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**MINUTES OF THE MEETING OF THE MEMBERS OF THE MUNICIPAL DISTRICT OF KILLARNEY HELD IN THE TOWN HALL, KILLARNEY ON WEDNESDAY, 25<sup>TH</sup> MARCH 2015.**

**MIONTUAIRISCÍ NA CRUINNITHE DE CHEANTAR BARDASACH CHILL ÁIRNE A THIONÓLADH IN HALLA AN BAILE CHILL ÁIRNE AR AN CHÉADAOGIN 25 MÁRTA 2015.**

**PRESENT/I LÁTHAIR**

**Councillors/Comhairleoirí**

**Cllr. B. Cronin  
Cllr. J.J. Culloty  
Cllr. M. Gleeson  
Cllr. D. Grady**

**Cllr. D. Healy-Rae  
Cllr. N. Kelleher  
Cllr. B. O'Connell  
Cllr. J. Sheahan**

**In attendance/i láthair**

<b>Ms. A. McAllen</b>	<b>Delegated Executive for the MD of Killarney</b>
<b>Mr. C. O'Sullivan</b>	<b>Director of Operations, Health &amp; Safety Directorate</b>
<b>Mr. G. O'Brien</b>	<b>Meetings Administrator</b>
<b>Mr. D. Doyle</b>	<b>SE</b>
<b>Mr. P. Neary</b>	<b>SEE</b>
<b>Mr. C. Mangan</b>	<b>SEE</b>
<b>Mr. L. Quinlan</b>	<b>SEO</b>
<b>Mr. S. McCarthy</b>	<b>Housing Liaison Officer</b>
<b>Ms. B. Mulryan</b>	<b>EE</b>
<b>Mr. C. O'Leary</b>	<b>EE</b>
<b>Mr. B. Mulherne</b>	<b>AE</b>
<b>Mr. K. O'Halloran</b>	<b>AE</b>
<b>Ms. N. O'Sullivan</b>	<b>AO</b>
<b>Ms. J. Brosnan</b>	<b>AO</b>
<b>Ms. M. Galvin</b>	<b>CO</b>

The meeting commenced at 9.35am.

Cllr. J.J. Culloty officially welcomed Ms. Angela McAllen. He said that he looked forward to working with her and would offer her every assistance in her new role. He wished to thank Mr. John Breen for all his work. Mr. Breen was most helpful and worked for the betterment of Killarney.

Cllr. D. Grady said that Ms. McAllen had a challenging job ahead and wished her well in her new role. He wished Mr. Breen every success.

Cllr. D. Healy-Rae wished to be associated with the good wishes.

Cllr. N. Kelleher wished to be associated with the sentiments expressed. He stated that Mr. J. Breen offered him great assistance. He stated he has worked previously with Ms. A. McAllen on the Audit Committee and is delighted that she will now be working in the Killarney Municipal District.

Cllr. M. Gleeson welcomed Ms. A. McAllen. He said that Killarney was an exciting and challenging place. A high standard had been achieved and this needed to be maintained and enhanced. He stated that Ms. McAllen would be more than able for the task. He also wished to thank Mr. J. Breen.

Cllr. J.J. Culloty referred to a recent poll of "Top 10 Irish Destinations" carried out by TripAdvisor. Killarney was ranked as the No. 1 tourist destination in the country. He wished to congratulate all involved, i.e. the Local Authority, business groups and voluntary committees who helped Killarney reach the No. 1 position. Cllr. Culloty also wished to thank everyone involved in the St. Patrick's Day Parade in the town which was a huge success.

Cllr. D. Grady referred to the Killarney Food & Music Festival that is due to be held in the summer. Cllr. Grady expressed concern regarding the holding of the festival in the National Park. He feared for the wildlife and the environment and stated that another venue was available.

Cllr. J.J. Culloty said that initially he was of the same frame of mind as Cllr. Grady. Cllr. Culloty stated that he is a member of the Liaison Committee of the National Parks & Wildlife and said that negotiations regarding this event had been discussed by this Committee. Their reservations had been eased by Mr. Pat Dawson, National Parks & Wildlife Service who had carried out a comprehensive study in relation to the event. A bond has been put in place. Cllr. Culloty was confident that all concerns had been dealt with in a professional manner.

Cllr. M. Gleeson said that he was sure the event would be held to the highest standard. Consultation had been held locally and nationally. He also was concerned for Killarney and its environs but was happy that it would be carried out to a high standard.

Cllr. N. Kelleher concurred with Cllr. Gleeson. This was a welcome festival and important for Killarney Town.

Cllr. D. Healy-Rae welcomed this very important event and wished everyone involved every success.

#### **15.03.25.01 Confirmation of the Minutes**

- (a) On the PROPOSAL of Cllr. Michael Gleeson, SECONDED by Cllr. Brendan Cronin, it was agreed that the Minutes of the Meeting of the Members of the Municipal District of Killarney held on 28<sup>th</sup> January 2015 be confirmed.

### **15.03.25.02 Reception of Deputations:**

#### **Deputation from Residents of Pinewood Estate, Killarney regarding traffic issues in the Estate - Requested by Cllr. J.J. Culloty**

Cllr. J.J. Culloty welcomed the deputation to the meeting.

*(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* addressed the meeting.

*(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* circulated copies of a survey that had been carried out by Maurice Lawlor of South Kerry Development Partnership and Kerry County Council which addressed issues in the estate.

*(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* stated that the main concern in relation to Pinewood Estate was the entrance which was a health and safety issue. Cars are coming both sides from Deerpark and the roundabout going into Pinewood and cutting across and going into the shops. *(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* stated that the residents can't get in or out of the estate. Cars have to back out onto the road to exit.

*(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* referred to the derelict house that Kerry County Council hopes to acquire. She asked that when they are developing it, they might include community rooms for the estate. She also asked that the entrance to the estate be landscaped. She also referred to the entrance sign. *(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* also asked if there were plans to do up the basketball court. The drains in the estates were also an issue.

Mr. Paul Neary welcomed the deputation. He stated that it was good to hear the issues at first hand. He said that he will review the issues outlined. He agreed to look at the junction and turning area and will also look at the maintenance budget in relation to the landscaping and footpaths. He agreed to meet with the residents and discuss the issues raised.

Cllr. B. O'Connell suggested that Mr. P. Neary should meet the residents on site to discuss the problems with the entrance and also to look at the other issues.

Mr. P. Neary agreed to meet the residents. He stated that any changes to the road would be subject to public consultation and access would be subject to the shop owner's consent.

In relation to the community rooms, Mr. D. Doyle said that the site had not yet been acquired.

Mr. C. O'Sullivan stated this was listed as a derelict site. There may be compensation claims relating to this. This could be a long process. He said that he would report back to the Members on what will be done with this site.

Cllr. D. Healy-Rae welcomed the deputation to the meeting. When planning was granted the Planners didn't envisage that cars would be backing out onto the public road. He said the safety of the residents should be paramount. The Council needs to address the problems relating to the footpaths and drains.

Cllr. D. Grady welcomed the deputation. He said that the residents in Pinewood have made a good place better. He stated that the derelict house was an eyesore and something should be done with it for the people of Pinewood. He agreed that the entrance to the estate needed to be improved.

Cllr. B. Cronin welcomed (*Names withheld for data protection purposes. A paper copy of unedited Minutes available on request*) to the meeting. He said that the issue of reversing out of the estate was very dangerous. He asked Mr. P. Neary to come up with a plan to rectify this. He said that drainage problems were a result of bad maintenance and forward planning. He stated that improving the landscaping would enhance the appearance of the estate. He asked that the title of the house be sorted out. He confirmed that he would provide any assistance he could to the residents.

Cllr. J. Sheahan welcomed the deputation. He said the issues relating to the Estate were well documented today. He stated that the issue regarding the derelict house and reversing out onto the roadway needs to be resolved. He asked that the Council prioritise these issues.

Cllr. N. Kelleher welcomed the deputation and congratulated the residents on the work they have put into the estate and getting the survey completed. He stated that maintenance was the big issue here. He asked Kerry County Council to look at the landscaping and said there should be money in the maintenance budget for this. He stated that the parking was a health and safety issue. He asked the Council to proceed with the acquisition of the derelict house as soon as was practical. He offered his full support to the residents.

Cllr. M. Gleeson welcomed the residents. He complimented them on commissioning the report. He stated that if everyone co-operates, then standards of excellence would be achieved. He agreed that a community room would benefit the community. He said that footpaths were the biggest challenge facing the Council over the next few years. He stated that any assistance he could give by way of Councillor's Allocation would be provided. He said the residents deserved their support.

Cllr. J.J. Culloty thanked the deputation for their report which was of assistance. A lot of work had gone into it. It was a busy area and kept to a great standard. He stated that they should work with Mr. P. Neary and get to the next level.

Ms. A. McAllen stated it was good to see a proactive committee, South Kerry Development Partnership and Kerry County Council working together to deal with the issues. Ms. McAllen confirmed that Mr. P. Neary would visit them shortly.

*(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* thanked Mr. Sean McCarthy and Mr. Maurice Lawlor for the assistance they had given to the residents.

### **15.03.25.03 Business prescribed by Statute, Standing Orders or Resolution**

- (a)** On the PROPOSAL of Cllr. M. Gleeson, SECONDED by Cllr. D. Grady it was agreed to approve the installation of safety measures at the entrance to the Killarney to Fossa Amenity Cycleway, in the townland of Lackabane, Killarney, Co Kerry, consisting of the introduction of a raised kerbed section along the existing roadside cycleway route on the N72 adjacent to the existing entrance to the Killarney to Fossa Amenity Cycleway, pursuant to Section 38 of the Road Traffic Act, 1994, as amended by Section 46 of the Public Transport Regulation Act, 2009.
- (b)** To consider and adopt the Schedule of Municipal District Works Plan for the Killarney Municipal District, having regard to the provisions under Section 58 of the Local Government Reform Act, 2014 and guidelines issued by the Department of Environment, Community and Local Government (Circular LG 27/2014).

Mr. C O'Sullivan briefed the members on the following report which was circulated:

**18<sup>th</sup> March 2015**

**Chúig/To: Cathaoirleach JJ Culloty  
Gach ball de Cheantar Bardasach Chill Áirne**

**RE: Schedule of Municipal District Works Plan – Killarney Municipal District**

A Chomhairleoir, a chara,

The Schedule of Municipal District Works (SMDW) Plan, for the Killarney Municipal District has been prepared in accordance with the provisions of Section 58 of the Local Government Reform Act 2014, and having regard to guidelines

issued by the Department of Environment, Community and Local Government (Circular LG 27/2014) . copy of which is enclosed.

Section 58 of the Local Government Reform Act 2014 inserts a new Section 103A in the Local Government Act, 2001, providing that, following the adoption of the annual budget, a schedule of proposed works of maintenance and repair to be carried out during the financial year in each municipal district shall be prepared, for adoption by the municipal district members.

It is, in effect, a plan of maintenance and repair works that prioritizes and apportions the use, within the municipal district, of the funding provided in the 2015 Budget, which was adopted by Council on the 17<sup>th</sup> November 2014, for particular purposes.

The main elements of the provisions under the above legislation are as follows:-

- The preparation and adoption of the SMDW Plan is a mandatory requirement,
- The SMDW is to be prepared as soon as may be following the adoption of the annual budget, for consideration and adoption by resolution, with or without amendment, by the municipal district members.
- If not adopted by the municipal district members, the SMDW reverts to the full council for the elected members consideration and adoption, with or without amendment.

The legislation provides that the Minister may make regulations outlining the manner, format, conditions, requirements and timescale for the preparation, consideration and adoption of the SMDW Plan. Pending the possible making of regulations, interim guidelines have been issued by the Department, in Circular LG 27/2014, on the preparation, consideration and adoption of the SMDW plan.

These guidelines have been carefully considered in the preparation of this plan, as well as the specific requirements of circulars issued by Government Departments associated with the allocation of specific grants.

It is formulated on the basis of the amount of funding provided for maintenance and repair in Kerry County Council's annual budget, in respect of each relevant service division (e.g. housing, roads, amenities, street cleaning, drainage work, burial ground maintenance, etc.), subject to any variations arising subsequent to adoption of the budget, for example, in relation to funding levels from State grants.

The schedule is prepared within the levels of funding available, and on the basis of identified needs and priorities throughout the local authority area and taking due account of requirements in relation to standards and frequency of maintenance work. This is informed by details of relevant requirements which were considered in the formulation of the Council's overall budget as well the pattern of works and expenditure in previous years. The adoption of the SMDW per se cannot involve a revision of the adopted budget.

Maximising value for money, overall effectiveness, and return from investment is a key objective underpinning the prioritization of works and allocating available funding within each municipal district, along with the need to ensure appropriate balance in the allocation of resources as between urban and rural areas in the district.

Works to be executed under the GMA are not provided for in the SMDW, as these are discretionary works to be decided by the elected members. However, it is open to the municipal district members to apply GMA funding to supplement maintenance and repair funding otherwise available in the overall budget. In particular this has been identified as a potential source of funding for improvement works to private roads on exceptional hardship and emergency grounds.

I am cognizant of this being the inaugural year in developing this SMDW Plan and it should be flexible enough to allow for possible emergencies or reallocation of funding from scheduled works, that cannot for some reason, proceed. Any such re-allocation of funding should, as always, be within the overall budgetary framework, and will be notified to members. This will be done as part of the Operations Directorate report to you at the Municipal District meetings.

The annual Service Delivery Plan, for the Operations Directorate to be prepared in accordance with Section 134A of the 2001 Act, shall be informed by proposals for the SMDW and this will be presented to Council on the 27<sup>th</sup> April 2015. The Service Delivery Plan will identify all other works to be delivered by the Operations Directorate, having regard to the provisions made in the adopted Budget and commitments given to the members.

The interim guidelines also prescribe conditions and requirements which shall apply in relation to any amendments to the SMDW plan and the procedures to be followed where the municipal district members decide not to adopt the plan or propose to make an amendment to the plan, which would result in the total expenditure in respect of works included in the schedule in respect of a particular service division exceeding that envisaged in the schedule as prepared by me. These are set out in detail in Section 5 of Circular LG 27/2014.

I wish as Chief Executive to pay tribute to the hard work and dedication of all the staff, particularly in the Killarney Municipal District, for their commitment in delivering these essential services in 2014. This has been a year of significant change, particularly with the amalgamation of services and the dissolution of the former town council.

I wish to thank the Director of Operations, Charlie O'Sullivan, and all the staff of the Operations Directorate in preparing this plan.

I recommend the Plan for adoption.

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**Moira Murrell**  
**Chief Executive – Kerry County Council**

**SCHEDULE OF MUNICIPAL DISTRICT WORKS PLAN**  
**Killarney Municipal District**

This Plan has been prepared in accordance with the provisions of Section 58 of the Local Government Reform Act 2014, and having regard to guidelines issued by the Department of Environment, Community and Local Government (Circular LG 27/2014).

It is, in effect, a plan of maintenance and repair works that prioritizes and apportions the use, within the municipal district, of the funding provided in the 2015 Budget, which was adopted by Council on the 17<sup>th</sup> November 2014, for particular purposes.

**Interim Guidelines - application**

The legislation provides that the Minister may make regulations outlining the manner, format, conditions, requirements and timescale for the preparation, consideration and adoption of the SMDW Plan. Pending the possible making of regulations, interim guidelines have been issued by the Department, in Circular LG 27/2014, on the preparation, consideration and adoption of the SMDW, which have been considered in the making of this Plan.

The following Government grant allocations have been considered in the preparation of the Plan (copy attached)

- An Roinn Iompair Turasóireachta agus Spóirt (Department of Transport, Tourism and Sport) **Circular RW 2/2015** (dated 3<sup>rd</sup> February 2015) . 2015 Regional and Local Road Grant Allocations
- An tÚdarás um Bóithre Náisiúnta (National Roads Authority) - 2015 National Roads Allocations (dated 19<sup>th</sup> December 2014) (for maintenance works only)

**Specific Issues considered as part of the preparation of this Plan**

All outdoor operations carried out by the Council, including the former Town Council engineering functions, have now been consolidated into the Operations directorate. Works in this directorate primarily include all housing improvement works and maintenance, road improvement works and maintenance, environmental works, street cleaning, maintenance of parks and open spaces, public conveniences, graveyards etc. The plan is prepared having regard to the provisions made in the 2015 Budget adopted by Kerry County Council and the road grant allocations from the Department of Transport, Tourism and Sport and the NRA.



In presenting the Budget to Council for adoption on the 17<sup>th</sup> November 2014, a commitment was given to maintaining the provision of the highest level of services. In presenting this plan for your consideration and adoption, I have set out our commitment in providing this level of service for each relevant service division (housing, roads, public lighting etc.), including targets on which we will measure and report on performance at the end of each quarter.

### **Housing**

In general, the Council is responsible for repairs to the exterior of the house, while the tenant is responsible for the maintenance of the interior. The responsibility of tenants is clearly explained to them prior to the signing of the tenancy agreement, and the Tenants Handbook, which is given to each tenant, also clearly sets out their responsibilities in detail. The allocation for the Killarney Municipal District will provide for the cost of maintaining these assets, maintenance of housing estates, labour costs for our maintenance repair crews, purchase of materials, hire of plant and payments to contractors for specialist services.

The performance targets specified in the plan reflect our commitment to our tenants as set out in their tenancy agreement.

The Council acknowledges the need to ensure a prompt turnover of vacant properties and where the cost of the repair works are less than " 10,000, we are committed to repairing such properties within a maximum 3 month time frame. For some voids, particularly older stock, and regrettably in some situations where the property is severely damaged, the costs of returning the property to a satisfactory letting condition require substantially greater funding. These will be assessed by the Housing Directorate for potential funding from other sources. This budget is managed centrally as it is contingent on where vacancies can arise in a given year.

Works to houses under central government funded programmes, such as the energy efficiency program last year, will be presented to Council separately, if and when details of any such scheme is announced, and are not considered as part of this plan.

### **Roads**

The substantive element of the Operations Directorate will be the maintenance of National, Regional and Local roads, as well as the Urban Roads in the Killarney Municipal District.

The Council depends on national government for the greater part of its funding to carry out improvements to the road network.

Kerry County Council received a total maintenance allocation of " 1,401,782 from the National Roads Authority for the upkeep of the national road network. This is an increase of " 143,331 (11.4%) on the 2014 allocation. However " 115,676 of this increased funding is for the additional public lighting costs, associated with

the Tralee and Castleisland By-Passes and a number of traffic calming schemes, constructed on the national road network, in recent years.

