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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 AIBREÁN, 2016**

**MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, ÁRAS AN CHONTAE, TRALEE ON MONDAY, 18 APRIL, 2016**

**PRESENT/I LÁTHAIR**

**Councillors/Comhairleoirí**

R. Beasley	M. Cahill	P. Connor-Scarteen
B. Cronin	J.J. Culloty	P. Daly
T. Ferris	S. Fitzgerald	J.F. Flynn
N. Foley	M. Gleeson	D. Grady
J. Healy-Rae	M. Healy-Rae	N. Kelleher
M. Kennelly	S. Locke	J. Lucid
D. McCarthy	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
P. McCarthy		

**IN ATTENDANCE/I LÁTHAIR**

Ms. M. Murrell, Chief Executive	Mr. M. O'Donoghue, A/Dir. of Corp. Serv.
Mr. J. Kennelly, A/Director Water Serv.	Mr. J. Breen, Dir. Sust. Comm./Q of L
Mr. C. O'Sullivan, Dir. Ops., H & S	Ms. A. McAllen, Head of Finance
Mr. M. Scannell, A/Dir. Job Cr./Sust. ED	Mr. L. Quinlan, Meetings Administrator
Ms. J. Maher, Fin./Mgmt Accountant	Ms. K. Lynch, SEO Finance
Ms. J. Foley, AO Corporate Support	Mr. G. O'Brien, A/SEO Environ. Protect.
Ms. H. Switzer, AO Community	Mr. O. O'Shea, Press & Comm. Officer
Ms. K. Moriarty, AO Corp. Support	Mr. J. McCarthy, AO Finance
Ms. B. Reidy, SSO Corporate Support	Ms. S. Griffin, Community Serv.
Ms. M. Moriarty, AO Revenue	Ms. A.M. Lynch, SSO Revenue
Ms. C. O'Connor Galvin, SO Finance	Ms. M. Culloo, SO Tourism
Mr. R. Tangney, ASO. Finance	Ms. O. O'Shea, CO Corporate Support
Ms. C. Tobin, CO Finance	Mr. J.J. Canty, CO Finance

The meeting commenced at 10.40am.

The Cathaoirleach, Cllr. P McCarthy took the Chair.

Cllr. T. Ferris congratulated Cllr. D. Quigg and his wife on the birth of their fourth child.

**16.04.18.01 Cathaoirleach's Report on the CPG Meeting held on the 12<sup>th</sup> April, 2016**

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

**"Item 1 Agenda for the April Council Meeting**

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

In relation to Item 4 Mr. M. Scannell advised the meeting that the LECP was before Council for adoption following 15 months of widespread public consultation. He would give a detailed presentation on the Plan at the meeting.

The Chief Executive highlighted there would be a formal launch of the LECP in a few weeks time and elected members and stakeholders will be invited.

In relation to Item No. 6 Ms. A. McAllen said the AFS for 2015 for Kerry County Council presents the financial position as at the end of 2015. She briefed members on the AFS as circulated. The overall financial position as at 31<sup>st</sup> December, 2015 is positive. The report outlines details in respect of income and expenditure for the year and outlines the main provisions carried forward.

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

It was noted that the closing date for the Community Support Fund applications was extended to Monday 18<sup>th</sup> April, 2016 at 5pm.

Mr. M. Scannell stated the PPN and Councillors would be notified of this extension.

Mr. G. O'Brien stated in June 2015 the Municipal District Annual Meetings were held in conjunction with the Annual Meeting for full Council and if the CPG agreed that could be arranged for 2016.

The CPG agreed that the four Municipal District Annual Meetings would be held on Monday 27<sup>th</sup> June prior to the Annual Meeting for full Council.

## **Item 2            Update on 2016 Commemorations**

Ms. K. Kennelly briefed the meeting on the 2016 Commemorations as follows:

The following are the main up –coming events; linking with the Defence Forces:

### **Valentia Island: Sunday April 17<sup>th</sup> at 3pm**

Official flag raising and unveiling of commemoration stone to the Ring Brothers.  
Reception afterwards at The Royal Hotel, Knightstown.

### **Ballykissane Pier, April 21<sup>st</sup> 8am**

All who applied for tickets were facilitated. The bus will depart Library Place commencing at 7am and there will be no parking at the Pier. The Cathaoirleach will officiate.

### **Banna, April 21<sup>st</sup> 11.30am**

Previously this event was scheduled to commence at 12pm but it will now commence at 11.30am. The Army will march into position at 11am. Ms. Kennelly outlined the programme and parking arrangements for the event. Disabled parking will be provided at Banna Beach Hotel and the Civil Defence will shuttle people to the event. Confirmation has been received that a naval ship will be in the Bay at the time of the Ceremony and there will be an Army fly over. The President will lay a wreath and Casements granddaughter, who will travel from New Zealand, will lay a wreath at the Monument. Priority seating will be provided for those who need it and RTE will film the Ceremony.

### **Official opening of the Casement Exhibition at the Kerry County Museum, April 21<sup>st</sup> 4pm**

President Michael D. Higgins will officially open the Casement Exhibition at the Museum. Invited guests are asked to be seated by 3.30pm. It is important to note that this is not a public function as space is limited.

### **Tralee Library Thursday April 21<sup>st</sup> at 6.30pm**

Charles Crushing, Grandson of Monteith will give a lecture on Monteith and Casement coming ashore.

Kerry Community Commemorations events are on-going, for details please go to [www.kerry2016.ie](http://www.kerry2016.ie) and select the calendar of events. Also check out [www.facebook.com/kerry2016](https://www.facebook.com/kerry2016)

Cllr. N. Kelleher stated that a play called 'Patrick' will be held in Rathmore the following Saturday and Sunday and as the interest is so great it is likely an additional show will be put on the Monday night. At present a Garden of Remembrance is being constructed in Rathmore and there will be an official opening with a full programme of events in due course.

The CPG paid tribute to Ms. K. Kennelly and all the staff in the Arts Department for their work and professionalism in ensuring all events are to a very high standard.

### **Item 3            Update from the Chairs of the SPCs**

Cllr. R. Beasley stated the Tourism, Culture, Arts & Recreation SPC will meet in the coming weeks.

Cllr. M. Kennelly stated a meeting of the Operations SPC was held on the 16<sup>th</sup> March when a number of Draft Policies were considered. The Policy on the Naming and Marking of Council Owned Infrastructure will be presented at the April Meeting while the Draft Public Lighting Policy and the Draft Policy on Traffic Calming in Residential Estates and Local Roads will be brought to the May Meeting.

Cllr. J. Moloney stated Cllr. Culloty chaired the last meeting of the Quality of Life SPC in his absence.

Mr. M. Scannell stated the Economic Planning and Development SPC met recently primarily to agree the LECP.

### **Item 4            Approval for the holding of Receptions**

Mr. G. O'Brien stated three requests for Receptions were received as follows:

1.     Cuan Mhuire Drug and Rehabilitation Centre founded by Kerry woman Sr. Consilio Fitzgerald which celebrates its 50<sup>th</sup> anniversary this year – Cllr. N. Foley
2.     Bryan Cooper to mark his international achievement in winning the Gold Cup on Don Cossack at Cheltenham and bringing honour and distinction to the county – Cllrs. T. O'Brien, N. Moriarty, J. Finucane, N. Foley.
3.     St. Brendan's College, Killarney on winning the All Ireland Colleges Football Final – The Hogan Cup – Cllr. M. Gleeson and J. Sheahan at MD and Cllr. M. Healy-Rae.

The CPG agreed that the Reception for Cuan Mhuire Drug and Rehabilitation Centre would be held on the day of a future Council Meeting.

The CPG further agreed that the Reception to honour Bryan Cooper would be held at a meeting of Tralee MD while St. Brendan's College would be honoured at a Killarney MD Meeting.

**Item 5 Any other business**

**Waste Management Act**

Mr. John Breen stated that he wished to update the CPG on a Chief Executive Order which had recently been made under Section 56 of the Waste Management Act 1996 in response to national residual waste disposal issues. Similar CE Orders were also made throughout all three Waste Regions in the country. The making of these Orders on a collective basis has facilitated an increase in the intake of residual waste disposal volumes permitted by the EPA in the Drenid Landfill in Kildare which will improve the situation with regard to the availability of disposal / treatment capacity for residual waste nationally."

Cllr. M. Gleeson clarified that the Reception for St. Brendan's and The Spa would be held in the evening.

This was agreed.

Cllr. N. Foley PROPOSED that the Reception for Sr. Concillio and Cuan Mhuire would be held in conjunction with the May Council Meeting as it would coincide with their 50<sup>th</sup> Anniversary.

Cllr. J. Moloney SECONDED this proposal and it was agreed.

Mr. L. Quinlan informed the meeting Mr. O. O'Shea, Press Officer circulated details of the upcoming events at Ballykissane and Banna and he outlined the arrangements for these events.

**16.04.18.02 Confirmation of Minutes**

- (a) On the PROPOSAL of Cllr. M. Gleeson, SECONDED BY Cllr. B. O'Connell it was agreed that the Minutes of the Special Meeting of Kerry County Council held on 14<sup>th</sup> March, 2016 be confirmed.
- (b) On the PROPOSAL of Cllr. S. Fitzgerald, SECONDED BY Cllr. B. Cronin it was agreed that the Minutes of the March Ordinary Meeting of Kerry County Council held on the 21<sup>st</sup> March, 2016 be confirmed.

**16.04.18.03 Chief Executive's Report to Council**

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

**"Introduction**

Section 136(2) of the Local Government Act 2001, as inserted by Section 51 of the Local Government Reform Act 2014 places an obligation on the Chief

Executive to prepare a report, to be known as the Management Report, in relation to the performance of his or her Executive Functions during the preceding calendar month, including implementation of policy or other matters required by the Council in the exercise of its Reserved Functions and the provision of services by the Council.

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

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

The attached report has been prepared for the April 2016 Council Meeting.

### **Financial Position**

The Annual Financial Statement for 2015 is on the Council Agenda today for consideration by the Members.

### **Local Economic and Community Plan**

The adoption of the LECP is on today's Council Agenda for consideration by the Members.

An update on the delivery of a number of actions will be provided as part of that update.

### **Housing**

#### **Social Housing Strategy 2015 – 2017**

A full update on progress in relation to advancement of housing projects was provided at the Special Housing Meeting in January 2016.

I will provide a comprehensive update at the end of Quarter 2.

### **2016 Service Delivery Plan for the Operations Department**

This Plan was adopted by Council on 11<sup>th</sup> April and does not form part of this Report.

### **Designated Bathing Water Results 2015**

All 15 bathing areas in the County, which includes our 13 existing Blue Flag beaches, were classified as “excellent” by the Environmental Protection Agency in its report "Bathing Water Quality in Ireland – A Report for the Year 2015" which was published recently. It is worth noting that while new standards introduced in 2014 are almost twice as strict as those previously applied, we continue to achieve these excellent results. The category of "Excellent" quality was introduced in 2014 and is the highest classification which can be achieved. In its report, the EPA noted that all of Kerry County Council designated bathing waters continue to be of excellent quality. As part of this classification, during the 2015 bathing season (which is designated as being from 1<sup>st</sup> June to 15<sup>th</sup> September), 252 samples were taken from these bathing areas and assessed under microbiological and physio-chemical parameters by Kerry County Council's Laboratory and reported to the EPA. These consistent excellent results enhances the reputation of our designated beaches and bathing areas and the County in general as being pristine and clean and are very welcome, particularly given the significant role which tourism plays in the economy of the County and as we look forward to the summer ahead.

### **Library Services**

- **Library Capital Investment Programme**

A new Library Capital Investment Programme 2016 – 2021 has been announced. The programme will see a contribution of €22m. by the Department of the Environment, Community and Local Government towards 16 library developments country wide. Kerry Library has been allocated €0.25m towards the replacement of one of its Mobile Libraries.

The current Kerry Mobile Libraries date from 2000 & 2004 respectively.

- **Library Circulation Management System**

Phase 2 of the Single National Library Circulation Management System [LMS], an objective of ‘Opportunities for All’, the Libraries National Development Plan 2014 – 2017, is due to go live on 29 June in 11 library authorities, including Kerry.

**Kerry Local Enterprise Office**

<b>Action</b>	<b>Outcomes to date 2016</b>
No. of Project Evaluation Meetings Held	2 formal meeting has been held to assess projects
No. of projects considered	13 projects have been assessed for funding with 8 projects approved funding of €94,743.  These projects have the potential to create 20 jobs.
No. of mentor assignments	31 mentor assignments from January 1 <sup>st</sup> .
No. of Microfinance applications received	4 completed applications received
Start Your Own Business Programmes	2 programmes finished in Tralee and Killarney with 42 participants. 2 programmes running in Killorglin and Listowel with 40 participants.
Business Growth Programme	1 programme running in Tralee with 16 participants.
Diaspora engagement	Diaspora funding application has been prepared and submitted.  Connect Ireland meetings with Listowel Business Group, Castleisland Chamber Alliance, Kerry County Football Board and other parties.  Elected representatives Diaspora Business card pack has been forwarded to all Councillors



Digital marketing programme	1 programme completed in February in Tralee with 15 participants. 1 programme running in Caherciveen with 15 participants.
National Enterprise Awards	Winners announced at function at the Manor West Hotel on 22 <sup>nd</sup> February, 2016.  Overall winner FM Marine Services to represent Kerry at regional final in April in Dublin Castle
Food Academy Programme in conjunction with Bórd Bia and Supervalu	Recruitment now complete and two food programmes will commence in April.
Student Enterprise Awards programme	654 students participated with 65 shortlisted projects.  County finals were held at the I.T.T. on 4 <sup>th</sup> March 2016.  Radio Kerry did an outside broadcast of the event.  Mayor of Kerry Pat McCarthy and CE Moira Murrell presented awards.  3 Student Businesses selected to represent Kerry in Croke Park in April 2016.
Enterprise Month February/March 2016	Enterprise Month was launched by the Mayor of Kerry and Chief Executive on 22 <sup>nd</sup> February. Events taking place throughout the County in February/March (LEO events fully booked)
Trading Online Voucher Scheme	Additional funding allocation of €90,000 secured for 2016 with a target of 36 Trading Online Vouchers
Female Entrepreneurship activity	Regional Event (Mid West) being organised for 21 <sup>st</sup> April
Office relocation	Relocation successfully undertaken in February and work is ongoing.

