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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, 18 BEALTAINÉ, 2015**

**MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, ÁRAS AN CHONTAE, TRALEE ON MONDAY, 18<sup>TH</sup> MAY, 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

**ABSENT/AS LÁTHAIR**

Apologies for absence received from Cllrs D McCarthy & P McCarthy

**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. G. O'Brien, Meetings Admin.
Ms. J. O'Sullivan, CO Corp. Support	Ms. O. O'Shea, CO Corp. Support
Ms. S Broderick SO Corp Support	

The meeting commenced at 10.35am.

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

**15.05.18.01 Cathaoirleach's Report on the CPG Meeting**

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

**Item 1 Agenda for the May Council Meeting**

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

**Item 2            Submission of Notices of Motion for Full Council Meetings**

Mr. J.D. Flynn informed the meeting that a review of the deadlines for receipt of Notices of Motion was undertaken and he briefed them on current procedures. In accordance with legislation the Agenda and Motions must issue on the Tuesday prior to the Council meeting. Also on that day the CPG consider the Agenda. The Senior Management review the Motions and replies the previous day. Based on these timelines, staff have just 4 days to prepare relevant replies. The current deadline for receipt of Notices of Motion is 5.00pm on the Friday, two weeks before the date of the Council Meeting. Motions received over the weekend are accepted also. It is now proposed to change the deadline to 10.00am on Monday morning.

Cllr. J. Moloney asked if motions that are a matter for consideration by members could be accepted later.

Mr. J.D. Flynn said some of those motions impact on the Council e.g. a motion calling on the NRA to do a particular thing when in fact it maybe a function of the Council and a reply must be prepared on it. Motions to the Department of Health, Education and Finance etc. would be a matter for consideration but it is difficult to clearly define those. Replies to Notices of Motion are circulated at the Council meeting to ensure all members get their replies at the same time.

The Cathaoirleach said where an urgent issue arises members are allowed to move an Emergency Motion in agreement with the Councillors.

The CPG recommended that 10am on the Monday morning would be agreed as the deadline for receipt of Notices of Motion.

**Item 3            Annual Meetings for Municipal Districts**

Mr. G. O'Brien informed the meeting there is a requirement on Municipal Districts to hold Annual Meetings. The first option is to convene Special Meetings in the relevant Municipal District where the only items on the Agenda would be the election of Mayor/Cathaoirleach and Deputy Mayor/Leas Cathaoirleach. The other option would be to hold the four Municipal District Annual Meetings in County Buildings on the 22<sup>nd</sup> June which is the date of the Annual Meeting for full Council. The meetings could be scheduled prior to the Annual Meeting of full Council.

Following a discussion the CPG recommended that the Annual Meetings of the Municipal Districts would be held on the 22<sup>nd</sup> June on the day of the Annual Meeting for full Council. They further recommended that in future the Annual Meetings would be held on the 4<sup>th</sup> Monday in June.

**Item 4            Update on the "Principles" of the Community Fund**

Mr. M. Scannell stated the number and range of applications submitted was in excess of €2.5m while the total Fund for the county is €750,000. Individual

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applications for funding ranged from €250 to €181,789. He stated that the Fund was intended for small scale community activation type projects. There are alternative funding sources available to fund larger type projects, particularly in relation to the capital sports grants, that become available on a relatively frequent basis. It is not the intention of the scheme to replace mainstream core funding. The criteria set out in the policy ruled out the following:

- Business Displacement
- Mass Participation Events run on a for profit basis
- General Appeals
- Activities that can be financed from other sources of funding
- Servicing of Debt
- Developments which are the responsibility of other Government Departments e.g. Department of Education or Department of Health.

The Tourism, Culture, Arts and Recreation SPC recommended that the following principles be applied when assessing applications for the Community Support Fund:

- Capital Projects – Maximum allocation to be considered €10,000;
- Any Centrally Funded Projects – Excluded;
- Leader Eligible Projects to be co-funded;
- Applications for funding should support “animation” – focus of this fund is animation funding;
- Part of the MD allocation to be retained to have a contingency fund in place within each Municipal District at a minimum level of 10%;
- Take into account the overall costs of the project, and the possible impact of a significantly reduced allocation.

Approx. 112 applications were received from the South and West Kerry MD with in excess of 50 from each of the other Municipal Districts.

Cllr. R. Beasley, Chair of the Tourism, Culture, Arts and Recreation SPC said there was general agreement by the SPC with the retention of 10% of the allocation to facilitate applications received later in the year. He suggested that any allocation should be towards something visual in a community that would be in place for some time.

The Chief Executive said all applications had been assessed and that the recommendations would seek to enable communities to deliver locally. The Municipal District Managers will brief members prior to the Municipal District Meetings to agree the allocations. The list of applications would be set out with the recommended allocations, following the assessment made on the principles, in accordance with proper governance given the potential auditability of the Scheme.

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Cllr. M. O'Shea requested that villages that have experienced vast growth in population would be assisted in the provision of recreation facilities as it is important to cater for the large young population in these areas.

The Chief Executive stated that if in 2016 the elected members decided to fund one major project per Municipal District, as raised by Cllr. O'Shea, that this would be acceptable also.

The Chief Executive advised that in 2016 the funding allocation should be aligned to the Local Economic and Community Plan priorities and that the Council could target funding in a strategic way based on the information available following from the 2015 funding experience and the priorities arising in these strategies.

Cllr. J. Finucane said the priorities should be based on quality of life issues i.e. rural isolation, the elderly etc into the future.

The Cathaoirleach welcomed the guide of €10,000 but he also agreed with the views expressed by Cllr. O'Shea and said that it maybe desirable that a project would be allocated a larger amount and would welcome a targeted consideration into the future. He asked the Director of Job Creation/Sustainable Economic Development to ensure when new Local Area Plans are being drawn up that an assessment of the services in villages and towns would be undertaken i.e. is there a playground, GAA grounds or a Park etc. in the village/town. This will then highlight deficiencies and when an application for funding is submitted the areas in need will be easy to identify and they can be prioritised for funding.

### **Item 5            Councillor's Representation System**

Mr. J.D. Flynn said he hoped the new customer relations management system 'Sugar' would have been in place by now but it appears it will be some time before it is ready for release. In light of this an interim solution was considered and the IT Department are currently testing a new system in the Housing Department. In Week 3 it is hoped to train a few elected members on the system and in Week 4 there will be pilot testing on Housing with all elected members.

The Cathaoirleach welcomed this update and said it will be of benefit to officials and elected members.

Cllr. N Kelleher referred to Item 2 of the report and said that while he appreciated the work and time involved in the preparation of replies to Notices of Motion for Council meetings, he felt that Notices of Motion which are for consideration by the members should be accepted up to and on the Thursday prior to the meeting.

Cllr. T Ferris said that the current deadline for receipt of Notices of Motion is 5.00pm on the Friday, two weeks before the date of the Council Meeting. The proposed extension of the deadline to 10.00am on following Monday morning is not a very significant change from an administration point of view. She said that

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she found it difficult to understand the resistance of management to extending the deadline and commended management of Cork City & County Council which has a deadline of one week before a meeting.

Cllr. J Healy Rae agreed with Cllr. Kelleher that the deadline should be extended to the Thursday prior to the meeting. Notices of Motion are submitted to raise matters of concern and if an issue arises after the deadline it could be two months before the member is afforded an opportunity to raise the issue by way of a Notice of Motion. He did not consider that it was unfair of the members to request that the deadline be extended for one week and added that if the Notice of Motion was not dealt with at the meeting, the issues raised could be deferred until the next meeting.

