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MIONTUAIRISCÍ NA CRUINNITHE MHIOSIÚIL DE COMHAIRLE CONTAE CHIARRAÍ A THIONÓLADH I SEOMRA NA COMHAIRLE, ÁRAS AN CHONTAE, TRÁ LÍ, AR AN LUAN , 20 AIBREÁN, 2015

MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, ÁRAS AN CHONTAE, TRALEE ON MONDAY, 20TH APRIL, 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

Ms. M. Murrell, Chief Executive	Mr. J.D. Flynn, Dir. of Corp. Servs.
Mr. O. Ring, Director IW Operations	Mr. P. Stack, A/Dir. 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. M. Scannell, SEO Community	Mr. G. O'Brien, Meetings Admin.
Mr. T. Hayes, LEO Officer	Mr. M. O'Donoghue, SEO HR
Ms. K. Moriarty, A/SEO Housing	Mr. M. O'Leary, SEO Finance
Mr. K. O'Malley, Press & Comm. Off.	Ms. K. Kennelly, Arts Officer
Mr. P. O'Shea, A/SEO Finance	Mr. J. McCarthy, AO Finance
Ms. K. Lynch, AO Finance	Ms. B. Reidy, SSO Corporate Affairs
Ms. S. Sheridan, SSO Finance	Mr. P. O'Connor, SSO Finance
Ms. C. O'Connor-Galvin, SO Finance	Mr. R. Tangney, A.S.O. Finance
Ms. J. O'Sullivan, CO Corp. Affairs	Ms. O. O'Shea, CO Corp. Affairs
Ms. C. Tobin, CO Finance	Mr. J.J. Cauty, CO Finance
Ms. G. Cotter, CO Finance	Ms. S. O'Keefe, CO Arts, Culture & Herit.
Mr. S. Walsh, Student, Finance	

The meeting commenced at 10.35am.

April Ordinary Meeting

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

15.04.20.01 Cathaoirleach's Report on the CPG Meeting

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

"Item 1 Agenda for the April Council Meeting

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

In relation to Item No. 4 Ms. A. McAllen said the AFS for 2014 for Kerry County Council differs significantly to that of previous years making direct comparison with 2013 difficult. The 2014 AFS reflects:-

- The combined accounts of the former Tralee, Killarney and Listowel Town Councils with Kerry County Council.
- The provisions of the Water Services Act, 2013 and No. 2 Act, 2013, in respect of the transfer of assets and liabilities to Irish Water.

Ms. McAllen briefed the members on the AFS as circulated. The overall financial position as at 31st December, 2014 is positive. The report outlines details in respect of income and expenditure for the year and outlines the main provisions carried forward.

This continues a policy of astute financial management with a view to reducing the Council's exposure to known and unknown liabilities while reflecting the concerns of the members. She thanked members for their prudent decision making down through the years. Ms. A. McAllen identified the financial provisions in keeping with meeting our ongoing liabilities and Elected Members' priorities.

The CPG recommended that Council would adopt the AFS as presented.

Item 2 Update on 2016 Commemorations

Ms. K. Kennelly briefed the meeting on the Draft Kerry 2016 Commemorations Work Programme. There will be a State Ceremony at Banna on April 21st as part of the National Programme and the County Museum will host a Casement Exhibition which is of national significance.

The Cathaoirleach said while on a recent visit to New York he met with representatives of the Kerryman's Association and he discussed the 2016 Commemorations with them. He felt they maybe interested in supporting an event and this would most likely be the Exhibition in the County Museum. He asked that formal contact would be made with them to discuss this matter further.

The Cathaoirleach highlighted the need to engage with local communities to agree a common theme.

Ms. K. Kennelly pointed out that workshops will be held around the county in May and the national co-ordinator will attend. Nationally a seven minute promotional video will be made and Kerry County Council was selected to speak on behalf of all local authorities.

The Chief Executive assured members that representations would be made at national level to try to secure additional funding for Kerry's Programme as the Kerry Programme was very advanced relative to the rest of the country.

Mr. J. Breen said the SPC identified the shortage of funding as an issue and he emphasised the need to manage expectations.

Cllr. R. Beasley asked that anyone who made a submission would receive a letter in response outlining the position in relation to funding.

Cllr. J. Finucane said he secured the Education and Training Boards National Conference for Kerry in 2016 which will be attended by the Minister for Education and Skills. There will be an arts or an essay competition for all schools in the county associated with this event.

Item 3 Update on the Community Support Fund

Mr. J. Breen informed the meeting that the closing date for receipt of applications for funding from the Community Support Fund was Thursday 2nd April. 270 applications were received and they are being assessed at present. Where an application is more appropriate to Leader funding the applicant will be informed of this. It is hoped to issue a decision on these applications in early May. The overall fund is €700,000.

Cllr. M. O'Shea asked if a recommendation on the amount to be allocated to each application will be brought to the members of each Municipal District for approval.

The Chief Executive said applications will be categorised and those more appropriate to alternative funding will be outlined. That should reduce the numbers and the applications will then be divided into Municipal Districts. A recommendation will be made on each application to the members of the MD. If members wish an informal meeting can be arranged to go through the recommendations in advance of the formal meeting where the allocations will be made.

Item 4 Any other business

Civic Receptions

Mr. G. O'Brien informed the meeting that it was previously agreed to host a Civic Reception for the following teams who won All Ireland titles: Castleisland Desmonds Ladies Football Team and Ardfert and Brosna Football Teams. As

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space is limited in the Council Chamber he suggested that approx. 15 people would be invited to represent each team.

The CPG recommended that approx. 15 from each team would be invited and that the Reception would be held at 5pm on the 18th May following the Council Meeting.

Notices of Motion

Mr. G. O'Brien said at the March Council Meeting a proposal was made that members would be allowed to submit motions relating to areas outside their Municipal District. At present local issues are raised in the first instance at Municipal District level and if the member is not satisfied with the outcome they can submit it to full Council.

Following a discussion the CPG strongly recommended that the status quo would remain.

Energy Costs

Cllr. J. Finucane said the One Switch campaign has been very successful and they got 25,000 customers to sign up. They negotiated a good price with the energy companies. He suggested that the Council would initiate a similar campaign whereby they would write to all tenants asking them if they would be interested in getting involved. The Council could also include all council buildings and negotiate a better deal with energy companies.

The Chief Executive undertook to consider this suggestion and to revert to members on it.

Councillors Representation System

The Cathaoirleach said as he previously requested that a Councillor Representation system would be put in place and he requested an update on it.

The Chief Executive committed to progressing this system."

The Cathaoirleach extended a vote of sympathy to the Lenihan family on the death of Arthur Lenihan who was a former member of Kerry County Council.

Cllr. N. Kelleher said at the March meeting he requested that the closing date for notices of motion that are a matter for consideration by the members would be reviewed by the CPG. He asked if this was considered by the CPG.

The Cathaoirleach undertook to raise this issue at the May CPG meeting.

Cllr. M. Gleeson PROPOSED that additional funding would be sourced for the 1916 Commemorations.

Cllr. R. Beasley SECONDED this proposal.

Cllr. S. Locke said the full Council is already over burdened with Notices of Motion and there is something wrong if local issues cannot be resolved at Municipal District level.

Cllr. T. Ferris referred to the allocation of funding from the Community Support Fund and said what is mentioned in the Cathaoirleach's report is not what was agreed by the members. She requested that members would be given a list of all applications, including the details, at the next Municipal District meeting when they would decide on the allocations. Cllr. Ferris then referred to the Civic Reception for the three teams and asked that the number from each team would not be restricted to 15 as there are many people involved with the teams who were central to their success.

The Cathaoirleach said the CPG suggested that the approximate number per team would be 15 but they would not be restricted to that. He pointed out in the past when Civic Receptions were held for teams it was rare that more than that number attended the Reception. He added that it is intended to live stream the Civic Reception in accordance with Cllr. Kelleher's proposal.

The Chief Executive acknowledged that members would decide on the allocation of the Community Support Fund. Members agreed the policy and priorities for the Fund and 270 applications were submitted. These are presently being assessed to establish those that may be funded by other bodies. She suggested that it maybe helpful to have an in-committee meeting for each Municipal District to consider the applications prior to making a decision on them at a MD meeting.

Cllr. D. Healy-Rae said he wanted to be associated with the vote of sympathy to Arthur Lenihan's wife, his five daughters and his brother in Newcastlewest. He thanked him for his campaigning on behalf of his father, Jackie Healy-Rae and family down through the years. Cllr. Healy-Rae then referred to the motions relating to issues outside a member's Municipal District and said he believed it was a member's democratic right to submit such motions. While the present system is acceptable to the political parties who have members in all Municipal Districts it is unfair on the independent councillors. He requested that this issue would be reconsidered. He requested clarification on the Switch On campaign for Council tenants and asked if the Council is trying to secure a better deal with energy companies for tenants. If that is so all tenants should be made aware of it and they should be advised of the savings involved.

Cllr. P. Connor-Scarteen referred to the Community Support Fund and said the next meeting of the South and West Kerry MD was scheduled for 5th June. He presumed there would be a special meeting in advance of that to decide on the allocations from the Fund. He discussed the issue of Notices of Motion with councillors from other local authorities and they deal with motions on issues that

are not of direct significance to the Council to the end of the meeting and it is more efficient.

15.04.20.02 Confirmation of Minutes

On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. P. Connor-Scarteen, it was resolved that the Minutes of the March Ordinary Meeting of Kerry County Council held on the 9th March, 2015 be confirmed.

15.04.20.03 Chief Executive's Report

The Chief Executive read the following report 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 1 2015.

Financial Position

The Annual Financial Statement for 2014 will be considered at today's Council Meeting.

Operation / Progress on the LCDC

The Local Community Development Committees (LCDC) convened on Monday 9th March, to finalise the Tender Evaluation Process in respect of SICAP.

The successful companies have been notified in each of the three Lots at this point and contracts issued. To date two of the companies (NEKD & SKDP) have

signed and returned the contracts and the programme is up and running in these areas. The third company (IRD) has to date not returned the signed contract.

The LCDC convened on 13th April to primarily undertake a workshop around the LECP, to agree the major community themes to be included in the plan and a plan for stakeholder engagement going forward to ensure all relevant groups have an input to the plan and see the relevance of same in the delivery of programmes.

This meeting also considered the Leader programme and the national request for Expressions of Interest to form Local Action Groups for the development of Local Development Strategies to guide Leader at local level. The negotiations with the Local Development Companies concerning the preparation of a county strategy are ongoing.

A report outlining the activities of the LCDC for the period to the 31st March 2015 is also included on the April Council Agenda.

Public Participation Network

Following the establishment of Municipal District PPNs in February of this year and the selection of Municipal District representatives on the County Secretariat, the formal PPN structure is now in place. The Kerry Public Participation Network Secretariat has met on two occasions. It has adopted an interim Constitution as the Regulations have not issued to date. Kerry County Council's Commemoration Policy and the public consultation in relation to this were considered and a process agreed. The Secretariat is planning to hold a Seminar on community engagement in May/June.

Local Economic & Community Plan

Kerry County Council in association with IDA and Enterprise Ireland hosted a Kerry Economic Forum on 25th March, with key stakeholders from the public and private sector, to provide an initial assessment on the strengths and opportunities facing the economy in Kerry with a focus on job creation over the short and medium term. The Forum provided a consultation opportunity for both the LECP and the Regional Action Plan for Jobs.

Community Support Fund

The closing date for the Community Support Fund applications was Thursday 2nd April. There was a huge response in each Municipal District with a total of 270 submissions (some covering more than one project), with a wide variety of applications covering residents associations, all aspects of the community & voluntary sector, sporting associations, festivals and community development projects. The applications are being categorised at present and will be evaluated over the coming weeks with recommendations being submitted to the Municipal District meetings for consideration.

Social Housing

Housing Programme

The Housing Department is awaiting official notification from the DoECLG on the recently announced Housing Investment Programme. Once this is received, Council will be briefed on the details.

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 1st April, a total of 70 placements are 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.

There are 10 placements remaining to be filled, and following receipt of adequate numbers of referrals from the Department of Social protection for Caherciveen, Dingle and Kenmare a number of suitable candidates have been identified at interviews held recently.

The remaining placements will be filled shortly, following completion of the recruitment processes including the required Garda Vetting checks.

Fire Services Update

Kerry County Fire Service has experienced an exceptionally busy period in the first quarter of 2015 as set out in the attached table:-

	Qtr 1 2014	Qtr 1 2015
Total Incidents	292	306
Total Mobilisations	326	330
Number of Fires	111	178
Of which		
Chimney Fires	52	63
Gorse	7	54

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- The pattern of increasing numbers of gorse fires has continued and greatly increased into April 2105.
- Over the last week Kerry Fire and Rescue Service attended approximately 50 incidents of gorse/wildland fires in the County.
- On Wednesday, 8th April a large forest fire developed in the Glencar area which threatened nearby properties.
- A large fire in the Mangerton area of Killarney threatened the National Park and houses in the area.
- There were also fires in the Kilcummin area near Killarney and also in the National Park near Corres Mountain (adjacent to Torc Mountain).
- Early on the morning of Friday 10th, brigades from Caherciveen and Killorglin were dealing with a fire in Kells which threatened properties in the Kells Bay area.

Brigades from Killarney, Kenmare and Castleisland attended to a fire which had spread from the Kilgarvan area into the National Park at Derrycunihy.

The Fire Service worked closely with the National Parks and Wildlife Service to strategically manage this blaze. This also resulted in the Army helicopter being brought in to assist in fire fighting operations on Friday afternoon. It is currently estimated that in the region of 4,500 acres was burnt in Killarney National Park between Thursday afternoon and Friday evening. At the same time, brigades from across the County attended fires in the Sneem, Kells, Portmagee, Dingle, Inch and Listowel areas.

Kerry Fire Service are assisting the Garda Síochána, National Parks and Wildlife Service and The Department of Agriculture with their ongoing investigations into the latest spate of wildland fires in the County.

Our resources were stretched by attendance at the above incidents and apart from maintaining essential fire cover to the principal towns of the County; all available resources were directed at attending to gorse/wildland fire incidents throughout the County.

Library Service

1. A new Kerry Library Development Plan 2015 - 2019 is due to be drawn up and adopted this year. A presentation was made to the Tourism, Culture and Recreation SPC on 23rd March. Consultation with various stakeholders will commence in April 2015.

2. Phase 1 of the Single National Library Circulation Management System (LMS), an objective of 'Opportunities for All', the Libraries National Development Plan 2014 - 2017, is due for completion in June 2015 (in the Dublin Authorities, Wexford and Kildare).