In conclusion the Chief Executive congratulated the County Librarian and his staff on hosting a very successful Library Conference in Killarney the previous week.

Cllr. D. Grady asked how many local authority houses are vacant at present. There are a number in the Killarney area and the turn over is too slow. One house is vacant for 9 months and he asked why it took so long to repair it when the housing crisis is getting worse. He asked when the 20 houses in The Park will commence and what the delay is in getting them started. Cllr. Grady asked if councillors are still being informed of housing allocations.

Cllr. A. Thornton acknowledged the excellent work of the LEO Office and the €90,000 in additional funding received.

Cllr. R. Beasley stated housing continues to be a major problem in Kerry. He welcomed the 13 Blue Flags awarded to beaches in the county and added that this was a major achievement considering the severe weather last winter. Cllr. Beasley thanked the Chief Executive for the excellent work done to upgrade the public toilets on the Ladies Beach in Ballybunion. In conclusion he paid tribute to Mr. T. O'Connor, County Librarian and his staff on the excellent Library Conference held in Killarney.

The Cathaoirleach concurred with previous speakers in their compliments to the County Librarian and the Library staff.

Cllr. M. O'Shea stated the housing crisis is mentioned at every meeting and he asked how many people are sleeping rough in Kerry.

Mr. J. Breen undertook to contact Cllr. Grady in relation to the vacant house in Killarney. 2.8% of the housing stock is vacant at any one time and in 2015, 116 vacant houses were repaired. He recently met the Department in relation to the tender for the construction of houses in Killarney and he assured members priority will be given to progressing them. Members are being notified of allocations and Mr. Breen stated he would seek advice from the Data Protection Commissioner on this issue. Nobody is sleeping rough in Kerry and almost 700 people presented to the homeless service last year. Mr. Breen added that there is no need for anyone to sleep rough in Kerry as the necessary services are in place.

Cllr. M. O'Shea complimented the staff in the Housing Department on providing an excellent homeless service.

#### **16.04.18.04 Adoption of the Local Economic and Community Plan**

Chair of the LCDC, Cllr. N. Moriarty stated a lot of work went into producing the Local Economic and Community Plan. There was extensive consultation with the PPN, other public bodies and the general public and this ensured everyone had a say in the Plan. Cllr. Moriarty complimented Dr. Brendan O’Keeffe on his excellent research which was very beneficial in compiling the Plan.

Mr. M. Scannell, A/Director of Services for Job Creation/Sustainable Economic Development then addressed the meeting on the Local Economic and Community Plan. He referred members to the Draft LECP dated 12<sup>th</sup> April, 2016 which was circulated. Mr. Scannell informed the meeting in accordance with Putting People First – Action Programme for Effective Local Government (2012) a new leadership role was assigned to local authorities and this was enshrined in the Local Government Reform Act 2014. Kerry County Council now has the primary responsibility for leading economic, social and community development. This is very onerous and in future it is important to ensure that everything the Council does will assist communities or economic development.

The Local Economic and Community Plan (LECP) for County Kerry was developed in line with this enhanced role, as directed by Section 66 of the Local Government Act 2001 as amended by Section 44 of the Local Government Reform Act 2014. The LECP is a six year Plan which sets out objectives and actions to promote and support economic development and to promote and support local and community development in Kerry. The Plan is action based and each action is assigned and the Council must ensure each action is implemented. The Plan is about identifying gaps and delivering positive step changes that will lead to economic and social consolidation and enhancement of County Kerry. The focus of the Plan is on collaboration and inter-agency work, with an emphasis on clear and measurable actions that add value to the county. While Kerry County Council is leading out the Plan we cannot achieve much on our own therefore we must work with other bodies to achieve the actions.

The preparation and implementation of the LECP is a partnership model and its success will be predicated on the engagement of all service providers and communities in the county. The collaboration of statutory and non statutory agencies through engagement with the wider population and the avoidance of duplication are central to the process. Significant funding is being allocated to the county and it is important to ensure it is utilised to ensure the best value possible.

Delivery of the LECP actions will be the role of the relevant public bodies and agencies, both at National, Regional and local level including:

- Kerry County Council itself incorporating the Local Enterprise Office (LEO)
- IDA, Enterprise Ireland, Regional Agencies (South West Regional Action Plan for Jobs)
- Kerry ETB, TUSLA the Child and Family Agency, the HSE, the Department of Social Protection, ITT and other higher education institutions.
- Local Development Sector
- Voluntary and community-based organisations across County Kerry.

The delivery of the LECP is also a matter for the Private Sector and it will involve greater collaboration, skills identification and development, marketing and branding of the county and setting standards. Mr. Scannell stated the marketing and branding of the county was identified as lacking in Kerry and the people best placed to market the county are those in the private sector. Mr. Scannell outlined the Planning Policy Hierarchy as follows:

- **National** - Planning Framework 2016 – 2026
- **Regional** – Spatial and Economic Strategy
- **City and County Development Plans**
- **Local Economic and Community Plans**
- **Local Area Plans – Area Based / Local Development**

Mr. Scannell then outlined the legal and policy context that was taken into consideration in the preparation of the LECP. He outlined the structure of the Plan as follows:

- Introduction – Legal/Policy context
- Guiding principles behind the development of the Plan
- Vision / Socio-economic statement / Higher Level Goals
- Kerry at a glance – summary of socio-economic profile/including SWOT analysis.
- Economic Development – Sustainable Development Objectives (SDO) – Actions – Tourism Strategy.
- Quality of Life – SDOs – Actions
- Social Inclusion – SDOs – Actions
- Implementation, Review and Monitoring.

The Tourism Strategy does not form part of the LECP and has not yet been presented to Council but it will impact on the Plan. Mr. Scannell outlined the challenges facing the Council in preparing the Plan. He stated the LECP is a living action Plan that will require amendment and more precision over time. The implementation and review of the Plan will ensure the Plan is constantly updated. It is important to agree priorities as the Plan is substantial and it will be very challenging to deliver as much as possible of the actions in the Plan.

The guiding principles of the LECP are:

- **Democracy** – Participative Planning – ensuring meaningful community participation and consultation in the planning process.
- **Sustainability** - Promoting a more resource efficient, green and more inclusive economy.
- **Collaboration** – Maximising returns by cooperation, collaboration and avoiding duplication.
- **Inclusivity & Equality** - Creating vibrant, inclusive communities based on a series of community development principles such as empowerment, participation, social justice and equality.
- **Protection of the environment** – recognising the unique asset that is Kerry – protection of the landscapes, ecosystems and habitats within the county and the wide cultural heritage that stems from it.

The LECP is divided into three sections:

1. Economic Development and Job Creation
2. Quality of Life
3. Community & Social Inclusion.

Mr. Scannell outlined the Vision of the Plan for the meeting as “Kerry a county that honours the past and embraces the future”. This vision emerged following consultation where it was pointed out that our traditions need to be supported and built upon. Kerry is home to almost 6,000 enterprises, which employ 30,000 people. Kerry has a higher dependency on agriculture and tourism than the South West or the State. 42,797 Kerry inhabitants are in employment while 26.4% of Kerry’s population over 15 have a third level qualification. Kerry has a higher retired population than the South West or the State. 11,693 Kerry inhabitants are on the “live register”, a 9% decrease on the 2014 figure.

Mr. Scannell then displayed a map, developed by Dr. Brendan O’Keeffe, showing the overall percentage population change per Electoral Division 1991 – 2011 and he outlined the areas where there was a decline or growth in population. The following are the Socio-Economic Statements as framed by the Vision for Kerry.

1. Economic Development and Job Creation	To promote a robust and diverse economy, supported by a well-developed education and training model, enabling a sustainable population and vibrant communities throughout the county.
2. Quality of Life	To promote a high quality of life, based around a clean natural environment, good quality local services, a strong sense of place and culture and meaningful participation in decision making.
3. Community and Social Inclusion	To promote social and economic inclusion and reduction of social inequalities, particularly targeting areas and communities in Kerry experiencing social disadvantage, marginalised groups or those at risk of exclusion.

Mr. Scannell outlined the Higher Level Goals for each of the three Socio Economic Statements. The LECP is divided into three sections and while these stand alone they are also made interdependent by a number of cross-cutting themes. These stem from the vision, unifying the elements of the Plan and giving greater value to the Plan.

Mr. Scannell then outlined the Development Objectives and Actions for the three sections of the Plan.

All members thanked Mr. Scannell for his excellent presentation and welcomed the Local Economic and Community Plan which is very comprehensive.

Cllr. M. Cahill stated he moved a number of Motions regarding dereliction in towns and villages and he welcomed the aim to identify small enterprises for them. The upper floors of these properties could be used for social housing. The right environment must be created to encourage new enterprise/industry. Cllr. Cahill emphasised that value for money must be a priority. He believed there needs to be more interaction between the Council, other public bodies and the Partnership Companies. Cllr. Cahill called for the introduction of a rates rebate scheme to encourage new enterprise. The lack of high speed broadband is a major problem and must be addressed. The proposed Greenway is vital for the creation of jobs in South Kerry. Cllr. Cahill asked that a loyalty card would be introduced to one town in the county and if it is successful it could be extended. In conclusion, Cllr. Cahill stated there are some very successful Kerry people living all over the world and it would be important to bring them on board.

Cllr. D. Quigg stated the area of social deprivation is very important and he invited the Minister for Jobs to visit South Kerry to see how additional employment can be created as the area is too dependent on tourism. He would like to see sustainable employment through industry in the Pretty Polly site, Killarney, the Wilsons Sports Socks site in Caheriveen and in Kenmare. He did not believe the Action Plan for Jobs will deliver for Kerry and Shannon LNG is not mentioned in it while IT Tralee is only mentioned twice. Cllr. Quigg emphasised the importance of marketing the county and added that lessons could be learned from other European countries. It is also vital that Gaeltacht areas are developed and that funding is provided to help maintain the language. Cllr. Quigg again asked that the Minister for Jobs would be invited to South Kerry to meet with the stakeholders with a view to utilising vacant premises.

Cllr. T. Ferris stated while it is not the remit of Government to create jobs they must create the right environment to encourage development. She congratulated Mr. Scannell and his staff on an excellent starting point. While she welcomed objectives to create employment it is also important to support existing jobs. Going forward SMEs must be a priority and a number of months ago she moved a motion calling for the creation of a 'virtual town'. At that time the Chamber Alliance appeared to take it on board but nothing happened since. Billions are spent on online shopping and if businesses in Tralee could get a small fraction of that it would benefit the economy of the region. Cllr. Ferris asked that her suggestion would be taken on board and that it would start with Tralee. A designated website would have to be developed and the IT Department could support this. Online shoppers could see what is in all the shops and order online. Priority must be given to the long term unemployed and she knew a person who was selected for the JobPath Programme but they could not go on a CE Scheme. The type of employment that can be taken up under JobPath is very selective.

Cllr. Ferris stated while she accepted there was no guarantee that off shore exploration would be successful we need to ensure that a Kerry port is utilised if it is successful. The possibilities of the solar industry should also be considered. Two thirds of farms keep sheep or dry stock and beet farming was a big industry in Kerry in the past. She asked that the possibility of re-introducing the beet industry into the county would be investigated as this would add to our successful agri industry.

Cllr. B. Cronin stated the LECP is critically important for the growth of the county and it brings into focus the importance of maintaining our towns, town centres and villages. He asked that the county would continue to be marketed with those involved in that sector. It is also important to support small niche tourist products for the creation of jobs. Cllr. Cronin also welcomed the emphasis in the plan on unemployment. Dereliction in towns and villages must be addressed and many buildings are empty. Large parts of the county do not have adequate broadband and when the broadband providers attended a Council meeting they stated they can only provide broadband where it is economically viable. Cllr. Cronin also welcomed the focus on the elderly and youth in the Plan and stated it is critical that the Council supports development groups.

Cllr. M. Gleeson stated the previous Saturday an event was held at Killarney Racecourse highlighting the number of voluntary bodies in the area. Many people were amazed at the sheer number of bodies involved in voluntary work and it is important to highlight them. There is an enormous problem in the county with littering and that was highlighted during the recent Spring Clean day when enormous amounts of litter were collected from the roadsides. Cllr. Gleeson emphasised the need to provide safe and ready access to cycleways and he asked that priority would be given to the Greenway which is critical for the county. Anyone who has reservations about it should visit the one in Mayo which is a marvellous success.

Cllr. Gleeson expressed concern at the award of €40,000 to a woman who was injured while walking on the Wicklow Way. A hard battle was fought to retain the track at Torc and this case could change that. Cllr. Gleeson welcomed the reference on Page 115 to the threat from invasive species and he complimented the Council on addressing the problem of Japanese Knotweed. However, Killarney Lakes are under threat from the Zebra Mussel and other invasive species and they must not get into the Lakes or it will be a disaster. He called for the provision of decontamination facilities for boats etc. at Killarney Lakes. Having been involved in education for many years he is acutely aware of the potential for school halls during the summer. In conclusion Cllr. Gleeson stated he hoped the plans for the Sara Lee plant would be successful.

Cllr. T. O'Brien stated the Tidy Towns Groups were successful only because of their interaction with the Council. He could not over emphasise the importance of IT Tralee and Kerry County Council acquiring Kerry Technology Park as it is vital for the county's future. The potential of the Park located as it is next to IT Tralee is very significant and he asked that this acquisition would be finalised as soon as possible. He welcomed the proposed Advance Unit for Tralee but added that it is important to attract an industry for it. Kerry Airport is a critical piece of infrastructure for the county and it should be supported.

Cllr. O'Brien welcomed the access audit and stated he works with the Wheelchair Association and he would be willing to work with the Council on the audit. He agreed with Cllr. Gleeson on the recent award by the Court to a lady who fell on the Wicklow Way and agreed that the Council should support an appeal of this decision. The presence of the Top Gear crew in the county over the weekend will be very beneficial for the county.

