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MIONTUAIRISCÍ NA CRUINNITHE MHIOSIÚIL DE COMHAIRLE CONTAE CHIARRAÍ A THIONÓLADH I SEOMRA NA COMHAIRLE, ÁRAS AN CHONTAE, TRÁ LÍ, AR AN LUAN , 20 MEITHEAMH, 2016

MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, ÁRAS AN CHONTAE, TRALEE ON MONDAY, 20 JUNE, 2016.

PRESENT/I LÁTHAIR

Councillors/Comhairleoirí

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

Absent/Leath Scéal

M. Cahill

IN ATTENDANCE/I LÁTHAIR

Ms. M. Murrell, Chief Executive	Mr. M. O'Donoghue, A/Dir. Corp. Serv.&Hous.
Mr. J. Breen, Dir. Water Serv.	Mr. C. O'Sullivan, Dir. Ops., H & S
Ms. A. McAllen, Head of Finance	Ms. J. McCarthy, SEO Tourism
Mr. T. Hayes, A/Dir. Econ. Dev.&Comm	Mr. L. Quinlan, Meetings Admin.
Mr. T. Sheehy, SE Capital Infrast. Unit	Ms. C. Farrell, SEO Housing
Ms. K. Lynch, SEO Finance	Mr. E. Scanlon, SEE Capital Infrast.
Ms. B. Conway, AO Housing	Mr. P. McCarthy, SO Fire Service
Ms. B. Reidy, SSO Corporate Support	Ms. O. O'Shea, CO Corporate Support

The meeting commenced at 10.40 am.

The Cathaoirleach, Cllr. P McCarthy took the Chair.

16.06.20.01 Cathaoirleach's Report on the CPG Meeting held on the 14th June, 2016

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

“Item 1 Agenda for the June Council Meeting

Mr. L. Quinlan briefed members on the Agenda for the June Council Meeting.

Item 2 Review of Procedures for Notices of Motion being brought before full Council Meetings

Mr. L. Quinlan informed members that a report on Notices of Motion both for full Council and Municipal District Meetings would be presented to the July CPG Meeting.

Item 3 Update from the Chairs of the SPCs

Cllr. M. Kennelly stated the Operations SPC did not meet in the past month.

Cllr. J. Moloney stated the Quality of Life SPC did not meeting in the past month.

Item 4 Update on algal growth in The Lakes of Killarney

Mr. J. Breen briefed members on this item as follows:

Following suspected algal growth along the shore of Lough Leane at the end of May initial samples were taken by Kerry County Council staff and in accordance with our protocols for these situations, precautionary signage was erected at locations along Lough Leane and a press release was issued on 30th May advising those who frequent the shoreline to exercise caution and not to allow dogs to enter the water. A further updated press release was issued on 7th June advising that that most of the algae detected were of harmless variety but reminding the public and dog-owners in particular to remain vigilant along parts of the shoreline.

Regular sampling and monitoring will continue and the precautionary signage will remain in place over the summer period as these algae occur naturally from May to September.

Item 5 Approval for the holding of Receptions

Mr. L. Quinlan informed the meeting Cllrs. B. O’Connell and N. Kelleher requested that a Reception would be held for the cast and crew of the Play “Patrick”, a 1916 story which was recently on in the INEC.

The CPG agreed that this Reception would be held at a meeting of the Killarney MD.

Mr. L. Quinlan stated Cllr. M. Healy-Rae requested that a Reception would be held to honour the St. Brendan’s 1st Year Soccer Team who won the FAI Schools National Cup.

The CPG agreed that this Reception would be held at a meeting of the Killarney MD.

Mr. Quinlan advised the CPG that in April it was agreed to hold a Reception at a Tralee MD Meeting to honour Bryan Cooper to mark his international achievement in winning the Gold Cup on Don Cossack at Cheltenham. However, members have now requested that this Reception would be held at a full Council Meeting.

The CPG agreed that this Reception would be held at a future full Council Meeting.

Item 6 Approval of Presentations to Council

Mr. L. Quinlan advised that Cllrs. A. Thornton and N. Foley requested that Jigsaw, a local community based mental health service be permitted to make a Presentation to full Council.

The CPG agreed that this Presentation would be made to full Council in due course.

Mr. L. Quinlan further advised that Cllrs. P. Connor-Scarteen and M. Cahill requested that a Presentation would be made to Council on Japanese Knotweed by the relevant experts.

The CPG agreed to have this Presentation at full Council but that it maybe more appropriate to have it at the start of summer 2017.

Item 7 Any other business

Book of Condolence

The CPG agreed that Books of Condolence would be opened for the victims of the Orlando Nightclub shooting.

Cllr. N. Kelleher requested that a Book of Condolence would also be made available in Killarney.

This was agreed.

Recent Issues with the Mid Kerry Regional Water Supply Scheme

Mr. J. Breen briefed the meeting on recent issues with the Mid Kerry Regional Water Supply Scheme. A copy of his report is attached to the Cathaoirleach's Report. It was acknowledged that the Members of the Municipal District were kept well briefed on the incidents and at the request of the CPG it was agreed that in all cases when there is a substantial water break in an area that a text would issue to councillors in the relevant MD area advising them of same.

The Cathaoirleach suggested that accumulators should be fitted to some old pipes where surging is a problem.

Mr. Breen undertook to consider this option.

Fáilte Ireland Capital Scheme for Tourism Projects 2016-2020

Ms. J. McCarthy briefed members on the Fáilte Ireland Capital Scheme for Tourism Projects 2016 – 2020 as follows:-

- Fáilte Ireland has announced a new Capital Grants Scheme for large tourism projects, with a total investment of €65m over 4 years.
- The scheme is targeted towards projects with significant economic potential and the ability to boost overseas visitor growth, create jobs and to promote the Wild Atlantic Way destination brand.
- It applies to projects greater than €200,000.
- Applications are open to the public, voluntary and private sectors including community groups and support for commercial projects.
- Matching funding is required for all projects with a minimum of 25% of total project costs.
- The application process is a two stage process and there are grants available towards Stage 1, i.e. consultancy costs for feasibility studies.
- Closing date for Stage 1 of the application process is Friday, 12th August 2016.

The Chief Executive advised that priorities identified as part of the Tourism Strategy would form the basis of the county submission and that the Tourism Strategy would be brought before the Members at the July Council Meeting for adoption.

In conclusion the Cathaoirleach stated it was his last CPG Meeting as Cathaoirleach and he thanked the members of the CPG for their co-operation.”

The Cathaoirleach informed the meeting that he understood Fáilte Ireland would announce a further Grant Scheme over the coming weeks for projects costing less than €200,000.

Cllr. B. Cronin referred to the report on the Mid Kerry Water Supply Scheme and stated the situation over the past few weeks was chronic. 2,000 homes were impacted and while €300,000 will be spent on this Scheme on a 1.5km section of the network in July or August there is a 400m section to the North where there

were three bad breaks recently. A number of houses near the reservoir were without water for 4½ days. It would cost just €89,000 to replace this section of pipe and he asked that every effort would be made to secure funding for this work. Cllr. Cronin thanked the staff of the Water Services Department for their work in fixing these breaks. A number of minor breaks contributed to the reservoir not filling and this is very frustrating for the customers in the area. Cllr. Cronin asked that urgent consideration would be given to providing a back up system to ensure the 12 families near the reservoir have a water supply.

Cllr. Cronin PROPOSED a vote of sympathy to the family of the late Jo Cox, MP who was murdered while going about her business as a public representative.

Cllr. M. Gleeson SECONDED this proposal.

Cllr. D. Grady concurred with the views expressed by Cllr. Cronin in relation to the problems with the Mid Kerry Water Supply Scheme.

Cllr. J.F. Flynn agreed with the views expressed by Cllr. Cronin and added that customers living in Caragh Lake near the reservoir were without water as the plant in Breamlee was off. He requested that consideration would be given to upgrading this plant. There were also breaks in the pipe from Meanus to Killorglin and he understands there is a water pipe on the other side of the road serving the town. He asked that customers in the area would be connected to that pipe. There are approx. 40 houses involved and it should be relatively easy to resolve this problem.

Cllr. T. Ferris supported the views expressed by Cllr. Cronin and added that the problem should be addressed urgently. Many customers in the Mid Kerry area are paying rates and they are entitled to the same level of service as customers in other parts of the county. She suggested that the proposal for a project to provide a Cable Car in Kerry should be considered for the Fáilte Ireland Grant Scheme given that IT Tralee was the first third level institution in the world to receive a UNESCO Chair in Inclusive Physical Education, Sport, Fitness and Recreation. Cllr. Ferris requested that details of the Fáilte Ireland Grant Scheme would be forwarded to members.

Cllr. Ferris referred to the request to have a Presentation by Jigsaw at a full Council Meeting and added that she is conscious that there are a number of organisations including Pieta House, The Samaritans, Kerry Mental Health etc. who should also be given the opportunity to make a Presentation to Council. She suggested that consideration should be given to the holding of a Seminar where all these organisations would be invited to speak and members could attend. Cllr. Ferris asked if Presentations to full Council should be restricted to the functions of a local authority. While she supported Jigsaw there are many more organisations in the county working in that area also.

Cllr. A. Thornton stated she was not familiar with the service provided by Jigsaw and it would be an opportunity for members to become familiar with it. They contacted all councillors and they differ from other mental health services.

Cllr. P. McCarthy agreed with Cllr. Ferris's suggestion but stated the making of a Presentation by Jigsaw has been agreed by the CPG. He agreed many organisations are doing excellent work and he asked that another forum would be considered where more organisations could be invited to make a Presentation.

Cllr. P. Connor-Scarteen stated he requested a Presentation on Japanese Knotweed and while the CPG approved it they suggested it should be held over until next summer. That will be too late as he believes this problem needs to be addressed urgently. He added that there should be a dedicated unit in the Council for this purpose and there should also be a Special Council Meeting on it. He recently attended a Conference on it in Caherdaniel where it was outlined how Japanese Knotweed should be eradicated and disposed of. He PROPOSED that the Presentation to Council would be held in the autumn.

Cllr. J.F. Flynn SECONDED this proposal.

The Chief Executive stated this request was considered by the CPG and they felt the best time to treat Japanese Knotweed is the summer.

Cllr. M. Gleeson stated he had spoken on this topic on numerous occasions and the best time to treat Japanese Knotweed is late September or early October. He added that he recently found a Japanese Knotweed plant on the footpath at the Glebe Car Park.

The Cathaoirleach stated the Presentation on Japanese Knotweed would be included on an Agenda in the autumn.

Cllr. J. Healy-Rae highlighted that it is staff who deal with the eradication of Japanese Knotweed and he could not understand why a Presentation had to be made to members.

Cllr. Connor-Scarteen acknowledged the work being done by Kerry County Council in trying to eradicate Japanese Knotweed but added that this is a huge problem for the county. It will be expensive now to treat the weed but if it is left for a number of years it will cost a lot more.

Cllr. T. Ferris suggested instead of Presentation that Management would produce a report on the work done to-date.

Cllr. J.F. Flynn stated an Enforcement Officer should be appointed to pursue landowners to ensure they are treating Japanese Knotweed on their land. This

weed is very evident on the banks of the River Laune and that is a matter for private landowners to address.

Mr. C. O'Sullivan informed the meeting that funding was provided by Transport Infrastructure Ireland to treat Japanese Knotweed on national primary routes. Kerry County Council is providing assistance to community groups where requested to do so. The Department of Agriculture is the relevant authority to pursue the eradication of noxious weeds. He asked if the purpose of the Presentation was to increase awareness amongst the public as all staff received awareness training on it.

Cllr. Connor-Scarteen asked that a Presentation would be made to the October Council Meeting outlining the work done by the Council to-date.

Cllr. D. Quigg referred to the Fáilte Ireland Grant Scheme for tourism projects and he requested details of the criteria. He suggested that there should be an emphasis on smaller towns and villages being considered for inclusion in the Wild Atlantic Way i.e. Brandon, Cloghane, Cromane etc. Broadband is a major issue for many areas including Brandon and Cloghane and he suggested that this problem could be addressed through this Grant Scheme.

Cllr. M. Gleeson complimented Council staff in the Killarney and East Kerry area on their work to eradicate Japanese Knotweed in the last few years. There was a very successful meeting of the Lough Leane Working Group the previous week when it was outlined that water quality in Lough Leane is excellent. Cllr. Gleeson complimented those living and working in the area for not allowing phosphates to enter the Lakes. Some time ago he moved a Notice of Motion calling for a national protocol to deal with algal bloom but the reply was not positive. A PHD student recently developed an early warning system for algal bloom.

Cllr. J. Finucane welcomed the €65m national funding provided for Capital Tourism Projects. In Tralee there are two strong projects 1. the Denny Site and 2. a permanent home for the Rose of Tralee. He asked that both these projects would be given serious consideration for submission for funding. Cllr. Finucane suggested that a project team could consider submissions from both the private and public sector. This Grant Scheme offers an opportunity to get significant funding for these projects which will help to regenerate economic activity in the town.

Cllr. J. Moloney welcomed the Fáilte Ireland funding for tourism projects and emphasised the need to be ambitious with the projects that are put forward. The Greenway in North Kerry is an ideal project and it would satisfy the criteria to boost economic activity in the area. He asked that non traditional areas would be targeted.

Cllr. A. Thornton stated the Council needs to take a strategic view of this Grant Scheme. She asked that the Tourism Strategy would be sent to members as soon as possible as this will feed into the Fáilte Ireland Grant Scheme.

Cllr. J.J. Culloty also welcomed the Fáilte Ireland Grant Scheme and added that he hoped the county would benefit from it. He thanked Council staff for their excellent work on the eradication of Japanese Knotweed and added that it must continue. 90% of the weed has been eradicated from the sides of main roads but the campaign to eradicate it completely must continue. Cllr. Culloty stated he recently attended a Conference on Japanese Knotweed in Caherdaniel where he learned it can be used in cooking and for medicinal purposes.

Cllr. N. Foley acknowledged the excellent work being done by Council staff on the eradication of Japanese Knotweed and she also acknowledged the great work being done by students. Cllr. Foley welcomed the positive response to the request for a Presentation by Jigsaw and added that young people would make the Presentation in July as they are available then. Cllr. Foley welcomed the Fáilte Ireland Capital Grant Scheme and stated there is terrific potential for the county from this Scheme. She asked what plans are in place regarding the matching funding of 25%.