The Chief Executive Ms. M Murrell said that this matter had been raised by the members on a number of occasions. Having examined the process and in particular the requirement in accordance with legislation that the Agenda and Motions must issue on the Tuesday prior to the Council meeting, she stated that proper consideration could not be given to the important issues raised in Notices of Motion, in a shorter period of time. The system currently allows staff just four days to prepare responses to Notices of Motion for meetings of the Full Council. Notices of Motion and Questions for Municipal District meetings which are held bimonthly must also be considered .

With regard to Notices of Motion where the reply is a matter for consideration by the members where correspondence to an outside body such as the NRA or the OPW has been requested, Ms. Murrell said that this type of Notice of Motion must be examined and considered by the Local Authority prior to coming before the members for consideration at the meeting.

Having worked in other Local Authorities, she was aware that the process for meetings of the Full Council is different in other counties. The current system in place by Kerry County Council ensures that best practice is maintained.

The Cathaoirleach said that since being elected as Cathaoirleach of Kerry County Council, he has never refused to accept an Emergency Motion from any member, for the purpose of dealing with urgent business.

While he acknowledged that there was merit in the members request for the deadline to be extended he said that the current process allows for the Agenda to be considered by the CPG on the Tuesday prior to the meeting, following the review of motions and replies by Senior Management the previous day. However, if the members so wish, the matter could be considered again at a future meeting of the CPG.

Cllr. N Kelliher said that while he acknowledged that the problem with extending the deadline was in connection with the consideration of the Agenda by the CPG on the Tuesday prior to the meeting following a review of Motions and replies by Senior Management the previous day, he was proposing that the deadline for

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motions that are a matter for consideration by the members, would be extended to the Thursday prior to the meeting.

Cllr. J Healy Rae agreed with Cllr. N Kelleher and stated that the deadline should be extended to the Thursday prior to the meeting for the submission of Notices of Motion concerning topical issues and this could be at the discretion of the Chief Executive and the Director of Corporate Services.

The Cathaoirleach said that this matter would be referred to the CPG for consideration at June meeting.

Cllr. A Thornton asked if a timeframe for payment of the funding allocated to groups/communities from the Community Support Fund was available.

The Chief Executive said that Kerry County Council will facilitate the groups and work with them to ensure that payment is made as quickly as possible.

Mr. J Breen said that all groups will be contacted in writing and the Community Services & Engagement Section will liaise with the groups to whom funding has been allocated.

Mr. J.D. Flynn referred to Item 5 of the Cathaoirleach's Report on the CPG and said the new customer relations management system 'Sugar' is not yet ready for release. In light of this an interim solution has been considered and the IT Department are currently testing a new system in the Housing Department.

### **15.05.18.02 Confirmation of Minutes**

On the PROPOSAL of Cllr. J Finucane, SECONDED by Cllr. N Kelleher, it was resolved that the Minutes of the April Ordinary Meeting of Kerry County Council held on the 20<sup>th</sup> April, 2015 be confirmed.

On the PROPOSAL of Cllr. B O'Connell, SECONDED by Cllr. JJ Culloty, it was resolved that the Minutes of the Special Meeting of Kerry County Council held on the 27<sup>th</sup> April, 2015 be confirmed.

### **15.05.18.03 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

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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 May 2015 Council Meeting”.

### **Financial Position**

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

### **Operation / Progress on the LCDC**

The Local Community Development Committees (LCDC) convened on Monday 11<sup>th</sup> March, to consider the following items;

- Draft socio-economic statement and high level goals in respect of the community elements of the Local Community & Economic Plan (LECP)
- The public consultation policy in respect of the community elements of the LECP
- The preparation of the Expression of Interest to form a Local Action Group in respect of the Leader programme. The negotiations with the Local Development Companies concerning the preparation of a County strategy are ongoing.
- Finance & monitoring report in respect of the Local Community Development Programme (LCDP) for 2014

### **Public Participation Network**

As outlined previously, the formal PPN structure is now in place. The Kerry Public Participation Network will have an important role in respect of the public

consultation phase of the local Economic & Community Plan. This consultation strategy has been approved by the Local Community Development Committee at its recent meeting. The role of the Secretariat and the three pillars (Environment, Community & Social Inclusion) are clearly outlined in the consultation strategy.

### **Local Economic & Community Plan**

The preparation of the Local Economic & Community Plan has completed its first phase with the adoption of the socio-economic statement for the County by both the Economic Development & Enterprise SPC and the Local Community Development Committee. The Draft Strategic Economic and Community Goals have also been adopted and the public consultation phase will commence from the 18<sup>th</sup> May until the 15<sup>th</sup> June. An Advisory Steering Group has been convened which includes economic and community interests from both the state and non state sectors and this group utilising defined themed working groups will assist in development of the objectives and actions to implement the strategic goals.

### **Community Support Fund**

As the level of applications far exceeded the available funding, the criteria for awarding the grants were considered by the Tourism, Culture, Arts & Recreation SPC and brought before the CPG also. Special Municipal District meetings are being held to consider the applications received and to approve the awarding of funds to individual projects.

Following the consideration of the members on the proposed allocations and the distribution of funds, a report will be compiled with recommendations for the members around the structuring of future Community Support Funds and how greater clarity can be provided to applicants on the scope of the scheme and to maximise the benefits of same.

### **Community Tourism Diaspora Initiative**

Kerry County Council's Tourism Development Unit welcomed the 2015 Community Tourism Diaspora Initiative. The Unit is working in association with IPB Insurance and Fáilte Ireland and in co-operation with the Destination Kerry Tourism Forum in providing this very worthwhile scheme. This is the second year of the 3 year scheme which emerged from the success of The Gathering in 2013.

In 2014 many events in the County received support which appealed to both locals and visitors alike. The fund is open to groups or organisations that are organising community events / activities in 2015.

In total 55 applications were received, of which 41 events were offered support to a total of €36,000. Fund amounts are for a minimum of €500 and a maximum of



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€3,000 and are directly related to the number of overseas visitors that will be delivered. A variety of events were offered support including family gatherings, summer festivals, star gazing, sporting events, music events, historical events, food festivals, Christmas festivals and many more. Successful applicants will deliver a number of incremental overseas visitors (where incremental overseas visitors are those additional visitors over and beyond those which would normally visit the county), focus on developing strong diaspora links with the community and contribute at a local level to the County's calendar of events in relation to attracting overseas visitors.

### **Irish Tourism Industry Awards 2015**

Kerry County Council has won the Best Local Authority Innovation Award at the inaugural Irish Tourism Industry Awards 2015 which were announced in Dublin on Friday 24<sup>th</sup> April. The award was presented to the local authority that demonstrated excellence in tourism planning and execution, the provision of tourism facilities and services, marketing, event development and management – including cross county border initiatives and festivals, and the overall contribution made to the local tourism industry. Kerry, the adjudicators said, excelled across all category headings and demonstrated how it remains Ireland's top performing regional destination.

As part of the KCC Tourism Unit submission, an excellent video showing the many facets of the tourism industry, which Kerry County Council supports was submitted.

### **Kerry Local Enterprise Office**

#### **Grant approvals**

Two Approvals and Evaluation meetings have been held. 26 funding applications have been assessed and 16 business projects have been approved a total of €241,125 in business grants with the potential to create up to 35 jobs and assist the retention of 47 jobs in approved businesses.

5 projects are awaiting assessment.

#### **Microfinance Ireland Loan Applications**

6 applications have been assessed.

#### **Online Trading Vouchers**

61 applications have now been assessed.

Funding has been released to 13 projects with over 41 businesses receiving approval.