Cllr. G. Spring welcomed the reference in the Plan to developing a skills strategy and stressed the importance of the required skills being available. To this end providers must diversify and meet demands. Kerry is not at as much of a disadvantage now that the Regional Aid map has been redrawn. Cllr. Spring welcomed the provision of an Advance Factory in Tralee. The Plan compliments community and county and they cannot exist separately. In conclusion Cllr. Spring asked that a concerted effort would be put into providing greenways in the county.

Cllr. A. Thornton stated there are many broad goals and specific actions in the Plan to give direction to various bodies. She welcomed the commitment in the area of disability and the proposed access audit. Cllr. Thornton asked that the Disability Plan would link into the Housing Strategy. It is also important to provide support for refugees living in Kerry. The Farmers Market Strategy will be important as is the development of greenways. Cllr. Thornton agreed that IT Tralee is critical to the growth of the county.



Cllr. J.J. Culloty welcomed the input of Dr. David Meredith and Dr. Brendan O'Keeffe to the Plan. Broadband is an obstacle to growing enterprise in many parts of the county and needs to be addressed urgently. Adequate funding is not provided for the maintenance and improvement of roads and while some roads are in a reasonable condition many roads in East Kerry are not.

Cllr. Culloty supported the views expressed by Cllr. Gleeson in relation to the award to the lady injured on the Wicklow Way. 20% of people in Kerry are employed in the tourism sector and a substantial number of people walk in Kerry. If Killarney National Park restrict or deny access to their properties it would be detrimental to the county.

Cllr. N. Foley congratulated Mr. Scannell and his staff on the style and language used in the Plan. This is a very important blueprint for the county and the language and vision is accessible. Cllr. Foley acknowledged there will be opportunities to amend the Plan and it will be a testament to its success if it is a living Plan. It is vital to the success of the Plan that responsibility for its implementation is shared and seen through. Kerry County Council could not implement the Plan on its own. She saluted the leadership shown when it was sought to involve so many other bodies in the drafting and implementation of the Plan. The vision of the Plan is to honour the past and it is hugely important to lean on the past while relishing the opportunity to embrace the future. Reaching out to communities must include the Diaspora and there are intelligent, experienced Irish people living abroad who could be involved in the implementation of the Plan. Cllr. Foley also welcomed the proposed Tourism Strategy which will link into the LECP. The key to the success of the Plan will be finance. Cllr. Foley supported the call for the reinstatement of Regional Aid.

Cllr. M. O'Shea stated the Plan is broad and exciting. Kerry County Council should market Fáilte Ireland's advertising slogan for the Wild Atlantic Way. While this is a very comprehensive Plan Cllr. O'Shea expressed concern it may not be implemented. Recent Planning Institute figures for Kerry were poor and this proves that economic recovery has not impacted on Kerry yet. The Government is not focussed on spreading economic recovery outside of Dublin. The biggest problem in Kerry is connectivity and broadband with many peripheral areas having very poor quality broadband. If it was not for the work of the partnership companies many indigenous enterprises would not have succeeded.

Cllr. J. Healy-Rae stated farming, fishing and the tourism industry maintain the county. Last year a factory ship was off the Blasket Islands for 6 to 8 weeks and this is unfair on Irish fishermen. When this happened in other countries like Australia they were banned. A man in Caherdaniel employs 10 people but he cannot get mobile phone coverage and when the Telecom Companies attended a meeting of the Council nothing was done for him. This is also the case in many other parts of the county. The Adare and Macroom By-Passes are critical for Kerry.

Cllr. D. Grady stated the gateway to the county is vital and the Adare and Macroom By-Passes must be progressed.

Cllr. J.J. Culloty PROPOSED that the Local Economic and Community Plan be adopted in accordance with Section 66B(1) of the Local Government Act 2001 (as inserted by Section 44 of the Local Government Reform Act 2014).

Cllr. M. Gleeson SECONDED this proposal and it was unanimously agreed.

The Cathaoirleach thanked all those who got involved in the County Clean up day. He circulated copies of letters from English people who recently visited the county. While they enjoyed their stay they were not satisfied with the way they were treated by the car hire companies. When one person arrived at Kerry Airport and went to pick up the hire car from Eurocar, she was told that they were going to hold €1,300 on her Credit Card to cover Collision Damage Waiver (CDW). She had already taken out this insurance through Ryanair Car Hire and she was very concerned that she had no option but to let them do this. This reduced her spending budget due to reduced funds available on her credit card. She felt the policy would put her off visiting Ireland again and she would advise anybody to be very careful when hiring a car. When she returned the car she had filled it with fuel yet the car hire company retained €70 for fuel as they would not come out and inspect the car. The Cathaoirleach PROPOSED that the car hire companies in Kerry would be invited to attend the May meeting to explain their actions.

Cllr. D. Grady SECONDED this proposal and it was agreed.

The Chief Executive acknowledged the adoption of the LECP and assured members that it would be implemented with strict oversight by councillors, herself, the LCDC and the Economic Advisory Committee.

The Cathaoirleach then permitted Cllr. Cronin to move his Notices of Motion.

**7. Clarify why some plant hire operators are not being informed of their ranking on the LA quotes tendering system**

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

Can Kerry County Council clarify why some plant hire operators are not being informed of their ranking on LA quotes tendering system? These firms were promised that when they signed up and tendered to LA quotes everyone would be informed of their ranking and this is not happening.

**The following report issued:**

**Historically procurement was a manual paper based process. The system has moved to an electronic system. The current Plant Hire Procurement process involves two distinct steps. Initially operators have to tender for entry onto the plant hire framework – a pre-qualification process covering matters such as insurance and H&S. All plant hire operators who tender for entry onto the plant hire framework are informed of the outcome. i.e. whether they are successful or unsuccessful.**

**As jobs or projects then arise at operational level staff run mini competitions for individual projects. All operators on the relevant framework are invited to submit quotations. At mini competition stage plant hire operators are required to submit their tender for the specific works. Following evaluation of this mini competition, the results are available from the relevant section of the Council. Operators generally must contact the Council for this information rather than it being issued as a matter of practice. The information however is fully available.**

**We have been conducting a review of current approaches to Procurement arising from new governance requirements, recent case law in this area and upgrades to our Financial Management (Agresso) system. We have included this issue within that broader review. It is expected that following the review there will be refinements to the approaches in some aspects of the process. One such area will be the information provided to operators who tender for mini competitions and how this information is communicated to them (i.e. outcome of the process, whether they are successful or unsuccessful and if they were successful, the name and score of the winning contractor and their own score).**

**A presentation on Procurement will be made at the May Council Meeting.**

Cllr. B. Cronin stated he was informed by long established companies that they are not being informed of their ranking on the LA quotes system while other contractors are being informed. This is very frustrating and he PROPOSED that a full review of that part of the process would be undertaken and that those who tender would be informed of their score/ranking.

Cllr. J.J. Culloty SECONDED the motion.

Ms. A. McAllen stated the reply outlines the steps in the procurement process for plant hire. Arising from recent case law the process will be reviewed and the issue of ranking can be included in that review. There will be a more standardised approach following the review.

**23. Safety issues at the Lewis Road Junction with the N22 Bypass in Killarney**

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

As Kerry County Council and TII are completely ignoring any requests to improve safety at the Lewis Rd Junction with the N22 Bypass in Killarney, will Kerry County Council/TII purchase enough lands at the Junction to provide a left hand slip-lane. Currently if three vehicles are turning right at this Junction, traffic can be backed up to Fitzgerald stadium and be at a complete standstill for 10 minutes or more.

**The following report issued:**

**We have raised the concerns of the members in relation to the Lewis Road Junction with the TII on a number of occasions. The Junction with the Killarney By-Pass is part of the N22 National Primary Road Network. Any improvement works, including the revision of the road layout, is subject to the approval of and provision of funding from Transport Infrastructure Ireland (TII).**

**The TII directly determines the locations that will be funded, based on criteria that are set down in their technical standards, and which are ranked having regard to recorded collision data. Whilst the location was not included on the list of schemes approved for design in the current year, we had further discussion with the TII, particularly having regard to the recorded minor injury accidents at this location over the past 5 years. We will shortly be making a formal submission to have this Junction assessed.**

Cllr. B. Cronin stated this junction is extremely dangerous and in the past he asked that a roundabout would be provided there. Traffic should be permitted to turn left only at this junction if a roundabout is not provided. Cllr. Cronin stated his neighbour was killed at this junction a number of years ago and accident statistics are available for the junction. He asked if a slip lane could be provided to facilitate traffic turning left. In conclusion Cllr. Cronin requested that a formal submission would be made to TII in relation to this junction.

Cllr. M. Gleeson SECONDED the motion and added that he proposed that a left hand slip lane would be provided there years ago. He hoped TII would agree to provide it now.

Mr. C. O'Sullivan assured members that his Department raised this junction with TII on a number of occasions. It is a difficult junction and recently the Chief Executive and he met with TII and asked them to review it.

Cllr. J.J. Culloty asked that the speed limit would be reduced to 60k per hour at this location.

**16.04.18.05 Presentation by South Kerry Development Partnership on the South Kerry Rural Vibrancy Report**

Dr. Brendan O'Keeffe then addressed the meeting.

Dr. O'Keeffe thanked the members for the opportunity to present the Report titled 'Rural Vibrancy in North-West Europe – The Case of South Kerry' to them. In an article in the Irish Examiner on the 14<sup>th</sup> August 2015 Minister Anne Phelan stated *"The evidence is clear – rural areas make a significant contribution to the production of the raw materials and activities which drive significant parts of national economic life such as through agriculture, food, tourism, construction materials and energy. Developing and maintaining a vibrant rural economy is, therefore, of vital national importance."* In 2013 Walsh and Harvey stated *"the move from top-down to bottom-up approaches to rural development forty years ago was critical in halting and reversing the decline of rural areas. Ireland's improved rural performance can, at least in part be attributed to the level of community action in the 1970s and 1980s, which played an important role in the development of social capital, physical capital (community halls, etc.) and, possibly more importantly, in the promotion of social inclusion"*.

The Irish Examiner Editorial on the 10<sup>th</sup> August, 2015 stated *"Things are not as bad as they might be though. It is just possible that a lot of the less productive areas, in a material sense at least, of rural Ireland would have been carpeted in coniferous forests but for the European Union intervention and support through the admirable LEADER programme of two decades ago. Initiatives such as these show that rural Ireland has the enthusiasm and spirit needed to survive and grow, even in a more urbanised world and relatively modest investment could be the catalyst for sustaining communities and a culture that have weathered many a storm."*

Dr. O'Keeffe stated the rural vibrancy components are Economic Activities, Adequate Levels of Public Service Provision, Quality of Life, Environmental Integrity, Inclusive Communities, Strong and Coherent Civil Society and Good Local Governance. Data was collected as part of an INTERREG Project on Rural Alliances and Measuring Rural Vibrancy. The survey was carried out in South Kerry with 104 Civil Society Organisations surveyed. Public service provision was mapped and approx. 1,000 citizens were surveyed on community vibrancy. All the results were shared with INTERREG partners.

Dr. O'Keeffe outlined the results of the survey under the following headings:

- Who engages? Membership of Community & Voluntary Organisations.
- How Groups Operate
- Perceptions on the impact of SKDP
- How Communities describe themselves
- Main issues facing our Community
- Issues pursued by Communities through Planning and Policy

- Service Provision
- Percentage of small towns and villages in South Kerry that have the Services specified in the NSS
- Distribution of the Services specified in the NSS for each Settlement Tier as indicated by the Percentage of Amenities each Settlement has.
- Percentage of Communities in South Kerry having specified Indicators of Social Capital.
- Distribution of Elements of Social Capital as indicated by the Cumulative Percentage of selected Social Capital Indicators each Community has.
- Percentage of Persons who belong to at least one Community or Voluntary Group by Community Forum Area.
- Hours devoted to Community and Voluntary Activity by Mean Frequency of Voting in Elections and Referenda.
- Levels of Agreement or Disagreement with Statements about Economic Vibrancy among Citizens in South Kerry.
- Citizens Perceptions of Economic Vibrancy – on selected indicators, by Community Forum Area.
- Citizens views on Local Development.

The observations and recommendations arising from the survey are:

- Higher levels of socio-cultural vibrancy than economic vibrancy.
- Highest levels of economic vibrancy correlate with population.
- Highest levels of socio-cultural vibrancy correlate with:
  - Rurality
  - Leadership
  - LEADER
- Recognise Civil Society as 'The Fifth Estate'
- Broaden participation – especially by youth and new citizens to Kerry
- All places have potential
- Resource and mainstream social economy / community business.
- Maintain the autonomy and integrity of LEADER
- Enforce minimum targets for public service provision
- Rural-Proofing of Policy and Practice.

All members thanked Dr. O'Keeffe for his excellent presentation and welcomed Mr. Noel Spillane and his colleagues to the meeting.

Cllr. J. Healy-Rae stated Dr. O'Keeffe has a very good understanding of Kerry and what needs to be done to ensure rural vibrancy. The Iveragh Peninsula is doing as well as other areas except in economic terms. The lack of adequate broadband and mobile phone service in South Kerry puts people/businesses at a disadvantage. Access to the county is also an issue that needs to be addressed. Cllr. Healy-Rae expressed disappointment at the number of young people who have emigrated and stated as a result older people feel more isolated. The key

to recovery in these areas is employment. In 1990 the development companies were set up by local volunteers who did very good work as many rural areas were dying. While he hoped the new model will work he believed the way development companies operated in the past was better. People living in rural areas experience difficulty in getting an Ambulance in a timely manner and Garda Stations were closed in a number of areas also. Cllr. Healy-Rae called on the next Government to appoint a Minister for Rural Affairs.

### **Suspension of Standing Orders**

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

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

#### **16.04.18.05 Presentation by South Kerry Development Partnership on the South Kerry Rural Vibrancy Report (Cont'd)**

Cllr. M. Cahill stated it is obvious there is a need to bring life back to towns and villages. Many bridges are in need of repair and some sections of national roads need improving. He witnessed the impact of emigration but luckily there are many good Kerry people living in London and New York who help emigrants. The life is gone out of many towns and villages and many small businesses closed during the recession. Cllr. Cahill emphasised the need to target towns and villages to bring a new vibrancy to them.

Cllr. M. O'Shea stated the presentation was very informative and he stressed the need to protect rural communities. Economic development should be spread evenly across the county as all places have potential for development.