The Kerry involvement with the project has been brought forward to Phase 2 and preparatory work will commence in July 2015 with a view to going live on the system in January 2016.

Kerry Local Enterprise Office

Grant approvals

16 projects have been approved a total of €241,125 with the potential to create up to 35 jobs and assist the retention of 47 jobs. An additional 10 projects were assessed but not approved funding by the approvals and evaluation committee.

Online Trading Vouchers

This funding scheme supports businesses trading more than 12 months to develop online sales and e-commerce development. Funding of circa €90,000 was approved for 40 businesses.

Training Supports Overview

March 2015 was an exceptionally busy month with the running of Enterprise Month and associated activities.

Start Your Own Business Programmes YTD

4 courses have been run in Tralee and Killarney with 78 participants. Each course involves 24 hours training spread over 8 weeks.

Business Growth Programmes YTD

2 courses run in Tralee and Killarney with 24 participants. Each course involves 26 hours training over 8 weeks.

The Complete Digital Marketing Programme YTD

3 courses run with 35 participants. Each course involves 24 hours training over 6 weeks.

Video Marketing Programme

3 programmes completed with 42 participants. Each course involves 4 hours training.

Advanced Facebook Advertising Programme

6 programmes completed with 90 participants. Each course involves 8 hours training (4 hours per week over 2 weeks).

Procurement Seminar

Completed in association with the Local Government Operational Procurement Centre in Killarney with 150 attendees. This seminar aimed to help small businesses compete for public sector tenders.

National Standards Authority of Ireland seminar on new fabrication standards

2 Regional Workshops completed in Mallow and Adare. Thirteen Kerry businesses attended.

Richard Cantillon Forum on Entrepreneurship and Economics

Speakers included John Griffin of Irish TV and Ministers Jimmy Deenihan and Pascal Donohue. 105 people attended.

Business Advice Clinics

11 Clinics have been held in County Library facilities in Tralee, Killarney, Listowel, Killorglin, Kenmare, Castleisland and Cahirciveen. There were 60 participants each of whom received 1 hour with a start-up business expert.

Business Mentor assignments

51 businesses have been assigned specialist mentors to support and advise the businesses. Each client receives 5 hours face time and back up support with the specialist mentor.

Student Enterprise Awards

The County Finals was held on Friday, 20th March 2015 in the Institute of Technology, Tralee. Over 20 schools now participate and the LEO runs six workshops in each school to help students develop and grow their businesses. The County Finals saw 58 mini-businesses display their projects with the winners going forward to the National Finals to be held in Croke Park on 22nd April.

Enterprise Ireland Graduate Programme

The Local Enterprise Office has been successful in securing a Graduate under the Enterprise Ireland Graduate Programme. The graduate is employed by Enterprise Ireland but will be assigned to Kerry LEO for a two year period with his salary fully funded by Enterprise Ireland."

Cllr. M. Gleeson referred to the Fire Services Update on Page 4 of the Chief Executive's Report and said the report on the fires that blazed in the National Park and that came close to many properties was very disturbing. The number of incidences where fires were started indicates there is evidence of pyromania and the level of destruction as a result of the fires was unbelievable. He complimented the Fire Service who worked so hard to bring the fires under control. He also thanked the National Park staff, the Gardai and the Air Corps who helped to bring the fires under control. People complain, and rightly so, about the loss of jobs in Rathmore but these fires are having a similar impact as

they are damaging our economy. Fires also impact adversely on people's health particularly those who have breathing difficulties.

Cllr. D. Healy-Rae said houses in the Muckross area were in serious danger from the recent fires. The Council and members made submissions at the request of the Minister regarding the time permitted for burning and cutting hedges. It is now April and there has not been a response from the Minister to these submissions. Gorse fires in Muckross appear to be an annual event and landowners should have a fire belt around their property. There are 26,000 acres in the National Park and there should, at a minimum, be a fire belt where the Park is close to houses. In the past Coillte assisted farmers who wanted to burn scrub on their land by burning a fire belt adjoining their land. Cllr. Healy-Rae called on the NPWS and the OPW to provide fire belts where they are required. Cllr. Healy-Rae referred to a contract recently sent to IRD Duhallow on a Friday asking that the contract would be signed by the following Monday. This was a very short timeframe and he asked that in future a more reasonable timeframe would be allowed. IRD Duhallow is an excellent organisation and he wanted to ensure they continue to provide an excellent service.

The Chief Executive confirmed that all three contracts have been signed by the Development Companies.

Cllr. M. Cahill said there was a dramatic increase in the number of gorse fires in Q1 of 2015 and it is unfortunate that so many are set so recklessly. He was aware that the Fire Service co-operates with landowners who organise controlled burning and he asked that this would be publicised in an effort to encourage more farmers to notify the Fire Service prior to burning. It is imperative that homes are protected and Cllr. Cahill paid tribute to the men and women of the Fire Service.

Cllr. D. Grady said there was extensive loss of wildlife as a result of the recent fires in Killarney. Coillte and the OPW stopped making fire breaks approx. 10 years ago due to lack of funding and that has proved to be very costly now. He asked that Coillte and the OPW would be asked to recommence the provision of fire breaks.

Cllr. S. Locke said he wanted to be associated with the compliments to the Fire Service. In relation to social housing, Cllr. Locke requested that the Council would consider purchasing houses where owners want to downsize.

Cllr. T. Ferris commended Management on holding the Kerry Economic Forum and she requested that the findings would be emailed to members. She referred to the remaining 10 Gateway positions to be filled and asked what Directorate they would be assigned to. She further asked if any of those taken on through the Scheme had yet completed the Programme and if any were subsequently employed by the Council. Cllr. Ferris commended the LEO on the number of

jobs being created and on the Online Trading Vouchers. Virtual towns could be created for all towns in the county and she hoped the LEO would be central in supporting them as it would enable people to support local business. Cllr. Ferris said she also commended the Fire Service and suggested that a plan should be drawn up to address the huge increase in the number of gorse fires which has resulted in substantial costs for Kerry County Council. She requested that an update would be included in the May Chief Executive's Report on the increase in illegal dumping in Tralee town since the increase in refuse charges. Many households cannot afford to pay for the service and some of them do not have cars to go to the Transfer Station. The Chief Executive's Report should suggest ways in which the Council can assist these households and she offered to provide a list of areas in Tralee where there has been a marked increase in dumping.

Cllr. J. Healy-Rae thanked the Fire Service for their excellent work over the past few weeks. He asked if someone was seriously hurt or private property was damaged as a result of the fires would the OPW insurance cover the cost or would it fall to the property owners insurance. The NPWS has a duty of care to manage the National Park and the animals in it and the burning of over 4,000 acres will have an impact on landowners. Deer are causing accidents on public roads and they eat silage fields. The OPW do not take responsibility for this yet when a deer is shot there is a public outcry. If his animals break out of his farm his insurance must cover the cost of any damage they do. Cllr. Healy-Rae asked that a letter would be sent to the OPW calling on them to provide fire belts to protect homes and that they would carry out controlled burning also. The NPWS do not fence the National Park and do not provide fire belts and this is unfair on neighbouring property owners who are obliged to fence their property.

Cllr. J. Sheahan said it is unacceptable that there is a situation in Killarney each year where homes are in danger of being burnt by gorse fires. Last year there was a fine Spring and a substantial amount of controlled burning was undertaken and it was successful. Cllr. Sheahan called for an extension of the burning season to the 15th April. If the Spring is wet gorse cannot be burned yet the Department of Agriculture penalise farmers when there is gorse and rushes on their land.

Cllr. P. McCarthy complimented the Fire Service on their work, in particular, over the past few weeks. He asked if the Fire Service should have access to air bourne equipment as much of the National Park is difficult to access.

Cllr. J.J. Culloty commended the Fire Service for their excellent work over the past few weeks and said unfortunately lives are at risk and if something is not done there could be a fatality. As a result of the recent fires there was huge loss of wildlife. He spoke to farmers recently who carry out controlled burning on their land and they indicated it would be helpful if the burning season was extended. All landowners should notify the Fire Service when they are about to undertake

controlled burning. The width of the road is all that prevented the recent fire from spreading to the National Park and if that happened it would have been very serious. He was aware that deer are shot out of season and there is a lot of publicity surround this and rightly so. He viewed videos where dogs kill deer and it is very cruel. There is a need for a balance and there are plenty of licensed gun holders who can shoot the deer in season.

The Cathaoirleach said the Report on the Housing Allocations was circulated and he suggested that members would read it as he intended to deal with it next.

Cllr. N. Kelleher said he wanted to be associated with the words of thanks to the Fire Service. Members made a submission on extending the burning season but he pointed out that the Minister cannot control the weather. The time for burning should be extended but there should be greater co-operation between farmers and the Fire Service. Farmers must be permitted to burn gorse etc. as one Government Department states farmers will not get their entitlements if the land is not productive while another Department severely restricts the time within which burning must be carried out. Cllr. Kelleher commended Mike Scannell and the staff in the Community Department for the way they handled tenders for IRD Duhallow and said while it was unfortunate tenders were delivered late everything was done to ensure the Development Companies receive funding. He agreed with Cllr. D. Healy-Rae that IRD Duhallow should have representation on the LCDC.

Cllr. B. Cronin also paid tribute to the Fire Service for their excellent work in a highly dangerous situation over the past few weeks. He expressed serious concern at the situation in Torc and said someone will be seriously injured or there will be a fatality if this situation is not addressed. The Minister sets the guidelines on burning but there needs to be flexibility as the weather determines when burning can be carried out. Training should be provided for landowners also. The OPW and NPWS do not take responsibility for animals on their property and there is a huge increase in the number of deer. They are a danger on public roads and are causing extensive damage to landholdings in Fossa, Barleymount and Tomies. Farmers fertilise their land but 70 or 80 deer eat the grass by night. This is unacceptable and the NPWS must take responsibility for the deer. When legislation was passed to hand over the National Park from the Bourne Vincent Families to the State provision was made for the upkeep of fences. The NPWS are the owners and occupiers of the National Park and they are responsible for the upkeep of the fences. He **SECONDED** Cllr. J. Healy-Rae's proposal that a letter would issue to the OPW on this issue. Cllr. Cronin requested that a letter would issue to Minister Humphries asking when a decision would issue on the public consultation on the burning season. Gorse fires are an annual problem and he expressed concern that there could be a fatality as a result of them.

Cllr. N. Foley said she wanted to be associated with the words of commendation to the Fire Service for their work, in particular, in recent weeks. She referred to the Library Development Plan and suggested there should be engagement with education providers to ensure their needs are understood and met. Cllr. Foley also congratulated the LEO on their excellent work. She referred to the LEO Graduate Programme and asked if there is potential to take on another Graduate next year. She also asked if there is any scope for the Council to take on staff through the under Graduate Programme. Cllr. Foley acknowledged the large number of applications received for the Community Support Fund and the administrative work involved in processing these applications and she asked if there would be an opportunity to review the application form for 2016 with a view to reducing the scope of the Fund.

The Cathaoirleach said he also wanted to be associated with the words of congratulations to the Fire Service and said the thunder storm on the Friday evening greatly assisted efforts to bring the fires under control in Killarney. He complimented Mr. Tomás Hayes and the LEO team on their excellent work. Unfortunately there are no employment opportunities for Gateway participants when they complete the Programme and he asked that they would be given priority when employment becomes available.

The Chief Executive informed the meeting that the Fire Service can access the Air Corps if necessary and they use air borne equipment to deal with fires.

Social Housing Strategy 2015, 2016 and 2017

Mr. J. Breen informed the meeting that the Circular Letter on the Targets for delivery under the Social Housing Strategy 2015, 2016 and 2017 was received late the previous Friday but due to its importance he wanted to brief members on it. Two documents were circulated to members (1) Circular received from the Department giving official notification of the announcement made two weeks ago and (2) an Appendix outlining the Housing Programme which comes from the Housing Strategy. The Housing Strategy states that by 2020 every person on the housing list will be housed. He welcomed the allocation of €62m received and said the Department agreed and funded the Housing Programme submitted which is based on housing need. There are almost 5,000 on the housing list in Kerry and outside of Dublin; Kerry is one of the largest housing authorities in the country. The Programme submitted to the Department is a mix of RAS, Long Term Leasing, Part V and engagement with the Voluntary Housing Bodies. The Housing Strategy outlines a huge role for Voluntary Housing Bodies in the provision of social housing post 2017. The targets for the next three years will be very challenging and he discussed staffing needs with the Department. A target of 304 units has been set to be delivered under capital programmes encompassing LA Housing (Construction and Acquisition, including Part V acquisitions), Capital Assistance Scheme and the return of Void properties for the period 2015 – 2017. A target of 497 units for delivery under SHCEP during 2015

to 2017 has been approved with 130 of these units for delivery in 2015. Mr. Breen said the Council will need the co-operation of Voluntary Housing Bodies, Construction Bodies, Letting Agents and private landowners if these targets are to be achieved. Mr. Breen then briefed the meeting in detail on the construction and acquisition programme and on the projects currently being progressed under the Capital Assistance Scheme. He pointed out that a number of RAS tenants have been given notice that their tenancies will be terminated and it is proving difficult to identify alternative accommodation. The Council must be careful where they intervene in the market as it could displace others in the market.

All members welcomed the Programme and the allocation.

Cllr. M. Cahill welcomed the building programme and the 12 houses that will commence in Ardmoniel, Killorglin. He requested clarification on the construction programme for single rural houses. The Programme aims to house everyone on the list by 2020 and he said this is a very ambitious target.

Cllr. T. Ferris said while she appreciated the notification was received the previous Friday there appears to be discrepancies in the Programme circulated. The amounts allowed for the purchase of houses varies from €114,000 to €227,000 yet €24,000 to €25,000 per unit is provided for the repair of void units. Cllr. Ferris said housing units could be purchased for as little as €60,000 to €70,000 in some areas and she welcomed the involvement of the Voluntary Housing Bodies.

Cllr. D. Grady said the housing programme has been neglected by Government over the past 6 years but this allocation is a start. He referred to the target of 130 houses under the RAS Scheme and said property owners are selling houses that are already let and the tenants are finding it very difficult to get alternative accommodation. He welcomed the allocation for Armagh House for the homeless.

Cllr. J. Moloney asked if houses are available for the RAS Scheme and where are the infill sites in Listowel. Almost €200,000 is provided for the houses in Listowel and that appears to be high. It is accepted there are delays in repairing vacant houses and he asked, with the present staffing levels, is the target for voids achievable.

