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**MINUTES OF THE MEETING OF THE MEMBERS OF THE MUNICIPAL DISTRICT OF KILLARNEY HELD IN THE TOWN HALL, KILLARNEY ON FRIDAY 19<sup>th</sup> SEPTEMBER, 2014.**

**MIONTUAIRISCÍ NA CRUINNITHE DE CHEANTAR BARDASACH CHILL ÁIRNE A THIONÓLADH IN HALLA AN BAILE CHILL ÁIRNE AR AN AOINE 19 MEAN FÓMHAR, 2014.**

**PRESENT/I LÁTHAIR**

<b>B Cronin</b>	<b>D Healy Rae</b>
<b>JJ Culloty</b>	<b>N Kelleher</b>
<b>M Gleeson</b>	<b>B O'Connell</b>
<b>D Grady</b>	<b>J Sheahan</b>

**In attendance/i láthair**

<b>Mr. J Breen</b>	<b>Delegated Executive for the MD of Killarney</b>
<b>Mr. G O'Brien</b>	<b>Meetings Administrator</b>
<b>Mr. D Doyle</b>	<b>SEE</b>
<b>Mr. C Mangan</b>	<b>SEE</b>
<b>Ms. B Mulryan</b>	<b>EE</b>
<b>Mr. B Mulhern</b>	<b>EE</b>
<b>Ms. B Reidy</b>	<b>SSO Corporate Affairs</b>
<b>Ms. J O'Sullivan</b>	<b>CO Corporate Affairs</b>
<b>Mr. MI Lynch</b>	<b>SEE</b>
<b>Mr. D. Donnegan</b>	<b>A.E.</b>
<b>Mr. P.J. Galvin</b>	<b>A.E.</b>
<b>Mr. C. O'Leary</b>	<b>E.E.</b>

The meeting commenced at 10.00am.

**14.09.19.01 Confirmation of the Minutes**

- (a) On the PROPOSAL of Cllr. M.Gleeson SECONDED by Cllr. N. Kelleher it was agreed that the Minutes of the meeting of the members of the Municipal District of Killarney held on the 16<sup>th</sup> July, 2014 be confirmed

**14.09.19.02 Business prescribed by Statute, Standing Orders or Resolution**

**(a) Traffic Calming Measures - N71 Muckross Road Killarney**

Mr. J. Breen referred members to report dated 10<sup>th</sup> September, 2014 on this item which was circulated. He briefed them on the report outlining the proposed works as follows:

The proposed works will consist of the following:

- Cross sectional change – The width of the carriageway will be reduced to 6.5m and a 3.0m combined footpath/cycleway will be provided either side.
- The provision of one controlled pedestrian crossing and a number of uncontrolled crossings are key parts of the scheme.
- LED Public Lighting will be provided along with Urbis type lighting at the pedestrian crossings.
- Undergrounding of all services.
- Pavement Overlay with associated surface water drainage modifications as required.
- All associated ancillary and accommodation works.

Mr. Breen advised the meeting that public consultation had taken place on the proposed development and the plans and particulars for the development were on display from Thursday 3 July to Friday 15 August. Mr. Breen then outlined the submissions received and the Council's response to them. He pointed out that the carriageway is being narrowed to allow for a cycleway and footpath at either side of the road.

On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. D. Grady 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 respect of the proposed Traffic Calming Measures on the N71 Muckross Road, Killarney as outlined in the report circulated.

#### **(b) Proposed Safety Scheme on the N71 Muckross Road, Killarney**

Mr. J. Breen referred to report dated 10 September, 2014 on this item which was circulated. He briefed them on the report.

On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. D. Grady it was agreed to approve the provision of Traffic Calming Measures in accordance with Section 38 of the Road Traffic Act 1994 in respect of the proposed Safety Scheme on the N71 Muckross Road, Killarney, Co. Kerry.

#### **14.09.19.03 Reception of Deputations**

##### **(a) Residents of Glenflesk**

The Cathaoirleach Cllr. J. Culloty welcomed the deputation from Glenflesk and its speakers (*Name withheld for data protection purposes. A paper copy of unedited Minutes available on request*)

Cllr. D. Healy Rae outlined the background of this deputation who are calling for a reduction in the speed limit. Over the past 4/5 years he moved Notices of Motion in relation to this section of road. He was approached by a number of residents who are fearful that a serious or fatal accident will occur. Drivers who come on to this road especially around mass or at funerals have also raised concerns. Cllr. Healy-Rae said Mr. John O'Connor and Mr. David Lucy are also present at the meeting.

*(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* stated that he had concerns over a number of issues. The road from the Church to O'Brien's shop is very dangerous because of the speed of vehicles. People who attend Mass cross the road to the shop afterwards and it is very dangerous. There was a near fatal accident there a few years ago. The children in the GAA grounds leave the field and go up to O'Brien's Shop but they must cross the road which is very dangerous. Cars and trucks park at the truck and as a result the view of traffic coming from Killarney is restricted. *(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* asked that signs would be provided in an effort to slow down traffic.

*(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* said that buses and cars park outside the Church and this impairs visibility for motorists who want to access the main road. *(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* asked why the speed limit was not reduced at this location long ago.

Cllr. M. Gleeson welcomed the deputation and said a lot of elderly people live in this area and find it difficult to cross the road. He called on the NRA to approve signage to reduce speed at this location. He also suggested that funding should be provided for flashing amber lights.

Cllr. N. Kelleher welcomed the deputation and said as he passes this section of road every morning he is very familiar with it. One of his elderly relatives was hit by the wing mirror of a vehicle at this section of road. He said there is an accident waiting to happen because of the speed of traffic. Cllr. Kelleher said he understood a speed limit review will be undertaken next year and he asked that this location would be a priority.

Cllr. B. Cronin also welcomed the deputation and said this is a most unusual location. There is a GAA grounds, Shop and Church in this area and cars are allowed to go at max speed. In his opinion it is only a matter of time until an accident occurs. Cllr. Cronin said there is an urgent need for the provision of traffic calming measures at this location. He asked that the Council would

seek permission from the NRA to provide warning lights at this location as an interim measure. He referred to the road from the Golden Nugget to Faha where the Speed Camera Van catches many motorists exceeding the speed limit. In conclusion Cllr. Cronin expressed his support for the deputation and said there is a need to make this road safer.

Cllr. J. Sheahan welcomed the deputation and outlined that he too experienced the dangers of this road when attending funerals etc in Glenflesk. Councillors have raised this issue in the past and it is frustrating that no progress has been made but he assured the deputation they will continue to prioritise it.

Cllr. D. Grady welcomed the deputation and said he was very familiar with the dangers at this location. Last month he requested a meeting with NRA to allow members the opportunity to point out the NRA the issues they have and to call for speed restrictions on this section of road.

Cllr. J.J. Culloty supported calls for a reduction in the speed limit at this location. At present traffic can travel at 100km per hour. However this should be reduced to 50/60 km per hour.

Cllr. D. Healy Rae: said that the local shopkeeper has witnessed many near misses over the years. The residents present at the meeting are very busy but they want to ensure a reduction in the speed limit at this location. The speed limit was reduced in Lisarda which is a very similar location but at Glenflesk is a Church as well GAA Grounds and a shop. He called on management to give priority to getting a reduction in the speed limit at this location.

Cllr. M. Gleeson again asked if it would be possible to provide flashing lights at Glenflesk?

Mr. D. Doyle said he was aware of the issues and said it is hoped to commence a speed limit review next year. If this proceeds priority can be given to Glenflesk. He would meet with the NRA Safety Officer in the near future and he would bring this location to their attention. Mr. Doyle undertook to update members further on this issue at the next meeting of the Municipal District.

Cllr. J. Sheahan expressed his disappointment at the response as it could take a year to complete the speed limit review. He asked how long it would take for safety works to be carried out in Glenflesk.

Mr. J. Breen pointed out that any speed limit review must be carried out in accordance with the legislation and on a county wide basis.

Mr. D. Doyle said there would be a speed limit review across the entire county which he hoped would commence next year. We must consult with the NRA

in relation to national routes. He pointed out that the NRA is not likely to be in favour of a speed limit reduction in Glenflesk. He acknowledged the issues raised by the deputation but said the Council must abide by the statutory process. The speed limit review will take a minimum of 12 months. As previously stated he would discuss this location with the NRA Safety Officer to establish if any short term measures would be suitable for this location.

Cllr. D. Healy Rae said if the NRA refuses to allow a reduction in the speed limit or some safety measures at Glenflesk they should be invited to a Council meeting to answer to the members when safety measures were implemented at Lisarda.

Cllr. D. Grady asked that the NRA would be invited to attend a Council Meeting as soon as possible.

The deputation then left the meeting.

**(b) Residents of Knockasarnett / Coolgariv**

Cllr. B. Cronin welcomed the deputation and said there were two speakers. *(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* to address the meeting.

*(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* said this area is on the Furies to Ballyhar road and is densely populated, with a burial ground and school. Just before the Two Mile School there is a 60km ph speed limit. There are two particular areas of concern (1) the infamous bend 250m from the paupers burial ground which is very dangerous and (2) the danger to the residents from speeding traffic on this long straight stretch of road. Many of these residents are elderly or families with children. This is a narrow road with many entrances to houses and the main problem is the speed at which traffic travels the road. There is a large volume of traffic using this road including HGV, buses and cars. This road is a direct artery to Furies. People don't feel safe going for a walk or exiting their driveways. It is dangerous to cycle or walk the road. The road is very narrow and it is virtually impossible for two trucks to pass. This issue is ongoing for many years and in the past Kerry County Council erected signage at either side of the dangerous bend in an effort to slow traffic down but it did not have the required effect. The Speed limit must be reduced to 60km per hour. The residents of this area need to be able to exit their homes in safety and to be safe when walking or cycling. The residents made representations to the NRA but were informed it was a matter for Kerry County Council.

*(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* informed the meeting that three generations of families live on this road and they must climb ditches to get to their parents homes as it is too dangerous to walk the road. The road is too narrow and when two trucks pass their wing mirrors collide. Motorists do not realise how bad the bend is and there is no public lighting. There is no footpath and he was concerned an accident would happen.

Cllr. B. Cronin stated that he brought many deputations to Electoral Area Meetings on this issue over the years and he complimented *(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* on the way they explained their case. Speed is the critical issue on this road and while signs were painted on the road in an effort to slow down traffic and chevrons were provided on the bend traffic has not slowed down. There is a large volume of traffic on that road in particular heavy goods vehicles travelling to a local business. Cllr. Cronin added that no responsible parent would allow their children to walk or cycle on this road. There is a reduced speed limit further up the road near the national school but that is being ignored by motorists. On a few occasions the Gardaí set up speed checks and a number of speeding motorists were caught. Cllr. Cronin said it is critical that the speed limit review is undertaken as soon as possible. This is a county road and Kerry County Council is responsible for it. He asked if speed ramps could be provided on this road and that drivers would be made aware of the number of houses on this road. If the speed limit was reduced it might slow traffic down. He proposed that this section of road would be included in the speed limit review with a view to reducing the speed limit.

Cllr. M. Gleeson said he is also familiar with this road and he recently had a Notice of Motion at the full Council when he asked that this road would be improved and made safer. He wrote a letter to the Sunday Independent asking that every road would be wide enough to facilitate pedestrians safely. The Department of Health are encouraging people to exercise and the Department of Environment advise motorists to leave the car at home. People on this road cannot walk safely unless they drive into Killarney. Cllr. Gleeson offered his full support to the residents and undertook to allocate funding if necessary.

Cllr. J. Sheahan welcomed the deputation and said that he was very familiar with this road. Motorists use it like Mondello Park and said it is very dangerous and the speed limit needs to be reduced. He undertook to allocate funding for it if necessary.

Cllr. N. Kelleher welcomed the deputation. He informed the members that he would not be as familiar with this road as some of the other councillors but did travel it when canvassing when he was amazed at the speed of traffic. He fully supported calls for a reduction in the speed limit. He undertook to give any assistance possible to the residents.

Cllr. D. Healy-Rae welcomed the deputation and said safety must be a priority. He complimented *(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* on their presentations and said this was the old road to Tralee; however large volumes of traffic now use this road. He called on the Gardai to have a presence on this road and he asked that the Speed Camera Van would also locate there occasionally as he believed that would make a difference. Cllr. Healy-Rae undertook to allocate funding for works to this road if necessary.

Cllr. D. Grady said he was familiar with this road and the difficulties encountered by the residents. He informed the members of an incident where an elderly resident found it virtually impossible to exit her driveway. He asked if it would be possible to install ramps at this location.

The Cathaoirleach, Cllr. J.J. Culloty welcomed the deputation and asked if the Gardai could be contacted with a view to having a presence there morning and evening in the short term.

Mr. J. Breen welcomed the deputation and complimented them on their presentation. The issues highlighted by the deputation arose from the way rural areas developed over the years and said we must ensure communities can be connected. A number of issues need to be considered and he gave a commitment that officials would meet with residents on site to see what can be done to improve this situation. Mr. Breen undertook to contact the Gardaí and to revert to members at the next meeting. He added that speed ramps would not be a realistic solution.

Cllr. Cronin thanked the deputation for their commitment to resolving this issue and said it is critical that speed cameras are located on this road from time to time. It is also vital that appropriate signage is provided. He acknowledged the work done by *(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* on behalf of the deputation and undertook to provide resident's contact numbers to the Director so that the engineer can arrange a meeting on site with the residents. The deputation then left the meeting.

#### **14.09.19.04 Job Creation / Sustainable Economic Development Directorate**

##### **(a) Notices of Motion**

**1. Cllr. M Gleeson:** As cycling long distance is ever growing in popularity, that this Council in conjunction with the NRA would provide dedicated cycle lanes on the N.22 from Killarney to the County Bounds. There is ample width for such development and the project on completion would greatly enhance the tourism product in the county.