A separate allocation of " 14,475,869 was provided, by the NRA, for specific improvement works on the national road network and the operation of the national road design office. Schemes identified for improvement works, under these NRA programmes are not considered as maintenance and repair works. The schemes are capital works, which are determined by the NRA, in consultation with the Council, and based on independent national road condition surveys. Accordingly, these schemes are not considered as part of the SMDW Plan, but will be considered in detail when the Operations Directorate Service Delivery Plan is presented to council on the 27<sup>th</sup> April 2015.

However, some consideration is given in the development of this plan for each municipal district, where such improvement works on the national road network require a substantial level of input with our own resources, and having regard to the most effective use of these resources.

The performance targets identified in the Plan are in accordance with protocols agreed with the NRA.

A grant allocation of " 12,774,206 was received from the Department of Transport, Tourism and Sport for the maintenance and improvement of the local and regional (non-national) road network, as follows:-

<b>Grant</b>	<b>2015 allocation</b>	<b>2014 allocation</b>	<b>Change</b>
<i>Discretionary Maintenance Grant</i>	€3,343,504	€3,264,800	+ €78,704 (+ 2.4%)
<i>Restoration Maintenance Grant</i>	€1,953,557	€1,809,000	+ €144,557 (+ 8.0%)
<i>Restoration Improvement Grant</i>	€6,940,339	€6,559,000	+ €381,339 (+ 5.8%)
<i>Low Cost Safety Works</i>	€209,248	€197,956	+ €11,292 (+ 5.7%)
<i>Training</i>	€79,000	€72,000	+ €7,000 (+ 9.7%)
<i>Specific Improvement Grants</i>	€21,000	€640,000	- €619,000 (- 96.7%)
<i>Bridge Rehabilitation</i>	€227,558	€202,215	+ €25,343 (+ 12.5%)
<i>Town Councils Block Grant</i>	€0	€661,800	- €661,800 (- 100%)
<b>Total</b>	<b>€12,774,206</b>	<b>€13,406,771</b>	<b>- €632,565 (- 4.7%)</b>

Whilst an increase in funding from the Department was provided in 6 of the 8 grant headings, the overall grant allocation is down 4.7 % on the 2014 allocation. In particular the loss of the Town Council block grant has serious implications for on-going improvement works required in Tralee, Killarney and Listowel. The former town councils traditionally had identified an ongoing programme of road improvement works to be funded from the former Block Grant.

To ensure an appropriate balance in the allocation of resources between urban and rural areas in the municipal districts, and provide for the continuation of roadwork programmes in the Tralee, Killarney and Listowel urban areas, I have proposed to allocate " 545,598 (which is broadly in line with the increased funding provided under the Restoration Maintenance and Restoration Improvement Grant Schemes) towards works in the former Town Council administrative areas, with a sum of " 161,262 allocated for Killarney town. This will allow for road and footpath improvements within the town.

The Restoration Improvement Programme continues to be the main focus of the regional and local roads programme. The grant allocation is to fund schemes identified on the 2013- 2016 multi-annual program, which was adopted by Council and submitted to the Department of Transport, Tourism and Sport and the NRA in 2012. Given the progress that has been made on this program with additional funding provided in 2013 and 2014, some roads originally scheduled for improvement works in 2016 will be funded in 2015. It is anticipated that the Department will seek submissions on a new multi . annual restoration program later this year, in which urban non-national roads in Tralee, Killarney and Listowel can be reviewed and considered as part of this new program.

The Restoration Maintenance Programme is strictly targeted at surface dressing roads and in particular at protecting those roads which were improved under a former restoration improvement programme. The Department applies strict limits on the surface dressing costs that can be charged for schemes identified under this programme.

Details of the specific projects to be funded under the above programmes, have been identified, having regard to the directions and guidance given by the Department of Transport, Tourism and Sport, in the circulars. The performance targets identified have regard to the overall work programme of the Operations directorate and the efficient and effective use of resources.

The Discretionary Maintenance Grant of " 3,343,504 is used for the maintenance of the non-national road network in the county, which includes winter maintenance, routine maintenance, footpath repairs, bridge maintenance, drainage works etc.

In the Budget adopted by Council last November, a sum of " 4,491,918 is provided from our own resources towards the maintenance and upkeep of the non-national road network, which is an increase of " 259,088 (6.1%) on the 2014 provision. This includes an allocation of " 957,000 towards the Councillor Specific Municipal District Operations Fund, which is an increase of " 154,000 on the 2014 County Councillors Allocations, and will be administered in accordance with the policy adopted by Council on the 16<sup>th</sup> February 2015. It also includes an amount of " 1,967,056 to support the own resources contribution towards the Restoration Improvement, Restoration Maintenance and Discretionary Maintenance Programmes for the county.

The funding for Low Cost Safety Works and Bridge Rehabilitation Works is based on assessments carried out at various locations and selected by the Department, in consultation with the Council, having regard to national assessment criteria.

➤ Community Involvement Scheme (CIS)

No separate grant allocation has been made by the Department for funding the Community Involvement Scheme in 2015, following the completion of the pilot programme in 2014. However, the Department circular permits local authorities to use some of the funding from the Restoration Improvement and Restoration Maintenance Grant, up to a maximum of 7.5% of the total funding available, towards CIS. The scheme is confined to local tertiary roads. These are minor roads which would not feature on the Council's multi-annual restoration programme.

In 2014, 5 schemes were completed with the local communities contributing 20% of the cost of the works. The conditions of the scheme have been revised this year, with the minimum level of local contribution required being reduced to 15% of the total cost (Circular 3/2015 . copy attached). Given the benefits of this scheme in supporting local communities on improving their local road, it is proposed to make a provision of " 135,000 to fund further schemes in 2015. This scheme will be administered on a countywide basis.

The Community Involvement Scheme was initiated in 1994. In 2008, the Council introduced a scheme to surface dress a number of older roads which had previously been improved under this scheme. A sum of " 100,000 is also being provided for this purpose in 2015 and this will also be administered on a countywide basis. An assessment of the roads to be surface dressed under this programme is on-going and details of any roads to be funded in the Killarney Municipal District will be brought to the members.

➤ Local Improvement Scheme (LIS)

This scheme is for the improvement of private roads, with a local contribution of 20% required under the terms and conditions of the scheme. Despite representations to the Department, no specific funding has been provided for this scheme in 2015.

In 2014, the Council made a provision of " 137,000 from the Discretionary Maintenance Fund, which allowed for 5 schemes to be completed. However, 4 of the top 9 schemes on the 2014 priority list did not proceed, as the applicants were unable to comply with the terms and conditions of the scheme, either in getting approval from all landowners or securing the local contribution. There are 136 current applications on the LIS Priority list.

Given that the overall funding for the maintenance and improvement of the non-national public road network has been reduced by " 632,565, it is difficult to maintain the funding for the LIS scheme from existing resources. However, having regard to the wishes of the members, a sum of " 100,000, is to be provided from the Discretionary Maintenance Fund, and this will be administered on a

countywide basis. Based on the current priority list this will allow for approximately 5 schemes in 2015.

Given the low level of schemes that can be funded, it was not possible in recent years to address exceptional applications received on hardship and emergency grounds. However, having regard to representations made by members on funding such improvement works, the Council adopted a scheme in October 2012 for such cases, with the council contribution being funded from County Councillors' allocations. This scheme allowed for a local contribution of between 5% and 25% taking into consideration the condition of the road, the number of beneficiaries and the level of hardship identified on medical grounds. It is acknowledged that such exceptional cases can occasionally arise and the members may wish to consider such applications for funding under the Councillor Specific Municipal District Operations Fund.

### **Facilities**

The Council provides a range of facilities, including public lighting, car parking and public conveniences, which require regular maintenance and repair.

The maintenance and repair of public lighting is carried out by private contractors, under contract to the council. These contracts are managed centrally and there are particular performance targets specified in the contract.

A sum of " 20,000 is provided in the plan for the upgrading and improvement of public lighting in the town, and these have been identified having regard to the age and condition of the existing infrastructure.

The funding provided for the maintenance of car parking facilities in the town includes for the cleaning of our car parks as well as the maintenance of pay and display machines in these facilities and on-street.

The funding provided for public conveniences ensures that these facilities are maintained to a clean standard, commensurate with the level of usage by the public.

### **Environmental Operations**

This funding is for street cleaning, maintenance of burial grounds, maintenance of outdoor leisure areas and playgrounds. The performance targets specified in the Plan are commensurate with the level of service that can be provided having regard to the resources available.

However, as a tourist county it is acknowledged that factors such as exceptional weather conditions or local festivals, can result in increased numbers of visitors to many of these facilities and some flexibility is provided to ensure a cleaning service appropriate to any exceptional increase in usage.

### **Conclusion**

The attached tables set out all of the maintenance and repair works to be provided in the Killarney Municipal District, including the budget allocations, the

level of service to be provided and the targets on which our performance will be monitored.

## APPENDIX A

### Killarney Municipal District

#### *Killarney Municipal District 2015 - Restoration Maintenance Grant*

Road Number	Road Description	Length (m)	Width (m)	Total Area m2	Est. Cost €
L-3009	Scrahanfadda - Coopers X	1,500	6	9,000	40,500
L-3006	Scartaglin - John Richards X	1,500	6	9,000	40,500
L-3013	Banard - Gullane	1,100	5	5,500	24,750
L-7030	Annaghilymore X - Meennagishagh	1,400	4.5	6,300	28,350
L-7028	Lissyconnor-Scrahanagullaun	1,100	3.5	3,850	17,325
L-2033	Camp - Knockeen X	1,200	4.5	5,400	24,300
R-570	Headfort - Dromcarban	1,300	7	9,100	50,050
L-7009	Scart X - Rossanean	1,800	5	9,000	40,500
L-7037	Barleymount X - Aghacurreen	1,300	4.5	5,850	26,325
L-2033	Finnegans X - Doneen	700	5	3,500	15,750
<b>Total</b>		<b>12,900</b>		<b>66,500</b>	<b>308,350</b>

#### *Killarney Municipal District 2015 - Restoration Improvement Grant*

Road Number	Road Description	Length (m)	Width (m)	Total Area m2	Est. Cost €
L-3018	Coolgarriv X to Coolcorcoran X	900	5.0	4,500	94,500
L-7009	Scart X to Rossanean	1,200	4.5	5,400	113,400
L-8003	Laharn X to Rockfield Middle	700	4.5	3,150	66,150
L-7037	Aghacurreen to Barleymount X	1,000	4.5	4,500	94,500
L-7027	Lisheen to Blackwater Bridge	800	5.5	4,400	92,400
L-7046	Bounard to Freemount	800	4.0	3,200	66,100
L-3015	Gortahoonig to Dromickbane	1,100	5.5	6,050	127,050
L-2025	Powells X to Caheragh X.	1,000	3.5	3,500	49,000
L-3007	Brehig to Ballynahalla X.	1,000	4.0	4,000	56,000
R-570	Barraduff - Shronedarragh	800	7.0	5,600	140,000
L-7013	Annablaha X to Ballahantouragh X	1,200	5.0	6,000	129,300
<b>Total</b>		<b>10,500</b>		<b>50,300</b>	<b>1,028,400</b>

**Killarney Municipal District 2015 - Restoration Improvement /  
Maintenance Town Grant**

<b>Road Number</b>	<b>Road Description</b>	<b>Length (m)</b>	<b>Est. Cost €</b>
L-3900	New Road	245	66,799
L-3907	Ballycasheen Road	272	68,713
	Roundabout at Ballyspillane	110	25,750
	<b>Total</b>	<b>627</b>	<b>161,262</b>

**APPENDIX B - GRASS SCHEDULE**

<b>Location</b>	<b>Area m<sup>2</sup></b>	<b>Weekly / Fortnightly</b>
Back and front of Grotto area Rock Rd, Sr Joseph's Rd	4,000	W
Inside Coolegrean Park wall and area near back of houses	1,000	W
At Library, Pedestrian Crossing, War Memorial & Islands at Top of High St	1,100	W
East Ave, Cultural Centre, St Anthonys Place & The Courthouse (Deer Sculpture)	150	W
Celtic Cross, Jarveys, HaHa, Johnny Learys, Methodist Church, Ctess Junc	1,500	W
Flesk Bridge( Strips)	200	W
Junc Woodlawn Rd & Muckcross Rd	750	W
Roundabout Tralee Rd Cleeney & Approaches	1,800	W
R'about Cork Rd & Approaches incl in front of Quality Inn, Dalys & Park sh village	1,400	W
Leisure Centre (Narrow Strips + R'about) (3 Large Areas) *trimmer/hand mower	6,200	W
Pike Hill (Castle Heights to Speed limits x 2 sides) / Coillte Picnic Area / B'casheen Rd	4,000	W
Grassed Areas @ Roundabout at Lewis Rd/St. Anne's Rd	500	W
Top of Countess Road @ Rail Bridge to Hegarties (strim) & Ctess Rookery Rd Junc	150	W
Old Torc hotel site (grass area to the front) (strim at chain link fence each week)	2,000	W
Fossa Riding School	300	W
Old Ballydowney Bridge	1,200	W
Ballydowney R-About & approachs (St. Mrgts, Port & Killo)	3,300	W
	0	W
Pinewood Est Left & Right at old and new entrances	250	W
Mission Rd (Plaza to Cathedral) 2 sides, Litter pick and strim rough weekly	8,000	W
	0	W
	0	W
Hans Liebherr Rd, both sides.	4,000	W
Green picnic area at back of Knockreer playground	600	W
Tralee Rd: AghadoeX to Cleeney RaB East & West	2,600	W
Strips to front of Tescos, Aldi, M&S entrance, Bru na Pairce, Lwr Deerpark, Oakdale	300	F
Bellevue woods (Ballydowney)	10,000	F
Ballycasheen Gardens at Park Rd Upper	80	F
M.D O'Sheas (Mound Across from Entrance Gate Woodlands)	720	F
Countess Grove	7,200	F
Park Drive	7,600	F
Pinewood Estate	15,750	F
Woodlawn Park	6,250	F
Whitebridge Mannor	5,000	F
Arbutus Dr-Grve / Deerpark Cres/ Maple Dr/ DoJ/Bru	10,500	F
Scrahan Mews/ Court/Triangle (don't do entrance - private!)	5,450	F
Millwood (including 400m2 at end)	2,500	F

Woodford Manor	4,600	F
Ferndale Ave/ Glenview Dr/ Oakwood	3,900	F
Hawthorne Ave	2,600	F
Riverside Drive (Green Area in Drive)	550	F
Demesne Estate B lower	6,000	F
Ballydribeen (Willow & Oak)	3,200	F
Woodlawn Ave	1,000	F
Bridgefield Estate & Lewis Rd at ByPass Barriers & Mens Shed Entrance	2,500	F
Castlefalls	4,700	F
Woodlawn Road	300	F
Bishop Moynihan Crescent	2,300	F
Woodlawn Drive & Ait Ledwidge	850	F
Dromhall Park	750	F
Ashgrove, off Woodlawn	125	F
Monastery Gardens	60	F
Dromhale Close	900	F
Muckross View and entrance strips	1,500	F
Muckross Grove	1,300	F
Glebe Car Park strips at sides and back (must be cut/strimmed back to walls)	180	F
Countess Grove small areas left and right on way up	500	F
Demesne Estate A Upper	2,500	F
O'Donoghue Park (cut park & strim embankments)	850	F
Brooklawn Estate off Woodlawn Rd at back of Dromhall Park. Strim to ditches	1,200	F
Rookery Rd Junction at Woodlawn / Rookery Close	400	F
Ross Road	700	F
St. Margaret's Road	500	F
Doireadh Coilleadh	600	F
Grassed areas at Ballyspillane Roundabout	150	F
Friary Court, Arlington Drive and Burrige at back of McDs	2,500	F
Castlepark Estate	175	F
Mill Rd at Coolclougher Hse (road widened)	150	F
Friary Downs	1,500	F
Ballydribeen (Elm and Ash)	2,500	F
Bruach na hAbhainn	5,200	F
Doireann Álainn	2,500	F
Cahernane Meadows	4,800	F
Flesk Grove	3,500	F
Roseville Estate	700	F
Lewis Road Car Park (must be cut and strimmed back to edges)	400	F
Doonbeg Avenue, Brendans Place/ O Kelly's Villas/ Strips and RaB @ FitzG Stadium	2,500	F
Kings Park	2,800	F
Monsignor O Flaherty Rd/ At Jimmy the Masters entrance and strim edges	150	F
Chestnut Grove / Across frm Gaeilscoil / Along Entrance/ strips front of houses/ co co site	5,000	F
Orchard Way (under railway bridge off Kilcumin Rd) & strip ballydribeen side of bollards	800	F
Coolclogher Estate	1,900	F
Rear of Torc Terrace* may require strimmers, Area to front of 15-17 Torc Tce	1,860	F
Ardshanavooley	16,500	F
Sara Lee / Pretty Polly / stim old county council yard entrance.	1,500	F
Riverside Drive: Fenced off area between hses & river	2,000	F
Dromhall Heights	10	F
Spa Tiernaboul Road at An Post Sorting Office	150	F
Ballyspillane Estate	30,000	F



Rear of Park Drive	930	F
Area around KTC new yard & both sides of Link Rd	3,500	F
Muckcross Close (half green area & strips outside path)	300	F
Killarney Celtic Pitch while still owned by KTC	5,000	F
Cahernane Meadows extra at start	500	F
Whitebridge Mannor rere & strips	2,200	F
Entrance of Whitebridge, Caravan Park and Mill Rd Bridge	600	F
Halla Arus Padraig	850	F
Muckcross PO Fairgreen 4,250 m2	0	F
Entrance to Cronins Field between Legion and Celtic	1,000	F
Madam's Height Reservoir & Strip to front.	2,500	F
At Tourist Office Playground St VdeP	150	F
Hill Side (off Woodlawn)	150	F
Gortroe Fossa		F
Beaufort Bridge		F
Muckcross Road		F
Lissyviggeen Roundabout		F
Tralee Rd Picnic Area		F

Cllr. N. Kelleher referred to the Municipal District Work Plan. He wished to thank everyone involved in the preparation of the report. He stated it was great to see the issues he had raised included in the report. He welcomed the bi-monthly cleaning of the towns and villages. He stated that this was giving back something to the communities and welcomed this. It was a very inclusive Plan. He thanked the staff for the work done and the consultative process undertaken with the Members.

Cllr. J.J. Culloty concurred with Cllr. Kelleher's remarks. He stated the cleaning of the towns and villages gave something back to the communities. It was a step in the right direction.

Cllr. D. Healy-Rae stated it was great to see the street cleaning of the rural villages being carried out. Rate payers have said that they can't see any return for their money. They need to see a return. If places require an extra clean, it should be done.

Cllr. D. Grady welcomed the report. He stated there was a cutback in cleaning Killarney Town. It was down to " 600,000. Castleisland is now included with Killarney.

