our intention to carry out a review of the Special Speed Limit Bye-Laws for the County. This request will be considered, in consultation with the Operations SPC, when we are developing the Directorate's Work Programme for 2015, having regard to available resources and the priorities of Council.

There is a detailed statutory process and extensive procedures to be followed when completing a Special Speed Limit Review, as set out in Section 9 of the Road Traffic Act, 2004. Unfortunately, due to the reduction

in resources and the workload of the Operations Directorate, we have been unable to commit to completing a Speed Limit Review for the County since the current Bye-Laws were adopted in November 2006.

Cllr. J.J. Culloty said in one case a housing estate is outside the speed limit sign and motorists are legally doing 80km per hour passing the estate. It is imperative that staff are assigned to undertake a review of Speed Limits as soon as possible.

Cllr. J. Sheahan SECONDED the motion.

23. Provision of Pedestrian Crossings for Rathmore

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

To ask Kerry County Council if the Pedestrian Crossings for Rathmore will be delivered in 2015, as they are long overdue.

The following report issued:

Given that the request for a crossing is on the N72 National Secondary Road, the Council must engage with the NRA to seek their approval. The current position with regard to this type of Safety Measures Scheme is that the Authority directly determines the locations that will be funded based on criteria that are set down in the Technical Standard HD 15 Network Safety Ranking which forms part of the NRA Design Manual for Roads and Bridges. Network Safety Ranking uses collision data to rank the safety of national roads and to identify high collision locations on the national road network. The results of this collision analysis go towards targeting annual road safety remedial measures.

This location is not included on the NRA's list of schemes which are currently being examined under the HD15 Network Safety Ranking system. There are no recorded accidents over the past 5 years at this location associated with pedestrian movements which would support a formal request for the NRA Safety Section to carry out an assessment.

However, given the urban nature of this location and the local facilities, including the playground and bus stop, to be accessed, we will raise the issue with the NRA to determine if there is a way to progress the proposal. The estimated cost of the works would be in the region of €30,000.

Cllr. J. Sheahan said when there is a funeral in Rathmore it is very difficult to cross the street. It is also very difficult to cross the street safely at Hickey's Shop as traffic is travelling at speed. These pedestrian crossings would make it safer for pedestrians and would help to slow traffic down. Cllr. Sheahan requested that representations would be made to the NRA on this issue.

Cllr. N. Kelleher SECONDED the motion and said members and the community have been asking for these pedestrian crossings for a long time and they need to be delivered now. Two weeks ago the light at the junction to the Funeral Home was out of order and he was amazed there was not an accident there, as traffic

travels at speed through Rathmore. There are three busy housing estates at Shinnagh Cross and the residents cross the road to the largest shop in the area. This is very dangerous and he called on the NRA to deliver these pedestrian crossings before there is an accident at these locations.

Suspension of Standing Orders

The Cathaoirleach said it was 5pm and it would be necessary to suspend Standing Orders.

On the PROPOSAL OF Cllr. B. Cronin, SECONDED by Cllr. T. Ferris it was agreed to suspend Standing Orders to allow the meeting to continue.

24. Payment of PRSI by the self employed

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

We call on the Minister for Social Protection, Ms. Joan Burton to ensure that self employed people are able to pay PRSI so that they can have the safe guard of the same protection as a PAYE employee should their business cease trading.

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

Cllr. N. Kelleher said a number of self employed people approached him about this issue. USC was reviewed in the last Budget and the rate is now higher for the self employed. People run their own business and they must also do their accounts and it is not right that they are treated this way. He knew a self employed couple who could not draw social welfare because of their assets, which was machinery for their business, yet a previous employee was given State aid to set up in opposition to them. That person also received social welfare while doing so. This is demeaning and wrong and it is a deterrent to people starting their own business. Cllr. Kelleher called on the Minister to take immediate action to address this anomaly. He also requested that the motion would be circulated to all local authorities.