Cllr. P. Daly stated there is frustration in Tralee regarding the Tralee/Fenit walkway and he hoped it would progress. He asked that it would be given priority.

The Chief Executive stated Council officials had a meeting with Fáilte Ireland the previous Friday when Fáilte Ireland indicated if the demand is higher than the funding provided additional funding maybe assigned to it. The Draft Tourism Strategy was presented to Destination Kerry, the SPC and there was widespread consultation on it. The Strategy will include Actions which will form part of the submission to Fáilte Ireland and that is why it is important to get the Strategy right. The Fáilte Ireland Grant Scheme is a two stage process with a closing date of 12th August by which time they are seeking concepts and expressions of interest. Not all projects will be publically lead and she was aware of some private projects that will benefit the county. The CE stated she wanted to ensure people were aware of the funding. Kerry County Council will make a submission on the Greenways and in Phase 1 of the process funding will be available for technical support. It is hoped that Kerry County Council's engagement with Fáilte Ireland recently will be beneficial. In conclusion the CE stated water quality in Kerry is very good and it is important to highlight this for the general public.

Cllr. J.F. Flynn asked if the Irish Water Clinic was moved from the Conference Room.

Cllr. J. Healy-Rae pointed out that the Irish Water Clinic is only held every quarter. He asked that in future Irish Water Clinic is held in the Conference Room.

Cllr. M. Gleeson asked if projects from the past had to be relaunched.

The Chief Executive advised anyone with a project to make contact with Fáilte Ireland or Kerry County Council. While the matching funding requirement is a consideration some projects may qualify for up to 95% funding. Ms. Murrell again stressed the need to ensure that projects are submitted for Stage 1 by the closing date of 12th August.

Mr. J. Breen undertook to follow up on the issues of concern raised by members in relation to works at Barleymount with a view to resolving the problems for the 12 houses close to the reservoir. He added that he would review the issues at Breamlea and revert to Cllr. Flynn on it following discussions with Irish Water.

Civic Reception for Bryan Cooper

Cllr. T. O'Brien stated he requested that the Civic Reception for Bryan Cooper would be hosted by full Council and he asked that it would take place as soon as possible.

Mr. L. Quinlan pointed out that a Civic Reception would be held at the July Council meeting to honour Mr. Brian McCarthy of FEXCO.

Cllr. O'Brien PROPOSED that the reception for Bryan Cooper would be held in the evening in the coming weeks.

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

16.06.20.02 Confirmation of Minutes

On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. J. Moloney it was resolved that the Minutes of the May Ordinary Meeting of Kerry County Council held on the 16th May, 2016 be confirmed.

16.06.20.03 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 June 2016 Council Meeting.

Financial Position

As agreed with the Members, a Financial Report for Members will be provided on a quarterly basis in line with the Quarterly Reporting Process for Income and Expenditure already in place to the Department of Environment, Community & Local Government. The attached Financial Report outlines the position at the 31st March 2016.

Severe Weather Allocation

Members will be aware of the initial allocation of €4 million in funding from the Department of Transport, Tourism and Sport, last February, for repair works to roads and bridges following the severe weather events in late 2015/ early 2016. This was on the basis of a submission for estimated repair costs of €6.88m. Details of the works to be funded were subsequently brought to the Municipal Districts.

In early May, the Department advised of further funding but advised that only €8 million was available nationally. Kerry County Council made an application for approximately €5m and received €650,000 from this second tranche of funding. We have been requested to submit details on the priority works to be undertaken. Having regard to the concerns raised by members, we intend to focus the funding on the repairs of bridges and culverts on the regional and local road network, where such works were identified following the reduction in river levels. Details of these locations will be advised to the members in the coming days.

LCDC

The LCDC met on 13th June and considered the following matters:

- Implementation & Monitoring of the LECP – proposals were finalised to ensure that there will be buy-in from management of the various implementing agencies.
- Overview of the SICAP Mid-Year Review Process – this followed on from the detailed assessment carried out by the SICAP sub-group which was recently undertaken with the Local Development Companies. Significant progress has been made over the past 12 months in agreeing priorities in this area.
- Update on the Local Development Strategy – Strategy formally approved by POBAL, currently awaiting contracts for implementation - discussion around the operating rules of same – Time bound proposals versus rolling proposals for projects.

Local Economic and Community Plan

The approved plan is currently being prepared for publication and will be launched in early July. As indicated, progress updates on the implementation will be brought through the Municipal District meetings. Actions will need to be prioritised and sources of funding identified to achieve same.

Kerry Pubic Participation Network

The PPN is the main link through which the Council connects with the community, voluntary and environmental sectors. The Secretariat of the Kerry Public Participation Network has organised an event for community groups /organisations wishing to access funding. The event is intended to assist groups in their planning of community activity/projects.

Two events are being held in June:

- Caherciveen: 14th June at The Library 7.30pm - 9.30pm.
- Tralee: 16th June 7.30pm - 9.30pm.

A similar event will be held in Killarney, Listowel and Dingle in late September.

Kerry Local Enterprise Office

There is ongoing interest in the training programmes with two further Business Bootcamps organised for early stage businesses in Tralee and Killarney.

The LEO has also engaged with the Craft & Design Council of Ireland to deliver advisory clinics to the County Craft sector on 15th June.

The National Enterprise Awards sees the participation of Fionán Murphy of FMM Services in the National finals on June 9th at a special ceremony in the AVIVA Stadium.

The office has been notified of the 2016/2017 Ireland's Best Young Entrepreneur Competition and will be progressing on receipt of funding.

Preparatory work continues for the Cork/Kerry Food Forum Event.

The present call for funding proposals closes on 20th June.

National Oversight and Audit Commission Reports

The National Oversight and Audit Commission (NOAC), who have an overseeing role for the local government sector, recently issued Four Reports detailing progress across the Sector on implementation of Reforms, Efficiencies, Shared Services and the financial performance and rates collection of local authorities. In the Progress Report on Local Government Efficiency Reforms, a high level of implementation of reforms and significant change within the local government sector yielding a substantial reduction in overhead costs is noted and NOAC has commended the local government sector for the increased efficiency and consequential savings achieved. NOAC has also noted that the culture of change and the related reform process have become firmly embedded in the sector. No financial issues for Kerry County Council arose from its Report on Local Authority Rates Collection 2013-4 and the Financial Performance of Local Authorities 2013-2015 given our continued strong Rate Collection Performance and our Revenue Account Balance Surplus.

In its Progress Report on Local Government Shared Service NOAC highlights substantial progress in the implementation of the majority of Shared Services Projects. Savings have been reported on projects such as MyPay (shared payroll), ICT Back Office, Procurement and Debt Management Projects. Of note are 2 Transactions shared services which have been led or jointly led by Kerry County Council. The Road Management Office which is a single point of contact for applicants for road opening licences and a centralised office for administration of road licensing and pavement management is led by a consortium of 4 local authorities including Kerry County Council. In addition, as you are aware the Local Government Operational and Procurement Centre is operated in Killarney by Kerry County Council, who work in partnership with the LGMA and the Office of Government Procurement to ensure Local Authorities deliver efficiencies and savings through the procurement process.

1 Major Expenditure & Income by Division with 2016 Adopted Budget

Date as at end of Quarter 1 (March 2016) in accordance with EU / IMF return on expenditure and Income made to DOECLG on 25th May 2016

Service	EXPENDITURE				INCOME			
	Total Exp. To date	Budget	Budget Remaining	% Budget Spent to date	Total Inc. to date	Budget	Not Rec'd	% Rec'd
Div Description	2016	2016	2016	2016	2016	2016	2016	2016
A Housing and Building	5,753,966	23,518,91	17,764,951	24%	4,625,582	22,998,766	18,373,183	20%
B Road Transport & Safety	6,009,555	34,942,923	28,933,369	17%	3,268,437	23,220,068	19,951,631	14%
C Water Services	3,494,564	16,039,107	12,544,543	22%	2,960,348	14,969,512	12,009,164	20%
D Development Management	2,096,530	9,665,085	7,568,555	22%	461,306	2,438,751	1,977,445	19%
E Environmental Services	3,734,960	16,950,141	13,215,181	22%	885,828	3,374,452	2,488,624	26%
F Recreation and Amenity	1,655,699	7,960,446	6,304,747	21%	122,756	500,541	377,785	25%
G Agriculture, Education, Health & Welfare	654,635	2,830,701	2,176,066	23%	409,422	1,901,257	1,491,836	22%
H Miscellaneous Services	3,424,948	17,026,774	13,601,826	20%	642,643	4,830,148	4,187,505	13%
Local Government Fund/General Purpose Grant					2,914,796	11,659,186	8,744,390	25%
Pension Levy					433,295	1,900,000	1,466,705	23%
Rates					10,146,262	41,358,891	31,212,629	25%
Grand Total	26,824,857	128,934,093	102,109,237	21%	26,870,675	129,151,571	102,280,896	21%

2 Performance of Local Authority Revenue Collection Levels

Major sources of Revenue Income - Collection levels as at 30th April 2016

	Total for Collection	Collected	Arrears @ 30/04/2016	% collected
Commercial Rates	50,038,679	6,840,642	42,962,155	14%
<i>Total Collectable - Full year accrual plus arrears</i>				
<i>Rates demands were issued on 9th March 2016</i>				
Rents	4,454,233	3,753,685	675,663	84%
Loans	681,190	419,683	259,894	62%
<i>Rent and loans: Total Collectable - <u>Year to date</u> accruals plus arrears</i>				

3 Recourse to Overdraft Facility

None

4 Emergency Capital works not provided for in the Budget

None

Cllr. D. Quigg welcomed the report and asked, as the Council finances are in a strong position, could additional roads staff be employed. Cllr. Quigg also asked that overgrown hedges around road signs would be cut in particular on national secondary roads.

16.06.20.04 Approval for the raising of a loan for the Cliff Road, Rossbeigh

On the PROPOSAL of Cllr. D. Quigg, SECONDED by Cllr. J.F. Flynn it was agreed to approve the raising of a loan of €550,000 for the Cliff Road, Rossbeigh.

The Cathaoirleach welcomed the allocation of €550,000 for this work but expressed his disappointment that the full cost of the work was not funded by the Department.

The Chief Executive stated as part of the allocation of €6.04m received for storm damage €550,000 was in respect of the Cliff Road, Rossbeigh. She met with the Department together with the Director of Operations to discuss roads funding and she assured members that she would continue to engage with the Department with a view to securing additional funding for this work. Damage is caused to the coastline by storms each year and for this reason there is a need for a national strategy. It is prudent to proceed with the work on the Cliff Road and this loan application will be forwarded to the Department for sanction.

Cllr. D. Quigg stated he proposed the raising of the loan as the road must be reinstated. When a delegation from Kerry County Council met with the Minister to lobby for funding for this work they were assured that funding would not be an issue. The issue of coastal erosion into the future must be addressed. He agreed that further efforts should be made to secure additional funding from the Department but he welcomed the fact that the works will proceed.

Cllr. M. Gleeson asked if there was any indication from the Department if they would fund the balance outstanding in respect of works at Inch.

The Chief Executive stated that the final instalment on the loan in respect of Inch will be paid in 2016.

Cllr. M. Gleeson stated it is wrong that the local authority should have to carry the cost of these works.

Cllr. T. Ferris welcomed the carrying out of the works at the Cliff Road but expressed concern that Kerry County Council must carry 50% of the cost. She expressed her disappointment that a similar approach was not taken with other areas such as Banna and Fenit Island. These areas were breached on one occasion and if it happens again it will result in substantial costs. The members for the Tralee MD believe that Banna and Fenit are disasters waiting to happen

and she called on the Executive to apply to the Department for funding for protection works in these areas.

The Cathaoirleach pointed out that members and the executive already made the Department aware of the dangers from coastal erosion and potential damage to public infrastructure.

The Chief Executive pointed out that the Cliff Road is a public road and the works will replace the road infrastructure.

Cllr. Ferris stated there will be other public roads at risk if they are not addressed.

Cllr. J. Lucid supported the views expressed by previous speakers and stated the position with the sand dunes and public road at Ballyheigue, especially the road leading to Kerryhead, is very serious. This is a main artery and if it is damaged by coastal erosion it will be very expensive to replace it.

The Chief Executive stated a full assessment of coastal erosion and flooding in the county is being carried out and the areas at risk will be mapped. Some will come under CFRAMS and it is hoped to bring a report to Council in October or November.

Cllr. J.F. Flynn welcomed the funding for the Cliff Road and stated it is good news for the households in the area. He thanked Council officials for the assistance they have given the families. As just 50% of the funding was provided by the Department Kerry County Council has no choice but to raise a loan for the balance. Cllr. Flynn PROPOSED that a deputation would be sought with the new Minister for Transport, Mr. Shane Ross T.D. with a view to securing additional funding. These works will in fact support 2 public roads and there are 50 to 60 houses on the top road.

Cllr. P. Connor-Scarteen welcomed the proposed works at the Cliff Road and he SECONDED Cllr. Flynn's proposal.

Cllr. J. Healy-Rae stated Kerry has the longest coastline in the country and there is a serious issue with coastal erosion. He hoped the work to the Cliff Road would withstand erosion into the future. Cllr. Healy-Rae welcomed the study of the coastline and he asked that the area from Mountain Stage to Kells be included as he understood it maybe in jeopardy. This is the main artery to South Kerry and it must be protected. Cllr. Healy-Rae asked when will the study be completed and the report available to Council. He asked that areas would be defined in Category 1, 2, 3 etc. and that the five worst areas would be clearly identified. Following this an application for funding for public roads under threat can be submitted to the Department.

Cllr. R. Beasley welcomed the funding for the Cliff Road, Rossbeigh and he asked that the same consideration would be given to the Cliff Road, Ballyheigue where there are two housing estates. He further asked that consideration would be given to Kilmore near the Cashen and he added that the level of funding available for coastal protection works is inadequate.

Cllr. J.J. Culloty stated it is wrong that Kerry County Council must raise a loan to pay 50% of the cost of repairing the Cliff Road, Rossbeigh when €13m is collected in the county in LPT each year with €2m of this going to central Government. Road Grants have been cut by up to 53% and there should be some cognisance of this. He asked that a letter would issue to the Department asking that some of the €2m would be left in the county to fund this road.