Cllr. D. McCarthy stated South Kerry Development has done a lot of good work in South Kerry but there is still a lot to be done. He is involved in the Rural Men's Group and they try to help people who feel isolated. Cllr. McCarthy stated rural shops should be exempt from rates for a few years and he supported the call to make it easier to get planning in rural areas.

Cllr. D. Quigg stated there were some shocking statistics in Dr. O'Keeffe's presentation. He went on a deputation to Brussels in relation to LEADER funding and he met Dr. Josephine Hoffman who spoke of the need for a holistic approach to rural development. The bottom up approach is the best model as it is community led. The creation of employment is critical and for that reason the successful implementation of the LECP is vital. Cllr. Quigg added that the Minister for Jobs should visit South Kerry to discuss the issues facing that area and rural Ireland must be seen as an economic driver and not just Dublin. Transport is also a problem in rural areas and school transport is being privatised. He suggested that free school meals should be provided for children.

In conclusion Cllr. Quigg welcomed the report and stated he hoped it would feed into the LECP.

Cllr. D. Nolan welcomed the Rural Vibrancy Report and stated it should feed into the new National Spatial Strategy. The level of social capital and volunteerism reduced in the course of the last two Censuses and this is disappointing. Cllr. Nolan PROPOSED that the Rural Vibrancy Report would be sent to the Southern Regional Assembly as they are starting work on the new National Spatial Strategy.

Cllr. M. Healy-Rae commended South Kerry Development and IRD Duhallow on their work and added that they know exactly what their areas need. She called on Kerry County Council to support local festivals etc. and to ensure that funding is more evenly distributed.

Cllr. J.J. Culloty stated he is on the Board of IRD Duhallow who work well for their area. The people on the ground know what is best for their area and for this reason there should be a bottom up approach. The original model was more beneficial to communities. Local partnerships were started off by local volunteers and they did a huge amount of work for their area but unfortunately there is too much bureaucracy now.

Cllr. N. Moriarty agreed that every place has potential. We need to be strong in looking for services to help to sustain vibrant rural communities as she agreed that private money follows public money. Cllr. Moriarty stated she believed there is voluntary commitment to communities and the good will, knowledge and skill sets are available. It is important therefore to recognise need and to allocate resources accordingly. Vibrant rural communities will also help nearby towns.

Cllr. N. Kelleher thanked Dr. O'Keeffe for his helpful research and he hoped Kerry County Council would take heart from the work of partnerships. He hoped the LECP would be implemented successfully. There is not enough Gardaí in rural areas but he understood additional Gardaí will be assigned to Kerry in the near future. Cllr. Kelleher thanked South Kerry Partnership for their work and stated he hoped they would work with the Council to ensure the successful implementation of the LECP.

Cllr. J.F. Flynn acknowledged the work of South Kerry Development Partnership in South Kerry. Broadband continues to be a major problem in rural areas and Cllr. Flynn called for the appointment of a Minister for Rural Affairs. In 2015 he proposed that South and West Kerry MD would get a fairer share of the funding from the Community Support Fund but this proposal was defeated. He expressed his disappointment that the funding is not more equally divided between the 4 Municipal Districts. Cllr. Flynn also stated that a greater range of services should be available at Post Offices.



Cllr. N. Foley moved Notice of Motion No. 8 as it relates to the Post Office Network.

**8. Objection to the ongoing efforts of the Government to undermine the Post Office Network**

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

That Kerry County Council object to the ongoing efforts of the Government to undermine the Post Office Network across the Country. The Department of Social Protection have again written (March 2016) to job seekers urging them to use financial institutions as a preferred option rather than Post Offices. This Local Authority again calls for a withdrawal of these letters and calls on Government to take positive action in favour of the Post Office Network rather than negative action against it.

**Mr. L Quinlan stated this is a matter for consideration by the members.**

Cllr. Foley stated the Government is undermining the rural fabric by encouraging Job Seekers to have their social welfare payments paid into the Bank.

Cllr. N. Moriarty SECONDED the motion and it was agreed to refer it to the Minister for Social Protection for consideration.

Cllr. P. McCarthy stated all councillors should be encouraged to use Kerry Airport whenever possible. He asked how many people pay the majority of their bills through their local Post Office. Because of the number of jobs in Dublin there is traffic congestion but if some of these jobs were in rural areas it would help to sustain the area. Housing is cheaper outside of Dublin and therefore workers would have more disposable income.

The Chief Executive welcomed Dr. Brendan O'Keeffe and Mr. Noel Spillane to the meeting. She stated Dr. O'Keeffe's research fed into the LECP and as a result strengthened it. It is important that the LEADER Programme commences and that the LECP is a success. There is a partnership and engagement between Kerry County Council and South Kerry Development Partnership. It is important as LEADER funding comes on stream that it is spent wisely based on research and key priorities. In conclusion Ms. Murrell thanked Dr. O'Keeffe for his presentation.

Dr. O'Keeffe acknowledged the contributions of members and stated while the study was carried out in South Kerry he was sure that North Kerry could identify with it. He was glad the information in the report is useful to communities and informed the LECP. Dr. O'Keeffe stressed the need to lobby for funding to address the issues identified in the Report.

On the PROPOSAL of Cllr. D. Grady, SECONDED by Cllr. D. McCarthy it was unanimously agreed to endorse the Rural Vibrancy Report.

The meeting adjourned for lunch at 2.05pm.

The meeting resumed at 2.35pm.

#### **16.04.18.06 Annual Financial Statement for year ended 31<sup>st</sup> December 2015**

Ms. A. McAllen referred members to the Annual Financial Statement which was circulated and said the aim of the AFS is to fairly present the financial position as at end 2015. The Annual Financial Statement is subject to external audit by the Local Government Audit Service whose purpose is to form an independent opinion of the accounts following a comprehensive review of the Council's accounting records and management practices, to certify the correctness of the Annual Financial Statement and to submit an Audit Opinion and an Audit Report. A copy of the Auditor's Opinion and Report will be circulated to each Member of the Council when it is received, in accordance with normal practice.

The role of the Audit Committee is to:

- Review financial and budgetary reporting practices and procedures within the Council.
- Foster the development of best practice in the internal audit function.
- Review auditors' reports and special reports and assess follow-up action by management.
- Assess and promote efficiency and value for money.
- Review risk management systems and make such recommendations to the authority as the Committee considers appropriate in relation to the foregoing.

The Audit Committee is required to report to the Council annually, providing such advice and making such recommendations, if any, to the Council as the Committee considers appropriate.

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

Total Financial Activity of the Council for the year 2015 and a comparison with the previous year is provided on page 9 – Income and Expenditure Account Statement for the year ended 31<sup>st</sup> December 2015 and page 10 – Balance Sheet as at 31<sup>st</sup> December 2015.

The Overall Financial Activity for the year was €158,993,562.

This level of expenditure indicates the ongoing extent of day-to-day service delivery, infrastructural development undertaken by the Council across the county during 2015. It also indicates the significance of operations of the County Council on the local economy.

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

The charts at the end of this review give the distribution of expenditure amongst the Divisions/Programme Groups and the sources of income of both the Revenue and Capital Accounts.

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

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

The total accrued Income was €126,528,474 with a total Expenditure of €126,440,716. An excess of income over expenditure in 2015 has resulted in a surplus of €87,758 for 2015.

Ms. McAllen stated she had reviewed areas of expenditure under severe pressure and in 2016 she has prioritised these and in particular targeted areas of known and definite liabilities and commitments by this Council. The following provisions will realistically provide for our significant financial obligations as referenced also in our Local Government Auditor's Report. In addition provision

is made for ongoing upgrade of buildings and to ensure our retro insurance fund is adequate.

Over the course of 2015, Kerry County Council has managed the resource base effectively despite the many challenges faced. The Council has prudent expenditure controls in both Revenue and Capital and strengthened debt management measures to maximise income where possible. This effective resource management has facilitated continued delivery of local services by this Council and has enable the Council to carry forward provisions for a number of on-going specific projects following a review of the financial accounts and identification of specific projects in future years. Some income streams were higher than expected.

The main provisions carried forward include in particular:-

- €400,000 - Local Authority Land Bank.  
Creation of a fund to maximise development of existing land banks, strategic review of land loans, and to avail of any economic opportunities on strategic sites.
- €200,000 towards Killorglin Area Service Centre Funding obligation.  
This provision is made to increase the budget provision and the specific reserve for future financial obligations of €7.942m for this project.
- €200,000 towards an Economic Development and Community Programme to provide seed funding for capital investment under the Local Economic and Community Plan.
- €100,000 towards a capital infrastructural upgrade of corporate buildings across the county.
- €100,000 I.T. Capital Replacement Fund to upgrade hardware and software across the county. This is an ongoing requirement given our reliance on IT and our links across the county.

This approach will continue a policy of astute financial management by this Council and given the pressures on locally sourced income as evidenced in Budget 2016 she did not believe this opportunity will be available again.

Ms. McAllen then outlined additional expenditure variances to the allocations approved in the Adopted Budget and stated in the main these are as a result of increased grant allocations during 2015.

- Division A - Housing and Building

Adopted Allocation	€21,790,725
Out-Turn	€22,780,842

Additional expenditure was incurred on over-expenditure on the RAS Scheme. This expenditure is fully recoupable from the DOEC&LG. Also, some own resource expenditure was incurred in relation to the Mitchel's Regeneration Scheme. A provision of €400,000 has been made in respect of Land Bank.

- Division B - Road Transportation and Safety

Adopted Allocation	€32,378,339
Out-Turn	€34,666,845

The main reason for additional expenditure is attributable to increased grant allocations of €16,267,589 versus budget allocation of €14,281,100. An additional allocation of €1,125,450 was received mid-year for Regional and Local Restoration Programme along with funding for Speed Limit Signage, Safety Barriers and Japanese Knotweed. At year end funding of €367,420 was received from DECLG for Flooding and Storm damage.

Additional expenditure occurred in funding legacy old debit capital balances including Inch Coastal Protection €130,000. Funding was also applied to Tralee and Listowel town capital projects completed in 2015.

- Division D - Development Management

Allocation	€9,504,296
Out-Turn	€10,146,085

The principal reason for over-expenditure in this Division is additional expenditure incurred by the Local Enterprise Office and recouped. This expenditure was fully recouped from Government grants. Over-expenditure also occurred in Tourism Development and Promotion and the administration of the Community Tourism Diaspora grants notified during the year. The majority of expenditure on such grants is recoupable. A provision of €20,000 has been made towards matching funding in respect of development of an iconic viewing point.

- Division E - Environmental Services

Adopted Allocation	€16,480,512
Out-Turn	€17,262,203

The principle overspend in this Division arose in Retained Fire Services which relates to the payment of activity fees to Fire Service personnel for activities undertaken by them. The additional expenditure during 2015 was mainly as a result of the significant increase in expenditure on gorse fires early in the year and severe weather and flooding events in December. Revenue Funding of €250,000 was applied to Transfer Stations and Landfill Closures capital balances.

#### Local Income

Our reliance on locally sourced income is increasing and will gain greater significance into the future. A Summary of Major Collections – Appendix 7 is attached which illustrates the percentage collections for 2015 and the level of debtors associated with each of these income streams. Collection staff continue to work through satisfactory payment plans with all debtors where necessary. The need for our customers to engage fully and constructively with our collection staff must be emphasised. Unfortunately, where no reasonable means is taken to pay outstanding debts the Council has no choice but to take appropriate court or other recovery measures. During 2015, we saw further considerable improvement in both collection and reduction of arrears owing in the critical area of Rates with an increase in collection levels of 2% bringing the total collection for Rates to 80%.

Mr. McAllen referred members to Pages vi and vii for a Summary of Capital Expenditure incurred during 2015.

#### **Capital Borrowing/Mortgaged Housing Loan Activity**

The Council's capital debt at 31 December 2015 amounted to €85.04m, a decrease of €21.86m on the December 2014 figure of €106.9m.

#### **Fixed Assets**

The Balance Sheet indicates that at 31 December, 2015, the Net Book Value of our accountable assets is €3,508.8m and details are set out in Note 1 to the Accounts.

Ms. McAllen stated the retention of a cumulative revenue reserve is a very positive reflection on both the elected members and the continuous efforts of staff of Kerry County Council in maximising resources, achieving better value for money, maximising revenue and increasing overall efficiencies over the past number of years. However, it must be noted that this is based on accrual accounting and not all of the funds are realised at the end of 2015. The balance on the account is considered prudent and satisfactory for an organisation of this size and complexity.

The ongoing financing of the Council is not without its challenges both in the short and long term. The Council has responsibilities in relation to financial liabilities which are significant. Investment required for successful delivery of the Action Plan for Jobs, the Local Economic and Community Plan, and Tourism Strategy will require substantial own resource funding to match any grant aid available. In addition further capital investment is required for the purchase of the Tralee Technology Park, the development of Greenways and Smarter Travel projects throughout the county.

This investment is set against a back drop of challenging revenue collection and reducing income streams. This includes the impact of reduced Irish Water funding for Billing and the global rates revaluation year on year. Kerry County Council has increasing financial responsibilities in relation to landfill aftercare; significant historic debit balances to fund on an annual basis, and the servicing of a material land loan liability. This necessitates a continued prudent approach to financing and budgeting.

Kerry County Council took actions during 2015 and continues into 2016 and the future, to adjust and match both operational day-to-day spend and its long-term capital investment programme with available funding and resources. Central to all of Kerry County Council's services is the objective to maintain and support business and households through provision of quality driven services within the current financial constraints.

The recently updated Circular imposes very strict obligations on local authorities to avoid any deficit in the current account, to keep expenditure and income in the capital account in balance, to borrow only in accordance with ministerial sanction and to keep the net bank position limited to the previous year's level. This Circular was updated in January 2015 in relation to the Control and Monitoring of Local Authorities Contributions to the General Government Balance.

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

On behalf of his colleagues on the Audit Committee Cllr. N. Kelleher thanked Ms. McAllen for her assistance and added that she was very forthcoming with information when it was required. It is prudent to make provision for capital costs. The AFS is very good when considered in the context of reduced income.

