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**MIONTUAIRISCÍ NA CRUINNITHE MHIOSIÚIL DE COMHAIRLE CONTAE CHIARRAÍ A THIONÓLADH I THIONÓLADH I SEOMRA NA COMHAIRLE, ÁRAS AN CHONTAE, TRÁ LÍ, AR AN LUAN, 20 EANAIR 2014**

**MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL HELD IN IN THE COUNCIL CHAMBER, ÁRAS AN CHONTAE, TRALEE ON MONDAY, 20<sup>TH</sup> JANUARY 2014**

**PRESENT/I LÁTHAIR**

**Cllrs/Comhairleoirí**

R. Beasley	J. Brassil	T. Buckley
M. Cahill	P. Connor-Scarteen	S. Counihan
B Cronin	J. J. Culloty	P.J. Donovan
T. Ferris	J. Finucane	S. Fitzgerald
N. Foley	M. Gleeson	M. Griffin
D. Healy-Rae	J. Healy-Rae	P. Leahy
P. McCarthy	A. McEllistrim	Cllr. T O'Brien
Cllr. B O'Connell	P. O'Donoghue	M. O'Shea
L. Purtill	J. Sheahan	G. Wharton Slattery

**IN ATTENDANCE/I LÁTHAIR**

Mr. T Curran Co. Manager	Mr. J.D. Flynn, Dir. of Corp. Serv.
Mr. J. Breen Dir. Hsg. & C&E	Mr. G. MacNamara, A/Dir. of Roads
Mr. O. Ring, Dir. Env. & Water Serv.	Mr. M. McMahon, Dir. of Planning
Mr. C O'Sullivan Dir.	Ms. A McAllen A/Head of Finance
Mr. G. O'Brien, Meetings Admin.	Mr. P. Corkery, Press & Comm. Off.
Mr. R O h Eartáin Oif Gaeilge	Ms. O O'Shea CO Corp Affairs.
Ms. S Broderick SO Corp. Affairs	Ms. C Fitzgerald ASO Corp. Affairs

The meeting commenced at 10.30am.

**14.01.20.01 Mayor's Report on the CPG Meeting held on the 14<sup>th</sup> January 2014**

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

Mr. G. O'Brien, Meetings Administrator, briefed members on the Agenda for the January Council Meeting.

## **Item 2 Update on National/Regional Issues**

### **(a) Irish Water**

The Manager informed the meeting that correspondence was received from Irish Water at the end of December in relation to the Transfer of water service functions to Irish Water from 1<sup>st</sup> January, 2014. Irish Water is now a prescribed body under planning legislation. It is anticipated Irish Water will have a draft charges plan in place by mid year and this will be forwarded to the Commissioner for Energy Regulation for approval. It is hoped it will be in place by the end of the third quarter of 2014. It has been suggested there will be a free domestic water allowance but this has yet to be determined and it is not yet known how it will be calculated. This allowance will have an impact on the charging regime. Kerry County Council has signed a Service Level Agreement with Irish Water and they will pay us directly for wages and overheads. Goods and services will be charged directly to the Irish Water system where possible. It is intended to hold monthly meetings with Irish Water to resolve any issues that arise and these meetings will commence in February. Irish Water will issue a leaflet to every household in the country to explain the changes. The contact number for the Irish Water contact centre is 1890 278 278 and elected representatives should identify themselves and they will be transferred to the dedicated support team who will ensure their questions are dealt with appropriately. The Manager informed members that senior staff in Irish Water are available to address the Council. He felt it would be more beneficial to wait for a month or two to see what issues arise. They can be requested to address the March or April Council meetings if necessary. Any further correspondence received on Irish Water will be circulated to members.

Cllr. M. Gleeson asked if a household stays within their free allowance will they still have to pay a standing charge.

The Manager said that information is not yet available but he anticipated there will be a standing charge regardless of usage.

Mr. J.D. Flynn said the regulator usually allows a standing charge for utilities as there is a cost associated with providing the service.

Cllr. J. Healy-Rae said he was inundated with phone calls at the weekend and yesterday in relation to the interruption to the Mid Kerry water supply. Killorglin town was without water for 2 of the previous 3 days. He believed the pipe network should be replaced from the intake point.

The Manger undertook to raise this issue with Irish Water.

## **(b) Housing Grant Schemes**

Mr. J. Breen briefed members on the changes to the grant schemes as follows:

### **Housing Adaptation Grant Schemes for Older People and People with a Disability Changes to Grant Scheme Criteria**

With effect from 1st January 2014, the Department of Environment, Community and Local Government has advised of changes that have been made to the qualifying criteria for Housing Adaptation Grants Schemes for Older people and People with a Disability in respect of applications received from 1st January 2014. In summary, these changes relate to

- the Income Assessment bands for Housing Adaptation Grant for a Person with a Disability and Housing Aid for Older Persons Schemes;
- For Financial Assessment, all householder income is now assessable.
- changes to the percentage of grant payable as income bands have been amended
- Proof of payment of Property Tax.
- in terms of Housing Aid for Older People (HOP), the max. Grant has been reduced to €8,500
- In terms of the HOP, the percentage maximum grant available has been reduced to 95%

### **Detail of Changes**

- 1) All household members' income should be included in the assessment.
- 2) All applicants will be required to include with their grant application, proof that they are compliant with the local property tax.

Other than the above there are no specific changes to the Mobility Aids Grant Scheme (MAGs).

### **Housing Adaptation Grant for People with a Disability**

The number of income bands will be reduced from 9 to 6 and the percentage of available costs scaled back

The maximum gross income threshold to be reduced by €5,000 to €60,000.

### **Housing Aid for Older People**

The number of income bands to be reduced from 9 to 6 and the percentage of available costs scaled back

- The maximum gross income threshold to be reduced by €5,000 to €60,000.
- The maximum grant to be reduced by €2,500 from €10,500 to €8,000.
- Increase the age limit for eligibility to 66 years.

These changes apply to applications submitted from 1<sup>st</sup> January 2014 onwards.

Cllr. J. Healy-Rae asked when would notifications of grant awards issue.

Mr. Breen said he anticipated they would issue in the next 10 days.

### **Item 3 Training and Development Programme for Councillors 2014**

Mr. G. O'Brien informed members that the Draft 2014 Training and Development Programme for Councillors will be brought to the February CPG and Council Meetings for adoption. He asked members to inform him as soon as possible if there is anything they want to include in the Programme.

Mr. J.D. Flynn informed members under the Local Government Bill training is funded separately and costed by the Minister. For this reason it is important to have a Training and Development Programme in place. He added that it is likely Polling Day for the European and Local Elections will be Friday 23<sup>rd</sup> May. In that case the first Annual Meeting of the new Council will be held on Friday 6<sup>th</sup> June and the first meetings of the Municipal Districts are likely to be held on Friday 13<sup>th</sup> June probably in Tralee. The only items likely to be considered at the Municipal District meetings will be the election of Chair/Vice Chair and to agree a schedule of meetings.

Cllr. P. Connor Scarteen suggested that the Municipal District Meetings could be held the same day as the Annual Meeting.

Mr. J.D. Flynn said this would not be possible as there will be a lot of vacancies on various committees to be filled at the Annual Meeting.

### **Item 4 County Development Board**

Mr. J. Breen briefed the meeting on the CDB as follows:

#### **Establishment of Local Community Development Committee**

With the enactment of the Local Government Reform Act 2013, Part 6 therein refers to community development within Local Authority areas and sets out the provisions for the establishment of the Local Community Development Committees. Whilst the enactment of the Act gives some certainty as to the establishment of these committees, the actual detail regarding their establishment will follow on in regulations published by the Minister, and these will be brought to the attention of the CPG once received.

### **Development of a Community Plan**

Notwithstanding the absence of regulations regarding the establishment of the Local Community Development Committee, there is provision in the Local Government Reform Act requiring each Local Authority to develop a 5 Year Community Plan. The Community and Enterprise Department, which services the County Development Board, has commenced work on such a Community Plan and is presently researching similar community plans worldwide. To this extent, those which we deemed to be most detailed and effective are those from some of the Cities and Municipalities in New Zealand and these are presently being examined.

In looking at a Community Plan, what we are looking at is an agreed timeframe based strategy and planning document that outlines community vision, objectives and strategies to address social, economic, environmental and civic leadership issues, and which incorporates changing internal and external factors that impact on the plan and also a means for assessing progress against the objective. Such a plan must include community identified services and performance outcomes and reporting. Accordingly, we are presently looking at what will be required to develop such a Community Plan process.

### **Community Engagement Strategy**

The County Development Board, through the Community and Enterprise Department, have been carrying out work on the establishment of a Kerry Countywide Community Engagement Strategy. The essence of the thinking here is that agencies should be engaged in ongoing consultation with the communities in our County rather than simply consulting with them when particular projects require them to do so. From Kerry County Councils perspective, we have advanced the planning and development of a Community Engagement Strategy and are presently working with the Planning Department on utilising such a strategy for consultation on the new County Development Plan as part of the Public Consultation Process. We have also engaged recently with the CEO's of the Local Development Companies to utilise their community networks for consultation on the plan also.

### **Sports Capital Grants**

The Department of Tourism, Transport and Sport has announced that a fund of €40m for Sports Capital Grants will open for applications on Friday 17<sup>th</sup> January next. The County Development Board will be made aware of this and member organisations encouraged to ensure that these grants are maximised to the benefit of the County of Kerry.

## **Community Structures – Recent Storm Damage**

We are actively utilising the community structures available through the County Development Board and foras such as the Community and Voluntary Forum to engage with communities in the work, which is required for general clean-up after the recent storms.

## **Comhairle na nÓg**

The Comhairle na nÓg, which is administered by the County Development Board, held an all-day planning session in the Council Chambers of Kerry County Council on Friday 2<sup>nd</sup> January last, wherein the members set about planning the year ahead and discussed and set out their structures. In this regard, their focus is on Youth Mental Health for 2014. The County Development Board will give all and every assistance to them in this regard. They have already produced a brief mentoring dvd on the issue of bullying in schools and intend to produce a similar dvd for their peers on the issue of youth mental health. The Comhairle na nÓg is a useful forum for consultation with the next generation of Kerry men and Kerry women and in eliciting views on how they see their County developing and prospering into the future.