16.06.20.05 2015 Kerry County Council Annual Report

Mr. M O'Donoghue referred members to the Kerry County Council Annual Report 2015 which was circulated and said the Draft was considered at the April meeting and it was now before Council for formal adoption.

On the PROPOSAL of Cllr. J. Finucane, SECONDED by Cllr. M. Gleeson it was unanimously agreed to adopt the Kerry County Council Annual Report 2015 in accordance with Section 221 of the Local Government Act 2001 as amended by the Local Government Act 2014.

16.06.20.06 Student Grant Scheme 2016

Mr. M O'Donoghue referred members to his report dated 14th June, 2016 on this item which was circulated together with the Student Grant Scheme 2016.

On the PROPOSAL of Cllr. J.F. Flynn, SECONDED by Cllr. B. Cronin it was agreed to note the Student Grant Scheme 2016.

16.06.20.07 Housing Programme Update

Mr. J Breen briefed the members on the following report which was circulated.

Social Housing Investment Programme 2015-2017

The following tables summarises the planned delivery of Housing units via the Housing programme. There is an estimated delivery of 1435 units in the years 2015-2018. This figure is subject to minor fluctuation as it is dependent on market conditions and on approval of designs by the Department.

<i>Delivery Mechanism</i>	<i>2015-2018</i>	<i>Delivered in 2015</i>	<i>For Delivery 2016</i>	<i>Estimated 2017 /18</i>
Construction & Acquisitions	320	36	46	238
Casual Vacancies/Voids	358	126	132	100
RAS\Leasing projected downwards due to HAP commencement	680	260	240	180
CAS Programme Purchases and Construction	77	19	6	52 (into 2019)
Total Estimated Delivery By 2018 is 1435 units				

Analysis of Waiting List

The following tables summarises the analysis of the waiting list into Gross Need and Net Need in accordance with the definition in the guidance documentation issued in relation to the Summary of Social Housing Assessments. The Gross need is all qualified applicants for Housing including transfers. The NET need is all qualified applicants that are not transfers.

Gross Need	5148
Net Need (excluding Transfers)	4565

Analysis of Net Need By Categories	
Financial (Dependant On Rent Supplement and living in privately rented accommodation)	50.36%
Medical	13.65%
Unfit or Overcrowded or materially unsuitable	36%

Housing Statistics Jan – June 2016

TYPE	2016 Figure	2016 ACTUAL to date
Purchases	40	15 (22 in Progress)
Allocations		94
RAS /Leasing	240	93
CAS Housing	6	6
Casual Vacancies/Voids projected	132 (3.2% of stock)	70
Energy Efficiency Works	351 houses	In Progress
Planned maintenance	Ongoing	Planned

Private Adaptation Grants	€2.096m	€597,189(110 grants)
Maintenance requests	As per Tenancy Agreement	To date: 1317
Adaptations to Council houses	Provisional allocation of 50% of 2015=€250,000	12 completed 5 to commence (from 2015 commitments)
Tenant Purchase Scheme		141

Tenant Purchase

A total of 141 applications have been received to date and will be processed in accordance with the scheme.

Energy Efficiency Insulation

An Interim Allocation has been received for 2016 under the above programme to allow continuation of installation of energy efficiency insulation works to local authority houses up to a maximum of 50% of our 2015 Allocation i.e. €253,687. The Council have advertised tenders for the carrying out of this work and an assessment of the tender will be conducted over the next period. No further confirmation of funding has been received.

Planned Maintenance Programme

Kerry County Council is currently carrying out a condition survey of our housing stock and this is presently underway, with 240 properties inspected to date to assist in the condition survey.

The Council will shortly initiate a programme of replacing smoke alarms, commencing with those properties where the alarms are over 10 years old and were previously installed between 2003 and 2006, excluding those upgraded and the voids program.

The full allocation of the Planned Maintenance Programme of €200,000 is estimated to complete 2000 properties in 2016.

Returning Vacant Housing Properties to Productive Use

Returning vacant properties/voids to use is a very cost effective way of making units available. The Housing Department awaits allocation from DOECLG in relation to this Programme for 2016. Initial indications from the Department are 50% of the 2015 allocation. However, we have completed 70 to date and are continuing with the program.

We have worked hard since mid 2015 to improve the turnaround times for vacant properties and the results of this work will be seen in the annual figure for weeks taken to turn around vacant stock which has improved. The average time taken for properties returned to stock in 2016 to date is 12.58 weeks. This compares favourably to the 2015 figures of 23.5 weeks taken to turnaround stock. The time taken to turn around vacant stock as well as the objective assessment of works required continues to be monitored on a constant basis for further improvement in this area.

Housing Adaptation Grants for Older People and People with a Disability

The Council has received notification from DOECLG of the 2016 Allocation for Housing Adaptation Grants for Older People and People with a Disability Grant Scheme of €2,096,050 of which €419,210 is to be provided from our own resources. This Allocation reflects an increase of €317,272 on Exchequer funding from the 2015 initial allocation and is most welcome at this early stage of the year. The Council is continuing to allocate grants in accordance with our Priority Scheme.

Work was carried out to 12 properties such as bathroom adaptations, stairlifts, ramps etc to date in 2016 with a total expenditure of €61,373.00. Funding under this Scheme is welcome as it allows tenants to remain in their homes with minor adaptations.

Response Housing Maintenance

The Council currently has a rented housing stock of 3,957 units.

A total of 1317 housing maintenance requests were received to date in 2016, 1009 have been resolved to date. A total amount of €499,736 has been spent to date on Response Maintenance in 2016

Assessment of Housing Need

The purpose of the Summary of Social Housing Assessments is to capture the total number of households qualified for social housing support across the country whose social housing need is not being met, in order to understand the level of need for such support. It will be a count of the total number of households qualified at September 21st 2016 and housing authorities are required to return this data by 12th October 2016. Where a household is eligible and demonstrates a need (in accordance with the Social Housing Assessment Regulations 2011 as amended by the Social Housing Assessment (Amendment) Regulations 2016, and hereafter referred to as the Social Housing Assessment Regulations), they are then deemed to be qualified, i.e. they are entered on the record of qualified households for social housing support for that housing authority.

The results of the most recent Summary of Social Housing Assessments in 2013 were analysed by the Housing Agency. This analysis identified a requirement for an additional 35,000 new social housing units over the next 5 years.

The assessment is ongoing and involves significant resources in Kerry County Council. It is vital that accurate and timely information is returned from all applicants in order to ensure that the assessment is accurate and reflects the true need of the applicants.

To date in 2016, we only have a 35% response rate from applicants whom we contacted to update their accommodation needs to allow us to make an objective assessment of the actual housing need presently.

In order to deal with this low response rate and to ensure we have an accurate housing list reflective of actual current need, the following procedure is proposed to deal with improving the level of responses to the Assessment of Housing Need:

1. A rigorous tracing of existing applicants will be carried out.
2. An advertisement will be placed in the Local newspapers and on Radio Kerry.
3. An initial letter will issue from the L.A. to the client.
4. In the event of no reply, a second letter will be sent informing the client that they will be removed from the waiting list if they do not respond.
5. Where an existing applicant fails to respond to two letters from the housing authority, all other available means of communication will be utilised including phone calls and email where this data is available.
6. The Council will then examine each client's application on a case by case basis to determine if the applicant household is no longer in housing need or has left the area of the authority. If it is determined that there is no longer a need or if they have left Kerry, they will then be removed from the list and the application will be closed.
7. Should contact be re-established with the applicant, and where a household subsequently comes back with information, within a reasonable time, then the authority will on a case by case basis determine if that application will be reactivated without affecting the original date of qualification.

Refugee Resettlement Programme

The Government has committed to resettling 4,000 people nationally through the programmed refugee process.

In Kerry, 11 families were resettled in 2015. 8 have been resettled so far in 2016 and a further 9 are to be resettled by September 2016.

Sourcing accommodation for the families is mainly done through leasing. As with our own leasing process, this is proving more and more difficult with rents increasing and landlords selling properties and leaving the rental sector.

National Housing Strategy For People With A Disability

Kerry County Council has established a local Housing Disability Forum assisted by the Housing Agency and comprised of HSE, Service providers such as St John of Gods and Kerry Mental Health, Approved Housing bodies and other agencies. We have quantified the disability housing need and produced a plan of action. We have also commenced a pilot initiative in assessing and mapping vacant properties in the area immediately adjacent to St Mary's of the Angels in Beaufort to assess the possible available properties in the area which could contribute to the de-congregation but remain within the general geographic area. Approximately 5% of the overall number of qualified housing applicants have a specific accommodation requirement on the grounds of a physical disability.

Alternative Housing Options

Kerry County council is currently assessing other housing options including suitable land availability, turnkey developments and opportunity sites with the view to bringing increased supply on to the housing market. The members will be updated on this matter once discussions with the Department of Housing, Planning and Local Government have concluded.

Budgetary Considerations

Rents & Income

Kerry County Council continues to have a very high rate of collection of its rental income. The collection of rents and loans is operating in an increasing challenging environment.

Land Servicing Costs

Kerry County Council proposes through its Housing Programme to offset, where possible, the land costs as part of the budget process, Kerry County Council will need to make provision for the servicing of these loans.

Homeless Services

Kerry County Council operates an extensive Homeless Service for all those (including young persons) that find themselves homeless and in need of accommodation and social supports. Our services are comprised of a Homeless Information centre located in the centre of Tralee where those who are homeless can call and receive services and support. The Homeless information centre is staffed by Kerry County Council and Department of Social Protection staff. Allied to this we have a number of contracted beds available on a continuous basis in Hostels and bed and breakfast accommodation, including family rooms, to provide for the immediate emergency accommodation needs as they present.

The agencies that provide accommodation solutions to us also have a number of step-down facilities wherein individuals are assisted in returning to independent living following hostel or bed and breakfast emergency accommodation stay. Homelessness is a complex issue and the immediate accommodation needs are only a part of the solution to any homeless situation

We have 8 emergency beds in Killarney and 8 in Tralee. These beds cater for families and/or individuals and extra beds are available at both locations as needed.

We liaise with and engage with all of the relevant services in dealing with homeless situations, from Gardai, HSE, Voluntary assistance organisations as there are often complex issues associated with why someone finds themselves homeless in the first place.

National policy on homelessness is set out in the policy document “The Way Home” which places a strong emphasis on the prevention of Homelessness. In this regard we interact with many agencies including the courts service and the Irish Prison service in working to ensure that we are collectively doing all we can to prevent homelessness occurring.

Kerry County Council operates its Homeless services as part of the Southern Region Homeless Strategy in conjunction with Cork City and County Council.

So far in 2016, there has been 155 presentations to our homeless service. Of these, 38 were new presentations. We have accommodated 11 families and 22 single people in emergency accommodation.

We have also sourced a number of private rented accommodations for these families/singles and we continue to work with all our clients and the relevant services in order to secure long term accommodation for our clients. This is done in a challenging and highly competitive rental market.

RAS/Leasing

The target for 2016 is 240 RAS/Leasing/Voluntary. To date a total of 93 contracts and allocations have been secured through the RAS and Leasing Schemes since January 2016 and we continue to seek suitable properties for lease. This is done in a challenging and highly competitive rental market.

Housing Assistance Payment

The HAP scheme is due to be introduced in Kerry in September 2016. This scheme will eventually replace the current rent allowance scheme. It will provide for the Local Authority to enter into contracts with private landlords in order to secure tenure for the tenants currently in receipt of rent allowance. The challenge is, as with the current leasing, to source the necessary number of

suitable properties in order to deliver security of tenure to our current applicants on the waiting list.

Structure of Housing & Social Support Department

The objectives of the Housing Dept are to maximise provision of suitable accommodation for those who are unable to provide their own, utilising the various social housing options, to manage and maintain our housing stock and to facilitate the development of sustainable communities.

Activities:

The Housing Dept. manages a stock of 3,957 (including demountable units) housing units, actively manages 490 loan accounts and approx 3,900 rent accounts, 773 RAS and 104 leased houses. Total rent collection in 2015 was €11 mn approx and loans collection was €1.1 mn approx.

The Housing Department manages the Homeless service, Traveller Services, Disability Services and provides tenancy/estate management and support. Development of Housing Policy in partnership with the SPC is also central to the work of Housing as well as devising and implementing the Housing Construction and Acquisition Programme 2015 – 2017.

Senior Staff:

Director of Service to 19th June 2016:

John Breen

Director of Service from 20th June 2016:

Martin O Donoghue

Senior Executive Officer: Christina Farrell

Currently there are 2 Distinct Areas in Housing under the direction of each of the

Administrative Officers:

Kathleen Curtin AO – Areas of Responsibility: Tenancy Management:

1. Tenancy/Estate Management and Enforcement,
2. Rents Collection and Management,
3. Loans Collection and Management.
4. Housing Maintenance

Key Staff in Tenancy Management Unit:

Sean McCarthy/Mike McCannon – Tenancy/Estate Management
Judith Dillane/Davina Griffin – Rents/Loans

Brenda Conway AO – Areas of Responsibility – Social Housing Options:

1. Housing Applications and Allocations, Vacant House Management
2. RAS/Leasing,
3. Housing Grants,
4. Homeless/Travellers/Disability Services

Key Staff in Social Housing Options Unit:

Teddy O'Connor – Grants/Allocations/Voids

Ian Brick – RAS/Leasing

Derry O Sullivan/Ciara Keenan – House Purchases, Leasing, Part V

Housing Capital Programme

A specific unit within Housing is being developed to deliver the Social Housing Programme 2015 to 2017 to advance Voluntary Housing Projects, Leasing Programme, House Purchases, Part V, Building Programme in conjunction with Capital Infrastructure Unit, RAS/HAP in order to maximise opportunities for delivering social housing options in accordance with Government Strategy.

Operations Division

Housing Maintenance, works to Vacant Houses, Planned Maintenance Programme, Energy Efficiency Programme, Extensions/Adaptations are carried out by Operations across the 4 Municipal Districts on behalf of and in conjunction with Housing.

Senior Engineer: Gerry Riordan

Municipal District Engineers: PJ Galvin, Aidan Harty, Mike Griffin

Capital Infrastructure Unit

Advancement of the House Building Programme and Voluntary Housing is carried out by the Capital Infrastructure Unit of the Council on behalf of and in conjunction with Housing.

