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***MINUTES OF THE SPECIAL MEETING OF KERRY COUNTY COUNCIL TO CONSIDER  
THE 2015 SERVICE DELIVERY PLAN FOR THE OPERATIONS DIRECTORATE  
HELD IN THE COUNCIL CHAMBERS, ARAS AN CHONTAE, TRALEE,  
ON MONDAY, 27<sup>TH</sup> APRIL, 2015***

**PRESENT/I LÁTHAIR**

***Councillors/Comhairleoirí***

**J. Brassil  
P. Connor-Scarteen  
J.J. Culloty  
J. Finucane  
J.F. Flynn  
M. Gleeson  
D. Healy-Rae  
N. Kelliher  
S. Locke  
T. McEllistrim  
D. Nolan  
B. O'Connell  
D. Quigg  
G. Spring**

**M. Cahill  
B. Cronin  
T. Ferris  
S. Cosai Fitzgerald  
N. Foley  
D. Grady  
J. Healy-Rae  
M. Kennelly  
P. McCarthy  
J. Moloney  
T. O'Brien  
L. Purtill  
J. Sheahan**

**APOLOGY/LEATHSCÉAL**

**R. Beasley**

**IN ATTENDANCE/I LÁTHAIR**

**Mr. J. Flynn, Deputy Chief Executive  
Mr. C. O'Sullivan, Director of Services, Operations & Safety  
Mr. J. Breen, Director of Sustainable Communities & Quality of Life  
Mr. O. Ring, Director of Irish Water Operations  
Ms. A. McAllen, Head of Finance  
Mr. G. Riordan, S.E., Operations & Safety  
Mr. D. Doyle, A/S.E., Operations & Safety  
Mr. P. Curry, A/S.E., Kerry National Road Design Office  
Mr. F. Hartnett, S.E.E., Tralee Municipal District  
Mr. P. Teahan, A/S.E.E., South & West Kerry Municipal District  
Mr. P. Neary, S.E.E., Killarney Municipal District  
Mr. G. O'Brien, S.E.O. Corporate Affairs  
Ms. M. West, A.O., Operations & Safety  
Ms. K. Condon, C.O., Operations & Safety**

**The meeting commenced at 10.40a.m.**

Cllr. J. Brassil, Cathaoirleach, commenced the meeting. Cllr. Brassil stated at the outset that the investment in the road network in Kerry from 1997 to 2000 was substantial, and that he feels that now the level of investment means that the integrity of a lot of the roads improved in that period is being lost. He feels that the Government should be lobbied to increase funding for the road network.

### **Item 1. Consideration of the 2015 Service Delivery Plan for the Operations Directorate**

Mr. Charlie O'Sullivan, Director of Services, outlined the Service Delivery Plan 2015 for the Operations Directorate, which was circulated to members. This plan is broader than the Roads Programmes of previous years, but the roads programme still constitutes a large part of the plan. The function of the Operations Directorate supports the two key Corporate Priority Directorates:-

1. Job Creation/Sustainable Economic Development
2. Sustainable Communities/Quality of Life

The Operations Directorate now incorporates the engineering functions of the former Town Councils, housing improvement and maintenance works, road improvement and maintenance works, street cleaning, environmental works, maintenance of parks and open spaces, maintenance of public conveniences, public lighting and burial grounds.

The primary role of the Operations Directorate in respect of housing is as follows:-

- Maintain the Council's 4,225 houses and demountable units, community buildings, and halting sites
- Support communities in the maintenance of their estates
- Ensure prompt repair of vacant houses for re-letting

The primary role of the Operations Directorate in respect of roads is to improve and maintain the road network in the County. The total level of funding for 2015 is €33.04 million, compared to an allocation of €26.9 million in 2014 and €40.6 million in 2013.