Cllr. B. Cronin SECONDED the motion and said there is discrimination against the self employed as there is no safeguard for them. Immigrants are given social welfare and medical cards yet there is nothing for those who have always lived here. Cllr. Cronin called on the Minister to address this matter immediately.

27. Septic tank inspections

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

To ask the Director of Environmental Services how many septic tank inspections have been carried out to date? How much grant funding has been received by Kerry County Council and what grant aid has been made available to assist householders to upgrade septic tanks.

The following report issued:

There were 87 inspections carried out in Kerry during the period from December 2013 to date. On foot of these inspections, 50 Advisory Notices were issued to householders by Kerry County Council advising them that their domestic waste water treatment system required repair, upgrading or maintenance. Of these, 38 were eligible to apply for a grant.

The Domestic Waste Water Treatment Systems (Financial Assistance) Regulations 2013 (S.I. No. 222 of 2013) brought into operation a basic grant scheme to assist with the cost of the remediation of domestic waste water treatment systems which are deemed, following inspection under the EPA's National Inspection Plan and the subsequent issue of an Advisory Notice by the Local Authority, to require repair or upgrading. There is no specific annual allocation from the Department of the Environment, Community and Local Government for this grant scheme but the Local Authority is entitled to reclaim in full any grant assistance payments made under the terms of the grant scheme.

The level of grant aid available to households is determined on the basis of the gross household income and is 50% or 80% of the approved costs of the remediation works. The table below sets out the level of grant available based on the income of the previous tax year:

Household Income	% of approved costs available	Maximum Grant available
Up to €50,000	80%	€4,000
€50,001 - €75,000	50%	€2,500
In excess of €75,000	No grant is payable	No grant is payable

In 2014 Kerry County Council received 2 no. applications for funding and both were approved. A sum of €5,528.84 was paid out in 2014 under the terms of the grant. This amount is recoupable in full from the Department of the Environment, Community and Local Government.

Cllr. M. O'Shea asked (1) how many inspections took place in 2014. (2) What is the process to apply for a grant if septic tank fails an inspection? (3) How long does it take to process a grant application?

Mr. Breen said two grant applications were received in 2014 and both were approved. The list of inspections to be carried out in 2015 has not yet been received. Of those inspected in 2014, 38 could have availed of the grant but just two applications were received.

28. Cut back of hedges and overhanging branches on major tourist routes

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

To ask Kerry County Council as tourist season will be starting again soon, that the Council should examine all major routes used by coach tours to make sure all hedges and hanging branches are cut back to a sufficient distance so that they do not catch the buses and that all bad lags on these routes are repaired.

The following report issued:

As outlined in responses to previous similar Notices of Motion, the maintenance of trees and hedges along a public road is the responsibility of the owner or occupier of the property on which the tree or hedge exists. The Council has given a commitment to review our current policy with the Operations SPC in 2015, given issues that have been raised by the Members.

Traditionally the Council has carried out some limited hedge cutting on the primary tourist routes, used by coaches, particularly where the width of the road is substandard. We also endeavour to carry out essential repairs and any improvement works in advance of the main tourist season. We will carry out an inspection of these routes in advance of the tourist season, but if Members are aware of any particular locations causing difficulties for coach operators, details can be forwarded to the local Municipal District (area) Offices.

Cllr. D. McCarthy called on the Council to check the routes for tour buses and to ensure that all overhanging branches are cut.

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

15.01.19.14 Correspondence – Conferences and Seminars

- (a) On the PROPOSAL of Cllr. J.J. Culloty, **SECONDED** by Cllr. M. O'Shea it was agreed to authorise the attendance of Cllrs. Cronin, Kennelly and Sheahan at the Irish Private and Public Bodies (Consulting) Ltd. Training Seminar on the theme "Governments Construction 2020 Strategy, Local Government Housing Supply" to be held in White's Hotel Wexford from 6th to the 8th February, 2015.

Cllr. B. Cronin was nominated to prepare the report on this event on behalf of all the members that attend it.