Mr. C. O'Sullivan said that the proposed allocations were listed in the report. He referred to the previous Town Council budgets and said that the essential management charges built into this. He said this was not comparing like with like and there was no cutback as such. He stated that the Council were maintaining the level of service that was there previously. There are measurement targets in place which must be achieved and improved on.

Cllr. B. Cronin stated that the same level of service must be maintained. He stated he wouldn't accept any cutback.

Cllr. J. Sheahan stated that he would be in Killarney Town most days. He stated that the town was kept to a very high standard. If he sees something that needs attention, the Foreman in town is quick to act.

Cllr. D. Healy-Rae referred to the Local Improvement Grant.

Mr. C. O'Sullivan stated that street cleaning requires a huge level of community support and is a benefit for smaller towns. He said the communities can see what can be achieved by working with Kerry County Council. He acknowledged Killarney has been recognised as the No. 1 destination by TripAdvisor and we need to remain in the top position.

Cllr. D. Healy-Rae thanked Mr. C. O'Sullivan for increasing the Local Improvement Scheme allocation. A robust debate had taken place on this issue at a previous meeting. He stated that if it was dropped this year, it may never get going again. He was very thankful it was going ahead.

Cllr. M. Gleeson stated that Kerry County Council staff and the commitment of volunteers have achieved a level of excellence. Tourism is the premier industry in Killarney. A metamorphosis had occurred in that a place once criticised was now applauded.

Cllr. J.J. Culloty concurred with the Councillors regarding the street cleaning of towns and villages. He stated that he was very proud of the Killarney Municipal District and County and Killarney has reached the top of the TripAdvisor list. This takes a huge level of work to achieve. We should be very proud. Keeping Killarney at the top should be our priority.

Cllr. N. Kelleher referred to Mr. C. O'Sullivan's commitment to cut the 66 acres of grass around the town. He stated that we need to encourage communities to maintain their own grass, who do not currently do so. We need to reduce the amount we cut.

Mr. C. O'Sullivan stated that it was a large amount of grass to cut but that it needs to be kept tidy. He stated that they would work with the Residents' Associations to see if the Council could save money in this regard.

Cllr. J. Sheahan PROPOSED that "We the members of the Municipal District of Killarney hereby resolve to adopt the Schedule of Municipal District Works Plan for the Killarney Municipal District, having regard to the provisions under Section 58 of the Local Government Reform Act, 2014 and guidelines issued by the Department of Environment, Community and Local Government (Circular LG 27/2014)."

Cllr. N. Kelleher SECONDED the proposal.

A vote was taken which resulted as follows:

**FOR:** : Cllrs. B. Cronin, D. Grady, M. Gleeson, D. Healy-Rae, N. Kelleher, B. O'Connell, J. Sheahan, J.J. Culloty **(8)**

**Against :** None (0)

**Not Voting:** None (0)

The Cathaoirleach declared the proposal CARRIED.

**15.03.25.04 Job Creation / Sustainable Economic Development Directorate**

**Cllr. N. Kelleher asked if this Directorate had provided any report for the Members.**

**Mr. G. O'Brien stated a report was produced for full Council on the Local Enterprise Office. If Cllr. Kelleher wanted to see any specific issues contained in the report, he should revert to Mr. O'Brien on same.**

**Cllr. Kelleher stated that it would be good to have a local report.**

**(a) Notices of Motion**

**1. Cllr. M. Gleeson:** That Kerry County Council would give an update on the proposed walkway cum cycleway partially along the banks of the River Flesk from Ross Road to Muckcross Road.

**Reply:** Contracts for the purchase of the required land are currently being finalised. An update will be provided for the Members at the next meeting.

**Cllr. M. Gleeson stated he was glad to see the project coming to fruition. It would allow people who walk and cycle to avoid the busy roads of the town. He asked that every assistance be given to progress this project to ensure work contracts regarding land acquisition be finalised as quickly as possible.**

**Cllr. D. Grady Seconded this Motion and concurred with Cllr. M. Gleeson.**

**2. Cllr. M. Gleeson:** That the Council would discuss with Killarney tourism interests the possibility of co-operating towards the development of a permanent Public Address Sound System for the town centre.

**Reply:** The Tourism Development Unit of Kerry County Council recognises the benefit and cost effectiveness of having a Public Address Sound System for Killarney Town Centre, given the number of public events that are held in Killarney annually. Joan McCarthy, Head of Tourism Development, will investigate all of the costs involved with purchasing such a system, and will discuss the proposal in full with Killarney Chamber of Tourism & Commerce, and all other interested parties.

**Cllr. Gleeson stated that a permanent public address sound system would be of great benefit to the town. Cllr. Gleeson had discussed same with Ms. Joan McCarthy who was interested in entering into discussions on this. A sound system would support public events during the year and would**

**benefit everyone. If we had a fixed system it would further enhance the town and make events more pleasurable for everyone.**

**Cllr. Culloty Seconded the Motion. He stated that this was important for the town. He stated it was good to see that discussions would take place with the Chamber of Commerce. He thought it might be an idea to have individual sound systems that could be sectioned off.**

**3. Cllr. N. Kelleher:** We are only a few weeks away from the busy tourist season. What has this authority done to ensure we don't have cars parked illegally and what plans are in place for developing a car park.

**Reply:** Any illegal parking of cars is dealt with by the Gardaí and by the Traffic Wardens in Killarney in accordance with the provisions of the Road Traffic Acts. Proposals to develop a car park have been considered for a number of years, however, an objective assessment of the need for year round car parking provision relative to the peak demands for parking, the costs and the financing of same will need to be made. Presently there are 1,145 car park spaces and 433 on-street parking spaces available in the town of Killarney.

**Cllr. N. Kelleher said that parking is needed in Killarney and if we have to provide it year round, so be it. Cllr. Kelleher stated that illegal parking was evident in Killarney that day and plenty of parking spaces were available. We need to carry out an objective assessment regarding the problem we have between 6.00pm and late at night as more cars are parked illegally during those hours. This is a big issue and we need to do something about it. He stated that when Killarney House is open, there won't be enough available parking. He stated that Port Road is a problem area with funerals taking place and people taking their children to the playground.**

**Cllr. J. Sheahan stated that there were few options available in the town. He stated that previously he had a Notice of Motion asking that a pedestrian crossing be moved as cars were parking on top of it. He stated that serious consideration must be given to the provision of a multi-storey carpark as it is needed for the future.**

**Cllr. M. Gleeson stated that the word "accommodation" had a broader meaning than where to put people to sleep. We have to ensure there are places where people can safely and conveniently park or people will go elsewhere. There is trouble accessing the County in the first place, i.e. having to drive through places like Macroom and Mallow. Parking should be readily available for these people when they eventually make it to Killarney. The Council should look at Public Private Partnerships with a view to providing a new facility.**

**Cllr. B. Cronin supported the sentiments expressed. He referred to a Notice of Motion he had put down 2 meetings ago wherein he asked that double yellow lines be put around the roundabout at Fair Hill but no lines are there yet. Cllr. Cronin referred to the parking meters in the New Street Carpark, some of which were broken again that morning. He asked is it possible to**

acquire a meter that can't be tampered with as they are continually being vandalised. The Council should look at revamping them so they can't be damaged.

Mr. D. Doyle stated that the Parking Bye-Laws would be examined later this year. The idea of a multi-storey carpark was looked at circa 2005/2006. Last summer the town was at capacity. He agreed to revisit the idea of a multi-storey carpark and acquiring land for same. He advised that the yellow lines referred to by Cllr. Cronin would be followed up.

Cllr. D. Grady suggested that ½ acre of land might be available next to Counihan's Hotel and asked the Council to pursue this.

Mr. D. Doyle stated that two Traffic Wardens were employed in Killarney town who monitor illegal parking. He said the issue relating to the damaged parking meters was not an easy one to solve.

#### **15.03.25.05 Sustainable Communities / Quality of Life Directorate**

- (a) It was noted that the following report had been circulated to Members.

**REPORT  
SUSTAINABLE COMMUNITIES /QUALITY OF LIFE DIRECTORATE  
KILLARNEY MUNICIPAL DISTRICT MEETING**

**MARCH 2015**

**Community Services and Engagement Report for Killarney MD March 2015**

***Business Unit Manager – Mr Michael Scannell, Senior Executive Officer***

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

The Public Participation Network has been established at County level and representatives have been elected to the various SPCs and JPC at the initial County Plenary session. At this point the Municipal PPN has also been established in the four Municipal Areas. The Killarney meeting was held recently and 26 community groups were represented. The representative for the area was selected for the county secretariat. One issue that arose at the meeting was the size of the Municipal district and the difficulty of convening meetings of the PPN at this level and expecting community representatives to travel long distances for what should be local meetings.

#### **Community Support Fund.**

The community support fund has been launched and applications forms and guidelines are available on-line on the Kerry County Council web-site. The closing date for completed applications is Thursday 2<sup>nd</sup> April. Applications should be returned to the Community Department, Kerry County Council by that date. There has been a lot of interest in the fund and the Community Department have been busy dealing with queries from the public.

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

The preparation of the LECP is underway and a detailed presentation was given to the members at the January Council Meeting in relation to the process and content of the LECP. The Municipal Districts will play an important role in the development of these plans and in particular in identifying issues that relate specifically to their areas. It is proposed to consult with the Municipal Districts following the completion of the socio economic profile for the County. The Council is hosting a joint Kerry Economic forum event with the IDA and Enterprise Ireland on 25<sup>th</sup> March as an initial brainstorming session for the economic aspects of the plan. The chairs municipal districts are included in this event.

## **Housing/Social Services Report for March 2015**

### ***Business Unit Manager – Ms. Kathleen Moriarty, Senior Executive Officer***

#### **Housing Programme**

We have submitted a housing programme to the Department for consideration following a call for proposals. The department have set us ambitious targets for additional Leasing and RAS units for 2015, 2016 and 2017. Additionally we have sought funding to purchase a number of properties and to construct some properties in areas of demand where we have existing part 8 planning provisions in place. We have not yet received sanction for the programme. Updated details will be brought to council when we receive sanction to proceed with our proposals from the Department of Community Environment and Local Government.

We have made a strong submission seeking maximum funding for social housing development in Kerry

#### **Approved Housing Bodies**

The government Housing Strategy 2020, the national housing policy document envisages a greatly enhanced role for the voluntary housing sector in the provision of housing into the future. In this regard we are arranging to meet the approved housing bodies operating in Kerry to determine their capacity to contribute to the housing programme delivery immediately and into the future. We

will be targeting special housing needs such as disability and elderly housing through these bodies .

### **Tenant Purchase Scheme**

No update has been received regarding a new tenant purchase scheme, its terms or dates of implementation . We will keep council updated with any information when it is received.

## **Library Service Report**

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

### ***Library service:***

~ A new library website [www.kerrylibrary.ie](http://www.kerrylibrary.ie) was launched on 5 March 2015. It was re-designed by the I.T. Dept., Kerry Co. Council

### **New features include:**

Up to date Facebook & Twitter feeds for library information & events  
A monthly top title feature  
Interactive map of Mobile Library routes  
Online membership application  
Additional online sources [Naxos music online; origins.net]

Since 16 March, digitised & searchable Kerry newspapers are available to library members via the website **at each library** [*The Kerryman* 1904 . to date; *Kerry Star* 1861 . 1863; *Kerry Independent* 1880 . 1884; *Kerry Weekly Reporter & Commercial Advertiser* 1883-1920, *Chute's Western Herald*, 1828-1835; *The Kerry Sentinel*, 1878-1918; *The Kerry Examiner & Munster General Observer*, 1840-1856; *Raymond's Kerry Herald*, 1856; *The Tralee Mercury*, 1829-1839; *The Tralee Chronicle & Killarney Echo*, 1843-1881; *The Kerry Independent*, 1880-1884; *The Killarney Echo & South Kerry Chronicle*, 1899-1920].

### **Statistics:**

The library website had 75,156 hits in 2014. There were 66,245 usages of online sources [such as current national & international newspapers; languages online World Book & Envy. Britannica]. Kerry Library has 439 Facebook and 1,432 Twitter followers at present.

## **Emergency Services Report**

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

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

Year 2014 summary:

- Operational volumes of work in 2014 are down on last year. There were 1016 incidents in 2014 compared to 1191 incidents for 2013.
  - There was a 36% decrease in fires (464 in 2014 compared to 729 in 2013).
  - There was a 34% increase in RTAs (160 in 2014 compared to 119 in 2013).
  - Chimney fires down 35% (144 in 2014 compared to 222 in 2013).
- A second hand class B fire appliance was purchased in 2014 to ensure that the fleet age profile is maintained below 9 years and that the working life of our front-line appliances is below 15 years.
- 2 No. 4 x 4 Ford Ranger Jeeps were ordered in 2014 as part of our programme to provide all stations with 4 x 4 capabilities. (Delivery due in January 2015)

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

- Fire officers carried out further spot checks in respect of fire safety at larger entertainment venues in the county.

### **Building Control:**

- The number of Commencement Notices received this year to the end of December was 350, which is marginally down on the figure of 353 for 2013.
- The number of Disability Access Certificate applications received this year to the end of December was 71, which is up on the figure of 65 for 2013.
- The number of Fire Safety Certificate applications received this year to the end of December was 129, which is marginally up on the figure of 126 for 2013.

Building Control Officers continued to inspect buildings under construction in the county for compliance with the Building Regulations.

### **Civil Defence:**

- Occupational First Aiders Course, Water awareness Course completed by volunteers and Decontamination course operated by the HSE.
- CDO qualified in Management of Water & Flood Incidents
- Assisted with alert of missing person from Killorglin (found in Dublin).
- Duties: Historic Rally provided 5 x ambulances & 1 x Boat; Ballyheigue Races; 2 x Ambulances, Charity Walks.



### **The Civil Defence Year 2014:**

- The new Civil Defence fleet garage and stores (rented premises) acquired
- Civil Defence covered 80 duties for 2014.
- Restructured the local organisation due to Health & Safety policies in the role of operational volunteers being competent
- No stewarding or traffic control duties can be attended by Civil Defence volunteers
- New Child protection policy & data protection introduced to all active volunteers
- Department-level decision taken that no young people (UNDER 18) can join Civil Defence from September 2014
- SAR Unit found the body of a missing person on request by the Garda Síochána
- Introduction of Water Awareness Training
- Ford Transit (2011) for transporting volunteers as issued by the Department on request
- Radio Tetra courses introduced

### **Environmental Services Report**

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

- We are launching the National Spring Clean campaign in Kerry on Monday 23<sup>rd</sup> March at 12pm in Ballyheigue. We want as many groups, schools and individuals to register for the Spring Clean with Kerry County Council by phoning the Environment Section at 066 - 7162002.
- Also on the 23<sup>rd</sup> of March at 7.30pm, we are hosting a seminar for Tidy Town Groups in Kerry at the Ballygarry house Hotel. We have four speakers, covering various aspects of the competition and best practice for Tidy Town Groups. Our speakers include, Billy Flynn, National Adjudicator, Cathy Eastman, Biodiversity Consultant, Siobhan Griffin and Mike Scannell from KCC. This is an annual event organised by the Environment Section to coincide with the beginning of their activities in towns and villages. We encourage all groups to attend, regardless of whether they participate in the National Competition or not.
- We also use the occasion of the seminar to distribute bags/gloves/high visibility jackets and litter pickers to Tidy Town Groups.
- The County Clean Up Day will take place on Saturday April 18<sup>th</sup>. This year the clean up is being facilitated by KWD Recycling and supported by Kerry County Council, Tralee Chamber Alliance and Killarney Chamber of Commerce. This is an opportunity to make a serious impact on the litter on our roads and other public spaces and to get the county looking its best at the beginning of the tourist season. We encourage people to log on to [www.countycleanup.com](http://www.countycleanup.com) or phone 1850 373737 to order your bags and high viz jackets. KWD Recycling will deliver bags to groups throughout the

county on the week beginning April 13<sup>th</sup>. They will also arrange the collection of bags the following week. This is the. Although part of the Spring Clean Campaign, this one specific County Clean Up Day will be the single biggest effort in one day to tackle the litter in Kerry.

- **Green Schools**  
There will be three new schools receiving their first Green Flag and one School renewing their Green Flag for the Water module in the Killarney area. The new schools are Two Mile School NS, Knockanes NS and Killarney Community School. Tremendous work has taken place in these schools and we would like to thank the students, teachers and school community for their efforts.

**John Breen**  
**Director of Services**  
**Sustainable Communities /Quality of Life**  
**March 2015**

## **Social Housing Activity Report at 13th March 2015** **Killarney Municipal Area (L.M.A.)**

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

Accommodation offers made for property located within Municipal Area	5
New Tenancies Commenced	1
Accommodation refusals	1

### **Social Houses**

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

Under Repair (Excl those awaiting major refurbishment)	7
Awaiting Allocation	5

#### **Construction Programme**

Single Rural Dwellings - under construction	1
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	815	189
New tenancies in 2015	28	10
Tenancies terminated in 2015	10	2

### **Leasing**

<u>County</u>	<u>K.M.A.</u>
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Leased Properties	74	17
Leases under negotiation	8	1

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

	<u>No.</u>	<u>"</u>
Allocation 2015		
New Grants Allocated 2015	50	0.296m
Total 2015 Commitment	154	0.862m
Grants Paid	33	0.136m

**Cllr. J. Sheahan said that he wished to discuss the gorse fires that were occurring in the Muckross area.**

#### **Ethics Declaration**

Cllr. D Grady declared in accordance with Section 177 of the Local Government Act 2001 that he has family members employed with the Fire Service and would leave the meeting while this item was been discussed.

Cllr. Grady then left the meeting.

**Cllr. J. Sheahan requested that a letter issue to Minister Heather Humphreys, Minister for Arts, Heritage and the Gaeltacht regarding the gorse fires that were occurring in the Muckross area. Homes and the National Park were at great risk due to these fires. He read the following:**

***"Traditionally farmers manage the controlled burning of their own land in a way that has positive benefits for human, animal and the environment. In recent years the burning season was changed from April 15<sup>th</sup> to March 1<sup>st</sup>. This has created an impossible situation for farmers. Most years, because of inclement weather, it is not possible to burn before March 1<sup>st</sup> and burning after this date makes a criminal of the farmer. If the season could be extended by another month, as is in Northern Ireland, we would not have this problem.***

***I have had this issue as a Notice of Motion in the past and run a risk of repeating myself but now is the time to act and get the law changed. We have to be conscious that we run huge risks in Kerry, especially in Killarney with a vast area of woodland within our National Park."***

Cllr. M. Gleeson stated that the Minister had invited submissions regarding burning.