**REPLY:** The National Cycle Network recommended in the Department of Transport's *National Cycle Network Scoping Study of 2010* includes a long distance cycling route along the Killarney - Cork City corridor however the corridor as presently shown leaves the N22 at Killarney and runs along the N72 to Millstreet rejoining the N22 at Macroom. Funding was provided in 2013 for a small selection of routes on the proposed National Cycle Network, but this did not include the Killarney - Cork route. The integration of a cycle lane into an existing road layout requires careful design and thorough consideration of the interaction between cyclists and other road users at each and every conflict point. The appraisal will need to be documented in a Feasibility Report which should also justify why the original National Cycle Network corridor (N72) wasn't followed. The commencement of such an appraisal will need to be approved by the NRA as the development of the section of this route will depend on securing the necessary funding from a relevant programme whenever such a programme/ funding source is available.

**Cllr. M. Gleeson noted the reply and said that he lives beside the N22. The number of cyclists that travel that road from Easter on is ever growing with a minimum of 200 per day. This is a very important aspect**

of our tourism industry. He said if we facilitate cyclists by developing proper tacks we benefit as a county and as a Municipal District. It is interesting to see the road from Durrow to Abbeylax which the hard shoulder is beautifully divided with an 80cm lane inside the yellow line and then there is a cycle lane. We need to be creative and positive and these facilities are relatively inexpensive to provide. He asked that a cycle lane would be provided from the county bounds to Killarney. In conclusion Cllr. Gleeson proposed his motion and asked that his proposal would be given positive consideration.

**Cllr. J.J. Culloty seconded the motion.**

**2. Cllr. D Healy Rae:** That we the members of the Killarney Municipal District ask the planning authority to address the problem in Killarney Town where people with sites in phase 2 are not now allowed planning even though many with sites in phase 1 for different reasons cannot even apply for planning permission – it has to be considered that there is a shortage of houses in Killarney Town.

**REPLY:** In the case of Killarney, the current Town Plan stipulates that 80% of lands in Phase 1 (zoned residential) must be developed prior to the grant of permission for residential development in lands zoned Phase 2.

There are however a number of “live” planning permissions in Phase 1 which could commence immediately and service the present housing demand.

It is proposed to commence the preparation of a Killarney Municipal District Plan in early 2015 which may address this issue.

**Cllr. D. Healy Rae welcomed the reply but said the Killarney Municipal District Plan will not commence until early 2015 and that is too far away. It will take a year to conclude the Plan but these issues must be addressed. He asked if members are entitled to use the material contravention process to facilitate these people who want to provide a home. If they were granted permission it would result in additional employment. If the Killarney Municipal District Plan cannot be fast tracked he asked if there is any other way to address this problem. Much of the land in Phase 1 is with NAMA yet those who own land in Phase 2 are being told it is premature to develop their land.**

**Mr. M. Lynch said the Zoning and Phase 1, 2, and 3 came from the implementation of the Core Strategy. Before any development can take place in Phase 2, 80% of Phase 1 must be complete. Permissions were granted in Phase 1 that are not being implemented and this can be considered.**



Cllr. D. Healy Rae said he was aware of this but finance is the problem. He asked management to allow material contraventions to enable permission to be granted in respect of land in Phase 2.

Mr. J. Breen stated that this issue is arising nationally and the Department are considering it. Funding is not only an issue for single house developments but also for multiple house developments. Mortgage approval in the sum of €6m was granted but the houses were not built. We need to be prudent and we must await direction from the Department in the next few weeks.

Cllr. D. Healy Rae said management are reluctant to allow the material contravention process to be used for this purpose. He asked if people can make a case before they submit a planning application as that is very costly. Some of these people have land and money to go ahead and he asked that they would be considered on a case by case basis.

Mr. J. Breen undertook to discuss this issue with the Director of Planning and said this issue must be dealt with on a countywide basis. He undertook to revert to members on this issue in due course.

Cllr. N. Kelleher expressed concern that the development of one off houses in Phase 2 is being delayed as a result of lands not being developed in Phase 1. He presumed the developments in Phase 1 are multiple house developments which are not proceeding. The real issue is that people in the town of Killarney cannot buy sites and they need to be considered.

#### **14.09.19.05(a) Update report from Sustainable Communities / Quality of Life Directorate.**

It was agreed to note the following report from Mr. J Breen Director of Sustainable Communities / Quality of Life which had been circulated.

### **Library Service Report**

**Business Unit Manager – Tommy O'Connor, Co. Librarian**

#### **Library service:**

- The Department of Children and Youth Affairs has announced capital funding of €10,000 for Castleisland and Killarney libraries. The funding will be used to establish a library of toys and technology and sensory facilities for use by children with special needs.
- 432,571 items have been borrowed from Kerry's Libraries during the period 2 January – 31 August 2014. This is at 69% of last year's record

borrowing figure of 619,089 items.

- 43 new titles have been added to the Kerry Library Classroom Novels Collection during the summer, bringing the collection to over 100 titles and to tie in with the national Decade of Commemorations, 14 of these titles are set during the early years of the Irish state e.g. 'The guns of Easter', 'Young rebels' and 'The Blood upon the Rose'. Primary school classes may borrow a set of each title free of charge for a 1 month period.

### **Community Services and Engagement Report for September 2014**

Business Unit Manager – Mr Michael Scannell, Senior Executive Officer

#### **Kerry Public Participation Network.**

- The following was included in the June Report. Please note closing date for registration is 30<sup>th</sup> September. Groups not registered by then will not be eligible to be involved in the election process.

Each Local Authority must adopt the framework for public participation in Local Government to be called the Public Participation Network (PPN) which sets out the mechanisms by which citizens and communities will be encouraged and supported to participate in decision making processes of the Local Authority that impact on communities. The PPN will be the main link through which the Local Authority connects with the community, voluntary and environmental sectors.

The proposals as outlined in this policy mirror much of work of the Kerry Community & Voluntary Forum and work has commenced to adapt to the Public Participation Network structure. The Kerry Community & Voluntary Forum Executive is working as the interim Kerry Public Participation Network to oversee the extensive work programme involved.

The Kerry County Register of Community & Voluntary Groups is a crucial element of the new structure and the re registration process for the PPN structure has commenced. 840 groups were registered with the C & V Forum and to date 220 groups have registered under the new Public Participation Network. Groups can register up to the end of September 2014 and a further advertisement campaign is planned.

The PPN will also be the vehicle through which nominations will be made to a wide range of Local Government bodies including the SPCs and the new LCDCs. This is not unlike the current situation where the C & V Forum nominated on to these bodies.

At this stage, planning has commenced to establish the PPN Municipal Area Plenary structures. While the Forum in Kerry operated on a sub county basis, these do not correspond to the new Municipal areas. A sub group has been established to consider the issues and provide feedback to the County PPN structure.

## **Tidy Towns Results**

The results of the Tidy Towns competition have just been announced and the Killarney Municipal District was well represented in the competition with all entries improving their overall marks from previous years. Killarney town again performed excellently challenging at the highest level winning both the county and regional awards.

The following centres took part in the 2014 competition;

Castleisland	274
Currans	252
Currow	279
Farranfore	229
Kilcummin	244
Killarney	317
Scartaglen	229

Congratulations to all involved. The benefits of this competition are obvious with significant improvements being undertaken each year by communities in many cases assisted by the council.

## **Emergency Services Report for September 2014**

**Business Unit Manager – Mr Michael Hession , Chief Fire Officer**

### **Operation of the Fire Brigade Service:**

- Operational volumes of work for the first half of 2014 are down on the same period last year. There were 637 Station mobilisations to 534 incidents. There were over 1200 incidents in all of 2013

### **Fire Safety and Prevention:**

- Under the Governments “Keeping Communities Safe” initiative five-year targets have been set by the National Directorate for reductions in fire fatality rates, domestic fire rates, chimney fire rates and overall fire rates. The Fire Service is continuing to raise awareness of fire safety by a number of measures including targeted local radio advertising, Fire Safety Week activities, the Primary Schools programme and active collaboration with the Community and Enterprise Department.

## **Building Control:**

- There is a marked increase in the number of Commencement Notices received in Q1 of 2014 (198) as compared with Q1 of 2013 (95). This is largely due to the introduction of the new Building Control (Amendment) Regulations 2014 on 1<sup>st</sup> March.
- Since the introduction of Disability Access Certificates in 2010 up to end of 2013 a total of 301 Disability Access Certificates have been issued. In Q1 of 2014, 15 Disability Access Certificates were received and processed.
- The Building Control Section processed 35 applications for Fire Safety Certificates in Q1 of 2014, a very similar figure to Q1 of 2013 (33). In the full year 2013 this Section granted 111 Fire Safety Certificates.

## **Civil Defence:**

During the first half of 2014:

- The Civil Defence Board was dissolved and the Civil Defence Branch (DoD) installed in its place.
- Introduced the new Child Protection Policy within the local organisation.
- Introduced the Data Protection policy as directed by the Civil Defence Branch.
- Carried out a risk assessment as outlined in our National Policy in Health & Safety of our operational activities and the following measures were introduced; identified active members & terminate agreement with non-active members, delete off the register the retired/resigned volunteers.
- No more stewarding or traffic control by volunteers as we have no qualification or certified training to carry out this type of duty. The local Garda senior management have been informed.
- Emergency Call –Outs for flooding in January February at Garrane, Ballylongford, Tralee, Tarbert, Ballyheigue and Castleisland. Filled and deployed over 2,000 sandbags. Monitored the high tides from 4am in Garrane with 4WD Jeeps to warn residents if they were in danger.
- Community duties highlights so far were; Cycle against suicide were KCD provided two ambulances & crews for two weeks around Ireland. Operation Transformation in Killarney, Ras Mumhan, Rally of the Lakes, Listowel Races and the AFS Display in Tralee Town Park. We have also provided an EMT to cover the Home to Rome (Donal Walsh)

## **Major Emergency Management:**

- Regional participation has been ongoing in Steering and Working Groups and in various sub-groups. The Council's Major Emergency Management Committee met most recently on 18<sup>th</sup> June 2014 to

discuss continuity of Emergency Management arrangements during the current period of change.

### **Environmental Protection Services Report for September 2014**

**Business Unit Manager – Mr Michael O Leary, Senior Executive Officer**

#### **North Kerry Landfill:**

The NK Landfill closed to the public on 11<sup>th</sup> July 2014. Work is ongoing on the capping of the final cell and should be completed by Christmas.

#### **Beaches:**

It has been a busy summer on Kerry's beaches. It is with deep sadness that we report that two people lost their lives through drowning on Inch beach. We would commend the lifeguards for their efforts to resuscitate the two ladies.

#### **Litter Control:**

Both Tralee and Killarney achieved "cleaner than European norms" status in the recent IBAL report.

### **Housing/Social Services Report for September 2014**

**Business Unit Manager – Mr Liam Quinlan , Senior Executive Officer**

#### **Social Housing Activity Report at 9th September 2014**

##### **Killarney Municipal Area (K.M.A.)**

#### **Social Housing Applicants (Year to Date Position)**

Accommodation offers made for property located within Municipal Area	34
New Tenancies Commenced	23
Accommodation refusals	5

#### **Social Houses**

##### **Vacant properties within Municipal Area**

Under Repair (Excl those awaiting major refurbishment)	5
Awaiting Allocation	1

#### **Construction Programme**

Single Rural Dwellings - under construction	2
Single Rural Dwellings -Tender Stage	0
Extensions - applications on hands	1
Extensions - under construction	0

#### **Rental Accommodation Scheme**

	<u>County</u>	<u>K.M.A.</u>
Total Active Tenancies	799 (incl. 95 Voluntary)	166 (incl. 15 Voluntary)
New tenancies in 2014	81	28
Tenancies terminated in 2014	19	7

#### **Leasing**

	<u>County</u>	<u>K.M.A.</u>
Leased Properties	57	14
Leases under negotiation	9	1

#### **Housing Adaptation Grants (County Wide)**

	<u>No.</u>	<u>€</u>
Allocation 2014		1.789m
New Grants Allocated 2014	302	1.817m
Total 2014 Commitment		2.146m
Grants Paid	148	0.786m

**Mr. J. Breen briefed members on his report.**

**Cllr. B. Cronin welcomed the report and said it was brought to his attention that a student was told by a library staff member not to come and use the library to study. He asked if this was possible.**

**Mr. J. Breen said that he would be shocked if this happened. He added that all students are welcome to study in the Libraries and would encourage them to do so. He said he would follow up on the case mentioned by Cllr. Cronin and he would revert to him. There are 9 libraries in the county and they are widely available to the public.**

**Cllr. D. Grady said he was unhappy with the housing problem in Killarney town and the Municipal District. If a councillor or a member of the public has a problem they must get onto the office in Tralee but they are inundated with queries. He pointed out that the staff in the Housing Section are doing a great job. If a person is on Rent Allowance they must get a letter from the Housing Department confirming that they are on the housing list but in one case a gentleman was waiting for a letter for four weeks and he could loose his Rent Allowance as he had not received the letter. He asked that there would be a two day turn around for these letters. He also stated that housing personnel are**

needed in the Killarney office to deal with Killarney housing issues. A sum of €1.1 m was allocated last year to build 8 houses in Chestnut Drive but to-date construction of these houses has not commenced.

**Cllr. M. Gleeson** concurred with the views expressed by the Director in relation to the Tidy Towns results and said it shows what can be achieved. He commended Council employees and volunteers on their excellent contribution. He said if everyone gave one or two hours a week to help keep the approach roads clean it would make a huge difference. He also complimented other towns and said he hoped the achievements of some towns will inspire all towns to aspire to improve their towns and villages. Over the past number of years there is more awareness of the amount of young people in the autism spectrum and he complimented the library on providing the new facilities in Castleisland library for them. This type of facility is of great assistance to the children and gives relief and hope to the parents to recover from the eternal demands.

**Cllr. D. Healy-Rae** welcomed the expansion of services in Castleisland Library for people with disabilities. It was brought to his attention that it is proposed to reduce the evening opening times of the Killarney Library and said he hoped that would not happen. He welcomed the funding for extensions to council houses. **Cllr. Healy-Rae** expressed concern that young girls with a child or children in Killarney can no longer afford to rent a house even with Rent Allowance as rents have increased so much. He stated that the plight of separated fathers must also be addressed. While they are on the housing list they are still paying a mortgage as the wife and family continue to live in the family home yet they need a place where they can have their children for the weekend. Usually they only have a one bedroom apartment and this is not acceptable.