On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. S. Locke it was unanimously agreed to note the AFS for year ended 31 December 2015 and to approve additional expenditure as outlined in the Financial Review including the provision for the additional measures mentioned in that Review.

**16.04.18.07 Changes to the Membership of Strategic Policy Committees**

Mr. L. Quinlan referred members to report dated 12<sup>th</sup> April 2016 on this item which was circulated and he briefed them on the report.

It was unanimously agreed to note the report.

**16.04.18.08 Report from the Chairperson of the Operations SPC**

It was agreed to note Cllr. M Kennelly's report on the last meeting of the Operations SPC which was circulated.

**16.04.18.09 Adoption of the Policy on the Naming and Marking of Council Owned Infrastructure**

Mr. C. O'Sullivan referred members to the Draft Policy on the Naming and Marking of Council Owned Infrastructure which was circulated and he briefed them on the Policy.

On the PROPOSAL of Cllr. M. Kennelly, SECONDED by Cllr. N. Kelleher it was unanimously agreed to adopt the Policy on Naming and Marking of Council Owned Infrastructure.

Cllr. T. Ferris referred to the proposed works on the Canal Walk and added that the media stated the work would take 3 months to complete. She asked when this work would commence.

Mr. C. O'Sullivan stated work on the Canal Walk is imminent and he hoped it would be completed in a shorter timeframe. Notice was given through the media to advise the public that it would be closed for the duration of the works.

**16.04.18.10. Draft 2015 Kerry County Council Annual Report.**

Mr. M. O'Donoghue advised members that the final 2015 Annual Report would be presented to Council for adoption in June.

It was unanimously agreed to note the Draft 2015 Kerry County Council Annual Report.

**16.04.18.11 Date for Annual Meeting**

On the PROPOSAL of Cllr. N. Kelleher SECONDED by Cllr. P. Connor-Scarteen it was agreed that the Annual Meeting of Kerry County Council would be held on Monday 27<sup>th</sup> June, 2016 at 12.00noon.



**16.04.18.12 Report on Kerry Education and Training Board**

It was unanimously agreed to note Cllr. N. Moriarty's report on the operations and activities of Kerry Education and Training Board which was circulated in accordance with Section 141 of the Local Government Act 2001 as amended.

**16.04.18.13 Report on visit to the US by the Cathaoirleach**

It was unanimously agreed to note Cllr. P. McCarthy's report on his visit to the US from 12<sup>th</sup> to 19<sup>th</sup> March 2016 which was circulated.

**16.04.18.14 Approval for the Opening of Tenders**

- (a) On the PROPOSAL of Cllr. J.J. Culloty, SECONDED by Cllr. S. Locke it was agreed to approve the opening of tenders for Renovation and House Extension works at No. 22 and No. 90 Kevin Barrys Villas and No. 10 Marian Park, Tralee – Closing date: Wednesday 27<sup>th</sup> April, 2016 at 3.00pm.
- (b) On the PROPOSAL of Cllr. N. Kelleher, SECONDED by Cllr. S. Locke it was agreed to approve the opening of tenders for LAN Speed WAN Connectivity between specified sites and Government Networks -- Closing date: Friday 6<sup>th</sup> May, 2016 at 12.00noon.

**16.04.18.15 Notices of Motion**

- 1. **Availability of a definitive map of Flood Plains of all rivers and lakes in the County**

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

Has the Council available to it the definitive map of the Flood Plains of all the rivers and lakes in the County and if so is that vital information being rigidly followed in determining planning decisions.

**The following reply issued:**

**In making a decision on a planning application Kerry County Council must have regard to the provisions of the County Development Plan and Ministerial guidelines issued under Section 28 of the Planning and Development Acts 2000-2015.**

***Section 10.19 Flood Risk Management* of the current County Development Plan contains policy relevant to flood risk management.**

In addition the Department of the Environment, Heritage and Local Government Guidelines; *The Planning System and Flood Risk Management* have been issued pursuant to section 28 of the Act. These guidelines outline development types that are highly vulnerable, vulnerable and acceptable in areas at risk of flooding.

These guidelines require that a sequential approach be taken in relation to assessing planning applications with respect to flood risk. Where flood vulnerable development is proposed in an area at risk of flooding the applicant may be required to undertake a Flood Risk Assessment and to pass a justification test.

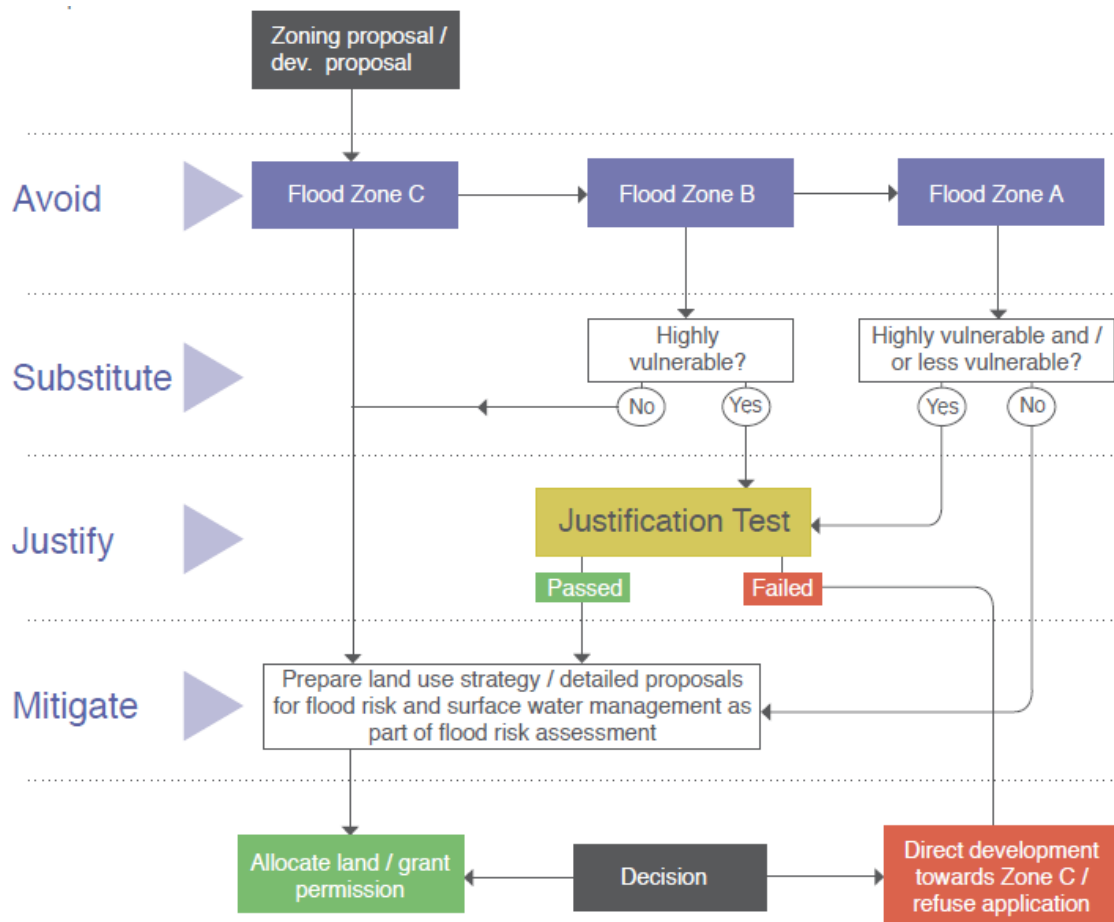


Figure 1: Sequential approach.

With respect to flood extent mapping, The *Catchment Flood Risk Assessment and Management Study* (CFRAM) has published flood extent maps for all watercourses as part of its preliminary flood risk assessment to identify significant clusters of residential and or commercial property at risk of flooding. In addition the *Irish Coastal Protection Strategy Study* (ICPSS) has published flood extent maps for all coastal locations in Kerry.

**These maps are used to inform the Planning Authority of areas at risk of flooding, with planning applications accessed with regard to the policy contained in Section 10.19 of the current County Development plan and the Ministerial guidelines issued pursuant to section 28 of the Planning and Development Acts 2000-2015.**

Cllr. M. Gleeson stated he spent quite some time in another Chamber speaking about the vital importance of Flood Plains. He did so because he knew from where he was born and raised that each river needs its flood plain. He did so also because he knew that living and surviving beside a river can be a precarious existence.

Over many millions of years each river has perfected its own meandering course and in so doing has followed and to some degree has created the topography of its landscape. When we humans interfere or try to manipulate that natural river course we run the risk of causing great harm to nature and to human kind.

When we build embankments along a given stretch of river we are diverting the natural water- course in an alien direction and running the risk of doing lasting damage. Cllr. Gleeson stated he is aware of a location where such an embankment was built and as an inevitable consequence the land along the opposite bank was undermined and ultimately a landslide occurred.

Permitting the building of houses or any other structures in Flood Plains and lauding those who raise the foundation sufficiently to avoid being flooded is to wholly misunderstand nature and is further to do an injustice to others who reside along by the river. It is also most likely diminishing natural habitats and interfering with flora and fauna.

Cllr. Gleeson stated we are all aware that rainfall levels over the past 4 or 5 months have been very high and that has been a factor in the flood water levels but nationally he believed that we are all aware also that structures have been built in totally inappropriate locations and thus suffered severe flooding.

Not only did they suffer severe flooding but they most likely caused severe flooding to other properties in other locations both upstream and down. Flooding problems that are experienced along the relatively short rivers that we have in Kerry cannot be solved simply by location- specific works. The entire length of such rivers needs to be examined in their totality.

Cllr. Gleeson stated he quite clearly stated that to the CFRAM people. He hoped that they were listening and he hoped that this Council at official and planning levels are listening. In conclusion Cllr. Gleeson stated the reply refers to planning but this relates to far greater issues.

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

**2. Explain why the Motor Tax Department makes it extremely difficult for small businesses to tax their vehicles commercially**

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

To ask the Head of Finance to explain why Kerry County Council's Motor Tax Department makes it extremely difficult for small businesses to tax their vehicles commercially i.e. vans/jeeps.

**The following reply issued:**

**The issuing of vehicle licences for the reduced commercial or goods rate is covered by Regulations. A Licensing Authority shall only issue a licence if it is satisfied that the licence applied for, is the appropriate licence for the vehicle specified.**

**In order to be taxed in the goods category there are a number of requirements that must be met.**

**The vehicle must be capable of being used for the conveyance of goods in the course of the applicant's trade or business, (including agriculture). However the vehicle can only be used solely for that purpose. A vehicle which is used at any time for private purposes does not qualify for the goods rate of motor tax.**

**As the goods rate of Motor Taxation is a subsidised rate of Motor Tax, it is a matter for the applicant to satisfy the Authorised Officer that the construction and use of the vehicle fulfil the qualifying legal provisions for the reduced motor tax rate applicable to goods carrying vehicles. Additional proof that the vehicle is being appropriately taxed is generally required and includes:**

- Current commercial insurance certificate for the vehicle**
- Evidence of registration for VAT**
- Tax Clearance Certificate**
- Notice of Tax Registration Form**

**To assist applicants, the Kerry Motor Tax Office has put together an explanatory leaflet which clearly sets out the documentation required for taxing vehicles commercially.**

Cllr. M. O'Shea stated this is causing considerable disquiet especially among farmers who do not have a tax liability but need a van to feed their stock. They are not being allowed to tax their vans at the commercial rate but this is not the practice in other counties. Many of them have just one vehicle and it is very costly to tax it private. Cllr. O'Shea asked if there is discretion allowed in the legislation and are these issues arising from Kerry County Council's interpretation

of it. He requested clarification on this issue and further asked if a person has no tax liability how can they comply with the requirement in relation to VAT.

Mr. M. O'Donoghue stated the legislation is clear and if a van is used for private purposes it must be taxed at the private rate. The requirements can be met through the Revenue Commissioners.

The Cathaoirleach pointed out that people are taxing their vans in other counties as they are not as strict. A lot of people are impacted by this and he asked that the requirements would be reviewed in the context of the requirements other local authorities use.

Ms. A. McAllen stated Kerry County Council is only accountable for the procedures in Kerry. Anyone can get a Tax Clearance Certificate and the vast majority of people satisfy the criteria to avail of the vastly reduced commercial rate.

Cllr. O'Shea requested that clarification of Kerry County Council's interpretation of the legislation would be sought.

Ms. McAllen confirmed that this can be requested from the Department.

The Chief Executive stated she could only comment on what happens in Kerry. The legislation is clear unless a vehicle is used 100% for commercial purposes it must be taxed at the private rate. This is the requirement and she is assured Kerry County Council is applying this requirement correctly. Clarification can be sought from the Department on this issue.

### **3. Dangerous junction at Battersfield Cross**

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

That Kerry County Council address the dangerous junction at Battersfield Cross. It is on the brow of the hill so the view is completely blind for cars pulling out on to the Ballyhar Road.

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

**This motion was previously moved at the South & West Municipal District meeting in November 2015, at which the following response was given to the members "The Battersfield Cross Junction is the junction of a local primary road and a private road. The current means of funding safety measures on the local road network is the Department of Transport, Tourism and Sport's Low Cost Safety Improvement Grant. The Department will only fund improvements at the junctions of public roads and this location does not meet that criteria".**

**The junction is in effect a private access laneway, serving 2 houses, exiting onto a local road, and where the site visibility at the exit is restricted by the boundary wall and hedge of an adjoining old cottage. There are many similar private accesses throughout the county. Given the limited funding available, the relatively low traffic volumes exiting onto the junction, we have to prioritize public funding to addressing areas where there is a history of accidents and significantly higher traffic volumes.**

Cllr. J.F. Flynn stated that he raised the dangers at this location on a number of occasions. The problem is with traffic coming over the brow of the hill and not with the private road. He asked that this location would again be highlighted with the Department of Transport with a view to securing funding for it. In the meantime he asked that signs would be provided warning traffic of the danger.

Cllr. M. Cahill **SECONDED** the motion and stated it is time this issue was resolved.

**4. Call for a meeting with the HSE to discuss the future of St. Finian's Hospital and lands**

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

That Kerry County Council arrange a “Special Meeting” as a matter of priority between the HSE, Council Officials and Members to discuss the future of St. Finian's Hospital and lands and all possible options.