- (b) On the PROPOSAL of Cllr. M. O'Shea, **SECONDED** by Cllr. D. McCarthy it was agreed to authorise the attendance of Cllr. P. McCarthy at the Co-Operation Ireland Seminar on the theme "Regenerating Local Spaces through Effective Community Planning" to be held in Dublin Castle on the 26th February, 2015.

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

Minutes January 2015

- (c) On the PROPOSAL of Cllr. D. Healy-Rae, SECONDED by Cllr. G. Spring it was agreed to authorise the attendance of the Cathaoirleach, Cllr. J Brassil on a visit to New York for St. Patrick's Day.
- (d) On the PROPOSAL of Cllr. M. O'Shea, SECONDED by Cllr. J.J. Culloty it was agreed to retrospective approve the attendance of Cllr. N. Kelleher at the LCDC Evaluation Sub Committee Training held in Dublin on the 16th December, 2014.

15.01.19.15 Correspondence General

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

1.	Letter dated 17 th November, 2014 from the Department of Social Protection in relation to the Insolvency Payments Scheme.
2.	Letter dated November, 2014 from the Office of the Minister for Communications, Energy and Natural Resources agreeing to a meeting with the members of Kerry County Council.
3.	Letter dated 10 th December, 2014 from the Office of the Minister for Skills, Research and Innovation in response to a resolution from Kerry County Council calling for a change to school transport services for children from Annascaul.
4.	Letter dated 10 th December, 2014 from the NRA in response to a resolution from Kerry County Council in relation to the N70 Ring of Kerry Road.
5.	Letter dated 10 th December, 2014 from the NRA in response to resolutions from Kerry County Council in relation to (1) Adare Bypass, (2) Killorglin Bypass and (3) N72 Mossie's Turn.
6.	Letter dated 23 rd December, 2014 from the Office of the Minister for Health in response to a resolution from Kerry County Council in relation to the fluoridation of water.
7.	Letter dated 23 rd December, 2014 from the Office of the Minister for Health in response to a resolution from Kerry County Council in relation to services at St. Francis's Special School in Beaufort.
8.	Email dated 12 th January, 2015 on behalf of Minister J. Deenihan in response to a resolution from Kerry County Council in relation to immigration reform measures in the United States.
9.	Letter dated 19 th December, 2014 from Tipperary County Council regarding a resolution adopted by that authority supporting the upcoming Referendum on marriage equality to be held in the Spring of 2015.
10.	Letter dated 5 th January, 2015 from Carlow County Council regarding a resolution adopted by that authority calling on the Minister for Justice and Equality to bring forward much needed legislation in order to regulate shops that give Cash for Gold.

Meeting with the Minister for Communications in relation to Shannon LNG

Mr. G. O'Brien drew member's attention to No. 2 above where the Minister for Communications has agreed to a meeting with members in relation to Shannon LNG. It is anticipated this meeting will take place in Mid February and members must agree the delegation and authorise the members involved. It is proposed that the delegation will include the Cathaoirleach, Cllr. J. Brassil, Cllrs. J. Moloney, J. Finucane, L. Purtill, R. Beasley and G. Spring.

On the PROPOSAL of the Cathaoirleach, SECONDED by Cllr. M. O'Shea it was agreed to authorise the attendance of the above mentioned Councillors on a deputation to meet with the Minister for Communications in relation to Shannon LNG.

Meeting with Minister Simon Harris in relation to the embankment at Incharee

Mr. O'Brien said members previously requested a meeting with Minister Simon Harris in relation to the embankment at Incharee. The Minister has agreed to this meeting and he suggested that the delegation should comprise of the following councillors: The Cathaoirleach, Cllr. J. Brassil, Cllrs. J.F. Flynn, M. Cahill, J. Healy-Rae, D. Quigg and either Cllr. S. Fitzgerald or Cllr. P. Connor-Scarteen.

Cllr. M. O'Shea requested that Glosa would also be included.

The Cathaoirleach said members can raise Glosa with the Minister on the day.

Cllr. J. Sheahan PROPOSED that Cllr. P. Connor-Scarteen would be nominated to go on this delegation.

Cllr. M. O'Shea SECONDED this proposal.