Specific marketing campaign is presently underway.

#### **Training Supports**

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Training demand is very strong with the Spring schedule of programmes now reaching completion. Planning has commenced for the Autumn schedule.

**Business Advice Clinics – 12 clinics completed**

Business Advice Clinics are designed to give people who are at idea stage/early start-up stage of a new business the opportunity to engage with and gain insights from an experienced business mentor.

**Business Mentor Assignments**

56 businesses have been assigned mentors to support and advise the businesses.

**Student Enterprise Awards**

The National Final was held in Croke Park on 22<sup>nd</sup> April and Kerry Schools received three national prizes in Innovation, Social Media and national runner up.

**Upcoming 2015 Programmes**

**Food Academy Programme in association with Bórd Bia and Musgraves** – 6 month programme delivered in Farranfore, interviews and recruitment has been completed with 16 registered food businesses – due to start on 12<sup>th</sup> May.

**Ireland's Best Young Entrepreneur**

This competition will be officially launched over the next few weeks but the ground work has commenced locally with a social media campaign targeting the under 30 age group.

**Lean for Micro Programme Pilot** – Expressions of interest forms have been circulated. This programme aims to improve business efficiencies and is run with Enterprise Ireland.

**National Enterprise Awards** - Kerry Winner is Fleury Engineering, Killarney and the business attended national final interviews.

**Cork & Kerry Food Forum** – June 2015

**Regional Women in Business Event** (Adare, May 2015)

**Enterprise Ireland Graduate Programme**

The Local Enterprise Office has been successful in securing a Graduate under the Enterprise Ireland Graduate Programme.

The Chief Executive advised the members that the South and West Regional Jobs Plan is now in place.

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Cllr. J Finucane thanked the Chief Executives for her report and said that it is important that the Local Enterprise office is relocated to Áras an Chontae as soon as possible.

Mr. JD Flynn said the relocation of the Housing Department to the former Motor Tax building is currently underway and when this has been completed, the Local Enterprise Office will move into the offices in Áras an Chontae previously occupied by the Housing Department..

Cllr. B Cronin asked what the position is with regard to community groups that wish to apply to the LEO for funding.

Cllr. T Ferris congratulated the Chief Executive and staff on winning the Best Local Authority Innovation Award at the inaugural Irish Tourism Industry Awards 2015.

She said that she is aware that a hunter history app is currently being designed by an historian. This app will allow users to download images and history of historical and cultural sites in Kerry. She recommended that management would look at and support the design of the app with a view to utilising it to showcase sites of historical interest in the county.

Cllr. J Healy Rae queried the process for making an application for LEADER funding.

Cllr. JJ Culloty congratulated Kerry County Council on winning the Best Local Authority Innovation Award at the inaugural Irish Tourism Industry Awards 2015. He referred to Leader funding and said that this has been hugely significant to community led projects in Kerry in the past.

Cllr. B O'Connell referred to the Community Support Fund and commended the Community Service and Engagement section of Kerry County Council on its efficient and effective allocation of the funding. While the funding allocated to some of the groups was small it meant a huge amount to the beneficiaries.

Cllr. M Gleeson referred to Food Academy Programme and said that this invaluable initiative helps to support small companies through the challenging initial phases of growth and is very important for the county as a tourism destination. The development of walkways should include the promotion of locally produced artisan food.

The Chief Executive said that expressions of interest are currently being sought from interested parties to form Local Action Groups to deliver the Leader Programme over the period 2015 – 2020.

The LCDC has submitted an expression of interest to deliver the Leader Programme in Kerry. Negotiations are ongoing with the Local Development Companies in relation to a single County Strategy being developed and how the

implementation of the Strategy will proceed. Local Development Companies may also submit expressions of interest but a countywide strategy with a single unified approach and the submission of one expression of interest for Kerry would maximise the opportunity for the county to draw down funding under the Leader programme.

Cllr. N Kelleher asked the Chief Executive if she was confident that a county wide strategy would be achieved.

Cllr. S Fitzgerald moved Notice of Motion No. 6 as follows:

**6. Priority should be given to the arrangements for the LEADER Programme implementation in a manner which is consistent with the provisions of the Gaeltacht Act 2012**

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

To ask the Executive of Kerry County Council to ensure that full recognition is given to the specific and unique development requirements of the Gaeltacht communities of Corca Dhuibhne and Iveragh, in the current discussions regarding the options being considered for the implementation of the next round of the Rural Development Programme/LEADER in County Kerry. Priority should be given to the arrangements for the LEADER Programme implementation in a manner which is consistent with the provisions of the Gaeltacht Act 2012. Such arrangements will have to support an integrated approach to local development between local community groups and state bodies in a way that supports the sustainability of Irish as a community language.

**The following report issued:**

**The current position around the Leader Programme is that expressions of interest are being sought from interested parties to form Local Action Groups to deliver in partnership the Leader Programme over the period 2015 - 2020. The LCDC will submit an expression of interest to deliver the Leader Programme in Kerry. The Council are currently in discussions with both the Local Development Companies and Údarás na Gaeltachta in relation to a single Leader Strategy being developed for the County and how the implementation of the Strategy will proceed. Through these discussions with the parties it is envisaged that an agreed implementation model will emerge which recognises the individual skills of the companies involved and maximises the benefits of the programme for the communities involved. The Leader Strategy which will be developed over the coming months will encompass the entire population of the County and the unique demands of the individual areas and communities. The guidelines issued give specific mention to the Gaeltacht areas and this will be respected in the delivery mechanism.**

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Cllr. S Fitzgerald said that he is very concerned about this matter and asked that Kerry County Council would ensure that the Rural Development Programme/LEADER programme is implemented in a manner which is consistent with the provisions of the Gaeltacht Act 2012.

Cllr. J Finucane supported the motion and said that Údaras na Gaeltachta is a statutory body funded by the Irish state and excluding it from the administration of Leader funding would be contrary to the whole concept of the Rural Development Programme/Leader. Údaras na Gaeltachta wants to be allowed to continue its function which is the economic, social and cultural development of Gaeltacht areas.

Cllr. D Healy Rae asked what the status of IRD Duhallow and South Kerry Development Partnership (SKDP) will be when the LCDC takes over the administration of Leader funding. He said that he was very concerned that the Local Development Companies would be redundant and that rural Kerry would loose out as a result.

Cllr. J Finucane reiterated that Údarás na Gaeltachta is a statutory body funded by the state. Local Development Companies retain administration funding from the grant aid thereby reducing the funding that goes to the local communities.

The Chief Executive said that the formation of one Local Action Group (LAG) and the development of a single county wide strategy would put Kerry in the best position to draw down Leader funding. Negotiations are currently taking place and it is important that a unified approach is achieved.

### **15.05.18.04 Report on Regional Health Forum South by Cllr. JJ Culloty.**

It was agreed to note the following report on Regional Health Forum South by Cllr. JJ Culloty which was circulated.

The Regional Health Fora were established in January, 2006, as an integral part of the reform of the Health Service. The Forum's function is to make such representations to the Executive, as the Forum considers appropriate, on the range and operation of the health, and personal social services provided within it's functional area.

There are six main regional Health Forum meetings held every year, at which members can put forward Notices of Motion & Questions for the HSE management to respond to. The management of the HSE, The Media and nominated Councillors attend these meetings.

There are also two Committees on the Forum – South West Committee and South East Committee, both of these Committees meet four times a year. Local Hospital Managers and Community Care Managers and nominated Councillors

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attend these meetings. Local area updates are given at these Meetings, with questions and answers sessions.