**The following report issued:**

**As this matter has been raised at Municipal District level also, a meeting has been requested with the Estates Section of the HSE to discuss possible use of HSE lands and buildings to contribute to the provision of social housing in Kerry. The campus at St Finians is one of the locations that could be discussed at this meeting.**

Cllr. M. Cahill stated St. Finians is an iconic building which is 164 years old and is a protected structure. He would like to see the community benefit from it if it could be used as a training facility or a Government Department. It is vacant for some time and he did not want to see it deteriorate. Cllr. Cahill requested that a meeting would be arranged with the HSE at the earliest opportunity.

Cllr. N. Kelleher **SECONDED** the motion and stated St. Finians is strategically located and Kerry County Council needs to act as the building is deteriorating.

Cllr. J.J. Culloty stated he is on the Regional Health Forum and he is waiting for a contact to pursue this matter.

**5. Number of new Council managed houses that will be ready to rent this year**

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

That Management clarify exactly how many new Council managed houses will be ready to rent this year.

**The following report issued:**

**As part of the Council's Housing Construction and Acquisition Programme 2015 – 2017, the Council plans to purchase 40 houses in 2016 and this Programme is currently underway across the 4 Municipal Districts of the County. Based on activity levels in 2015, it is expected in the region of 130 vacant houses (casual vacancies) will be returned to productive use as part of the Housing Stock and let to qualified applicants in 2016. In addition, as the Council continues its Leasing and Rental Accommodation Scheme Programmes into 2016, a further 300 tenancies to qualified housing applicants are expected to be in place by year end in accordance with the Housing Programme.**

**Progress continues to be made on advancing the Housing Construction Programme and a full update on the status of the Schemes in the Programme was provided at the Special Housing Meeting in January.**

Cllr. P. Daly stated no houses are being constructed in Tralee. It is a landlords market and they are getting choosy. The most vulnerable are staying in B&B for months and two psychiatric patients were placed in one room and this is unacceptable. He suggested that houses should be purchased in Tralee but he was advised it would take 2 to 3 years to go through.

**6. Review of Parking Bye-Laws in the County**

**Pursuant to notice duly given Cllr. A. Thornton PROPOSED:**

Can Kerry County Council confirm when a review of Parking Bye Laws in the County will commence?

**The following report issued:**

**The current Car Park Bye-Laws for the car parking facilities in towns in the former County Council administrative area and at some of our beaches were adopted in 2006. The Car park Bye-Laws in Tralee, Killarney and Listowel were adopted by the respective former Town Councils.**

**It is intended to commence a review of the Parking Bye Laws in Tralee and Killarney in 2016, primarily due to upcoming changes to traffic layouts in Tralee and having regards to any outcomes from the Traffic Management Study nearing completion for Killarney. Any changes to parking policy as part of this review will be presented to the Operations SPC, for**

**consideration. The adoption of Parking Bye Laws in Tralee and Killarney will be a matter for the relevant Municipal District.**

**On completion and adoption of the Parking Byelaws for Tralee and Killarney, other towns and at our beaches will be considered, but this will most likely be in 2017 at the earliest.**

Cllr. A. Thornton requested that the Bye-Laws would be reviewed as soon as possible. She added that 15,000 vehicles travel through Listowel each day.

Cllr. J. Moloney SECONDED the motion.

## **9. Access to medical marijuana for certain patients**

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

That we call on the Minister for Health and all relevant agencies to ensure access to medical marijuana for those patients who are deemed appropriate for said treatment by their own doctors. Currently this treatment is available in a number of American States and in Australia.

**Mr. L. Quinlan stated this is a matter for consideration by the members.**

Cllr. N. Moriarty stated all members were contacted by a family with a young child who has Dravet Syndrome and the child gets 10 to 12 seizures a day. The only effective treatment for this is medical marijuana. Another Irish citizen is presently in the US getting this treatment and while he/she was getting up to 20 seizures a day while on this treatment he /she has not had any seizure for the past 3 months. It is difficult to understand why this treatment is not available in Ireland under the proper medical supervision. In conclusion Cllr. Moriarty requested that the motion would be circulated to all local authorities for support.

Cllr. T. Ferris SECONDED the motion and stated in addition medical marijuana can also be used to treat some cancer patients and also those suffering from arthritis. Medical marijuana is available in a number of countries and it is beyond belief that it is not available in Ireland.

Cllr. T. O'Brien also supported the motion.

Cllr. M. Kennelly moved Notice of Motion No. 11 on behalf of Cllr. Purtill.

## **11. Call to prioritise funding for road network in the Listowel Municipal District**

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

That Kerry County Council prioritise funding for its road network in the Listowel Municipal District area as many roads are partially impassable and are a danger to those who travel on them.



**The following report issued:**

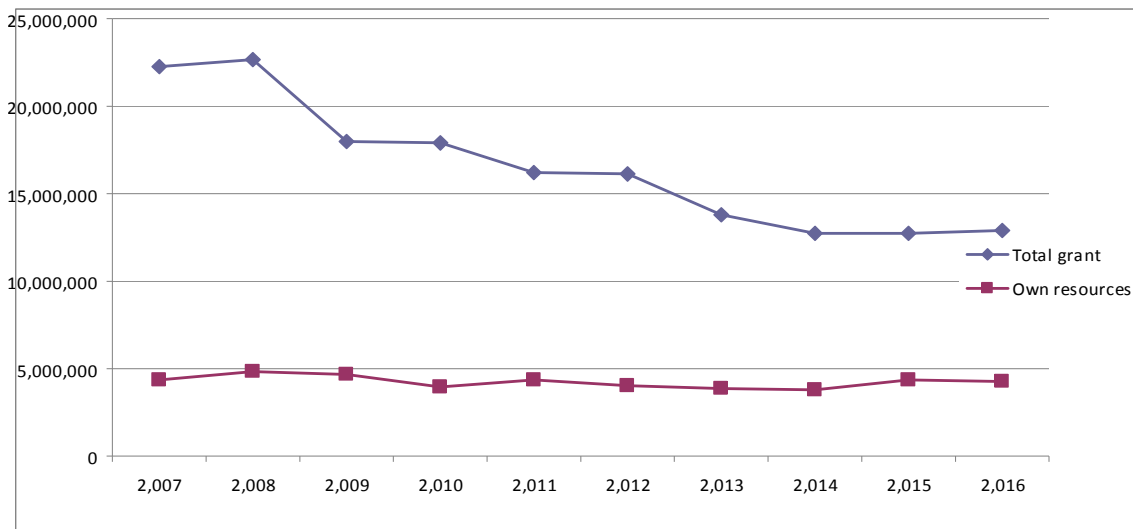
**The 2016 Service Delivery plan which has details on all road improvements in the county was adopted on the 11th April by this Council. Funding for roads in Listowel Municipal District was allocated based on the length of road in the district and on the level of funding provided to Kerry County Council, under the various improvement and maintenance programmes as well as estimated traffic usage.**

**As was outlined by the Director of Services in his presentation to you, last Monday, the Council completed a major condition study of our non-national road network in 2015.**

**With almost 88% of the road network surveyed and the condition of same digitally mapped, over 81 % of the Regional Road network and 67% of the Local Primary Road network is considered to be in reasonably good condition. These are the higher trafficked routes in the county and include the key Tourism routes and access to many of our larger settlements.**

**However, 470 km of regional and local primary roads and 1134km of local secondary and local tertiary roads, representing over 42% of the total non-national road network in the County, is considered to be in a very poor condition. It is estimated that an investment of at least €152 million is required to bring the entire regional and local road network up to an acceptable standard and the current level of grant aid is inadequate to address this challenge.**

**The Director of Operations also outlined to the members at the meeting last Monday, the very significant reduction in grant aid over the past 8 years, which is outlined in the attached chart. Notwithstanding the reduction in grant aid, the Council has maintained its commitment from our own resources, but this is proving extremely challenging with other demands for services and limited potential to generate additional income locally.**



**Given that, a road improved under the restoration improvement programme would have a lifespan of 20 to 25 years, with resurfacing on an 8 to 10 year cycle, the level of investment under the Restoration Improvement Programme required to bring the non-national public road network up to an acceptable standard and maintain same over the recommended lifespan, would need at least €14 million in grant aid annually. This is double the current funding provided.**

Cllr. M. Kennelly stated while 30km of roads will be improved in North Kerry in 2016 there is 900km of road in the Listowel MD. At that rate it will take 30 years to get all roads improved. Many are built on bog rampart and some are virtually impassible. This is a very serious issue for North Kerry and the Listowel MD is not getting the funding needed.

Cllr. A. Thornton SECONDED the motion.

## **12. Update on progress to regulate casual trading in Kenmare**

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

That Kerry County Council please give an update on what progress is being made to regulate casual trading in Kenmare.

**The following report issued:**

**This issue is a very complex matter. The Council have been working on attempting to find a workable solution to this matter for some considerable period now.**

**The Council has been engaged in a full review of Market Trading in Kenmare which has involved extensive legal advice. This review is also examining the constraints and benefits of all available options in accordance with the statutory requirements and the legal advice.**

**A number of draft proposals were prepared and a preliminary consultation process was conducted in 2015. The report was circulated to the Elected Members, the Kenmare Chamber of Commerce and Tourism and copies of the report have been made available in the Kenmare Area Office. In addition we have also held meetings with the Market Traders and the Kenmare Chamber of Commerce and Tourism. Written submissions were sought and received in relation to the layout proposals which will be considered as part of the process.**

**The next stage is the preparation of an initial draft of Casual Trading Bye-Laws for Kenmare and to engage in a further period of non-statutory consultation with the aim of getting a general consensus between the stakeholders, if possible.**

**This preparatory work is almost completed and the Council expects to be in a position to consult further in the next 6/8 weeks.**

Cllr. P. Connor-Scarteen stated this issue is ongoing for 30 years but he acknowledged it is very complex. He welcomed the employment of a barrister with expertise in this area and added that the Gardaí had to be called recently because of a dispute between traders and rate payers. Cllr. Connor-Scarteen asked that this issue would be prioritised and he asked that Draft Casual Trading Bye-Laws would be in place before the end of the summer.

Cllr. D. McCarthy SECONDED the motion and stated it is one of the most pressing issues that must be addressed. This issue is splitting the community and he welcomed the progress and hoped it would be resolved by the end of the summer.

**13. Call on the Government to take measures which would make it more attractive for young people to pursue apprenticeships**

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

As the number of people taking up apprenticeships, such as carpentry, plumbing etc. is in severe decline, I ask this Council to call on the Government to take measures which would make it more attractive for young people to pursue a career in any of these areas.

**Mr. L. Quinlan stated this is a matter for consideration by the members.**

Cllr. J.J. Culloty stated in 2015 the following were the numbers of apprentices registered:

• Brick & Stonelaying	26
• Carpentry & Joinery	291
• Floor & Wall Tiling	0
• Painting & Decorating	19
• Pipefitting	37
• Plastering	7
• Plumbing	289
• Stonecutting & Stonemasonry	13
• Wood Manufacturing & Finishing	48

Cllr. Culloty stated the number of apprentices is very low given the huge deficit in this area. At the TUI Conference Marie Louise O'Donnell stated the education system encourages every student to go the academic route but not all students are academic. Trades must be valued but at present apprentices must pay a levy of €700 - €1,400. He requested the relevant Minister to review these levies with a view to encouraging young people to take up trades.

Cllr. M. Gleeson SECONDED the motion and stated in Ireland trades are not appreciated. In Germany trades are valued and have very high standards and this would be a good example for Ireland to follow.

#### **14. Implementation of the revised Casual Trading and Beach Bye Laws**

##### **Pursuant to notice duly given Cllr. J. Lucid PROPOSED:**

To ask Kerry County Council when are the revised Casual Trading and Beach Bye Laws due to be implemented. The Summer season for 2016 is almost here and what is the position.

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

**The Council has existing Bye-Laws governing casual trading and certain activities on our beaches. In 2015, the Council experienced a demand for licences which exceeded the number of designated casual trading areas available in Banna. This issue has now been resolved under the provisions of the existing Bye-Laws.**

**However, it is recognized that the Bye-Laws for the County will need to be reviewed, particularly where it can support the local economy and enhance the experience for visitors to our County. This will involve consultation with a number of stakeholders. We hope to progress this review through the Operations SPC this year.**

Cllr. J. Lucid welcomed the reply but asked that the Bye-Laws would be reviewed before June. There are two issues of concern regarding the Casual Trading Bye-Laws (1) the provision of more services to enhance visitor experience resulting in an increase in visitor numbers and (2) overnight parking of caravans and this needs to be addressed.

Cllr. J. Moloney **SECONDED** the motion.

Mr. C. O'Sullivan stated this issue will be considered in the context of the Tourism Strategy. In relation to casual trading it is important to get the balance right between the amount of car parking spaces taken up by casual traders and visitors. In 2015 the issue was resolved within the Bye-Laws. There will be public consultation when the Bye-Laws are being reviewed and he hoped to bring this issue to the next meeting of the Operations SPC.

**15. Implications of reduced incomes on new employees in the Public Sector**

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

That Kerry County Council write to the Minister for Public Expenditure and Reform to outline the implications that the reduced incomes are having on new employees in the Public Sector.

**Mr. L Quinlan stated this is a matter for consideration by the members.**

Cllr. J. Sheahan stated he recently met Gardaí and Nurses who are very stressed over their low income and as a result they must rely on their parents for financial assistance. It is very costly to go to College to qualify as a Nurse etc. and they then find themselves in a responsible position where their salary is very low. Cllr. Sheahan called on the Minister to resolve this issue immediately otherwise many will emigrate but they are needed in Ireland.

Cllr. P. Connor-Scarteen **SECONDED** the motion and stated he knew a Garda married to a nurse and they are struggling financially. Teachers are also in the same situation and it is more attractive to emigrate. At present wages are too low in the public sector.

**16. Call for the reintroduction of a sheep subsidy of at least €20 per ewe**

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

To ask the Minister for Agriculture to re-introduce a sheep subsidy of at least €20 per ewe.

**Mr. L Quinlan stated this is a matter for consideration by the members.**

Cllr. D. McCarthy stated sheep farmers are unique in that they have a long history of not making much money yet they are still farming. Last winter was one of the toughest for years and the spring was not much better. Cllr. McCarthy called on the Minister for Agriculture to re-introduce a sheep subsidy of at least €20 per ewe.