## **Item 5      Update from Chairs of SPCs**

### **Community, Culture & Tourism SPC**

Cllr. J. Healy-Rae briefed members on the issues considered by the Community, Culture and Tourism SPC under the following headings:

- Plean Forbartha Pobail agus Teanga d'Iarthar Dhuibhneach
- Culture Night Kerry
- Library Update
- Tourism Update
- Community Fire Safety Programme

### **Environment & Water Services SPC**

Cllr. M. Gleeson briefed members on the issues considered by the Environment & Water Services SPC under the following headings:

- Presentation by Seamus O'Hara and Niamh Ní Dhuail of *Transition Kerry* outlining the Transition Group's activities and their plans for six Education Workshops in 2014.

- Briefing by Ciaran Nugent on energy use and the cost of energy in Kerry. Kerry is the first county in Ireland to have been selected for an Energy Audit which is currently nearing completion. He outlined a number of ways to reduce the current €500 million that is spent on energy in Kerry annually including the setting up of a Co-op of households to bulk buy electricity. He noted that households were responsible for 50% of electricity consumption. It was agreed that the potential and practicalities of setting up a Co-op should be investigated and that the issue could then be considered by Council management.
- Update on Septic Tanks Inspection Process.
- New Constructed Wetland development to treat leachate at the North Kerry Landfill.
- New Regional Waste Management Plan is being prepared for the new Southern Waste Region, which includes Kerry.

### **Housing SPC**

In Cllr. Counihan's absence Mr. J. Breen briefed members on the issues considered by the Housing SPC under the following headings:

- Update on Social Housing Leasing Initiative and Rental Accommodation Scheme
- Update on Housing Adaptation Schemes
- Annual Count of Traveller Families/Update on Traveller Accommodation Programme 2014 - 2018
- 2013 Energy Efficiency Programme
- Update on Proposed Housing Legislative changes
- Proposed Disposal of Obsolete Single Rural Dwellings
- Proposed Housing Strategy

The Mayor referred to the proposal adopted in our new Scéim Gaeilge that applicants for housing provided by or supported by Kerry County Council in Gaeltacht areas would have a proficiency in spoken Irish. He suggested that Dingle town should not be included.

The Manager confirmed that the proposal only relates to Category A Gaeltacht areas which does not include Dingle town. He added that the Council must ensure, where possible, that people respect the Gaeltacht and they must promote the Irish language.

Cllr. J. Healy-Rae supported the views expressed by the Mayor and asked can we do that.

Mr. J. Breen said the Local Government Act requires us to protect the linguistic characters of an area. We require someone building a private house in a gaeltacht area to undergo an Irish language test therefore our tenants should have to meet this requirement also.

### **Planning SPC**

Cllr. P. McCarthy informed members that the Planning SPC will meet in the next few weeks.

### **Transport SPC**

Cllr. P. Connor-Scarteen stated the Transport SPC will also meet in the next few weeks.

### **Item 6      Civic/Mayoral Receptions**

Mr. G. O'Brien said no new requests for Civic Receptions were received since the December meeting. On Monday next a Civic Reception will be held to honour (*Name withheld for data protection purposes. A paper copy of the unedited Minutes are available on request.*) who won the U11's World Irish Dancing Championship 2013 and (*Name withheld for data protection purposes. A paper copy of the unedited Minutes are available on request.*) who won the Men's 18 – 19 World Irish Dancing Championship in 2013. It was agreed at the December meeting that a Civic Reception would be held to honour Tralee IT and the Royal College of Surgeons and this Reception will be held on the 17<sup>th</sup> February. (*Name withheld for data protection purposes. A paper copy of the unedited Minutes are available on request.*) will be honoured at the next South and West Area Committee Meeting.

As the Council Chamber will not be available from the middle of February the CPG agreed that no further Civic/Mayoral/Area Receptions would be held until the Autumn.

Cllr. B Cronin referred to the current media reports regarding the cost incurred in the setting up of Irish Water and said that he wanted to put on record his disgust at this deplorable handling of public money. He said that it was unacceptable that consumers have not been given any indication as to how much their water charges will be and that it may be towards the end of this year before the amount payable by households in water charges will be announced.



Also, the Government had handed over in excess of €11 billion worth of assets to Irish Water on 1<sup>st</sup> January 2014.

Cllr. J Healy Rae said that he had understood that 80% of the revenue collected from the Local Property Tax (LPT) was to be allocated to Local Authorities but it now appeared that this 80% was being used for funding the setting up of Irish Water. He referred to the continuous breaks in the Mid Kerry Water Supply Scheme and said that it was very unfair to expect householders and businesses to pay water charges while there were continuous water outages due to breaks in the pipe network on the Mid Kerry supply.

Cllr. J Healy Rae referred to the changes that have been made to the qualifying criteria for Housing Grants and said that it was very unfair that all householder income is now assessable. Housing Grants were introduced with a view to allowing older people and people with a disability to continue to live in their own homes and this criteria would disqualify many applicants. He also commented on the reduction of the Housing Aid for Older People (HOP) to a maximum of grant €8,500 and said that this was a very small amount of money

Cllr. T Ferris said that she would not make any comment on Irish Water. With regard to Housing Grants she asked what % of grants awarded last year were not drawn down and that a report on this matter would be presented to the members at the next meeting.

Cllr. Ferris welcomed the update on the Comhairle na nÓg meeting held on the 2<sup>nd</sup> January and said that Comhairle na nÓg gives young people the opportunity to be involved in the development of local services and policies. She had proposed at a meeting five to six years ago that members of Comhairle na nÓg would attend an Electoral Area Committee meeting of Kerry County Council. She was now proposing that members would be invited to attend and participate at an area meeting in their own area in advance of the Local Elections in May 2014.

Cllr. Ferris referred to the development of a Community Plan and said that this was already being established in North Kerry in association with the County Development Board. In her opinion there was no need for Kerry County Council to invest time and resources into work that is already being done in local communities.

Mr. J Breen Director of Housing & Community & Enterprise said that there is a provision in the Local Government Reform Act which requires each Local Authority to develop a 5 Year Community Plan for the county.

Cllr. M Cahill asked if applications for funding for pipe replacement on the Mid Kerry Water Scheme are automatically passed on to Irish Water from 1<sup>st</sup> January 2014. He referred to the continuous breaks in the pipe work on the Mid Kerry Scheme and said that residents in the areas affected were very angry that €50 million is alleged to have been spent on consultant fees in the setting up of Irish Water. They are adamant that they will not pay water charges until a reliable water supply is provided.

Cllr. M Cahill referred to recent storm damage and said that further slippage had occurred at Rossbeigh therefore, the original cost may have been underestimated. He asked that a breakdown of the amount spent to date on the clean up by the Council be provided. Cllr. Cahill mentioned the area known as “the old Land Commission Embankment” and said that he was outraged that the Office of Public Works (OPW) had indicated that it was not responsible for this embankment. He asked that County Manager, Mr, T Curran would raise this matter with the OPW.

Cllr. R Beasley said that it was his understanding that homeowners will be charged for using water for the last quarter of 2014 and the first bills will issue in January 2015.

Cllr. Beasley said that the revised qualifying criteria for housing grant aid would have a negative effect on many vulnerable people and asked that Kerry County Council would raise this matter with Central Government.

He referred to the recent storm/high tide damage and said that he was concerned about the coastline from Beale to the Cashen (north of the Golf Club and the South Beach). If protection works are not carried out, further damage may impact on the Golf Club which is the main employer in Ballybunion. The Cashen river was deteriorating as it had not been dredged for many years. A number of homes near the river had been flooded during the recent high tides. He asked that this area also be included in the Council's submission for funding to the Government.

Cllr. S Counihan said that he agreed with Cllr. R Beasley's comments regarding the revised qualifying criteria for housing grant aid but would hate if word was to go around that housing grants were not available. With regard to the increase in the age limit for eligibility from 60 to 66 years he said applications from people aged between 60 and 66 would be dealt with on a discretionary basis.

Cllr. S Counihan referred to the transfer of water services to Irish Water and said that would hopefully result in an upgrading of the watermain infrastructure in the Killarney area. When determining water charges Irish Water will have to take family size into consideration and put a fair pricing system in place.

Cllr. M Gleeson also referred to the revised qualifying criteria for housing grant aid and said that he was aware of a number of houses where stair lifts which were provided through the Mobility Aids Grant Scheme (MAGs) are still in place even though the applicant is now deceased. It should be possible to relocate mobility aids such as this when no longer required.

Cllr. Gleeson commented on the introduction of water charges and said that he remembered when the ESB had a fixed charge. This was replaced by a standing charge which kept increasing. He said that Irish Water should introduce a fair fixed charge and with an inbuilt appeals mechanism.

Cllr. P Connor Scarteen said that while he was not happy with the increased age limit for eligibility to 66 years for applicants for the Housing Aid for Older People grant but welcomed that funding had been allocated by the Government for housing grant aid. He referred to coastal erosion caused by the recent storms and high tides and requested that Notice of Motion No. 24 be moved at this stage.

**24. Measures being taken by Kerry County Council to assist people living in coastal locations that are in danger of flooding.**

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

What measures are Kerry County Council doing to assist people living in coastal locations that are in danger of flooding. Has the Council applied for funding from Government Departments and the EU. For example areas in exposed coastal locations like Dooks and Cromane Lower are at huge risk.