Senior Engineer: Tom Sheehy

Senior Architect: Isa Siali

The Cathaoirleach stated that the following Notices of Motion would be taken with this item – Nos. 1, 5, 18 and 31.

Cllr. T. Ferris pointed out that people on the housing waiting list did not receive any correspondence from the Housing Department over the past 5 or 6 years so they may no longer be in the country.

Mr. Breen pointed out there was just a 35% response to the letter that issued. There is an obligation on the applicant to notify the Housing Department of a change of address.

Mr. T. Sheehy, SE Capital Infrastructure then referred members to the chart on the Social Housing Capital Approval Process that was circulated and he briefed them on this 4 stage process under the following headings:

1. Sponsoring Agency Local Authority
 - Site Identification
 - Approval Stage 1 – Project Review 1: Confirm Approval for Design Expenditure
 - Approval Stage 2 – Project Review 4: Assess Project prior to Statutory Approval Submission
 - Approval Stage 3 – Project Review 6: Approve Detailed Design Solution and Pre Tender Cost Estimate
 - Approval Stage 4 – Project Review 7: Review Tender Returns in Advance of Contract Award.
2. Sanctioning Authority Department of Environment, Community & Local Government.

The current Housing Programme under SHIP covers the years 2016 to 2019.

18. Construction of one bed accommodation suitable for single people

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

As currently a large number of single applicants for Council housing are waiting for 10 years plus to be housed, I propose that this Council look at all possible initiatives including public/private involvement to construct small groups of one bed units in suitable serviced sites in villages and towns across Kerry. If we are to reduce the single persons waiting time then we must build suitable one bed accommodation.

The following report issued:

As outlined in the update on the Housing programme agenda item at today's meeting, at present the Council is considering all possibilities for the development of housing to ensure that we can meet the needs of all persons on our housing list including those seeking one bed accommodation which constitutes over 50% of our demand. All possibilities which may assist in delivery of housing are being considered.

Cllr. B. Cronin stated he could not recall any single bed units being constructed in his time in the Council. One applicant was on the housing list for 11 years before they were offered accommodation and this is unacceptable. As 40% of those on the housing list want 1B accommodation steps must be taken to meet this need. Cllr. Cronin stated he believes that developers have suitable lands for groups of 4, 5 or 6 properties that would be suitable for this category of applicant and they would be near shops etc. He asked if Kerry County Council has constructed 1B

accommodation from the current allocation of €62m. If not, he PROPOSED that this option would be considered and that developers would be contacted to establish if they have suitable property.

Cllr. N. Kelleher SECONDED this proposal and also the motion.

Cllr. Cronin congratulated the Housing Department on their work with the homeless. Housing grants are very important as they allow people to remain in their own home. It is proposed to site a community facility at Ballydribbeen next to elderly people and this is not an appropriate location for it. Cllr. Cronin stated there was a problem with anti-social behaviour in this area and the decision to locate the community facility there shows lack of information and clarity and this must be addressed. He requested that this would be reviewed as a matter of urgency.

1. Review of policy laws in relation to the landlord/tenant agreements.

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

That Kerry County Council contact the Minister for Environment requesting that the policy laws in relation to the landlord/tenant agreements be reviewed.

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

Cllr. M. Kennelly stated the notice to be given to a tenant to vacate a house by a landlord should be extended. A tenant in a house for up to 2 years only gets 6 weeks notice and that is not enough time to allow them secure alternative accommodation. Cllr. Kennelly welcomed the fact that there is no one homeless in Kerry. In Listowel it is virtually impossible to get a house to rent and for this reason he believed there will be greater demands on the Homeless Service. Cllr. Kennelly requested that his motion be referred to the Minister for Environment asking that contracts would be extended. The number of housing staff available to carry out repairs to vacant council houses in the Listowel area is totally inadequate and it is taking 12.5 weeks to carry out repairs which is too long. Cllr. Kennelly asked that a breakdown of the length of time it takes to repair vacant houses per Municipal District would be provided to members. It took almost 12 months to repair a house in Listowel. It appears Kerry County Council is the only one buying houses at present yet just 40 houses will be acquired in 2016. He asked that members would be informed when the sale of a house is complete in their area. There is an ongoing problem with anti social behaviour by Council tenants in private estates and this is having an adverse impact on their neighbours. Cllr. Kennelly called on the Council to ensure when they buy houses in private estates that the lives of other home owners would not be adversely affected.

Cllr. M. Healy-Rae then moved Notice of Motion No. 31.

31. Provision of social housing

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

To ask Kerry County Council in the provision of social housing: 1. How many houses have been purchased in 2016 in the different Municipal Districts 2. How many rural cottages were built in the last 5 years 3. How many applicants do Kerry County Council have for rural cottages and when will they start?

The following report issued:

- 1. The Housing Programme update agenda item at today's meeting has given a detailed update on the House Purchase Programme for 2016**
- 2. The Council has constructed a total of 6 rural dwellings in the past 5 years**
- 3. Presently we have a total of 28 open applications for single rural dwellings. We are presently re evaluating all these applications see if the accommodation need can be met locally from any of the other sources of accommodation such as through leasing, RAS, or direct purchase before deciding to proceed with construction in these cases. Following this assessment, we will then decide which applications should proceed to site assessment/planning stage. The approved Housing Capital Programme provides for the construction of 12 single rural dwellings over the period of the Programme.**

Cllr. M. Healy-Rae stated that the Council constructed just 6 single rural dwellings in the past 5 years. This number is very low considering there are 38 open applications. It is unfair to say there are other houses in the area when they cannot be leased. What options are open to tenants under the RAS Scheme where landlords terminate the contract? How much of the €62m allocated has been spent? Cllr. Healy-Rae added that there is not enough staff in the Housing Department. Roscommon County Council advertised for houses, sites etc. in an effort to address the housing problem and Cllr. Healy-Rae suggested that Kerry County Council should consider this option. While a lot of housing applicants have applied for 1B accommodation she would prefer if the elderly had a 2B house so that a family member or relation could stay with them as required. In conclusion Cllr. Healy-Rae welcomed Martin O'Donoghue and Christina Farrell's appointment to Housing.

5. Provision of a further quarterly report on the Housing Budget

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

That Kerry County Council provide a further quarterly report on the Special Housing Budget and what progress has been made since January.

The following report issued:

An update on the Housing Programme has been included as an agenda item for the June Council Meeting in accordance with the commitment given to members at the January Special Housing Meeting that an update would be provided bi-annually. An update report per Municipal District is provided at each MD Meeting.

Cllr. A. Thornton stated members are not given enough updates on Housing. Just one Special Housing Meeting was held to-date in 2016 and this is not adequate. While there is a lot of information contained in the Housing Report circulated it is incumbent on members to be up to-date with all aspects of Housing including house purchases, housing construction etc. While the report has given members food for thought there should be another Special Housing Meeting to discuss the report in detail.

The Chief Executive stated that Council signed off on the 3 year Housing Programme up to the end of 2017. An allocation of €62m was received and work is ongoing on the Programme including leasing, RAS and voids. Reports will be presented to members twice yearly in January and June to update them on progress. The new Minister for Housing met with Chief Executives and they were asked to review the current Programme and to establish how the targets can be expanded. The Chief Executive undertook to revert to Council on this when there is more clarity. All options will be presented to the Department with the warning that the Council is carrying the cost of loans for land. Detailed Housing Reports are brought to the Municipal Districts 6 times a year and this gives members an opportunity to assess how the targets are being met in their Municipal District. This report will include houses that have been purchased and how the Department is engaging with Voluntary Bodies. The Quality of Life SPC is responsible for the formulation of housing policy.

Cllr. Thornton welcomed the update reports to be presented at MD Meetings.

Cllr. T. Ferris stated housing is the single most important function performed by Kerry County Council. She believed there is an objective to privatise social housing and two thirds of the allocation will be spent on RAS and Leasing. Cllr. Ferris referred to the Analysis of the Waiting List on Page 3 and stated that in her opinion 100% are on the housing list on financial grounds. The new Tenant Purchase Scheme is an unmitigated disaster. The Council had to wait for months for the application forms but now 141 applications have been received and a decision has not yet been taken on who will value the houses. There is mention of abandoning the new Scheme and if applicants are not approved they will not be permitted to purchase their house. Cllr. Ferris accepted there are budgetary constraints on the Maintenance Programme but she asked that windows and doors would be replaced where necessary. She expressed her frustration at the representation in the report of a 35% response rate from applicants on the housing list and stated when a person is moving house that last

thing on their mind is to contact the Housing Department. Cllr. Ferris stated the average rent in the county is €625. The family rent cap is €540 while the cap for a single person is €300. That is why there is a housing crisis as rents are constantly increasing. The Government is depending on the private market to provide social housing. Cllr. Ferris agreed that 2B units should be constructed and while 50% of those on the waiting list want 1B or 2B accommodation this type of accommodation is not being provided. It makes sense that local authorities should take over HAP as they deal with housing applications. Unfortunately, however, this is the solution being offered to housing applicants and in her opinion the local authority should be constructing social housing and she hoped this view is being articulated at a national level.

Cllr. J. Healy-Rae agreed that progress on applications for the new Tenant Purchase Scheme is very slow. He asked that priority would be given to assessing the 141 applications received as, in a lot of cases, family members are willing to help the applicant to buy their house. Cllr. Healy-Rae asked how long does it take from the time an applicant applies for housing until they are investigated and approved or not. He believed this process is taking longer now than before and applicants will not get Rent Allowance unless they are approved. Cllr. Healy-Rae welcomed the staff recently appointed to Housing and wished them well in their new roles. The progress on renting or leasing houses is too slow as houses are let by auctioneers very quickly at present. There should be a staff member appointed to deal with these cases. Members have been informed if it costs more than €12,000 to repair a house it is held for 12 months and an application for funding is then made to the Department. This is unacceptable.

The Chief Executive stated the level of activity in the Housing Department is clearly set out in the report circulated. A submission was made for increased funds to increase our targets and Kerry County Council has gone from 0 properties being constructed to 1,435 units being provided from 2015 to 2018. This takes a lot of organisation and the Council is on track to meet these targets. She acknowledged there are delays in the construction of houses. 65% of housing applicants did not reply to the letter issued to them in relation to the Assessment of Need and if they do not reply following further reminders the Council will have no option other than to remove them from the housing list. It is important to get the message out to applicants that they must respond. To date in 2016, 1,317 housing maintenance requests were received and 1,009 of these have been resolved which is very satisfactory. The comments in relation to repairs exceeding €12,000 are not true. There were issues around the turn around time of houses but a full review has been undertaken by B. Conway and it is now down from 23.5 weeks to 12.5 weeks. Efforts will continue to reduce this time.

Cllr. J. Healy-Rae asked why it is taking over 12 months to repair a number of houses around the county.

Cllr. R. Beasley stated the single biggest issue for members is housing. Ballybunion has a population of 1,200 with 146 of these on the housing list with no plans to build houses. That represents 11.5% of the population. At present there is no hope of providing housing for these applicants and it is their wish to remain in Ballybunion. Cllr. Beasley stated the Council owns land in Ballybunion and he asked that houses would be built there. He called for a change in the policy in relation to maintenance of council houses and he asked that window, doors and stoves/ranges would be replaced. Many tenants are on limited income and cannot afford to carry out these works.

Cllr. N. Kelleher asked if there was any update on the Shared Ownership Scheme and if not he asked that the Housing Department would liaise with the Department on it. He asked that every effort would be made to facilitate tenants who request a transfer. Many landlords are selling their houses and it is imperative that vacant houses are brought into the system through RAS or any other Scheme. In conclusion Cllr. Kelleher stated in his opinion the housing need can be addressed through the vacant houses in the county.

Cllr. G. Spring stated while €62m was allocated to Kerry County Council for a Housing Programme it has extended the period of stagnation in the building industry as no houses are being built. He welcomed the detailed report on the Social Housing Approval Process and stated it is planned there will be a 200% increase in housing acquisition and the construction of houses in 2017. Cllr. Spring asked if approved Housing Bodies have a role to play in the Programme. He asked if the Council has contingency plans if the Department does not approve the alternative housing options proposed. Cllr. Spring asked how much was spent in Housing Grants to-date in 2016.

Cllr. D. Nolan requested a breakdown of the reasons for transfer requests by tenants. She supported the suggestion by Cllr. M. Healy-Rae that the Council should advertise seeking houses, sites etc. to be made available in the public interest in particular as there are so many holiday homes in Kerry. She suggested that the data from NPPR could be used for this purpose. In Listowel it is proposed to build fewer units than originally intended and she asked if this is happening in other areas and what plans are in place to replace the lost units. The Department do not allow the Council to acquire unfinished houses and in Listowel town there is an unfinished development of 1B and 2B houses. She asked that clarification would be sought on the Departments policy on this issue.

Cllr. N. Foley stated that the criteria for the new Tenant Purchase Scheme is a contradiction. She asked how quickly the 141 applications can be expedited. Cllr. Foley welcomed the statement that smoke and carbon monoxide alarms will be installed in houses going forward. An allocation of just 50% of the 2015 allocation was notified for the repair of vacant properties in 2016 and no funding has yet been received in 2016. Cllr. Foley welcomed the improvement in the turn around time for vacant houses. She asked of the 28 refugee families settled in

the county were they all located in either Tralee or Killarney and where is it planned to locate refugee families into the future. Cllr. Foley referred to the Housing Assistance Payment Scheme and asked if the Housing Department is in a position to deal with this when it transfers to the Council. She complimented the Housing staff on their excellent work and acknowledged Mr. Breen's contribution to Housing. In conclusion Cllr. Foley welcomed Mr. O'Donoghue's appointment as Director of Housing.

Cllr. P. Daly welcomed the Housing Report and stated Kerry County Council is restricted by Government Policy in what it can do to provide housing and the Government want to outsource as much as possible to the private market. Cllr. Daly pointed out that there is an ongoing problem with anti social behaviour by tenants of private landlords. He concurred with much of Cllr. Ferris' comments and added that a message is being put out that 65% of housing applicants did not reply to the Council in relation to the Assessment of Needs. The previous month applicants were criticised for not taking up offers of a house but many urban tenants do not own a car. Just because there is satisfactory emergency accommodation does not mean there is not a problem with homelessness. There is an urgent need for more social housing to be constructed and also for the provision of accommodation for the homeless around the county. Some people are in Arlington Lodge for 3 or 4 years. There is an urgent need for 1B and 2B accommodation.