**Cllr. N. Kelleher** welcomed the report and congratulated all towns on their success in the recent Tidy Towns competition and said it is good to see their marks increasing each year. Communities need to take the fear out of taking part in this competition and it is a great place to start when you get a free report on the good and bad issues in your community. He urged communities not to focus on the marks as they will improve with time.

**Mr. J. Breen** accepted there is a slight backlog in relation to the issuing of letters but he said they are working on it. If there is a particularly urgent case he asked members to bring it to Liam Quinlan's attention. He welcomed the positive comments on the Library Service. Originally it was intended to build 20 houses in Chestnut Drive but new plans must be drawn up for the 8 houses. He hoped the tender for these houses would be advertised that month.

#### **(b) Notices of Motion**

**1. Cllr. M Gleeson:** That the Council would provide and update on the water quality in the River Maine at the various locations mentioned in the reply received at the April 2<sup>nd</sup> Area meeting.

**REPLY:** The river stations in Maine and Shanowen as alluded to in April reply have been monitored on 5 occasions since that date. Whilst there has been an improvement in quality since that time – this monitoring also coincided with one of the longest relatively rain free periods in living memory. Usually water quality problems are exacerbated by Rainfall. Therefore it is really too early to say, whether there has been any material change in status since April.

**Cllr. M. Gleeson said he got a disturbing reply at the April meeting and said he would like an update report when the rains come. People are concerned about the quality of the water in the River Maine as they use it for recreation e.g. fishing etc.**

**Mr. J. Breen undertook to ask the Chemist to carry out further tests when the rains come.**

**2. Cllr. D Grady:** That this Council would retain the refuse collection service within Killarney town as it is at present and that it would retain its full work force as the area is very short staffed at the moment.

**REPLY:** The Killarney refuse Collection Service will be considered as part of the budget process to be considered by the members over the coming weeks. Staffing matters and deployment of staff are an executive responsibility.

**Cllr. D. Grady said he was not trying to interfere with an executive function but these jobs are very important to Killarney.**

**Cllr. M. Gleeson seconded the motion and stated that this was an excellent service and should be left in place.**

**3. Cllr. B Cronin:** To ask have all necessary procedures been finalised to complete the transfer of extra burial space to the Council from a local landowner at Old Kilcummin Cemetery.

**REPLY:** The transfer of the additional burial space at Old Kilcummin Graveyard is presently being finalised. We wish to record our thanks to the adjacent landowner for their co-operation in providing the additional space.

**Cllr. B. Cronin asked was the landowner contacted by the Council. He very generously made additional land available to the Council. He was concerned that the landowner had signed the documents but he was not yet informed by the Council that the transaction has been finalised. It is important that the landowner is updated on progress on this land transfer.**

**Mr. J. Breen said that the engineer spoke to the landowner in the past few weeks and the works would commence in the next few weeks.**

**Cllr. B. Cronin asked if the contract has been finalised in relation to the acquisition of the burial ground for Killarney.**



**Mr. J. Breen said a number of issues have yet to be resolved.**

**Cllr. D. Grady seconded the motion.**

**4. Cllr. B Cronin:** Will Kerry County Council undertake to make the public toilets in the High street car park wheelchair accessible.

**REPLY:** An assessment will be carried out to ascertain the works required to render the public toilets wheelchair accessible. Following this assessment the matter will be considered further relevant to associated costs.

**Cllr. B. Cronin said it was recently brought to his attention that the public toilets in High Street are not wheelchair accessible. This is very inconvenient and the person involved had to be transported to public toilets that were accessible which lead to a long time in traffic especially at the height of the tourism season. He asked that the public toilets at High Street would be made wheelchair accessible.**

**Cllrs. D. Grady and Cllr. M. Gleeson supported the motion.**

**5. Cllr. B Cronin:** Has any progress been made on my previous request for a review of all available sites for a playground in Furies.

**REPLY:** We have as requested, carried out a review of available sites in Furies for the provision of a playground. One of the available sites may have potential to be developed should we be successful in receiving co-operation from an adjacent landowner to provide required car parking spaces.

**Cllr. B. Cronin said the search for a suitable site for a playground in Furies is ongoing for a long time. He asked if the landowner was approached and what was his response. It is very important that a playground is provided in Furies as approx. 250 children attend the local school.**

**Cllr. D. Healy-Rae supported the motion and said it is vital that a playground is provided in Furies.**

**Mr. J. Breen informed members that the landowner had been contacted and the site is sufficient for the playground but not for a car park. They have also had discussions with an adjoining land owner.**

### **(c) Questions**

**1. Cllr M Gleeson:** Has the Department given any indication of the introduction of an urgently needed Tenant Purchase Scheme?

**REPLY:** The Housing (Miscellaneous Provisions) Act 2014 makes provision for a tenant purchase scheme. The new scheme will be linked to household income, with

the highest discount available to those families in the lowest income band who can sustain a mortgage payment. The scheme will enable tenants to become homeowners and remain in their community. To support this principle the scheme will be structured to discourage the sale of the property in the years following the purchase by the tenant. In the event of a sale, local authorities will also have the first option of buying the property back. While household income is the primary assessment method for the new tenant purchase scheme the Minister intends to have a mechanism that would factor in the length of tenancy in the new scheme. The Act empowers the Minister to make Regulations in respect of different aspects of the scheme which are awaited.

**Cllr. M. Gleeson said the Tenant Purchase Scheme in the 80's was one of the highlights of his career. It transformed the lives of tenants and helped develop into communities who continue to thrive and are involved in Tidy Towns etc. Many tenants are anxious to purchase their house as prices are reasonable. He asked when the new Tenant Purchase Scheme will be in place.**

**Mr. J. Breen said that there is no scheme in place. The reply sets out what is provided for in legislation which is now in place. He anticipated the Scheme will be made available in October.**

**2. Cllr. M Gleeson:** Can the Council confirm that there is no proposal to change the staffing levels or the schedule of opening hours in Killarney Library during 2014/2015.

**REPLY:** Staffing levels required for library services are constantly reviewed in the context of the work of libraries, the need to respond to particular needs within the service and available budgets. Staffing matters are an executive function. The opening hours of libraries must respond to customer need and available resources to deliver a level of excellent service during opening hours. The service is consistently reviewed in the context of delivering the best service possible. We must ensure at all times that we have a responsive modern library service which meets the demands of present society and is available at times that our customers desire . Such operational matters are discussed and reviewed with staff on an ongoing basis.

**Cllr. M. Gleeson: said there was growing concern for the immediate future of staffing levels and the opening hours into the future.**

**Mr. J. Breen informed members it is intended to extend the service and to ensure communities can access the service when they need to. At present there are no concrete plans to reduce the opening hours. Staffing levels will be reviewed with staff. Mr. Breen added that the**

**Mobile Library Service was short listed for the Excellence in Local Government Awards.**

**Mr. Breen referred members to report dated 19<sup>th</sup> September, 2014 on the proposed establishment of a Community and Economic Development Working Group for the Killarney Municipal District which was circulated. He briefed them on the report and invited members to comment on this proposal. Mr. Breen said Killarney Town Council had an extensive number of committees but these have ceased following the abolition of the Town Council. A lot of good work was done by these committees and he suggested that a Community and Economic Development Working Group for the Killarney Municipal District would be established.**

**Cllr. N. Kelleher said he was supportive of this proposal and emphasised the importance of integrating the entire Municipal District in the Working Group. Rathmore and Gneeveguilla are in the North Cork Garda District and he was anxious to get a wide perspective.**

**Cllr. D. Grady said that he was involved with the sub committees of Killarney Town Council and they were very beneficial. Killarney Town Council had a Twinning Committee and the town was twinned with towns in Sweden, the UK etc. He was also involved with the Killarney London Association for over 30 years and he attends their function each year. He asked if funding is available to enable councillors to attend the Kerry and Killarney London Association Group Dinners in November. It is important that Killarney is represented. He added that the Killarney Town Council budget was for 2014 so funding should be available.**

**Cllr. M. Gleeson said this proposal offers a vital avenue to the Municipal District to give it vitality and focus.**

**Cllr. B. Cronin said it is important that all committees are under one umbrella and he asked if all members of Municipal District would be involved or just a few. He asked how would it be decided what residents associations would be included as there are so many residents associations.**

**Cllr. J. Sheahan supported the establishment of this Working Group and said it is important to make a connection with communities.**

**Cllr. J. Culloty said there should be a seamless continuation. It is vitally important to start afresh and to build on the excellent work done in the past.**

**Cllr. D. Healy-Rae said all members would support the establishment of this Working Group and he asked how it would work.**

**Mr. Breen said he wanted to get members views on the proposal to establish this Working Group that day but it will require formal approval. There will be a Working Group and various sub-groups to look after events like the St. Patrick's Day Parade. Every nominee to the Group must come through the PPN, therefore it is important that groups register. He wanted to get agreement in principle from the members and he would take their views on board and come back with a more formal proposal. Given the recent changes we need a structure through which we can interact with communities.**

**Cllr. D. Grady said the Killarney Twinning Committee is still in existence.**

**Mr. Breen said previous committees existed through the Town Council but they must now be re-constituted. The former Town Council committees do not have a remit at this time.**

**Cllr. Grady said funding was provided up to 31 December 2014.**

**Mr. Breen said this Working Group needs to be established as soon as possible.**

**Cllr. Grady asked how much is left in the Twinning Budget.**

**Mr. J. Breen said any commitment given will be honoured.**

**Cllr. B. Cronin said it is clear there is a huge volume of work to be undertaken. If this Working Group is established the Budget for events such as St. Patrick's Day Parade etc should be clearly set out. Every effort will be made to facilitate events if possible but members will make that decision.**

#### **14.09.19.06(a) Report from the Operations, Health & Safety Directorate**

It was agreed to note the following report from Mr. C. O'Sullivan, Director of Operations, Health & Safety which was circulated.

##### **1. Restructuring is on-going at present.**

**David Doyle** Senior Executive Engineer Municipal District – Based in the Municipal District Operations Office

**Kevin O'Malley** Senior Administrator – based in the Municipal District Operations Office

**Liz Breen** – Staff Officer– based in the Municipal District Operations Office

##### **Area Engineering Staff:**

Breda Mulryan, Brendan Mulhern, P.J. Galvin, Kieran O'Halloran, John Keane, Donal O'Sullivan

Transfer of Staff to new offices is now completed.

## 2. Road Works Programme

<b>Killarney Municipal District</b>	<p>Works at the following locations in Sept and Oct</p> <p><b><u>Restoration Improvement</u></b>  L-3015 Gortahoonig to Dromickbane 1100m  L-2032 Shinnagh Cross to Cloonts Cross 600m</p> <p><b><u>Restoration Maintenance</u></b>  R-876 McSweeneys Corner 140m  L-7052 Kilquane – Lisnagrave 1300m</p> <p><b><u>National Secondary Pavement Improvement works</u></b>  N72 Gorthaneboy West Pavement Overlay Scheme 1,500</p> <p><b><u>Low Cost Safety Improvements National</u></b>  N22 Doonryan Signage Scheme</p> <p><b><u>Low Cost Safety Improvements Regional &amp; Local</u></b>  L-2019 Aghadoe Cross  R 5876 McSweeney's Corner Pedestrian Crossing</p> <p><b><u>Killarney Town</u></b>  Upper Park Road Cycle Path &amp; Retaining Wall  Knockreer - Provision of Outdoor Gym Equipment</p>
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## 3. Housing

	<b>Location</b>	<b>Works Description</b>	<b>Status</b>
	Knockatagglemore, Kilcummin.	3 Bedroomed Single Rural Dwelling	completion date mid October.
	Apartment, Knocklebede, Kilcummin	Upgrade 1 bedroom Apartment	due to commence end September.
	Killeagh Farranfore.	Upgrade of vacant dwelling	completion date end October
	45 Arbutus Grove, Deerpark, Killarney	Upgrade vacant dwelling	completion date end September

	56 Bruach na hAbhainn	Upgrade of vacant dwelling	completion date end September	
	110 Council dwelling in Killarney Town area 40 St Johns Castleisland.	Insulation to walls and attics	Completion date mid October	

### **(b) Notices of Motion**

Cllr. M. Gleeson requested that page number would be inserted on the list of replies for Notices of Motion and Questions in future.

Mr. D. Doyle referred to Local Road L-3015 Gortahoonig to Dromickbane and said the water main must be replaced along this road and as a result it is proposed not to proceed to surface the road until the water main has been replaced. It is proposed to surface this road next April. The next road on the list, the Ballybeg Road, will be surfaced this year.

Cllr. D. Healy-Rae then moved Notice of Motion No. 19.

**19. Cllr. D Healy Rae:** To ask Kerry County Council to resurface the road from Muckross Church to Loughgittane School.

**REPLY:** L-3015 Gortahoonig to Dromickbane is on the 2014 restoration improvement programme for Killarney. Water Services intend to relay a 100mm water pipeline along this road in the next few months. We have asked Water Services to proceed with the replacement of this watermain as a matter of urgency, and they are awaiting approval of Irish Water to proceed. In the absence of a clear commitment from Irish Water, it is proposed to postpone the road improvements to this section of Roadway until April 2015. We will proceed with the next road on the 2015 programme (subject to department approval) which is L-3007 Ballybeg – Coolnageraha Cross. Improvement to the L-3015 Gortahoonig to Dromickbane will be carried out in early 2015 as part of the 2015 road works programme.

**Cllr. D. Healy Rae said he highlighted the need to surface this road over a year ago. The water channels should be opened up to take the surface water. Prior to the take over of water services by Irish Water he contacted the Council to ensure funding was in place to replace this water main as he was concerned the road would be surfaced prior to the water main being replaced. He said that the residents on this road are devastated that the remedial works will not be carried out until next year.**

He expressed concern that this issue would continue into next year unless Irish Water give assurances that funding will be provided to replace the water main. If the water main is not replaced by next April he asked that the road would be surfaced.

Mr. J. Breen undertook to try to ensure that the water main will be replaced and that the road would be surfaced next year.