Cllr. T. O'Brien said fresh thinking is needed to achieve these targets. Some elderly people are living in three or four bed houses that are too big for them and they are struggling to maintain them. It should be possible to come to an agreement with them. He welcomed the proposed 50 houses to be built in Lohercannon and asked that they would be well planned.

Cllr. S. Locke welcomed the proposal to purchase houses and also the involvement of the approved housing bodies. It should be possible to come up

with a solution for older people whose houses are now too big for them to maintain and he asked that this would be considered.

Cllr. B. Cronin said the housing situation in the county is serious. He expressed his disappointment there was no mention of Castleisland, Currow, Furies or Scartaglin in the Programme as there is substantial demand for housing in these areas. He asked how people on the housing list from these areas would be catered for. Cllr. Cronin asked if new applications for single rural houses were being accepted. He welcomed the 12 units for Kerry Autism and also the allocation for Armagh House.

Cllr. D. Quigg expressed concern that the allocation for single rural dwellings was low considering the number of people in Kerry living in rural areas. He asked that greater emphasis would be placed on this category of housing.

Cllr. D. Healy-Rae said in 2013, €1.1m was allocated to build 8 houses but they have not commenced. The Programme includes the building of 20 houses in the Park, Killarney in 2016 and he hoped these would proceed. He welcomed the 16 houses to be constructed in Rathmore but expressed disappointment that there is no mention of Castleisland, Currow, Scartaglin, Furies or Farranfore in the Programme and he asked if land could be secured in these locations. The Programme provides for the involvement of Voluntary Housing Bodies to deliver the programme but he hoped that all Council owned land would be retained. He referred to the allocation of 130 houses for both RAS and the Long Term Leasing Schemes and asked was it realistic as he did not believe houses were available for letting.

Cllr. N. Kelleher said he looked up Daft.ie that morning and there are 5 apartments available to rent in Killarney and just 2 houses. If people in negative equity rent their property they pay tax on the rental income. He welcomed the 16 houses to be built in Rathmore and Barraduff. As the Government is not dealing with the present crisis houses are not available to rent.

Cllr. A. Thornton emphasised the need to use the current housing stock in the county. She requested an explanation for the term 'Voids' and she asked if funding could be allocated to provide housing in Lixnaw etc. Where targets for the Tralee and Killarney cannot be met she asked that the allocations would be transferred to other parts of the county.

Cllr. J.F. Flynn requested a breakdown of house purchases between, Tralee, Killarney and Killorglin and he asked that Disabled Specific Housing would also be provided in Killorglin. He asked that the housing list would be reviewed to establish where houses are required for the disabled and that the Programme would reflect this need.

Cllr. M. O'Shea said there is no mention of a new Tenant Purchase Scheme in the reports circulated and he requested an update on it. He expressed concern at the omission of Dingle, Lispole and Castlegregory from the construction programme. The funding provided for the construction of a house in Milltown is greater than in Tralee and he requested clarification on this. If the Council purchases houses it could inflate the market. In conclusion he welcomed the 16 houses proposed for Milltown and the 12 for Killorglin.

Cllr. P. Connor-Scarteen welcomed the 20 houses proposed for Kenmare but expressed disappointment that it is not proposed to build houses in Sneem. It is proposed to build 3 single rural dwellings in 2016 but that is not enough. This programme should benefit construction companies and he hoped the building standard would be high and that they would be well insulated.

Cllr. N. Foley asked if it would be possible to deliver 260 RAS and Long Term Leasing units in 2015 and was there any update on the new Tenant Purchase Scheme. She requested a breakdown of the proposed house purchases between Tralee, Killarney and Killorglin and she welcomed the allocation for the construction of 12 housing units for Kerry Autism. Cllr. Foley also welcomed the ongoing support for the Mitchels Regeneration project. She asked that an information session would be held for small builders. Cllr. Foley requested that priority would be given to the purchase or construction of housing units rather than leasing.

Cllr. R. Beasley asked that priority would be given to the construction of single rural dwellings. He expressed disappointment that just 20 houses are proposed for Listowel which is 6% of the overall programme and he requested an explanation for this allocation. The provision of €200,000 per unit appears excessive and he anticipated it should be possible to get better value for money. Cllr. Beasley pointed out there is also substantial demand for housing in Ballybunion, Lixnaw, Ballyduff and Ballyheigue.

Cllr. P. Daly said it is possible the cost of houses will increase if it is known the Council is purchasing houses. He welcomed the allocation for housing units for Kerry Autism. He referred to the RAS targets and asked how much that programme would cost and said it benefits private landlords.

Cllr. J. Healy-Rae said he was glad he voted to retain land in Kenmare, Sneem and Waterville. He welcomed the Programme and said he hoped funding would continue over the coming years.

Cllr. D. Nolan said if the Council starts buying houses it could displace lower priced properties. The Council should have a role to play in providing mortgages for lower income families who cannot get mortgages at present. She asked if Voluntary Housing Bodies must submit their proposal under the Programme.

Cllr. Nolan requested a breakdown of the current voids, a forecast of rolling voids and the types of dwellings involved.

Cllr. J. Finucane said this is a substantial Programme and it must be acknowledged. The Council can now purchase or develop assets for the county and he believed the most effective option is to acquire units either through purchase or construction and tenants would have an option to purchase their homes in the future. People in distressed mortgages are now coming onto the housing list. Lending institutions, owned by the State, are using English companies to monitor these distressed mortgages and this is unacceptable. In the past he proposed that repossessed properties would be offered to the local authority for 50% of the cost and the owner would be allowed to rent the house with an option to purchase at a later date.

Cllr. J.J. Culloty said while house prices are low at present it is important to ensure maximum value for money. It is proposed to construct three single rural dwellings in 2015 but this is very small considering the demand. There is no mention of Scartaglin or Currow in the Programme yet there is a demand for housing in these areas. There are Council houses vacant for years and they should be either repaired or sold.

The Cathaoirleach expressed his extreme disappointment that a new Tenant Purchase Scheme was not part of this Programme as it would be very beneficial for the Council. Considering the ambitious targets in the Programme he requested that members would be given 3 monthly updates on the targets.

Mr. J. Breen referred to members queries regarding the cost of constructing houses and said the Council has not gone to tender for the past 7 or 8 years and the true cost will only be known when tenders are received. He assured members that he was conscious of the impact the purchasing of houses could have on the market and they would be very careful in this regard. A number of councillors referred to parts of the county not mentioned in the Programme but Mr. Breen pointed out that the largest part of the Programme is the RAS and Long Term Leasing Scheme which can be anywhere in the county. Funding for these Schemes is not included in the allocation as it is current annual expenditure and both these schemes have been very successful to-date. No update has been received on the Tenant Purchase Scheme and a review of all vacant houses will be undertaken. He accepted there is a need for innovation when considering how the housing demand can be met. There is very little housing available in Killarney but if houses are available in Barraduff or other areas applicants will be asked if they would consider moving there. Mr. Breen undertook to provide a list of vacant local authority houses in the county to members. In relation to lower priced properties Mr. Breen accepted it is important to ensure other purchasers are not displaced. He would prefer longer term lease agreements but landowners prefer a 5 year lease. He undertook to consider the holding of a seminar for builders. Mr. Breen said both RAS and the Long Term Leasing

Scheme depend on availability. He assured members that the building standard of Council houses in Kerry is always very high and he undertook to take Cllr. Flynn's comments on board in relation to disabled specific housing. Single rural dwellings will be a last resort and if there are vacant properties in an area applicants will be encouraged to consider these in the first instance. Where there are voids it is proposed to bring them back into the housing stock. The Council has two sites in Colbert Street, Listowel which may suit the elderly and consideration will also be given to acquiring land in other areas. Housing need in Castleisland can be met through the RAS or Long Term Leasing Schemes. The cost of repairing vacant properties depends on the condition of the property and 'voids' relate to vacant Council houses.

The Chief Executive said the Programme is a very significant investment in housing in the county and it will be a challenge to deliver the Programme. The Council already has considerable housing loans and a significant part of the programme was to utilise these lands and to recoup some of the cost. A case was made to the Department to allow land in Council ownership to be used by Voluntary Housing Bodies. She accepted it will be very challenging to provide housing in Killarney and as a result neighbouring areas close to Killarney must be considered.

15.04.20.04 Annual Financial Statement for the year ended 31st December, 2014

Ms. A. McAllen referred members to the Annual Financial Statement which was circulated and said the aim of the AFS is to present fairly the financial position as at end 2014. The Annual Financial Statement is subject to external audit by the Local Government Audit Service whose purpose is to form an independent opinion of the accounts following a comprehensive review of the Council's accounting records and management practices, to certify the correctness of the Annual Financial Statement and to submit an Audit Opinion and an Audit Report. A copy of the Auditor's Opinion and Report will be circulated to each Member of the Council when it is received, in accordance with normal practice.

By Resolution at the October 2007 Ordinary Meeting, the Council established an Audit Committee. As per the Local Government Reform Act, 2014, and in accordance with the approved Audit Committee Charter, the functions of the Committee are to:-

- Review financial and budgetary reporting practices and procedures within the Council.
- Foster the development of best practice in the internal audit function.
- Review auditors' reports and special reports and assess follow-up action by management.
- Assess and promote efficiency and value for money.

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- Review risk management systems and make such recommendations to the authority as the Committee considers appropriate in relation to the foregoing.

The Audit Committee is required to report to the Council annually, providing such advice and making such recommendations, if any, to the Council as the Committee considers appropriate. The 2014 Report will be considered by the Members at that Meeting.

Internal Audit has an important role to play also and the primary role of internal audit is to provide assurance to Senior Management and to the Audit Committee that the various risks facing the Council have been identified and appropriate internal controls are in place to manage those risks. Internal Audit makes a valuable contribution to the effective management of Kerry County Council and is a key player in the corporate governance process.

The Annual Financial Statement for 2014 for Kerry County Council differs significantly to that of previous years making direct comparison with 2013 difficult. The 2014 Annual Financial Statement reflects:-

- The combined accounts of the former Tralee, Killarney and Listowel Town Councils with Kerry County Council.
- The provisions of the Water Services Act, 2013, and No. 2 Act, 2013, in respect of the transfer of assts and liabilities to Irish Water.
- A Service Level Agreement with Irish Water for the delivery of Water Services.
- Establishment of Local Enterprise Office in Kerry County Council following the dissolution of the County Enterprise Board in April 2014.
- The revised Accounting Code of Practice

In particular, in relation to comparison of categories of expenditure, the severe storms of early 2014 incurred additional expenditure than that budgeted across many divisions of the Council and former Town Councils for 2014. In addition, Water Services operational expenditure traditionally reflected across many expenditure headings in 2013 and previous years are, from 2014, mainly procured through Irish Water Systems. All of these factors make direct comparison difficult to previous years.

Total Financial Activity of the Council for the year 2014 and a comparison with the previous year is provided on page 10 and page 11 with supplementary notes.

The Overall Financial Activity for the year was €170,611,762.

This level of expenditure indicates the ongoing extent of day-to-day service delivery, infrastructural development undertaken by the Council across the

county during 2014. It also indicates the significance of operations of the County Council on the local economy.

This review document deals with four key elements of the Annual Financial Statement, (i) Income and Expenditure Statement - Revenue Account, (ii) Capital Account, (iii) Borrowings and (iv) Fixed Assets.

The Revenue Account

This account covers the everyday expenses of the Council, such as payroll, Maintenance of Housing, Roads, Irish Water Service Level Agreement, Land-Use Planning, provision of waste management infrastructure, pollution control, fire protection and fire fighting, library service, administration/support costs, repayment of loan charges, insurance, etc.

The total accrued Income was €135,117,464 with a total Expenditure of €135,026,534. An excess of income over expenditure in 2014 has resulted in a surplus of €90,930 for 2014.

There is a future financial obligation in respect of the Killorglin Area Service Centre Development. As presented to Members on a number of occasions since 2004 the Killorglin Town Centre Project was developed as a public private venture with Laune Properties Limited. The building was satisfactorily completed in 2006, in order to avail of the taxation relief schemes in place at that time the investors group to the development are required to hold the property under a long-term lease. As part of the legal agreements required the investor group leased back the Council elements of the development upon completion of the works for a period of 13 years and 3 months to the Council. This ensures that the Council will at all times be able to use the property as anticipated. At the end of the tax life of the reliefs available Kerry County Council will purchase the investors interest in the development and will own the asset with an income stream. This is a lump sum capital payment of €7.942m by this Council in full and final settlement of our financial obligations towards this project in December 2020. A specific reserve of €480,000 has been created in the accounts towards this obligation during the intervening years up to 31 December 2013.

Over the course of 2014, Kerry County Council has managed the resource base effectively despite the many challenges faced. The Council has prudent expenditure controls in both Revenue and Capital and strengthened debt management measures to maximise income where possible. This effective resource management has limited the impact of the economic downturn on the delivery of local services by this Council. Once off, higher than anticipated income from NPPR, together with storm grant support received towards year-end, has offset the significant additional expenditure incurred as a result of the storm damage in early 2014 and has enabled the Council to carry forward provisions for a number of on-going specific projects. Following a review of the accounts and taking into consideration areas of expenditure identified by

members throughout the year, areas of expenditure experiencing severe difficulty during preparation of Budget 2015 and recognising areas of known liabilities and commitments by this Council the following provisions will realistically provide for our significant financial obligations.

The main provisions carried forward include in particular:-

- €440,000 - Local Authority Land Bank.
Creation of a fund to maximise development of existing land banks, strategic review of land loans, and to avail of any economic opportunities on strategic sites.
- €200,000 towards Killorglin Area Service Centre Funding obligation.
This provision is made to increase the specific reserve referred to in Par. 2.2 which refers to future financial obligations of €7.942m for this project.
- €100,000 Emergency Structural Repair Fund as a provision towards costs arising from severe weather conditions.
- €100,000 towards Opportunity Site Development Design.
- €150,000 contribution towards contingency superannuation fund to avoid exceptional pension payments liability in any given year.
- €60,000 Financial Management System Up-Grade.
- €200,000 towards the Fenit Harbour Dredging Programme.
- €120,000 Town/Village Enhancement Programme.
- €100,000 I.T. Desktop and Server Reinvestment Programme.
- €50,000 in support of grant-aid for 1916 Commemorations.
- €70,000 as a provision for Public Lighting Upgrade Capital Refurbishment Programme.
- €50,000 as a provision for Burial Ground Development Programme.
- €50,000 provision towards Library Services Infrastructure Programme.

This continues a policy of astute financial management and will reduce our exposure to both known and unknown liabilities. This opportunity will not be available again given pressure on our local income streams.