Cllr. J.J. Culloty welcomed the Housing Report and stated the fact that 65% of housing applicants have not responded is worrying. While they may not respond to the initial letter he suggested that an advertisement should be placed in the local media and they should also get a second letter. Last July he submitted a Notice of Motion asking when the 10 houses in Killarney would be constructed. At that time, he was informed that construction would commence in Q4 of 2015. We are now in Q2 of 2016 and they have not commenced. The difficulty is the length of time it is taking to get approval from the Department. At present the process is taking 12 months and this must be streamlined. There should be a start and finish date for this development and a private developer should be engaged to construct them.

Cllr. J.F. Flynn stated housing grants are very important for the replacement of windows, heating systems etc. However, the grants have been suspended and a range in a Council house that was purchased no longer works. The only heating this person has is 2 heaters. He requested that the maximum grant of €2,000 be increased. Applicants for grants are waiting 6 to 7 weeks for the engineer to call out and this is too long. Cllr. Flynn stated there are Council houses in Killorglin that are vacant for 12 months. At present the Housing Investigations Officer is on leave and cover was not provided until recently and this was by the Housing Investigating Officer from Killarney which is unfair. It is virtually impossible to get through to the Housing Investigating Officer for his area. That is not acceptable and 2 Investigating Officers are required for the South & West Kerry MD.

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. B. Cronin, SECONDED by Cllr. S. Fitzgerald it was agreed to suspend Standing Orders to allow the meeting to continue.

16.06.20.07 Housing Programme Update (Cont'd)

Cllr. D. Quigg concurred with the views expressed by Cllr. Flynn. He referred to the repair of vacant houses and stated at a recent Seminar in Galway he was informed that Galway County Council carry out repairs to a house when the tenant is in the house. The Housing Investigating Officer should be in a position to report back to Housing on allocations within 6 to 7 weeks of the house becoming vacant.

Cllr. P. Connor-Scarteen welcomed the €62m allocation for Housing which is being well utilised by the Council even though progress is slow at times. He thanked the Housing staff and welcomed Mr. O'Donoghue and Ms. Farrell to Housing. He welcomed the fact that members are now getting written responses from Housing. Cllr. Connor-Scarteen referred to Housing Adaptation Grants for Older People and People with a Disability and expressed his disappointment that work was carried out to 12 properties to-date in 2016 as he would have expected at least double that number. He welcomed the improved turn around time for vacant houses and added that this can be improved further. Cllr. Connor-Scarteen asked that the 141 applications for the Tenant Purchase Scheme would be processed as soon as possible. He asked how many houses would be in Ardvara, Kenmare and when construction would commence.

Cllr. J. Finucane stated many rural villages in North Kerry are decimated. House prices have not increased in North Kerry and there is still an opportunity for the Council to purchase houses there. He requested that villages in decline would be targeted for house purchases. Cllr. Finucane suggested that an advertising campaign should be undertaken to establish if builders who have small banks of land would be willing to build houses to the Council's design. There is a perception at present that with the amount of bureaucracy involved it is not worth it. At present builders cannot get loans from Banks. Such a scheme would (a) seek and encourage small builders to build houses while receiving stage payments and (b) rural villages in decline could be considered for inclusion in the Scheme. People who have applied to purchase their homes would probably pay more in rent than if they bought the house. Cllr. Finucane asked that the Department of Environment would be requested to introduce a Rent to Purchase Scheme for tenants.

Cllr. B. Cronin stated the reply to Notice of Motion states that 50% of housing applicants want 1B accommodation. He concurred with the views expressed by Cllr. Finucane and stated a similar proposal was given to him by a small builder.

Mr. J. Breen, Director of Housing stated it is evident from the Report that social housing is a very complex issue. Kerry County Council got an allocation of 200 houses for 2016 and there are 14, 1B and 2B properties in the Programme. Housing is not being built by developers and this must be taken into consideration. There is a long process before the purchase of a house is complete and all come to fruition. Kerry County Council operates an active anti social behaviour policy in private estates. He advised members to refer any concerns to senior staff in the Housing Department. None of the €62m has been spent yet as construction has not commenced. Mr. Breen confirmed that there is an issue with increasing rents in the county. The maintenance responsibility of tenants is clearly set out in the Tenants Handbook but the Housing Department has never been found wanting in compassionate cases.

Mr. Breen then referred to the Tenant Purchase Scheme and added once the application forms were received from the Department they were made available to tenants. 141 applications were received and there is a Framework for Valuers so it is unfair to say they are being delayed. However, there was an expectation that there would be instant replies. The length of time it takes to repair Voids has been reduced and he had discussed the delays with councillors. Mr. Breen advised members if there are particular long term delays they should report them to the Housing Department. To-date in 2016 70 houses have been repaired and where there are long term voids the Council tries to establish if it economically viable to repair them. A reply on the Shared Ownership Scheme is still awaited from the Department and Mr. Breen undertook to pursue this with them. Kerry County Council has undertaken its own census of vacant properties in the county and arising from the last Census there were almost 11,000 vacant properties in the county. Extensive funding is available to Voluntary Housing Bodies. Mr. Breen undertook to provide a breakdown to members on the reasons transfers are sought by tenants. If holiday homes were to be considered as part of the solution to the housing issue there could be planning issues and many are not in an area where there is demand. There is a ceiling on the price that the Council can pay for a house. Refugees are housed in Tralee, Killarney and Killorglin. The Housing Report simply sets out the facts in relation to the response by housing applicants and he was not criticising urban tenants. Grant limits are set nationally therefore the Council does not have the discretion to increase them. The construction of houses in Kenmare is scheduled to commence in April 2017. Mr. Breen referred to members' suggestion that the Council should advertise for small builders and he stated all contracts are subject to procurement rules. To-date in 2016, 200 applicants have been housed and it is hoped this will increase to 400 by the end of the year.

Cllr. J. Healy-Rae stated he understood the delay in launching the Tenant Purchase Scheme by the Department but he requested a timeframe for when those who applied to purchase their houses could expect to get a response from the Council as family members are willing to help them to purchase the house. He also asked if a person applies for social housing how long does it take to notify them if they are approved or not.

Cllr. P. Daly stated he felt the anti urban pronouncement. The impression given is that 65% of housing applicants did not reply and therefore they are no longer interested in social housing. There can be many reasons why a person refuses a house.

Cllr. A. Thornton stated she failed to understand why there are not more Special Housing Meetings. There should have been a Special Meeting to consider the Report.

Cllr. J.F. Flynn acknowledged the work of the Housing staff but stated there is not enough staff in that Department. It is not right that the Killarney Investigating Officer must also cover his area.

Mr. Breen undertook to revert to members on the timelines requested.

The meeting adjourned for lunch at 1.50pm.

The meeting resumed at 2.45pm.

16.06.20.08 Summary of proceedings at Conferences/Seminar/Training events

- (a) It was agreed to note Cllr. J. J. Culloty's report, on behalf of all the Kerry County Council delegates that attended, the Celtic Conferences Conference held from 8th to 10th April 2016 which was circulated.
- (b) It was agreed to note Cllr. M. Kennelly's report on the International Road Safety Conference held on the 28th April 2016 which was circulated.
- (c) It was agreed to note Cllr. J.J. Culloty's report on the Conference on Lyme disease held on the 29th May 2016 which was circulated.

16.06.20.09 Approval for the opening of tenders

- (a) On the PROPOSAL of Cllr. B. Cronin, SECONDED by Cllr. M. Gleeson it was agreed to approve the opening of tenders for the County Kerry Public Lighting Inventory Survey – Closing Date: Friday 10th June, 2016 at 3.00pm.

- (b) On the PROPOSAL of Cllr. J. Moloney, SECONDED by Cllr. R. Beasley it was agreed to approve the opening of tenders for the Demolition of the Neodata Building, Bridge Road, Listowel – Closing Date: Friday 17th June, 2016 at 3.00pm.

Cllr. J. Moloney requested that this work would be carried out as soon as possible to enhance the amenity value of the Town Park.

Cllr. A. Thornton requested that there would be maximum benefit for tourism from this site.

- (c) On the PROPOSAL of Cllr. J. Sheahan, SECONDED by Cllr. B. Cronin it was agreed to approve the opening of tenders for Culvert and Associated Works at Tullig, Castleisland – Closing Date: Wednesday 22nd June, 2016 at 12.00noon.

- (d) On the PROPOSAL of Cllr. P. Connor-Scarteen, SECONDED by Cllr. J.F. Flynn it was agreed to approve the opening of tenders for 2016 Bituminous Overlay Projects for the South and West Kerry Municipal District – Closing Date: Wednesday 29th June, 2016 at 3.30pm.

Route: L4038 Cullenagh Lower to Beaufort and Coolmagort/Dunloe Junction.

Route: L4035 Lyre Road – Milltown

Route: L4047 Boheeshill to Curragh Beg

Route: L11703 Cromane Upper to Lower

Route: R569 Rossacroo

- (e) On the PROPOSAL of Cllr. J. Healy-Rae, SECONDED by Cllr. J.F. Flynn it was agreed to approve the opening of tenders for the N86 Dingle to Camp – Land & Property Valuation Services – Closing Date: Friday 22nd July, 2016 at 2pm.

16.06.20.10 Notices of Motion

2. Development of rain water harvesting facilities by individual families and voluntary organisations.

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

That this Council calls on Rialtas na h-Éireann to grant aid the development of rain water harvesting facilities by individual families and by voluntary organisations and that this Council would do all that it possibly can to promote the project.

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

Cllr. M. Gleeson read the following into the record of the meeting:

“As we are all well aware an enormous amount of water falls from the sky each year all over this country. That which falls on roofs is by and large let seep into the ground in the country or in towns goes into gulls to be dealt with by the Local Authorities at considerable cost.

Much of this water could quite easily be harvested from the down pipes into simple barrels for use thereafter for washing or gardening purposes. During the recent warm dry spell, I was able to water my plants, indoor and out from water harvested in barrels from the house roof. Now my scheme is very basic.

There are I’m sure many others like me, simply using barrels at the down pipe.

With a little encouragement from Government by way of a little grant aid there are many who would install a more sophisticated system that could also be used for indoor use with washing of clothes and for toilet purposes.

Such a scheme would result in considerable savings to Local Authorities as that water would not have to be piped or treated.

This local authority could and I believe and should become the leader among public bodies in water harvesting. The initial outlay would quickly be at least neutralised and the Council would be showing the rest of the country what could be achieved in this area.”

Cllr. D. McCarthy SECONDED the motion.

3. Tenant Purchase Scheme.

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

To ask Kerry County Council what is the up to date position with the Tenant Purchase Scheme re: proposed Department amendments and applications received to date.

The following report issued:

Currently, we have received the following number of applications:

Tralee MD : 60 applications

Listowel MD : 24 Applications

South & West MD : 27 Applications

Killarney MD : 30 Applications

All the applications received have been acknowledged and it is our intention to commence the process of examining these applications in detail this month to ensure they meet with the eligibility criteria for the scheme. We will be corresponding with each applicant in the coming weeks in this regard.

Cllr. M. O'Shea stated the last time he spoke on the new Tenant Purchase Scheme he understood the Chief Executive and Director of Housing would contact the Department to request that the Scheme would be amended. At that time members were informed that many tenants would not qualify for the Scheme. One tenant has lived in her home for up to 35 years and when she applied to purchase her house he contacted the Council and was informed she would not qualify as her only income is a pension. Oireachtas members believe the Department do not want to dispose of the housing stock. Cllr. O'Shea called on the Chief Executive to contact the five Kerry TDs asking them to call for amendments to the Tenant Purchase Scheme to enable tenants who are in their homes for years to purchase the house.

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

4. Measures to attract film makers and TV producers to the County

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

Following recent filming in the County such as Star Wars and Top Gear, what can Kerry County Council do to build upon this in attracting further film makers and TV producers to the County.

The following report issued:

Kerry County Council has operated a Kerry Screen Commission as the local contact point in Kerry for the Irish Film Board, since 2001. In this role we have assisted productions such as Star Wars, Harry Potter, The Lobster, commercials such as the National Lottery, Guinness, Fáilte Ireland, Tourism Ireland as well as numerous BBC and other documentaries over the years. We have also been short-listed for other major productions through the work of the screen commission office. The Council has assisted with logistics and location sourcing and draws on the valuable experience and knowledge of our staff regarding locations in Kerry. Kerry County Council re-launched the Kerry Film Website in 2014, www.kerryfilm.ie which hosts information for incoming producers, location managers and directors. The South West Action Plan for Jobs also contains within it a commitment to seek further film making opportunities and to promote film making and associated services as an economic and employment generator.

Kerry County Council have also been in discussions with Kerry Education & Training Board to further maximise the opportunities.

The Tourism Unit of Kerry County Council is currently working with Fáilte Ireland on the 'Skelligs Experience' – a marketing initiative which will further promote the Skellig Area, the amenities, the services, as well as the local welcome.

All of these initiatives will capitalise on the recent international coverage, South and West Kerry have received due to the unprecedented media coverage from Star Wars and Top Gear.

Cllr. P. Connor-Scarteen welcomed the reply and highlighted all the films shot on location in Kerry down through the years. These films were of great economic benefit to the county and he asked the Tourism Unit to contact film production companies and travel companies to invite them to Kerry.

Cllr. J.F. Flynn SECONDED the motion.

6. Appointment of independent body to vet the merit of negligence claims against the HSE

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

That this Council call on the HSE and the Minister for Health to appoint an independent body to vet the merit of negligence claims before deciding to use the full legal process to fight cases.

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

Cllr. R. Beasley stated every day there are reports in the media of the cost to the HSE of negligence cases. If there was a better structure to deal with these cases, it would make it easier for the families.

Cllr. T. Ferris SECONDED the motion.

7. Appointment of more staff to the Probate Office in Tralee

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

That this Council calls on the Minister for Justice to appoint more staff to the Probate Office in Tralee to reduce the waiting times for the issue of Grants of Probate.

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

Cllr. P. Daly stated 7 or 8 years ago it took just 6 weeks to issue a Grant of Probate but now it is 6 or 7 months before a reply issues. This is causing major difficulties for families.