**The following report issued:**

**Following on from the most severe storm experienced around the coastal regions of the County, Kerry County Council has estimated that approximately €3.5 m is required to repair the damage done to our infrastructure. This includes roads, carparks and coastal protection. A further estimate of €16.25m outlines the money required to put in place coastal defences to protect infrastructure and property. This level of funding is outside the capabilities of this Council. Therefore the Council will explore all available avenues of funding to ensure as much financial assistance as possible is made available to tackle the repairs and future works.**

Cllr. Connor Scarteen said that he had observed the damage to a number of beaches in South Kerry eg. Rossbeigh, Waterville, Cuss Strand in Templenoe. The beaches at Dooks and Cromane were very much at risk and it was essential that protection works are carried out.

Cllr. P. McCarthy referred to the scheme for levying water charges and said that the charge should be based on family size. This could be incorporated into the allowance i.e. a large family would get a larger allowance. He asked if suggestions such as this could be forwarded to Irish Water.

County Manager Mr. T Curran said that Section 32 of the Water Services (No. 2) Act 2013 allows for the Minister to give direction to Irish Water. The Minister is aware of all these issues however, Cllr. McCarthy's suggestion would be forwarded to him.

Mr. G. MacNamara A/Director of Roads & Transportation said that an application to the Office of Public Works for funding for repair of storm damage to coastal regions in the county must be submitted by 21<sup>st</sup> February 2014. Currently the Council was funding the repair works from its own resources and to date approximately €250,000 has been spent which is a serious drain on the road maintenance fund.

Mr. J. Breen Director of Housing & Community & Enterprise said that the work of Comhairle na nÓg was fully recognised by Kerry County Council.

With regard to the changes to the qualifying criteria for Housing Grants, Mr. Breen said that the reduction in the maximum grant for Housing Aid for Older People (HOP), to €8,500 would not impact on applicants to Kerry County Council as usually grants are approximately €5,000.

Cllr. J. Brassil referred to the transfer of water services to Irish Water and in particular to group water schemes. He said that the Minister for the Environment Community & Local Government should be made aware that the installation of a bulk meter and the requirement on the trustees of the group to collect water charges from the individual members was unworkable as many groups were no longer in existence.

Mr. O Ring Director of Environment & Water Services said that issues such as this were currently being considered by the Minister and Irish Water.

#### **14.01.20.02 Confirmation of the Minutes**

On the PROPOSAL of Cllr. M Cahill SECONDED by Cllr.M Gleeson it was agreed that the Minutes of the December Ordinary Meeting of Kerry County Council held on the 16<sup>th</sup> December, 2013 be confirmed as amended.

Cllr. T Ferris referred to the Page 23 of the minutes of the December Ordinary meeting and said that she has been incorrectly quoted and the minutes should read as follows:

*“Cllr. T Ferris said that it was no coincidence that there were increasing applications to take over group schemes given the introduction of water charges and possibility that those on such schemes could have been charged twice for use of water. She asked would those who were applying to have their schemes taken over now have their supply fluoridated if they were not previously and if so have they been made aware of this?”*

#### **14.01.20.03 Part VIII Report (Planning & Development)**

Mr. G. MacNamara A/Director of Roads & Transportation referred members to a report dated 13<sup>th</sup> January 2014 on this item which was circulated. In accordance with Section 179(3) of the Planning and Development Act 2000, Part VIII of the Planning and Development Regulations 2001 and Articles 17 to 19 of the Planning and Development Regulations 2006 in relation to the proposed construction of a 3.5km long realigned section of the N70 National Secondary Road from the townland off Tinnahally in the west to the townland of Kilcolman to the east, through the townlands of Kilderry North, Kilderry South, Knockagarrane and Knockavota, Milltown, Co. Kerry as set out in the report and drawings and is now submitted to you for consideration as required by the Regulations.

On the PROPOSAL of Cllr. M Cahill SECONDED by Cllr. J Finucane it was agreed to note the Manager's Report in accordance with Section 179(3) of the Planning and Development Act 2000, Part VIII of the Planning and Development Regulations 2001 and Articles 17 to 19 of the Planning and Development Regulations 2006 in relation to the N70 Kilderry Bends Improvement Scheme.

Cllr. M Cahill asked if a timeframe was available for the commencement of the Kilderry Bends Improvement Scheme.

Mr. MacNamara said that discussions with landowners with regard to land acquisition were ongoing. The statutory process of land acquisition must then be completed therefore it was unlikely that work would commence before 2015.

#### **14.01.20.04 Ethics Declaration Forms**

Mr. J.D. Flynn, Director of Corporate Services, referred members to report dated 14th January, 2014 on this item which was circulated by the Ethics Registrar. In accordance with Section 174 of the Local Government Act, 2001 notice will shortly be issued to each member of the Council informing them of the requirement to prepare and furnish an annual declaration of declarable interests to the Ethics Registrar. This declaration must be returned before the 28<sup>th</sup> of February, 2014.

It was unanimously agreed to note the issue of Annual Declaration Forms in accordance with Part 15 (Ethics) of the Local Government Act 2001

#### **14.01.20.05 Proposed works to the Council Chamber**

(a) On the PROPOSAL of Cllr. J Finucane SECONDED by Cllr. J Brassil it was unanimously agreed to note the proposed works to the Council Chamber.

Mr. J.D. Flynn Director of Corporate Services referred members to a report dated 14<sup>th</sup> January 2014 on this item which was circulated. He said that following the Local Elections next May, a new Council will be elected comprising of 33 Elected Members. The layout of the current Council Chamber will not facilitate an additional 6 Members so we have had to look at a revised layout to address this and other issues. Along with the fact that the existing Chamber will not be able to facilitate the additional Members, another major issue is that it is not compliant with Part M of the Building Regulations in respect of accessibility. A number of options have been considered and Drawing No 1 attached is considered the most suitable. The proposed new layout has been discussed and approved by the CPG.

The existing Council Chamber is in place since 1989 when Áras an Chontae opened to the public. Over this 25 year period, no works have been carried out to the existing Chamber. It would be expected that the works now proposed would serve the Council for a similar period into the future.

The Council Chamber is an invaluable resource to the organisation. Not only is it used for Council / Area / SPC /JPC Meetings, but it is also used on a daily basis by staff for meetings / training and presentations. In addition to this it is made available to other outside organisations such as the Revenue Commissioners, Private Residential Tenancies Board, South West Regional Authority, LAMA, AMAI etc.

In addition to the physical works planned, it is also proposed to install full audio visual facilities to include a microphone system along with a translation facility. The installation of a microphone system will address issues raised in the past regarding the ability to hear members when addressing Council.

Kerry County Council HQ is also the designated Major Emergency Centre for the County where all the major response agencies would meet in the event of a major emergency being declared. The availability of appropriate facilities being available in the Council Chamber for such an event is a necessity.

The Facilities Manager will project manage the works with the various elements being procured separately. This will lead to better value for money being obtained. Without going to tender it is difficult to put an exact price on the proposed works but the estimated cost is likely to be in the region of €250,000 or a sum of €10,000 per annum over a 25 year period. Provision has been made in the adopted Capital Budget for 2014 for the proposed works and the cost of the works will be funded from resources set aside over a number of years for capital improvement works at Áras an Chontae.

The proposed works will take approximately 9 weeks to complete. The works will commence after the February Council Meeting (17<sup>th</sup> February). Council Meetings for March / April / May will be held in the Manor West Hotel which is the most convenient location in proximity to County Buildings.

Cllr. J. Brassil welcomed the proposed works to the Council Chamber in particular the installation of full audio visual facilities which he said was long overdue. He asked that following the Local Elections in May 2014 that the various groups would be requested to agree on seating arrangements for the members.

Mr. Flynn said that this would be done.

Cllr. T. Ferris acknowledged that the project was being managed in house and better value for money was a priority but said that she hoped that local tradespeople and businesses would be considered for the elements being procured separately. She asked if the new audio system would include an element to facilitate minute taking.

Mr. Flynn said that the cost of various systems would be examined and acknowledged that the Council Chamber must be future proofed as much as possible.

Cllr. T. O'Brien welcomed the proposed works and said that he was happy that the new Chamber would be very accessible. He asked if a hearing loop system to assist people with hearing impairment was included.

Cllr. P. Connor Scarteen welcomed that the Facilities Manager will project manage the works. He asked if the provision of meeting rooms, close to the Council Chamber, where the various political parties could meet was included in the project.

Mr. Flynn said that the space available was inadequate for the provision of such facilities.

Cllr. J Healy Rae said that while he acknowledged that the work was necessary he was concerned that the cost was excessive.

Mr. Flynn said that the cost of the installation of full audio visual facilities was considerable.

**14.01.20.06 Revised dates and venues for the following meetings**

- (a) On the PROPOSAL of Cllr. J Finucane SECONDED by Cllr. M Griffin it was agreed that the March Ordinary Meeting would be held on Monday 10<sup>th</sup> March, 2014, in Manor West Hotel.
- (b) On the PROPOSAL of Cllr. M Griffin SECONDED by Cllr. A McEllistrim it was agreed that the April Ordinary Meeting would be held on Monday 14<sup>th</sup> April, 2014, in Manor West Hotel.
- (c) On the PROPOSAL of Cllr. P Connor Scarteen SECONDED by Cllr. J Sheahan it was agreed that the May Ordinary Meeting would be held on Monday 12<sup>th</sup> May, 2014, in Manor West Hotel.

**14.01.20.07 Report from Community, Culture & Tourism SPC**

It was unanimously agreed to note Cllr. J Healy Rae's written report on the recent Community, Culture & Tourism SPC meeting which was circulated.

**14.01.20.08 Report from Housing SPC**

It was unanimously agreed to note Cllr. S Counihan's written report on the recent Housing SPC meeting which was circulated.

**14.01.20.09 Report from Environment SPC**

It was unanimously agreed to note Cllr. M Gleeson's written report on the recent Environment SPC meeting which was circulated.