- Funding for National Roads is €15.78 million. Of this, €6 million was allocated for major improvement works, €3 million for the close out of the Tralee and Castleisland By-Passes and €3 million is allocated for the design and procurement of improvement works to the N86 between Lispole and Mountoven. Design grants totalling €1.8 million have also been allocated to progress the N69 Listowel By-Pass, the N86 Tralee to An Daingean road and the N70 Kilderry Bends. €3.975 million has also been received for pavement rehabilitation works on 7 schemes on the N70, N71 and N72. €100,000 has been received for project close-out on the N86 Annascaul to Gortabreagogue Improvement Scheme.
- A maintenance grant allocation of €1.4 million for National Roads upkeep was received, however, €115,676 is for additional Public Lighting
- €700,000 has been received for Bridge Rehabilitation.
- Funding for Non-National is €12,774,206, which is a reduction of 4.7% on 2014 funding. No allocation was made for the former Town Council Block Grant. Funding from Restoration Improvement and Maintenance has been reallocated towards works in the former Town Council administrative areas.

- The Multi-Annual Roadworks Programme 2013-2016 (Restoration Improvement Programme) was adopted by Council in 2012. There may be a request for a new multi-annual programme by the end of 2015.
- €4.4 million has been allocated from own resources towards maintenance and upkeep of non-national roads.
- Community Involvement Schemes - €135,000 has been allocated to allow further schemes to be completed, with a further €100,000 for surfacing/dressing of old roads improved under previous CIS.
- Local Improvement Schemes again have no separate allocation. €100,000 has been allocated from Discretionary Maintenance Grant for Local Improvement Schemes. The Operations Department is unable to accept any new applications for this scheme, as there are currently 136 on the list.
- Speed Limit Review – this review will commence shortly, and will take approximately 26 months to complete.

#### Development Control:-

- Substantive body of work undertaken by the Planning Enforcement unit, which includes managing unfinished housing estates and processing the taking in charge of estates.
- Last time estates were taken in charge was November/December 2013. An agreement was reached with Irish Water in relation to the protocol for taking in charge.
- Will be advertising intention to take 9 estates in charge this week (Dun Buí is included on this list).
- There are a further 15 estates outstanding.
- Mr. O'Sullivan wished to make the following correction. It was stated at last Monday's Council Meeting that a claim for €3.2 million was submitted to IBRC. The actual claim to the liquidator was for €2.47 million and it is hoped to recover a substantial amount of this funding.
- Payment in respect of 58 developments has been secured, and it is hoped to have resolution on 20 estates in 2015.

Mr. O'Sullivan reported that the Schedule of Municipal District Works Plans were presented and adopted by each Municipal District in March 2015.

The regulation of casual trading in Kenmare has proven to be extremely challenging. The proposals presented in 2013 were the subject of a legal challenge. It is hoped to have the new Bye-Laws advertised by the end of Q3, 2015.

The Members discussed the programme at length, and the Members thanked Mr. Charlie O'Sullivan, Director of Services, Operations and Safety, Mr. Gerry Riordan, S.E., Operations, Mr. David Doyle, A/S.E. Operations and all the Operations Directorate staff for the preparation of the

Service Delivery Plan 2015. Members wished to acknowledge and compliment the works carried out by the Area Engineers, Outdoor Staff and the Area Offices.

The following specific issues were raised by a number of Members:

- Members wished to share the concern of the Cathaoirleach in relation to the conditions of roads reverting back to those of the 1990's, and felt that a deputation to Government in relation to funding and reinstating Local Improvement Schemes was appropriate. A budget similar to that provided in 2008/2009 would be essential to maintain and improve the road network.
- National Secondary Roads – some National Secondary Roads need to be addressed as soon as possible, such as William Street, Listowel, Tarbert to the County Boundary, and John B. Keane Road, Listowel. Access/exit roads on National Secondary Roads also need to be addressed e.g. Lewis road, Killarney. With the huge network of secondary roads, what is the average funding received per kilometre?
- Local Improvement Schemes – Members expressed their dissatisfaction at not receiving a separate allocation for LIS. It is a much needed scheme for people living on private roads, and Members are concerned that only 5 roads will be improved in 2015, out of a list of 136. It was agreed that all Members have a responsibility to impress on Government the importance of providing funding for LIS.
- Speed Limit Review – Members welcomed the speed limit review which is due to commence in the coming weeks. Some Members feel that 80km speed limit on small narrow roads is inappropriate and should be removed/reduced, or indicate that drivers should drive at a safe speed for the road, and have asked that the speed limit review commence as early as possible. Signage is also being requested to advise drivers to slow down in residential areas.
- Cllr. Niall Kelleher expressed concern at the number of lags forming on the road network, and are concerned that these lags may result in accidents. In some areas, the lags have been filled, but these roads need to be maintained and improved. Roads noted were:- Mill Road, in Rathmore; N22 from Knockaderry to Farranfore; Rossanean, Currow; road coming into Killorglin
- Roads in Town Council Areas – Members felt that the non-provision of funding in place of the Town Council block grant has resulted in a significant reduction in the overall non-national roads funding. However, Members expressed appreciation at the provision of funding for these roads by the Operations Directorate, and felt that the Town Council provision should be reinstated by the Department.
- Hedgecutting – Cllr. Brendan Cronin expressed concern that a number of hedges were not cut by landowners during the hedgecutting season, and that these landowners are not doing their duty. Could these hedges be cut and the landowner then be charged? It was acknowledged that the Roads Enforcement Officer has a huge area to cover, and it was suggested by Members that an Enforcement Officer be employed for each Municipal District, in order to cover the entire County efficiently. It was acknowledged by Members that the majority of landowners are compliant, and they expressed their thanks for this. Cllr. B. Cronin suggested that in the interest of all road users, the exclusion period should