Cllr. J. Sheahan said there is no point in overlaying the road before the water main is replaced.

Cllr. B. Cronin referred to the proposed removal of second lane coming from Park Road and said this will result in a build up of traffic. As it is traffic can divide into two lanes but if this is reduced to one lane it would be a mistake and he wanted to record his concern at this proposal. Buses already use half of the car park and they also part on the road near the Cinema.

Mr. D. Doyle said this proposal went on public display and the reason it is being reduced to one lane is to facilitate the Arbutus Hotel. The roundabout is not big enough for a two lanes of traffic. The Council is trying to facilitate the Arbutus Hotel and businesses in the area.

Cllr. D. Healy Rae asked if buses could use the CIE car park.

**1. Cllr. M. Gleeson:** That the Council calls on the NRA to commit to providing an immediate overlay on the N.22 from Park Road Roundabout to Lissivigeen Roundabout. Sections of that length of vital roadway are progressively disintegrating.

**REPLY:** Potholes have developed on the asphalt surface layer of this section of the N22 over the last number of months. The NRA allocates funding based entirely on national pavement condition surveys undertaken by the NRA. There is currently no mechanism available to the County Council to formally request an individual stretch of road be considered for inclusion on this scheme. However, the condition of this section of road will again be highlighted to the NRA when the Council next meets with the Authority.

Cllr. M. Gleeson said this section of road is disintegrating. This is the primary route into Killarney and it is a source of enormous embarrassment. The surface is lifting and while a patching job has been done this is not acceptable. The Council must convince the NRA that this is a major access to the county and it must be resurfaced. Cyclists are in danger as they travel up Pike Hill which is also disintegrating. This is a critically important for the economy of our county.

Cllr. N. Kelleher seconded the motion.

**2. Cllr. M Gleeson:** That the Council would provide an update on the progress made thus far towards ensuring that the necessary finance is secured for the implementation of remediation works in Mountain View Estate, Kilcummin.

**REPLY:** On 8th September 2014, Tom Doheny of Deloitte and Touche (receiver of certain assets) advised:-

“All Specification Documentation providing details for the replacement of the Sewerage Treatment Unit have been provided to the Banks Solicitor and should be with the Council shortly. The Bank is incurring costs on this legal work so commitment to the process is visible. I will follow up with Solicitor and revert to you under separate cover.”

**Cllr M. Gleeson stated that this is the 16<sup>th</sup> time this estate is on the Agenda. The reply is more specific to the sewerage treatment plant but he presumed the internal works would include rectifying the manhole covers which are 3 to 4 inches over road level and also the green area which is overgrown. He requested clarification that these works will be undertaken as well as those outlined in the Deloitte and Touche report. He asked when the works would be completed so that the estate can be taken in charge.**

Cllr. B. Cronin then moved Question No. 14 as it also relates to this estate.

**Q14. Cllr. B Cronin:** What is the position with the bond in Mountain View development Kilcummin.

**REPLY:** On 8th September 2014, Tom Doheny of Deloitte and Touche (receiver of certain assets) advised

“All Specification Documentation providing details for the replacement of the Sewerage Treatment Unit have been provided to the Banks Solicitor and should be with the Council shortly. The Bank is incurring costs on this legal work so commitment to the process is visible.

I will follow up with Solicitor and revert to you under separate cover.”

**Cllr. B. Cronin asked when the required works will be undertaken at Mountain View.**

**Mr. D. Doyle said that Donal Murphy is liaising with the Bank on this and he would revert to members when further details are available.**

**3. Cllr. M Gleeson:** That the Council would inform of progress made with landowners towards the acquisition of the land necessary for the development of a footpath from Páirc Chumín to Kilcummin Village.

**REPLY:** Approaches were made to a number of landowners to acquire a 3 metre wide strip of land to construct this footpath. Negotiations are ongoing



with a view to finalising a land acquisition agreement shortly. It will be a requirement to acquire funding from another source, to construct this footpath.

**Cllr. M. Gleeson welcomed the reply and that negotiations are ongoing. Children attending the school need to be able to go there safely.**

**Cllr. J.J. Culloty seconded the motion**

**4. Cllr. M Gleeson:** That financial provision would in due course be made for the desperately needed resurfacing of the entire length of the county road L 11078 at Gortdromakeerie.

**REPLY:** There is no funding currently available to carry out resurfacing works on the L-11078, Gortdromakerrie, Muckross, however it can be considered for inclusion in the next Restoration Improvement Roads Programme, which is due for review in 2016. Meanwhile maintenance works will be carried out as far as funds allow.

**Cllr. M. Gleeson declared that his sister is living at the top of this road. He said this is the only road he knows that is held together by patches. In the past he allocated funding to open the water tables but water is flowing across the road. He asked that every effort would be made to provide funding to improve this road.**

**Cllr. D. Grady seconded the motion and said the road is in a dreadful condition.**

**Cllr. D. Healy-Rae also supported the motion.**

**5. Cllr. M Gleeson:** That a Pedestrian Crossing would be provided at Fair Hill, Killarney. This is a very busy road much crossed by people accessing the Bus Depot, Railway Station and the Outlet Centre.

**REPLY:** This proposed pedestrian crossing at the Outlet Centre, Killarney would be located on the Park Road, which is a regional road.

The road design section of Kerry County Council will be asked to examine this location for a pedestrian crossing at the Eastern side of the Friary Roundabout in the vicinity of the Outlet Centre in accordance with NRA standards. Subject to design, compliance etc. an application for funding in 2015 can then be made under the Low Cost Safety Improvement Scheme for Local and Non National Roads.

**Cllr. M. Gleeson said there is confusion between Fair Hill and Park Road. The pedestrian crossing is required at Fair Hill crossing to the Outlet Centre and the Bus Stop. Many older people cross to the Bus Stop and it is very dangerous. He asked that funding would be provided to make it safer for people crossing the road.**

**Cllr. J. Sheahan seconded the motion and said this is a very busy location and it is an important access for the many elderly people living in this area.**

**Cllr. D. Healy- Rae also supported the motion.**

**6. Cllr. B O'Connell:** That Kerry County Council immediately install speed ramps or traffic calming measures at Barrack St, Castleisland.

**REPLY:** It is the policy of Kerry County Council that traffic calming requests are examined by our Design Office having regard to national guidelines, with the following factors taken into consideration:-

- Road geometry (where road geometry determines that the provision of such a scheme is not warranted i.e length of estate road is short etc. no further design work is carried out on the scheme)
- Accident statistics
- Speed surveys/ Traffic surveys where road geometry indicates a need

Should traffic calming be recommended by the Road Design office, submissions will be sought from the public in accordance with the provisions of Section 38 of the Road Traffic Act 1994 (as amended) and a report on such submissions brought before the members for approval.

**Cllr. B. O'Connell said this is a standard reply. He travels this road 10-12 times a day and many elderly residents live there. The playground is also on this road together with the river walk and Aldi. There is an urgent need for traffic calming measures and he asked that speed ramps would be provided to slow down traffic. He also moved a Notice of Motion recently in relation to Church Street and a young boy was knocked down there recently. Speed ramps are also required there.**

**Mr. D. Doyle said any proposal to provide speed ramps must first go through the Section 38 process. The plans must be put on public display and must be sent to the Gardaí for comment. There are a lot of requests for traffic calming measures and they must be designed as resources allow.**

**Cllr. B. O'Connell said the guidelines are inhibiting progress. The speed ramps would stop young drivers from speeding on this road.**

**Cllr. B. Cronin seconded the motion and said obstacles are being put in the way. Speed ramps are in Countess Road and Woodlawn in Killarney and they are working well. He asked that the process would commence to provide speed ramps at Barrack Street.**

**7. Cllr. J Sheahan:** To ask Kerry County Council when the speed limit review for Killarney will commence?

**REPLY:** It is our intention to carry out a review of the special speed limit Bye-Laws for the County. This request will be considered, in consultation with the Operations SPC, when we are developing the Directorate's work programme for 2015, having regard to available resources and the priorities of Council. There is a detailed statutory process and extensive procedures to be followed when completing a special speed limit review, as set out in Section 9 of the Road Traffic Act, 2004. Unfortunately, due to the reduction in resources and the workload of the Operations Directorate, we have been unable to commit to completing a speed limit review for the county since the current Bye-Laws were adopted in November 2006.

In accordance with the provisions of Section 21 of the Local Government Reform Act, 2014 and S.I. No. 231/2014 - Local Government (Performance of Reserved Functions in Respect of Municipal District Members) Regulations 2014, to ensure consistency in the application of Special Speed Limits across the county, any review of these Bye-Laws will have to be considered for the county as a whole and presented to the plenary Council, for adoption.

**Cllr. J. Sheahan welcomed the reply and called on the Council to ensure the speed limit review commences next year.**

**8. Cllr. J Sheahan:** To ask Kerry County Council when the traffic calming works for Ballinalane Junction, Ballyhar will commence.

**REPLY:** The traffic calming works at Ballinalane Junction, Ballyhar, are due to be carried out within the next week.

**Cllr. J. Sheahan said this is a very busy road where many elderly live and is a mile further on from Knockasartnett. During the summer there is overgrowth on ditches making it very difficult to exit this junction. He welcomed the fact that works would be carried out the following week.**

**Cllr. B. Cronin seconded the motion and asked would the wall on the left hand side be removed.**

**Ms. B. Mulryan said funding is not available to do the wall.**

**Mr. D. Doyle asked if there is an issue with the sight lines.**

**Cllr. B. Cronin said this junction is very dangerous and blind.**

**Mr. D. Doyle undertook to review the junction and to revert to members on it.**

**Ms. B. Mulryan said the work would comprise of lining and signage only.**

**9. Cllr. J Sheahan:** That Kerry County Council carry out traffic calming works at Loughguitanne National School Muckross Killarney.

**REPLY:** Traffic Calming works are due to be carried out in the vicinity of Loughguitane National School within the next two weeks. This work was funded through a County Councillor's Allocation.

**Cllr. J. Sheahan** said parents are very concerned for the safety of their children who attend Loughguitane National School. The road is narrow and there is congestion and a build up of traffic at school times which leaves very little room for passing traffic. He thanked the Council for fixing the amber lights and asked that the road marking would be renewed. He asked if Coillte could be approached about getting a 6 to 8 ft. strip of land across the road to alleviate the problem.

**Cllr. D. Healy Rae** said in the past members asked that Coillte would be approached with a view to acquiring a strip of land.

**Mr. D. Doyle** said he would make contact with Coillte the following week. If they will provide the land consideration will be given to providing funding for a set down area for the school. He informed members that he would revert to them on this issue.

**10. Cllr. J Sheahan:** That Kerry County Council carry out repairs to the road surface where the L3009 meets the N22 at Lawlors Cross where a large crater is developing.

**REPLY:** Temporary road repair works will be carried out on the dip at the junction of the N22 with the L-3009, Lawlors Cross, Killarney. The culvert at this junction is being investigated and may require replacement. This work would be suitable from funding from a County Councillor's allocation.

**Cllr. J. Sheahan welcomed the reply.**

**11. Cllr. J Sheahan:** That Kerry County Council investigate the alleged infestation of rodents in the Pinewood/Chestnut Drive areas in Killarney. Dumping of refuse in the area has contributed to the problem and must be addressed.

**REPLY:** This will be investigated and any illegal dumping in the area will be removed. We will request the Litter Warden to monitor this area on an ongoing basis. Appropriate signage will be placed in the vicinity to discourage illegal dumping.

**Cllr. J. Sheahan** said this is a very serious matter. He received a number of calls that rats were running around this area. He was also informed that someone was depositing rubbish here.

**Cllr. D. Grady seconded the motion and said Kerry County Council put out poison and the situation has improved. People who are not from the area are dumping illegally there.**

**12. Cllr. J Sheahan:** To ask Kerry County Council to repair the street lights in Rathmore that have not been operational for a number of years.

**REPLY:** There are no street lights in Rathmore that have not been operational for a number of years. Light No. 14 in Rathmore is currently not operational and we are dealing with this light to restore power to it. However, we have no reports of any other faults. The lights are regularly patrolled, and any faults identified will be repaired. Members of the public can also report faulty lights directly to the offices in Kerry County Council.

**Cllr. J. Sheahan called on the Council to attend to this matter. The light in front of McCarthy's butchers is not working for a number of years. This needs to be addressed as a matter of urgency.**

**Mr. D. Doyle said the cable was broken and has been replaced. We are waiting for the light to be connected.**

**Cllr. N. Kelleher said as a member of the Community Council he contacted AirTricity at least twice a month regarding this light but it has not been repaired.**

**Mr. Doyle said that the Council has a contract with Airtricity and he asked members to make them aware of any issues and they would contact Airtricity.**

**Cllr. J. Sheahan said it reflects badly on members when they make representations on their constituents but nothing is done.**

**Cllr. J. J. Culloty asked that Airtricity would be requested to attend a meeting of the Killarney Municipal District.**

**13. Cllr. D Grady:** That this Council would resurface, as a matter of urgency, the roadway from Ulicks Cross (turn off for Kilbrean) in Ballinamanagh to the 'corner of the park' (Ballydribbeen) Road.

**REPLY:** There is no funding currently available to carry out resurfacing works on the L-3018 from the Kilbrean turnoff, Ballynamanagh to the Corner of the Park, Coolcorcoran. However this section of roadway can be considered for funding in the next Restoration Improvement Programme, which is due to be reviewed in 2016.

**Cllr. D. Grady** said this road is in a very bad state of repair. Work on this road will not take place until 2016 and this is not good enough. He asked if the road could be done in three sections and he asked if funding could be made available to do the road as far as the garage at least.

**Cllr. B. Cronin** seconded the motion and said members were making representations regarding this road for the past 8 or 10 years. The Kilcummin Sewerage Scheme is an ongoing saga and members met a deputation regarding this road. When the water mains was replaced it destroyed the road completely. Motorists cannot continue to use this road and try to pass the NCT with their vehicles which are being damaged by the road.

**Cllr. D. Healy-Rae** asked that an application for discretionary funding would be made to improve this and other similar roads.