**14.01.20.10 Summary of proceedings at Conferences/Seminars**

- (a) It was unanimously agreed to note Cllr. J Healy Rae's written report on the Conference on the theme "Reform of Local Government II" held on the 19<sup>th</sup> to 21<sup>st</sup> October, 2012 which was circulated.
- (b) It was unanimously agreed to note Cllr. written report on the Seminar on the theme "Putting People First – Reform and Strategic Planning for 2013" held from 7<sup>th</sup> to 9<sup>th</sup> which was circulated.
- (c) It was unanimously agreed to note Cllr. J Healy Rae's written report on the Seminar on the theme "Health & Safety and the Councillor" held from 14<sup>th</sup> & 15<sup>th</sup> December, 2012 to 9<sup>th</sup> which was circulated.



- (d) It was unanimously agreed to note Cllr.J Healy Rae's written report on the Seminar on the theme "Creative Multimedia" held from 24<sup>th</sup> & 26<sup>th</sup> Mat, 2013 to which was circulated.

#### **14.01.20.11 Reception of Deputations**

- (a) On the PROPOSAL of Cllr. J Finucane SECONDED by Cllr. P Connor Scarteen it was agreed that a deputation from the Residents of Cahereen Heights, Castleisland would be received at the next Killarney Electoral Area Meeting, in relation to the completion of the estate as requested by Cllr. B. O'Connell.
- (b) On the PROPOSAL of Cllr. JJ Culloty SECONDED by Cllr. P McCarthy it was agreed that a peputation from residents of Kilcummin & it's Environs would be received at the next Killarney Area Meeting concerning the extension of main sewer from Killarney to Kilcummin Village. - Requested by Cllr. JJ Culloty

#### **14.01.20.12 Opening of Tender**

On the PROPOSAL of Cllr. J Finucane, SECONDED by Cllr. P. McCarthy it was agreed to approve the opening of tenders for the County Kerry Water Conservation Project – Mains Rehabilitation Works – Tralee Estates - Closing Date: Friday 7<sup>th</sup> February 2014 at 4pm.

#### **14.01.20.13 Notices of Motion**

- 1. Calculation and cost of water charges by Irish Water and will a waiver system be operated.**

##### **Pursuant to notice duly given Cllr. P. O'Donoghue PROPOSED:**

That Kerry County Council advise if at this stage any indication has been given by Irish Water as to how they propose to calculate the annual water charge on households and in particular has any indication been given as to what the cost would be to an average household. Also the Council might advise as to whether or not Irish Water intends to operate any type of Waiver System. Should it transpire that none of these details are available as yet from Irish Water then the Council should immediately contact Irish Water for these particulars as householders are concerned to know what the charge will be going forward.

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

**The Water Services (No 2) Bill 2013 was passed by the Houses of the Oireachtas on 18th December, 2013 and signed into Law by the President subsequently. The Minister signed a commencement order for 1st January, 2014 for the commencement of a number of Sections of the Water Services Act 2013.**

**Section 21(1)**

Act states that Irish Water shall charge each customer for the provision by it of water services.

**Section 21(2)**

The amount of a charge shall be calculated by Irish Water in accordance with the approved water charges plan or an approved agreement as may be appropriate.

**Section 22(1)**

Irish Water may, and shall when directed by the CER prepare and submit a plan for the charging of customers for the provision of water services.

**Section 22(6)**

A water charge plan may specify:

- (a) Different methods in relation to different classes of customer as respects the calculation of charges.
- (b) Different rates of charges under that Section as respects different classes of customer, and
- (c) Different methods of payment in respect of charges under that Section.

**Section 22(8)**

The Commission may:

- (a) Approve that water charges plan with or without modification, or
- (b) Refuse to approve that water charges plan.

From the aforementioned, extracts from the Water Services No. 2 Act 2013, it is clear that, during 2014, Irish Water, will prepare a water charges plan and submit same to the CER for approval. This plan will be prepared on the basis of the costs of delivering water services both capital and operational. It is unlikely that any details of such a plan will be available before Quarter 3, 2014.

In relation to a waiver system it is our understanding that the Minister is considering introducing a free allowance. There is no indication as yet how this free allowance will be calculated.

There has been no direct discussion with the Local Authorities on either the development of the water charges plan or the free allowance proposal.

Cllr. P. O'Donoghue requested that a letter would issue to the Minister for the Environment, Community & Local Government to express the outrage of the members regarding the delay in announcing a water charges plan and if consumers were aware of the amount they would be required to pay, they would be in a position to budget accordingly. There was also huge concern regarding the payment system for the members of Group Water Schemes as the trustees could not be expected to act as tax collectors for the Government.

Cllr. B. Cronin **SECONDED** the notice of motion.

## **2. New regulations on back yard burning since January 1<sup>st</sup> 2014.**

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

That the Council would detail the new regulations that apply since January 1st to back yard burning of certain agricultural waste and hedgerow trimmings.

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

**In general, the burning of waste is prohibited, however, there is provision under the Backyard Burning Regulations 2009 for the burning of green-waste (uncontaminated wood, trees, tree trimmings, leaves, brush or other similar waste) which arises solely from agricultural activity in certain limited circumstances. These circumstances are as follows :**

- All other possible means of managing the waste in question have been exhausted (ie. re-use of the material for other purposes, shredding of the material and use as a compost material, use of the material as a fuel etc.);**
- The person who is to burn the green-waste in question shall take all reasonable measures to limit the overall nuisance and possibilities for endangering human health and environmental pollution;**
- No accelerants are to be used when burning the green-waste in question;**
- The person carrying out the burning shall notify the relevant local authority by submitting a standard form in advance of carrying out such burning (the form in question is available from the Environment Department of Kerry County Council).**

**While the 2009 regulations had originally stated that this particular provision would cease from the 1st January 2014, the DoECLG has recently informed Kerry County Council that an extension will now be provided until 1st January, 2016 and, on that basis, the provisions relating to the burning of certain green-wastes arising from agricultural activity as outlined above will continue until that date.**

**It should be noted that these provisions relate solely to specified green-wastes which are derived from agricultural activity and that the burning of all other waste types is strictly prohibited.**

**Finally, it should be noted that controlled or prescribed burning of un-cut vegetation, such as gorse etc., is not dealt with under waste management legislation and, therefore, the above provisions do not apply. Controlled burning of un-cut material is dealt with under separate legislation and guidance and is, therefore, subject to separate controls. Details and guidance on this issue is available directly from the Fire Service.**

Cllr. M. Gleeson requested that the Council would arrange for the public to be informed that this particular provision of the Backyard Burning Regulations 2009 has been extended until January 2016.

**3. Call on Government to issue an apology and put a redress scheme for former residents of Bethany Home**

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

That Kerry County Council accepts that Bethany Home, Rathgar (1922 – 1972) was a maternity home, a children's home and a place of detention for women on remand or convicted of crimes referred by the courts, further accepts that Bethany Home was subject to inspection under the Registration of Maternity Homes Act 1934, recognises the state's failure to vindicate the rights of sick and dying Bethany children after receiving reports of neglect by the Deputy Chief Medical Advisor, acknowledges that 219 Bethany Home children died between 1922 and 1949, and these same children currently lie in unmarked graves in Mount Jerome Cemetery, Dublin, further acknowledges Department of Local Government & Public Health inspector and media reports detailing the very serious neglect of Bethany children in the home and of children sent to nurse mothers, considers most serious the exclusion of the surviving men and women of Bethany Home from the Residential Institutions Redress Scheme which provided for fair and reasonable awards to persons who, as children, were abused while resident in other institutions subject to state regulation or inspection, calls on the government to issue an apology on behalf of the State and immediately begin the work of putting in place a redress scheme, and grants immediate access to personal records for the small number of surviving men and women.

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

Cllr. T. Ferris said there was no justification for the Minister for Education to reject the survivors' request to have the Home included in the Schedule to the Residential Institutions Redress Scheme. This was a maternity home a mother and child home and a place of detention for women on remand by the courts. She called on the other members to support the Notice of Motion, in support of Councillors from over the country.

She said that she had previously asked that Kerry County Council liaise with the Mercy Order in Tralee with a view to erecting a monument on the laundry property.

Mr. G. O'Brien Meetings Administrator undertook to pursue this matter with Mr. C. Mangan SEE Water Services.

Cllr. M. Gleeson SECONDED the notice of motion and said that in the interest of justice, all people should be treated equally.

#### **4. Removal of bottle banks without prior consultation with residents**

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

That Kerry County Council do not remove bottle banks from current sites without prior consultation with the local community and public representatives.

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

**Bring Banks are only removed from a location without consultation if the location of the bring banks poses a safety risk to the public, Kerry County Council employees or the collection contractor. Kerry County Council are currently carrying out site specific risk assessments on all bring bank locations throughout the county.**

**In the instance of persistent littering, nuisance etc at the bring bank location Kerry County Council will liaise with the local community in an effort to resolve the problem in lieu of removing the bring banks from that location**

**In relation to the Bring Bank at Kit Ahern Road, a risk assessment was carried out. The location was identified as posing three hazards: vehicle movements, visibility and parking facilities (double yellow line and solid white line) which poses a health and safety risk to members of the public, Kerry County Council staff and the collection contractor. Removal of this bring bank from that location was the control measure recommended in this instance.**

**Significant work has been carried out by the Environment Section of Kerry County Council in trying to relocate the bring bank at an alternative location in Ballybunion. We are currently negotiating with the Fire Service to see if they would be amenable to hosting the bring centre at their facility in Ballybunion. There are two further bring banks located at the Men's and Ladies beaches in Ballybunion.**

Cllr. R. Beasley said that the people mostly affected by the location of bottle banks are the elderly. The bring banks located at the Men's and Ladies beaches in Ballybunion were not suitable for access by elderly people. He hoped that an alternative site would be identified before the next meeting in February 2014.

## **5. Kerry County Council's plans for 1916 centenary celebrations**

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

That Kerry County Council give a detailed progress report on its plans to commemorate the 1916 centenary celebrations. Will the Council arrange at least two major events in the county: (a) At Ballykissane Pier, Killorglin, where the first volunteers lost their lives. (b) Roger Casement at Banna Strand. (c) Will the Council apply to the Department of Arts, Heritage and the Gaeltacht for funding for these two major events in Irish History and will the Council make funding available from its own resources towards these historic events in Kerry.