Mr. Liam Quinlan addressed the meeting. He stated that the National Spring Clean Campaign was launched last Monday in Ballyheigue. A seminar for Tidy Towns Groups in Kerry was also held. We need to get the County looking its best at the start of the tourist season.

Cllr. D. Grady returned to the meeting.

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

**1. Cllr. D. Grady:** As there is a lot of illegal dumping around Killarney, can we find out from households where they are disposing of their refuse.

**Reply:** Currently under the Waste Management legislation there is limited scope to require householders to provide information on how they dispose of their waste. However, the Department of the Environment, Community and Local Government will shortly be introducing a range of reforms to the household waste collector sector and it is expected, as part of this, that local authorities will be given powers to seek such information in the future.

**Cllr. D. Grady stated that 12% - 14% of people were not compliant with disposing of their refuse legally. He stated it was non-enforceable. He asked that wherever we can, we need to take action. He stated that good work has taken place by the Engineering Department over the last couple of weeks.**

**Cllr. J.J. Culloty stated it was important to police this issue in an effective way. More money should be spent on resources.**

**Mr. L. Quinlan stated that all incidences of illegal dumping should be reported to the Environment Department.**

**Cllr. B. Cronin referred to an abandoned car in a person's driveway that is obstructing the landowner in accessing the public road.**

**Mr. D. Doyle stated that the Council only removes cars that are parked on a public road. If this car is parked on the public road, then details of same should be forwarded to the Roads Enforcement Officer, Mr. Sean Barry.**

**2. Cllr. N. Kelleher:** Due to the fact that the glass bottled soft drinks in our public houses are no longer going to be returnable (take back by the manufacturer) can this authority draw up a protocol for the collection and storing of glass bins and furthermore that we look at a protocol with regards to waste minimisation also.

**Reply:** Under the current National Waste Packaging Regulations, there is a legal requirement on all producers of packaging material to arrange to have such waste material sent for recovery. A public house, or other similar premises, which serves bottled drinks would be classified as a producer and therefore would be subject to the requirements of these Regulations. There are a number of authorised waste collectors currently operating in the County who collect waste glass from such premises and we would suggest that these, or other similarly authorised collectors, would be best placed to service any additional collection needs for such premises. With regard to waste minimisation, the DoECLG and Regional Waste Offices regularly organise awareness campaigns in relation to waste minimisation. We can discuss the option with them of a specific campaign in relation to packaging waste.

**Cllr. N. Kelleher** stated that manufacturers of glass bottles will not now be collecting same. He stated that the glass collection is now happening in the middle of the day and due to their sugar content, are attracting flies which lay dormant until moved. A collection in the middle of the day is noisy and causes smells. There is only one glass collector in the town. Cllr. Kelleher also referred to businesses in town putting out their waste bins at night. The bins are left sitting on the sides of the streets with tourists passing them up until 9pm - 11pm each night. A protocol is needed to stop this practice.

**Mr. L. Quinlan** said that Cllr. Kelleher had raised some valid points. He stated that he would like to talk to authorised waste collectors and see if a protocol could be agreed. This would require a two-way buy-in. Mr. Quinlan said that if required, it can be considered at a future Quality of Life SPC Meeting, but in the first instance, he will discuss with the Environment Enforcement Team.

### **(c) Questions**

**1. Cllr. M. Gleeson:** Has the Environment Department of the Council the authority to determine the waste presentation/collection times in housing estates? This is an important matter as the 22<sup>nd</sup> of June is, I believe, the due date for the introduction of any new regulations that need to be introduced regulating litter collection.

**Reply:** There appear to be limited options available under the current waste regime to regulate collection times in housing estates. Kerry County Council currently has Bye-Laws in place, made under Section 35 of the Waste Management Act, relating to the presentation of waste for collection by both householders and commercial customers. While the Bye-Laws specify the times from which bins may be presented by the customer for collection, they do not and cannot directly control collection times as operated by the collectors. We are also advised by the National Waste Collection Permit Office that the issue cannot currently be regulated under the waste collection permit legislation. As outlined in the question, significant reforms of the legislation relating to household waste collection are due to be introduced shortly by the DoECLG and we understand that, as part of this process, consideration is being given to regulating collection hours. However, there is no confirmation of this as yet and the matter is still the subject of consideration and consultation by the Department.

**Cllr. M. Gleeson** said that he lives close to a very busy quarry. When the lorries are reversing at 6.30am each day, the reverse beeping sound the trucks make is very loud. This is socially unacceptable. The same applies to housing estates with the rattling of bins and the reversing sound of the trucks causing great annoyance to the residents. He stated that we don't have authority to do anything about it. He said that from 22<sup>nd</sup> June we may be able to stipulate the times that collectors can enter estates. The residents are entitled to respect and their sleep.

**Cllr. D. Healy-Rae said that if we limit the times of collection, it will impact on the cost of waste collection.**

**2. Cllr. B. Cronin:** To ask for a progress update on acquiring of lands for a new cemetery for Killarney.

**Reply:** The present situation is that the owners of the Aghadoe private burial ground issued a 14 day ultimatum to the Council to complete an agreement with them. We have responded advising that we are presently not in a position to complete an agreement as we are considering other options.

We have made progress in sourcing suitable lands (subject to Part 8 Public Notification and approval by Members) which would deliver a substantial number of burial spaces and thus would deal with the long-term need for burial spaces in Killarney. Details will be brought back to the members for consideration once suitability assessments have been carried out.

**Cllr. B. Cronin stated that he was astonished in relation to the 14 day ultimatum issued to the Council. He stated that all the Killarney Councillors met in November regarding this situation. He stated that he made it clear at that time that the Council had other land options available and ones that would give better value for money. Under no circumstances should the Local Authority submit to any threats from companies or private individuals. The people of Killarney are entitled to get value for money.**

**Cllr. J.J. Culloty stated that the Councillors could meet next Wednesday, 1<sup>st</sup> April at 9.30am to discuss this and the Town Twinning.**

**Mr. G. O'Brien stated that notification of this would issue tomorrow.**

**Ms. A. McAllen stated that Mr. J. Breen was not able to attend today's Municipal District Meeting to discuss these matters and thanked the Members for their understanding.**

**3. Cllr. J. Sheahan:** To ask Kerry County Council Housing Department for an update regarding the commencement of works to build 8 houses for Social Housing in Killarney.

**Reply:** The scheme referred to is located at Park, Killarney and it has planning permission for 20 houses/units. Kerry County Council has applied to the DoECLG for funding to construct all 20 social houses as part of the Housing Construction and Acquisition Programme 2015 - 2017 rather than proceed with the 8 houses originally approved and is currently preparing working drawings and tender documents with the intention of commencing construction of the full 20 house scheme in Quarter 3, 2015, if DOE approval is forthcoming.

**Cllr. J. Sheahan referred to the plans for 20 houses as outlined in the response and asked if funding was available for these.**

**Ms. J. Brosnan** stated that a submission for funding for these houses had been submitted to the Department as part of the 2015 - 2017 Housing Construction Programme. The Council was awaiting approval from the Department and notification of the funding to be made available for the programme.

**Cllr. D. Grady** stated that the €1.2m was available now to start the 8 houses. He asked why the Council hadn't started building these.

**Ms. Brosnan** stated that approval had been received to start 8 houses. She was optimistic that the 20 houses would receive funding, in anticipation of this, the Council were progressing with the intention of being ready to commence construction in the latter half of the year.

**Cllr. D. Healy-Rae** asked why the Council hadn't started to build the 8 houses.

**Ms. Brosnan** stated the they were progressing with the drawings at this stage.

**Cllr. J. Sheahan** asked for confirmation when the 8 houses would start.

**Cllr. B. Cronin** asked why the 8 houses hadn't started when the money had been allocated.

**Ms. A. McAllen** agreed that she would discuss this matter with **Mr. J. Breen**.

**4. Cllr. D. Healy-Rae:** Has Kerry County Council any success with providing any extra graveyard space in Gneeveguilla?

**Reply:** The 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** stated that he would query the response in relation to "ample space for the coming years". He stated that there was very little space there now.

**Cllr. N. Kelleher** moved Q. 7 at this stage.

**7. Cllr. N. Kelleher:** Can Kerry County Council provide an update on the situation of acquiring land for an extension to the graveyard in Gneeveguilla.

**Reply:** The 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. N. Kelleher asked have there been discussions with the landowner since the last meeting?**

**Ms. A. McAllen stated that she took it that the discussions were active.**

**Cllr. Kelleher referred to the reply where it states that "the Council has been in communication recently". He said this refer to discussions held before the January Municipal District Meeting. Cllr. Kelleher requested clarification on this.**

**5. Cllr. D. Grady:** Are we allocating a house in Ballydribbeen for a community centre? Are residents agreeable as houses are so scarce.

**Reply:** It is proposed that No. 59 Doireann Alainn would be given to Ballydribbeen Residents Association as a Community House for the area along similar lines to areas where other communities have taken houses. This would be subject to consultation with residents in the area and receipt of planning for the change of use, if the proposal goes ahead. It is our experience that this type of initiative supports and helps communities develop awareness and community spirit, particularly within large housing developments.

**Cllr. D. Grady asked if the house in Ballydribbeen could be allocated as houses are so scarce. He stated that the Councillors should have been advised of the proposal to give the house to the Residents Association.**

**Ms. J. Brosnan stated that this was only a proposal and subject to consultation with the residents as there was a need highlighted here. Any decision to proceed was subject to planning.**

**Cllr. Grady asked that Members be informed of these decisions.**

**Ms. Brosnan confirmed that she would revert to the Members.**

**6. Cllr. N. Kelleher:** Is there planning in place for additional social housing in Rathmore? If not, can we progress same so as to be shovel ready when the funding comes from Government?

**Reply:** Kerry County Council has a Greenfield site in Rathmore and has submitted a proposal to develop this site to the Department of Environment for consideration as part of Kerry County Council's funding proposals under the Social Housing Capital Programme 2015-2017. Currently, we are preparing a project appraisal for the land for DoECLG approval and will proceed to Part 8 when approval is received. The scheme will be progressed with other Kerry County Council lands on the programme and prioritised by demand.

**Cllr. N. Kelleher asked if there were plans to put houses in Rathmore.**

**As outlined in the reply to the Notice of Motion, Ms J. Brosnan reiterated that this was part of Housing's submission for the Department of**



Environment and any further progress is dependent on Department approval to that Programme.

7. Question No. 7 was moved in conjunction with Question No. 4.

#### 15.03.25.06 Water Services Directorate

7. (a) To note update report from Water Services Directorate

It was noted that this report had been circulated to the Members.

### Clár Infheistíochta na Seirbhísi Uisce Comhairle Contae Chiarraí

#### Kerry County Council Water Services Investment Programme

Achoimre Stádais ar an 16th Mar 2015

Status Summary at 16ú Máirt 2015

#### Irish Water Capital Investment Programme 2014-2016

Irish Water Capital Investment Programme 2014-2016 was launched in May. A total of 8 wastewater Schemes (total value of " 10.7 million) and 7 Water schemes (total value of " 22.5 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:

<u>CIP TIONSCNAIMH SHOLÁTHAIR UISCE</u> <u>CIP WATER SUPPLY PROJECTS</u>			
<i>Tionscnamh</i> Project	<i>Stádas</i> Status		
Mains Rehabilitation Project	Description	Value	Status
	County Direct Labour	" 2,649,776	Pipelaying ongoing by Direct Labour - approximately 95% complete.
Central Regional Water Supply Scheme	Description	Value	Status
	Scart Reservoir	" 292,000	Construction of this project is complete.
	Water treatment Plant - DBO	" 22,500,000	Contract Documents have gone to Tender to 5No. pre-qualified Contractors.

<b><u>CIP TIONSCNAIMH FUÍOLLUISCE</u></b> <b><u>CIP WASTEWATER PROJECTS</u></b>	
<b><i>Tionscnamh</i></b> <b>Project</b>	<b><i>Stádas</i></b> <b>Status</b>
<b>Kilcummin Sewerage Scheme</b>	The Scheme is included in the Irish Water Capital Investment Plan (2014 to 2016). Irish Water has agreed that the Scheme will go ahead. The detailed design and contract documents will now be prepared to enable the project to go Tender.

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

Irish Water has indicated that it will prioritize funding for capital projects based on the key issues to be addressed.

In Water, priority will be given to any Scheme to which a Boil Water Notice (BWN) applies, and any Scheme on the EPA Remedial Action List (RAL) and/or on a legal Direction from the EPA.

In Wastewater, priority will be given to towns (agglomerations) to which ECJ Ruling apply, and on meeting the requirements of the EPA Discharge Licenses.

#### **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 table below.

<b><u>MINOR CAPITAL WORKS PROGRAMME, KILLARNEY DISTRICT</u></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	Completed
Castleisland SS - Limerick Rd. Sewer	Replace collapsed length of sewer	" 4,500	Completed
Castleisland SS - Barrack St Bridge	Sewer encroaching Archway of Bridge causing river to back up and flooding upstream	" 45,000	Refused
Castleisland SS - Church Street bridge	Sewer pipe fixed across archway / eye of Bridge - may cause river to back up and flood	" 45,000	Refused
Brosna Knocknagoshel WSS . Meenleirim Pumphouse	Provide sump to improve operation of pumps	" 10,000	Approved
Dromultan Scartaglin Pumpstation	Lay pipe to eliminate old pump station	" 35,000	Approved
Mid Kerry Mains Replacement - Coolbane Aglish	Replace 1,500m of the 200mm diameter PVC Trunk Main	" 300,000	Requested
Mid Kerry Mains Replacement - Bushmount Raffeens Clounlara	Replace 2.2Km of the 50mm diameter PVC watermain with a 100mm upvc pipe.	" 200,000	Requested
Shrone WSS . RawqWater Main	Lay main from Lake to WTP	" 160,000	Requested
Water Bulk Meters Upgrade	<b>Countywide</b> project to upgrade bulk meters to provide more information	" 123,000	Substantially complete

	on water flows		
Water Conservation	<b>Countywide</b> establishment of District Metering Areas (DMAs), including the provision of Telemetry	" 815,000	Underway
<b>Total Approved</b>		" 991,000	

## THE RURAL WATER PROGRAMME

The administration and development of the Group Scheme sector continues to be a function of the Local Authorities under the guidance and supervision of the DoEC&LG and Irish Water has no authority, responsibility or involvement.

**Kerry County Council has made a submission to the Department for funding for various projects in 2015. These grants are usually dispensed in February or March each year.**

A total Block Grant Allocation of " 906,600 was allocated to Kerry County Council for the various measures under the Rural Water Programme in 2014.

### **Takeover of Group Schemes**

Since 1 January 2014, responsibility for the Takeover of Group Schemes has transferred to Irish Water.

Nationally, discussions are ongoing between the DoEC&LG, the County and City Managers Association and Irish Water to develop a protocol to facilitate the Takeover of Group Schemes.

Mr. Colm Mangan stated that he had received confirmation from Irish Water that the Kilcummin Sewerage Scheme will go ahead. The Scheme will include pipework to connect to the network in Killarney. He stated that the Council are hopeful that the job may commence by the end of 2016. He stated that wayleaves had been acquired by Kerry County Council for the originally planned route, but Irish Water is now reviewing the overall design in light of changes to demographic projections etc. in recent years.

It was agreed to move Qs 2, 4, 6, 7, 9 and 10 together as they all relate to the proposed Kilcummin Sewerage Scheme:

**Q2. Cllr. M. Gleeson:** Has Uisce Éireann given the green light to the development of a public sewer for Kilcummin and for the connecting of that sewer to the Killarney public sewer?

**Reply:** Irish Water has informed Kerry County Council that the proposed Scheme will be constructed. The detailed design and contract documents will now be prepared by a Consulting Engineer, on behalf of Irish Water, to enable the project to go Tender. It is the understanding of the Council that the proposed Scheme will consist of a sewer, the route and details of which have not yet been finalised, to connect to the existing network in Killarney.

**Cllr. M. Gleeson stated that this was welcome news. He thought that Irish Water would have first informed the Elected Members rather than the news being made public in another way prior to today's Meeting. He welcomed**

the decision to connect it up to the Killarney Scheme. He asked would it service all houses between Kilcummin and Killarney. It will also play its part in enhancing the welfare of the rivers and lakes in Killarney. Kerry County Council are committed to achieving this and this scheme will be environmentally beneficial. He hoped that the progress of this scheme would facilitate the needs of the residents of Mountain View. Cllr. Gleeson thanked Kerry County Council for its commitment to the project.

**4. Cllr. B. Cronin:** Has Irish Water made a decision on the construction of Kilcummin Sewerage Scheme and bringing the pipe through Inchycullane to Killarney.

**Reply:** Irish Water has informed Kerry County Council that the proposed Scheme will be constructed. The detailed design and contract documents will now be prepared by a Consulting Engineer, on behalf of Irish Water, to enable the project to go Tender. It is the understanding of the Council that the proposed Scheme will consist of a sewer, the route and details of which have not yet been finalised, to connect to the existing network in Killarney.

**Cllr. B. Cronin stated that it is very important that this scheme should cover the broader area of Kilcummin. He was very thankful for the announcement and stated that the residents of Kilcummin should be told that the target date for commencement is 2016. He asked if the pipeline would follow the route that Kerry County Council got the wayleaves on and will the associated houses be able to connect to it. He also enquired if Mountain View would be facilitated.**

**6. Cllr. J. Sheahan:** To ask Kerry County Council if progress has been made regarding the Sewage Scheme for Kilcummin?

**Reply:** Irish Water has informed Kerry County Council that the proposed Scheme will be constructed. The detailed design and contract documents will now be prepared by a Consulting Engineer, on behalf of Irish Water, to enable the project to go Tender. It is the understanding of the Council that the proposed Scheme will consist of a sewer, the route and details of which have not yet been finalised, to connect to the existing network in Killarney.

**Cllr. J. Sheahan welcomed the news and thanked Colm Mangan and Charlie O'Leary. He stated that all the Councillors had worked together for this Scheme. The people of Kilcummin deserve this. Cllr. Sheahan stated that the road would need to be reinstated. He asked what effect it would have on the Roads Programme.**

**Mr. C. O'Sullivan stated that they would need a definite timeframe on when the works will commence. It would not be a good idea to spend public monies on this road, only for Irish Water to dig it up again.**

**7. Cllr. D. Healy-Rae:** When will work begin on the proposed Kilcummin sewer?

**Reply:** Irish Water has informed Kerry County Council that the proposed Scheme will be constructed. The detailed design and contract documents will now be prepared by a Consulting Engineer, on behalf of Irish Water, to enable the project to go Tender. It is the understanding of the Council that the proposed Scheme will consist of a sewer, the route and details of which have not yet been finalised, to connect to the existing network in Killarney.