Cllr. J. Finucane SECONDED the motion.

The Cathaoirleach moved Notice of Motion No. 8 on behalf of Cllr. Cahill.

8. Call for the reinstatement of Town Councils to all towns with a population of 7,000 and upwards

Pursuant to notice duly given Cllr. M Cahill PROPOSED:

That Kerry County Council call on the new Government to reinstate Town Councils with immediate effect, to all towns with a population of 7,000 and upwards

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

Cllr. J.F. Flynn SECONDED the motion.

9. Contact banks with branches in Northern Ireland to ascertain if they would extend their branch network to the Republic

Pursuant to notice duly given Cllr. J Finucane PROPOSED:

In an effort to increase competition in the Banking Sector in this Country that this Council contact banks such as Santander who have branches in Northern Ireland to ascertain if they would extend their branch network to the Republic.

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

Cllr. J. Finucane stated there is a need to encourage a new approach to initiate a new form of competition.

The Cathaoirleach SECONDED the motion.

10. Call to vary the County Development Plan to ensure a less restrictive approach to planning applicants wishing to access the N22

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

To ask Kerry County Council to vary the County Development Plan to ensure that a less restrictive approach may be applied to planning applications wishing to access the N22 on safe stretches of the road between Killarney and Rathmore.

The following report issued:

As members are aware, the County Development Plan 2015-2021 was recently adopted and this issue of access onto the N22 was given significant consideration, at that time.

The Chief Executive and Director of Operations, Health & Safety recently met with Transport Infrastructure Ireland and this issue was also an item for discussion at that meeting.

It has been agreed that the matter will be dealt with on a case by case basis and will continue to be reviewed.

Cllr. M. Healy-Rae stated planning is not as restrictive on the Ring of Kerry and people living on the N22 between Killarney and Rathmore want the same rules to apply to them, especially at Ballagh where there are four families seeking permission. She asked that these would be given favourable consideration.

Cllr. J. Healy-Rae SECONDED the motion and stated he was aware of four applicants in one area who could qualify for planning if the County Development Plan was not so strict. The County Development Plan should be amended to facilitate families living and working in an area.

The Chief Executive stated the motion calls for a variation of the County Development Plan in relation to the granting of planning on the N72. When the County Development Plan was being reviewed the NRA agreed to a special exemption in relation to the N70 and N71 only. She read the following extract from Page 107 of the County Development Plan as follows: *"It is not possible in relation to the N69, N70 (Tralee/Killorglin), N72 and N86 to implement the policies and objectives of the Minister, as outlined in the Spatial Planning & National Road Guidelines 2012 and accordingly, the creation of a new access onto these Roads shall require compliance with all of the following criteria:-*

- *The Applicant is the son/daughter or favoured nephew/niece of a landowner inheriting the family farm or the proposed access relates to the development of a fixed resource or a renewable energy project and*
- *There is no suitable alternative non-national public road access available and*
- *The existing access to the landholding does not conform or cannot be made to conform with the NRA Design Manual for Roads & Bridges (DMRB Guidelines) and*
- *The development otherwise accords with the Development Plan."*

The County Development Plan has made special consideration for these accesses. At a meeting with Transport Infrastructure Ireland in February 2015 they agreed to consider these on a case by case basis. The County Development Plan sets out Kerry County Council's position in relation to this issue. In accordance with an amendment to the Planning Act the Minister has ultimate authority for compliance with the County Development Plan.

Cllr. J. Sheahan then moved Notice of Motion No. 32.

32. Planning permissions being appealed to An Bord Pleanála by TII on the N72

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

That Kerry County Council write to the TII to complain of the overly stringent restrictions on successful planning applications where by exits onto existing bye roads or already established entrances are thereafter being refused by An Bord Pleanála on appeal by Transport Infrastructure Ireland. My request pertains especially to applicants on the N72 Killarney Barraduff Road.

The following report issued:

As members are aware, the County Development Plan 2015-2021 was recently adopted and this issue of access onto the N22 was given significant consideration, at that time.

The Chief Executive and Director of Operations, Health & Safety recently met with Transport Infrastructure Ireland and this issue was also an item for discussion at that meeting.

It has been agreed that the matter will be dealt with on a case by case basis and will continue to be reviewed.

Cllr. J. Sheahan stated he was contacted by a number of people who were very upset when their permission was overturned by An Bord Pleanála on appeal by TII. He PROPOSED that Section 2.6 of the Guidelines be considered which outlines that, in exceptional circumstances with regard to the normal limitations on the provision of access for new developments, planning authorities may identify stretches of national secondary roads where a less restrictive approach may be applied as part of the process of reviewing or varying the relevant development plan and having consulted and had regard to the advice of TII. Cllr. Sheahan stated he understand from TII that taking account of this process, they invite each local authority as part of the Development Plan process to develop exceptional circumstances explicit to their local conditions and which would meet the criteria in the Guidelines. Many of these applicants got sites on family land and it is difficult to understand how they were refused permission.

Cllr. J.J. Culloty SECONDED the motion.

The Chief Executive advised members that discussions took place with the Department when the County Development Plan was being reviewed and the agreed position is set on Page 106 of the Plan. Just two routes were agreed at the time but Council felt that the N69, N70, N72 and N86 should also be considered for special consideration. The Minister requested Kerry County Council and TII to discuss this matter. Council officials subsequently met TII where the view of Council was put forward for consideration. TII undertook to consider these on a case by case basis. TII are entitled to take whatever position

they like on this issue and there is provision in the County Development Plan in respect of two roads.

Cllr. J.J. Culloty asked when the meeting with TII took place and if they appealed permissions granted by the Council since then.

The Chief Executive stated there was agreement on some cases but not others.

Cllr. J.J. Culloty stated all the applicants involved are family members who propose to use an existing entrance and it is extremely unfair on them.

The Cathaoirleach asked even though there is provision in the County Development Plan to facilitate these applications can TII ignore it.

The Chief Executive again stated during the review of the County Development Plan the discussions with TII related to two routes the N70 and N71 when they agreed exceptional circumstances could be considered in accordance with the criteria in the Guidelines. On that basis special provision was made in the County Development Plan in respect of these two routes.

Cllr. J. Healy-Rae stated Cllr. M. Healy-Rae's motion is seeking more clarity in the County Development Plan. While TII consider these applications on a case by case basis two were refused within 8 weeks of the meeting and there were more since then. The special consideration in respect of the N70 and N71 is good but only if the applicant lives on those routes. The same provision should also be afforded to people living on other routes.

The Chief Executive stated the special circumstances as provided for in the Guidelines were applied to the N70 and N71. TII would not agree to special circumstances for the N69 etc. Kerry County Council took a view that planning should be considered where the criteria is met. Council agreed to make provision for special consideration on the N69, N70 and N71. Following a submission from the Department, Council officials met TII when they agreed to consider them on a case by case basis. TII took a different view to Kerry County Council in some cases as they are entitled to do.

Cllr. M. Healy-Rae stated four families are losing out as a result of TII's appeal to An Bord Pleanála.

Mr. C. O'Sullivan stated the motion requests a variation of the County Development Plan but that cannot happen if the Plan would contravene the Guidelines. In accordance with the Planning and Development Act 2015 Kerry County Council is statutorily bound to comply with the Guidelines. A meeting took place with TII and the Department and concessions were agreed as specified in the County Development Plan. In conclusion Mr. O'Sullivan advised that TII and Kerry County Council are bound by Ministerial Directive.

Cllr. P. Daly stated he had safety concerns regarding additional houses being permitted on these roads and for this reason he recommended that the County Development Plan should not be amended.

Cllr. J. Sheahan stated one landowner is already using the entrance and he expected he would get permission but that did not happen.

The Chief Executive stated Kerry County Council is legally obliged to comply with national Guidelines. While efforts were made to facilitate special circumstances on other routes as a responsible local authority the Council must be conscious of the need to ensure safety on all roads. Kerry County Council has gone as far as it can and the members cannot do anything else. Third parties are entitled to appeal to An Bord Pleanála and she added that the Council would continue to work with TII.

Cllr. J. Healy-Rae disagreed with the views expressed by Cllr. Daly and stated if there is an existing entrance and a son applies for permission and satisfied all the criteria permission should be granted. However TII object to these cases and it is ironic that the applicant can still use this entrance every day. These cases would not result in an increase in traffic.

Cllr. J. Sheahan moved Notice of Motion No. 11 on behalf of Cllr. O'Connell.

11. Funding for a new bridge over the River Gwesten on the R563 at Listry

Pursuant to notice duly given Cllr. B O'Connell PROPOSED:

That Kerry County Council immediately prioritise the application for national funding for a new bridge over the River Gwesten on the R563 at Listry in light of the continued high rate of road traffic collision at this location. The failure of the latest traffic calming and safety measures and the increased volume of traffic due to growing economic activity including tourism warrants this.

The following report issued:

The cost of widening this bridge would be of the order of €750,000. The only funding mechanism previously available for such works was through the Department of Transport, Tourism and Sport's Specific Improvement Grant. However, funding under the Specific Improvement Grant Scheme in recent years has been limited and the only monies made available in 2016, was €239k for Bridge Rehabilitation Works only – this funding is required to carry out repairs to 4 bridges in the county, including a sum of €28,830 for Listry Bridge, which are now complete.

The Council also received €63,000 for Safety Improvement Works on the bridge. The design of the safety measures are currently being finalised which will be followed by a public consultation process. The safety measures will involve the construction of kerbed build outs along the

parapets of the bridge together with additional signing and lining. The purpose of the safety measures is to reinforce the one way system that currently operates on the bridge and will be comparable to the layout on the Caragh Bridge on the N70 near Glenbeigh. It is proposed that the works will be carried out in October 2016.

Cllr. B. Cronin SECONDED the motion.

Cllr. D. Grady requested that Notice of Motion No. 12 be deferred to the July meeting.

This was agreed.

13. Rate reduction scheme for new start up businesses that occupy vacant properties in town centres

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

That Kerry County Council consider a rate reduction scheme over a number of years for new start up businesses that occupy vacant properties in town centres. This scheme has already been introduced in a number of local authorities.

The following report issued:

As part of the implementation of the LECP, an examination of incentives to encourage the regeneration of towns and villages is being undertaken. Vacant properties and the associated deterioration in street profiles, absence of economic activity and a general undermining of the fabric of particular areas in towns and villages is a serious concern and an area that is highlighted in both the LECP and the Tourism Strategy.

In determining appropriate responses the Council must be mindful of the issues of displacement, competitive advantage and the genuine concerns of full rate paying commercial undertakings. Work will be finalised on a proposal over the coming weeks and will be brought initially to the Economic and Job SPC and subsequently to full Council in September.

Cllr. J. Moloney stated town centres need revitalising. There are vacant buildings in town centres all over the country. Anyone setting up a business has fixed costs i.e. rates, insurance; energy etc. and they are seen as an impediment to opening up a business. Some other local authorities operate such a Scheme and Galway County Council introduced a "rates holiday" recently whereby in Year 1 there is a 100% reduction in rates, while in Year 2 it is 75% and Year 3, 25%. Cllr. Moloney stated there is a need to protect existing ratepayers and a new business would have to be unique to the area.

Cllr. A. Thornton **SECONDED** the motion and added that Clare and Offal County Councils have similar schemes. It is not good to have so many empty buildings in town centres.

Cllr. Thornton then moved Notice of Motion No. 34.

34. Call to expedite the review of the Development Levy Scheme

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

Can Kerry County Council expedite the review of the Development Levy Scheme to ensure the maximum opportunity is given to local and rural economies to develop.

The following report issued:

The current Development Contribution Scheme is being reviewed at present and includes an in-depth examination of a number of options for inclusion in a new Draft Scheme. This will be presented to Members for consideration, before year end. A public consultation process is then required and on completion a report and the Draft Scheme will be put before the Members for adoption.

Cllr. A. Thornton stated this is vital for the development of the local economy.

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

Approval for the Deputation to meeting with Minister Naughten

Cllr. J. Finucane requested that Cllr. M. Kennelly be included in the list of members to meet with Minister Naughten the following Wednesday to discuss the Shannon LNG Project.

Mr. L. Quinlan stated approval is sought for the following members to attend the meeting with Minister Naughten: Cllrs. Finucane, Purtill, Spring, Beasley, Moloney and Kennelly.

On the PROPOSAL of Cllr. J. Finucane, **SECONDED** by Cllr. J. Moloney it was agreed to authorise these members to attend a meeting with Minister Naughten on Wednesday 18th June 2016.

14. Call on the Department of Agriculture to ensure that paths going through lands are not exempt from EU payments.

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

That Kerry County Council request the Department of Agriculture that all paths going through lands should not be exempt from EU payments.

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

Cllr. J. Sheahan stated this relates mainly to farm owners on the McGillicuddy Reeks who are building paths to halt erosion. There are more tourists now than ever climbing the Reeks and it is beneficial to many families involved in tourism. The land on which the paths are located are exempt from EU payments. This is unfair as farmers need all the income they can get. Cllr. Sheahan called on the Minister for Agriculture to review this matter.

Cllr. J. Healy-Rae SECONDED the motion and added a few years ago the Department deducted these areas for payments but they are now reviewing it.

15. Call for the appointment of a Rheumatology Nurse for Kerry University Hospital

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

That Kerry County Council call on the HSE and the Minister for Health to immediately put in place a Rheumatology Nurse at Kerry University Hospital for the thousands of patients including children in need of this vital service.

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

Cllr. N. Foley stated the appointment of a rheumatology nurse for Kerry University Hospital would be of great benefit to those suffering from rheumatoid arthritis. While there is no cure for it there are a number of treatments that can alleviate the pain and suffering. The rheumatology nurse would work with other health care specialists and they would offer support and care to patients. These nurses are skilled at prescribing medicines.

Cllr. J.J. Culloty SECONDED the motion.

16. Call to make parents or guardians responsible for leaving children unattended in vehicles

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

That Kerry County Council write to the Minister for Children, to make parents or guardians responsible for leaving children unattended in vehicles.

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

Cllr. J.F. Flynn stated a few weeks ago a baby was left in a vehicle with all the windows closed for over 20 minutes while the parent went shopping. This type of behaviour should be punished.

Cllr. J. Sheahan SECONDED the motion.