Expenditure variances to the allocations approved in the Adopted Budget are outlined on Pages v, vi and vii of the AFS Financial Review. Irrecoverable Rates were estimated across the four local authorities at €8.7m, whereas the actual out-turn amounted to €9.6m. A summary of the Capital Account is set out on Pages viii and ix.

Capital Borrowing / Mortgaged Housing Loan Activity

The Council's capital debt at 31 December 2014 amounted to €106.9m.

Fixed Assets

The Balance Sheet indicates that at 31 December, 2014, the Net Book Value of our accountable assets is €3,490.5m.

Ms. McAllen said the retention of a cumulative revenue reserve is a very positive reflection on both the elected members and the continuous efforts of staff of Kerry County Council in maximising resources, achieving better value for money, maximising revenue and increasing overall efficiencies over the past number of years. However, it must be noted that this is based on accrual accounting and not all of the funds are realised at the end of 2014. The balance on the account is considered prudent and satisfactory for an organisation of this size and complexity.

Kerry County Council took actions during 2014 and continues into 2015 and the future, to adjust and match both operational day-to-day spend and its long-term capital investment programme with available funding and resources.

The recent Circulars impose very strict obligations on local authorities to avoid any deficit in the current account, to keep expenditure and income in the capital account in balance, to borrow only in accordance with ministerial sanction and to keep the net bank position limited to the previous year's level.

In conclusion Ms. McAllen thanked all the staff of the Finance Department for their professionalism and dedication throughout what has been a very challenging 12 months.

Cllr. N. Kelleher said the AFS is an extensive document and he acknowledged the work of Ms. McAllen and her team in preparing it. Through prudent management of the finances there is a surplus that through investment will safeguard against future liabilities. Cllr. Kelleher said while there was a windfall from NPPR in 2014 that will not happen again.

Cllr. J. Finucane welcomed the AFS and the provision being made for the Killorglin Area Services Centre where the Council will end up with an asset and an income stream. He also welcomed the provision of funding for the dredging of

Fenit. Cllr. Finucane cautioned that there is concern among rate payers and he asked that they would be dealt with fairly. Cllr. Finucane PROPOSED that the AFS for the year ended 31 December 2015 be adopted and that additional expenditure as outlined in the financial review including the provision for the additional measures mentioned in the review would be approved.

Cllr. J.J. Culloty SECONDED this proposal.

Cllr. D. Healy-Rae complimented the Head of Finance on the AFS and said while there was a surplus in 2014 which is welcome many roads are in a dreadful condition and he asked that funding would be provided for the CIS.

Cllr. S. Locke complimented Ms. McAllen on the surplus in 2014 and on the extensive work programme outlined in the AFS. He referred to the inclusion of Irish Water in the document and said in December members voted not to recognise Irish Water and he asked if the Council is disclosing information to IW.

Cllr. M. Cahill commended Ms. McAllen and the staff of the Finance Department on the AFS. Killorglin Town Centre project is a wonderful Public Private Partnership and it is now the centre of Killorglin. He asked that similar projects would be considered in the future for other towns. Cllr. Cahill expressed his disappointment that funding was not provided to address tidal flooding. Where a person owns one house but must go to Cork or London for economic reasons it is wrong that they must pay NPPR and he asked that this issue would be referred to the Department for clarification. There are breaks on the Mid Kerry Water Supply Scheme daily and he understood a lot of chlorine is added to it as a result. The people of Mid Kerry are frustrated at the lack of an adequate water supply yet they are expected to pay water charges. In Scotland the water pipes were replaced and meters were then installed. He requested confirmation in writing that customers in Mid Kerry will not be asked to pay water charges until an adequate water supply is guaranteed.

Cllr. T. Ferris asked how much was in the Capital Account for each of the Town Councils when they were abolished last June and has this been used. She presumed it would be ring fenced for the relevant towns. The total of the provisions carried forward set out on Pages iv and v amount to €1.69m yet an additional sum of €1.72m was collected. She asked if the balance was used to offset over expenditure in some Divisions. Cllr. Ferris referred to Page vii and Division G where there was a deficit of €1.377m and said €200,000 is provided for Fenit Harbour Dredging. Allowing for storm grant funding of €1.5m this reduces the net expenditure over income out-turn to €0.708m. Irrecoverable rates amounted to €9.6m and she asked if this reflects the reduction granted to struggling rate payers or does it include rates for unoccupied buildings. Cllr. Ferris referred to Page viii where it states that an unrealised amount of €6.165m is included in the closing capital balance and she asked what type of projects are funded from this. She then referred to Page ix where it states a sum of €0.86m is

provided for NPPR Payment Plans and asked if this is the cost to the local authority for setting up payment plans. Cllr. Ferris asked what the value of plant and machinery was before the Council exited the Refuse Service.

Cllr. A. Thornton said the visual impact of funding allocated from the Community Support Fund will be visible and she asked that the same level of support would be provided in 2016.

Ms. A. McAllen thanked the members for their kind comments. Note 19 in the AFS deals with transfers to Irish Water and that note was given to local authorities by the Department. In relation to the NPPR a resolution was sent to the Minister requesting clarification on the case where a home owner has to live in Cork, London etc. for economic reasons and the reply clearly stated that category of home owner is liable for NPPR. Ms. McAllen assured members that the balances in the Capital Account for each of the former Town Councils would be ring fenced for those Town Council areas. It was at the end of 2014 by the time the total income for storm damage was received and funding was sourced from six different Departments. Works following the storms cost €3.8m and grants totalling €3.1m were received. The additional income from NPPR was used to meet the additional expenditure incurred for storm damage. The additional provision for irrecoverable rates includes vacant properties and write offs. Ms. McAllen referred to Division G and said some of the additional income was used to offset the debit balance in that Division. There are a number of debit balances on our books including one for Inch where substantial works were undertaken a few years ago. Any additional income must be used prudently as it is important to ensure the Council is financially secure into the future. A sum of €836,000 is provided for potential NPPR payment plans and in accounting if there is a commitment it must be accrued in 2015.

On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. J.J. Culloty it was unanimously agreed to note the AFS for year ended 31 December 2014 and to approve additional expenditure as outlined in the financial review including the provision for the additional measures mentioned in that review.

15.04.20.05 Audit Committee's Annual Report 2014 (Sept. – Dec.)

Cllr. B. O'Connell said the Audit Committee's Annual Report 2014 covers September to December 2014 only when the current committee was formed. The previous Audit Committee reported to the Council at the end of its term in May. The Audit Committee comprises five members – three external and two councillors. The Committee met twice in 2014 (September and November) while in a full year it is intended to have a minimum of five meetings. The main focus since its formation has been on establishing the Committee and to this end some key items have been:

- Audit Charter developed and approved
- Annual Work Plan for 2015 developed and approved
- Induction Training completed by all members of the committee
- Meeting with Local Government Auditor at November meeting

Two full audit reports were reviewed at the meetings to-date relating to Freedom of Information procedures and Rental Accommodation Scheme (RAS). Several more reports are in the pipeline that were reviewed in early 2015. The Audit Committee also reviewed the work of Internal Audit and had presentations from management relating to financial and related matters.

The Cathaoirleach informed the meeting it was after 1pm and he would then take Item 16.

15.04.20.16 Presentation by Brú Columbanus

The Cathaoirleach welcomed Ms. Anne-Maria O'Connor from Brú Columbanus to the meeting.

Ms. O'Connor said Brú Columbanus was set up in 2004 to provide purpose-built accommodation for the families of seriously ill patients in Cork hospitals and the Hospice. The site was donated by Cork City Council at Cardinal Way, Wilton. The residential house opened to guests in 2005 and has 26 rooms. Brú Columbanus is run by an independent Board of Directors and it provides accommodation, without charge, to the relatives of patients of all the Cork Hospitals and the Hospice. It is open 365 days a year since 2005 and the average number of families accommodated each year is 650 with an occupancy rate of 98%. The overall number of clients to date is 5,525 and every guest has their own story.

Ms. O'Connor outlined the number of Kerry families that have availed of this service from 2009 to 2014. Brú Columbanus is dependent on fund-raising and donations to sustain its operation. The annual operating costs are €300,000. The service provided generates a huge amount of goodwill and from a financial viewpoint, this goodwill manifests itself in a varied range of fund-raising events across the province. On a practical operational level, the goodwill sees a volunteer base of approximately 70 local volunteers who help in the running of the house and there are 6 meetings rooms which are hired out and are a valuable source of income. Ms. O'Connor outlined other supporters of Brú Columbanus.

It was clear from the early years that there was an ongoing unmet need that is accommodation services for cancer patients from all over Munster who currently travel to CUH to receive treatment. Brú decided to advance plans to address these un-met needs that would enable patients to stay in purposely provided accommodation for the duration of their treatment and negating the need for admission to hospital and / or travel. It is now proposed to provide a home from

home for patients receiving cancer treatment. A neighbouring site was made available by the SMA Priests and planning permission for a 24 bed facility was granted in 2008 and it was extended to 2018. Due to the economic downturn the project could not proceed. However they are now engaging with the Department of Health on it. Since they got their planning permission CUH has become a Centre of Excellence for Cancer Treatment. Using Brú 1 as a template, an economically sustainable model for the provision of residential accommodation for cancer patients is possible. In conclusion Ms. O'Connor said the financial support from Kerry County Council was reduced in the past few years and she hoped the former funding could be restored.

All members thanked Ms. O'Connor for her presentation and acknowledged the fantastic work done in Brú Columbanus.

Cllr. N. Foley said Brú Columbanus provides more than accommodation and also provides much needed support at a very stressful time. She acknowledged the volunteerism of the people of Cork who help to run this facility. In conclusion Cllr. Foley asked how much the new facility would cost.

Ms. O'Connor said it is estimated to cost 5m.

Cllr. Foley said while she appreciated the huge financial constraints on the Council but given the huge number of Kerry people using the facility she PROPOSED that a significant contribution would be made by Kerry County Council to Brú Columbanus going forward.

Cllr. J.F. Flynn said Brú Columbanus is an excellent facility. As a lot of families from Kerry use it he assured Ms. O'Connor that the members of Kerry County Council would do whatever they could to support it in the future.

Cllr. M. Cahill complimented Ms. O'Connor on the excellent facility at Brú Columbanus and said it has benefitted many Kerry families. In Kerry many of the general public are not aware of this facility and he asked that the Council would publicise it. Cllr. Cahill asked that the Council's contribution to Brú Columbanus would be increased.

Cllr. D. McCarthy also asked that the contribution to Brú Columbanus would be increased.

Cllr. S. Locke said there are serious costs associated with operating Brú Columbanus and with developing the new facility and he said the members of Kerry County Council would support it.

Suspension of Standing Orders

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

On the PROPOSAL of Cllr. J. Brassil, SECONDED by Cllr. T. Ferris it was agreed to suspend Standing Orders to allow the meeting to continue.

15.04.20.16 Presentation by Brú Columbanus (Cont'd)

The Cathaoirleach thanked Ms. O'Connor for her presentation and said when he visited Brú Columbanus he witnessed the excellent work done there. He suggested that the Council should, at least, revert to an annual contribution of €15,000 and build on that in time.

Cllr. J. Moloney PROPOSED that a letter would issue to the HSE supporting Brú Columbanus's application for funding for the new facility.

Cllr. D. McCarthy SECONDED this proposal and it was unanimously agreed.

The meeting adjourned for lunch at 1.50pm.

The meeting resumed at 2.35pm.

15.04.20.06 2014 Kerry County Council Draft Annual Report

Mr. J.D. Flynn referred members to the 2014 Kerry County Council Draft Annual Report which was circulated and he briefed them on the report.

On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. J.J. Culloty it was unanimously agreed to note the 2014 Kerry County Council Draft Annual Report.

15.04.20.07 Report on the activities of the LCDC

Mr. J. Breen referred members to the report on this item which was circulated. The report outlines the membership of the LCDC and Mr. Brien briefed the meeting on the work of the LCDC to-date.

15.04.20.08 Ratification of nominees to the LCDC

On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. P. Connor-Scarteen it was agreed to ratify the following nominees to the LCDC to fill existing vacancies:

Anne O'Dwyer – Kerry Education and Training Board
Padraig Hanrahan – Destination Kerry (Tourism Sector).

15.04.20.09 Nomination to the Board of Kerry Community Transport Ltd

On the PROPOSAL of Cllr. J. Brassil, SECONDED by Cllr. J.J. Culloty it was agreed to nominate Cllr. N. Kelleher to the Board of Kerry Community Transport Ltd.

15.04.20.10 Nomination of two elected members to the Local Traveller Accommodation Consultative Committee

On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. J. Finucane it was agreed to nominate Cllrs. J. Moloney/J.J. Culloty (sharing the Chair of the SPC for the Council term) and Cllr. T. Ferris to the Local Traveller Accommodation Consultative Committee.

15.04.20.11 Report on the Operations SPC

It was agreed to note Cllr. J. Sheahan's written report on the most recent meeting of the Operations SPC.

15.04.20.12 Draft Kerry 2016 Commemorations Work Programme

Cllr. R. Beasley, Chairperson of the Tourism, Culture, Arts and Recreation SPC said the Draft Kerry 2016 Commemorations Work Programme was considered by the CPG and they recommended its adoption. He welcomed the holding of a State Ceremony in Banna on the 21st April, 2016.

Mr. J. Breen informed the meeting the Work Programme was compiled following the adoption of the policy at the April Meeting and it was considered by the SPC and the CPG. As the budget is limited Mr. Breen stressed the need to seek additional funding elsewhere. The Draft Work Programme will be put out for public consultation and he thanked the members of the SPC and the working group for compiling the Work Programme.

Ms. K. Kennelly said the indicative budget for the 2016 Commemorations is €150,000 inclusive of income of €30,000 from the Department of Arts, Heritage and the Gaeltacht. The key to the success of the programme is public consultation. Ms. Kennelly then briefed the meeting on the Draft Programme.

Cllr. P. Daly said the County Museum will attract schools and a lot of the programme will be focussed on the County Museum. He presumed the County Museum will deal with more than what Roger Casement did in the Congo as he did a lot in Ireland also. It is also important to remember the other Kerry people who were involved in the GPO. Cllr. Daly asked if the display in Dingle Library on Tomás Ághas would be a permanent display.

Ms. Kennelly confirmed it would be a permanent display.

Cllr. Daly asked if the County Library could fund a lecture programme and the Roads Department could fund the repairs to the road at Banna. This would then free up funding for other projects. He asked if the Programme is fixed or can it be developed through workshops. Maurice O'Keeffe's suggestion was good and would bring a lot of people to the county. Cllr. Daly also emphasised the need to establish a trail and to colour code it.