**Cllr. D. Healy-Rae welcomed the announcement. He stated he had been fighting for this for so long. As many houses as possible need to be connected. He asked that every house along the way would be connected. He was worried that Irish Water have a provisional start date of 2016. Cllr. Healy-Rae stated that this could be pushed out to 2017. He stated that the road was in a terrible state. He asked that Irish Water progress this scheme as quickly as possible.**

**9. Cllr. D. Grady:** Can we, the Elected Members, meet with representatives from Kilcummin regarding the sewers and roads?

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

Irish Water has informed Kerry County Council that the proposed Scheme will be constructed. The detailed design and contract documents will now be prepared by a Consulting Engineer, on behalf of Irish Water, to enable the project to go Tender. It is the understanding of the Council that the proposed Scheme will consist of a sewer, the route and details of which have not yet been finalised, to connect to the existing network in Killarney.

**Cllr. D. Grady stated that this was welcome news. He asked should the Councillors, as a body, approach the residents with the relevant information? He stated this was the most positive news that they had received in years.**

**10. Cllr. N. Kelleher:** What is the update on the sewage scheme in Kilcummin and Scartaglen?

**Reply:** Irish Water has informed Kerry County Council that the proposed Scheme will be constructed. The detailed design and contract documents will now be prepared by a Consulting Engineer, on behalf of Irish Water, to enable the project to go Tender. It is the understanding of the Council that the proposed Scheme will consist of a sewer, the route and details of which have not yet been finalised, to connect to the existing network in Killarney.

The proposed Scartaglin Sewerage Scheme is **not** included in the **Irish Water Capital Investment Plan (2014 to 2016)**. An application for funding for the proposed Scheme has recently been submitted by the Council to Irish Water.

**Cllr. N. Kelleher stated this was a long process to get over the line. He asked that a copy of the proposed route be provided to him. He stated that Irish Water need to take on board the issues with the road.**

**Cllr. J.J. Culloty** stated that **Mr. Gerry Grant** of Irish Water had stated that he was open to looking at this. Maybe a wetland system would be suitable for Scartaglin.

**Mr. Mangan** responded to the queries raised by the Members. He stated that the original scheme was prepared perhaps 8 years ago, but Irish Water is now reviewing the overall design in light of changes to demographic projections etc. in recent years.

He stated there is a possibility that some of the sewer pipeline may be pressurised. This is because the originally projected population / usage / flows envisaged may not materialise. The final route and details have yet to be decided upon by Irish Water. He stated that he would not be surprised if some length of the sewer would be pressurised, i.e. have a pump on it. Accordingly customers would not be able to connect directly into this particular section. He repeated that this was good news from Irish Water.

**Cllr. D. Grady** enquired that if some of the line was pressurised, then how many houses would this affect? **Mr. Mangan** replied that the final design is not yet done so he did not have a precise answer, but there would be no connections to any length of the pipe between Kilcummin and Killarney which is 'pressurised'.

**Cllr. B. Cronin** asked about the wayleaves agreed by the Council.

**Mr. Mangan** stated that there should be no difficulty with these as any that will not be used will not be registered.

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

**1. Cllr. D. Healy-Rae:** To ask Irish Water and Kerry County Council to fix the leak under road in Furies Village at the corner.

**Reply:** The water on the road at the corner in Furies is not caused by a leak on the water main. The Water Services Department of Kerry County Council has checked and rechecked this situation and is satisfied that this is an issue of surface water.

**Mr. Colm Mangan** stated that they he was satisfied that this was not an issue for Water Services. He stated it was an issue for the Operations Directorate.

#### **(b) Questions**

**1. Cllr. M. Gleeson:** Has progress been made towards the provision of a public sewer for the 26 homes in Dennehy Road, Killarney?

**Reply:** This proposed sewer may be suitable for development as a Group Sewerage Scheme. Kerry County Council applied in early January for a grant of " 280,000 to develop an 870m long sewer and 2 pump stations to serve 26 houses in Dennehy Bohereen, Killarney, as part of the Council's annual submission to

the Department of Environment, Community and Local Government for funding for the Rural Water Programme 2015. It is expected that the grants for 2015 will be made available in the coming weeks.

**Cllr. Gleeson asked if Water Services were optimistic that the 2015 allocation would include these homes. He stated that it was ironic that in the heart of a tourist town that houses were dependent on septic tanks that were located very close to a water table.**

**Mr. Mangan agreed regarding the 'unsewered' district and stated that the announcement on the grants was imminent and that he was hopeful.**

**2. Q. 2 was moved in conjunction with Qs 4, 6, 7, 9 and 10.**

**3. Cllr. B. Cronin:** If a property owner wishes to disconnect the water and sewer connection to a disused property, what charges are involved?

**Reply:** There is no charge for a disconnection from the water or sewer public network. However, the standard connection fee would apply if such a customer were to apply for a reconnection.

**Cllr. B. Cronin asked would levies be applied if it was a reconnection.**

**Mr. C. Mangan stated that in the event of a house being disconnected and then reconnected in future, no levies would apply, but there would be a connection fee.**

**4. Q. 4 was moved in conjunction with Qs 2, 6, 7, 9 and 10.**

**5. Cllr. B. Cronin:** Have Irish Water allocated funding to replace the water mains from Aglish to Flynn's Forge following recent breaks.

**Reply:** Sanction has **not** been received for works of value " 300,000 for the replacement of 1,500m of 200mm diameter watermain at Aglish to Forge Cross, an application for which the Council has made to Irish Water.

**Cllr. Cronin asked if Mr. Mangan saw any possibility of funding for these works.**

**Mr. Mangan stated he thought that perhaps funding was more likely for Bushmount but Irish Water is being more responsive to Kerry County Council's requests and he is optimistic of receiving the Aglish - Forge Cross funding as well.**

**Cllr. Cronin stated that another break had recently occurred at Aglish. Cllr. Cronin referred to Flynn's Forge where an overflow opens into land. He asked if a connection could be put in to divert this overflow into the river. Mr. Mangan undertook to organise this.**

**6. Q. 6 was moved in conjunction with Qs 2, 4, 7, 9 and 10.**

**7. Q. 7 was moved in conjunction with Qs 2, 4, 6, 9 and 10.**

**8. Cllr. D. Healy-Rae:** To ask again when will the area at Ballintourig damaged by waterworks be restored to its original condition.

**Reply:** The roadside at (*Name withheld for data protection purposes. A paper copy of unedited Minutes available on request*) was used to store gravel, chips, etc during the recent pipe laying works. The Water Services Department will review the situation in the coming days with a view to restoring the grass verge to its previous green condition.

**Mr. Colm Mangan stated that he has been in discussion with Mr. Charlie O'Leary who has already investigated the situation - the Council will do work to improve the junction lay-by. Water Services will also consult with the Operations staff on the matter.**

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

**9. Q. 9 was moved in conjunction with Qs 2, 4, 6, 7 and 10.**

**10. Q. 10 was moved in conjunction with Qs 2, 4, 6, 7 and 9.**

#### **15.03.25.07 Operations, Health & Safety Directorate**

**(a) To note update report from the Operations, Health & Safety Directorate**

### **Report from the Director of Operations, Health & Safety**

#### **1. Staffing**

**Paul Neary** Senior Executive Engineer Municipal District

**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

#### **2. Works Programme – Works planned / carried out in March / April 2015**



### **Roads / Estates / Amenity**

<b>Location</b>	<b>Works Description</b>	<b>Status</b>
Muckcross Road	Traffic calming, widening of footpaths, cycle paths and undergrounding of services	Water Main being relaid by Water Services
New Street	Footpath repairs	Complete 3 <sup>rd</sup> April 2015
Killarney Municipal District	General road maintenance and repair	Ongoing
Killarney Municipal District	Municipal district works programme to be agreed and commenced. Preparation works for Restoration Improvement and Restoration Maintenance Programmes commenced	
Árd na Gréine, Barradubh	Completion works to unfinished estate	
Killarney By-Pass N22	Tree Maintenance	Complete by 31 <sup>st</sup> March, 2015
Killarney Municipal District	Winter Maintenance	ongoing
Killarney Town	Street Cleaning	ongoing
Killarney Town	Gardening	ongoing

### **Housing**

<b>Location</b>	<b>Works Description</b>	<b>Status</b>
<b>Vacant House Upgrades</b>		
131 Pinewood	Upgrade of vacant dwelling	Completion Date Mid April 2015
15 Torc Terrace Killarney	Upgrade of vacant dwelling	Completion Date 31 <sup>st</sup> March 2015
28 St Johns Castleisland	Upgrade of vacant dwelling	Completion date End May, 2015
8 Cahereens West, Castleisland	Upgrade of vacant dwelling	Completion date End May, 2015
<b>Routine Maintenance</b>		
Local authority houses, demountables, halting sites	Routine maintenance as required	Ongoing

**Cllr. N. Kelleher referred to the report. In relation to Árd na Gréine he asked if he could get a schedule of works being done. Cllr. Kelleher also acknowledged the good work that was carried out on the Muckcross Road.**

**Mr. D. Doyle agreed to forward Cllr. Kelleher a schedule of works.**

**(b) Notices of Motion**

**1. Cllr. M. Gleeson:** That the Council would develop the disability friendly access pathway to Killarney Library from Rock Road. It is much needed and is now a year behind its original schedule.

**Reply:** Design work on an access ramp from Rock Road will be complete by end of Quarter 1. The works will be tendered in Quarter 2 with construction works being completed by the end of Quarter 3 subject to available funding.

**Cllr. Gleeson stated that work here was 1 year behind schedule as it had to be postponed due to works at the nearby junction. He stated it was the wish of the users and staff of the Library that work would commence. Ease of access to the Library would increase the usage of same. The Library Service in Kerry is a phenomenal success. Simple work would ease the plight of the users and staff and increase the usage of a wonderful service.**

**2. Cllr. M. Gleeson:** As Kerry County Council will not permit the provision of amber flashing lights on the approaches to Gneeveguilla National School, that it would examine the feasibility of providing traffic calming measures in order to ensure the safety of the children and of all others who work in or visit the school.

**Reply:** The last funding programme allowed for the provision of school flashing lights at schools outside the 60kph zones only. Gneeveguilla National School is located within a speed restricted zone, and there is no funding programme available for the provision of these lights.

The upgrade of the signing and lining on the approaches will be examined and these works would be suitable for funding through the Councillors Specific Municipal District Fund.

**Cllr. Gleeson stated that he was aware of ongoing safety concerns from the staff of Gneeveguilla School. People have to cross a busy road to access the community centre. He stated he would assist with these works from his County Councillor's Allocation. He asked that the Engineers would prepare a costing for this work.**

**Mr. D. Doyle agreed to this.**

**3. Cllr. M. Gleeson:** That the Council would favourably examine the staged development of a footpath from the N71 along the L3017 towards Loreto National School.

**Reply:** The provision of a footpath from the N71 to the Loreto National School would involve the construction of 1.5 km of footpath. The estimated works would be in the region of " 600,000. and would include construction costs, land acquisition, accommodation works and public lighting. There is currently no funding available for these works. The priority is to maintain and upgrade existing footpaths.

**Cllr. Gleeson stated that this was a busy road with two housing estates on the way up to Loreto School. From a safety point of view, a footpath was needed here. He stated he would expect Kerry County Council would develop a multi-annual programme to carry out works over a 5 year period. A footpath would enhance the quality of life and safety for the people of the area.**

**Mr. C. O'Sullivan stated that the provision of a footpath here would be challenging due to the costs involved. He stated that funding for this type of work is difficult to get. Land acquisition costs are also a factor here.**

**4. Cllr. M. Gleeson:** That the Council would upgrade the surface of Rock Road, Killarney as part of it is in quite a poor state, inappropriate as a major entry road to a prime tourist town.

**Reply:** This road is a Regional Road and is not included in the current Restoration Improvement or Restoration Maintenance Programme. This road will be considered for inclusion in the next Multi-Annual Roads Program. It is anticipated that the next Multi-Annual Roads Program will be reviewed in Autumn 2015.

**Cllr. Gleeson stated that this was a major road that was in a poor state of repair. He said it needs to be included in the next Multi-Annual Roads Program. It must be the Council's next priority.**

**5. Cllr. M. Gleeson:** That the Council would provide a public light at Curraglass at the junction of the N22 and the L3015 as this is a vital junction for the many tourists who wish to access the greater Muckross area without having to enter Killarney. This provision would be a laudable exception to what seems to be the general Council policy of not providing lights at rural junctions.

**Reply:** Currently due to the constraints on maintaining the existing public lighting network, including increasing energy costs, the Council has not been in a position to fund the provision of additional lighting to the public network, except in exceptional circumstances. In recent years the taking in charge of housing estates has increased our public lighting costs and there will be additional costs with the proposed taking in charge of other estates in the coming years.

Under the provisions of EU Directive 2006/32/EC and S.I. No. 542/2009 - European Communities (Energy End-Use Efficiency and Energy Services) Regulations 2009, Kerry County Council is also required to make substantial reductions in energy consumption, including on public lighting. This will necessitate substantial investment in either retrofitting our existing public lighting

network with more efficient lighting equipment and/or restricting the provision of new lights on the existing network.

This is an issue that needs to be further examined in the context of the limited funding available for the provision of all services, and the needs of the community.

Any request to provide additional public lighting at this junction of the N22 and L3015 will need to be assessed as part of a Public Lighting policy, which will be developed through the Operations SPC, given the existing demands on the Council to maintain existing public lighting infrastructure throughout the County.

**Cllr. Gleeson stated that he accepted that the policy regarding the provision of lighting was a difficult one for Kerry County Council. Cllr. Gleeson stated that this junction is a relief road for Killarney. It is used by so many people who do not wish to access Killarney Town and want to access Muckross. So many people turn left off the N22 without adding to the gridlock of coming into Killarney. Serious consideration should be given to this.**

**Cllr. B. Cronin Seconded the Motion. He said this was an exceptional request for lighting. The road was a gateway to the Muckross area which is highly trafficked and would take a huge amount of traffic from the town. What would this work cost?**

**Mr. D. Doyle stated that there is an onus on the Council to reduce its energy bill. He stated that the SPC could perhaps look at this as a one-off isolated case.**

**6. Cllr. B. O'Connell:** Kerry County Council provide a footbridge at Barrack Street, Castleisland and remove the existing sewer pipe attached to the bridge.

**Reply:** Kerry County Council has no available funding in the 2015 Roadworks Programme to install a pedestrian footbridge at Barrack Street Bridge, Castleisland.

Kerry County Council Water Services Department has contacted Irish Water with regard to diverting the public sewer which regularly catches river debris at this bridge, however, Irish Water are unwilling to reroute the gravity sewer as it would require alteration to a pumped sewer which would incur significant costs with no return for the investment.

**Cllr. O'Connell stated that he was not happy with the response. This is a very narrow bridge and services a playground, Aldi and Garveys. Children and pedestrians use this bridge. It is a serious health and safety issue. There is only room for one car on the bridge. The 3 biggest schools are in its immediate vicinity. He requested the Council to take a serious look at it. He stated that Garvey's provided a footbridge and it was a huge success.**

**Cllr. O'Connell asked that the sewer pipe be removed. It was regularly catching debris. Severe flooding has occurred here. It is having a**

**detrimental effect on the houses in the area. He stated that the response from Irish Water was not acceptable.**

**Cllr. B. Cronin stated that a footbridge that was erected in Firies was a huge success. The bridge at Barrack Street was seriously narrow and dangerous. He asked that a costing be prepared for this.**

**Cllr. J.J. Culloty Seconded the Motion.**

**7. Cllr. B. O'Connell:** That Kerry County Council extend the footpath at Moanmore Castleisland.

**Reply:** The estimated cost of the extension of the existing footpath at Moanmore, Castleisland is approximately " 125,000. Kerry County Council has no available funding in the 2015 Roadworks Programme to carry out these works. Given the limited funding allocated for footpaths, priority should be given to upgrading.

**Cllr. B. O'Connell stated that this was not an exorbitant amount of money and would like to see this included in the next Roadworks Programme.**

**Cllr. J.J. Culloty Seconded the Motion.**

**8. Cllr. B. Cronin:** What is the delay in taking in charge Firies Drive, Fires Close and The Village Green, what works are outstanding and when was the last correspondence between Council and the developer?

**Reply:** The local authority sector has now agreed protocols with Irish Water on the taking in charge process, which were circulated to all local authorities on the 4<sup>th</sup> March 2015. As of the end of 2014, the Council had 35 applications on hand for taking in charge.

Given the works involved in completing the taking in charge process (surveying, mapping etc.) we have prioritised the applications on hand and hope to be in a position to submit the first 12 estates to Irish Water by the end of this month. These are estates which have been provisionally assessed by our Housing Estates Unit and are considered to be in reasonable condition with the bonds for these developments already released. Irish Water have committed to responding to any applications submitted within 10 working days and subject to a favourable response from Irish Water, it would be our intention to advertise these 12 estates before the end of April. This should allow for a report and recommendation be brought to the Municipal District meetings in July.

It is our intention to have a further 12 estates assessed, surveyed, mapped and submitted to Irish Water in early Autumn, having regard to the resources needed to deliver the roads programme. If resources permit, we will aim to bring this schedule forward and will advise the members if this can be achieved.

Firies Drive, Firies Close and The Village Green are included in the list proposed to be submitted in the Autumn.

**Cllr. B. Cronin asked what was the position regarding the pipe network in respect of dents etc found on CCTV. He asked if these issues had been sorted.**

**Mr. C. O'Sullivan stated that Irish Water will look after the repairs and defects. This responsibility was clarified by the Department Circular and Memorandum of Understanding. Mr. O'Sullivan said that the survey of the estates needed to be completed. Irish Water will turn around applications in 10 working days. He stated that a report would be brought before Council. The second phase will start in Autumn.**

**Cllr. B. Cronin stated that this was good news and very welcome for the residents.**

**Cllr. M. Gleeson referred to the 24 estates (12 estates x 2) and asked that he be emailed details of same.**

**Mr. C. O'Sullivan agreed to this.**

**9. Cllr. B. Cronin:** To request an extension of the footpath from the traffic calming, on the right hand side from Fossa NS towards the Gap Cross for a distance of 230 meters approx to provide safety for the large number of children attending the local school from this residential area.

**Reply:** Kerry County Council with the NRA have discussed the extension of the traffic calming at Fossa, however there are currently no plans to extend the footpaths from the existing traffic calming scheme. Any extension of the footpath could be considered as part of new developments with the funding being provided by the developers.