Cllr. M. Cahill **SECONDED** the motion and suggested that the subsidy would be at least €30 per ewe.

**17. Connectability or options to access the national grid by individual farmers**

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

That Kerry County Council ask for clarification from Eirgrid and the Department of Communications, Energy and Natural Resources as to the connectability or options to access national grid of individual farmers regarding potential solar output from their lands.

**Mr. L Quinlan stated this is a matter for consideration by the members.**

Cllr. D. Nolan stated with the current difficulties in farming it is important to investigate all options to make land more productive. When farmers consider solar projects they are informed their land is too far away from the national grid.

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

**18. Call for additional funding for both primary and secondary roads especially in the North of the County**

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

That Kerry County Council seeks extra funding for our roads both primary and secondary especially in the North of the County where our roads are in a diabolical state and as it is a tourist County, it will certainly prevent visitors from coming here.

**The following report issued:**

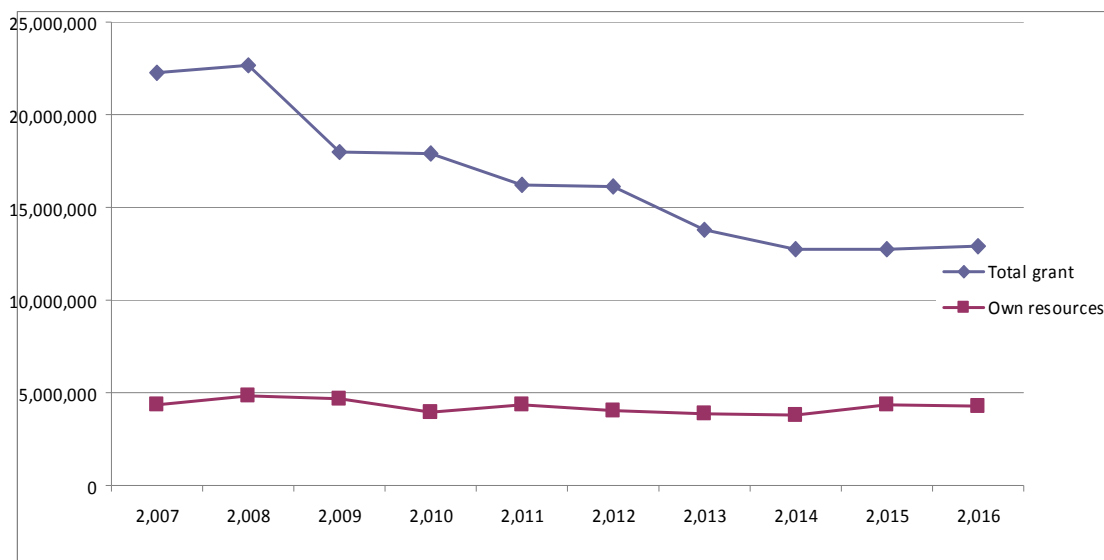
**The 2016 Service Delivery plan which has details on all road improvements in the county was adopted on the 11th April by this Council. Funding for roads in Listowel Municipal District was allocated based on the length of road in the district and on the level of funding provided to Kerry County Council, under the various improvement and maintenance programmes as well as estimated traffic usage.**

**As was outlined by the Director of Services in his presentation to you, last Monday, the Council completed a major condition study of our non-national road network in 2015.**

With almost 88% of the road network surveyed and the condition of same digitally mapped, over 81 % of the Regional Road network and 67% of the Local Primary Road network is considered to be in reasonably good condition. These are the higher trafficked routes in the county and include the key Tourism routes and access to many of our larger settlements.

However, 470 km of regional and local primary roads and 1134km of local secondary and local tertiary roads, representing over 42% of the total non-national road network in the County, is considered to be in a very poor condition. It is estimated that an investment of at least €152 million is required to bring the entire regional and local road network up to an acceptable standard and the current level of grant aid is inadequate to address this challenge.

The Director of Operations also outlined to the members at the meeting last Monday, the very significant reduction in grant aid over the past 8 years, which is outlined in the attached chart. Notwithstanding the reduction in grant aid, the Council has maintained its commitment from our own resources, but this is proving extremely challenging with other demands for services and limited potential to generate additional income locally.



Given that, a road improved under the restoration improvement programme would have a lifespan of 20 to 25 years, with resurfacing on an 8 to 10 year cycle, the level of investment under the Restoration Improvement Programme required to bring the non-national public road network up to an acceptable standard and maintain same over the recommended lifespan, would need at least €14 million in grant aid annually. This is double the current funding provided.

**This motion is a matter for resolution by the members.**

Cllr. R. Beasley stated with the current state of the road network in North Kerry neither tourists or industry will come there. The Tarbert/Ballylongford road, Ballybunion/Ballyduff road, the North Road to Causeway and the Ballyduff/Abbeydorney roads to name a few are in very poor condition. These roads have been patched so many times buses and taxis do not want to travel them.

Cllr. M. Kennelly **SECONDED** the motion and expressed concern at the length of time it takes to get funding for national roads.

**19. Reduction of speed limit on the N22 from the bottom of the Pike Hill to Lissivigeen Roundabout and at Glenflesk Village and Church**

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

To ask Kerry County Council and the TII when is the speed limit going to be reduced to 60 km per hour on the N22 from the bottom of the Pike Hill to Lissivigeen Roundabout and at Glenflesk Village and Church.

**The following report issued:**

**The review of the Speed Limit Bye Laws has commenced. All existing speed limits are mapped on the Department of Transport, Tourism and Sport website. Proposals for amendments to the existing speed limits together with new speed limits are currently being prepared.**

**Transport Infrastructure Ireland is separately examining all speed limits on national roads and will revert to this council when finalised. A number of proposed amendments to speed limits on national roads will be discussed with the TII when their review is finalised. It is proposed to issue draft speed limit maps to the Municipal Districts by the end of June. The request for a speed limit at Glenflesk Village has been discussed with the TII and will be considered as part of this review.**

**The Speed Limit Bye Laws will not be finalised until June 2017, at the earliest.**

Cllr. M. Healy-Rae stated Glenflesk is a death trap with accidents happening weekly. There is also a lot of traffic at Lissivigeen National School and at Coolcashlagh where the speed limit is too high.

Cllr. J. Healy-Rae **SECONDED** the motion asked when the review of the Speed Limit Bye-Laws would conclude. The speed limit at Glenflesk is dangerous as there is a junction, Church and shop there.



**20. Request the HSE to introduce the blood test that pinpoints those people at risk of developing heart failure at University Hospital Kerry**

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

That the HSE would put in place in Kerry General Hospital the relatively straightforward blood test that pinpoints those people at risk of developing heart failure. The County does not at present have such a facility and is therefore being discriminated against in this very vital matter. The existence of the test would ensure that those at risk of heart attack could receive appropriate and timely treatment and thus save them the trauma of heart attack and possible death.

**Mr. L Quinlan stated this is a matter for consideration by the members.**

Cllr. M. Gleeson stated the purpose of his motion is to seek to ensure that people in Kerry with potential symptoms of heart failure are diagnosed without delay.

The diagnosis can ensure that pre-emptive treatment can be undertaken that will prevent the onset of a major heart attack. This obviously can and will save lives.

The provision of the appropriate treatment following the test would restore an individual to good health very quickly. It would also save the individual, the State and the Health Insurance Bodies considerable expense.

Approximately 4,500 patients are admitted to public hospitals every year with heart failure as their primary diagnosis. About 540 of that number die of heart failure. The rest survive to various degrees of well-being. Their treatment is obviously very expensive and can be very painful and slow.

If the blood test was available equally throughout the country the number suffering heart failure would be considerably reduced. The health of individuals would be enhanced and the coffers of the State would also be a little healthier.

There are at present 12 centres throughout the country providing the blood test that this motion requests and Kerry people should be entitled to equality of access to the service.

Cllr. T. Ferris SECONDED the motion.

**21. Right of person who has been admitted to hospital to cast their vote**

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

That we write to the Government asking them to come up with some system that allows a person who has been admitted to hospital the right to cast their vote.

**The following reply issued:**

**A person who resides in a nursing home or hospital on a full-time basis is entitled to be listed on the Register of Electors at that address.**

**These electors are entitled to apply for a special vote. The Franchise Office liaises directly with all nursing homes and hospitals to ensure that any resident that requires a special vote is put on the Special Voters List for any election or referenda.**

**However, if a person is admitted to hospital on a temporary basis, their vote remains at their home address.**

**This matter can be referred to the Department of Environment, Community and Local Government for consideration, if the members so wish.**

Cllr. J.F. Flynn stated he was contacted by a constituent whose mother was admitted to hospital a week before the General Election. He was aware of the Postal Vote option but in certain cases people are admitted to hospital in an emergency. There should be a facility that would allow them to vote in hospital. This lady always voted and was very disappointed that she could not vote in the recent Election.

Cllr. M. Cahill **SECONDED** the motion.

**22. Call on the Minister for Health to address the issue of people going blind while awaiting cataract procedures**

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

That Kerry County Council call on the Minister for Health and the Government to immediately address the issue of members of the public going blind while awaiting cataract procedures.

**Mr. L Quinlan stated this is a matter for consideration by the members.**

Cllr. M. Cahill stated surgery for a cataract is a life saving procedure. Since submitting the motion a constituent called to him stating a person waiting for this surgery had gone blind. As a result he cannot drive or leave his own home. This leads to depression and the person can be prone to falling. If they fracture a hip it will be a lot more costly on the State. 50% of over 60's have cataract and many are waiting 3 to 4 years for surgery. This waiting list needs to be addressed through the National Treatment Purchase Fund or by contract.

Cllr. T. Ferris **SECONDED** the motion and stated in 2007 the waiting time for a cataract operation was a few weeks but now it is years. It is devastating when a person loses their sight.

Cllr. D. Quigg suggested that the resolution would be forwarded to the Department of Health and that the Council representatives on the Regional Health Forum South would also raise it at the Forum by way of Notice of Motion.

#### **24. TII Work Programme for 2016**

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

To ask the TII for a list of their Work Programme for 2016.

**The following report issued:**

**In December 2015 Kerry County Council was notified of their 2016 National Road Allocations from Transport Infrastructure Ireland (TII). The 2016 Service Delivery Plan as presented on the 11 April outlines all work programmes on national roads, in Kerry.**

**Details of allocations to other counties are given on the TII website at the following link: [www.tii.ie/tii-library/reports-accounts/](http://www.tii.ie/tii-library/reports-accounts/)**

Cllr. M. O'Shea welcomed the funding but stated no timeframe was given for the commencement of the work.

Cllr. A. Thornton **SECONDED** the motion.

#### **25. Who initiates requests for funding for the repair of National Secondary Roads such as the N69**

**Pursuant to notice duly given Cllr. A. Thornton PROPOSED:**

To ask Kerry County Council who initiates the request for funding for the repair of National Secondary Roads such as the N69. Is it the TII or Kerry County Council and what is the process.

**The following report issued:**

**Where repairs are identified by the Council on the national road network, these are logged electronically with the TII. Where the works are of a minor nature such as repairing a localised defect or minor drainage works, the Council carry out the works from within our annual maintenance allocation. However where more substantive repairs are required over a larger area, a detailed report has to be submitted and approval sought for the funding from the TII. This generally applies to sections of the road where a pavement overlay may ultimately be required. In such situations, the authority allocates funding based entirely on national pavement condition surveys undertaken directly by the TII.**

**Council staff also hold regular meetings with the TII inspector, at which areas of concern, including concerns raised by elected members, are jointly inspected.**

Cllr. A. Thornton stated she was unsure of the process but she understood the Council initiates a request for funding to repair National Secondary Roads. She asked was this done by way of Notice of Motion or through inspections by Council staff. She asked what the timeline is for the allocation of funding as she wanted to ensure the delay experienced in securing funding for William Street in Listowel did not happen again. Cllr. Thornton asked if the need for funding could be identified at an earlier date.

Mr. C. O'Sullivan advised members that all roads, both national and non-national are surveyed. Any issues brought to the attention of officials together with issues staff have identified are raised with TII. There is now an app system to log issues. However TII must prioritise funding based on the condition of the road and the volume of traffic using the road. Over the past few years Kerry County Council got a number of roads on the Programme due to their bad condition. Many roads were developed originally on trails and this was the case in Church Street in Listowel. William Street required significant investment and it was raised continuously with TII but they must consider the national position. The need for funding for the Cahirdown road has already been identified by staff.

Cllr. J. Moloney stated he travelled a lot of counties while canvassing for the Senate and nowhere was as bad as Listowel. He asked how funding is allocated and also requested that quarterly reports would be requested from TII. Every day people in Listowel are asking when work will commence in William Street and at least members would then have a report for them.

Cllr. M. Kennelly stated he highlighted this issue previously and he asked what criteria is used by TII to allocate funding. Work will also be required on the John B Keane road, Colbert Street etc.

Cllr. D. Quigg PROPOSED that a delegation would go to Europe to establish if Kerry County Council is getting its fair share of funding.

The Chief Executive advised members if they are seeking to influence or increase funding then the deputation should meet with the Department of Transport and Transport Infrastructure Ireland with a plan and priorities. Nationally funding is limited but she believed proportionately Kerry is doing reasonable well. Management are lobbying strongly for funding and in many cases there is a favourable outcome.

Cllr. T. Ferris stated the N86 Action Group went before the Petitions Group in the EU and as a result funding was allocated for that road. She suggested that MEP's should be asked to support the deputation as North Kerry does not have an acceptable standard of road network.

Cllr. D. Quigg PROPOSED that the deputation would go to Europe to establish what funding mechanisms are available to the Council.

Mr. C. O'Sullivan stated the funding required is not capital funding but rather for maintenance and upkeep and this is provided by the Department of Transport. There is an article on the Department's website acknowledging that the funding available is insufficient. 88% of the non national road network in the county has been surveyed but regional and national roads are prioritised as they are important for tourism and industry. Presently 20% of the regional road network and 50% of the local road network are in poor condition. Members have maintained the own resource provision but there is a need to lobby at national level for increased funding.