### **15.05.18.05 Approval for the opening of Tenders**

- (a) On the PROPOSAL of Cllr. J Finucane, SECONDED by Cllr. N Foley, it was agreed to approve the opening of tenders for the provision of consultancy services for the design of a cycletrack from ITT Tralee to Blennerville - Closing date: Friday 15th May, 2015 at 4pm.
- (b) On the PROPOSAL of Cllr. M Gleeson, SECONDED by Cllr. D Healy Rae, it was agreed to approve the opening of tenders for the N70 Ballintleave and N72 Shinnagh Pavement Overlay Scheme 2015 - Closing date: Wednesday 27th May 2015 at 4pm.
- (c) On the PROPOSAL of Cllr. J Finucane, SECONDED by Cllr. JJ Culloty, it was agreed to approve the opening of tenders for the appointment to Multi Party Framework 1 for Energy Retrofitting - Regions 1 - 6. Closing date: Wednesday 10th June, 2015 at 3pm.
- (d) On the PROPOSAL of Cllr. B O'Connell, SECONDED by Cllr. T O'Brien, it was agreed to approve the opening of tenders for the appointment to Multi Party Framework 2 for Energy Retrofitting - Dublin Region. Closing date: Wednesday 10th June, 2015 at 3pm.
- (e) On the PROPOSAL of Cllr. J Finucane, SECONDED by Cllr. N Foley, it was agreed to approve the opening of tenders for the construction of 4 No. semi-detached dwellings at Bill Kinnerk Road, Tralee - Closing date: Friday 3rd July, 2015 at 4pm.

### **Construction of houses in Killarney.**

Cllr. D Healy Rae requested an update on the proposed construction of Social Housing in Killarney.

The Chief Executive said that Part VIII planning is in place for the construction of 20 houses in Killarney. Invitations to tender will be advertised and it is anticipated that work will commence before the end of this year.

Cllr. Healy Rae said that he looked forward to the construction of this development.

### **15.05.18.06 Notices of Motion**

#### **Emergency Motion from Cllr. J Finucane**

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“In light of the CER decision to support the twinning of the South West Scotland on shore system to the tune of €93m, €33.7m of which is European funding, that this Council call on the Minister and the Government to give a political directive to the CER to support the Shannon LNG project”.

Cllr. J Finucane said that this project was initially expected to cost €60m but has now increased to €93m, €33.7m of which is European funding, He believed that the remainder will be raised through increased charges to customers of Bord Gais.

As Ireland lies at the end of the European gas pipeline, 95% of gas used in Ireland is imported from the UK and flows through transmission pipelines from Russia, eastern Europe and the Ukraine. In light of the political instability in these regions, it is vital that the Government supports the LNG project.

Cllr. J Moloney said that the development of the Shannon LNG project would be of huge benefit to the county and to the region.

Cllr. R Beasley supported the motion and said that this matter had been ongoing for a considerable length of time. He said that the development of the Shannon LNG project would boost the economy in North Kerry and throughout the whole county.

The Cathaoirleach recommended that the wording of the Notice of Motion be amended to read as follows:

“In light of the decision to support the twinning of the South West Scotland on shore system, to ask the CER and the Minister, what are the implications for the consumer from the support for this project.”

Cllr. J Finucane agreed that the wording of the Notice of Motion be amended as recommended by the Cathaoirleach.

### **1. Condition of the surface of the N22 from the County Bounds to Killarney**

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

As the condition of the surface of the N22 from the County Bounds to Killarney continues to deteriorate and as the 20 year life span of that surface has expired, that this Council calls on the NRA to urgently resurface that entire stretch of roadway that is so vital to the economy of Kerry.

#### **The following report issued:**

**The NRA survey the entire national road network pavement annually. This survey is then used to determine what sections of the national road network require pavement improvements. Funding is then allocated based on this road pavement condition survey. The N22 road between Killarney and the county boundary has not yet been identified by the NRA for pavement improvement.**

**The surface of sections of this road clearly indicates that it requires upgrading/replacement. The condition of section of the N22 road has been brought to the attention of the NRA and the engineering officer from the NRA has inspected this road recently.**

**Kerry County Council will submit this section of the N22 for supplementary maintenance funding and bring it to the attention of the NRA again.**

Photographic evidence submitted by Cllr. M Gleeson, of the deteriorating pavement on the N22, was shown he read the following into the record of the meeting.

“I wish to state that the road to which the Motion is referring is one on which the Cancer Bus travels daily, on which Ambulances to and from Cork travel and on which hundreds of cyclists travel on their way to holiday in Kerry.

Some people may have thought that I was being a little facetious when I suggested some time ago that we would, as a county, seek island status and thus allow us to qualify for the special grant aid that is available for island projects. But I wasn't.

Some may have thought that I was exaggerating when I suggested, indeed proposed, that we would go to Europe to state that we are being discriminated against because of the difficulty of accessing our county. But I wasn't and I still am not.

Last week at the Engineers of Ireland conference in Killarney a former very senior Public Servant and Kerry native said: Where there is proper infrastructure, jobs will follow. I'm sure that he was keenly aware of the irony of that comment when placed in the deplorable context of his native county.

Recently one of Kerry's principal hoteliers approached me to thank me for highlighting our infra-structural deficit from a roads perspective. He stated that the number one complaint from visitors that he meets is about the problems experienced accessing our beautiful Kingdom by road.

The photographs being shown clearly show how deplorably bad the surface of the N.22 from the county bounds to Killarney has become.

I am quite sure that accidents will occur if remedial action is not taken. I am equally sure that if entrepreneurs are invited to Kerry to view prospective locations for industry they will be dismayed. They will in truth do as Kerry Co Op did and bring their business elsewhere.



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I and many others work very hard to ensure that our county looks its pristine best for all who live in or visit. But sometimes because of official indifference or almost criminal neglect we sometimes feel that we are wasting our time.

We can't any longer tolerate the indifference shown to us by successive governments.

Its time colleagues and its time C.E.O. that we shouted STOP to the neglect that we are being forced to endure”.

Cllr. JJ Culloty supported the Notice of Motion and said that he hoped that the construction of a bypass of Macroom would proceed in the near future.

### **3. Refusal of planning permission due to percolation issues.**

#### **Pursuant to notice duly given Cllr. P Connor Scarteen PROPOSED:**

Where applicants for planning permission have been turned down due to percolation issues, please outline what alternatives are available to secure planning on the same land holding / site.

#### **The following report issued:**

**The approach taken by Kerry County Council in relation to the assessment of sites for on-site wastewater treatment is based on the advice and guidance contained in the EPA's Code of Practice "Wastewater Treatment & Disposal Systems Serving Single Houses". In relation to greenfield sites, the guidance in question is clear with regard to the discharge of treated wastewater effluent to ground and, in this regard, any such site which fails the standard assessment process is deemed unsuitable for a discharge to ground. It is always advisable for an applicant to engage a suitably qualified site assessor at an early stage in the pre-planning process in order to identify any potentially suitable site(s) within a landholding. The assessor should then be in a position to advise whether an application for permission is likely to be given favourable consideration by the Planning Authority. It should be noted that the vast majority of planning applications forwarded to Kerry County Council's Site Assessment Unit for consideration receive a favourable report. This is largely due to the high standard of reports prepared by site assessors active in the County.**

Mr. P Stack said that Kerry County Council's Site Assessment Unit operates very effectively and this is largely due to the co-operation between site assessors and staff of the unit. The vast majority of planning applications forwarded to Kerry County Council's Site Assessment Unit for consideration receive a favourable report and staff members are always willing to work with assessors and applicants when difficulties arise. Notwithstanding this there are particular sites in the county where it is not possible to address the issues and the site is deemed unsuitable for a discharge to ground.