Cllr. D. Quigg welcomed the report but expressed concern at the proposal for Ballykissane Pier. The report mentions 'Enhancement of pier and monument' but he said the monument is owned by the National Graves Committee and it was recently sand blasted and reworded. He questioned the proposed use of the €10,000 on Ballykissane and said it would be better spent on (a) a Schools Education Programme, (b) Tidy Towns and (c) on the Men's Shed in Killorglin. He asked before the Programme is finalised that the outcome of the public consultation would be assessed.

Cllr. M. Gleeson said he was very impressed with the submission from the Killorglin Heritage Group and there would be long term benefit to the area from their proposal. There were also some other excellent submissions. He attended a talk in Dublin by Micheál Ó Moráin on the life and times of Tomás Ághas and it was excellent. There is a great reservoir of historic knowledge and it should be utilised. He saw merit in showcasing All Ireland medals but it should be done in a number of towns. Family trees of All Ireland medals could be established which would be very interesting.

Cllr. M. Cahill expressed his disappointment at the allocation of €10,000 for Ballykissane bearing in mind its historic significance. The allocation of €25,000 for Banna is also inadequate. It is suggested that some projects could apply for LEADER funding and he asked that the Council would assist the organisers in applying for that funding. In conclusion Cllr. Cahill said the proposal from Killorglin Heritage Committee was very good and would be there for all time.

Cllr. P. Connor-Scarteen thanked Ms. K. Kennelly and the members of the SPC for compiling the Programme. Timing is key and applications for LEADER funding should be submitted as soon as possible. He expressed his disappointment that the funding of €50,000 from IPB was not realised. Cllr. Connor-Scarteen said he hoped the schools would get involved in the Programme and the allocation of €10,000 for Ballykissane was not adequate. Local communities should be leading this programme and historical societies should be asked to lead events in towns and villages not mentioned in the Programme. Five Kerry people fought in the rising and the County Museum should also honour them.

Cllr. J. Finucane welcomed the Programme and in particular the reference to the Aud. He understood the two anchors were salvaged from the Aud and one is in Tralee. The story of the Aud is very exciting and he would like to see some recognition of this in Fenit. He PROPOSED that one of the anchors from the Aud would be displayed in Fenit. Roger Casement was an extraordinary figure and his journeys in the Congo changed his outlook and political beliefs and that inspired him to get involved in Ireland. Cllr. Finucane asked that there would be an emphasis on audio visual and not only on monuments and stones. The Programme must try to ignite people's interest through the exhibition in the County Museum. The County Museum needs major refurbishment and the Director of the National Museum said other artefacts would be given/loaned to the County Museum if the building was suitable. He asked that there would be recognition of the Aud in the Commemorations and of the role of Captain Carl Spindler who sank the Aud at the entrance to Cork Harbour.

Cllr. D. Grady indicated his support for submission Nos. 1 – 3 and he added that the submission from the Killorglin Heritage Committee was very good.

Cllr. T. Ferris said she was not too concerned at the amounts of money allocated for each event but rather how the money was spent and spending €25,000 improving the access road to Banna is not acceptable. Members want to ignite new interests and in light of the fact that the event in Banna will be a State event the Operations Budget should cover the cost of repairing the road. Cllr. Ferris commended the initiative on Global & Diaspora and the inclusion of Heros Week. She also welcomed the ongoing engagement with local communities. This programme should not be about monuments but rather about recording our history. She supported Cllr. Daly's suggestion on establishing a historic trail in the county and said it would be one of the least expensive initiatives and she suggested that a booklet should be produced to accompany it. She asked that events by all groups would be included in the Programme and while she welcomed the proposed Casement Exhibition in the County Museum she said others involved in the 1916 Rising should also be included. Cllr. Ferris pointed out that day was the 99th anniversary of the U Boat that came into Tralee.

Cllr. J.F. Flynn referred to the allocation of €25,000 to repair the road to Banna and said this funding could be put to better use. He asked how much would be allocated to schools.

Cllr. J.J. Culloty welcomed the Programme and said it was very broad and its success will depend on the engagement of the general public with it. It is important to reignite interest in 1916 and he expressed concern that some projects must depend on LEADER funding.

Cllr. N. Foley acknowledged the work of Ms. Kennelly and her colleagues in compiling the Programme. She welcomed the public workshops to be held in May and said there should be widespread public consultation. She welcomed the Casement Exhibition and the funding for Schools and the Arts Programme. Cllr. Foley said there needs to be leadership in terms of consultation with the schools and she suggested that there would be a dedicated 'Schools Day' in each of the Municipal Districts. She asked that the GAA would be contacted as they may be willing to contribute to the Programme. There needs to be an element of fanfare around the Programme in January 2016 with a big launch and Press day.

Cllr. S. Locke acknowledged the work that went into compiling the Programme and he acknowledged the work of the SPC. The budget of €150,000 is very small and should be increased. Cllr. Locke said he hoped the schools would get involved.

Cllr. N. Kelleher welcomed the Programme and asked that monuments would be refreshed from the Operations Budget.

Cllr. P. Daly said he was in favour of exploring global capitalism but Casements role in Ireland should not be forgotten.

The Cathaoirleach suggested where there is a group like Killorglin Heritage Committee they should be consulted and a project agreed with them.

Mr. J. Breen acknowledged the extensive programme in Kerry and said an application would be submitted at a national level for additional funding. There will be public consultation in May and he would take members comments on board.

Cllr. J. Healy-Rae expressed his disappointment at the allocation for Ballykissane and asked that a substantial project would be undertaken there. He asked that it is would be discussed further at Municipal District level.

15.04.20.13 Summary of proceedings at the Co-operation Ireland Seminar by Cllr. P. McCarthy

It was agreed to note Cllr. McCarthy's written report on the Co-operation Ireland Seminar which was circulated.

15.04.20.14 Cathaoirleach's report on his visit to New York from 15th to 20th March, 2015

It was agreed to note the Cathaoirleach's written report on his visit to New York from 15th to 20th March 2015, which was circulated.

15.04.20.15 Date for Annual Meeting

On the PROPOSAL of Cllr. N. Kelleher, SECONDED by Cllr. P. McCarthy, it was agreed to hold the Annual Meeting of Kerry County Council on Monday, 22nd June, 2015 at 12.00pm.

15.04.20.17 Approval for the opening of Tenders

- (a) On the PROPOSAL of Cllr. J.J. Culloty, SECONDED by Cllr. N. Kelleher, it was agreed to approve the opening of tenders for Thin Client technology refresh – Software Licenses – Closing date: Friday 24th April, 2015 at 2pm.
- (b) On the PROPOSAL of Cllr. N. Kelleher, SECONDED by Cllr. M. Gleeson, it was agreed to approve the opening of tenders for Appointment to a multi-party framework for the supply of Fuels 2015 / 2016 to Local Authorities – Closing date: Monday 11th May, 2015 at 3pm.

15.04.20.18 Notices of Motion

1. Elimination of Japanese Knotweed

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

That the Council would detail its proposals for this growing season in relation to the control and ultimate elimination of Japanese Knotweed at the many locations in the county where it is thriving.

The following reply issued:

As outlined previously the Environment Department in collaboration with the Biodiversity Office and the Roads Department have and continue to be actively involved in both raising awareness within the community on invasive species and carrying out pilot eradication schemes on our own lands.

Most recently a workshop was held in Tralee attended by 50 members of the community and our own staff. The workshop aimed to raise awareness around a range of invasive species, including Japanese Knotweed. As part of the seminar recently designed signage and a bi-lingual leaflet on JK was provided to attendees. Since then additional signage and leaflets have been sent to all the local libraries and Area Engineers Offices to be issued to members of the public. Our own staff will continue to place signs along stretches of the road where JK is found asking landowners not to cut the plant.

All three Departments will continue to work on such projects with the aim of raising awareness about Japanese Knotweed and other invasive species. However, again it should be noted that many other statutory

bodies ultimately have a role to play in a National response to the threat of invasive species. The sole responsibility of managing invasive species does not rest with Kerry County Council. Like any other land owner, Kerry County Council aims to apply best practices to its own activities when it comes to invasive species and where possible educate and raise awareness amongst the broader community.

Cllr. M. Gleeson said for a number of years he has been speaking about the threat posed by Japanese Knotweed to houses, roads, footpaths and native shrubs and plants. For quite sometime no one was listening and the plant continued to prosper. Over the past 12 months or so, however, the Council began to take action to control and hopefully ultimately eliminate this invasive threat.

Killarney Town Council in its final year took decisive action, by means of injection and hopefully has eliminated the Knotweed. Following on from that work a considerable amount of spraying of the plant was done in the East Kerry area. People will have seen the identification signs along the side of the N22 warning people not to cut or pull the plant.

However he also heard last year of the plant being cut along the sides of some roads. This is he assumed because some people are unable to identify it. Cllr. Gleeson called on the Municipal area engineers and Foremen to ensure that they can identify the Knotweed and to convey the necessary information to all outdoor staff. If those actions are not taken the plant will continue to prosper and continue to spread.

The previous day he visited two locations where the Knotweed was sprayed last year and he had very clear evidence that one spraying is not enough. In conclusion, Cllr. Gleeson thanked the Council staff for the work done to-date and he urged that an all out battle would be waged this year. He added that Kerry Radio would re- broadcast a Frank Lewis Saturday morning programme on May the 23rd on this issue.

Cllr. J.J. Culloty SECONDED the motion and said it is important to ensure the spraying programme is continued.

2. Placing of cameras on bridges crossing national primary roads to prevent people dropping stones and sandbags on vehicles

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

That this Council places covert cameras on the bridges crossing our main national primary roads to try and prevent people dropping stones and sandbags on approaching vehicles.

The following reply issued:

There are 6 bridges crossing over the National primary Road network in the County. In recent years, An Garda Siochana have investigated a number of isolated incidences of objects being thrown from over bridges at Ballymachthomas and Currans. On occasion these incidences have resulted in serious damage to vehicles and could potentially have more serious consequences, with a risk of loss of life. In the event of a fatality as a consequence of such actions, suspected individuals could be charged with a very serious offence. All of the incidents reported to date have been during the hours of darkness. An Garda Siochana have advised that there is an on-going investigation into the recent incidences.

The provision of CCTV cameras at these locations would be extremely difficult, given the extent of the areas required to be covered by camera, the increased level of lighting required to enable video to be clearly recorded and the cost in bringing electricity to what are effectively remote locations. Issues such as this are appropriate for consideration at the Joint Policing Committee, where An Garda Siochana may be in a position to advise on the frequency of reported incidences and what actions by the Council may be reasonably appropriate to assist in addressing dangerous or significant anti-social behaviour.

Cllr. P. McCarthy said this action by a few people is endangering motorists and it could have resulted in a fatality. In Dublin where this was happening a mesh barrier was installed on the bridge. He appealed to all parents to ensure their children understand the danger of their actions. Anyone who suspects that an individual is involved in this type of activity should report it immediately. He called on the Press to highlight this issue. In conclusion Cllr. McCarthy wished the young child injured in the Rally at the weekend a speedy recovery.

Cllr. M. Gleeson **SECONDED** the motion and said he witnessed a similar incident in Galway following which wire mesh was erected on the bridge. He added that this would be a relatively inexpensive solution.

3. Provision of a deposit by Council tenants

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

That Kerry County Council would explain the reason for new tenants being obliged to provide a deposit prior to taking up a house with this Local Authority. Can Kerry County confirm if this is the practice in all Municipal Districts.

The following reply issued:

It had been practice in the former Tralee Town Council Area to seek a deposit from new tenants. The deposit was normally returned to the tenant at the end of the tenancy if the property was returned in an undamaged state, it was intended to encourage tenants to maintain their rented property in a good condition. This practice, while a standard practice with

private landlords, was not applied elsewhere in the County by Kerry County Council or by the former Town Councils of Killarney and Listowel. Following the amalgamation of the former Town Councils with Kerry County Council, there exists some differences in practices and procedures. We are currently reviewing these practices and procedures across the County to ensure standardization of approach and consistency for all tenants of the Council.

Cllr. N. Foley said new local authority tenants in Tralee are being asked to pay a deposit but that is not the case in any other area. One year on from the abolition of the Town Council this is still the case and she asked that this requirement would be withdrawn forthwith.

Cllr. T. Ferris supported the motion and said tenants are being discriminated against based on location. If a person is in need of housing they can get assistance from the CWO but when a deposit is due to a local authority they will not get assistance. Many tenants are not in a position to pay the €300 deposit and this must be rectified immediately.

Mr. J. Breen undertook to discuss this issue at the next SPC meeting.

Cllr. N. Foley requested that this requirement would be withdrawn following the SPC meeting.

4. Planning Bonds for unfinished Housing Estates

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

To clarify (a) how many planning bonds from unfinished Housing Estates have Kerry County Council currently sought repayment in order to complete outstanding works and (b) what are the individual amounts involved.

The following reply issued:

Kerry County Council has lodged 129 no. claims with 11 financial institutions, seeking payment of the proceeds of bonds to complete outstanding works on unfinished housing estates, throughout the county. The total value of these claims is €11.405m. The largest claim submitted is for €603,477 and the following is a breakdown of all claims made:

Value of Claim	Number of Claims	Total Value	Average Value
> €500,000	4	€ 2,249,652	€ 562,413
€400,000 - €499,999	2	€ 832,408	€ 416,204
€300,000 - €399,999	1	€ 359,714	€ 359,714
€200,000 - €299,999	9	€ 2,245,059	€ 249,451
€100,000 - €199,999	20	€ 2,780,807	€ 139,040
€50,000 - €99,999	20	€ 1,377,704	€ 68,885
€25,000 - €49,999	25	€ 831,126	€ 33,245
< €25,000	48	€ 735,424	€ 15,321
	129	€ 11.405m	

The majority of the claims are based on the anticipated costs of remedying those defects which are evident from a visual examination of the developments and are made without prejudice to the right of the Council to claim further sums, as additional works may become evident during the course of the works, particularly in relation to underground services.

We are in continuous negotiations with the 11 financial institutions to have the outstanding works addressed, either by contractors retained by the financial institutions or through the payment of the claimed bond. In a limited number of the developments where bonds have been claimed, the developers are arranging to have the outstanding works completed.

It should be noted that overall steady progress is being achieved and we continue to be successful in having bond claims paid on an ongoing basis albeit at a slower rate than we would prefer. In the recent past, we have secured payment of the bond in respect of a further 58 claims and arrangements are being made to have the works in these developments completed.