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

**This matter has been discussed by the Community, Culture and Tourism Strategic Policy Committee of Kerry County Council and members were requested to consider how to commemorate the 1916 Rising in Kerry. It was agreed to keep this item on the agenda of every alternate meeting so that members can feed in their ideas. It will be further discussed at the March 2014 meeting of the SPC.**

**In considering how we will seek to commemorate the 1916 centenary celebrations here in Kerry we must be mindful of available resources and the geographic dispersal of events which occurred in our county at that time. It would be anticipated that there will be some national funding available for this national initiative. The Department of Arts, Heritage and the Gaeltacht has already established a committee looking at how these events should and could be commemorated and we have already contributed to this committee through our library, local history and museum services.**

**Extensive historical records and information on the events of 1916 are available daily for public perusal at our local studies section of the county Library in Tralee and in the award winning county museum at the Ashe Hall in Tralee.**

Cllr. J. Healy Rae supported the notice of motion and suggested that a series of events similar to the Gathering Ireland 2013 would be considered.

## **6. Call on the Government to intervene in the case of Shannon LNG**

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

That Kerry County Council call on the Government to intervene in the case of Shannon LNG.

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

Cllr. J Finucane read the following into the record of the meeting:

"In 2001, after Dáil debate and advice from international tariff consultants, the Government put in place separate tariff charges for the gas ring main and the gas Interconnectors from Scotland. Non-users of the interconnectors such as the Kinsale Head gas field were not required to pay interconnectors tariffs as they did not use the interconnectors. This remains the practice as of today. (The purpose of this Government policy was to encourage additional gas supply infrastructure to the country, so as not to be totally reliant in the future on the interconnectors.)

In May 2006, the Shannon LNG project was announced. At that stage almost every country (with a coast line) in Western Europe had one or more LNG terminals (including Britain, Belgium, France, Spain, Portugal Italy etc.).

By December, 2010, Shannon LNG had all of the major approvals in place.

In January 2011, the regulator announced a review of tariff policy and proposed to reverse the 2001 government policy and charge non-users for the interconnectors. The Shannon LNG project was effectively placed on hold at that stage though other items not entailing major expenditure were continued. Following a number of consultations, the regulator issued a decision in June 2012. The Decision gave "Indicative" tariffs and stated that final tariffs would be in place by October 2014.

Look what has happened in Britain. The South Hook LNG terminal in Milford Haven is a joint venture between Exxonmobil and the state of Qatar. The announcement slightly predated the Shannon announcement.

(No one in Britain has put forward the contention that the LNG terminal in Britain should pay for the interconnector between the Britain and Belgium or the interconnector between Britain and the Netherlands.)

South Hook is now about to add a CHP plant investment. Since the LNG terminal in Wales, Qatar has additionally invested in numerous other business in Britain – about USDollar13 billion to date. Ireland could not expect the same level of investment – Britain is a much bigger country – but there is no reason why Ireland couldn't get a proportionate level of investment".

Cllr. Finucane said that the development of Shannon LNG is the only project that can offer recovery to this region, it is the catalyst for our economic recovery and has the potential to bring skilled workers who have emigrated, back into the country. He said that there was a responsibility on politicians to make decisions regarding this matter, demand that the Energy Regulator resolve the issues and endeavour to implement the project. He asked that the matter be referred to the office of the Taoiseach and that every effort is made to resolve the issue.

Cllr. P. McCarthy **SECONDED** the Notice of Motion.

Cllr. J. Brassil welcomed the notice of motion and said that he had been involved in this matter through his membership of Shannon Development. It was very important for Kerry County Council to send out the message that it was supportive of the project. There was a total lack of support from Central Government. Time and time again, projects of a similar scale are supported. We in Kerry must continue to fight for for this development and let Shannon LNG know that we want it in the county.

Cllr. L. Purtill complimented Cllr. Finucane on his excellent notice of motion. He said that this project had been announced in 2006 and very little progress had been made in the interim. People from all over the region were waiting in hope for it to commence.

Cllr. D. Healy Rae supported the notice of motion and commented that Irish Water will also be accountable to the Commission for Energy Regulation (CER) therefore the Government will have very little control.

Cllr. R. Beasley also supported the sentiments of the previous speakers and said that he found it difficult to understand why the Commission for Energy Regulation (CER) has so much control over the advancement of this project.

Cllr. P. Leahy also supported the Notice of Motion and said that he hoped that the matter would be resolved very soon.

**7. Employment of out door staff & will Municipal Authority have the power to introduce an employment policy within its own Municipal area**

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

That the Executive would request the Minister of the Environment, Community and Local Government to revoke the current embargo on the employment of outdoor staff and also would outline to the members if there is a panel of people still in place since the embargo on hiring was introduced. I would also like if the Executive would inform the members if the new Municipal Authority will have the power to introduce an employment policy within its own Municipal area or will such budgets be at the behest of the County structure.



**The following report issued:**

**The Executive are obliged to comply with directions issued by central Government from time to time on staffing matters. At this time the terms of the Moratorium on recruitment to the Public Sector is still in place. As Members will be aware the Town Councils are scheduled for dissolution later this year.**

**Members will also be aware that the financial position of the Council by and large determines staffing level and in particular the availability of funding is a primary consideration in determining the levels of employment in outdoor or direct labour areas. The Council is currently engaged on work of a Manpower Planning Process – essentially dealing with staff resource requirements into the future. This is a national requirement within specific guidance and instruction issued by central Government. This process will involve consultation with Unions representing staff.**

**At this point based on current financial resources (and the resulting programmes that can be delivered) and the current staff numbers (and those available post dissolution of the Town Councils) there is no current need for the recruitment of additional staff either indoor or outdoor. On that basis the Executive has no basis at this point in time on which to request the lifting of the current Moratorium. Should any local need for additional staff arise or any requirement for the filling of vacancies in posts then there exists, within the terms of the Moratorium, provision to facilitate this.**

**All recruitment panels have a natural lifespan normally two years. On that basis any panels created for open recruitment of new/ additional outdoor staff have expired and there are no such panels in place.**

**The new Municipal Districts are a formation of the Elected Council – they will not be corporate entities/ employers in their own right. Following the dissolution of the Town Councils there will exist one unified County Executive under the County Manager. There will exist only one employer and the employment of any Town Council staff will transfer to the County Council. All staffing matters will form part of the single executive. The Municipal Districts being a formation at Elected Member level will not have any function in staffing matters. It should be pointed out that on the staffing/Human resource end we have operated a unified/ shared approach to staffing matters across the 4 Kerry Local Authorities for many years. All staff Policies, Numbers, Sanctions and recruitment have operated under the direction and control of Kerry County Council. While the Town Councils still continue as employers and have recruited outdoor staff this has been done under the general guidance of the HR Department of Kerry County Council and all staff of the Kerry Local Authorities are under the direction of the County Manager and can be assigned/ re-assigned as the Manager sees fit.**

Cllr. S. Counihan acknowledged the response and commented that it was interesting to learn that following the dissolution of the Town Councils there will be one unified County Executive under the County Manager and that Kerry County Council will be the employer. In his opinion the Minister for the Environment, Community & Local Government misled the public when the dissolution of the Town Council's was first announced. He said that several notices of motion have been submitted by members requesting that repair works to roads be carried out but due to lack of staff resources it has not been possible. He asked that the Minister be requested to lift the embargo on the employment of outdoor staff. He referred to Community Employment Schemes (CES) and said that while he was not proposing that Community Employment Schemes would replace full time jobs participants would be in a position to pay PRSI contributions which would allow them to build up a social insurance record. He paid tribute to the Town Councils on the excellent service provided and asked that Kerry County Council recognise the level of service always provided by the staff of Killarney Town Council.

Cllr. D. Healy Rae **SECONDED** the notice of motion and said that there has been a huge reduction in staff resources in Kerry County Council. If staff numbers in the Roads & Transportation Department are reduced any further it will be impossible to maintain a reasonable level of service.

**8. Ask Irish Water to provide information on leak detection and repair**

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

That Kerry County Council contact Irish Water Services to ensure that they provide information for homeowners as to how they would detect a water leak and secondly, how to make a claim to have the leak repaired within the first year, so as not to incur charges.

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

Cllr. J. Sheahan asked for the support of the members regarding this matter.

**9. Request for a member of Tomies Residents Group to be allowed on the Lough Lein Trail Loop Steering Committee**

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

To ask the County Manager for a response to the important request made in November 2013, for a member of Tomies Residents Group to be allowed on the Lough Lein Trail Loop Steering Committee.

**The following report issued:**

**The request that a member of the Tomies Residents Group be allowed on the Lough Lein Trail Steering Group was referred to the Steering Group.**

**It was discussed at the last meeting of the Steering Group and the Group decided that it would not be appropriate to bring a representative of this Residents Group onto the Steering Group at this stage. However it was decided that as and when required representatives from the Steering Group would meet with the Tomies Group to provide regular updates as has already been done by Kerry County Council Trails Officer.**

**It should be noted that the Steering Group are currently developing a number of possible route options. These options will be put out on display later this year in order to get the views and opinions of the public in relation to these options.**

**In advance of this, the Steering Group will be inviting the public to make a general submission in relation to the proposed looped walk and an advertisement will appear shortly in the public press. All submissions will be considered and meetings with appropriate groups/interests are likely to follow.**

Cllr. B. Cronin acknowledged the response and commented that he was very disappointed with the approach taken by the Steering Group. He said that the Lough Lein Trail Loop is of tremendous importance from a tourism perspective to Killarney and Kerry. If this can be developed it will open up one of the most beautiful areas in the world giving access to both locals and tourists. It has massive potential for Killarney and for the county. It is a serious error of judgement not to include a representative of the Tomies Group on the Steering Group. The residents of Tomies live on the only Public Right of Way to the Lakes of Killarney, other than Ross Castle. He asked if many members of the Steering Committee live in close proximity to the lakes of Killarney? He PROPOSED that the members of Kerry County Council support the request for the residents of Tomies to be represented on the Steering Committee.