Cllr. P Connor Scarteen thanked Mr. Stack for the response.

**4. To use the tar and chip patcher to fill in potholes.**

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

To ask Kerry County Council's Road Department to use the tar and chip patcher to fill in potholes rather than the tarmac as the tarmac is causing the roads to be very bumpy.

**The following report issued:**

**Kerry County Council generally use the Velocity Durapatcher to repair potholed roads. This method of repair is very effective in restoring the road surface to its original condition. There are five Velocity Durapatchers available in the county. At particular times in the year, additional requests to repair some potholed roads are received and the Durapatcher may not be available.**

**Where there is an urgent requirement to provide a repair, pre-set macadam is then used to deal with these requests. Water services generally use pre-set macadam to temporarily repair roads following burst water mains. It is not possible to have the Durapatcher available for these emergency repairs.**

**When pre-set macadam is laid and compacted properly, it should not lead to uneven road surfaces.**

**Kerry county council will continue to use the Durapatcher for the repair of roads and will be supplemented using pre-set macadam when the Durapatcher is not available.**

**We are currently putting procedures in place with Irish Water, to have a comprehensive database of all locations where temporary reinstatement works have been completed following repairs to burst water mains, and to ensure the completion of the permanent reinstatement as speedily as possible.**

Cllr. D Healy Rae said that when tar macadam is used for repairing potholes it results in an uneven road surface and this is a waste of money in the long term.

Cllr. JJ Culloty agreed with Cllr. Healy Rae and asked that the Velocity Durapatcher be used to repair potholed roads where possible.

Cllr. J Brassil referred to the first line of the third paragraph of the response "when pre-set macadam is laid and compacted properly" and said that this matter should be reviewed with a view to ensuring that it is being done.

**5. To enact legislation to safeguard against cyber bullying**

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

Kerry County Council calls on the Government to take urgent steps to enact legislation to safeguard against cyber bullying both for children and adults.

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

Cllr. N Foley said that a 2014 survey by the National Association of Principals and Deputy Principals revealed that 16% of Irish students have experienced bullying on-line, a 33% increase in figures for 2013. This was a particularly comprehensive survey of 2,700 students aged between 12-16 years. All forms of bullying is reprehensible but this particular form of bullying is having hugely significant and adverse impact on the lives of so many children and vulnerable adults.

Currently there are no consequences for people who engage in cyber bullying and the victim is given little or no protection under current law. At present, I am led to believe, Irish laws only ban the sending of menacing messages over the telephone. The lack of legislation in this area allows bullies to target children or vulnerable adults with little or no regulations or sanctions. This has got to change. The time for action is long overdue. We have responsibility to protect the most vulnerable. I call on the Government to take immediate action on this issue

Cllr. T Ferris SECONDED the motion and said that cyber bullying has a detrimental effect on the lives of people who are subjected to this particular form of bullying and to date the legislators have failed to legislate for the long term protection of victims.

**7. Install water conservation measures across all their public toilets.**

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

That Kerry County Council would install water conservation measures across all their public toilets as was done in Waterville a few years ago.

**The following report issued:**

**Kerry County Council will install water conservation measures where possible, in all 32 of the Public Toilets. We are commencing with the installation of a Smartflush, motion sensor flushing system for the Ladies Beach, Ballybunion and aim to have a similar system installed in the other public conveniences, where possible this year. Kerry County Council will also explore any other Water Conservation measures where practical.**

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Cathaoirleach J Brassil welcomed the reply and said that the installation of water conservation measures in public toilets would be very effective as there is a continuous flow of water in some of the older systems.

#### **8. Additional/alternative sites for the location of speed vans in Kerry.**

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

That this Council would recommend to the NRA additional/alternative sites for the location of speed vans in Kerry in an effort to reduce the number of accidents on our roads.

**The following report issued:**

**The Garda Safety Camera Project commenced in 2010 and the deployment of mobile safety cameras is a key action in the national road safety strategy which aims to reduce fatalities on our roads to 126 by 2020.**

**There has been a significant reduction in the number of speeding offences in the safety camera zones, from 17.5% when the project started to 3.5% in recent surveys.**

**There are 29 Go safe zones (Speed Camera zones) currently throughout the county. An Garda Siochana have recently completed a review of the safety camera zones nationally and identified a further 370 locations, whilst also proposing to remove 50 locations. 60% of these new zones will be on the regional and local road network.**

**This review is being carried out in consultation with the NRA, who will arrange for the erection of the appropriate signage. The current proposals by the NRA are shown on the attached map.**

**The Council has also been consulted in relation to this proposal and asked if we wish to identify any further locations. We have identified two additional locations, on the R556 from Abbeydorney towards Tralee and the N22 from Farranfore to Lawlors Cross, based on recorded accidents at these locations.**

Cllr. J Sheahan welcomed the reply and commended the introduction of the Garda Safety Camera Project in 2010 and said that it has contributed to a reduction in the number of traffic accidents on our roads and lives have been saved as a result. He is regularly involved in litter picking on the N22 in the vicinity of Brennans Glen and has noticed that vehicles are being driven at excessive speed and asked that consideration be given to including this location as a mobile camera safety zone.

Cllr. D Quigg **SECONDED** the motion and said that mobile safety cameras should be more visible to traffic.

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Cllr. D Healy Rae said that he did not want his name associated with this motion as in his opinion it is just a money making exercise and the funding generated from fines is not being put back into road improvement work. The Lewis Road junction on the Killarney bypass, the junction at Ballycasheen and the issue of traffic accidents caused by deer on the roads must be addressed before the number of speed camera locations is increased.

Cllr. J Healy Rae agreed and said that he considered that the provision of additional mobile speed cameras would be a waste of money. He had raised the issue of accidents caused by deer on the roads on many previous occasions and he was aware that a deer had been observed on a road in Kenmare on the previous evening.

Cllr. T Ferris pointed out that the request in the notice of motion was that additional/alternative sites for the location of speed vans would be considered.

Cllr. J Sheahan said that he was merely asking that the mobile speed cameras currently in operation would be better utilized by covering additional locations.

Cllr. JJ Culloty **PROPOSED** that the word 'additional' be removed from the wording of the motion. This was agreed.

Mr. C O'Sullivan said that the location of the mobile speed cameras is determined by the Gardaí on the basis of accident statistics.

A vote was taken on Cllr. J Sheahan's amended proposal which resulted as follows:

**For:** Cllrs. R Beasley, M Cahill, JJ Culloty, T Ferris, J Finucane, S Fitzgerald, N Foley, D Grady, D Nolan, T O'Brien, D Quigg, J Sheahan, A Thornton, J Brassil **(14)**.

**Against:** Cllrs. B Cronin, D Healy Rae, J Healy Rae, T McEllistrim, M O'Shea. **(5)**.

**Absent:** Cllrs. P Connor Scarteen, P Daly, JF Flynn, M Gleeson, N Kelleher, M Kennelly, S Locke, D McCarthy, P McCarthy, J Moloney, N Moriarty, B O'Connell, L Purtill, G Spring. **(14)**

The Cathaoirleach declared the PROPOSAL carried,

### **9. To have the wall rebuilt and the car park resurfaced at Kilmore Beach.**

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

That Kerry County Council take immediate action to have the wall rebuilt and the car park resurfaced at Kilmore Beach which was damaged during the high tides

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and storms of 2014 and again by the high tides of February and March 2015. This is the only beach accessible for the people of the catchment area of Ballyduff, Causeway and Ballyhorgan and is also used by tourists and visitors to the area. That these works be completed during the month of May 2015.