**14. Cllr. D Grady:** That this Council would examine the traffic layout at the top of High Street. Right of way should be given to High Street traffic as opposed to Monsignor Hugh O'Flaherty Road. Also, the New Road traffic turning right onto St. Anne's Road must be re-examined.

**REPLY:** The traffic junction at High Street was revised to provide access to Monsignor O'Flaherty Road from St. Anne's Road and High Street. This was to reduce the traffic volumes going through the town centre. High Street car park junction was incorporated into this revised traffic arrangement.

The operation and control of the automated traffic lights system are not yet optimised at this junction. The final adjustment to the phasing of the traffic lights will give more priority to traffic approaching from High Street. This will be finalised in the next month. Revisions have been carried out whereby traffic exiting from Monsignor O'Flaherty Road must now stop at the junction with High Street. Traffic entering Monsignor O'Flaherty Road from St. Anne's road or Rock Road will retain right of way over traffic in High Street. This is required for safety reasons as this traffic has passed through a green phase of lights and therefore must have right of way. A full safety audit will be carried out at this junction within the next month.

**Cllr. D. Grady** said it remains to be seen how this new traffic management system will work.

Cllr. B. Cronin then moved Notice of Motion No. 21.

**21. Cllr. B Cronin:** To request a review of the new traffic layout at the High St junction Killarney which is causing traffic chaos, backlog's and delays. The

right of way must be returned to the High Street. traffic and the decision to give right of way and access to the cul de sac at High street must be reversed immediately as it is a serious traffic hazard and highly dangerous for motorists and pedestrians.

**REPLY:** The traffic junction at High Street was revised to provide access to Monsignor O'Flaherty Road from St. Anne's Road and High Street. This was to reduce the traffic volumes going through the town centre. High Street car park junction was incorporated into this revised traffic arrangement.

The operation and control of the automated traffic lights system are not yet optimised at this junction. The final adjustment to the phasing of the traffic lights will give more priority to traffic approaching from High Street. This will be finalised in the next month. Revisions have been carried out whereby traffic exiting from Monsignor O'Flaherty Road must now stop at the junction with High Street. Traffic entering Monsignor O'Flaherty Road from St. Anne's road or Rock Road will retain right of way over traffic in High Street. This is required for safety reasons as this traffic has passed through a green phase of lights and therefore must have right of way. A full safety audit will be carried out at this junction within the next month.

**Cllr. B. Cronin said the initial attempt at this caused chaos. He asked whoever thought of taking away the right of way from High Street as it is highly dangerous from a traffic management point of view. He said the Roads Department gave a right of way at St. Anne's Road to a cul de sac. Tourists are trying to navigate out through Barry's Lane and their cars are damaged. The change has taken place but the right of way should be up through the town. Prior to this when traffic came to Donie O'Shea's the traffic split into two lanes but that has now changed and the footpath outside (Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) was moved out. It does not make sense to give access to Monsignor O'Flaherty road when it is a cul-de-sac. He requested that the new changes would be monitored but said he believed these changes could result in a traffic hazard.**

**Cllr. N. Kelleher expressed concern over the 4 or 5 car parking spaces as you turn left and he said he understood it is illegal to back out onto oncoming traffic. He suggested that these car parking spaces should be removed. He requested that this would be reviewed and suggested the car parking spaces could be provided for traffic coming in the opposite direction.**

**Cllr. D. Healy-Rae requested that a sign would be provided advising motorists that there is no access to High Street from this junction.**

**Mr. D. Doyle:** Acknowledged the concerned views expressed by the members. Traffic delays occurred at High street junction during the months of July and August. This was due to on-going works to the junction and that the new Mova traffic lights had not yet been fully commissioned. The final stage of commissioning of these light will take place over the next three.

A final stage safety audit will be carried out on this junction and any recommendation will be implemented. This junction was revised to reduce volume of traffic going through the Town centre. The Killarney Town Development plan includes an objective to link High street junction via a new road to new street along the back of Dunnes Stores. The plan for High Street junction was designed in 2010 and implemented in 2013. He accepted when traffic lights were turned on initially, it created huge traffic delays as the Mova traffic lights had not yet been fully commissioned.

The issue of traffic turning left on Mons o Flaherty road before the traffic light has been on-going for a number of years. Signs were erected this location last year to indicate that the Sat –Nav is unreliable. Additional signage will be provided.

**15. Cllr. D Grady:** That this Council would write to the appropriate authority for urgent funding for the Gap Cross on the Fossa Road. Funding is also need for road verges. On the Killarney side of the road, where the road was opened for water services, it has been re-instated in a dangerous manner and needs urgent attention.

**REPLY:** This location on the N72 National Secondary Road will be submitted to the National Roads Authority for consideration of the provision of Supplementary Maintenance funding.

This is a new scheme being introduced by the NRA whereby Local Authorities can request additional maintenance funding to deal with specific issues that would not be feasible from a financial perspective under the annual Ordinary Maintenance allocation. Water services will provide permanent road reinstatement along the transverse road cuttings at this location.

**Cllr. D. Grady welcomed the reply.**

**16. Cllr. D Grady:** That this Council would reinstate the slip road from the Park Road to Countess Road at Hegartys.

**REPLY:** The slip road from Park Road to Countess Road at Hegartys Junction will not be reinstated. The alignment of the kerbline at this location will be revised to provide a greater radius for vehicles turning into Countess Road. This work will be carried out within the next month.

**Cllr. D. Grady welcomed the reply.**



**Cllr. D. Healy-Rae said this is very serious as cyclists are getting wedged.**

**Mr. D. Doyle said the work would be carried out next month.**

**17. Cllr. D Healy Rae:** To ask Kerry County Council to improve the public lighting in Gneeveguilla Village.

**REPLY:** There is no funding available at present to upgrade the lighting in Gneeveguilla Village.

Kerry County Council is currently preparing an ESCO contract to replace all public lights in the county with LED lights. It is hoped that this contract will be tendered by early 2015. This will result in improvements to the lighting in Gneeveguilla Village when complete.

**Mr. D. Doyle said all lighting in the county will be upgraded to LED lights once the contract is in place.**

**Cllr. D. Healy Rae said this is a very serious issue for the elderly and children in Rathmore.**

**Mr. Doyle said this is a county wide contract and he did not know when work would commence.**

**Cllr. J. Sheahan seconded the motion.**

**18. Cllr. D Healy Rae:** To ask Kerry County Council to provide extra graveyard space in Gneeveguilla and to provide car parking space to assist at funeral times.

**REPLY:** Kerry County Council has been in communication recently at a local level on the acquisition of a suitable site for the provision of a new cemetery for Gneeveguilla. Discussion is ongoing. There is ample space for the coming years in the existing cemetery, which is located in the Church grounds and is owned by the Diocese of St. Brendan / Kerry.

**Cllr. D. Healy Rae said the reply states there is ample space for the coming years yet locals are saying space is running out. He was aware of other landowners who offered land but he did not know if it was suitable. He added that car parking is also needed at this location and he hoped this would also be addressed.**

**Cllr. N. Kelleher said he moved a similar Motion at the last meeting and he asked if this issue has advanced since then.**

**Mr. D. Doyle said Peter Bradley is dealing with this on a county wide basis and he was liaising with a number of landowners.**

Cllr. M. Gleeson then moved Question 2.

**Q2. Cllr M Gleeson:** Has progress been made towards the acquisition of land for vehicle parking adjacent to the Church in Gneeveguilla?

**REPLY:** Negotiations have been initiated with the landowner towards the acquisition of land adjacent to the Church in Gneeveguilla.

**Cllr. M. Gleeson asked what was progress was made following the last meeting.**

**Mr. D. Doyle said Breeda Mulryan and he met with Fr. Pat O'Donnell after last meeting. Peter Bradley is dealing with burial grounds on a county wide basis and we are liaising with a landowner in relation to acquisition of land for a car park.**

**See page 21 for Notice of Motion No. 19.**

**20. Cllr. D Healy Rae:** That we the members ask Kerry County Council and Irish Water to speed up the taking in charge process of estates and to avoid undue delay as residents and would be purchasers are now being treated unfairly.

**REPLY:** The process of Taking in Charge is carried out in accordance with Kerry County Council's Taking in Charge Policy for housing estates as adopted by the Elected Members in June 2008.

However since the establishment of Irish Water on 1st January 2014, the proposed taking in charge of estates has to be referred to Irish Water for their decision regarding the taking in charge of the water supply and waste water infrastructure. However, to date Irish Water has not finalized their policy and procedure re taking in charge of housing estates water and wastewater infrastructure.

On 20th August, a staff member from Irish Water emailed "In relation to IW taking in charge of water infrastructure we are currently pursuing this issue with the Department to progress same. Apart from the issue of agreeing a protocol with WSTO, a number of legal issues also need to be addressed. As such Irish Water are amenable to taking in charge infrastructure that is directly connected to our networks, subject to no significant material liabilities arising and provision of appropriate records, tests and drawings once procedural and legal issues are resolved. "

**Cllr. D. Healy Rae said this is a serious problem for members and the general public. Several estates are ready to be taken in charge but Irish Water state that they can't be taken over without their approval. Irish water took over the pipe network and the Council is satisfied that all**

services are up to a satisfactory standard it should be possible for them to be taken in charge. He asked that Irish Water would be contacted on this issue and that they would be given a certain timeframe within which they would have to revert to the Council. As a result of this delay in taking estates in charge property owners cannot sell their houses. He asked that this matter would be dealt with urgently.

**Cllr. B. Cronin** said a statement from Irish Water indicated if any local authority takes an estate in charge without their permission the local authority will be responsible for the water/waste water services in that estate going forward. The process for the taking in charge of estates is very long and difficult and if the present situation is allowed to continue it will cause huge problems and delays. Whenever the Council carries out an assessment of an estate it is an extremely detailed engineering assessment and if they verify that a CCTV survey was done and is satisfactory they should be no obstacle to delay the taking in charge of the estate. Irish Water must have confidence in the local authority who acts as their agents.

**Cllr. N. Kelleher** said he was aware over the border in Cork the County Council and Irish Water took an estate in charge and a maintenance contract was put in place. He could see no reason why Kerry County Council cannot take estates in charge.

**Mr. J. Breen** said the Council is governed by the protocols put in place by Irish Water. The Council advised Irish Water that this would hold up the sale of houses but we are working with Irish Water with a view to resolving this issue. The Council cannot proceed until legislative provision is made to allow Irish Water to take estates in charge.

**Cllr. D. Healy Rae** said solicitors are being very careful and will not progress the sale of houses until the estate is taken in charge.

The meeting adjourned for lunch at 1.15pm.

The meeting resumed at 1.35pm.

**See page 30 for Notice of Motion No. 21.**

**22. Cllr. B Cronin:** To ask the Roads Department on behalf of Ballyhar Community Development Group to provide the required road marking and signage for the public crossing from the pedestrian gate of the newly constructed car park and amenity area to the Church.

**REPLY:** The Road Design section of Kerry Council will provide a proposal for the Lining and Signing works required in the vicinity of the newly constructed carpark and church at this location. These works would be suitable for funding through a County Councillor's allocation.

**Cllr. B. Cronin said the 64 space car park is almost finished. He asked the Roads Dept to come back to him with a design.**

**23. Cllr. B Cronin:** To request that the dangerous lag 250 meters on the Ballyhar side of the Two Mile school be filled in and levelled as soon as possible.

**REPLY:** The lag on the Ballyhar side of Two Mile School will be removed and repaired next week.

**Cllr. B. Cronin said this work was done and he thanked the Roads Department.**

**24. Cllr. B Cronin:** To request that the narrow bends on the Aghadoe road from Gortaree to Kileen House junction be set back as this area is very dangerous particularly with buses from the Aghadoe viewing area.

**REPLY:** The cost of removing ditches to provide sight distance from Gortaree to Killeen House, at Aghadoe would be €16,500 and would be suitable for funding through a County Councillor's allocation.

**Cllr. B. Cronin said that there was a lot of concern about the safety of the road from Aghadoe to Kileen House as there is a large volume of traffic including tour buses etc, on the road and it is very narrow. This is a serious traffic issue. He asked what works would be carried out with the allocation of €16,500.**

**Ms. B. Mulryan said it is from the top of the hill to the straight and this involves just one landowner.**

**Cllr. Cronin asked if the landowner was approached.**

**Ms. Mulryan confirmed that discussions had taken place with the landowner.**

**Cllr. Cronin said he would be willing to allocate money for this work if necessary.**

**Cllr. D. Healy Rae seconded the motion and said the cost given previously was not as high as €16,500. He added that he too would be willing to allocate funding for this work in 2015.**

**Ms. Mulryan said this amount is for a longer distance.**

**25. Cllr. B Cronin:** Why have Kerry County Council Roads Department and the NRA ignored the numerous requests which I have made to review the traffic layout at the Lewis Road junction with the Killarney By-pass. There have been several serious accidents, some fatal at this junction and nothing has been done or tried to improve this lethal junction.

**REPLY:** The Lewis Road junction with the Killarney By-Pass is part of the N22 National Primary Road network. Any improvement works, including the revision of the road layout, is subject to the approval of and provision of funding from the National Roads Authority. The current position with regard to this type of Safety Measures Scheme is that the Authority directly determines the locations that will be funded based on criteria that are set down in the technical standard HD 15 Network Safety Ranking which forms part of the NRA Design Manual for Roads and Bridges. Network Safety Ranking uses collision data to rank the safety of national roads and to identify high collision locations on the national road network. The results of this collision analysis go towards targeting annual road safety remedial measures.

This location is not included on the NRA's list of schemes which are currently being examined under the HD15 Network Safety Ranking system. However, the NRA have recently clarified that it is possible to make a formal request for the NRA Safety Section to carry out assessments of particular locations prior to the 2015 allocations, provided that there is a history of recorded accidents over the past 5 years. This is the case at the Lewis Road junction where a number of minor injury accidents have been recorded and a formal request will be submitted by the Council in the coming weeks and in consultation with the Authority.