Cllr. B. Cronin said the Bond is the only security for homeowners when they buy a property. In the event of a problem they expect the local authority to draw down the Bond and to have the outstanding work completed. In Greenfield Estate the main sewer line is blocked and if householders have a shower the water backs up and this is unacceptable. It is a nightmare for home owners on the estate and they put their life savings into buying their homes. The big issue is the length of time it takes to get the works done. In Cahereen Heights in Castleisland nothing was done until the tanks collapsed. He asked that the procedures for drawing down Bonds would be streamlined. Cllr. Cronin expressed his gratitude to the staff working the Housing Estates Unit for their help and advice to residents. According to the report 4 claims have an average value of €0.5m and he asked what the prospects are for a successful and speedy conclusion for these estates.

Cllr. N. Kelleher **SECONDED** the motion and said many homeowners are in negative equity and this is a disastrous situation as homes are valueless until these problems are rectified. The Banks etc. are holding up the release of the Bonds. 10% of the outstanding amount relates to IBRC which is in receivership and the Bond is not being released to Kerry County Council. The Minister should resolve this situation to ensure funds are released to local authorities to allow works on estates to be completed. He requested an update on the €2m outstanding from IBRC.

Mr. C. O'Sullivan said while there is a sum of €11.4m outstanding in Kerry it reflects the national position. Substantial efforts are being made to recover this amount and approximately 20 estates are taken in charge each year. Recently more Banks are actively engaging in reaching a solution. The report lists claims for outstanding works and at most there are 30 unfinished estates in the county. This includes a small number of difficult estates while the vast majority appear to be substantially complete. The Council is actively working with the Banks etc. and it is hoped to complete 20 estates with at least 15 of these with IBRC. The Liquidator made a final call for the submission of claims and while Kerry County Council made a submission 3 years ago a further submission was made by the deadline.

Cllr. J. Finucane moved Notice of Motion No. 5 on behalf of Cllr. L. Purtill.

5. Provision of funding for a memorial to D. O'Rahilly

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

I am asking Kerry County Council to make funding available for the erection of a memorial to D. O'Rahilly who was the only leader of the 1916 Rising to be killed during the fighting. It is a fitting tribute to have this memorial erected for the centenary of the 1916 Rising. Michael D. O'Rahilly was born in Ballylongford on the 22nd April 1875.

The following reply issued:

Kerry County Council's Draft 2016 Work Program is being presented today. The program focuses on the policy adopted by Full Council; which cites key events at Banna, Ballykissane and Valentia Island.

The contribution to The Rising of The O'Rahilly, Ballylongford, and Tomas Ashe, Lispole, are also included. In terms of budgets available, program priorities and indeed incoming submissions we are working to a set budget, inclusive of an income from the Department of Arts, Heritage and the Gaeltacht of €30,000. The funding from the Department has a key metric of citizen engagement; the aim is to involve as many people as possible with the Commemorations in Kerry. Prior to advertising, and in the context of submissions received to date, it is unlikely the above fund will be sufficient to cover the projects proposed across the County. We

strongly recommend that Elected Members encourage people to investigate other funding streams such as LEADER & private sponsorship etc.

Cllr. J. Finucane moved Notice of Motion No. 6 on behalf of Cllr. M. Kennelly.

6. Call for a review of Speed Limits

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

That this Council commence a review of speed limits at the earliest opportunity with particular reference to slow zones in residential areas on foot of the launch of a new document entitled “Guidelines for Setting and Managing Speed Limits”.

The following reply issued:

A consultation paper on the process involved in the Special Speed Limit Review Process was brought before the Operations SPC at it’s recent meeting on 1st April 2015. The new Guidelines issued by the Department require considerable evaluation of specific sites where special speed limits are proposed and it is envisaged that the process will take approximately two years to complete. It is our intention to commence the process shortly.

The Cathaoirleach informed the meeting that Motion Nos. 7, 9 and 17 would be taken together.

7. Call for the adoption of an industrial relations policy to end zero hour contracts

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

That this Council notes the increasing casualization of employment, adding to the high levels of economic inequality; acknowledges the increasing prevalence of zero and low hour contracts; calls on the Minister for Jobs, Enterprise and Innovation to adopt an industrial relations policy that ends zero hour contracts, supports banded hour and full time contracts and protects workers creating a benchmark for sustainable decent employment.

9. Support for the workers in Dunnes Stores

Pursuant to notice duly given Cllr. G. Spring PROPOSED:

That this Council supports the workers in Dunnes Stores who are seeking:

- The implementation of banded hour contracts which would give workers security of hours and earnings.
- A review of excessive use of temporary contracts of employment.
- Individual and collective representational rights for Dunnes workers.

That this Council welcomes the commitment to legislate for an improved framework for workers who seek to better their terms and conditions where collective bargaining is not recognised by their employer and furthermore that this Council welcomes Government commitment to legislate so that workers can have confidence that they have an effective system that protects and promotes their rights. This legislation ensures they can advance claims about remuneration, terms and conditions and have these determined based on comparisons with similar companies – and not be victimised for doing so.

17. Elimination of zero hour contracts

Pursuant to notice duly given Cllr. J.F. Flynn PROPOSED:

That Kerry County Council call on the Minister for Jobs, Enterprise and Innovation to eliminate the use of '0' contract hours by Companies in this country to ensure workers can get loans, mortgages etc.

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

Cllr. T. Ferris said this issue was highlighted by the Unions and the Dunnes Stores workers are to the forefront on it. There has been a casualisation of employment through various contracts whereby a worker is only guaranteed a small number of hours per week. They must get 25% of the hours otherwise they must be paid. These new contracts are avoiding that. These workers cannot get mortgages and it should not be allowed to continue. She called on the members to show unanimous support for the Dunnes Stores workers and to stand up to the Government on this issue.

Cllr. J.F. Flynn said these workers cannot get mortgages and some of the Dunnes Stores workers were treated badly following the recent strike. He called for unanimous support for the abolition of '0' hour contracts.

Cllr. T. O'Brien supported the motions and said some of these workers are in the same employment for 20 to 30 years yet they have no security. He called on the Government to address this issue immediately.

8. Putting in place an Emergency and Hardship Scheme for 2015

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

That we the Members of Kerry County Council resolve to put in place for 2015 an Emergency and Hardship Scheme that operated successfully for the last 3 years.

The following reply issued:

The issue of an Emergency and Hardship Scheme was discussed by the members when adopting the four Municipal District Works Plans. Provision was made in the adoption of the SMDW Plans, where on such an exceptional hardship and emergency application is made for improvement works to private roads, the Members may wish to consider such applications for funding under the Councillor Specific Municipal District Operations Fund. These plans have now been adopted by resolution by each of the Municipal Districts.

Cllr. D. Healy-Rae requested that €2,000 would be retained from each councillors allocation to be utilised for emergency cases. While just 2 roads per annum were improved from this fund in the past it worked well. He asked if it could be run on a Municipal District basis or would there not be adequate funding to do this. He asked for the support of all members to revert to the system that was in place in the past.

Cllr. J. Healy-Rae SECONDED the motion and said the most needy and those in poor health benefitted from this in the past. At a cost of just €2,000 per member it worked well and should be considered.

Mr. C. O'Sullivan in 2012 it was agreed that each member would contribute €2,000 from their Councillor's Allocation to this fund. This issue was considered by each Municipal District and it was agreed to continue it on a Municipal District basis. It is a matter for the members to decide if they want it on a Municipal District basis or at county level.

The Cathaoirleach said if it is operated at Municipal District level each Municipal District will benefit and he asked Cllr. Healy-Rae if he was satisfied with that.

Cllr. D. Healy-Rae said there would not be adequate funding at MD level.

Cllr. J. Finucane said if it was operated on a county wide basis there would be a bigger fund and each Municipal District would benefit in turn.

The Cathaoirleach stated this matter would be referred to the SPC for further consideration.

Cllr. D. Healy-Rae asked if management would contribute to the fund.

Mr. C. O'Sullivan pointed out that all funding has been allocated in the Roads Programme. The Emergency and Hardship scheme that was developed operated on a points basis and it took account of the level of disability. There was a local contribution which varied from 5% to 25%. Mr. O'Sullivan undertook to raise this issue at the next SPC meeting. However he pointed out that members in the Listowel MD have already committed to one road and they will want that commitment honoured.

10. Submission of planning applications digitally

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

That Planning Agents in Kerry be allowed to submit planning applications digitally. Planning Agents to convert all documentation and drawings to PDF format (similar to the new Building Control Management System - BCMS) and either email the application or submit the application on a disk.

The advantages are 2 fold - a) reduced physical storage for planning files and b) environmental reasons such as reduced ink, paper and carbon footprint of physically lodging the application. It also reduces the physical movement of the files, storage and scanning hours. Dublin City Council offers a service similar to this.

The following reply issued:

Kerry County Council is very eager to advance a more efficient, accessible and transparent Planning Administration system which includes citizen and agent online submission, observation and inspection functions. We were one of the first Local Authorities to digitize our planning files and publish them online. We are also one of the first Authorities to pilot online submissions to our development plans.

However, as stated in the Local Government Efficiency Review, Putting People First policy and the Sectoral IT Strategy, the most effective and efficient way to deliver this common requirement is for a sectoral solution to be put in place. The ICT Committee of the Local Government Manager Agency and CCMA has established an ePlanning review group under former Limerick City Manager, Mr. Tom Mackey, to consider what functionality is required, how it can accommodate the three back-office systems in place in the country and what the regulatory implications are. That group is currently reviewing the suitability for reusing technology developed to support online Building Control which was introduced in March 2014. In that case, a new regulatory framework was needed to support electronic submission and a similar set of regulatory changes would be needed to Planning Regulations.

Dublin City have procured a bolt-on module to their proprietary back-end planning system (called APAS) to allow them pilot online submissions for certain development classes and they are engaging with the LGMA ePlanning group. Mayo County Council also conducted a successful pilot in 2011. We will keep Councillors abreast of any developments in this area.

The Cathaoirleach said at present planning applications must be submitted in hard copy with 6 copies of all documents. He welcomed the reply and said he hoped an on-line system would be rolled out in the near future.

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

11. Carrying out of repairs to social houses

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

That Local Authorities reverse their attitude to tenants and carry out the necessary repairs to social houses, the same as private landlords.

The following reply issued:

Kerry County Council records all valid repair requests from tenants and assesses and responds to such requests in accordance with the terms of the Tenancy Agreements. Works deemed necessary and the responsibility of the Local Authority are carried out in a timely manner. In its 2015 budget, Kerry County Council has made a provision of €3.418m for the maintenance and improvement of its housing stock. In addition, Kerry County Council has compiled a Tenants Handbook which is provided to all tenants. This handbook is very comprehensive and outlines, amongst other things, that the Council is responsible for some but not all repairs to property. It details the types of repair that are the responsibility of the tenant and the responsibility of the Council. We are currently in the process of reviewing our Tenants Handbook following the amalgamation of the Town Council Housing Authorities with Kerry County Council.

Cllr. R. Beasley said a particular tenant takes great pride in their home but they have limited income. The catches are gone on the doors and he called on the Council to carry out the necessary repairs.

Cllr. D. Grady **SECONDED** the motion.

12. Briefing by Trade Unions

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

That Kerry County Council invite representatives of Trade Unions to give a briefing in relation to the treatment of workers and Unions by employers in Kerry.

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

Cllr. P. Daly PROPOSED that Trade Unions would be invited to make a presentation to Council. There is a lot of concern at the number of workers on low pay and that some companies do not recognise Unions. 25% of workers in the country work in retail and one retail employer will only guarantee 4 hour contracts. This entire area should be reviewed urgently.

Cllr. R. Beasley SECONDED the motion and said it is a very important issue considering what is happening in Dunnes Stores. These workers will not qualify for social welfare and those working in the hospitality sector get very limited hours also.

Cllr. N. Kelleher opposed the motion as he believed the Council is not a suitable forum to bring the Unions to. The motion refers to the treatment of workers but he pointed out there are many very good employers. He asked which Trade Unions would be invited to attend.

Cllr. J. Finucane said he concurred with the earlier motions but he did not think it would be appropriate to invite IBEC to talk to Council on employment.

The Cathaoirleach said Cllr. Daly proposed the motion which was seconded by Cllr. Beasley while Cllrs. Kelleher and Finucane opposed the motion. He asked that a vote would be taken on Cllr. Daly's motion.

Mr. G. O'Brien then took a vote on Cllr. Daly's motion which was seconded by Cllr. Beasley.

The vote resulted as follows:

For: Cllrs. Beasley, Daly, Grady **(3)**

Against: Cllrs. Cronin, Culloty, Finucane, Flynn, D. Healy-Rae, Kelleher, D. McCarthy, P. McCarthy, Moloney, Moriarty, O'Brien, Brassil **(12)**

Not Voting: None **(0)**

The Cathaoirleach declared the motion DEFEATED.

13. Call for funding to carry out interim works in areas at high risk of flooding

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

In light of the CFRAM Study on Flood Risk, that this Council applies for funding to carry out interim works in high risk areas.

The following reply issued:

The CFRAM study is currently under the remit of the OPW who are the lead agency responsible for flood risk management. The OPW works in close partnership with Local Authorities in delivering the objectives of the CFRAM Programme. The final phase of the CFRAM study involves the preparation of flood management plans for each area. This phase of the study is due to commence during the summer of 2015. The flood management plans will include specific measures including new infrastructure to mitigate the flood risk in each area identified in the CFRAM study. These works will be completed subject to Government funding. It is prudent to await the publication of these plans prior to applying for funding. In addition some of the works may exceed the limit of minor works funding as this programme has a funding cap of €500,000.00 and will require additional Government funding.

Kerry County Council will continue to explore and assess each area on a case by case basis, and if the flood risk in an area, or a portion of the risk can be mitigated by undertaking simple works of a minor nature, then consideration will be given to making an application to the OPW for funding in advance of the CFRAM flood management plans.

Cllr. J. Finucane asked that a process would be undertaken whereby the areas at highest risk would be identified and an application for funding submitted to address the flooding in these areas.

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

Cllr. D. Healy-Rae asked that Foiladown be included in the application for funding also.

14. Call for improvements in Scartaglin

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

As World Fiddle Day is taking place in Scartaglin on Saturday, 16th May, I again call on this Council to undertake essential works in the vicinity of the Village, such as improving road surface, repairing footpaths etc. It is imperative that this long overdue work is carried out as soon as possible, to allow the Organisers adequate time to prepare for the huge influx of visitors to this event.

The following reply issued:

Kerry County Council will carry out road and footpath repairs in Scartaglin Village prior to this event on the 16th May, as well as a general tidy up of the area, in consultation with the local community.

However, it is acknowledged that the roads, particularly around the village green, need to be strengthened and overlaid. These roads were not considered for inclusion in the 2012 – 2016 Road Restoration Improvement Programme, due to indications at the time of a possible new sewerage scheme for the village.