**The following report issued:**

**This motion was previously moved at the Listowel MD meeting. The required works was estimated by the Listowel MD Operations section at approx. €16,000.**

**An application for funding to carry out the above works was made to the OPW under the “Coastal Erosion Minor Works Scheme 2015”.**

**To date we have no further response from the OPW other than they are reviewing the application and that they will contact us in due course.**

Cllr. R Beasley said that he had raised this matter at previous meetings and no action has been taken. He called on Kerry County Council to address this matter before the June Bank Holiday weekend.

Cathaoirleach J Brassil **SECONDED** the notice of motion. He said that approximately a year and a half has past since the high tides and storms of 2014. He asked that Kerry County Council would revert to the OPW to request emergency funding for this location.

### **10. Reinstatement of official use of the title “Mayor” to Municipal Districts and Towns.**

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

I ask this Council to call on the Minister for the Environment, Community and Local Government, Alan Kelly TD, to reinstate the official use of the title “Mayor” to Municipal Districts and Towns, as it would be of huge social and economic benefit.

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

Cllr. JJ Culloty acknowledged that this matter had been referred to the Department of the Environment Community & Local Government previously but he wanted to impress on the Minister the huge social and economic benefit of the official use of the title “Mayor” in a tourist town such as Killarney.

Cllr. M Gleeson said that he gave his heartfelt support to the Notice of Motion. The title “Mayor” is internationally understood throughout the world of tourism. As Mayor of Killarney he had the pleasure of welcoming a group of people from Georgia who were gobsmacked that the Mayor of the “city” personally came to

welcome them. He had no doubt that when the group returned home they spoke positively of the welcome that had been extended to them in Killarney.

**11. Provision of funding for the Kerry-Cork Health Link Bus**

**Pursuant to notice duly given Cllr. Donal Grady PROPOSED**

That Kerry County Council look at providing funding for the Kerry-Cork Health Link Bus as this provides an important service to the people of Kerry.

**The following response issued:**

**This proposal can be considered when preparing the Annual Budget of Kerry County Council for 2016.**

Cllr. D Grady acknowledged the response said that the Kerry-Cork Health Link Bus has been providing an important service to the people of Kerry since 2010. It is a voluntary service which is free of charge and is used on a daily basis by people from Kerry.

**Notice of Motion No. 12 was moved by Cllr. M Cahill on behalf of Cllr. D McCarthy.**

**12. Lift the embargo on the recruitment of outdoor staff.**

**Pursuant to notice duly given Cllr. Dan McCarthy PROPOSED**

That Kerry County Council would forward a resolution to Mr Brendan Howlin, Minister for Public Expenditure and Reform to lift the embargo on County Council Outdoor staff which will enable the Council to carry out essential work in communities and infrastructure as committed by the Government in the collection of the Property Tax and also this will enable the Council to give an opportunity to the temporary Gateway workers obtaining full time employment.

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

**13. Provide school pedestrian crossing on the R563 at Balloughtra, Milltown**

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

That Kerry County Council request funding from the NRA to put in place a school pedestrian crossing on the R563 at Balloughtra, Milltown to service the new Nagle Rice Primary School.

**The following report issued:**

**The development of the new national school has gone through a full planning process including an independent Road Safety Audit and the provision of a pedestrian crossing was not proposed either by the**

**consultants acting on behalf of the Board of Management of the School, or the Road Safety Auditors. The location could be assessed for its suitability for the Junior School Warden Scheme in consultation with An Garda Siochana.**

Cllr. M O'Shea said that a new school has been constructed at this location and he finds it difficult to understand why a pedestrian crossing was not included as part of the planning process. It is vital that a pedestrian crossing is provided to service the school as currently crossing the road at this location is a Health and Safety issue for pedestrians. He asked that the NRA be requested to provide the necessary funding.

Cllr. J Sheahan **SECONDED** the motion and said that he hoped that a pedestrian crossing would be constructed at this location in the very near future.

**14. A write-off of water charges for farmers and businesses of the Mid-Kerry WSS until a regular supply of good quality water is available.**

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

That Kerry County Council request confirmation in writing from Irish Water that all residents, farmers and businesses on the Mid-Kerry Regional Water Supply Scheme will receive a write-off of their water charges until such time as they receive a regular supply of good quality water.

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

Cllr. M Cahill said that the following water outages have occurred on the Mid-Kerry Water Supply in 2014 and to date in 2015

**2015 – 17 outages so far, all unplanned unless stated.**

January	February	March	April	May
Friday 2 <sup>nd</sup> Thurs 15 <sup>th</sup> Wed 21 <sup>st</sup>	Wed 4 <sup>th</sup> Sat 13 <sup>th</sup> Sun 22 <sup>nd</sup>	Mon 9 <sup>th</sup> – (planned outage) Thurs 19 <sup>th</sup> Sun 22 <sup>nd</sup> (resumed at 11am – further outage at 10pm)	Tues. 7 <sup>th</sup> Wed. 8 <sup>th</sup> Fri. 10 <sup>th</sup> Sat. 18 <sup>th</sup>	Thurs 7 <sup>th</sup> (planned outage) Monday 11 <sup>th</sup>

**2014 – 20 outages. All unplanned unless stated**

January	February	March	April	May	June	December
Sat 11 <sup>th</sup> Sun 12 <sup>th</sup> Mon 13 <sup>th</sup> Thurs 23 <sup>rd</sup> Mon 27 <sup>th</sup> Thurs 30 <sup>th</sup> Fri 31 <sup>st</sup>	Thurs 13 <sup>th</sup> (planned) Mon 17 <sup>th</sup> Thurs 27 <sup>th</sup>	Fri 21 <sup>st</sup> Mon 24 <sup>th</sup> Wed 26 <sup>th</sup>	Wed 9 <sup>th</sup>	Thurs 29 <sup>th</sup>	Fri 20 <sup>th</sup> Sub 22 <sup>nd</sup>	Fri 5 <sup>th</sup> Sat 6 <sup>th</sup> Sun 14 <sup>th</sup>



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Cllr. M Cahill read a letter from a consumer who has experienced high levels of mud and wildlife (worms, eels) in her water supply following unplanned outages. Cllr. D Quigg **SECONDED** the motion. He said that there is no short term solution to this problem. Irish Water should be held accountable as it is totally unacceptable that consumers are expected to pay for this level of service. Cathaoirleach J Brassil said that the resolution would be referred to Irish Water.

### **15. Appeal of planning decisions to An Bord Pleanála by NRA.**

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

That this Council would ask the NRA not to appeal planning decisions to An Bord Pleanála, especially in cases where an existing entrance is already there or where a person is using a local road to access the National Secondary Road.

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

**As members are aware a meeting has been arranged with the NRA for Monday, 8th June, 2015 and this is one of the items listed for discussion on the day.**

Cllr. J Healy Rae said that he had submitted this notice of motion due to his concerns with regard to appeals to An Bord Pleanála by the NRA on planning decisions granted by Kerry County Council where there is an existing entrance. He gave an example as follows:

An elderly man whose son is living with him in an old house in a rural area. His son applied for and was granted planning permission by Kerry County Council to build a new house using the existing entrance. The NRA lodged an objection to the application. While planning permission was granted by Kerry County Council the NRA may appeal the decision to An Bord Pleanála and it may be overturned. He said that he would have no issue with this if An Bórd Pleanála could prove that the exit/entrance would become a traffic hazard.

Cllr. D Healy Rae supported the notice of motion and said that this matter constitutes a savage attack on rural Ireland. Also, the NRA is a faceless body as there is no opportunity for local contact with its management.