**Cllr. B. Cronin said this is one of the most difficult junctions to turn right because of the volume and speed of traffic. He is very frustrated with this as after years of moving Notices of Motion no real progress has been made. The Annacotty Junction on the old Limerick Road is very similar to this and traffic is only allowed to turn left which brings them to the nearby roundabout. He proposed that his request would be advanced for assessment and he asked that the years of data would be expanded. This is the first time the seriousness of this issue was recognised and acknowledged and he hoped the NRA would take cognisance of it and would look favourably on proposals to improve this junction.**

**Cllr. D. Grady supported the motion and said this is a particularly dangerous junction.**

**Cllr. JJ Culloty previously requested the statistics for accidents on this road but the figures he received were incorrect. He was informed by the Gardaí there were no fatalities on the By Pass since 2000 but that is not correct.**

**26. Cllr. JJ Culloty:** To call on this Council to erect a 'Cul-de-Sac' sign on the junction off the Lisheen Road in Gneeveguilla, as this road is regularly mistaken for Lisheen Cross.

**REPLY:** The cost of providing 'Cul-de-Sac' sign at the junction of the Lisheen Road with the L-11136 is €500 and would be suitable for funding through County Councilor's Allocation.

**Cllr. J.J. Culloty welcomed the reply.**

**27. Cllr. JJ Culloty:** To call on this Council to provide parking for residents of houses No's 99 to 102 in Ballyspillane, Killarney, similar to what has been done opposite house No. 144 Ballyspillane. This would be of huge benefit to these residents and would make the area much safer for all who live there.

**REPLY:** Killarney Town Council provided parking in the vicinity of these houses in the recent past. The estimated cost of providing additional parking at these houses is €8,000. There is no funding available at present for this work. This work is suitable for funding by County Councilor's Allocation.

A meeting has been arranged with the residents association of Ballyspillane to discuss parking generally in the estate.

**Cllr. JJ Culloty said he would consider funding this work in conjunction with other councillors.**

**28. Cllr. JJ Culloty:** That this Council fit speed ramps at O'Sullivan's Place in Killarney, as this road is regularly used as a short cut, which makes this area very unsafe for residents.

**REPLY:** It is the policy of Kerry County Council that speed ramp/traffic calming requests are examined by our Design Office having regard to national guidelines, with the following factors taken into consideration:-

- Road geometry (where road geometry determines that the provision of such a scheme is not warranted i.e. length of estate road is short etc. no further design work is carried out on the scheme)
- Accident statistics
- Speed surveys/ Traffic surveys where road geometry indicates a need

Should traffic calming be recommended by the Road Design office, submissions will be sought from the public in accordance with the provisions of Section 38 of the Road Traffic Act 1994 (as amended) and a report on such submissions brought before the members for approval.

**Cllr. J. J Culloty said this is a very narrow street which causes a lot of problems. He added that it is mostly elderly people who live there and this issue needs to be addressed.**

**Cllr. M. Gleeson seconded the motion.**

**Mr. D. Doyle said all requests for speed ramps must be assessed by the Road Design office in Tralee. He would contact them to see if these assessments could fast tracked.**

**Cllr. D. Grady said while something needs to be done to slow traffic down not everyone wants ramps.**

**29. Cllr. JJ Culloty:** That this Council erect a 'Residents Only' parking sign at O'Sullivan's Place, Killarney.

**REPLY:** A sign requesting persons parking in this area to “respect residents’ parking” will be provided.

**Cllr. J.J. Culloty welcomed the reply.**

**30. Cllr. JJ Culloty:** To call on this Council to lower the ditch at the Rusheen/Rossmore junction in Firies. This would make it much safer exiting from Rossmore onto the Rusheen Road. A 'STOP' sign also needs to be erected at this junction.

**REPLY:** Kerry County Council will make contact with the landowners with a view to lowering the ditches at the exit onto the Rusheen Road from the Rossmore Road. This work would be suitable for funding through a County Councillor’s Allocation. Meanwhile a “Stop” sign will be erected at the junction.

**Cllr. J. J. Culloty welcomed the reply.**

**31. Cllr. JJ Culloty:** That this Council repair the footpath from the East Avenue Hotel in Killarney, to the Creche on the Countess Road. At present, this footpath is in an extremely poor condition, and it is almost impossible for people with disabilities to use it safely, in its current state.

**REPLY:** The section of footpath referred to in this Notice of Motion is approximately 400 metres long. This will cost in the region of €50,000. There is no funding available at present for this work. Sections of this footpath which are in a very poor state will be repaired over the coming months.

**Mr. D. Doyle said the worst sections of this footpath would be repaired before the end of the year.**

**32. Cllr. JJ Culloty:** To call on this Council to restrict motorists from parking on the footpath on the Port Road, in Killarney. Currently people in wheelchairs and parents with children’s’ buggies frequently have to come off the footpath, and go out onto the road to continue their journey.

**REPLY:** Illegal parking on the footpath along Port Road is preventing pedestrians and wheelchair users from using this footpath. The provision of bollards along the edge of the footpath will prevent cars from parking on this footpath. Provision of bollards here would cost in the region of €3,000. This is suitable for funding through County Councillor's Allocation.

**Cllr. JJ Culloty said when cars park on the footpath buggy's and wheelchairs are unable to pass. He was not convinced the answer would be to remove the low walls.**

**Cllr. M. Gleeson asked if parking could be acquired between the Community College and the wall as this area is not used at present.**

**Mr. D. Doyle undertook to liaise with the landowners in the area.**

**33. Cllr. D Healy Rae:** To ask Kerry County Council and IRD Duhallow to replace the bus shelter which was removed during recent road alignment and resurfacing works adjacent to Rathmore Church.

**REPLY:** Kerry County Council is liaising with IRD Duhallow and Bus Éireann to provide a bus shelter at the bus stop in Rathmore adjacent to the graveyard.

**Cllr. D. Healy Rae welcomed the reply and said it is important that the bus shelter is reinstated. Children and the elderly are standing waiting for the bus in the rain and they need the bus shelter.**

**Cllr. N. Kelleher said the location of the original bus shelter was not appropriate and it needs to be located correctly this time.**

**Ms. B. Mulryan said there were two different bus shelters.**

**Mr. Doyle said they were in contact with Bus Éireann in relation to one shelter and they will agree where it will be located.**

**Cllr. N. Kelleher said two bus stops are required, one in the town and one at Church Place.**

**Cllr. J. Sheahan said he was informed IRD Duhallow would be erecting a bus shelter the following Monday or Tuesday.**

**Ms. B. Mulryan said the bus shelter must be modified to fit on the footpath or Bus Éireann will provide a new one.**

**(c) Questions**



**1. Cllr. M Gleeson:** Has appropriate signage been put in place at each location informing the public and Council staff of the presence of the highly invasive and potentially destructive plant, Japanese Knotweed?

**REPLY:** Signage indicating the presence of Japanese Knotweed has been placed in approximately 25 locations throughout the Killarney District. As additional locations are identified, further signage will be placed.

**Cllr. M. Gleeson welcomed the signage put in place recently. He said the Japanese Knotweed at the Currans fly over was cut and he called on management to ensure this does not happen again.**

See Page 33 for Question 2.

**3. Cllr M Gleeson:** Has a solution been found and finance provided for the resolution of the deplorably uneven surface at Minish Level Crossing?

**REPLY:** Kerry County Council applied to the National Roads Authority for funding to regrade a section of the N22 in the vicinity of Minish Level Crossing under the Supplementary Maintenance funding scheme. The National Roads Authority doesn't consider the type of overlay proposed as suitable for funding through the Authority's supplementary Maintenance programme.

The NRA allocates funding based entirely on national pavement condition surveys undertaken by the NRA. There is currently no mechanism available to the County Council to formally request an individual stretch of road be considered for inclusion on this scheme. However, the condition of this section of road will again be highlighted to the NRA when the Council next meets with the Authority.

**Cllr. M. Gleeson said that the surface at Minish level crossing is worse now.**

**Mr. D. Doyle said at the last meeting a favourable reply was given on the basis that the NRA would fund the works. However they now say they will not fund it. Of the 10 applications submitted to the NRA just 1 was funded.**

**Cllr. M. Gleeson said this is a national primary road to Killarney and it is very dangerous. It is wrong that the NRA will not provide the funding to resurface it.**

**4. Cllr. M Gleeson:** If Kilcummin Sewerage scheme is scheduled to proceed in the relatively near future will the money earmarked for road upgrading in the village be transferred to improving the dangerously bad road through Inchycullane?

**REPLY:** The road in Kilcummin village is included in the Restoration Improvement Grant in 2016. A grant allocation of €156,000 is available for this work. This grant allocation will be reviewed in early 2016.

**Cllr. M. Gleeson said he understood if the sewerage scheme goes ahead there is no point in carrying out the road improvements until work on the sewerage scheme is complete.**

**5. Cllr. J Sheahan:** To ask Kerry County Council to paint markings on the road at Firies Village to direct traffic towards Farranfore, thus preventing vehicles driving onto Firies Drive, where many children are at play.

**REPLY:** Road marking was carried out at the sharp bend in Firies Village last week.

**Cllr. J. Sheahan said this work is already done.**

**6. Cllr. J Sheahan:** To ask Kerry County Council when the footpath issue at Firies Drive be resolved? A 25metre section of footpath is required to give safe passage to residents at this location.

**REPLY:** Kerry County Council will have to acquire a strip of land to construct this footpath. This strip of land forms part of a site which has been subject to a number of planning applications. We will speak to the landowner concerned in the near future, with a view to finalising the footpath link from Firies Drive to the Firies Village.

**Cllr. J. Sheahan asked if there was a further update on the acquisition of land for the footpath.**

**Mr. D. Doyle said he would liaise with the developer and also contact the landowner.**

**7. Cllr. J Sheahan:** To ask Kerry County Council when will the very large potholes on the road margins at Rockfield and Kilcummin Cross on the N22 and at Darby O Gills on the N72 be filled, which are hazardous for all road users, but especially pedestrians and cyclists.

**REPLY:** Maintenance work was carried out last week, on the margins at Rockfield, Kilcummin Cross and at Darby O' Gills.

**Cllr. J. Sheahan welcomed the reply.**

**8. Cllr. J Sheahan:** To ask Kerry County Council to provide traffic lights at the Ballycasheen junction on the Cork road where drivers attempting to cross the road towards Cork are finding it very difficult and frustrating.

**REPLY:** The National Roads Authority in its overview of network improvements has outlined the following priorities:

Priority 1 – Asset Management, Network Rehabilitation and Network Operations

Priority 2 – National Secondary Roads Improvements, Bottleneck Improvement Projects, Safety Projects and Traffic Management Projects

Priority 3 – Network Improvement Projects

This location has not been identified to date under the NRA's Network Safety Ranking. However we have highlighted this location to the NRA based on our own analysis of recorded accidents and on this basis it could be considered a Priority 2 scheme as a Safety Project. Such a project if developed is likely to focus on enhanced traffic calming measures and it is unlikely that a roundabout would be funded by the Authority, particularly, as the minor road is a local road.

**Cllr. J. Sheahan asked if there was any possibility of getting traffic lights at this location.**

**Mr. D. Doyle said it was unlikely to be funded in the short term.**

**9. Cllr. D Healy Rae:** To ask Kerry County Council to repair the footpath on Ross Road.

**REPLY:** There is no funding available at present for this work. Sections of this footpath which are in a very poor state will be repaired over the coming months.

**Cllr. D. Healy-Rae asked when the works will be carried out.**

**Mr. D. Doyle said the works would be done before the end of the year.**

**10. Cllr. D Healy Rae:** To ask Kerry County Council again to resurface the very bad section of road at Bounard, Gneeveguilla.

**REPLY:** Currently there is no funding available to carry out works on this roadway the L-7046, Bounard-Freemount. However, funding of € 66,100 is available in the 2015 Roads Restoration Programme to carry out surfacing works.

**Cllr. D. Healy-Rae asked if the €66,100 would do road beyond O'Keeffes Garage.**

**Mr. Doyle said it would do approximately 900m which is worst of the road.**

**11. Cllr. D Healy Rae:** To ask that a pedestrian crossing be provided in Rathmore from the Post Office to the Playground and the Train Station.

**REPLY:** This proposed pedestrian crossing in Rathmore would be located on the N72 National Secondary Road network. Any improvement works, including the construction of a pedestrian crossing, is subject to the approval of and provision of funding from the National Roads Authority. The current position with regard to this type of Safety Measures Scheme is that the Authority directly determines the locations that will be funded based on criteria that are set down in the technical standard HD 15 Network Safety Ranking which forms part of the NRA Design Manual for Roads and Bridges. Network Safety Ranking uses collision data to rank the safety of national roads and to identify high collision locations on the national road network. The results of this collision analysis go towards targeting annual road safety remedial measures.

This location is not included on the NRA's list of schemes which are currently being examined under the HD15 Network Safety Ranking system. Furthermore, there are no recorded accidents over the past 5 years at this location associated with pedestrian movements which would support a formal request for the NRA Safety Section to carry out an assessment. However, the matter will again be discussed with the NRA at the next meeting to determine if there is a way to progress the proposal.

**Cllr. D. Healy Rae requested that the provision of a pedestrian crossing at this location would be prioritised because of the needs of people with disabilities. This pedestrian crossing should be given priority over any other crossing in Rathmore.**

**Mr. D. Doyle undertook to bring this to the attention of the NRA Safety Officer. There are numerous requests for pedestrian crossings and he would update members at the next Municipal District meeting on his meeting with the Safety Officer.**

**12. Cllr. B Cronin:** What is the update on the assessment of the pedestrian crossing I requested in Firies Village?

**REPLY:** The road design section of Kerry County Council have been asked to examine this location for a pedestrian crossing in accordance with NRA standards. Due to workload of the National Road Overlay projects currently being worked on, this examination is proposed for the final quarter of the year.

Subject to design, compliance etc. an application for funding in 2015 can then be made under the Low Cost Safety Improvement Scheme for Local and Non National Roads.

**Cllr. B. Cronin asked when the Roads Department expect to carry out the assessment.**

**Mr. D. Doyle said the design will be done by the end of the year.**

**13. Cllr. B Cronin:** To ask for an update on the drawing down of the bond in Greenfield's Development Faries.

**REPLY:** Law Agents wrote to the bondsman on 24th July 2014 advising that they had not priced the agreed (with KCC) scope of works which they were to do. Also they were advised that certification costs for the work they would undertake had to be included.