be reduced by 2 months, and that the hedgecutting exclusion should be exempted at junctions. It was noted that overhanging trees are also problematic. It was felt that a Community Hedgecutting Policy, similar to that used by Clare County Council, would be beneficial to the County, as some Members feel that the current policy being used is failing, mainly due to issues with absent landowners.

- Closeout of Tralee and Castleisland By-Pass – Cllr. Pat McCarthy asked when the dispute with the contractor over final contract price for these projects will be resolved. Members asked that during the tendering process, can the use of contractors who make substantial claims be avoided, as they now seem to get paid more than they tendered for, while sub-contractors are left unpaid, and how did the costs go over and above the tender price submitted. This needs to be brought to the attention of the Minister.
- Patching of Roads – Members requested that patching be carried out using the Durapatcher/Patchmaster only, as these machines do the patching correctly.
- Specific Improvement Grant – Second Phase of the Dale Road urgently needs to be completed, and this funding reinstated. Funding for bridges is provided under SIG, however with the large number of bridges requiring attention in the County, a lot more funding would be required.
- Discretionary Fund – no provision for discretionary funding over the last number of years means that Members cannot propose roads that require attention as they arise. This fund had allowed local roads in very poor condition to be repaired and maintained and Members feel that it is important that this fund be reinstated.
- Wild Atlantic Way – Cllr. Jim Finucane stated that adequate funding should be provided for this tourist route, considering that Kerry has the most significant mileage on the Wild Atlantic Way. Roads on this route need to be kept at an acceptable level. As these roads are mostly coastal, they need to be constantly addressed. Sections of the Ring of Kerry need more funding as they are on this route.
- Iveragh Road, Killorglin – Cllr. Michael Cahill noted that this road is on the Ring of Kerry route and is in very poor condition, and asked can any works to be carried out be done throughout the night. Cllr. John Francis Flynn asked when the final proposal is going to be issued, and when will works start.
- Taking in Charge of Estates - Members welcomed the dedicated Estates Unit, and asked if Municipal Districts can give an up to date position on where taking in charge of estates are at. It was felt that traffic calming in estates should be addressed before taking an estate in charge. Cllr. Jimmy Moloney asked if an up to date list of estates to be taken in charge could be given to the Municipal Districts.
- Bonds – Members asked what the length of time for bonds to be released is, and what happens where bonds have expired? It was noted that 129 claims have been lodged with financial institutions. It was felt that a deputation needs to be held with the IBRC as the time allocated to resolve issues needs to be addressed. It was asked that in estates where Kerry County Council has a bond, will works be carried out as soon as possible? Cllr. J. Healy-Rae asked if the situation with Oakwood Manor, Kenmare has been addressed.