**Cllr. B. Cronin stated that he and Mr. P. Neary had met the locals regarding this footpath. This is an important for the safety and wellbeing of 40 - 45 children attending the school. He asked that Mr. P. Neary to keep discussions ongoing with Lucy Curtis of the NRA.**

**10. Cllr. B. Cronin:** To construct a footpath with bollards in front of Firies NS from the junction with the main road towards the Marion Hall and to provide proper warning signs on the Farranfore approach to Firies that there is a school entrance and a pedestrian crossing ahead.

**Reply:** The cost of constructing a footpath in Firies, in front of the National School from the main road to towards the Marian Hall will cost " 19,500 and would be suitable for funding through the Council Specific Municipal District Fund.

The provision of warning signs on the Farranfore approach for the school entrance will be examined.

**Cllr. B. Cronin stated that the Board of Management and the Parents' Association were concerned regarding the lack of a footpath. The school has over 260 children attending and a further extension to the school has**

been granted. There is a huge concern here regarding child safety. Cllr. Cronin committed to contributing €12,000 from his Council Specific Municipal District Fund towards the cost of the footpath. He thanked the Councillors that had agreed to contribute to these works and asked for the support of the Councillors that had not.

Cllr. M. Gleeson supported the Motion and stated that he had agreed to allocate money to this.

Cllr. B. Cronin stated that there was a necessity to have signage such as "School Entrance Ahead" and "Pedestrian Crossing" on the main approach roads.

Mr. P. Neary agreed to look at this.

**11. Cllr. B. Cronin:** To again request that the roadside ditch at the Aghadoe Junction with the Milltown road adjacent to the Germans flats be set back 2 metres for traffic safety.

**Reply:** The landowner at the Aghadoe Junction with the Milltown Road was approached two years ago for permission to set back the ditch at this junction to improve the sight distance. On that occasion the Council got a negative response. However the landowner will be approached again within the next two weeks.

Cllr. Cronin stated that the demolition of the property was happening soon. A metre would give huge visibility onto the Milltown Road.

Cllr. D. Healy-Rae stated that he previously had a Notice of Motion regarding this location. He stated that the planning application had been submitted. He asked the Planners to make it a requirement of planning to have a condition that the ditch be set back from the road. He asked if the condition he requested was included in that planning decision?

Mr. P. Neary stated that this was a demolition application and could not be conditioned in the planning permission. There is no traffic associated with this development.

**12. Cllr. B. Cronin:** In light of another serious accident at Ballydowney on February 22<sup>nd</sup>, I am repeating my previous request for traffic calming measures for road safety and the safety of local residents on this highly residential area.

**Reply:** Kerry County Council have met with the Garda Authorities, the National Parks and Wildlife and the NRA in regard to this stretch of road. A number of minor improvements have been suggested such as additional signage and the removal of approximately 8 trees on the southern side of the road. Fáilte Ireland, who are the landowners where the trees are located, have recently given permission to remove the trees. The cost of the works will now be estimated and the NRA will be approached for funding.

**Cllr. B. Cronin stated that a number of very serious accidents have occurred at Ballydowney. There are 65 houses and a crèche in this locality. Traffic calming measures are required here.**

**Cllr. N. Kelleher Seconded the Motion. He stated that the issue here is speed. He asked that the NRA be contacted about this.**

**Cllr. D. Grady stated that a fence was required here to stop the deer getting out on the road.**

**Mr. P. Neary confirmed that more "Deer" signs would be placed at the location. He stated that the NPWS were against fencing as it will push the deer out.**

**13. Cllr. B. Cronin:** To ask for clarification and a solution of the legal obstacle that is preventing the sale of houses in estates in Kerry that have applications to be taken in charge lodged with Kerry County Council.

**Reply:** We acknowledge the difficulties allegedly being created by some financial institutions in providing mortgages for properties for sale in some estates, which have not been taken in charge by the Council. Unfortunately, in a significant number of such estates, the Council has had protracted negotiations with some of these financial institutions on the payment of bonds to complete outstanding works and rectify defects before the Council can consider taking them in charge.

However, it is also acknowledged that part of the difficulties in taking in charge estates has been due to lack of clarity with the transfer of water services infrastructure to Irish Water. The local authority sector has now agreed protocols with Irish Water on the taking in charge process, which were circulated to all local authorities on the 4<sup>th</sup> March 2015. As of the end of 2014, the Council had 35 applications on hand for taking in charge.

Given the works involved in completing the taking in charge process (surveying, mapping etc.), we have prioritised the applications on hand and hope to be in a position to submit the first 12 estates to Irish Water by the end of this month. These are estates which have been provisionally assessed by our Housing Estates Unit and are considered to be in reasonable condition with the bonds for these developments already released. Irish Water have committed to responding to any applications submitted within 10 working days and subject to a favourable response from Irish Water, it would be our intention to advertise these 12 estates before the end of April. This should allow for a report and recommendation be brought to the Municipal District meetings in July.

It is our intention to have a further 12 estates assessed, surveyed, mapped and submitted to Irish Water in early Autumn, having regard to the resources needed to deliver the roads programme. If resources permit, we will aim to bring this schedule forward and will advise the members if this can be achieved.

**Cllr. B. Cronin stated that houses are being offered for sale in these developments and it is the legal people for the purchasers that ask have the**



estates been taken in charge. This stalls the whole sales process. Is there a legal clause for this? The houses were originally purchased from the developer and no issue existed. Can Kerry County Council resolve this?

**Cllr. J.J. Culloty** concurred with **Cllr. Cronin**. He stated that a small number of people have been caught in relation to this matter. He asked if a letter could be issued stating that taking in charge these estates will be brought before the full Council in July for adoption and hopefully this should satisfy the banks.

**Mr. C. O'Sullivan** stated that the purchaser can withdraw from a sale at any point. The bank is providing a mortgage and issues regarding the estate being taken in charge is the policy of this financial institution. **Mr. O'Sullivan** confirmed that Cúl an Bharraig is one estate that has been prioritised to be taken in charge and hopefully this will be approved at the July Meeting. **Mr. O'Sullivan** stated that a letter could be sent to the bank stating that the estate is listed for being taken in charge.

**Cllr. D. Healy-Rae** moved **Question 16** at this stage.

**Q16. Cllr. D. Healy-Rae:** Has Irish Water agreed to allow Kerry County Council take Coolanvannig Housing Estate, Firies in charge?

**Reply:** The local authority sector has now agreed protocols with Irish Water on the taking in charge process, which were circulated to all local authorities on the 4<sup>th</sup> March 2015. As of the end of 2014, the Council had 35 applications on hand for taking in charge.

Given the works involved in completing the taking in charge process (surveying, mapping etc.) we have prioritised the applications on hand and hope to be in a position to submit the first 12 estates to Irish Water by the end of this month. These are estates which have been provisionally assessed by our Housing Estates Unit and are considered to be in reasonable condition with the bonds for these developments already released. Irish Water have committed to responding to any applications submitted within 10 working days and subject to a favourable response from Irish Water, it would be our intention to advertise these 12 estates before the end of April. This should allow for a report and recommendation be brought to the Municipal District meetings in July.

It is our intention to have a further 12 estates assessed, surveyed, mapped and submitted to Irish Water in early Autumn, having regard to the resources needed to deliver the roads programme. If resources permit, we will aim to bring this schedule forward and will advise the members if this can be achieved.

Cul an Bharraigh housing estate in Firies is included in the first 12 developments to be submitted to Irish Water in accordance with the agreed protocols.

**Cllr. D. Healy-Rae** welcomed the reply and stated that he hoped it would go ahead in July.

**14. Cllr. B. Cronin:** In light of the huge amount of people using the popular "Cardiac Hill" walkway on Torc Mountain, can the OPW carry out improvements to the car park used between Torc Waterfall and Dinis Cottage. Currently this car park is used as the start/finishing point and at busy times cars can be parked dangerously close to the public road.

**Reply:** This matter has been discussed with the OPW. They currently have no plans to upgrade this car park, however, when they receive their 2015 capital funding, they will review the matter further.

**Cllr. B. Cronin stated that this was a hugely popular walk at a major tourist attraction. There is an urgent need to carry out work at this location to make it more organised and more co-ordinated. He noted that the OPW had no plans to upgrade the area and stated that they needed to address the issue. There is need for appropriate signage and lining. He suggested that the Council might look after the roadside and the OPW the other side. He asked that the Council revert to the OPW on the matter.**

**Cllr. M. Gleeson supported the request for additional parking and adequate signage. He stated that parking could be provided between Torc Waterfall and the carpark. He stated that an alternative parking area be provided a distance from the waterfall.**

**Mr. P. Neary confirmed that he would give serious consideration to this and revert once capital funding has been received.**

**15. Cllr. B. Cronin:** To ask the NRA to provide some form of lighting on the popular walkway on the Castleisland By-Pass.

**Reply:** This proposal was discussed with the National Roads Authority and they stated that as this Bypass is located in a rural area, they have no plans to provide further lighting here.

**Cllr. B. O'Connell stated that this was a hugely popular route for walkers and joggers. He said it doesn't make sense if people can't use this route after dark. He asked that the NRA be asked to review this again.**

**Mr. P. Neary stated that this was a resource issue. He agreed to discuss this further with the NRA.**

**16. Cllr. J. Sheahan:** That Kerry County Council erect high fencing to curtail the anti-social behaviour at Forest Close, Ballyspillane, Killarney.

**Reply:** A new fence has been recently erected following consultation with the local community in this area and Community Gardaí.

**Cllr. J. Sheahan stated that he had received a number of representations in relation to anti-social behaviour taking place here. He thanked the Council for their quick work here and hoped this would be an end to the behaviour.**

**Stones are being thrown at passing vehicles. He stated that the Gardaí are hopeful to bring prosecutions.**

**Cllr. M. Gleeson stated that he had been asked by the Ballyspillane Residents' Association to read out the following statement:**

*"Ballyspillane Residents' Association were very disheartened to read an article in KillarneyToday.com dated 22/3/2015 of a motion being put forward by Mayor Cllr John Joe Culloty at Wednesdays Municipal District Meeting.*

*The proposal to remove a row of Conifer trees at the entrance of Ballyspillane Estate and replace them with timber railing.*

*In the same article it states that Cllr. John Sheehan is to urge Kerry Co. Council to erect high fencing at Forest Close to curtail anti-social behaviour.*

*Ballyspillane Residents' Association wish to make it known that they do not condone this or any type of anti-social behaviour carried out by a minority of individuals. It reflects a negative image on the whole community and doesn't represent the good work being done in the area by community residents and the good people of Ballyspillane.*

*We understand that this is a matter for the Gardaí to investigate and for Council Officials to respond to the issues; however we are very disheartened that no discussion has taken place between the Residents Committee and Council Officials around this proposal.*

*The trees are part of the estate entrance since the last 1970s adding to the environmental aesthetics and overall look of the estate. The proposed fencing will create the appearance of a ghetto around the estate.*

*We would welcome a meeting with Killarney Council Officials, Killarney Gardaí, and the elected Councillors as a matter of urgency."*

Notice of Motion No. 35 was discussed in conjunction with this Motion.

**35. Cllr. J.J. Culloty:** As the Leylandii trees which are growing on the Tiernaboul side of the entrance to Ballyspillane Housing Estate are, on occasions, used by youths to throw material at passing motorists, that this Council remove these trees and replace them with open timber railing.

**Reply:** Kerry County Council are aware of the issues at this housing estate. A meeting with the Garda Authorities, the Housing Liaison Officer and representative from the Estate is being organised within the next two weeks. This meeting will examine potential solutions to this anti-social behaviour.

**Cllr. J.J. Culloty stated that he was looking at this from a safety point of view. He said he had spoken to the Gardaí and they can't curtail the anti-social behaviour. He stated he was looking for some other alternative than**

**what is there at present as it is used as a hiding place. He asked that the Council Officials revert to the residents as this has to stop.**

**Cllr. D. Grady stated that the cutbacks removed the Community Gardaí from the area who was carrying out great work here.**

**Mr. P. Neary stated that he has been in discussions with the Gardaí. He stated that a meeting with the community representatives, the Gardaí and the Council Officials will happen very shortly.**

**17. Cllr. J. Sheahan:** That Kerry County Council allocate additional car parking spaces at Deerpark Crescent, Killarney.

**Reply:** There is one public car park space per house in this estate, which is adequate as per the Department of Environment guidelines at the time of construction. The green area in this estate is very small, and any additional car parking spaces would impact greatly on the green area. There is no funding available at present for this work.

**Cllr. J. Sheahan stated that the cars are parking on footpaths in the estate and wheelchair users have to go on out onto the road. He stated that 10 - 12 spaces need to be found here.**

**Cllr. D. Grady Seconded the Motion.**

**Mr. P. Neary stated that he would prepare a cost estimate. No funding is available for this work.**

**18. Cllr. J. Sheahan:** That Kerry County Council skirt both sides of the L 3010 from the Woodline Cross to the Spa GAA Grounds and cut the hedges so as to improve visibility for motorists.

**Reply:** Kerry County Council will skirt both sides of the L-3010 roadway from Woodline Cross to Spa GAA Grounds and the Roads Enforcement Officer will contact the landowners concerned in relation to the roadside hedges.

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

**Cllr. M. Gleeson Seconded the Motion.**

**19. Cllr. J. Sheahan:** That Kerry County Council replace the broken fencing adjacent to the Spa GAA field. The fencing is both dangerous and unsightly.

**Reply:** All roadside fences are the responsibility of the adjoining landowner in accordance with the provisions of the 1993 Roads Act. Therefore the roadside fencing adjacent to Spa GAA field is the responsibility of the adjoining landowner.

**Cllr. J. Sheahan stated that he thought that Kerry County Council had installed a fence at this location initially. It is a health and safety issue and very unsightly.**

**Mr. P. Neary stated that it was a matter for the landowner to replace this. The Council is not responsible for it.**

**Cllr. J.J. moved Notice of Motion No. 35 at this stage.**

**35. Cllr. J.J. Culloty:** What is the current situation regarding the fitting of crash barriers on the bend at Spa GAA pitch?

**Reply:** Kerry County Council have met the crash barrier company in relation to providing a crash barrier at the bend adjacent to the GAA pitch at Spa. We are awaiting an estimate for these works. These works are suitable for funding through Council Specific Municipal District Fund.

**Mr. P. Neary stated that the cost of providing a crash barrier would be €3,800 and would be suitable for a Councillor Specific Municipal District Operations Fund.**

**20. Cllr. J. Sheahan:** That Kerry County Council erect suitable fencing to cover the unsightly site adjacent to Pretty Polly.

**Reply:** The upper portion of the Pretty Polly site is due to be cleared out and tidied up in the coming week.

**Cllr. J. Sheahan asked if the Council would explore the possibility of turning this site into an amenity.**

**Mr. P. Neary stated that this matter was being looked after by the Facilities Manager, Mr. John Purcell and stated that he will get him to discuss same with Cllr. Sheahan.**

**Ms. A. McAllen stated that this is under review and will be looked at corporately on how we manage corporate buildings.**

**Cllr. M. Gleeson stated that green netting was put up at this location some years ago and it has since disintegrated. This was raised at the Killarney Looking Good Meeting the previous Thursday. He stated he was informed it would be cleaned up immediately.**

**Cllr. N. Kelleher moved Notice of Motion No. 3 (Other Directorates) with Notice of Motion No. 20.**

**3. Cllr. N. Kelleher:** Plans were developed in relation to the Pretty Polly site - where are they now? Are they somewhere on a shelf? What's the Authority's current position in relation to the uses of the site?

**Cllr. N. Kelleher stated that something needs to be done with this site. A meaningful discussion with various groups from the town needs to take place. There is a lot of software manufactured for the tourism industry. We as a Local Authority could be the front runners for companies that establish**

here to assist tourism related industries. He stated that the KTI Centre is at full capacity. There is not a commercial market for rental property in the town. We need to take a lead on this. There is a broadband capacity of 75MB at this site which offers huge potential. We need something meaningful here.

**Cllr. M. Gleeson supported this Proposal. He stated that it was in a great location.**

**Cllr. J. Sheahan stated that he looks forward to seeing the site being developed. It is a pity to leave it sit idle.**

**21. Cllr. J. Sheahan:** That Kerry County Council erect bollards on either side of the lowered footpath, opposite the Cathedral entrance on the Port Road, to allow wheelchairs and buggies safely cross the road.

**Reply:** A yellow box junction will be provided in the next four weeks at this location to keep the area clear of parked cars; bollards would be ineffective at this location.

**Cllr. J. Sheahan welcomed the reply and thanked the Council.**

**22. Cllr. J. Sheahan:** When will Kerry County Council carry out works to improve the Tullig Junction at Spa, Killarney.

**Reply:** There is no funding currently available to re-align and resurface the Tullig Junction on the Spa Road. The estimated cost of these works would be in the region of " 100,000 and if members wished to allocate funding from the Councillor Specific Municipal District Fund, a more detailed costing could be prepared. Therefore the only other source of funding available for improvement works at this location is the Department of Transport, Tourism and Sport's Low Cost Safety Improvement Grant. However, there are no accidents recorded on the NRA's database to support an application for funding by the Council. The Department will not allocate funding at a location with no history of accidents.

**Cllr. J. Sheahan asked the Council to look at this junction again. There are a lot of houses in the area. A number of the residents are elderly and the hill is difficult for them. This is a genuine issue.**

**Cllr. J.J. Culloty Seconded the Motion.**

**23. Cllr. J. Sheahan:** That Kerry County Council widen the L2019 at Madam's Hill to the Aghadoe Cross with a view to provide a footpath/cycle lane.

**Reply:** Kerry County Council have no funding to provide this footpath at present. It is a condition of the current planning approval for the development to provide a footpath at this location.

**Cllr. J. Sheahan** stated that motorists find it difficult when they have to stay behind bikes when climbing the hill and see if it is safe to overtake. He asked that the Council come up with a solution here.

**Cllr. B. Cronin** Seconded the Motion. He stated that he has had requests in about this since 1999. There is a huge increase in traffic volumes. He stated that the junction was like playing Russian Roulette. He said that there was a residential concentration at the top of the hill. There are a lot of walkers with no protection. A decent pathway needs to be provided to the top of the junction. A roundabout should be provided here or traffic lights. He referred to the setting back of the white line which now means there is double the length to get out on that road.

**24. Cllr. D. Healy-Rae:** To ask Kerry County Council to provide a footpath inside the bridge at Cloonts, Rathmore for pedestrians.

**Reply:** The roadway at the Bridge at Cloonts, Rathmore is too narrow to provide a footpath across this bridge. There is no funding currently available to widen this bridge. Currently any bridge improvement money is prioritised for structural repair and maintenance. Yield signs and road markings have been provided here recently.

**Cllr. D. Healy-Rae** stated that he meant a footbridge and not a footpath. He stated that there is a need for it. He asked that a serious consideration be given to this.