This was in response to the bondsman letter of 1st July 2014 where they indicated that they may make an increased offer.

To date, Law Agents have not received a reply to this letter.

**Cllr. B. Cronin asked what the value of the Bond is.**

**Mr. D. Doyle said he did not have this information to hand. At the last meeting they gave a commitment that some of the works would proceed but that did not happen. He undertook to update members on this issue at the next meeting.**

**See page 23 for Question 14.**

**15. Cllr. B Cronin:** When will the money paid over in the bond for the development in Racomane east, Ballyhar, be used.

**REPLY:** There exists at present a significant shortfall in the finance necessary to finish all outstanding works at this estate in Racomane East, Ballyhar, Pl. Ref: 04-4321 refers. The bond sum conditioned, claimed and paid up by the bondsman is insufficient to undertake all the outstanding works.

A bond of €11,000 was drawn down from AIB Bank. €1,000 of this has been spent providing adequate fire fighting infrastructure. There remains €10,000 in the proceeds of the bond.

The outstanding works include:

- Surface water drainage together with a 59 metre long (225mm pipe) storm sewer to an adjacent open drain.
- Kerbing.
- Footpaths.
- Road surfacing.
- Remedial works to grass verge (clean and reseed).

A specification of works was placed on LA quotes. The lowest tendered price received was €20,852.22c (incl. Vat). There are additional costs regarding the securing of a wayleave through the garden of one of the residents to allow for

storm water drainage. The total estimated cost of works in this estate (Pl. Ref: 04-4321) is therefore €24,000.00c. As there is €10,000.00c remaining in the bond, there is a short fall in funding of €14,000.00c.

The HEU sought permission from the Department of the Environment to reassign €14,000 from the Special Resolution Fund for Racommane. However, this was refused on 1st August 2014. The available funding of €10,000 will not fund surface water drainage or footpaths.

**Cllr. B. Cronin expressed concern at the response. He asked what was provided for the €1,000 already spent from the Bond and has the wayleave been secured for the storm water drainage. Cllr. Cronin asked if the refusal of the €14,000 from the Special Resdution Fund could be appealed.**

**Mr. J. Breen said the only option is through the Courts.**

**Cllr. B. Cronin asked that the Bond would at least be used to do the drainage.**

**Mr. D. Doyle undertook to meet with the residents and to agree the works with them.**

**16. Cllr. B Cronin:** When will the footpath, which is paid for, be constructed adjacent to Currow Church?

**REPLY:** Works have commenced on the construction of the footpath adjacent to Currow Church.

**Cllr. B. Cronin welcomed the reply.**

**17. Cllr. B Cronin:** Will Kerry County Council fill the potholes on the Slivegoura road Faha.

**REPLY:** The potholes on the Slievegaura Road were filled last week.

**Cllr. B. Cronin welcomed the reply.**

**Mr. J. Breen:** said a number of Notices of Motion in from Councillors regarding roads that are included in the Roads Programme. With the Councillors approval the Notices of Motion would be reviewed as they are received and if they relate to a road on the Roads Programme they would contact councillors and give them the option to submit a replacement Motion.

**Cllr. D Healy Rae** said the Manager was referring to his Motions in relation to Bonard and Glenflesk but he pointed out that the funding

provided in the Roads Programme will only do part of the road and he wanted to establish the position regarding the remainder of the road.

**Mr. J. Breen** said that 3 Notices of Motion refer to roads that are included in the Roads Programme. This issue was also discussed at the last meeting when it was agreed that these motions would not be included on the Agenda.

**Cllr. JJ Culloty** agreed with **Mr. Breen's** suggestion.

**Cllrs. Kelleher and Grady** requested that they would be furnished with a copy of the Roads Programme.

**18. Cllr. D Healy Rae:** To ask Kerry County Council to consider moving the stop line on the Madams Hill junction further back from the N22 so motorists accessing the N22 can have further sight distance.

**REPLY:** The relining of the Madam's Hill junction has been sent on to the NRA and the Regional Roads Safety officer for assessment. If this proposal to set back the stop line is approved, the stop line will be repositioned.

**Cllr. D. Healy Rae** asked when the line will be set back.

**Mr. D. Doyle** said he would be meeting with the NRA Safety Officer shortly and he would try to get agreement for the repositioning of the stop line.

**19. Cllr. D Healy Rae:** To ask Kerry County Council to resurface immediately the bad sections and lags of the regional road from Barraduff to Shronedarragh to Dromcarbin in Glenflesk.

**REPLY:** There is no funding currently available to resurface the R-570 from Barraduff to Glenflesk. However there is €140,000 due in 2016 under the Restoration Improvement Programme to carry out works on the Barraduff to Shronedarragh end of the roadway. The remaining section of this road will be considered for inclusion in future roads programmes.

**Cllr. D. Healy Rae** said he was only referring to the section of road from Barraduff to Shronedarragh and he asked that the works would be done before 2016.

**Mr. D. Doyle** said there is no funding and this road will be considered for inclusion in future Roads Programmes.

**20. Cllr. D Healy Rae:** To ask that resurfacing works be carried out in Laccabane village and that all the public lighting be made operational immediately.

**REPLY:** There is no funding currently available to carry out resurfacing works in the Lackabane Village housing estate, however it can be considered for inclusion in future road works programmes. All the public lights are operational as of last week.

**Cllr. D. Healy Rae asked how funding could be accessed for this work and he asked at a minimum that the potholes would be filled.**

**Mr. D. Doyle said the potholes can be filled but there is no funding available to overlay these estates.**

**21. Cllr. D Healy Rae:** To ask that the road in O'Kelly's Villas be resurfaced as soon as possible.

**REPLY:** The road serving O'Kelly's Villas is in a good state of repair. The turning area at the end of O'Kelly's Villas needs to be regraded and overlaid. This work will cost €12,000. There is no funding available at present for this work. This work is suitable for funding through County Councillor's Allocation.

**Cllr. D. Healy Rae said as this estate has not been resurfaced for over 40 years it was unreasonable to say councillors allocations can be used to do this work.**

**Mr. D. Doyle said work was carried out in this estate last year. In Killarney they always got a block grant and if that is received in 2015 consideration can be given to funding this work.**

#### **14.09.19.07(a) Report from Mr. O. Ring Director of Water Services**

It was agreed to note the following report from Mr. Ring on the Water Services which was circulated:

#### **Kerry County Council Water Services Investment Programme**

Status Summary at 10<sup>th</sup> September, 2014

#### **Irish Water Capital Investment Programme 2017-2016**

Irish Water Capital Investment Programme 2017-2016 was launched in May. A total of 8 wastewater Schemes (total value of €10.7 million) and 7 Water schemes (total value of €3.5 million) in Kerry are included in the IW Capital Investment Programme. The schemes listed in the CIP which affect the Killarney Municipal District are outlined in the following tables:

<b><u>CIP TIONSCNAIMH SHOLÁTHAIR UISCE</u></b> <b><u>CIP WATER SUPPLY PROJECTS</u></b>	
<b>Tionscnamh</b> <b>Project</b>	<b>Stádas</b> <b>Status</b>



<b>Mains Rehabilitation Projects</b>	<b>Description</b>	<b>Value</b>	<b>Status</b>
	County Direct Labour	€ 2,649,776	Pipelaying ongoing by Direct Labour - approximately 80% complete.
<b>Central Regional Water Supply Scheme</b>	<b>Description</b>	<b>Value</b>	<b>Status</b>
	Scart Reservoir	€ 292,000	Construction of this project is substantially complete.
	Water treatment Plant - DBO	€ 22,500,000	Updating tender documents to align with Irish water procurement requirements. Due diligence being carried out on all aspects of the design to date. Progress to tender stage with a view to commencing construction by the end of the current CIP

<b><u>CIP TIONSCNAIMH FUÍOLLUISCE</u></b> <b><u>CIP WASTEWATER PROJECTS</u></b>	
<b>Tionscnamh Project</b>	<b>Stádas Status</b>
<b>Kilcummin Sewerage Scheme</b>	Scheme included in the Irish Water Capital Investment Plan (2014 to 2016). Irish Water to have all options for the scheme independently reviewed and select the solution it deems most appropriate.

### **Funding Priorities for Capital Projects**

Irish Water has indicated that it will prioritize funding for capital projects based on key issues to be addressed. In water, priority will be given to schemes on a Boil Water Notice (BWN), on the EPA Remedial Action List (RAL) and/or on a Direction from the EPA. In wastewater, priority will be given to towns (agglomerations) with an ECJ Ruling and on meeting the EPA Discharge License requirements.

### **Irish Water Capital Investment Programme 2017-2016**

Irish Water has also launched a Minor Capital Works Programme 2014. This is a rolling programme of minor improvement works which can be added to as the need arises. The list of schemes that Kerry County Council has applied for under the Minor Capital Works Programme in the Killarney Area is outlined in the following table:

<b>MINOR CAPITAL WORKS PROGRAMME</b>			
<b>Project</b>	<b>Description</b>	<b>Estimate</b>	<b>Status</b>
Castleisland SS - Church St Sewer	Replace collapsed length of sewer	€ 3,500	Approved
Castleisland SS - Limerick Rd. Sewer	Replace collapsed length of sewer	€ 4,500	Approved
Dromultan Scartaglin Pumpstation	Lay pipe to eliminate old pump station	€ 35,000	Requested
Mid Kerry Mains Replacement – Gearha Cross to Meanus Cross	Replace sections of Killorglin Trunk Main	€ 855,000	Requested
Mid Kerry Gearha	Installation of PRV's	€ 14,400	Approved
Milltown Poulgorm WSS	Modify network to eliminate old watermain	€ 25,000	Requested
Mid Kerry Mains Replacement - Coolbane Aglish	Replace 1,500m of the 200mm diameter PVC Trunk Main	€ 300,000	Requested
Rathmore WWTP	Upgrade Trickling Filter	€ 8,500	Approved
Rathmore WWTP	Install emergency overflow to River	€ 6,200	Requested
Shrone Raw Water Main	Lay main to Lake	€ 160,000	Requested
Castlemaine Ejector House	Pump and Control Panel Upgrade	€ 15,422	Approved
Castlemaine WW Tank	Pump and Control Panel Upgrade.	€ 11,848	Approved
Castleisland SS - Barrack St Bridge	Sewer encroaching Archway of Bridge causing river to back up and flooding upstream	€ 45,000	Requested
Castleisland SS - Church Street bridge	Sewer encroaching Archway of Bridge causing river to back up and flooding upstream	€ 45,000	Requested
MK Knockavota WSS	Replacement of Cast Iron watermain along a 320m stretch on Tralee/Killorglin road	€ 52,000	Approved
<b>Total</b>		<b>€ 1,581,370</b>	

## **(b) Notices of Motion**

**1. Cllr. M Gleeson:** That the Council would detail the progress made towards the development of a properly functioning sewerage scheme for Cahereen Heights, Castleisland.

**REPLY:** The developer has applied to the Council for take-over of this privately owned estate of circa 70 houses, which is situated on the southern side of Castleisland.

The financial bond attached to the grant of Planning Permission is being invoked, and the insurance company and its consulting engineer have undertaken to carry out extensive works to the roads, lighting, water and sewer, etc. infrastructure.

There are significant inadequacies in the construction of the sewerage system, which involves two pump stations and a deep waste-water sump, and which is connected to the public Castleisland Sewerage Scheme.

It is expected that, following the completion of legalities, the comprehensive works will be commenced in the coming weeks.

**Cllr. M. Gleeson asked if the comprehensive works mentioned in the last sentence relate to the sewer.**

**Mr. C. Mangan said the insurance company will carry out the works. Our Legal Department is liaising with legal representative of the insurance company who are organising the improvements to the infrastructure and this includes the sewer.**

**Cllr. M. Gleeson asked on completion of the works will the problems be resolved.**

**Mr. C. Mangan said hopefully it will.**

**2. Cllr. J Sheahan:** That Kerry County Council give an update in regards to the provision of a sewerage treatment facility for Kilcummin.

**REPLY:** Irish Water has requested an independent review of all options for this scheme to determine the best solution. Kerry County Council has submitted a brief to Irish Water for the appointment of consultants to carry out this work. It is a matter for Irish Water to appoint these consultants directly and it is anticipated that this appointment will be made in the coming weeks.

**Mr. C. Mangan said he understood consultants would be appointed shortly to carry out a Pier Review of the Scheme. He hoped this review would be undertaken sooner rather than later. He expected consultants would be appointed prior to the next Municipal District meeting.**

**Cllr. B. Cronin then moved Question 3.**

**Q3. Cllr. B Cronin:** What is the current situation with Kilcummin sewerage scheme?

**REPLY:** Irish Water has requested an independent review of all options for this scheme to determine the best solution. Kerry County Council has submitted a brief to Irish Water for the appointment of consultants to carry out this work. It is a matter for Irish Water to appoint these consultants directly and it is anticipated that this appointment will be made in the coming weeks.

**Cllr. B. Cronin asked what was the timeframe for the completion of this review and has funding been allocated for the Scheme.**

**Mr. Mangan said no funding has been allocated for this Scheme. He was not aware of the timeframe for the review but he would get this information and revert to Cllr. Cronin with this information.**

The Cathaoirleach said Notices of Motion 3 and 4 would be taken together.

**3. Cllr. J Sheahan:** That Kerry County Council give an update in regards to the provision of a sewerage treatment facility for Currow.

**REPLY:** Currow village currently has no sewerage scheme and there is no provision for a sewerage scheme for the village in Irish Water's Capital Investment Programme 2014-2016. Kerry County Council has made a submission to Irish Water as part of the IW Water Services Strategic Plan to provide sewerage infrastructure to 'un-sewered' villages such as Currow. This would support social and economic growth and meet the objectives of the Water Framework Directive, which are key objectives of the IW Strategic Plan.

**4. Cllr. J Sheahan:** That Kerry County Council give an update in regards to the provision of a sewerage treatment facility for Scartaglin.