- Cllr. John Joe Culloty asked if the Farranfore – Killarney Scheme were to commence again would the Council have to start from scratch?
- Housing – Cllr. Michael Cahill felt that the plan to house 1,000 per year over the next 5 years is unrealistic as no new houses are being built. Cllr. Danny Healy-Rae added that there is a critical number of people presenting as homeless in Killarney. There is currently no emergency housing in Killarney, the nearest homeless centre is in Tralee. It is costing more to house people in B&B's and hotels. Cllr. John Joe Culloty asked if the 15 rural cottages planned will be built, or are they identified? Cllr. Donal Grady felt that RAS is not working, and that houses should be rented for a minimum of 10 years. New rules may be required in relation to RAS.
- Casual Trading Bye-Laws, Kenmare – Cllr. Johnny Healy-Rae asked that Kerry County Council meet with the traders, rate-payers, Kenmare Chamber and members of the South & West Municipal District before the draft Bye-Laws go to Public Consultation.
- Cllr. Michael Gleeson raised the following issues:-
  - Felt that the first item on the agenda with meeting the Minister is the condition of roads adjoining our County. He referred to the lack of safety on the Lissyvigeen Road.
- Cllr. Toireasa Ferris raised the following issues:-
  - Car park 3 at Banna beach – a lot of large debris left there, can this be removed?
  - Felt that she could not support the use of 2016 commemorative funding to repair the road to Casement Memorial.
  - Signage post indicating Casement memorial needs to be erected.
  - CIS Retro – will local people have to contribute again?
  - Commend all local people who took part in National Clean-up Day.
- Cllr. Toireasa Ferris asked, on behalf of Cllr. Robert Beasley, when works will commence at Kilmore Beach, Ballyduff. The wall in the car park was destroyed 15 months ago during the storm, and the car park is currently closed.
- Cllr. Danny Healy-Rae raised the following issues:-
  - Local roads seem to be taking a large hit. Since the proper drainage programme stopped, a lot of roads have suffered. Numerous roads in East Kerry need to be added to the Restoration Improvement list if a new multi-annual programme is requested.
  - Gneeveguilla needs to be included in SIG to improve footpaths.
  - A lot of junctions need to be addressed by the NRA in order to reduce fatalities e.g. Lewis Road junction.
  - Muckross Road – needs to be narrowed from Laune Cross to Gleneagle – a cyclepath needs to be provided and the footpath widened.
  - Lights at Woodlawn Cross need to be put on amber for Bank Holidays and other busy weekends to allow traffic to flow freely. Cllr. John Joe Culloty also felt that this would be beneficial.
- Cllr. Seamus Fitzgerald raised the following issues:-
  - He is disappointed with the actions of An Taisce in relation to the N86. This is a very dangerous road, especially for cyclists and pedestrians. Emergency services have also complained about the condition of this road. The human aspect of this project should

- have been considered before an objection was lodged. A good resolution on this issue is hoped for.
- An Daingean Relief Road – Cllr. Fitzgerald wished to thank staff for the work carried out, and hopes that lands can be purchased for the next phased – perhaps by looking at the option of a loan.
  - Cllr. Johnny Healy-Rae raised the following issues:-
    - Footpaths – Árd Bhearna housing estate in Kenmare – there is no footpath towards the village, which is dangerous considering there are 80 children living in this estate.
    - Poulgorm Bridge needs to be addressed – this junction is serving 2 peninsulas, and the lighting, signage and layout of the junction is very poor. Can this be addressed by the NRA?
  - Cllr. Donal Grady stated that the NRA has too much of a say on where funding is allocated.
  - Cllr. Michael Cahill raised the following issue:-
    - Cliff Road, Rossbeigh has been affected by erosion. There are 14 houses on this road, can this be addressed?
    - Asked for update on Cromane Pier.
  - Cllr. John Sheahan raised the following issues:-
    - Roundabout needed on the N22 road from Aghadoe to Cleeny Roundabout.
    - Barraduff to Killarney – more of this road needs attention.
    - Gortahaneboy West – Mossie’s turn needs to be repaired.
    - Road at Knocknaboul needs to be addressed.
  - Cllr. John Francis Flynn raised the following issues:-
    - School in Milltown due to open in the coming weeks, could the speed limit be extended beyond the school?
    - Farmer’s Bridge Road – since the opening of the new Tralee By-Pass, this road has become very busy. Can this road have extra signage to make it safer?
    - Incherea – has a date been set for meeting with Minister?
  - Cllr. John Brassil raised the following issues:-
    - Ballingare Bridge – dangerous humps on either side of the bridge need to be addressed.
    - Ballylongford to Ballydonoghue Road is very uneven. Perhaps signs could be erected alerting drivers to the danger.
    - Banna Cross safety works started 6 years ago, have not yet been completed.
    - Barr na Sráide, Ballyheigue - is this on the list for taking in charge?
    - Tarbert – this is at this design stage; will this be completed in 2015?