The Cathaoirleach asked if it would be appropriate for a deputation to go to Europe.

In response Mr. O'Sullivan stated funding from Europe is for structural works. The N86 Action Group went to Europe because it involved environmental issues. It would be more appropriate to lobby the Department of Transport.

Cllr. D. Quigg stated there is cross party support on this issue and he PROPOSED that a deputation would go to Europe to show how serious members are about this issue.

Cllr. M. Kennelly SECONDED this proposal.

Cllr. T. Ferris suggested that the 4 MEPs would be asked to sponsor the trip.

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

Cllr. A. Thornton stated the motion was not a criticism of Kerry County Council but many roads are not in an acceptable condition. She suggested that perhaps funding should be sought at an earlier stage.

## **26. Call on Irish Water to consider constructing a Wetlands Wastewater Treatment System in Scartaglin**

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

To again call on Irish Water to consider constructing a Wetlands Wastewater Treatment System in Scartaglin. I am not aware of any other village with such serious pollution implications and for this reason Scartaglin has to be put as a priority for Irish Water.

**The following report issued:**

**Kerry County Council prepared and submitted an Asset Needs Brief to Irish Water for the provision of a Sewerage Scheme in Scartaglin Village in March 2015, which would comprise approximately 2.5km of sewer network and a wastewater treatment facility to cater for a population equivalent of 400.**

**Irish Water responded to this submission in April 2015 stating that “Scartaglin Village is currently not served by a public wastewater collection and treatment system. Irish Water has no funding stream to provide (or extend) services to properties with private sewer facilities.”**

**Scartaglin Village Sewerage Scheme is not listed among the projects to proceed under Irish Water’s Emerging Capital Investment Programme (CIP) 2017-2021. In response to the CIP consultation process, Kerry County Council recommended that the Plan take account of the wastewater needs of every settlement in the county, including unsewered villages, such a Scartaglin.**

Cllr. J.J. Culloty stated when a Sewerage Scheme was considered for Scartaglin it provided for a population of 400 but a scheme to cater for 40 houses would be adequate. Such a scheme could be extended if necessary in time but there is no Sewerage Scheme there at present and raw sewage is flowing into the river.

Cllr. M. Gleeson SECONDED the motion and stated that the current situation is unacceptable.

Mr. J. Kennelly stated that a smaller scheme could be considered for Scartaglin. However in line with Irish Water’s Capital Programme priority is given to areas that already have a Scheme. Mr. Kennelly undertook to consider a more modest proposal for Scartaglin.

**27. Current position regarding recruitment of road staff**

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

What is the current position regarding recruitment of road crew staff at Kerry County Council. At the moment, we do not have the resources to do the work we need to unless the staff shortages are addressed.

**The following report issued:**

**The Council is conscious of the needs of our public roads network and this matter has been discussed at length at the January and March Meetings, and at recent Municipal District Meetings also.**

**Management are committed to keeping this matter under review having regard to the programme of works agreed by the Council and to the funding levels available. As previously advised, critical posts within the staffing structures will be filled in 2016.**

Cllr. J. Lucid welcomed the reply.

**28. Introduction of a 30 km speed limit within all housing estates**

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

That Kerry County Council write to the Minister for Transport calling for the introduction of a 30 km speed limit within all housing estates.

**The following reply issued:**

**The review of the Speed Limit Bye-Laws has commenced. All existing speed limits are mapped on the Department of Transport Tourism and Sport portal. Proposals for amendments to the existing speed limits together with new speed limits are currently being prepared.**

**It is proposed to provide a 30km speed limit to a number of housing estates throughout the County. We hope to issue draft speed limit maps to the Municipal Districts by the end of June, prior to commencing the statutory consultation process. The Speed Limit Bye Laws will not be finalised until June 2017, at the earliest.**

Cllr. J. Sheahan stated he regularly receives requests for speed ramps in housing estates. Motorists travel too fast putting residents and children at risk. It is heartbreaking to see what the family in Kilkenny went through and he did not want to see a repeat of that accident. Cllr. Sheahan called on the Minister for Transport to have the necessary laws implemented as soon as possible.

Cllr. M. Kennelly **SECONDED** the motion and stated as Chair of the Operations SPC he moved a similar motion at the December 2015 meeting in Ballyheigue. At that time he welcomed the legislation introduced by Minister Paschal O'Donohoe and asked that it would be implemented.

**29. Driving Permit system for new drivers**

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

To ask the Minister for Transport to introduce a Driving Permit system whereby it allows new drivers to have both the theory test and 12 driving lessons completed to be considered capable of driving on their own.

**Mr. L Quinlan stated this is a matter for consideration by the members.**

Cllr. D. McCarthy stated the tourism season is approaching and many students work for the summer. Particularly in rural areas they must drive to work and his suggestion could work.

Cllr. J. Sheahan SECONDED the motion.

**30. Call to bring windows and doors of local authority houses up to an acceptable standard**

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

That Kerry County Council change their attitude towards Local Authority Houses and bring windows and doors up to an acceptable standard, as I believe this is within the guidelines of EU Regulations.

**The following report issued:**

**Kerry County Council invests in its stock on a continuous basis. We have carried our window and door replacement programmes over the last number of years as required. During the past year, a total of 4,317 housing maintenance requests were received, 96% of which were completed by year end. We have recently commenced an extensive stock survey to better inform our planned maintenance investment in our stock.**

**As advised at the Special housing meeting in January a specific house improvement programme was funded in Budget 2015. This enabled carrying out of housing improvements to 90 Council Houses across the 4 Municipal Districts. This Programme highlights the need for a planned approach to housing maintenance based on need and will be informed further as the conditional stock survey gets underway in 2016.**

**In Budget 2016, €200,000 has been provided for a specific improvement programme and this is currently being developed.**

Cllr. R. Beasley stated doors and windows in a number of local authority houses in the Listowel area are in a poor condition. There is also an issue with catches on windows and locks on doors. At present Kerry County Council is not replacing them and tenants cannot afford it. Cllr. Beasley called on the Council to reconsider their position and to carry out these works. He undertook to forward details of a number of cases to the Housing Department.

Cllr. T. Ferris stated there is inequality with tenants as properties acquired under the Long Term Leasing Scheme must be to a certain standard while local authority tenants are in properties that are not fit for purpose. Most tenants maintain their houses and she PROPOSED an initiative whereby tenants who require work to their house would be allowed take out a credit union loan and the repayments would be deducted from their rent. It is unreasonable to expect



private landlords to meet one standard while local authority houses are at a different standard.

Mr. J. Breen undertook to refer this issue to the Quality of Life SPC for review.

**31. Permit to site a mobile home for people with access to some ground on the housing waiting list**

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

That this Council find a means by which those on our Housing Waiting Lists with access to some ground, can apply for a permit to site a mobile home to ensure they can be accommodated in their communities given the current unavailability of rental accommodation in several areas in the County.

**The following report issued:**

**The provision of a mobile home on any lands is development and will require planning permission. Should an individual wish to site a mobile home on lands they can apply for planning permission in the normal manner. From a social housing perspective the proposal can be examined, however we would not generally be in favour of units designed for temporary accommodation being utilised as permanent units of accommodation.**

Cllr. N. Moriarty stated she was relatively satisfied with the response and she presumed each case will be considered on its merits.

Mr. J. Breen stated the Council is not in favour of short term solutions to long term housing needs.

Cllr. T. Ferris stated in some instances a demountable unit is appropriate and she asked if this option is still available.

Mr. Breen stated a demountable unit will be provided only as a last resort.

Cllr. M. Cahill asked if in an emergency there is provision to provide a demountable unit.

Mr. Breen stated demountable units have been used successfully in emergencies.

Cllr. J. Healy-Rae asked if demountable units are still available.

The Chief Executive stated officials met with the Department and pointed out in rural counties a demountable unit may be an appropriate option. However she stated the Council would not get full recoupment on the cost involved.

**32. Response to request for funding to clear blockages in the Flesk River.**

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

To ask Kerry County Council what response have they got for the request for funding to clear blockages in the Flesk River to allow the water to flow and to stop people's houses from being flooded.

**The following report issued:**

**Kerry County Council has carried out some works under the bridges on the River Flesk to remove any trapped debris, following the recent severe weather events. We also intend to carry out further works over the coming weeks when weather conditions are more favourable for gaining access to adjoining lands.**

**However riparian (adjoining) landowners also have a responsibility to maintain the river running through their lands and in particular we would encourage these landowners to remove overhanging vegetation, when conditions are safe to undertake such works.**

Cllr. M. Healy-Rae welcomed the first part of the reply but stated if landowners try to clear rivers they will be stopped by Inland Fisheries or the OPW. The River Flesk and other rivers need to be properly cleaned.

Cllr. M. Gleeson SECONDED the motion and added at a meeting in Killarney Library he stated all bridges should be cleared of sediment. He was aware of one bridge where there were two rocks at the bridge but now none are visible as they are covered by sediment. This slows the progress of a river and this is evident in the River Denaugh where one eye of the bridge is blocked. This is a relatively simple problem to resolve and now would be a suitable time as the river is low.

**16.04.18.16 Correspondence – Conferences and Seminars**

- (a) On the PROPOSAL of Cllr. J. Healy-Rae, SECONDED by Cllr. J.F. Flynn it was agreed to authorise the attendance of Cathaoirleach, Cllr. P McCarthy at the following events:
  - (a) Ceremony to mark the 100<sup>th</sup> Anniversary of the Easter Rising 1916 at the GPO on 27<sup>th</sup> March 2016.
  - (b) State Reception on the occasion of the 100<sup>th</sup> Anniversary of the Easter Rising 1916 in Dublin Castle on 27<sup>th</sup> March, 2016.
- (b) On the PROPOSAL of Cllr. D. McCarthy, SECONDED by Cllr. M. Cahill it was agreed to authorise the attendance of Cathaoirleach, Cllr. P McCarthy at the London Rose Ball to be held in London on 7<sup>th</sup> May 2016.

- (c) No members expressed an interest in attending the Conference on the theme 'Changing trends and approaches to drug and alcohol abuse' to be held in Cork from 6<sup>th</sup> to 8<sup>th</sup> May, 2016.
- (d) On the PROPOSAL of Cllr. J. Healy-Rae, SECONDED by Cllr. J. Moloney it was agreed to authorise the attendance of Cllrs. Fitzgerald, Connor-Scarteen, Beasley, J. Healy-Rae, M. Healy-Rae, Sheahan and P. McCarthy at the Celtic Conference on the theme 'Domestic Water Saving and Conservation Techniques' to be held in the Clonakilty Hotel, Clonakilty, Cork from 20<sup>th</sup> to 22<sup>nd</sup> May 2016.

Cllr. M. Healy-Rae was nominated to report back to Council on this Conference on behalf of all the Kerry County Council delegates that attend.

- (e) On the PROPOSAL of Cllr. J. Sheahan, SECONDED by Cllr. J.F. Flynn it was agreed to authorise the attendance of Cllrs. B. O'Connell and J.J. Culloty at a Twinning Event and the Annual Mayor Making Ceremony in Kendal Town Hall Cumbria on Thursday 19<sup>th</sup> May 2016.
- (f) On the PROPOSAL of Cllr. D. Quigg, SECONDED by Cllr. D. McCarthy it was agreed to authorise the attendance of Cllrs. O'Shea, Nolan and Fitzgerald at the Project Open Day Visit to the Centre for Advanced Photonics and Process Analysis (CAPPA) at Cork Institute of Technology on Tuesday 17<sup>th</sup> May 2016.
- (g) On the PROPOSAL of Cllr. J. Healy-Rae, SECONDED by Cllr. D. McCarthy it was agreed to authorise the attendance of the Cathaoirleach, Cllr. P. McCarthy at the Daniel O'Connell Annual Commemoration Day to be held in Dublin on the 15<sup>th</sup> May 2016 and in his absence to authorise the Leas Cathaoirleach, Cllr. J. Finucane to attend.

#### **16.04.18.17 Correspondence General**

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

1.	Email dated 5 <sup>th</sup> April, 2016 from An Post in response to a resolution from Kerry County Council asking that An Post would issue 'Non Monetary Specified' stamps.
2.	Email dated 6 <sup>th</sup> April, 2016 from Sligo County Council regarding a resolution adopted by that authority calling on the Minister for Health to consider the introduction of a sugar awareness day as part of a national health promotion campaign.

**16.04.18.19 Any other business**

The Cathaoirleach stated candidates at an election have 7 days after the election to remove their posters. However occasionally a poster can be removed and put back up later without the knowledge of the candidate. He asked before the Council takes any action that the candidate would be notified as they would be unaware it was in place.

Mr. J. Breen stated it is evident there is a high level of co-operation by the candidates in that most posters are removed within a few days of an election. He assured members that the Council would adopt a reasonable approach in this matter.

Cllr. J. Moloney stated Kerry is marketed as a tourism county and for this reason posters should be restricted to one area as they are very unsightly. He PROPOSED that the relevant SPC consider introducing a Bye-Law to provide for this.

Cllr. J. Lucid SECONDED this proposal.

**Emergency Motion**

Cllr. M. Cahill moved the following emergency motion:

“That the members of Kerry County Council call on the Minister for Health to reverse the decision to locate the National Children’s Hospital at St. James’s Hospital and instead to locate the new Children’s Hospital for all the children of Ireland at Connolly Hospital in Blanchardstown.

The Connolly site offers 145 acres, vast space for expansion, easier access for the children of County Kerry and extensive parking. The co-location with Connolly Hospital and the new Rotunda Maternity Hospital will result in better clinical outcomes. It will be cheaper and faster to build than on the St. James’s site.”

Cllr. Cahill stated a similar motion was moved by other local authorities and he called on all members to support the motion.

Cllr. J.F. Flynn SECONDED the motion and added in life or death situations minutes could save a child’s life.

The motion was unanimously agreed.

**Rural Equality Bill**

Cllr. T. Ferris PROPOSED that a letter would issue to all Kerry Oireachtas members calling on them to support the Rural Equality Bill.

Cllr. D. Nolan SECONDED this proposal and it was agreed.

The meeting concluded at 4.45pm.

**Liam Quinlan**  
**Meetings Administrator**

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**Cathaoirleach of Kerry County Council**