**REPLY:** Scartaglin village currently has no sewerage scheme and there is no provision for a sewerage scheme for the village in Irish Water's Capital Investment Programme 2014-2016. Kerry County Council has made a submission to Irish Water as part of the IW Water Services Strategic Plan to provide sewerage infrastructure to un-sewered villages such as Scartaglin. This would support social and economic growth and meet the objectives of the Water Framework Directive, which are key objectives of the IW Strategic Plan.

**Cllr. J. Sheahan asked that both Currow and Scartaglin would be included in the Irish Water Investment Programme for 2016.**

**Mr. C. Mangan pointed out that they are not on the Programme at present but in 2016 a new Programme will be prepared and hopefully they will be included in that Programme. A submission was made on both these villages.**

**5. Cllr. D Healy Rae:** To ask Kerry County Council and Irish Water to provide funding to replace defunct water mains at Bushmount and Clonlara, Furies.

**REPLY:** Much of the circa 2km length of 50mm Class C PVC water main from Bushmount to Graffees to Cloonlara was laid as part of a Group scheme in the late 1970s. The replacement of this pipe which is provisionally estimated at €200,000 would be beneficial. An application for this proposal has recently been made to Irish Water.

**Cllr. D. Healy Rae called on Water Services to insist that funding is provided to replace this water mains. Electrical appliances are being damaged because of poor pressure. Something needs to be done to address this issue as a matter of urgency.**

**(c) Questions**

Cllr. B. Cronin then moved Question 4.

**Q4. Cllr. B Cronin:** Has Irish Water given any funding for replacing old pipes from Aglish to Flynn's forge, or for Bushmount Furies?

**REPLY:** A submission of value €270,000 for the replacement of 1,500m of 200mm diameter watermain at **Aglish – Forge Cross** has been made to Irish Water. Much of the circa 2km length of 50mm Class C PVC water main from **Bushmount to Graffeen to Cloonlara** was laid as part of a Group scheme in the late 1970s. The replacement of this pipe which is provisionally estimated at €200,000 would be beneficial. An application for this proposal has recently been made to Irish Water.

**Cllr. B. Cronin welcomed the application made to Irish Water for €200,000. He asked what are the prospects of this work being included on the priority list and in what timeframe.**

**Mr. C. Mangan said it is difficult to say. He referred to the Minor Capital Works Programme submitted to Irish Water and said this week an allocation of €1m was received for the replacement of water mains from Gerah to Meanus. This work will commence in the coming weeks. Three submissions were made in relation to that area and the biggest one is Gerah for which funding has been allocated. This work will commence in the coming weeks. He said it would be better to replace this water main before pursuing an allocation of funding for the Barleymount to Aglish section. He hoped this would be done with Bushmount.**

**Cllr. B. Cronin said there is a scour valve at Flynn's Forge and when it is open it flows onto land. He asked that it would be connected to a pipe which would flow into the river.**

**Mr. Mangan said that issue should be easy to resolve.**

**1. Cllr. M Gleeson:** Has Irish Water [Uisce Éireann] given any indication of the imminent provision of the finance necessary for the development of the Sewerage Scheme in Kilcummin?

**REPLY:** Irish Water has requested an independent review of all options for this scheme to determine the best solution. Kerry County Council has submitted a brief to Irish Water for the appointment of consultants to carry out this work. It is a matter for Irish Water to appoint these consultants directly and it is anticipated that this appointment will be made in the coming weeks.

**5. Cllr. JJ Culloty:** As it appears, farmers using a public water supply will be billed on the double for household and farm water supplies. Can Kerry County Council clarify to the Members of the Municipal District of Killarney, how they, and Irish Water intend to implement these changes?

**REPLY:** Our current understanding of how mixed-use customers will be dealt with is that Kerry County Council will continue to bill the non-domestic portion of water and/or sewer charges during 2015 on behalf of Irish Water. From 1 October 2014, Irish Water will bill the domestic portion of mixed-use customers directly on an assessed charge basis.

**Mr. C. Mangan said there is some confusion around this issue. A customer with a domestic and commercial element will be billed by Irish Water for the domestic element. They will also be billed by Kerry County Council for the commercial element at least for 2014. In the meantime the farmer will get an assessed bill based on the number of people residing in the house.**

**Cllr. B. Cronin said they will have one meter and how will they distinguish between the domestic element and the commercial element.**

**Mr. Mangan said from the details published the first adult will be charged at €88 while the second and subsequent adults will be charged at €51 per annum.**

**Cllr. N. Kelleher asked if there is a possibility customers will be billed in the double.**

**Cllr. D. Healy Rae: said he found this confusing and disturbing. He also asked if Kerry County Council is charging people who are looking for a water connection and is the money then paid over to Irish Water.**

**Cllr. Kelleher asked if the domestic allowance would be based on the number of people residing in the house.**

**Mr. Mangan said a year ago Kerry County Council billed farmers for water but as there was not a domestic charge they received a domestic allowance of 50,000 gallons a year. The same will now apply in that the Council will deduct 50,000 gallons and will bill for the remainder of the water used. The domestic bill will issue from Irish Water based on an assessment of the number of people residing in the house. There is a possibility of double charging but this will become more evident as the due date comes nearer and there may be amendments to the charging structure.**

**Cllr. M. Gleeson proposed that a letter would issue to Irish Water requesting that the charging structure would be harmonized.**

**Cllr. D. Grady seconded this proposal.**

**14.09.19.08 Motions / Questions relevant to other Directorates or issues not relevant to Kerry County Council business.**

**(a) Notices of Motion**

**1. Cllr. D Grady:** That this Council would write to the appropriate Department requesting that a boundary wall would be built on the grounds of Killarney House to protect the privacy of the Ross Road residents that are being affected by the very good work that is being done on the house.

**REPLY:** This is a matter for resolution by the members.

**Cllr. D. Grady requested that this motion be deferred as work is ongoing.**

**2. Cllr. D Grady:** That this Council would continue to financially support groups and organisations within the town of Killarney that were previously supported by the Town Council.

**REPLY:** The allocation of funding to groups and organisations which were previously supported by the Town Council is a matter to be considered as part of the General Municipal Allocation by the Municipal District members during the budgetary process.

**Cllr. D. Grady welcomed the reply.**

**Cllr. M. Gleeson seconded the motion.**

**3. Cllr. D Healy Rae:** That we the members ask Kerry County Council & OPW to clean out the river at Cragg to prevent the diversion of Gleansheroon River going into the caves flooding Kilbannivane and all the areas of Town including Tullig.

**REPLY:** This is a matter for resolution by the members.

**Cllr. D. Healy Rae called for the support of all members for this motion. He said this is very urgent it would only take 4 hours with a machine to remove the silt and alleviate the problem. If left unattended the result will be water going into the Caves and down the Kilbannivane stream and Tullig will be flooded again.**

**Cllr. J. Culloty said the Council need to discuss this issue with the OPW.**

**Cllr. D. Healy Rae said when Minister Hayes visited this area he gave the impression that all the Council had to do was to apply and funding would be made available for this work. He did not know if the Council made a submission or not. The OPW do not want to get involved and**

want the Council to do the work. He asked that a letter would issue to the OPW pointing out that if this work is not done Tullig will be flooded again. Work was done in the past and it resolved the problem for 3 or 4 years.

**Cllr. J.J. Culloty** said he understood the Council require funding from the OPW to do this work.

**Mr. J. Breen** said it was clearly outlined to Minister Hayes that this is the responsibility of the OPW and they are aware of it. The culvert is too small at Tullig and this was also pointed out to the Minister. If the Kerry County Council start doing the work they will be left to do it in future. He said a letter can issue to the OPW on behalf of the members calling on them to do this work.

**D. Healy Rae** again said if this work is not done Tullig will be flooded again and Kerry County Council will incur all the costs for the Fire Services who are called out when there is flooding.

**Cllr. J. Culloty** said he was not as confident as **Cllr. Healy-Rae** that the works outlined would resolve the flooding at Tullig. He asked that the size of the culvert would be increased.

**4. Cllr. N Kelleher:** To ask the members to call on the Health Services Executive (HSE) to reinstate the second emergency ambulance which serves the Killarney Municipal District.

**REPLY:** This is a matter for resolution by the members.

**Cllr. N. Kelleher** said he heard of an incident in Currow where a man had chest pain. His family called for an ambulance and 15 minutes later when the ambulance had not arrived she phoned again to be told the ambulance was in Kanturk. The son then took his father to hospital. He said the Municipal District of Killarney needs to call on the HSE to reinstate the second ambulance.

**Cllr. J. Culloty** seconded the motion and said in North Kerry the ambulances must now cover West Limerick and that will have an adverse impact on Killarney.

## **(b) Questions**

**1. Cllr M Gleeson:** Can the Council clarify the situation in relation to Árús Phádraig i gCill Áirne? It has been languishing for far too long and is much needed as vital asset in the greater Killarney area.



**REPLY:** The former Killarney Town Council were in detailed discussions to bring to fruition the desire of the Franciscan Order to donate the Árús Phádraig building to the people of Killarney for use as a community facility. This proposal required the agreement of the charities regulator and thereafter we had an extended period of negotiations in trying to bring the matter to a conclusion. Substantial progress has been made on the matter recently and we would expect the transfer of the property to be finalised in the coming weeks. Thereafter a plan regarding its upgrading and use, subject to available resources, will need to be developed.

**Cllr. M. Gleeson said Árús Phádraig has been idle for 10 years and if it was reopened it would be a vital addition to life in Killarney and the surrounding area.**

**Mr. J. Breen informed members that the transfer of this property to Kerry County Council is progressing and he undertook to update them further at the next Municipal District meeting.**

**2. Cllr. D Healy Rae:** That we the members of the Killarney Municipal District make provision to set aside a sum of money to be given to the Killarney Chamber of Commerce for marketing, similar to what was given by the Town Council last year.

**REPLY:** The allocation of funding to groups and organisations which were previously supported by the Town Council is a matter to be considered as part of the General Municipal Allocation by the municipal district members during the budgetary process.

**Cllr. D. Healy Rae welcomed the reply.**

**3. Cllr. N Kelleher:** Can Kerry County Council seek assistance from Irish Rail to add extra carriages on the Kerry train on Friday's and especially on bank holiday week ends as I have had several reports of dangerous overcrowding.

**REPLY:** This is a matter for resolution by the members.

**Cllr. N. Kelleher proposed the motion and requested that it would be forwarded to Irish Rail for consideration.**

**All members supported the motion.**

#### **14.09.19.09 Approval for the hosting of a Reception**

**Cllr. D. Healy-Rae proposed at a reception for the Kilcummin set dancing team to honour their achievements at Fleadh Cheoil na hÉireann 2014 would be held at the next meeting of the Killarney Municipal District.**

**Cllr. D. Grady seconded this proposal and it was agreed.**

#### **14.09.19.10 Dates for meetings**

- (a) It was agreed that the next meeting of the members of the Municipal District of Killarney would be held on Wednesday the 12<sup>th</sup> of November in the Town Hall Killarney commencing at 10.00am.
- (b) It was agreed to hold a meeting of the members of the Municipal District of Killarney to consider and adopt the Draft Budget Plan for the Municipal District of Killarney on Wednesday 8<sup>th</sup> October, 2014 at 9.30am.

#### **14.09.19.11 Correspondence.**

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

1.	Letter dated 11 <sup>th</sup> August, 2014 from Iarnród Éireann in relation to arrangements to improve the appearance of Headford level crossing in advance of the centenary.
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**Cllr. N. Kelleher welcomed the response from Iarnród Éireann and said we should take up the offer of a meeting.**

**Mr. J. Breen said David Doyle would meet with Iarnród Éireann.**

#### **14.09.19.13 Any Other Business.**

**Cllr. D. Grady referred to the Killarney London Reunion which will take place on the 15<sup>th</sup> November and said Killarney Town Council always sent a representative to this function. It is important that Killarney is represented as a lot of our youth go to London and they get assistance in finding employment. He would be interested in attending this event.**

**Mr. G. O'Brien said on occasion the County Council sent a representative to the London Kerry Association Annual Dinner in October. The Cathaoirleach represents the Council and no other councillor is authorised to attend. He undertook to review the issue raised by Cllr. Grady.**

**Cllrs. Grady and Culloty said they would be attending.**

**Mr. J. Breen said there are two associations in London (1) the London Kerry Association and (2) the Killarney Reunion. The county is represented by the Cathaoirleach at the Annual Dinner of the London Kerry Association.**

**Cllr. D. Grady said the Mayor of Killarney and two councillors always attended the Killarney Reunion and it is important to keep this tradition going.**

**Mr. J. Breen undertook to review this matter and said there is a formal process for approval to attend such events at full Council Meetings. He would discuss this issue with the Chief Executive.**

**Cllr. D. Healy Rae said there are bad lags on the road west of Barraduff and he asked when this road would be repaired.**

**Cllr. JJ. Culloty said he understood this would be repaired shortly.**

**Mr. J. Breen undertook to get a reply for Cllr. Healy-Rae and to email it to him.**

**Cllr. D. Grady said restaurant owners are harassing tourists on the street looking for business and this never happened when the Town Council was there. This must be stopped or it will damage the town's reputation.**

**Mr. J. Breen said we need to bring business people on board to ensure the integrity of Killarney is retained.**

**Cllr. JJ Culloty said something needs to be done regarding signage in Killarney but he wanted to ensure this did not impact on charity events like the Ring of Kerry. Business should have to apply for permission to provide signage.**

**Mr. J. Breen said he had no difficulty with signage for the Ring of Kerry Cycle but there should be no commercial signage on the footpaths.**

**Cllr. J. J. Culloty recorded his sympathy to the family of the late Donal Culloty.**

**All members said they wished to be associated with this expression of sympathy.**

**The Cathaoirleach, Cllr. J. J. Culloty congratulated all involved in the Tidy Towns which was a huge success in Kerry this year. He also congratulated all those who participated in Fleadh Cheoil Na HEireann. Cllr. Culloty wished the Kerry Minor and Senior Football teams well in the All Ireland Finals.**

**The meeting concluded at 2.50pm.**

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**Mr. G. O'Brien**

**Cathaoirleach of Killarney M. D.**

**Meetings Administrator**