Given the growing interest in this annual event since its inauguration in 2013, the roads in the village will be considered for inclusion in the next Restoration Improvement programme. It is expected that Department of Transport Tourism & Sport will request local authorities to prepare the next four year programme later this year.

Cllr. J.J. Culloty expressed his disappointment with the reply and said this event will attract media coverage from outside the country. Some road and footpath repairs have been carried out from Councillors Allocations. However where an event such as this is taking place it should be possible to carry out improvement works. Planning for this event commenced in 2013 therefore it could not be included in the 2012 – 2016 Road Works Programme. He asked that this motion would be reconsidered as there were very little improvements in Scartaglin in recent years.

Cllr. D. Grady **SECONDED** the motion and said Scartaglin is in dire need of attention. Fiddle players from all over the world will attend this event and he asked that the tourism fund would be utilised to ensure Scartaglin is presented in a good light for this event. He asked that the village would be resurfaced prior to this event.

Mr. C. O'Sullivan said it was disingenuous to say any improvements in Scartaglin were carried out from Councillor's Allocations. He received photos of the areas to be improved and a commitment was given that certain works will be done. The Council works with the community in Scartaglin and substantially more funding would be required to carry out pavement overlay of the village. It can, however, be included in the new Road Works Programme in 2016.

Cllr. J.J. Culloty said the majority of improvements done in Scartaglin were from Councillors Allocations and the extension to the graveyard was secured through the good will of the people. Scartaglin has been neglected and the World Fiddle Day is a huge event for the village.

The Chief Executive acknowledged that this is a big festival for Scartaglen and she undertook to support it through the Tourism Fund. While some minor works will be carried out more major works are required but funding is not available for them.

Cllrs. Culloty and Grady welcomed the Chief Executive's statement.

Cllr. D. McCarthy moved Notice of Motion No. 15 on behalf of Cllr. M. Cahill.

15. Provision of funding for the development of a GAA Museum at Fitzgerald Stadium, Killarney

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

That Kerry County Council call on the Minister for Transport, Tourism and Sport, Mr. Paschal Donohue, T.D., and Fáilte Ireland to provide funding as a matter of priority for the development of a GAA Museum at Fitzgerald's Stadium, Killarney.

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

Cllr. M. Gleeson asked that the motion would be amended to read 'for the development of a Cultural Centre and GAA Museum at Fitzgerald's Stadium'.

16. Review of the provision of public lighting

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

That Kerry County Council carry out a review of the provision of public lighting in the County.

The following reply issued:

At the recent meeting of the Operations SPC on 1st April 2015, the need for a policy on public lighting was acknowledged and in particular the urgency in developing same. It was agreed that a discussion document on the key issues to be considered as part of the development of such a policy would be presented at the next SPC meeting on 24th June, which should assist in the members developing this policy.

Cllr. J. Moloney welcomed the reply and said the lights in the Square in Listowel were out of order following the storms at the start of 2014 and they were only repaired in the middle of March this year. There are 6 lights not working on the Abbeyfeale road and he asked that they would be reported immediately.

Cllr. N. Kelleher SECONDED the motion and said he had encountered similar problems and it was only when he raised it at the Budget meeting that they were resolved.

18. Concern at the implementation of Keeping Communities Safe

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

That this Council regarding Keeping Communities Safe and it's Section 26 Fire Service changes, preparation and implementation: Recognises that the SIPTU ballot of retained fire-fighters held recently indicates a national concern towards the implementation of Keeping Communities Safe, particularly Section 26, and that the relevant concerns of retained fire-fighters and SIPTU must be addressed. Furthermore accepts that Keeping Communities Safe, including Section 26, must be brought before Council as a matter of urgency and until this time have regard to a previous motion that no changes be made to previous operational guidelines and procedures.

The following reply issued:

In 2012 a major national review of fire services and fire safety in Ireland was conducted. The output of that review was published by Government Policy Document ‘Keeping Communities Safe’ in early 2013.

This Government Policy aims to provide a comprehensive, balanced strategy to ensure the safety of the public in their homes and other locations, as well as worker safety in providing emergency services. Government sees the Policy as an integrated blue-print for further development of the critical public safety roles performed by Local Authority Fire Services, to be implemented in the period 2013 – 2015. ‘Keeping Communities Safe’ is about managing risk, addressing public safety improvements, incident reduction, response standards and service delivery structures for the decade ahead.

The implementation of initiatives under the plan has and continues to be the subject of Industrial Relations engagement between Local Government Management and relevant Unions nationally through the established channels. It would not be appropriate at this point for any discussion of what are national Staffing and IR issues to take place at Elected Council level. The Section 26 Plans will be brought to Council following conclusion of these national IR issues.

Cllr. D. Grady declared in accordance with Section 177 of the Local Government Act, 2001 that a member of his family works with the Fire Service and he would leave the meeting while this motion was being considered.

Cllr. Grady then left the meeting.

Cllr. D. Nolan welcomed the reply.

Cllr. D. Grady then returned to the meeting.

19. Inclusion of 18 year olds in the Register of Electors

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

That Kerry County Council write to the Department of the Environment and Minister Kelly requesting that as a matter of course all 18 year olds are automatically written to on the date that they become 18 and furnished with an application form for the Register of Electors.

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

Cllr. N. Moriarty said with the upcoming Referendum it is important that all 18 year olds are registered to vote. She acknowledged that a public advertisement appears in the papers advising voters to register but she said this is not effective. She asked that a letter would issue to all 18 year olds as she believed it would be more effective.

The Cathaoirleach SECONDED the motion.

20. Introduction of a fund/bounty for the culling of foxes and mink

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

For Kerry County Council to send a resolution to Mr. Simon Coveney, Minister for Agriculture, Food and the Marine to introduce a fund/bounty for the culling of foxes and mink. These vermin are creating havoc for farmers and poultry owners.

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

Cllr. D. McCarthy said there are 2,714 flock owners in Kerry with an average of 200 sheep per flock. This amounts to 542,800 sheep in the county. The fox or mink kill an average of 10 lambs per flock that is 27,140 lambs in Kerry alone. The cost of these killings to the county is €1,357,000. In 2012 a fund of €20,000 was provided to Gun Clubs to shoot the mink. Cllr. McCarthy requested that the motion would be forwarded to the Minister for Agriculture for consideration.

Cllr. M. Gleeson SECONDED the motion and said mink are the most destructive creature that ever came into the country. In the past he called on Minister Daly to introduce a bounty for mink. Mink are very destructive and they kill all forms of wildlife and farm animals.

Cllr. D. Healy-Rae moved Notice of Motion No. 21 on behalf of Cllr. J. Healy-Rae.

21. Annual clean up of all graveyards

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

That Kerry County Council would carry out an annual clean up in all graveyards and to provide running water in all graveyards.

The following reply issued:

There has been a vast improvement in the management and maintenance of graveyards in recent years. Between the work of the caretakers, local committees and council staff the standard of presentation of graveyards is in most cases to a very high standard, with regular clean ups and strimming of grass etc. While there is not an annual clean up under the control of Kerry County Council all graveyards are tended to with a greater frequency than this. Running water has also been extended to many graveyards in recent years and this policy will be continued. However it is envisaged that due to the isolated nature of some locations that the provision of water supply may be prohibitive due to cost factors.

Cllr. M. Gleeson SECONDED the motion.

22. Interactions with the European Offices of the EU

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

That the Council would detail the full extent of its interactions with the European Offices of the E.U. with a view to maximising the grant aid that may be available to our peripheral County.

The following reply issued:

Kerry County Council is presently engaged in seeking information on European Funding. A series of preliminary meeting have commenced with experts in the sector with a view to identifying possible areas of support which fit with the Local Authority plans. Two meetings have been held to date. This work will clarify the opportunities for Horizon 2020 funding for Kerry County Council. Kerry County Council has also been successful in engaging with the Enterprise Europe Network through the LEO. The Network offers information on the full suite of EU supports specifically targeting SME needs. The European Europe Network will be launched in June 2015 and a series of local and regional information sessions will follow in 2015/2016.

Cllr. M. Gleeson said during the 1990's and early 2000's we were inundated with talk of the panacea of Subsidiarity. It was to be the great new reality for Local Authorities. Local Government was to be empowered in a manner that would ensure a great new vibrancy for local communities.

We now know that all that talk was mere blather. Little or nothing has changed. We must still go cap in hand to our so- called betters. Cllr. Gleeson said he had spoken about this previously in the context of the roads into our county and he would be doing so again at next months meeting. Kerry stands isolated and peripheral because of neglect by national government and the NRA. Europe is the great reality and it is of vital importance that we are fully aware of all that is going on in its various Departments. We must be fully aware of all the possibilities that Europe has for us. We must be in there pleading our causes and demanding our fullest entitlements. He had no doubt that there are schemes in Europe for isolated areas like Kerry and we may not be fully aware of them. The BMW part of Ireland has done quite well because it has official recognition for European grant aid. Surely we are every bit as entitled to such aid. Cllr. Gleeson said his very real fear is that there are schemes in Europe that could benefit us but that we are unaware of them. He asked is it not high time our MEP's sent a quarterly report to this Council updating us on our rights and entitlements. Europe is the centre of political power and we as a Council should and indeed must have a direct interaction with it and be aware of all that is happening there that has relevance for the people of this county.

Cllr. J.J. Culloty **SECONDED** the motion and agreed that the Council is not familiar with all the funding available at EU level. He believed funding must be available for parts of Europe like Kerry.

The Chief Executive said this is a very important motion and added that there are significant funds available under Horizon 2020. She recently met an expert in this area and she will report back on any suitable funding streams available from the EU.

23. Filling of the blowout in the sand dunes at Banna and planting of marram grass immediately

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

That this Council will fill the blowout that has occurred in the dunes at Banna with sand and plant it with marram grass immediately to prevent the ocean bursting through the dune protection zone.

The following reply issued:

Sand Dunes are natural features formed by interaction of sand with the flow of air or water and are not designed coastal defence structures. Dune habitats can provide niches for highly specialised plants and animals, including numerous protected species. Because of their location and formation, dunes are susceptible to movement, under natural environmental conditions, but this can be accelerated due to the actions of third parties. The Sand Dunes at Carrahan Lower are in an SAC and the lands are not in the ownership of Kerry County Council. The responsibility for the development and implementation of a Dune Management System is

with the NPWS and any works on the dune system could be subject to environmental constraints. We will liaise with the NPWS on this request and revert in due course with any proposals developed by them.

Cllr. Ferris moved the motion.

24. Access or legal problems with rural cottages

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

To ask Kerry County Council how many rural cottages they have around the County that they have access or legal problems with in determining proper ownership.

The following reply issued:

Kerry County Council has a very small number of Single Rural Dwellings, 6 in total, where we have potential issues with access to these properties and also boundary issues in 1 of the cases. We are working, where possible, to resolve these issues. This represents less than 0.2% of our total housing stock.

Cllr. D. Healy-Rae said he knew the location of most of the 6 rural dwellings mentioned in the reply and he questioned if that number represented the entire county. He believed there were a lot more vacant rural dwellings that have access or legal problems and he asked that a survey would be carried out to establish the exact number. Cllr. Healy-Rae said it was proposed to sell a house in Killeagh but he opposed it and it is now occupied. He asked that these properties would be repaired and reallocated.

Cllr. J.J. Culloty SECONDED the motion and said he would prefer if these houses were repaired and occupied by local authority tenants.

25. Ferry Service between England and the South West of Ireland

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

That Kerry County Council call on the Government to explore all options including State Investment to ensure a Ferry Service between England and the South West of Ireland (Cork).

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

Cllr. R. Beasley said up to 5 or 6 years ago there was a ferry service between England and the South West of Ireland. Now that the economic situation has changed it is important for the South West Region to have a link with England.

Cllr. M. Gleeson SECONDED the motion and said when the Ferry operated in the past it made an enormous difference to businesses in West Cork and South Kerry.

26. Support for the introduction of a living wage

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

That this Council supports the introduction of the living wage.

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

Cllr. P. Daly said if a living wage of €11 per hour was introduced it would give the economy a boost. Many people earn less than €11.35 per hour.

Cllr. R. Beasley SECONDED the motion.

27. Recognition of the contribution of the Irish Defence Forces

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

That this Council recognises the contribution of the Irish Defence Forces in the role of peacekeepers under the auspices of the United Nations presently serving in 14 countries world wide.

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

Cllr. J. Finucane said Óglaigh na hÉireann play a fundamental role in protecting the citizens and resources of the State by providing a wide range of core military capabilities that cannot be replicated elsewhere in society. As a physical manifestation of Irish Foreign Policy, the Defence Forces also protect some of the most vulnerable people in hostile regions throughout the world.

Overseas, the Defence Forces have unbroken service in the cause of peace on over 70 UN or UN approved missions commencing in 1958. Since that time, over 66,000 individual tours of duty have been completed to hostile regions throughout the world, protecting the most vulnerable people on the planet.

86 Defence Force members have paid the ultimate price in the cause of peace during that period. The Defence Forces have up to 850 personnel prepared for overseas deployment under the United Nations Standby Arrangements System (UNSAS) maintaining on average over 400 personnel serving overseas in 16 mission areas in 15 countries worldwide. The Defence Forces also contribute to the EU Common Security and Defence Policy (CSDP) rapid response agency by placing 150 personnel on service with the EU Battle Group for short notice deployment to global trouble spots throughout 2015. Ireland is the first country to be asked to send peace keepers as we do not have a colonial past. We should

be proud of this role and the role of the Defence Forces should be recognised in a Civic Reception.

The Cathaoirleach SECONDED the motion.

Cllr. M. Gleeson also supported the motion.

The Cathaoirleach informed the meeting Notice of Motion Nos. 28 and 29 would be taken together.

28. Exemption of crèches from commercial rates

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

To ask that all crèches in Kerry be exempted from paying commercial rates in recognition of their role as education providers and the educational value they provide for children. Other local authorities have taken this step to create equality in the childcare provider sector.

29. Relief from commercial rates for childcare providers

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

That Kerry County Council's Commercial Rates Department consider the request by childcare providers to be relieved of commercial rates as has been done by other County Councils' example: Monaghan County Council.

The following reply issued:

Kerry County Council levies Rates in accordance with valuations assigned by the Commissioner of Valuation. Childcare Services which are funded wholly or mainly from Exchequer Funds under the Early Childhood Care and Educational Scheme (ECCE) are exempt from commercial rates. The exemption is also dependent on the premises been used exclusively for educational purposes, such as ECCE. This does not include services which are mainly funded from parental fees. The Valuation Office makes a determination on whether a premises is liable for commercial rates or not based on information submitted by the occupier and investigations carried out. Local Authorities have no authority to exempt properties deemed rateable by the Valuation Office. The Council will review the position of businesses experiencing financial difficulties and with genuine trading difficulties on a case by case basis.