Cllr. M Gleeson said that the proposed development of the Lough Lein Trail Loop will have a transforming effect on the lives of local residents and visitors to Killarney. This was evident the previous weekend when a huge number of people took part in a walk in this area. He asked that every effort would be made to include the residents of Tomies on the Steering Committee.

County Manager Mr. T Curran said that the Steering Committee was originally set up by Fáilte Ireland with representatives of Kerry County Council, Fáilte Ireland, the Office of Public Works (OPW) and Killarney Chamber of Commerce. The purpose of the Steering Committee is to put guidelines in place for progressing the development. It is not the intention of the Steering Committee to exclude a representative of the residents of Tomies but the bigger the Committee the more difficult it would be to progress the project as a number of other local groups had also indicated their interest in being involved. Mr. Curran said that he understood the concerns of the members and would be willing to meet with a representative of the residents of Tomies to discuss the matter. He also undertook to convey the concerns of the members to the Steering Committee.

Cllr. B. Cronin said that it was not his intention to open floodgates and he was not suggesting that one group be included and others not. He asked that the concerns of the members regarding inclusiveness be conveyed to the Steering Committee as the only way forward with this project which has so much potential for Killarney, was to include the local residents.

#### **10. Extension of the sewer from Killarney to Kilcummin**

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

That this Council call on Irish Water to begin the process of extending the sewer mains, from Killarney to Kilcummin.

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

Cllr. JJ Culloty said that the extension of the public sewer from Kilcummin to Killarney had been discussed at the Killarney Electoral Area Meeting held in November 2013. The members had been advised that the influential factors for the development of a stand-alone waste water treatment plant near Kilcummin village included a projected slower growth rate than previously anticipated for the village. He said that there would be houses built in Coolcorcoran area in the future and asked that Irish Water would be requested to consider this matter.

Mr. O. Ring Director of Environment & Water Services said that this issue would be reviewed with Irish Water in the very near future.

#### **11. Refrain from deciding on applications of Wind Energy Farms under the Planning until new Department of Environment Heritage & Local Government guidelines**

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

That Kerry County Council refrain from deciding on any further planning applications of Wind Energy Farms under the Planning and Renewable Energy Policy of this Council, pending the publishing of the new Department of Environment Heritage & Local Government guidelines.

**The following report issued:**

**The assessment of a planning application is a legally defined statutory process which includes strict timeframes and a Planning Authority cannot alter or in any way interfere with this process. Consequently any application such as a Wind Energy Development must be dealt with and cannot be deferred pending the publication of National Guidelines.**

Cllr. P Leahy said that he was very disappointed with this reply. He referred to a decision by Offaly County Council to grant permission for 10 wind turbines, which was recently overturned by An Bord Pleanála and read the following into the record of the meeting:

“Closer to home the An Bord Pleanála refusal of a 10 turbine wind farm in Cloghan, Co. Offaly has significant implications in terms of the planning precedent it establishes for similar and much larger developments proposed for the midlands. The grounds on which An Bord Pleanála overturned a previous Offaly County permission are all the more critical as they went beyond issues of noise, shadow flicker and proximity to people’s homes 1.2 km away, but also relied heavily on the questions of scale and the impact on the landscape and visual amenity. Energy policy must now be revisited in consultation with all the stakeholders and should be reviewed and radically revised”.

Cllrs. J. Brassil, R. Beasley and T. Buckley supported the notice of motion.

Mr. M. McMahon Director of Planning said that any planning application that is received and validated in the Planning Department must be dealt with in accordance with legislation and the provisions of the current County Development Plan. Therefore, any application such as a Wind Energy Development must be dealt with and cannot be deferred pending the publication of National Guidelines.

Mr. McMahon said that the Planning Department had dedicated a huge amount of time and resources to the preparatory work of Variation No. 8 to the County Development Plan 2009 – 2015 which was adopted in November 2012. The new draft guidelines for Planning Authorities are currently on public display and Planning Authorities had been instructed by the Minister not to review Renewable Energy Strategies until revised the National Guidelines have been published. Notwithstanding this if a planning application for a wind energy development is received by a Planning Authority it must be dealt with in accordance with the statutory process. A decision of a Planning Authority may be appealed to An Bord Pleanála.

Cllr. T. Ferris said that the Renewable Energy Strategy (RES) was introduced in 2012 for a period of 18 months. The members had been informed at the time of the adoption of Variation 8 to the County Development Plan that when the review of the County Development Plan commenced, a review of the RES would also be carried out. Mr. McMahon reiterated that any application for planning permission received must be dealt with in accordance with current legislation and cannot be deferred pending the publication of National Guidelines.

Cllr. Ferris said that if the members had been aware of this at the Special Planning Meeting held on 6<sup>th</sup> January 2014, they may have opted for alternative wording.<sup>1</sup>

Mr. McMahon said that the draft guidelines were currently on public display with a view to having them adopted by the end of this year. Until then, a Local Authority may not review its County Development Plan in relation to a Renewable Energy Strategy.

## **12. Recurring flooding problem in the Tullig area of Castleisland**

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

To ask Kerry County Council and the O.P.W to deal urgently with the recurring flooding problem in the Tullig area of Castleisland and as septic tanks are filling up with water to ask the Department of Environment and Irish Water to extend the public sewer to Tullig, Brosna Road, College Road and Black Road as a priority.

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

**It appears that the flooding in the Tullig area is associated with flooding of the Gleannsharoon River for which the OPW has responsibility. The OPW has dredged the river in the past but it seems that the river has since silted up. Kerry County Council requested the OPW to carry out further dredging following flooding two years ago and a reminder of the request was issued two weeks ago and we await a response.**

**In relation to the extension of the public sewer to Tullig, this is now a matter for Uisce Eireann. This project was included in the list of potential capital projects which the Council recently notified to Uisce Eireann for consideration. The alternative means of delivering this project would be by means of a Group Sewerage Scheme. The Council made a submission to the Department in 2012 to include this project in a pilot Group Scheme but was unsuccessful.**

Cllr. D Healy Rae said that septic tanks in homes and businesses in the Tullig area had been flooded during the recent heavy rain. The public sewer in Castleisland should be extended.

<sup>1</sup> See Page 12 of February Minutes for amendment.

Cllr. B. Cronin **SECONDED** the notice of motion and said a deputation from the residents of this area had been received at a previous meeting of the Killarney Electoral Area Committee. The inspection of septic tanks in accordance with the requirements of the Water Services (Amendment) Act 2012 should not be carried out in the Tullig area of Castleisland as the residents have no means of addressing the flooding issues at present.

Mr. O. Ring Director of Environment & Water Services said that a response from the OPW regarding the flooding in the area was awaited.

With regard to extending the public sewer from Castleisland to Tullig, Mr Ring referred to the response above and said that when Irish Water is up and running the provision of a Group Sewerage Scheme could be considered.

Cllr. JJ Culloty said that the construction of a Group Sewerage Scheme would require that the residents pay 25% of the approved cost.

### **13. Local Service for renewal of driving licences**

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

To ask the RSA to provide a service locally to people in rural areas who want to renew their license. Either, in conjunction with Kerry County Council in the area offices or else by a mobile service similar to the library service. It's totally unacceptable that people from all parts of the county have to travel into Tralee for this service.

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

Cllr. J. Healy Rae said that the National Driving Licence Service NDLS office in Manor West, Tralee was a considerable distance from Kenmare and Caherciveen, particularly now that it was necessary to apply for a driving licence in person. A taxi fare from Caherdaniel to Tralee is approximately €140 each way and a person who is over 70 years of age would have to apply for a licence annually. He asked that a letter would issue to the Minister for the Environment, Community & Local Government on behalf of the members, outlining the hardship involved in the renewal of a driving licence for people who live in south Kerry and to request that a monthly local service or a mobile service be provided in Caherciveen and Kenmare.

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

**14. Ask NRA/Department of Transport for funding for safety measures on the N71 Bonane road at Gortnadullagh, Kenmare**

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

That Kerry County Council contacts the National Roads Authority/Department of Transport and requests that funding is provided to make the road safer near the turn on the N71 Bonane road at Gortnadullagh, Kenmare, there have been numerous serious accidents at this location and a fatality in 2007.

**The following report issued:**

**Kerry County Council has been informed of it's 2014 allocation for National Primary and National Secondary Roads. No allocation has been received to carry out any improvement works at Gortnadullagh, Kenmare, on the N71. However, this location and the concerns raised will be brought to the attention of the NRA Road Safety Engineer.**

Cllr. P. Connor Scarteen said that he had raised this matter many times previously. He asked that the matter be brought to the attention of the NRA Road Safety Engineer as a matter of urgency as a fatal accident had occurred at this location in 2007.

Cllr. J. Healy Rae supported the notice of motion.

**15. Provide funding for graded access to Killarney Library from Rock Road**

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

That the Council would make financial provision for the development of a graded access to Killarney Library from Rock Road in order to facilitate ease of movement for wheelchair users and people with disability.

**The following report issued:**

**Kerry Library will draw up a proposal for graded access to Killarney Library from the Rock Road and will arrange to have this work carried out in 2014.**

Cllr. M. Gleeson said that he hoped that this work would commence soon.

**16. Applications for the extension of planning permissions**

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

Why are there delays with making decisions on applications for the extension of permissions and what is the average time it is taking for planners to receive reports from the SAU.