On the PROPOSAL of the Cathaoirleach, SECONDED by Cllr. J.J. Culloty it was agreed to authorise the attendance of the Cathaoirleach, Cllr. J. Brassil, Cllrs. J.F. Flynn, M. Cahill, J. Healy-Rae, D. Quigg and Cllr. P. Connor-Scarteen on this delegation.

Reply from An Post

Cllr. T. Ferris asked if a response was received from An Post in relation to the Post Office at William Street, Listowel.

Mr. O'Brien confirmed a reply was not received.

Cllr. Ferris asked that a reminder would issue to An Post.

Votes of Sympathy

The following Votes of Sympathy were noted from the Book of Condolence.

- (a) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Gerald Hussey.
- (b) Cllrs. D. Healy-Rae, J. Healy-Rae, B. O'Connell and J. Finucane proposed that a vote of sympathy be extended to the family of the late Mike Hayes.
- (c) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Patrick Bowes.
- (d) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Maura Burns.
- (e) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Hannah Pigott.
- (f) Cllrs. D. Healy-Rae, J. Healy-Rae, N. Kelleher and J.J. Culloty proposed that a vote of sympathy be extended to the family of the late Timmy Kelleher.
- (g) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Sean Brosnan.
- (h) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Peg McCarthy.
- (i) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Breda Quill.
- (j) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Con Sullivan.
- (k) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Tadgh O' Meara.
- (l) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Sean McCarthy.
- (m) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Angela Daly.
- (n) Cllrs. D. Healy-Rae, J. Healy-Rae, B. O'Connell and J. Finucane proposed that a vote of sympathy be extended to the family of the late May O'Callaghan.
- (o) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late James Devane.

- (p) Cllrs. D. Healy-Rae, J. Healy-Rae, B. O'Connell and J. Finucane proposed that a vote of sympathy be extended to the family of the late Tess Kearney.
- (q) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Mary O'Mahony.
- (r) Cllrs. D. Healy-Rae, J. Healy-Rae, B. O'Connell and J. Finucane proposed that a vote of sympathy be extended to the family of the late Kitty Griffin.
- (s) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late George O'Gorman.
- (t) Cllrs. B. O'Connell and J. Finucane proposed that a vote of sympathy be extended to the family of the late John O'Connor MRCVS.
- (u) Cllrs. B. Cronin and M. Gleeson proposed that a vote of sympathy be extended to the family of the late Maureen Fitzgerald.
- (v) Cllrs. M. Gleeson and B. Cronin proposed that a vote of sympathy be extended to the family of the late Eileen O'Brien.
- (w) Cllrs. B. Cronin and M. Gleeson proposed that a vote of sympathy be extended to the family of the later Noreen Foran.
- (x) Cllr. N. Kelleher and J.J. Culloty proposed that a vote of sympathy be extended to the family of the late Margaret Cremin.

15.01.19.17 Any other business

Cllr. D. Healy-Rae referred to earlier comments in relation to the Book of Condolence and objected to the views expressed as he has a democratic right to propose a vote of sympathy to a family who lost a relative. He does this first thing in the morning and this does not prevent other members from proposing votes of sympathy. The names of the councillors proposing the vote of sympathy are not included in the letter of sympathy that issues to the family. It is unfair to try to stop him from proposing votes of sympathy.

Cllr. B. Cronin said his earlier proposal stood. There are 33 elected members and he called on the CPG to review this process and he hoped they would restrict it to 2 per member per meeting. This would be fair to all members.

The Cathaoirleach undertook to bring this item to the next CPG meeting and said he would revert with a recommendation.

Cllr. J. Healy-Rae said there is nothing to stop two councillors proposing a vote of sympathy to the same family.

Minutes January 2015

Cllr. D. Quigg requested that a letter of congratulations would be sent to Conor McGregor who defeated Dennis Siver in Boston overnight.

The meeting concluded at 5.20pm.

Gerard O'Brien

A/SEO Corporate Affairs

Cathaoirleach of Kerry County Council