Cllr. M Cahill said that he has raised this issue at several previous meetings as he is aware of many similar cases.

Cathaoirleach J Brassil referred to the response and said that a meeting has been arranged with the NRA for Monday, 8th June, 2015 and this is one of the items listed for discussion on the day.

**16. 50% remission on NCT charge for vehicles over 10 years and in the ownership of Old Age Pensioners.**

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

That all vehicles for the NCT that are over 10 years of age and in the ownership of Old Age Pensioners would qualify for a 50% remission on the test charge.

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

Cllr. M Gleeson said that a high percentage of cars over ten years old are owned by Old Age Pensioners for economic reasons.

Cllr. D Grady SECONDED the motion.

**18. Non disclosure of details of grant payments made to farmers**

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

That we the members of Kerry County Council ask the Department of Agriculture not to disclose the details of grant payments made to farmers.

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

Cllr. D Healy Rae said that the publication of this information is totally unnecessary and of huge concern to farmers many who are elderly and living in isolated rural areas. The grant aid is paid to compensate farmers for not being adequately paid for their produce so as to ensure cheaper food for the consumer. This is an attack on rural Ireland.

Cllr. J Healy Rae supported the motion and said that applicants for this grant aid are required to go through a rigorous process to qualify for the funding. The publication of this information will have a negative impact on the privacy of recipients of the grants.

Cllr. T Ferris said that she supported the sentiment but suggested only payments over a specified amount are published.

Cllr. D Healy Rae said that this information should not be made public until the recipient is also afforded the opportunity to publish his/her outgoings.

Cllr. J Healy Rae said that over 90% of grants paid to farmers in Kerry are under €10,000.

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Cllr. N Kelleher sought clarification from Mr. JD Flynn with regard to a conflict of interest as he is in receipt of a direct payment from the Department of Agriculture Food and the Marine

Cathaoirleach J Brassil said that public money is being paid out. He agreed that the resolution would be forwarded to the Department of Agriculture Food and the Marine for consideration.

#### **19. Reintroduction of the Bóthar Áise Scheme.**

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

That Kerry County Council request the Junior Minister for the Gaeltacht and the Officials of his Department to reintroduce the Bóthar Áise Scheme.

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

**Cllr. JJ Culloty SECONDED the motion.**

#### **20. Wall in Killarney from the Golden Gates to the Monsignor Hugh O'Flaherty statue on Mission Road.**

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

That this Council call on the NPWS to lower the wall in Killarney from the Golden Gates to the Monsignor Hugh O'Flaherty statue on Mission Road and erect a railing on it, as at present on either side of the Golden Gate Entrance. This would bring Killarney House and the National Park into the town and vice versa thus making it more attractive and thereby encouraging visitors to visit the house and walk the grounds.

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

Cllr. D Grady said that he had raised this matter at a meeting of the Killarney MD and also with Killarney Chamber of Commerce. The reduction of the height of the wall and replacing it with a steel railing would allow visitors to view Killarney House and the National Park from Mission road.

**Cllr. JJ Culloty SECONDED the motion.**

Notice of Motion No. 21 was moved by Cllr. M Cahill on behalf of Cllr. D McCarthy.

#### **21. Special fund in the next budget for Tidy Towns.**

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

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To ask Kerry County Council to provide a special fund in the next budget for Tidy Towns. These committees do tremendous voluntary work in the upkeep of our local communities.

### **The following report:**

**Kerry County Council actively engages with tidy towns committee throughout the county and recognises the valuable work of these committees. The Community Support Fund that has been established provides an opportunity for Tidy Towns groups to apply to Kerry County Council for funding.**

### **22. Kerry County Council staff to reinstate road infrastructure after break/line repairs to water main.**

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

That Kerry County Council write to Irish Water to demand that only Kerry County Council staff reinstate road infrastructure after breaks/line repairs etc and that funding should be sought from Irish Water to refund Kerry County Council for costs of repairs.

### **The following report issued:**

**Kerry County Council staff currently carry out road reinstatement following pipeline works: Water Services carry out the temporary reinstatement and Roads the permanent reinstatement. Irish Water pay the costs of reinstatement. We are currently in discussions with Irish Water in relation to standards, costs, procurement issues, etc.**

Cllr. M O'Shea said that the reinstatement work being carried out is leaving the road surface in a very shabby state and in some cases has resulted in the formation of dangerous lags.

Cllr. S Fitzgerald SECONDED the notice of motion.

Mr. O' Ring said that temporary reinstatement work is being carried out by Water Services and the permanent reinstatement work is subsequently carried out by the Roads Department. The reinstatement work is funded by Irish Water. This matter is currently under discussion with Irish Water.

Cllr. M O'Shea said that roads throughout the county where reinstatement work has been carried out are in a deplorable state. He asked that a criterion for reinstatement works be developed that would include a stipulation that subsoil removed from the trench may not be filled back in.

**23. Review the Fair Deal Scheme so as to allow all senior citizens access long-term care.**

**Pursuant to notice duly given Cllr. MI Cahill PROPOSED**

That Kerry County Council request the Minister for Health to immediately review the Fair Deal Scheme so as to allow all senior citizens access long-term care.

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

Cllr. M Cahill said that the Fair Deal Scheme is not a fair scheme and asked that the Minister for Health be requested to review the scheme.

Cllr. N Kelleher supported the motion and asked that the Minister for Health be requested to make the Fair Deal Scheme a fair scheme.

**24. Notification of 2015 allocation for Housing Adaptation Grants for Older People and People with a Disability.**

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

That we as a Council would write to Minister Jan O'Sullivan to request that the grant for elderly people and people with disabilities to carry out home improvements be released immediately. Previously, these grants were released in March each year.

**The following report issued:**

**The Council awaits the official notification of the 2015 Allocation for Housing Adaptation Grants for Older People and People with a Disability. We have been advised by the DOECLG to continue to operate the Schemes on the basis that we will receive funding to a similar level to that of 2014. In 2014 the Council Allocation was €2.038 million which included a 20% own resource requirement of €408,000. We are proceeding to allocate grants in anticipation of the same level of funding as 2014.**

Cllr. D Healy Rae said that the allocation for Housing Adaptation Grants for Older People and People with a Disability was reduced by approximately 56% in 2013 and increased by just 3% -5% in 2014. It is now May 2015 and the 2015 allocation for this very essential grant for very vulnerable people has not yet been announced.

Cllr. A Thornton **SECONDED** the notice of motion and thanked the staff of the Housing Department for their courtesy and help to applicants for this funding.

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Cllr. D Healy Rae commended the staff of the Housing Department on the excellent work being done by them. He asked that this matter would be referred to the Minister of State with responsibility for Housing as it is essential that notification of this grant allocation is received immediately.

### **Emergency Motion from Cllr. D Healy Rae**

“That we the members ask Kerry County Council housing section to devise a system to allow staff to lease housing on a temporary basis to deal with families who become homeless as they currently can only lease long term”.

Cllr. D Healy Rae said that he felt that an option of short term leasing should be available to facilitate families who become homeless. He has been made aware that this type of accommodation is needed in Killarney at present.

Cllr. J Healy Rae said that homelessness has become a lot more prevalent and asked that consideration be given to putting a system in place where a number of houses would be reserved for short term leasing to facilitate families who become homeless and require short term accommodation.

Cllr. D Grady disagreed that homelessness is an issue in Killarney and said that he was aware that there are a small number of people in Killarney who present as homeless and any time he has contacted the Local Authority regarding this matter, the people concerned have been accommodated.