Cllr. B. Cronin said there are 126 childcare providers in the county and just 20 are paying rates. There is total inequality as private childcare providers must pay rates while they provide the same service. Cllr. Cronin said he understood a stand was taken in Monaghan on this which might change the present position. A group of 11 private childcare providers have come together and decided not to pay rates as similar service providers are not liable for rates. He PROPOSED that Kerry County Council would support a level playing field and make a proposal to the Departments of Finance and Education that private childcare providers would not be levied with rates.

Cllr. P. McCarthy SECONDED Cllr. Cronin's proposal and said it seems very unfair that private childcare providers are liable for rates. He asked what is the position in Monaghan and is this proposal in accordance with the law. Under the Early Childcare Scheme schools are exempt from rates yet privately owned facilities are liable for rates. Staff in these facilities must also go on courses and undertake training. He requested that these motions would be circulated to all local authorities.

Cllr. N. Kelleher said the Fianna Fáil Party put down an amendment to the Valuation Bill but it was not carried. It is a tax on an education facility and it is a further tax on those with little disposable income for whom the rising cost of childcare is a serious issue. Childcare workers marched on the Dáil recently and demanded equality of pay. Kerry County Council should take the lead and ensure that childcare facilities and education facilities are not liable for rates.

Ms. A. McAllen said she could only speak on behalf of Kerry County Council. The Valuations Office decide if a facility is liable for rates or not and the Council must work within the law while also working with individual businesses that are in difficulty.

Cllr. B. Cronin requested that a letter would issue to the Departments of Finance and Local Government and the Valuations Office calling on them to ensure equality for all childcare providers.

30. Recoup the cost of repairing the damage to roads caused by Coillte

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

That this Council put measures in place to recoup some of the costs of repairing the damage to our tertiary roads caused by Coillte operations.

The following reply issued:

Forestry companies who transport extracted timber must comply with the Road Traffic (Construction & use of Vehicles) Regulations, 2003. Maximum legal weights are determined by a number of factors, including spacing between the axles, the outer axle and bogie spread, the number of tyres on each axle, and the type of suspension fitted. It is an offence to carry a load on a vehicle which would cause the manufacturer's design weights or the limits specified in our national legislation (i.e. the plated weights) to be exceeded. The Gardaí enforce this legislation. Kerry County Roads Enforcement Officer liaise with the Gardaí where we suspect where vehicles are overloaded. Operators of HGV's can justifiably argue that, as is legally required, they pay taxes on the purchase and operation of their vehicles to the State. It is the responsibility of the State to maintain all public roads, for the transportation of goods and services and the promotion of economic development. Kerry County Council cannot impose other restrictions on forestry companies regarding the transport of timber on public roads.

Cllr. J.J. Culloty said the reply does not address his motion. He was specifically referred to Coillte operations and the fact that the roads are not suitable for the trucks used to transport the timber. The roads in some of the areas where timber is being harvested are neglected by the Council and there is one such road in Scartaglin that is not fit for use. Coillte and other forestry owners are destroying the roads and nothing is being done about it. The road at Mangerton Mountain also needs repairs.

Cllr. D. McCarthy **SECONDED** the motion and said the time will come when these roads will not be fit for use. People living on these roads are at a severe disadvantage.

Cllr. D. McCarthy moved Notice of Motion No. 31 on behalf of Cllr. Cahill.

31. Tenant Purchase Scheme

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

That Kerry County Council request the Minister for Environment, Community and Local Government, Mr. Alan Kelly, T.D., to introduce a Tenant Purchase Scheme as a matter of priority that will allow Local Authority tenants in Kerry the opportunity to purchase their own home.

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

32. Invitation to Minister J. Deenihan to address Council on upcoming diaspora events

Pursuant to notice duly given Cllr. J.F. Flynn PROPOSED:

That this Council invite Minister Jimmy Deenihan to address the Council on upcoming diaspora events and to inform us as councillors how we can play our part in these events.

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

33. Call not to put any charges/levies on private wells or private water supplies

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

For Kerry County Council to forward a resolution to the Minister for Environment, Community and Local Government, Mr. Alan Kelly T.D., that under no circumstances will Irish Water put any charges/levies on private wells or private water supplies.

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

Cllr. D. McCarthy moved the motion.

The Cathaoirleach SECONDED the motion.

Cllr. D. Healy-Rae moved Notice of Motion No. 34 on behalf of Cllr. J. Healy-Rae.

34. Cost of moving Motor Tax Office

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

How much has it cost Kerry County Council to move the Motor Tax Office and please explain why this was necessary.

The following reply issued:

The background to the move of the Motor Taxation Service to the former Town Council Offices at Princess Quay lies in the extensive programme of Local Government Reform being pursued by Government. The Programme provided for the dissolution of the existing Town Councils during 2014.

The Programme provided for the establishment of one unified executive following the dissolution of the Town Councils. This meant that in a number of the large service delivery Departments such as Housing and Planning that Kerry County Council became the sole statutory body. Up to that point there were four separate Housing and Planning Authorities each with independent statutory responsibilities in this area. Indeed in Housing

the former Tralee Town Council was itself one of the largest Housing Authorities in the Country.

This programme could not have been implemented without an impact on the current approach to office accommodation.

When Management assessed the wishes of the Elected members a number of absolute requirements were clear. The Elected members clearly wished to retain the Planning, Housing and Operations (Roads) Departments on County Buildings campus. The Members also wanted full usage to be made of existing Town Centre Office locations such as the Offices at Princess Quay.

In addition central Government required that the re-positioned Kerry LEO would be located in a more suitable location with more appropriate office accommodation and on the County Buildings Campus.

Taking these constraints and what was available here on County Buildings Campus there was no alternative but to relocate some Departments and services. It simply would not have been possible to accommodate the changes necessary within the existing layouts and deployment of accommodation. To accommodate the Housing Department on campus required a large area of office accommodation and having considered all available options the use of the former Water Services/ Motor Taxation Building was deemed the most suitable. The Drivers Licence service was no longer within the remit of the Council and this had reduced the office requirements in Motor Taxation. The former Motor Taxation Public counter area was no longer fit for purpose - 8 counter spaces were now excessive and the public waiting area was underutilised. In addition with revised archiving/ document management policies major reductions in storage requirements were achieved. The layout and use of the office space was not the best use of our limited office accommodation.

The changes necessitated the move of Water Services Operations to Castleisland and enabled the consolidation of the full Water Services Department there. In respect of Motor Taxation it was decided that the most suitable location was a Tralee Town Centre location at Princess Quay. It was also felt that there may be additional economic benefits for Tralee Town Centre from this move.

Members were provided with extensive presentations on the reform Programme and the implications and plans locally. Members agreed these plans and approaches.

It must also be borne in mind that there will be benefits in the Housing Department for staff and the service delivery/ customer perspective with one central service location, purpose designed counter space and private meeting/ consultation rooms.

The move of Motor Taxation also provided Kerry County Council a unique opportunity to pilot the upgrade of the underlying technologies in use across Motor Taxation Offices nationally. Not only has the sector benefited for this work but we have also benefited much earlier than otherwise would have been the case.

The move has facilitated a change in approach to customer service in Motor Taxation – we have established a query counter – this enables members of the public with routine queries to have them dealt with without queuing with those licensing their vehicles. This has improved queuing times. In addition the turnaround times for postal applications reduced to a ‘1 day turnaround’ in 2014 and this has been sustained following the move. Queuing times are less than 30 minutes for 97% of transactions. Taking all the changes implemented a reduction of 7% in overall staffing levels in the Motor Taxation Department has also been achieved in the last 12 months.

In relation to the cost of the actual move of the Motor Taxation a number of considerations also need to be borne in mind – there were structural deficiencies and some maintenance requirements with existing offices (particularly Princess Quay e.g. Electrical Work, Alarm/ Security Systems) that required to be addressed and the opportunity was taken to combine these urgent needs with the actual move programme.

The costs associated with the relocation of Motor Tax to Princes Quay are €58,000.00.

In summary there have been some costs associated with the move of the Motor Taxation Department. However we now have more suitable office accommodation matching the needs of the service.

The following are some service statistics for the Motor Taxation service.

	Q1 2014	Q1 2015
Vehicle License customers		12327
Enquiry counter	(established end 2014)	1860
Total Numbers of personal customers to the counter	14439	14187
Postal renewals/ applications	7218	5722
On line as % of total applications	65.5%	71.5%

Cllr. D. Healy-Rae said he believed the costs involved were higher. By moving the Motor Tax Office to Princes Quay it is creating a lot of hardship. There is very little parking there and it is more difficult to present vehicles for inspection.

Cllr. T. Ferris **SECONDED** the motion and said in May 2014 the former County Manager indicated that the cost would be in the region of €40,000 yet the report states it cost €58,000. She asked how much it is costing to convert the Motor Tax building for Housing and she could not see why the Motor Tax Office was moved.

Mr. J.D. Flynn said this issue goes back to the previous Council who indicated a clear preference that Planning, Roads and Housing should be located in the County Buildings campus. Some of the costs relate to the new structure. In Q1 of 2015, 71% of transactions were conducted online and the maximum waiting time in the new Motor Tax Office is 20 minutes.

The Cathaoirleach said the business people in the town are glad of the business that the relocation of the Motor Tax Office brings.

15.04.20.19 Conferences and Seminars

- (a) On the PROPOSAL of Cllr. N. Kelleher, **SECONDED** by Cllr. D. McCarthy, it was agreed to authorize the attendance of Cllrs. O'Connell, McCarthy, Beasley, Grady and Ferris at the Training Seminar for Elected Members on the theme 'Crime Prevention and Community Safety' to be held in Galway on the 8th & 9th May, 2015.

Cllr. Grady was nominated to report back to Council on this event on behalf of all the members that attend.

- (b) On the PROPOSAL of Cllr. P. McCarthy, **SECONDED** by Cllr. J.J. Culloty it was agreed to authorize the attendance of the Cathaoirleach, Cllr. J. Brassil at the 2015 Annual Daniel O'Connell Commemoration Ceremony in Glasnevin, Dublin on the 17th May, 2015.
- (c) On the PROPOSAL of Cllr. P. McCarthy, **SECONDED** by Cllr. J.J. Culloty it was agreed to authorize the attendance of Cllr. J. Finucane at the London Rose Selection on the 2nd May, 2015.
- (d) On the PROPOSAL of Cllr. N. Kelleher, **SECONDED** by Cllr. D. McCarthy it was agreed to authorize the attendance of the Leas Cathaoirleach, Cllr. T. McEllistrim at the Irish Tourism Industry Awards in Dublin on Friday 24th April, 2015.

15.04.20.20 Correspondence General

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

1.	Letter dated 24 th February, 2015 from Bus Éireann in response to a resolution from Kerry County Council regarding a review of Bus routes.
2.	Letter dated 27 th February, 2015 from the Department of Social Protection in response to a resolution from Kerry County Council regarding the payment of PRSI by self employed.
3.	Letter dated 5 th March, 2015 from the Office of the Minister for Environment, Community and Local Government in response to a resolution from Kerry County Council calling for a review of the Social Housing Assessment Regulations.
4.	Email dated 4 th March, 2015 from the Office of the Minister for Jobs, Enterprise and Innovation in response to a resolution from Kerry County Council calling for an expansion of the remit of Local Enterprise Offices.
5.	Email dated 5 th March, 2015 from the Office of the Minister for Health in response to a resolution from Kerry County Council regarding surgery waiting lists at Our Lady's Children's Hospital, Crumlin.
6.	Email dated 12 th March, 2015 from the Office of the Minister for Justice in response to a resolution from Kerry County Council regarding Garda Vetting.
7.	Letter dated 13 th March, 2015 from the HSE in response to a resolution from Kerry County Council calling for an increase in resources and hours for Alzheimer patients.
8.	Email dated 24 th March, 2015 from the Office of the Minister for Health in response to a resolution from Kerry County Council regarding an expansion of the BreaskCheck Programme.
9.	Email dated 26 th March, 2015 from the Office of the Minister for Justice and Equality in response to a resolution from Kerry County Council regarding asylum seekers.
10.	Letter dated 31 st March, 2015 from CER in response to a resolution from Kerry County Council seeking a meeting with CER.
11.	Email dated 2 nd April, 2015 from the Office of the Minister for Jobs, Enterprise and Innovation in response to a resolution from Kerry County Council regarding the Action Plan for Jobs 2015.
12.	Letter dated 2 nd April, 2015 from the NRA in response to a resolution from Kerry County Council regarding the provision of public lighting at the junction of the Kilgarvan Road R569 with the N22 at Poulgorm Bridge.

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13.	Email dated 8 th April, 2015 from the Office of the Minister for Transport in response to a resolution from Kerry County Council requesting the provision of an NCT Centre in Kenmare.
14.	Email dated 10 April, 2015 from the Office of the Minister for Education and Skills in response to a resolution from Kerry County Council regarding the provision of autistic units or special class availability in secondary schools in Mid Kerry.
15.	Letter dated 13 April, 2015 from the RSA in response to a resolution from Kerry County Council regarding the provision of an NCT Centre in Kenmare.
16.	Letter dated 4 th March, 2015 from The Municipal District of Carrickmacross-Castleblaney regarding a resolution adopted by that Municipal District calling on the Minister for Jobs, Enterprise and Innovation, the IDA and Enterprise Ireland to ensure any new factories that are opened are not sold to private commercial groups but are kept in the ownership of State Agencies.
17.	Letter dated 24 th March, 2015 from Offaly County Council regarding a resolution adopted by that authority regarding the money accruing from parking fines paid to the Court.
18.	Letter dated 8 th April, 2015 from the Municipal District of Carrickmacross-Castleblaney in relation to a resolution adopted by that authority in relation to the withdrawal of school transport.

Cllr. N. Kelleher referred to the reply from the Office of the Minister for Jobs, Enterprise and Innovation in relation to the Local Enterprise Office and said they did not take into account businesses that are growing and need support. He intended to submit a further Motion on this issue.

15.04.20.22 Any other business

Cllr. P. Daly asked if a meeting of the Joint Policing Committee would be held in May.

Mr. J. Breen said he consulted with the Gardaí and it is hoped to have a meeting in May.

The meeting concluded at 5.05pm.

Gerard O'Brien
A/SEO Corporate Affairs

Cathaoirleach of Kerry County Council