**The following report issued:**

**Councillors will be aware that there was a change in personnel in the Site Assessment Unit in September 2013.**



**As with any significant change of this nature, there is a period of transition while staff are trained into the new role and become familiar with what is a complex technical area.**

**While we would accept that there have been some delays in processing extensions of duration (EOD) applications, the vast majority of such current files have now been dealt with and any outstanding backlog will be cleared very shortly.**

**The total number of EOD applications in 2013 was 195 and 86 were forwarded to the SAU for review. 128 such applications were granted extensions of duration.**

**While unlike a Planning Application there is no prescribed time period for assessment, it had been hoped to give a decision within 8 weeks (as per planning applications) but since September the average period has been approximately 10 weeks for the reasons outlined above but it is anticipated that going forward it will be possible to give a decision within the 8 week period as a result of the up-skilling of staff and the introduction of monitoring procedures in the Environment Section.**

Cllr. T. Ferris said that she was aware of an applicant who had been waiting for three months for a decision on an application for an extension to planning permission. She acknowledged that there is no prescribed time period for assessment but given that an applicant's financial security may depend on the decision she asked that the Planning Authority would aim for decisions to be made within a ten week period.

**17. That rural towns & villages be prioritised for the replacement of street lighting**

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

That Kerry County Council make it mandatory for the company who will be awarded the Street Light Contract, that priority replacing be given to rural towns & villages where there is most need.

**The following report issued:**

**The purpose of the Public Lighting ESCO tender is to ensure that Kerry Local Authorities maximize the energy saving potential of upgrading the existing lighting infrastructure to an energy efficient alternative. The requested clause would run contrary to the need to maximize these energy saving benefits early in the contract to allow for the complete system overhaul. We will not be in a position to insert such a requirement into the tender as it may have the effect of rendering the economics of delivering the project unviable.**

Cllr. J. Sheahan said that he felt that Kerry County Council should have an input into prioritising of locations for the replacement of lights. Towns and villages are most in need of upgraded lighting systems e.g. the public lighting in Rathmore is totally inadequate.

**18. That Kerry County Council promote the JobsPlus Scheme**

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

I propose that Kerry County Council in the interest of job creation in the county, promote the JobsPlus Scheme which is an employer incentive, operated by the Social Protection, that encourages and rewards employers who offer employment opportunities to the unemployed, offering up to €10,000 for a qualifying recruit. The vast majority of small businesses in the county are simply not aware of this scheme and many of them would be more than willing to participate in such a scheme.

**The following report issued:**

**Kerry County Enterprise Board endeavours to inform potential employers of all incentive schemes including JobsPlus. On 14th January, 2014. the Kerry County Enterprise Board hosted a seminar with the Tralee Chamber Alliance entitled "Fresh Thinking on Finance" outlining various enterprise supports including the Jobs Plus Scheme. Over 120 businesses attended.**

**Promotion of such schemes continues wherever possible at business start up programmes, business growth programmes and through mentoring/advisory support initiatives.**

**The Department of Social Protection has primary responsibility for the delivery of the scheme but the Enterprise Support Agencies promote such schemes at every opportunity.**

**Tomas Hayes, CEO of the Kerry County Enterprise Board Ltd. will also raise this matter with sister agencies and colleagues to ensure additional publicity"**

Cllr. M. Cahill welcomed that Kerry County Enterprise Board endeavours to inform potential employers of all incentive schemes and said that he believed that the JobsPlus scheme should be promoted as it would be particularly beneficial for SME's.

**19. That Kerry County Council would consider purchasing the Old Castle Hotel Site in Ballybunion**

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

That Kerry County Council would consider purchasing the Old Castle Hotel Site in Ballybunion to develop a discovery point in view of the development of the Wild Atlantic Way which would be an ideal iconic viewing area in the town centre and would have a huge impact for tourism in North Kerry.

**The following report issued:**

**Kerry County Council does not have resources to purchase the Old Castle Hotel site in Ballybunion for carparking or any other use.**

**If this site is to be developed as an iconic viewing area in the future, in the overall development of the Wild Atlantic Way, then it will fall to Fáilte Ireland to purchase this site and develop it.**

Cllr. Beasley said that this site would be an ideal viewing area in the town centre and would have a huge impact for tourism in North Kerry. He asked that Kerry County Council would review this matter.

**20. Provide protective barrier at the Kilkneedan junction with the N22 at Breannans Glen**

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

To again request, that two short sections of roadside protective barrier be put in place at the Kilkneedan junction with the N22 at Breannans Glen, as there is a severe dangerous drop from the public road at this location, also what is the estimated cost involved.

**The following report issued:**

**This Notice of Motion was discussed at the April 2013 Killarney Electoral Area Meeting where the following reply was given:**

**The Council has been informed that the National Roads Authority are currently undertaking road safety inspections on the entire national road network. The Authority engaged a number of road safety consultants last year, in conjunction with road safety design teams in the National Road Design Offices, to carry out this work. We have been informed that the inspection of the N22 National Primary Route will be undertaken shortly and that a programme of works will then be developed by the NRA to address any safety issues which will include areas where new safety barrier is deemed necessary.**

**The initial survey has given rise to a programme of works to repair damaged safety barrier and replace non-standard safety barrier. The initial repair work is complete. As this is part of a 3 year rolling programme, it is hoped that the NRA will produce a further programme to install safety barrier as required along the routes and that the above location will be included.**

Cllr. B. Cronin said that he had raised this matter several times during the past three to four years. He asked that an estimate of the cost of the provision of a safety barrier on the Killarney side of the junction be prepared.

Cllr. JJ Culloty supported the notice of motion.

**21. Ask Minister for Transport to allow Local Authorities to reduce speed limits at dangerous junctions where it is deemed necessary to do so**

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

That this Council write to the Minister for Transport, Tourism and Sport, Mr. Leo Varadkar, calling on him to allow Local Authorities to reduce speed limits at dangerous junctions, where it is deemed necessary to do so.

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

Cllr. JJ Culloty said that he would like to see legislation changed to allow for a reduction of a speed limit in cases where the Local Authority, Gardaí and the local residents are in agreement that the speed limit at a particular location should be reduced to enhance safety.

Cllr. S. Counihan SECONDED the notice of motion.

**22. Condemn the Minister for Health for proposed cuts to the Fair Deal Scheme**

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

To condemn the Minister for Health for proposed cuts to the Fair Deal Scheme and to recognise that there is a severe shortage of beds in the hospitals and nursing homes in Killarney and Kenmare.

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

Cllr. D. Healy Rae said that a new hospital had been provided in Kenmare but 16 beds remained closed. He asked that the Minister for Health be requested to address the severe shortage of beds in the hospitals and nursing homes in Killarney and Kenmare.

Cllr. J. Healy Rae said that former TD Jackie Healy Rae had worked very hard towards the provision of the new hospital for Kenmare.

**23. Provide a footpath for the residents of Ard Bhearna Estate, Kenmare**

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

For Kerry County Council to provide a footpath for the residents of Ard Bhearna Estate, Kenmare. It's unacceptable that they have no footpath from the town accessing their estate.

**The following report issued:**

**A similar Notice of Motion was raised by Councillor Patrick Connor Scarteen at the April Killorglin Electoral Area Meeting in 2013 where the following reply was given:**

**This residential estate is situated on the N71 Molls Gap Road. The National Roads Authority does not currently have a programme in place to fund the extension of footpaths on the national road network. In this particular case the cost of the works are quite significant at approximately €140,000 and having regard to current and projected future constraints on the NRA's budget it is unlikely that a project of this scale will be feasible from a financial perspective in the medium term.**

Cllr. J. Healy Rae said that a considerable number of children live in this estate it is unacceptable that they have to walk approximately 600m before they reach a footpath.

Cllr. P. Connor Scarteen **SECONDED** the notice of motion.

**25. Particulars of payments made to consultants during 2013**

**Pursuant to notice duly given Cllr. P. O'Donoghue PROPOSED:**

That Kerry County Council furnish detailed particulars of payments made to consultants during 2013 and also advise of the names of each firm of consultants and details of the services provided.

**The following report issued:**

**The attached schedule gives the details of the sums paid to Consultants engaged by Kerry County Council on County Council projects and the jobs for which the Consultants were retained for the period 2013. Details of Consultants paid in excess of €5,000 in the period are included.**

**The total cost of consultancy services for 2013 was €2,244,260 amounting to approximately 2% of overall expenditure in 2013. Of this sum €2,140,209 (95%) is recoupable from various Government Departments and State Agencies. Four Consultancy Services Halcrow Barry, Jacobs, RPS/MEOS and A&L Goodbody account for 55% of this expenditure alone. These are consultancy services such as Client's Rep, Environmental Consultants and**

**Legal Reps for conciliation and arbitration, for major road schemes fully funded by National Roads Authority.**

**Before engaging or hiring any external services or support, the Council's first step in all sections is to review our internal capacity and determine whether or not the project can be delivered in-house. It is only after a decision that the project/service cannot be delivered in-house that the engagement of external assistance or support arises. In the case of Consulting Firms they are engaged normally only where the County Council does not have the diverse range of disciplines needed or the particular expertise necessary for the specific job or where we are instructed to do so in accordance with grant conditions. Generally, they are engaged in connection with major infrastructural projects, such as, new roads, water schemes, waste water schemes, structural design, quantity surveying and, otherwise, where specialist input is required beyond the normal activities of the Council. In most of the major projects, the appointment of Consultants is subject to the approval of the National Grant-Aiding Body. E.U. Public Procurement Directives apply to the major contracts, as well. The National Public Procurement Guidelines apply to the award of all public sector contracts. The policy is that in all cases, both major and otherwise, the fee proposal is agreed in advance of any appointment.**

**As every effort is made to undertake the maximum amount of work from within our own staffing resources, the Council engages Consultants on an exceptional basis only in the circumstances, or as we are instructed to do so, as mentioned earlier. Consequently, then, the possibility of the Council undertaking the work through internal means had been exhausted before engaging the Consultants in the first instance. The Council has many examples of work undertaken in recent years previously undertaken by external Consultants (e.g. County Development Plan).**

Cllr. . O'Donoghue acknowledged the response and said that Kerry County Council has excellent in house staff.