17. Signage on roads to advise drivers of heavy goods vehicles of restrictions

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

To ask Kerry County Council and relevant governing bodies to put adequate and appropriate signage in place on roads to advise heavy goods vehicles of restrictions of driving such vehicles on certain routes for example Killarney's Molls Gap Road.

The following report issued:

Kerry County Council has appropriate warning signs in place on all public roads where there are height restrictions which prevent the use of a particular section of public road by high vehicles. All these locations are signed in accordance with the Traffic Signs manual which include advance warning signs as well as the height restriction signs.

The N71 Killarney Moll's Gap road has a height restriction in place due to the existence of a tunnel and signs are in place in advance of this restriction. Additional advance warning signs are in place at Muckross advising road users of this restriction. High Heavy Good vehicles are advised to use the N22 and R569 to travel between Killarney and Kenmare.

Cllr. D. McCarthy stated the previous week he was travelling to Killarney when he met an articulated truck on the road. There is a problem with satnavs as they are directing truck drivers to this route which is unsuitable for this type of vehicle. There is an overgrown tree at the sign and these drivers do not see it. He asked that contact would be made with the satnav companies advising them of this issue.

Cllr. J.F. Flynn SECONDED the motion and stated there is a similar problem for lorries travelling to Cromane. They are being directed down every narrow road by satnavs and there are no road signs for Cromane.

Cllr. J. Healy-Rae stated the Garmon satnav shows the main route to Kenmare from Killarney is via Molls Gap. This road is not suitable for articulated trucks. This is also the case with the Ordinance Survey Maps.

It was agreed to write to the Secretary General, Department of Communications, Energy and Natural Resources and the Chief Executive, OSI seeking to have appropriate warnings issued to the providers of Sat-Nav services that particular routes including the N71 Killarney to Molls Gap Road are not suitable for HGVs. Despite height restrictions on the route which are signed these systems are directing drivers of HGVs to use the routes.

19. Call for a proactive approach to hedge cutting

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

As the welcome increase in temperatures in late May and into June has contributed to noticeable growth in the roadside hedges in our County, I call on this Council to take a more proactive approach to make it safer for all those using our roads in the coming months.

The following report issued:

The Council put in place revised procedures in 2015, to address the concerns expressed by the members with compliance by landowners in maintaining hedgerows. These procedures included a more pro-active approach by Council staff in ensuring compliance and we also established a database to manage and monitor complaints.

Notwithstanding the restrictions imposed under Section 40 of the Wildlife Act 1976 (as amended), which prohibits the cutting of hedges between the 1st March and the 31st August, the Council has powers to cut a hedge where an immediate traffic hazard exists.

We received 20 complaints in relation to overgrown hedges since the 1st February 2016, 14 from elected members and 6 written complaints from members of the public, with 5 of these received in the past 2 weeks.

Of the 15 complaints inspected to date, notices were issued in respect of 13 locations (no hazard was identified at 2 locations) and 6 landowners have cut their hedges, 5 have failed to comply with the notice and we are making arrangements to cut these and seek the recovery of costs. A follow up inspection is being carried out on the remaining locations.

We will continue to address any areas identified by the Municipal District staff and from any complaints received.

Cllr. J.J. Culloty welcomed the fact that a more proactive approach will be taken to this problem. Signs are not visible on many roads and the reply states "Notwithstanding the restrictions imposed under Section 40 of the Wildlife Act 1976 (as amended), which prohibits the cutting of hedges between the 1st March and the 31st August, the Council has powers to cut a hedge where an immediate traffic hazard exists." The number of complaints received is only a fraction of the actual problems as many are not reported.

Cllr. B. Cronin **SECONDED** the motion and concurred with the views expressed by Cllr. Culloty. Hedges on many roads are over grown and just 5 landowners failed to comply with the notice issued to them. At this time of year hedges at cross roads and junctions are overgrown and pose a traffic hazard. At Glin Cross in Faha it is very difficult to exit as sightlines are reduced to 30m on the right and

10m on the left. It took 2 weeks to have the hedges cut at this location and this is unacceptable. Cllr. Cronin asked that hedges 40m to 50m either side of junctions would be cut to allow motorists to exit safely. When councillors report a problem with overgrown hedges they should be taken seriously.

20. Policy and procedures in place to deal with the homeless

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

Could Kerry County Council outline the policy and procedure they have in place to deal with the homeless and in particular young people.

The following report issued:

Kerry County Council operates an extensive Homeless Service for all those (including young persons) that find themselves homeless and in need of accommodation and social supports. Our services are comprised of a Homeless Information Centre located in the centre of Tralee where those who are homeless can call and receive services and support. The Homeless Information Centre is staffed by Kerry County Council and Department of Social Protection staff. Allied to this we have a number of contracted beds available on a continuous basis in Hostels and bed and breakfast accommodation, including family rooms, to provide for the immediate emergency accommodation needs as they present. The agencies that provide accommodation solutions to us also have a number of step-down facilities wherein individuals are assisted in returning to independent living following hostel or bed and breakfast emergency accommodation stay. Homelessness is a complex issue and the immediate accommodation needs are only a part of the solution to any homeless situation.

We liaise with and engage with all of the relevant services in dealing with homeless situations, from Gardai, HSE, voluntary assistance organisations as there are often complex issues associated with why someone finds themselves homeless in the first place.

National policy on homelessness is set out in the policy document “The Way Home” which places a strong emphasis on the prevention of Homelessness. In this regard we interact with many agencies including the courts service and the Irish Prison Service in working to ensure that we are collectively doing all we can to prevent homelessness occurring.

Kerry County Council operates its Homeless services as part of the Southern Region Homeless Strategy in conjunction with Cork City and County Council.

Cllr. J. Lucid welcomed the reply and accepted that it is a very complicated issue. Since he was co-opted he encountered a number of young homeless people and he asked that every effort would be made to eliminate it.

Cllr. J. Healy-Rae **SECONDED** the motion.

21. Request for a deputation to the Department of Agriculture and Marine regarding the licensing system for fish farming

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

That Kerry County Council would ask for a Deputation with the Department of Agriculture and Marine regarding the licensing system for fish farming which is taking years and costing jobs in Kerry.

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

Cllr. J. Healy-Rae stated up to 70 people are employed in fish farming in South Kerry and West Cork and it is a very important industry for the area. Ireland produces 13,000 tonnes of farmed fish per annum while the Faro Island produces 70,000 tonnes. In light of the number of jobs this industry is supporting for families in rural areas it is imperative that licence applications are dealt with speedily. Some licences are pending for 8 and 9 years and the applicants are being fobbed off by the Department. If all licences issued over the past 20 years were reviewed it would show that it has taken an average of 10 years before a licence is issued and a licence is only valid for 10 years. There is a large fish farm in the Bantry area and a smaller one in Lauragh. Cllr. Healy-Rae requested that a letter would issue to the Department of Agriculture and the Marine expressing concern at the length of time it takes to issue a licence.

Cllr. M. Healy-Rae **SECONDED** the motion.

22. Provision of land for a graveyard in Killarney

Pursuant to notice duly given Cllr. N Kelleher PROPOSED:

To ask Kerry County Council to acquire enough land from St. Finian's Land Bank to provide ground for a graveyard in Killarney. If the HSE won't give this land, I call on Kerry County Council to acquire the land through a compulsory acquisition order.

The following report issued:

A detailed report on the options for the provision of a burial ground in Killarney was given to the members at the June meeting of the Killarney MD, last Wednesday. The report examined a number of landholdings, on engineering, environmental and economic grounds and these lands were not identified as the preferred option for the provision of a burial ground.

Having regard to the outcomes of this report, we are satisfied that it would not be appropriate to initiate a CPO for the acquisition of these lands.

Cllr. N. Kelleher stated this motion was submitted by Cllr. M. Healy-Rae for the May Meeting and the minutes stated that Cllr. Healy-Rae called for a vote on the motion. At that time it was pointed out by Management that (1) the motion was premature and (2) the initiation of the CPO process is an executive function. He requested clarification on this issue.

The Chief Executive stated the minutes are a fair reflection of what was said at the meeting. She confirmed that the initiation of the CPO process is a managerial function.

Cllr. N. Kelleher stated the minutes of the May meeting stated a meeting was arranged with the HSE to discuss this issue. The reason he raised this issue is that following the May meeting Cllr. M. Healy-Rae put a notice in the Killarney Advertiser expressing her disappointment that her colleagues did not support her. This suggests that her colleagues failed to support the motion but it could not in fact have been supported. She also stated that the first motion moved by Danny Healy-Rae when he was co-opted in 2003 related to the provision of a graveyard for Killarney and if it was supported the matter would have been resolved at that time. At that time Cllr. Healy-Rae was aware that a report was being prepared by management. Based on this information Cllr. Kelleher called on Cllr. M. Healy-Rae to withdraw her statement to the media.

Cllr. J.J. Culloty **SECONDED** the motion and supported the views expressed by Cllr. Kelleher. The notice by Cllr. M. Healy-Rae was misleading. He outlined the procedures involved and as the motion was not seconded it was obvious a vote was not appropriate. Cllr. Culloty called on Cllr. M. Healy-Rae to apologise to the Killarney members.

Cllr. M. Healy-Rae stated she would not withdraw anything. Cllr. Culloty stated her motion was invalid while at the meeting it was stated it was premature.

Following further robust exchanges the Cathaoirleach adjourned the meeting in accordance with Standing Orders for 15 minutes.

The meeting resumed at 4.15pm.

23. Direct Provision for migrants

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

That no migrant family should have to endure longer than six months in Direct Provision. The present system can have a very adverse impact on children and on family life.

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

Cllr. M. Gleeson stated Direct Provision was well intentioned when it was introduced as a short- term measure to solve pro tem a new problem. It was never intended that it would continue to operate for years on end. He added that the purpose of the Motion is not to condemn Governments or public bodies as the situation established in good faith just continued and continues to grow and grow up to this day.

The reality that now exists in many hostels throughout the country has grown to be totally unacceptable from a number of perspectives.

It is wrong that an entire family would be expected to live as family in one room. There are times when parents need to be alone as adult social beings. There are times when children should not be present to observe adults behaving in an adult manner.

It is unacceptable that children, when they come from school, are forced to do their homework in cramped and crowded conditions. Conditions that contradict all that they are learning about equality of treatment and fairness.

It is wrong that children should feel stigmatised into feeling different because of where and how they live.

The entire system is wrong in that it deprives adults of the right to be meaningful members of a working society of being people of reasonable independence financially and socially.

It is wrong that children are severely deprived of the facilities and space in which to play and socially interact.

It is of course deplorably wrong that many have been forced to almost subsist as they awaited determination of their status.

We live in a relatively wealthy country. We should treat those we accept into it with due respect and appropriate dignity.

Cllr. R. Beasley SECONDED the motion.

24. Call to modernise the Courts Service in Tralee

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

That this Council calls on the Courts Service to invest in and modernise the Courthouse in Tralee and to keep services in the town Centre.

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

Cllr. P. Daly stated at one time Tralee Courthouse was third on the list to be redeveloped but now there are seven centres around the country ahead of it on the list. As a result of the condition of the Courthouse some High Court sittings were lost and there was mention of leasing a property in town. However, there are other sites that could be developed within the Courthouse and if it closes it would be disastrous for the town.

Cllr. R. Beasley SECONDED the motion.

The Cathaoirleach moved Notice of Motion No. 25 on behalf of Cllr. Cahill.

25. Pilot project that supports universal access

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

That Kerry County Council develop a pilot project in one town or village in the County, that supports universal access and whereby services and venues would be fully inclusive of and responsive to people with disabilities and disabling conditions, so that they can live in or holiday in this town/village, knowing that they can participate fully.

The following report issued:

The County Kerry Local Economic & Community Plan 2016-2021 identifies universal access as a significant goal for the County.

Members will also be aware that in 2012, the Institute of Technology Tralee received a UNESCO Chair in Inclusive Physical Education, giving it the opportunity to influence global policy and practice, aimed at making societies more inclusive.

Kerry County Council has also recently received designation as an Age Friendly County and a strategy for full implementation is currently at draft stage.

With the strict implementation of the Building Regulations and parking strategies, accessibility for all, has vastly improved over the last number of years.

Universal Access has also been identified as a high priority and objective in the Draft Tourism Strategy. This is also recognised as a key selling point for attracting increased visitors to the County and is a key component of a sustainable destination.

The Chief Executive of The European Network for Accessible Tourism recently visited Killarney to meet the members of the Chamber of Tourism

& Commerce and accommodation providers to highlight the importance of accessibility for all members of society.

Cllr. R. Beasley SECONDED the motion.

The Cathaoirleach moved Notice of Motion No. 26 on behalf of Cllr. Connor-Scarteen.

26. Incentives to attract more people to the catering industry

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

That Kerry County Council call upon the Department of Transport, Tourism & Sport to make incentives available to attract more Chef's and people to the catering industry. Currently Restaurants and Hotels in Kerry are experiencing severe shortages.

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

Cllr. D. Quigg SECONDED the motion.

27. Call to deploy extra Gardaí in Ballybunion for the Summer

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

That extra Gardaí be deployed in Ballybunion for the Summer season.

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

Cllr. R. Beasley stated two Gardaí in Ballybunion are on maternity leave and one is on light duties. There are just three Gardaí in Ballybunion at present when there were 8. He asked that a letter would issue to the Minister for Justice requesting that additional Gardaí would be assigned to Ballybunion and other rural villages in North Kerry for the summer months.

Cllr. D. Quigg SECONDED the motion and asked that South Kerry be included in the motion.

28. Dramatic increase in the cost of plastic silage wrap

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

To ask the Minister of Agriculture to investigate the dramatic increase in the cost of plastic silage wrap.

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

Cllr. D. McCarthy stated five years ago a roll of silage wrap cost €60 but now it costs €90. This is similar to the situation with the price of fertiliser and it is

because there is no competition in the market. He requested that a letter would issue to the Minister for Agriculture to investigate this matter.

Cllr. B. Cronin **SECONDED** the motion and added where there were substantial increases in the cost of plastic it was said the cost of recycling was built into the price. When farmers take plastic for recycling they must pay for it. This is putting a huge burden on beef and dairy farmers who are going through tough times.