**Cllr. M. Gleeson** Seconded the Motion.

**Cllr. N. Kelleher** stated that **Cllr. J. Sheahan** had previously had a Notice of Motion regarding the provision of a handrail on this bridge which **Cllr. Kelleher** had Seconded.

**Ms. B. Mulryan** stated that a handrail would cost €4,500.

**Mr. P. Neary** stated that there are no funds for new works on bridges. Bridge funding comes from the Bridge Programme which is for maintenance works only.

**Cllr. D. Healy-Rae** stated that these bridges were initially built for horses, carts and bicycles. We need proper funding for these bridges.

**25. Cllr. D. Healy-Rae:** To ask Kerry County Council to repair and improve Newquarter Bridge, Gneeveguilla.

**Reply:** Prices have been received to replace the parapet wall at the bridge in Newquarter and we are awaiting confirmation from the contractor in relation to his programme for carrying out the works.

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

**26. Cllr. D. Healy-Rae:** To ask Kerry County Council to resurface the Tooreencahill to Knocknaboul Road, should the ESB help with this?

**Reply:** There is a windfarm development which will require a Road Opening Licence from Kerry County Council to provide an energy supply from the sub-station to the ESB Network. It would not be appropriate to carry out any road repairs on this road until all the works are complete by the ESB.

**Cllr. D. Healy-Rae stated that the road was widely used but in a terrible condition.**

**Mr. P. Neary stated that the Council are in discussions with the ESB. Cordal Windfarm are going to bring down two ducts. There will be a lot of excavation works in the next 12 months. They will restore the road to a temporary state and we will get an amount per square meter to finish the road.**

**Cllr. Healy-Rae asked if we will receive sufficient funding from Cordal Windfarm to resurface the road.**

**Mr. P. Neary stated that there will be.**

**27. Cllr. D. Healy-Rae:** To ask again that the public lighting in Greenfield's Estate, Furies be put working.

**Reply:** The current status of this estate and the delays being experienced with the surety provider Euler Hermes Guarantee PLC, was outlined in a response to a Notice of Motion moved at the March Ordinary Council meeting.

Planning Permission was granted in October 2005, for this mixed development consisting of retail units, 2 apartments, 47 houses, a community parkland & playground, and ancillary services, including a proprietary treatment system, to *(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* under planning reference 05/1018. The provision of a proprietary treatment system was also included.

The applicants were conditioned to lodge a bond with the Planning Authority in the sum of " 300,000 and this surety was provided by Euler Hermes Guarantee PLC, and submitted on the 24th February 2006. This bond was put in place to secure the satisfactory completion of roads footpaths, foul and surface water drainage, public lighting, playground and open spaces required in connection with the proposed development.

The Greenfield (Furies) Management Company was established under the provisions of Section 47 of the Planning and Development Act, 2000, for the on-going management and maintenance of the facilities in perpetuity.

The original bond was scheduled to expire on the 31st January 2011, but was subsequently extended to the 31st January 2012, to allow the developer complete outstanding works. Prior to the expiry of the bond, a visual inspection was carried



out in September 2011, which identified a substantial number of defects to be addressed at an estimated cost of " 249,019. This inspection did not include for any defects on the foul sewer or storm water network, and the developer was instructed to submit a detailed CCTV survey.

As the developer failed to complete the outstanding works prior to the expiry of the bond, the Council made a formal claim for the payment of " 249,019, which was made without prejudice to claim further monies, in the event of the CCTV identifying defects in the storm water and foul sewer network. The bond value at the date of the claim was " 357,114.

The CCTV surveys were submitted in June 2012, which identified significant defects in the foul sewer and storm water network.

Following submission of this claim, protracted discussions/meetings took place with the representatives of the surety provider, regarding the scope of required works etc. In these discussions the surety provider indicated that he intended to arrange for the works to be executed by an independent contractor, which was acceptable to the Council. This was further confirmed to the Council by e-mail on the 12<sup>th</sup> March 2015.

Regrettably, the Council cannot enter the site and complete the outstanding works until agreement is reached with the surety provider on payment of the monies sought. The responsibility for the maintenance and upkeep of the public lighting network, is a matter for the Greenfield (Firies) Management Company, until the estate is satisfactorily completed in accordance with the conditions of planning and ultimately taken in charge by the Council.

**Cllr. D. Healy-Rae stated that Kerry County Council have a role to play from a health and safety viewpoint regarding the provision of lights in an estate. He had asked for the lighting to be repaired in January and received no reply. The safety of people here is of paramount importance.**

**Cllr. B. Cronin moved Question 9 at this stage.**

**9. Cllr. B. Cronin:** What is the update on the bond in Greenfields and can all the lights that are blown be repaired for the residents?

**Reply:** The current status of this estate and the delays being experienced with the surety provider Euler Hermes Guarantee PLC, was outlined in a response to a Notice of Motion moved at the March Ordinary Council meeting.

Planning Permission was granted in October 2005, for this mixed development consisting of retail units, 2 apartments, 47 houses, a community parkland & playground, and ancillary services, including a proprietary treatment system, to *(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* under planning reference 05/1018. The provision of a proprietary treatment system was also included.

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Regrettably the Council cannot enter the site and complete the outstanding works until agreement is reached with the surety provider on payment of the monies sought. The responsibility for the maintenance and upkeep of the public lighting network is a matter for the Greenfield (Firies) Management Company, until the estate is satisfactorily completed in accordance with the conditions of planning and ultimately taken in charge by the Council.

**Cllr. B. Cronin stated that Mr. J. Breen and Mr. D. Murphy had met with the residents of "Marian Hall". No lights are working there now. It is a scary place at night time for people coming home late from work. He asked is there a timeframe where an individual contractor will be appointed. He asked where does the responsibility lie for on health and safety grounds.**

**Mr. D. Doyle stated that this was a private development. Kerry County Council do not have responsibility for lighting this estate. The ESB have**

turned off the power supply. He stated that negotiations regarding the surety issues were ongoing. He didn't have a definite date when the works will commence there. We have to wait for them to get their contractor in to carry out the works. He stated that he would follow up on this and keep the pressure on.

**Cllr. D. Healy-Rae** stated that it was in the Council's remit to fix the lighting and take the cost of it out of the bond monies. This work must be carried out in a timely fashion.

**28. Cllr. D. Healy-Rae:** To ask that a footpath be provided on the left hand side of the Muckross Road from the Abbey Cross to the Jarvey Stand or at least clean and gravel the path that is there at present.

**Reply:** There is some funding available through a Development levy to put towards resurfacing the existing path from Abbey Cross to the Jarvey Stand, however any works carried out at this location have to go through screening for Appropriate Assessment prior to the works being carried out. Kerry County Council's Planning Department have commenced this screening process. Once the screening process is complete, it is intended to commence these works.

**Cllr. D. Healy-Rae** welcomed the reply. He enquired what the screening process entailed.

**Mr. P. Neary** stated that the screening process is carried out for a lot of the Council's projects. This is a requirement of the National Parks & Wildlife Service. Planning look at it from an environmental viewpoint to see if there are any environmental impacts.

**29. Cllr. D. Healy-Rae:** To ask Kerry County Council to underground electric cables and provide new footpaths in Gneeveguilla Village.

**Reply:** There is no funding currently available to underground electric cables and upgrade the footpaths in Gneeveguilla Village. The improvement to footpaths could be considered for the Councillor Specific Municipal District Fund.

**Cllr. D. Healy-Rae** stated that the lighting is very bad in Gneeveguilla. He has been highlighting this issue for a number of years. He stated he had asked for it to be included in the LED Programme and was told it would be in the 2015 Programme. He stated he was now being told that the ESB can't proceed until the undergrounding process is in place. He asked that this be placed at No. 1 on the priority list.

**Cllr. N. Kelleher** Seconded the Motion. He stated that Gneeveguilla and Rathmore had very similar streetscapes and lighting. It would offer value to the community to underground the cables. The Municipal District fund is not going to solve the footpath problem.

**Mr. P. Neary** stated there was no short-term solution regarding the undergrounding of cables. He stated they will proceed with this project if they receive funding for same.

**30. Cllr. D. Healy-Rae:** To ask Kerry County Council to provide a turning area at the top of Ballyspillane adjacent to house No. 200.

**Reply:** Improvement works at this location would be suitable for funding by CCA.

**Cllr. D. Healy-Rae** stated that there was no other estate in the Killarney Municipal District area where a car has to back out to exit. There is no turning area here. If a child walks out behind a car there could be a serious accident here. Proper funding is required. The space is available.

**Cllr. D. Grady** Seconded the Motion. A turning area is required here, especially if the emergency services need to enter the Estate.

**Mr. D. Doyle** agreed to prepare a costing for this.

**31. Cllr. D. Grady:** That we go into dialogue with the owners of the bins that are situated in various places around town, to have them removed off the streets and footpaths at an early hour.

**Reply:** At present we have no stipulation in the Waste Presentation Bye-Laws for collection times; however Kerry County Council will enter discussions with the Chamber of Commerce to have the bins removed from the streets and footpaths at a reasonable time. The Environment Section will be requested to review the Waste Presentation Bye-Laws in this regard.

**Cllr. D. Grady** stated that 25 years ago, every business owner had to put out their bins at 7am. We are now looking at empty bins being left on the street. He stated that recently, he had counted 22 empty bins on the street at 3pm. This is affecting disabled drivers. Bad odours are evident in Chapel Lane during the summer when the bins are left out. We need to solve this issue.

**Cllr. M. Gleeson** said that the ratepayers of the town are deeply concerned that the environs of their business have bins left on the streets until midday or later. This needs to be sorted out. It is shameful.

**Mr. D. Doyle** said that the Regional Waste Management Office in Limerick had been asked to amend the Waste Bye-Laws. He agreed to request the Environment Department to liaise with the Regional Office to request that the bins be brought in off the streets.

**Cllr. M. Gleeson** highlighted that the closing date for receipt of submissions is 22<sup>nd</sup> June in relation to the new regulations being introduced regulating litter collection. He asked that the Officials look at this.

**32. Cllr. D. Grady:** That we finish resurfacing St. Mary's Terrace and Ballycasheen Road.

**Reply:** Resurfacing of Ballycasheen Road is included on the Programme of Works in the 2015 Municipal District Works Programme. St. Mary's Terrace can be considered for inclusion in the next Multi-Annual Programme. It is likely that this Multi-Annual Programme will be reviewed in late 2015.

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

**Cllr. M. Gleeson Seconded the Motion.**

**33. Cllr. D. Grady:** That we would examine the possibility of closing the gate on Clover's Lane between 11.00pm and 7.00am (on a trial basis as this is a public right of way) due to unsocial behaviour.

**Reply:** Kerry County Council have no objection to closing this gate on a trial basis. A local resident has agreed to open and close this gate. A letter is currently being drafted to Killarney Gardaí to ascertain if they have any objections in this regard. However, as this is a public right of way, a public consultation process will be required in this instance.

**Cllr. D. Grady said that there are problems with anti-social behaviour in this area. The Gardaí have requested that we would close it. A right-of-way exists but the residents are willing to open the gate at 6am and close it at 11pm. Under age drinking is taking place here.**

**Cllr. N. Kelleher Seconded the Motion.**

**Mr. D. Doyle said that a number of objections regarding the right-of-way and have asked not to close the gate.**

**Cllr. D. Grady asked if the gate could be closed on a temporary basis for the summer.**

**Cllr. M. Gleeson asked could one or two objectors overrule the residents.**

**Mr. D. Doyle confirmed that they could as a public right-of-way exists.**

**Cllr. D. Grady suggested meeting with the two objectors with a view to resolving the issue.**

**34. Cllr. D. Grady:** That we request litter bins for Muckross Road and Ross Road for the tourist season.

**Reply:** Bins are generally provided in town centre locations. Kerry County Council do not have the resources to supply and empty bins along the Ross Road and Muckross Road. Kerry County Council does not intend to re-install the bins at this location, however these roads will be monitored and cleaned on a regular basis.

**Cllr. D. Grady asked that the bins be supplied again and to take them down if they don't work. He asked that 2 bins be installed on the Muckcross Road.**

**Mr. D. Doyle stated that they have tried this before and people are emptying their household waste in them. He agreed to try the bins again and if the problems reoccur, the bins will be removed.**

**35. Notice of Motion No. 35 was moved in conjunction with Notice of Motion No. 16.**

**36. Cllr. J.J. Culloty:** To call on this Council to re-build the damaged walls of the Blackwater Bridge at Lacca Cross, Ballydesmond. As this is a very busy road, is it possible to widen this bridge as part of the repair work?

**Reply:** Prices have been received to replace the parapet wall at the bridge in Newquarter and we are awaiting confirmation from the contractor in relation to his programme for carrying out the works. Widening of the bridge will not be part of this repair work due to financial constraints. Currently any bridge improvement money is prioritised for structural repair and maintenance.

**Cllr. J.J. Culloty stated that this bridge is very dangerous. It is near Munster Joinery. There is a steep drop-off and it is very narrow. Someone will end up in the river. He asked that this be fast-tracked.**

**Cllr. D. Healy-Rae stated the he has had Notices of Motions on this subject. He stated that this is going on all year. He said that there is more than one contactor in the County. He said the Council should look for funding to improve the bridge. It is linking Cork and Kerry. He asked that the NRA would carry out a proper job here and widen it.**

**Cllr. N. Kelleher stated that more people use this road then ever before. Something needs to be done here to make the bridge safer.**

**Mr. P. Neary stated that there is a steep drop-off here. A specialised contractor will carry out this work in 2 weeks. The cost of widening this bridge would be huge. The priority is for repairing bridges we have. Funding is not there.**

**Cllr. Healy-Rae stated that employment is created in Kerry by Munster Joinery. If they were to close, it would affect East Kerry. We hear of roadworks being carried out in Dublin - we should demand funding for this work. We are entitled to live in Kerry.**

**Mr. P. Neary stated that he will prepare a submission for funding for this bridge.**

**37. Notice of Motion No. 37 was moved in conjunction with Notice of Motion No. 19**

**38. Cllr. J.J. Culloty:** That this Council fit Finger Signs on the Woodlawn Road, indicating Woodlawn Drive and Áit Ledge.

**Reply:** New signs have been ordered for a number of areas in the town and we can add these signs to the order and erect them over the coming weeks.

**Cllr. J.J. Culloty stated he was pleased with the response.**

**39. Cllr. J.J. Culloty:** To call on this Council to extend the footpath, which ends opposite the entrance to Woodford Manor, to the entrance to Whitebridge Manor, at Ballycasheen.

**Reply:** Extension of this footpath requires the acquisition of a strip of land. Agreement has been reached with the landowner in relation to this. However, there is currently no funding available. We are currently investigating a source of funding for these works. The estimated cost of these works is " 75,000.

**Cllr. J.J. Culloty thought the cost for extending this footpath was excessive. Something needs to be done here. He asked for some funding for this work. It is a health and safety issue.**

**Cllr. B. Cronin stated that this work was critically important. When exiting from Whitebridge you have to get off the footpath and walk onto a dangerous section of road which leaves a person in a volatile position. He supported the Notice of Motion.**

**40. Cllr. J.J. Culloty:** To call on this Council to liaise with the relevant individuals, with the objective of widening the narrow section of road at Coolcaslagh, which is a source of much concern to all who use this road.

**Reply:** The Killarney Municipal District Operations Section will meet with the relevant individuals at Coolcaslough to investigate the possibility of widening the road at the location in question. The widening of this section of road will be dependant on the availability of the land and funding.

**Cllr. J.J. Culloty stated that he believed that there was no issue with taking the ditch away. Trucks are coming down from the quarry. If two trucks meet, one of them has to reverse.**

**Mr. P. Neary confirmed he will meet the landowner and put a costing together.**

**41. Cllr. J.J. Culloty:** That this Council carry out much needed repair work on the road between Tureencahill and the Blackwater Bridge.

**Reply:** The L-7026 roadway, Tureencahill to Newquarter Bridge is to receive funding of " 115,500 in 2016 under the Restoration Improvement Programme.

**Cllr. J.J. Culloty welcomed the response.**

**42. Cllr. J.J. Culloty:** To call on this Council to engage with the landowner, who is willing to remove the roadside ditch, at Mount, Scartaglin, which would be of great benefit to all locals using this road.

**REPLY:** Kerry County Council have met the landowner in relation to removing the roadside ditch on the L-11106 at Mount Scartaglin. However, there is no funding available to widen this road and it is not included in the current Multi-Annual Road Works Programme.

**Cllr. J.J. Culloty stated that this was a long stretch of road. The forestry trucks are causing mayhem. He asked the Council to keep its options open on taking the ditch.**

**Ms. B. Mulryan confirmed that the landowner was amenable to remove the ditch but that funding was the issue here.**

**Cllr. Culloty asked what costs were involved.**

**Ms. Mulryan stated that the drain would have to be opened and the fence would have to be put back. Widening and reinstatement works also had to be considered.**

**43. Cllr. N. Kelleher:** As the former school in Tureencahill is now a community centre, can a second light be erected on the north side of the centre as it will mostly be used at night.

**Reply:** Currently due to the constraints on maintaining the existing public lighting network, including increasing energy costs, the Council has not been in a position to fund the provision of additional lighting to the public network, except in exceptional circumstances. In recent years the taking in charge of housing estates has increased our public lighting costs and there will be additional costs with the proposed taking in charge of other estates in the coming years.

Under the provisions of EU Directive 2006/32/EC and S.I. No. 542/2009 - European Communities (Energy End-use Efficiency and Energy Services) Regulations 2009, Kerry County Council is also required to make substantial reductions in energy consumption, including on public lighting. This will necessitate substantial investment in either retrofitting our existing public lighting network with more efficient lighting equipment and/or restricting the provision of new lights on the existing network.

This is an issue that needs to be further examined in the context of the limited funding available for the provision of all services, and the needs of the community.

Any request to provide additional public lighting at Tureencahill National School will need to be assessed as part of a Public Lighting policy, which will be developed through the Operations SPC, given the existing demands on the Council to maintain existing public lighting infrastructure throughout the County.



**Cllr. N. Kelleher** stated that he believed the SPC had developed a policy regarding lighting. The National School have agreed to connect the light to their facility.

**Mr. D. Doyle** stated that the lighting was on the list for the Operations SPC and has not yet been finalised.

**Cllr. Kelleher** stated that the priority was health and safety and the community were willing to fund the light being turned on.

**Mr. D. Doyle** noted that the community will have control of the light and as a result, this is a different situation. The Councillors' Allocation would fund the provision of the light and the running costs will be borne by the school. He agreed to provide a costing for this but stated that an LED light was needed here and this will be more costly.