Mr. J Breen that Cllr. Healy Rae's proposal will be considered at the next meeting of the Sustainable Communities & Quality of Life SPC meeting.

### **15.05.18.07 Presentation by the Alzheimer Society of Ireland.**

The Cathaoirleach introduced Ms. T Leonard and Mr. J Hinchliffe of the Alzheimers Society of Ireland who made a presentation to the meeting as follows:

The Alzheimers Society of Ireland is a national non profit organization which is the leading dementia specific service provider in Ireland.

Its vision is an Ireland where no one goes through dementia alone and where policies and services respond appropriately to the person with dementia and their carers at the times they need support. It is a person centred, rights-based and grassroots led organisation with the voice of the person with dementia and their carer at its core.

Dementia is an umbrella term used to describe a range of conditions which cause changes and damage to the brain.

The most common form of dementia is Alzheimer's.

47,744 people are currently living with dementia in Ireland, 30,357 women and 17,385 men.

Every year in Ireland there are 4,000 new cases of dementia.

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The number of people with the condition will double in the next 20 years and treble in the next 35 years.

63% of people with dementia currently live in the community.

The vast majority of people with dementia are primarily cared for by a family member.

There are approximately 50,000 family carers of people with dementia in Ireland. For every one person diagnosed with dementia, three other close family members are directly affected.

The Alzheimer Society of Ireland works across the country in the heart of local communities providing dementia specific services and supports and advocating for the rights and needs of all people living with dementia and their carers.

### **General Election 2016 - Main Asks**

1. Commit to the implementation of the National Dementia Strategy
2. Provide ring-fenced funding for dementia
3. Develop a follow-up strategy for dementia based on the review of the current strategy
4. Ensure every person with dementia that requires home care has access to dementia specific care in their home
5. Ensure that everyone with dementia has access to a timely diagnosis and appropriate post-diagnosis supporting including, but not limited to, a dementia adviser as a minimum standard of follow-up support.

### **Dementia in County Kerry**

- 1,858 people with dementia living in County Kerry
  - Local Services
    - Tralee Day Care Centre
    - North Kerry Home Care Service
    - South Kerry Home Care Service
    - North Kerry Dementia Adviser
    - South Kerry Dementia Adviser
  - Gaps in Services
    - Day care service required for Killarney
    - Need for additional home care hours

### **Next Steps**

- Assist ASI in securing increased funding for dementia services in County Kerry
- Support our 2016 General Election Campaign

## May Ordinary Meeting

- Support the creation of a dementia friendly community in County Kerry
- Raise awareness of dementia by talking about it in your work as Councillors

Cllr. M Cahill thanked Ms. Leonard and Mr. Hinchliffe for their excellent presentation and requested that it be forwarded to the media in Kerry. He said that he had submitted a notice of motion for the January 2015 meeting of Kerry County Council requesting that the Minister for Health and the HSE be asked to immediately increase resources and hours for Alzheimer patients and their families in South Kerry as the current level of 82 hours per week falls far short of what is required by these people. The response from the HSE stated that no additional funding is available this year to support higher levels of service in Kerry. He asked that a further letter would issue to the Department of Health and the HSE to request that this matter be reconsidered.

Cllr. D Healy Rae welcomed Ms. Leonard and Mr. Hinchliffe and thanked them for their very informative presentation. He said that the reduction in home help to very vulnerable people is deplorable. He commended the Rockmount Day Care Centre in Kilgarvan on the excellent dementia specific services and support being provided to people who are currently living with this disease. He asked if there was any explanation as to why younger people are now presenting with this disease.

Cathaoirleach J Brassil thanked Ms. Leonard and Mr. Hinchliffe for their excellent presentation. He complimented the Alzheimers Society of Ireland on the work being carried out by them and hoped that the level of funding required will be put in place. He added that as a candidate in the next General Election he will seek the support of his party in prioritising funding for this very worthy cause.

Ms. Leonard thanked the members for their comments. She said that the vision of the Alzheimers Society of Ireland is that all the people who are living with dementia get adequate care.

With regard to younger people presenting with Alzheimers, Ms. Leonard said that of the 48,000 currently living with dementia, approximately 4,000 are under the age of 65. This may be due to people being diagnosed sooner than previously. A survey carried out in the UK revealed that dementia is the leading cause of death for women and this is because dementia is now acknowledged as a leading cause of death.

Cathaoirleach J Brassil on behalf of all the members thanked Ms. Leonard and Mr. Hinchliffe for their presentation and wished them success with their work.

### **Suspension of Standing Orders**

The Cathaoirleach said it was 1.30pm and it would be necessary to suspend Standing Orders.

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



## May Ordinary Meeting

### 15.05.18.08 Conferences and Seminars

- (a) On the PROPOSAL of Cllr. J Finucane, SECONDED by Cllr. D Grady, it was agreed to authorize the attendance of Cllr. T McEllistrim at the Local Government and Economic Development Superior Training to be held in Millrace Hotel, Bunclody, Wexford from 05/06/2015 -- 06/06/2015  
Cllr. T McEllistrim was nominated to report back to Council on this event on behalf of all the members that attend.
- (b) On the PROPOSAL of Cllr. J Finucane, SECONDED by Cllr. D Nolan, it was agreed to authorize the attendance of Cllrs. J Brassil & R Beasley at the EU Support Programmes for Irish Regions Celtic Conferences to be held in The Clonakilty Hotel, Clonakilty, Cork from 05/06/2015 -- 07/06/2015  
Cllr. J Brassil was nominated to report back to Council on this event on behalf of all the members that attend.

### 15.05.18.09 Correspondence General

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

1.	Letter dated 17 <sup>th</sup> April, 2015 from the National Transport Authority in response to a resolution from Kerry County Council in relation to the Bus Route 272 between Tarbert and Listowel.
2.	Letter dated 20 <sup>th</sup> April, 2015 from Cork County Council in response to a resolution from Kerry County Council in relation to the salting of the N22 Macroom to County Bounds Road.
3.	Email dated 21 <sup>st</sup> April, 2015 from the Department of Social Protection in response to a resolution from Kerry County Council in relation to the Respite Care Grant.
4.	Email dated 24 <sup>th</sup> April, 2015 from the Office of the Minister for Environment in response to a resolution from Kerry County Council in relation to the Litter Pollution Act.
5.	Email dated 24 <sup>th</sup> April, 2015 from the Office of the Minister for Environment in response to a resolution from Kerry County Council in relation to An Taisce.
6.	Letter dated 1 <sup>st</sup> May, 2015 from the HSE in response to a resolution from Kerry County Council in relation to the levels of care for the elderly and special needs patients.
7.	Letter dated 14 <sup>th</sup> April, 2015 from Limerick City and County Council regarding a resolution adopted by that authority calling on the Ministers for Agriculture and Finance to reinstate the Early Retirement Scheme and Installation Grant.
8.	Email dated 21 <sup>st</sup> April, 2015 from Ballina Municipal District regarding a resolution adopted by that authority calling on the Minister for Environment to take the necessary steps to restore Town Councils or alternatively to give the new Municipal District Councils the power to strike a rate.

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**15.05.18.10 Any other business**

**Vote of Sympathy**

Cllr. D Grady PROPOSED a vote of sympathy to Michael O'Leary SEO Finance and his family on the recent death of his mother in law Maeve Moloney.  
Cathaoirleach J Brassil SECONDED the proposal.

All the members wished to be associated with the sentiments expressed by Cllr. Grady.

The meeting concluded at 13.45pm

**Gerard O'Brien**

**A/SEO Corporate Affairs**

**Cathaoirleach of Kerry County Council**