29. Retention of the rate of LPT for 2015 and 2016

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

Can the elected members be provided with the result of the votes “for” and “against” the proposal not to vary the rate of LPT for the last 2 years which facilitated the provision of the Community Support Fund for both years.

The following report issued:

As per the Minutes of the Special Meeting on LPT of 22nd September 2014 the vote taken on the proposal not to change the rate of LPT for 2015 was as follows:

For: Cllrs. Cahill, Connor Scarteen, Cronin, Finucane, Fitzgerald. Flynn, Foley, Gleeson, Kennelly, D. McCarthy, P. McCarthy, McEllistrim, Moloney Moriarty. O’Brien, O’Connell, O’Shea, Purtill, Sheahan, Spring Thornton, Brassil (22)

Against: Cllrs. Beasley, Culloty, Daly, Ferris, D. Healy Rae, J. Healy Rae, Locke, Nolan, Quigg (9)

Not voting: None (0)

As per the Minutes of the Special Meeting on LPT of 14th September 2015 the vote taken on the proposal not to change the rate of LPT for 2016 was as follows:

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

Against: Cllrs. Beasley, Daly, Ferris, D. Healy-Rae, J. Healy-Rae, Locke, Nolan, Quigg (8)

Not Voting: None (0)

Cllr. B. Cronin stated the Community Support Fund has been a huge success with in excess of 340 voluntary groups securing funding in 2016. This is in recognition of the voluntary work being done in the county. Cllr. Cronin acknowledged the work that goes into assessing these applications. He pointed out that the Fund of €750,000 was provided when 23 elected members took a stand and voted not to decrease the rate of LPT. While he fully respected the right of members to vote as they see fit the fact is that 23 elected members provided this funding. It is important that the true facts are highlighted. Of the 8 members who voted against the retention of the rate of LPT letters issued from 2 of them in Oireachtas envelopes stating they got the grant for them. There is a duty and a responsibility on members to ensure the facts are known. Cllr. Cronin called on the media to clarify the position for the general public.

Cllr. J.F. Flynn **SECONDED** the motion and stated it is easy, when tough decisions must to be on LPT, not to support them. He voted in favour of the retention of the current rate of LPT and this ensured the provision of €132,000 for the South and West Kerry Municipal District. Members who voted against the retention of the current rate of LPT wrote to successful applicants and stated they were delighted to support their applications.

Cllr. T. Ferris stated to suggest that those who voted to retain the rate of LPT provided the funding for the Community Support Fund is incorrect. Municipal District funding was provided by the Town Councils prior to the introduction of LPT. In fact she understood far greater funding was committed to community organisations prior to the introduction of LPT.

Cllr. J. Healy-Rae stated he was entitled to vote as he wished. On that day he was approached by a number of people living in Blackwater who were paying more in LPT than their relations over the border in Cork. Cllr. Healy-Rae clarified that he did not tell applicants that he got the money for them. However, he made contact with anyone who approached him regarding their application, whether they received funding or not, and he advised those who were not successful how they could improve their application for the future.

Cllr. D. Quigg stated he voted against the retention of the current rate of LPT and that is the stance he continues to take until there is an improvement in the level of services provided. If a service/grant system is in place he will help anyone with their application but he would not write to successful applicants stating he got the grant for them. In conclusion Cllr. Quigg stated he was opposed to LPT.

Cllr. B. Cronin requested confirmation that when members voted to retain the present rate of LPT it provided the funding for the Community Support Fund.

Ms. A. McAllen stated that at the LPT Meeting last September the Chief Executive made it clear to members that there was a €3.5m gap in the 2016 Budget at that time following submissions made by directorates. A similar

financial situation arose at the same meeting the previous year. Following this meeting the fixed cost elements of the Budget, ie payroll, energy costs etc. which are very substantial were critically assessed. The discretionary element of the Budget is as low as 6% of overall expenditure. It is important to achieve value for money on expenditure while maintaining income streams. Our income streams have been maintained despite extremely difficult economic circumstances. At the first LPT meeting in 2015 members will recall that an amount of over €600,000 was received over and above the previous years Local Government Fund. The members requested that this sum be ring fenced for a Community Fund, this was then matched with €150,000. The retention of the LPT rate by Kerry County Council at that stage allowed this LGF allocation to be ring fenced for the Community Support Fund. This was presented to members at the Municipal District budgetary meetings as a €750,000 Community Support Fund split across all Municipal Districts. In the 2016 Budget this amount was retained. The only way to deliver a balanced Budget in 2016 and to provide a Community Support Fund was if the rate of LPT was maintained, as well as maintaining other income streams. Maintenance of the LPT allocation is very important as it is one of the few general purpose grants available to KCC. The Community Support Fund is not fixed and may one day have to be reduced to achieve a balanced Budget. Many of the payments from the Community Support Fund were paid by the former Town Councils but if our income streams are not maximised, this fund would have had to be cut given its discretionary nature.

Cllr. B. Cronin asked if the vote not to reduce the rate of LPT provided funding for the Community Support Fund.

Cllr. T. Ferris stated grant allocations from the Community Support Fund is the only opportunity members have to decide who gets funding.

Cllr. J. Healy-Rae asked what percentage of LPT remains in Kerry.

The Chief Executive advised members that the adopted Revenue Budget for 2016 is almost €129m and as a result of members retaining the rate of LPT, given the low discretionary funding available to Kerry County Council, this enabled the retention of the Community Support Fund of €750,000. If the rate of LPT was not maintained a decision would have had to be made to either reduce the Community Support Fund, the Economic Fund or Roads own resources.

30. Increase in funding for Disability Services in Kerry

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

That this Council call on the HSE to increase funding for Disability Services in Kerry, as staffing levels in particular are restricting the standard of care which is due to individuals with disabilities and to their families who care for them.

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

Cllr. J.J. Culloty stated this applies to a small number of elderly parents with adult children. He requested that a letter would issue to the HSE calling on them to provide a respite house. Cllr. Culloty stated he recently met a lady whose husband had passed away and because she had a daughter with a disability she could not attend any social events.

Cllr. J. Sheahan SECONDED the motion.

33. Call to acquire old state buildings in prime locations close to all amenities for the purpose of Social Housing

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

That Kerry County Council would liaise with the HSE/Government Departments/Voluntary Housing Organisations with a view to acquiring old state buildings in prime locations close to all amenities for the purpose of Social Housing accommodation

The following report issued:

A meeting has recently taken place with the HSE in order to explore such possibilities. The Governments proposed action plan on housing is also looking at all state lands and their possible use for social housing. We will follow up on any opportunities following from our recent meeting.

Cllr. M. O'Shea stated the building of the old hospital in Dingle is vacant and he called on Kerry County Council and the appropriate housing bodies to consider purchasing it or other similar vacant properties for social housing. RTE recently featured an old college in Waterford City that was acquired by Waterford County Council and RESPOND housing agency and it was renovated to provide 20 apartments. It is centrally located and is suitable for the elderly. It includes a communal area, a Day Care Centre etc. There are a number of older buildings in Kerry that could be considered for this purpose. It is virtually impossible to get land to purchase in Dingle and employers cannot get staff.

Cllr. J. Moloney SECONDED the motion.

35. Casual trading in Kenmare

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

That Kerry County Council would detail the exact progress regarding casual trading in Kenmare and a time frame for its implementation

The following report issued:

A similar motion was moved at the April 2016 Council meeting. We have prepared an initial draft of the Casual Trading Bye-Laws for Kenmare and we are currently engaging in a period of non-statutory consultation with the aim of getting a general consensus between the stakeholders, if possible. It

is proposed to brief the Members in relation to this initial draft of Casual Trading Bye-Laws for Kenmare and to provide an update on the non-statutory consultation process at the South and West Kerry Municipal District Meeting on the 24th June 2016.

Cllr. J. Healy-Rae stated he moved a similar motion last April and another summer season has commenced and the situation in Kenmare is not acceptable either to the rate payers or the traders. The Council is carrying out a non statutory consultation process and he understands the response is not good. Cllr. Healy-Rae acknowledged the excellent work done by staff but some of the Draft Bye-Laws will not work. He understood the law on it goes back to King Henry but he could not understand how this still applies. Cllr. Healy-Rae asked in the interest of safety and of rate payers that every effort would be made to resolve this situation sooner rather than later. He asked that a report would be presented to members at the next meeting of the South and West Kerry MD.

Cllr. D. McCarthy **SECONDED** the motion and stated this issue is raised at virtually every meeting. The current situation is unfair on everyone especially rate payers.

36. Call for a review the Legal Aid system

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

To call on the Minister for Justice to review the Legal Aid system in light of a T.D. getting approved for legal aid.

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

Cllr. N. Kelleher stated he raised this matter in light of Deputy Paul Murphy being successful in getting free legal aid. It is astonishing that a man on his salary and expenses could be granted free legal aid. It is said this is because he donates half his salary to his political party but the salary and expenses are paid to him.

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

16.06.20.11 Correspondence – Conferences and Seminars

- (a) On the PROPOSAL of Cllr. J.J. Culloty, **SECONDED** by Cllr. B. Cronin it was agreed to authorise the attendance of Cllrs. Kelleher and O'Connell at Training Events on the theme Auditing and Governance in Local Government held in Carlingford, Co. Louth on the 16th and 17th April, 2016 and in Clonakilty on the 10th and 11th June 2016.

Cllr. O'Connell was nominated to report back to Council on these events.

- (b) On the PROPOSAL of Cllr. J. Healy-Rae, SECONDED by Cllr. J.J. Culloty it was agreed to authorise the attendance of Cllr. B. Cronin at the Conference on the theme 'Oireachtas Reform and the Councillor' to be held in Park House Hotel, Egeworthstown, Longford on 24th and 25th June 2016.

Cllr. Cronin was nominated to report back to Council on this Conference.

- (c) On the PROPOSAL of Cllr. J.J. Culloty, SECONDED by Cllr. J. Healy-Rae it was agreed to authorise the attendance of Cllrs. Connor-Scarteen, Foley, Fitzgerald and Quigg at the Conference on the theme 'Entitlement to Health Service' to be held in the Clonakilty from 8th to 10th July 2016.

Cllr. Foley was nominated to report back to Council on this Conference.

- (d) On the PROPOSAL of Cllr. J.J. Culloty, SECONDED by Cllr. M. Healy-Rae it was agreed to authorise the attendance of Cllr. N. Kelleher at the Meeting of the Chairpersons of Joint Policing Committees to be held in Dublin on Wednesday 13th July, 2016 at 2pm.

Cllr. Kelleher was nominated to report back to Council on this meeting.

16.06.20.12 Correspondence General

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

1.	Letter dated 11 th May 2016 from the Office of the Minister for Finance in response to a resolution from Kerry County Council calling on the Minister to put pressure on the Banks to be more proactive with their customers who are in arrears and who may wish to enter the Mortgage to Rent Scheme.
2.	Letter dated 13 th May, 2016 from the HSE in response to a resolution from Kerry County Council regarding the HSE Smoking Policy.
3.	Letter dated 13 th May 2016 from the Office of the Minister for Justice and Equality in response to a resolution from Kerry County Council calling on the Minister to acknowledge that the Traveller community is a separate ethnic minority in Ireland.
4.	Email dated 16 th May 2016 from Deputy Michael Healy-Rae in response to a request from the members of Kerry County Council to support the Rural Equality Bill.
5.	Letter dated 16 th May 2016 from the OPW in relation to the inclusion of Killorglin as an Area of Further Assessment for the South Western CFRAM Study.

6.	Letter dated 16 th May 2016 from the OPW in relation to the inclusion of Sneem as an Area of Further Assessment in the South Western CFRAM Study.
7.	Letter dated 17 th May 2016 from the National Transport Authority in response to a resolution from Kerry County Council calling for all bus services to be wheelchair accessible.
8.	Letter dated 18 th May 2016 from the Department of Social Protection in response to a resolution from Kerry County Council calling on that Department to increase its range of interaction with the Post Office Network.
9.	Email dated 23 rd May 2016 from Deputy John Brassil in response to a request from the members of Kerry County Council to support the Rural Equality Bill.
10.	Letter dated 24 th May 2016 from Deputy Danny Healy-Rae in response to a request from the members of Kerry County Council to support the Rural Equality Bill.
11.	Email dated 8 th June 2016 from the Office of the Minister for Justice in response to a resolution from Kerry County Council calling for grants or tax relief on house alarms.
12.	Letter dated 9 th June 2016 from the Office of the Minister for Health in response to a resolution from Kerry County Council regarding the location of the National Children's Hospital.
13.	Email dated 12 th May 2016 from Waterford City and County Council in relation to a resolution adopted by that authority calling on the Department of Social Protection to increase its range of interaction with the Post Office Network.
14.	Email dated 19 th May 2016 from the Members of Ballina Municipal District in relation to a resolution adopted by that authority calling on the new Government to introduce legislation to give to Municipal Districts the same powers as were held by former Town Councils.
15.	Letter dated 19 th May 2016 from Carlow County Council in relation to a resolution adopted by that authority calling on the Minister for Environment, Community and Local Government to amend the terms of qualification for the new Tenant Purchase Scheme.
16.	Letter dated 19 th May 2016 from Offaly County Council in relation to a resolution adopted by that authority calling on the Minister for Justice to review the whole area of the Free Legal Aid System.
17.	Letter dated 20 th May 2016 from Leitrim County Council in relation to a resolution adopted by that authority calling on all Local Authority Members to contact their relatives and friends in the UK, to urge the Electorate there to vote that the UK remain part of the European Union, as a Brexit would have a detrimental effect on

	the Irish economy and in particular the Agricultural industry.
18.	Letter dated 3 rd June 2016 from Donegal County Council in relation to a resolution adopted by that authority calling on Minister and Department of Social Protection to extend the parameters of the eligibility status of Community Employment Programmes for season workers who are penalised for working a few weeks in the year.
19.	Letter dated 1 st June 2016 from Limerick City & County Council in relation to a resolution adopted by that authority calling on the Minister for Justice and Equality and the Garda Commissioner to keep our current District Policing Models and Six Regions as they currently exist.
20.	Letter dated 7 th June 2016 from Waterford City and County Council in relation to a resolution adopted by that authority expressing their concerns about the exclusion of Part V dwellings from the recently announced Tenant Purchase Scheme.

The meeting concluded at 4.50pm.

Liam Quinlan
Meetings Administrator

Cathaoirleach of Kerry County Council