Mr. Charlie O’Sullivan, Director of Services, replied to the key issues raised and acknowledged the appreciation from the Cathaoirleach and Members.

It was noted that any other specific issues raised will be dealt with through the Municipal Districts.

- 80kph signs – this is ongoing and is hoped to be completed in the next month.

- Dale Road – this section of road highlights the need for the Specific Improvement Grant. Deputations have been made to the Minister.
- Kilmore Beach – an application for funding has been made to the OPW.
- Tralee By-Pass & Castleisland By-Pass – there is a mechanism in contracts for dealing with disputes in relation to claims for additional costs. Kerry County Council has fully engaged in the process provided for in the contract.
- €25,000 for Roger Casement Road in Banna – this road needs to be upgraded. If funding from a national source is not secured, funding will be identified for this road from within other sources.
- There has been a 54% decrease in funding since 2008 – this is the same nationally. Department of Transport, Tourism and Sport have acknowledged that funding of €600 million is required nationally to maintain the non-national road network, which is twice the level of funding provided.
- Lags – these are addressed with the available funding.
- Access to the County – consultants appointed for Adare By-Pass are currently carrying out a constraints study. CPO for Macroom has been confirmed, but it needs funding to progress the construction of the scheme.
- In relation to a request to put traffic lights on flashing amber, he outlined that there are safety issues in relation to this. Traffic lights work on sensors, and are only put on amber at the request of the Gardaí.
- Funding for CPO for An Daingean Relief road - €6 million of loan is spent. Repayments through development contributions are not sufficient and will be difficult to fund other sections of the route without adequate resources to meet any loan repayment.
- Farranfore to Killarney – this route corridor is preserved in the development plan but the scheme has been suspended by the NRA.
- Speed limit review – there is quite a detailed consultation process to go through, in conjunction with the Gardaí. Substantial amount of work involved, and it is estimated that the process will take 2 years.
- Taking in Charge – have 35 applications in hand – currently advertising 9 estates. There are a further 15 estates to be taken in charge this year, most are in reasonable condition.
- Iveragh Road, Killorglin – this is currently subject to Section 38 consultation. It is hoped to have the report for the South and West Municipal District in June.
- Hedgecutting – Mr. O’Sullivan acknowledges the difficulty with this, and noted that it is on the agenda for the Operations SPC to review the policy.

The replies were noted.



On the PROPOSAL of Cllr. Jim Finucane, and SECONDED by Cllr. John Joe Culloty, it was agreed to adopt the Service Delivery Plan 2015 as presented. All Members agreed.

**Item 2. Deputation to meet the NRA on the 8<sup>th</sup> June 2015 in Dublin.**

Members of Deputation agreed:-

Cllr. John Brassil

Cllr. Seamus Fitzgerald

Cllr. Graham Spring

Cllr. Michael Cahill

Cllr. Niall Kelliher

Cllr. John Francis Flynn

Cllr. Danny Healy-Rae

Cllr. Jim Finucane

Cllr. Damien Quigg

Approval for Cllr. Robert Beasley to attend a workshop at Fáilte Ireland's Dublin Office on Monday, 27<sup>th</sup> April 2015, in relation to tourism related issues in Kerry

Proposed: Cllr. J.F. Flynn

Seconded: Cllr. J. Sheahan

Approval for Cllr. John Brassil for a visit to the Brú Columbanus facility in Cork on 23<sup>rd</sup> February 2015

Proposed: Cllr. J. Moloney

Seconded: Cllr. N. Kelliher

Meeting concluded at 1.10 p.m.

**Gerard O'Brien**

**A/SEO Corporate Affairs**

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**Cathaoirleach of Kerry County Council**