Mr. G. MacNamara A/Director of Roads & Transportation referred to large road schemes recently completed such as the Tralee By Pass and the N86 Tralee to Dingle/Daingean Ui Chhúis Improvement Scheme and said that the Council's Road Design Office does not have the the staff resources to undertake this type of work. He said that approximately 95% of the sum paid to consultants is recoupable from various Government Departments and State Agencies. Consulting Firms are engaged only where the Council does not have the diverse range of disciplines needed or the particular expertise necessary for a specific job.

Cllr. J. Brassil said that he was concerned that a situation had arisen where contractors 'buy' the job and then try to make their money through legal arguments. Kerry County Council is in arbitration with the contractor with regard to the final cost of the Castleisland Bypass. The same contractor had been awarded the contract for the Tralee Bypass and the final bill for the project is approximately double the initial contract, as a result of additional claims by the company. When tenders are lodged, records such as this should be taken into consideration.

**26. Ask the Minister to allocate sufficient funds to Kerry County Council in 2014 to initiate a building programme so as to address the huge social housing waiting list**

**Pursuant to notice duly given Cllrs. M. Cahill & B. Cronin PROPOSED:**

That Kerry County Council call on the Minister for the Environment, Community & Local Government, Mr. Phil Hogan, TD., to allocate sufficient funds to Kerry County Council in 2014 to initiate a building programme so as to address the huge social housing waiting list in the county and also call on the Minister to initiate a purchase scheme and allocate funding to the Council to acquire properties as there is exceptionally good value in the market place at the moment.

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

**The Minister for Housing, Ms Jan O'Sullivan announced a programme of investment of €30m in local authority housing on budget day in October last. It was outlined that approximately half of this investment will enable the construction of new infill developments in areas with the highest demand for social housing. Another €15m will be invested in bringing long-term vacant units back into social use. The Minister indicated that she expects the €30m investment to produce up to 500 new homes for families. No call for proposals for projects has yet been made by the Department this year. Once this request is received we will make the appropriate submissions for funding as normal.**

Cllr. M. Cahill said that there would be approximately 5,000 qualified applicants for housing in the county following the abolition of the Town Councils. The Minister should be requested to initiate a purchase scheme with a view to acquiring properties for social housing as there is exceptionally good value in the market at present.

Cllr. B. Cronin **SECONDED** the notice of motion and asked if the Minister had given any indication as to what fraction of the 500 new homes will be provided in Kerry.

- 27. That the Council endorse the principle of the right to water and sanitation as a fundamental core value within Irish society and this should be reflected as a central pillar in national water policy**

**Pursuant to notice duly given Cllrs. J. Healy Rae & D. Healy Rae PROPOSED:**

That this Council endorses the principle of the right to water and sanitation as a fundamental core value within Irish society and this should be reflected as a central pillar in national water policy. As citizens of the EU we believe in the right of all inhabitants to enjoy this right and that we oppose any attempt to include water in legislation aimed at market liberalisation. This council supports the call for the full national political commitment to ensuring that water and sanitation are publicly owned, democratically run and that all in the sector are fully accountable.

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

Cllr. D. Healy Rae asked that a letter be written to the Minister for the Environment, Community & Local Government to request that the provision of public water remains within the responsibility of the Government.

He said that there were a number of issues with regard to the metering which he was concerned about. The tender was awarded to an English company and was sub contracted to another company. He feared that Irish Water may be privatised and this would result in very high water charges for the consumer.



#### **14.01.20.13 Correspondence - Conferences and Seminars**

- (a) On the PROPOSAL of Cllr. G Wharton Slattery SECONDED by Cllr. L Purtill it was agreed to authorise the attendance of Cllrs. Beasley, O'Connell, Griffin, J Healy Rae, D Healy Rae, Brassil, Donovan Ace Training: Domestic Water Charges – Preparation and Practicalities to be held in The Four Seasons Hotel, Carlingford, Louth from 24/01/2014 -- 26/01/2014

Cllr. J Brassil was nominated to report back to Council on this Conference.

- (b) No member expressed interest in attending this conference.

- (c) On the PROPOSAL of Cllr. N Foley SECONDED by Cllr. PJ Donovan it was agreed to authorise the attendance of Cllr. J Healy Rae at the “Hydro Power - How Local Authorities can harness our rivers and streams” BG Seminars to be held in Kenmare Bay Hotel, Kenmare, Kerry from 31/01/2014 -- 02/02/2014:

Cllr. J Healy Rae was nominated to report back to Council on this Conference.

- (d) On the PROPOSAL of Cllr. J Healy Rae SECONDED by Cllr. JJ Culloty it was agreed to authorise the attendance of Cllrs. B O'Connell, M Griffin, D Healy Rae at the Conference “An Inconvenient Reality - Eco Energy - Wind Turbines – Pylons” Kadenza Consultancies to be held in Gold Coast Hotel, Ballinacourty, Dungarvan, Waterford from 31/01/2014 -- 02/02/2014

Cllr. M Griffin was nominated to report back to Council on this Conference.

- (e) On the PROPOSAL of Cllr. P O'Donoghue SECONDED by Cllr. PJ Donovan it was agreed to authorise the attendance of Cllrs. Beasley, O'Connell, Griffin, Buckley, Brassil, O'Shea, O'Donoghue, Cahill, Leahy at the Conference “Keeping Communities Safe - Fire Safety” Esperanza Enterprises to be held in Westport Plaza Hotel, Castlebar Street, Westport, Mayo from 07/02/2014 -- 08/02/2014

Cllr. M O'Shea was nominated to report back to Council on this Conference.

- (f) On the PROPOSAL of Cllr. M Griffin SECONDED by Cllr. M Gleeson it was agreed to authorise the attendance of Cllrs. Connor Scarteen, Buckley, Beasley, Foley, Griffin, Finucane at the Conference “Spring Seminar 2014” AMAI to be held in Great Northern Hotel, Bundoran, Donegal from 14/02/2014 -- 15/02/2014

Cllr. P Connor Scarteen was nominated to report back to Council on this Conference.

- (g) On the PROPOSAL of Cllr. P O'Donoghue SECONDED by Cllr. J Finucane it was agreed to authorise the attendance of Cllrs. Connor Scarteen, Griffin, D Healy Rae, J Healy Rae, P O'Donoghue, O'Shea at the Conference "Folklore - Heritage - Tourism - 25th National Tourism" Conference Clare Tourism Conference to be held in Falls Hotel, Ennistymon, Clare from 21/02/2014 -- 22/02/2014

Cllr. P O'Donoghue was nominated to report back to Council on this Conference

- (h) On the PROPOSAL of Cllr. J Finucane SECONDED by Cllr. M Griffin it was agreed to authorise the attendance of Buckley, Donovan, Foley, Purtill, Sheahan, Leahy, Mayor S Fitzgerald at the Conference "The Irish Economy - Post Bailout 25th Colmcille Winter School" to be held in Colmcille Heritage Centre, Church Hill, Letterkenny, Donegal from 21/02/2014 -- 23/02/2014

Cllr. T Buckley was nominated to report back to Council on this Conference

- (i) On the PROPOSAL of Cllr. J Finucane SECONDED by Cllr. P O'Donoghue it was agreed to approve the attendance of Mayor S. Fitzgerald on a visit to the US for St. Patrick's Day.

### 13.12.16.14 Correspondence General

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

1.	Letter dated 9 <sup>th</sup> December, 2013 from Eircom in relation to broadband in Kenmare.
2.	Letter dated 19 <sup>th</sup> December, 2013 from the NRA in relation to the N72 at Gortanahaneboy West, Rathmore.
3.	Letter dated 23 <sup>rd</sup> December, 2013 from the Office of the Minister for Finance in relation to the Financial Institutions levy.
4.	Letter dated 31 <sup>st</sup> December, 2013 from the Department of Environment, Community and Local Government in relation to the making of a commencement order for the commencement of a number of sections of the Water Services No. 2 Act 2013.
5.	Letter dated 7 <sup>th</sup> January, 2014 from the Office of the Minister for Environment, Community and Local Government in relation to the Local Government Reform Bill 2013.
6.	Letter dated 13 <sup>th</sup> January, 2014 from the Office of the Minister for Environment, Community and Local Government in relation to the role of the Regulator in the water sector reforms.
7.	Letter dated 10 <sup>th</sup> December, 2013 from the Irish Congress of Trade Unions in relation to the formation of Socio-Economic Committees.
8.	Letter dated 18 <sup>th</sup> December, 2013 from Leitrim County Council in relation to a resolution adopted by that authority calling on the Government to withdraw proposals to introduce a levy on all vacant commercial premises.

### Votes of Sympathy

The following Votes of Sympathy were noted from the Vote of Sympathy book:

- (a) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Mary Cronin.
- (b) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Jimmy Keane.
- (c) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Vivienne Sheehy.

- (d) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late John Healy (Danny).
- (e) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Michael Kissane.
- (f) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Dan Coffey.
- (g) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Matthew Dineen.
- (h) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Shane Dennehy.
- (i) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Elizabeth Murphy.
- (j) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Daniel O’Keeffe.
- (k) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Michael O’Donoghue.
- (l) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Mike Doyle.
- (m) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Helen Walsh.
- (n) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Hannah O’Sullivan.
- (o) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Joe Dineen.
- (p) Cllrs. D. Healy-Rae and J. Healy-Rae proposed that a vote of sympathy be extended to the family of the late Richard Shanahan.

**Any Other Business**

Cllr. Healy Rae asked that repairs would be carried out to potholes on roads in the Kenmare area.

Mr. G. MacNamara A/Director of Roads & Transportation undertook to investigate this matter.

Cllr. B. Cronin said that subscribers to Permanet in Kerry were very unhappy with the broadband service being received. He PROPOSED that a letter on behalf of the members would issue to Permanet to request that this matter be resolved.

Cllr. R Beasley SECONDED the proposal.

Cllr. G. Wharton Slattery said that signage for the National Driving Licence Service (NDLS) at Manor West, Tralee was inadequate and asked that the RSA be made aware of this issue.

The meeting concluded at 1.30pm.

**Gerard O'Brien**  
**Meetings Administrator**

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**Mayor of Kerry**