**44. Cllr. N. Kelleher:** To ask Kerry County Council have proposals been submitted to the NRA with regards to the upgrading of the Main Street in Rathmore to include pedestrian crossing, footpaths, traffic calming and lighting and if not, when?

**Reply:** The Main Street was overlaid in recent times through funding from the NRA. It would be desirable to carry out a plan for the upgrading of footpaths, public lighting and the general amenities of the town. However, this would require substantial funding and at present there is no funding stream available for these works. Such a project would be suitable for consideration under a program of works that could be developed through a Development Contribution Scheme.

An application for funding for the Pedestrian Crossing, which involves traffic speed and pedestrian surveys is currently being prepared. This application will be forwarded to the NRA within the next four weeks. It is anticipated that the funding for the pedestrian crossing will be received on foot of this application.

The NRA have provided " 420,000 to overlay the road from Shinnagh Cross to the County Boundary and will address the issues of signage at the railway bridge. " 42,000 from a development levy is to be spent on the footpaths from the pedestrian crossing to The Crescent Housing Estate.

**Cllr. N. Kelleher** stated that he had raised these issues a number of times. The playground and lighting are the main issues. It is very important to have a decent footpath and pedestrian crossing. He stated that the cars were speeding on the road. He again requested a full list of development contributions which he had requested at the previous meeting.

**Cllr. D. Healy-Rae** supported the call for a pedestrian crossing. He referred to the reply where it stated that *"This application will be forwarded to the NRA within the next four weeks"*. Cllr. Healy-Rae was under the assumption that this application had been forwarded 2 years ago.

**Mr. P. Neary** stated that the NRA had changed the process of applying for funding. He stated that the best location for the pedestrian crossing would probably be at the Community Centre.

**Cllr. N. Kelleher** asked that the proposal for two pedestrian crossings should not be abandoned.

**Mr. D. Doyle** confirmed he will discuss this with the NRA and meet their Officials there.

**45. Cllr. N. Kelleher:** Can the section of footpath outside the doors of Rathmore Post Office be repaired as the bricks are sinking and is a hazard for elderly people collecting their pension.

**Reply:** Repair work has been carried out to the footpath outside Rathmore Post Office.

**Cllr. N. Kelleher** welcomed the reply.

**46. Cllr. N. Kelleher:** That we look at putting a tar surface on the path made from Holy Family National School to the roadway at the top of the graveyard in Rathmore.

**Reply:** Kerry County Council will renew the gravel surface on the pathway from the gateway of Rathmore National School to the graveyard road. There is no funding available to put a tar surface on this pathway. This is suitable for funding through Councillor Specific Municipal District Fund.

**Cllr. N. Kelleher** stated that when the weather deteriorates the road gets dirty. A basic tar surface here would be of great benefit and would last forever.

**Mr. P. Neary** stated that the work involved would cost €3,500.

**47. Cllr. N. Kelleher:** Can the footpath at the top of Árd Mhuire in Rathmore be repaired.

**Reply:** The footpath at the top of Árd Mhuire in Rathmore is very old and the surface is ravelled with numerous cracks, so the solution is to replace the whole section. The cost of carrying out these works would be " 7,000 and would be suitable for funding through Councillor Specific Municipal District Fund.

**Cllr. N. Kelleher** acknowledged the reply.

### **(c) Questions**

**1. Cllr. M. Gleeson:** Has there been any progress towards the development of the much needed Footpath from Páirc Chuimín to Kilcummin Village? This is a vital facility for all pedestrians and especially for the safety of school going children.

**Reply:** All previous attempts at acquiring the lands required to provide this footpath has not resulted in a favourable outcome. The costs being sought to acquire the land was exceeding the funding available for the footpaths. Further negotiations with the landowners involved will take place in the next 4 weeks.

**Cllr. M. Gleeson asked if the Council would be optimistic regarding the acquisition of land.**

**Mr. P. Neary agreed to meet with landowner in next 4 weeks and see if the negotiations can be concluded.**

**2. Cllr. M. Gleeson:** Has there been any progress towards resolving the seemingly never ending impediments to progressing matters for the long suffering residents of Mountain View Estate, Kilcummin?

**Reply:** The Council has been in extensive negotiations with the receiver appointed and significant progress has been made in these negotiations.

**Cllr. M. Gleeson asked if the negotiations had achieved any progress.**

**Mr. D. Doyle stated that they were close to finalising agreement with the Bondholder. In relation to the sewerage scheme, he confirmed that a pump would be installed in the estate but that would require receipt of the funding from the Bondsman first.**

**3. Cllr. M. Gleeson:** Is the Council still pursuing the option of developing a roadway from Saint Mary's Terrace to Monsignor O'Flaherty Road? This was once being actively considered and some negotiations had, I believe, taken place.

**Reply:** The road in question links High Street to New Street and the new junction layout at the top of High Street has been designed to facilitate this new road. Killarney Town Council endeavoured to purchase the land required to complete this road but failed to reach an agreement with the landowners. A further attempt to reach a deal with the landowners will be carried out in the near future. If this attempt is unsuccessful, we will examine the possibility of preparing a Compulsory Purchase Order.

**Cllr. M. Gleeson stated that this matter was being progressed by Killarney Town Council for a number of years. The objective of the Town Council was that this would be an aid to freeing up traffic. The property owners resisted the sale. He asked if Kerry County Council was going to proceed with this.**

**Mr. D. Doyle confirmed that this is still a policy in the Killarney Development Plan. He agreed that this road was required for the town but that they had failed to purchase the land from three landowners. He confirmed that they are developing a Schedule of Works and will have to look at a CPO option here.**

**4. Cllr. M. Gleeson:** Has there been progress towards the development of a car parking area adjacent to the Church and Funeral Home in Gneeveguilla?

**Reply:** The landowner has been approached in regard to attaining his agreement to provide land for a carpark adjacent to the Church and Funeral Home at Gneeveguilla. He requested that the map outlining the land required be forwarded to him for his consideration. The landowner has received the map and Kerry County Council are awaiting his decision in this regard.

**Cllr. M. Gleeson stated this would be a vital piece of infrastructure for church and funeral goers. This would not require an enormous piece of land. He asked that the Council pursue negotiations here. He agreed to fund some of the work through his Councillor Specific Municipal District Operations Fund.**

**5. Cllr. M. Gleeson:** Could the Council examine the possibility of introducing traffic calming measures on the Upper Lissivigeen / Coolcoslough Road [L3011] north of the junction for L7047 in order to ensure some degree of safety for drivers entering and exiting the L7047?

**Reply:** The lining and signing at this junction will be reviewed and improved where necessary.

**Cllr. M. Gleeson referred to the L7047 (aka Ryan's Nursery's Road). There is a pole here with a sign for the Nursery. This needs to be removed as it is dishevelled now. He stated that turning from Coolcashlagh onto the L7047 required an act of faith. It is totally blind. He asked if anything could be done to slow traffic on approach to this road.**

**Mr. P. Neary stated that he will look at the road lining here as that is the only option with the maintenance money that is available. He agreed to reinstate the road markings that were there before the road resurfacing.**

**6. Cllr. B. Cronin:** To ask that the very bad section of the Slievegoura Road be included for urgent road improvement funding.

**Reply:** There is no funding currently available to improve the L-7501 roadway at Slievegaura, however it can be considered for inclusion in the next Multi-Annual Restoration Programme, which is due for renewal in 2016. Meanwhile the roadway will be maintained as far as funds allow.

**Cllr. B. Cronin referred to the section of the roadway at the "Bog Road" and 200mtrs of same was in an awful state. He stated that this needs to be kept in a passable state and asked that it be included in the Multi-Annual Restoration Programme.**

**7. Cllr. B. Cronin:** To request urgent improvement work to the road surface at the junction of the Dromkerry Road with the Fossa to Glen Cross Road, the surface is poor and there is a dangerous dip right at the Dromkerry exit making it a traffic hazard for motorists.

**Reply:** Works will be carried out at the junction of the Dromkerry Road with the Fossa to Milltown Road, later in the year as part of the 2015 Roadworks Programme.

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

**8. Cllr. B. Cronin:** To ask for urgent funding for the road from the junction from the Garden Centre, Farranfore to the Railway Bridge Cross, Currans.

**Reply:** This road is included in the 2016 Restoration Improvement Programme with an allocation of " 122,850 for the L-7001, from Cloonlara to the N22 and from the N22 towards Currans.

**Cllr. B. Cronin welcomed the reply and asked that it be kept in a passable state.**

**9. Question No. 9 was moved in conjunction with Notice of Motion No. 27.**

**10. Cllr. J. Sheahan:** To ask Kerry County Council for an update on the speed limit review of the 4 major routes in and out of Killarney?

**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 stated that he was disappointed with the reply.**

**Mr. D. Doyle stated that the Council will consider the Speed Limit Review this year, firstly looking at the major towns and villages.**

**11. Cllr. J. Sheahan:** To ask that Kerry County Council proceed with a Compulsory Purchase Order to acquire a strip of ground at Firies Drive to provide a much needed footpath for this community?

**Reply:** Agreement has been reached with the landowner for the acquisition of strip of land at Firies Drive for the provision of a footpath. These works are suitable for funding through Councillor Specific Municipal District Fund.

**Cllr. J. Sheahan asked for a costing for these works.**

**Mr. P. Neary agreed to follow up on this.**

**12. Cllr. J. Sheahan:** To ask that Kerry County Council provide a margin on the left side entering Killarney from Kilcummin Cross to Cleeny?

**Reply:** For pedestrian safety, a margin would not be suitable at this location. There is no funding available to provide a footpath adjacent to the public roadway at this location. Any available footpath funding is prioritised for maintenance of our existing footpath network.

**Cllr. J. Sheahan stated that he had raised this issue many times. It is important for people involved in litter picking on the Tralee Road. He asked if stones could be put down there. When it rains, it is possible that people could get stuck there.**

**Mr. P. Neary agreed to look at this.**

**13. Cllr. J. Sheahan:** To ask Kerry County Council if funding has been allocated to commence works on public toilets at Fair Hill, Killarney?

**Reply:** There is currently no funding for the provision of new toilets at Fair Hill. Any such funding would require to be provided at budget time. Consideration needs to be given to the need for toilets at this location given the proximity of top class facilities at Kenmare Place.

**Mr. P. Neary stated this was a matter for the Quality of Life Directorate. It will be considered with the Elected Members in due course.**

**14. Cllr. J. Sheahan:** To ask Kerry County Council to erect bollards adjacent to the cinema in Killarney, to prevent cars from parking on the footpath?

**Reply:** This footpath is narrow, and therefore the provision of bollards at this location would prevent access for wheelchairs, buggies etc. We will request the Traffic Wardens and the Gardaí to monitor this location.

**Mr. D. Doyle stated that cars illegally park at the location, and especially at night time. The footpath is too narrow for bollards.**

**15. Cllr. D. Healy-Rae:** When will the long awaited surfacing works begin on the road from Gortagullane to Loughgittane Road?

**Reply:** Surfacing works are due to be carried out on the L-3015, Gorthahoonig to Dromikbane, Muckcross, later this year when the Roadworks Programme commences.

**Cllr. D. Healy-Rae stated that he was informed last year that this would be the first job this year. There is still no sign of pipe laying here.**

**Mr. P. Neary stated that works will be finished at Muckross Road first and then the works will commence here.**

**16. Q. 16 was moved in conjunction with Notice of Motion No 13.**

**17. Cllr. D. Healy-Rae:** To ask Kerry County Council when will they free the blocked eye in Conguilla Bridge, Scartaglin.

**Reply:** This bridge is a two-arch structure and the river channel flows through one arch only. The second arch is not blocked but has silted up. The bridge is in good structural repair.

Kerry County Council have no funding available to carry out further works at Conguilla Bridge, Scartaglin. Funding for bridge works is provided from the Department of Transport via the Specific Improvement Grant. This funding is prioritised for structural repair and maintenance.

**Cllr. D. Healy-Rae stated that in the past, people thought that 2 eyes were needed on the bridge. He asked again that they be cleaned.**

**Mr. P. Neary stated that bridgeworks were not a priority in the County. He agreed to discuss the matter with the OPW who maintain the river and see if they can do something here.**

**18. Cllr. D. Healy-Rae:** To ask Kerry County Council will they do a proper patching and drainage job on the Gortdromakerrie Road, Muckross until such time as it is included on the Restoration Maintenance Programme.

**Reply:** Kerry County Council will carry out drainage and patching works on the L-11078 Road, at Gortdromakerrie within the next 6 weeks. The Road can be considered for the next Restoration Improvement Programme which is due for renewal in 2016.

**Cllr. D. Healy-Rae asked that the road be maintained in the interim.**

**19. Cllr. D. Healy-Rae:** Following my earlier Notices of Motion regarding the Ballinahulla Road, when will reinstatement works be carried out on this road that has been damaged by vehicles carrying out works for the ESB sub-station. Will the ESB contribute towards the cost of this reinstatement work as the road is in a desperate state?

**Reply:** There is a windfarm development which will require a Road Opening Licence from Kerry County Council to provide an energy supply from the sub-station to the ESB Network. It would not be appropriate to carry out any road repairs on this road until all the works are complete by the ESB.

**Cllr. D. Healy-Rae said that the road is in a bad state and it needs to be made some way passable.**

**20. Cllr. N. Kelleher:** The footpaths in our streets are littered with chewing gum. Can we look at getting it removed?

**Reply:** There is a substantial cost involved in removing chewing gum from footpaths. There is currently no funding available for this work. Kerry County Council will work in conjunction with the Tidy Towns Committee to encourage people to place chewing gum in the boxes provided.

**Cllr. N. Kelleher requested that a meeting be set up with Tidy Towns in Killarney regarding this matter.**

**21. Cllr. N. Kelleher:** Can we get a street cleaner to travel to the towns and villages around the Municipal District?

**Reply:** Subject to the adoption of the Municipal District Programme of Works, a street cleaning schedule will be set up for the larger villages in the Municipal District.

**Cllr. N. Kelleher welcomed the reply.**

**22. Cllr. N. Kelleher:** The bridge on the Millstreet to Rathmore Road on the Kerry side has a sudden dip and people have reported damaging their vehicles. Can same be repaired?

**Reply:** Temporary repair works will be carried out on the lag on the Kerry side of the bridge, on the Millstreet-Rathmore roadway. Kerry County Council are also liaising with Cork County Council with a view to carrying out further works in their jurisdiction.

**Cllr. N. Kelleher welcomed the reply.**

#### **15.03.25.08 Motions / Questions relevant to other Directorates or issues not relevant to Kerry County Council business**

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

**1. Cllr. M. Gleeson:** That the Council would consider the advisability of trying to bring the Milk Market in Killarney back into public ownership.

**Reply:** We will investigate the possibility of attaining such a desired position and will revert to Council.

**Cllr. M. Gleeson said that one of the few regrets he had as Killarney Town Councillor was that this location was sold. He had been beaten 8 - 1 on this vote. This place could have offered enormous value to the town. He said**



that it would be good if the existing owners wished to open up dialogue on the matter. It is a challenge but something that will offer the town enormous opportunities.

**Cllr. D. Grady Seconded the Motion.** This was one of the few mistakes made by Killarney Town Council who sold it. It could have been a hub that could have offered a lot of potential. Cllr. Grady said this would be a valuable site to acquire but the owners might not want to sell the property.

**Ms. A. McAllen agreed to look into the matter.**

**2. Cllr. D. Grady:** That Killarney would remain a member of European Cities Against Drugs (ECAD) and include the Municipal District.

**Reply:** This matter will be considered in the context of available financial and staffing resources required and we will advise council accordingly.

**Cllr. D. Grady stated that it was very important to keep the links with the town and Municipal District.** ECAD is an international organisation that lets us know what is happening in different parts of Europe. It is to the forefront in sharing research and best practice in combating drug abuse. Killarney has been an active member since 2000. He said it was important that we continue our membership with ECAD as it has brought massive benefits and information to the town.

**Cllr. M. Gleeson Seconded the Motion.**

**3. Notice of Motion No. 3 moved with Notice of Motion No. 20 (Operations, Health & Safety Directorate).**

## **(b) Questions**

**1. Cllr. J. Sheahan:** What is the update for the improvement of broadband in the Killarney Municipal Area?

**Reply:**

**1. Cllr. J. Sheahan:** What is the update for the improvement of broadband in the Killarney Municipal Area?

Kerry County Council has no role in the provision of Broadband or telecommunication services, other than to facilitate the development of Broadband as a priority in our County Development Plan.

Council Management and Councillors alike realise the importance of developing High Speed Broadband across the County for economic and social development.

A recent detailed national survey of areas where the commercial operators will provide High Speed Broadband by 2016 was undertaken by the Department of Communications Energy and Natural Resources as part of the **National Broadband Plan** and published in November 2014.

The Department's map (below) clearly shows a huge geographical degree of "no commercial service available" in Kerry. Initial analysis indicates over 85% of the county will require an intervention service.

Council management have formally responded to recent consultations on the National Broadband Plan and are seeking meetings with the Department of Communications Energy and Natural Resources and briefings to Council to influence the **Intervention Strategy** – which will address how, where and when High Speed Broadband will be rolled-out to the orange areas of the map below.

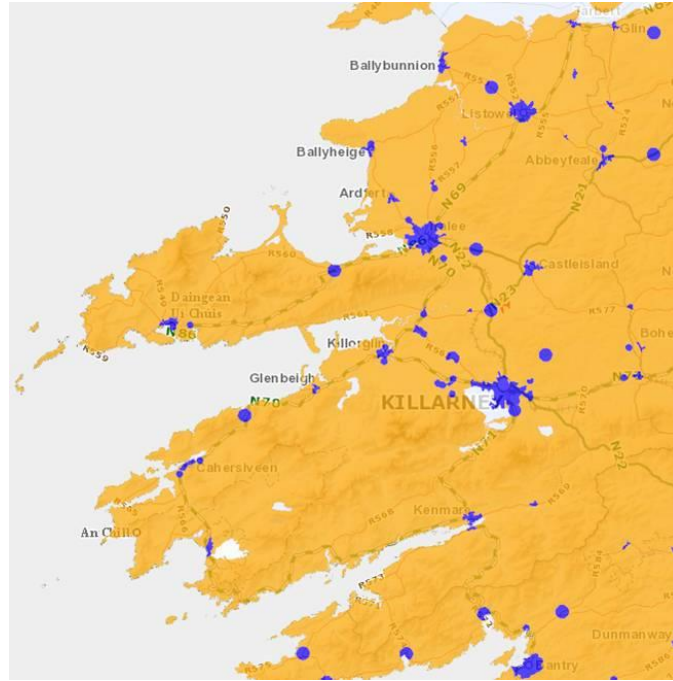


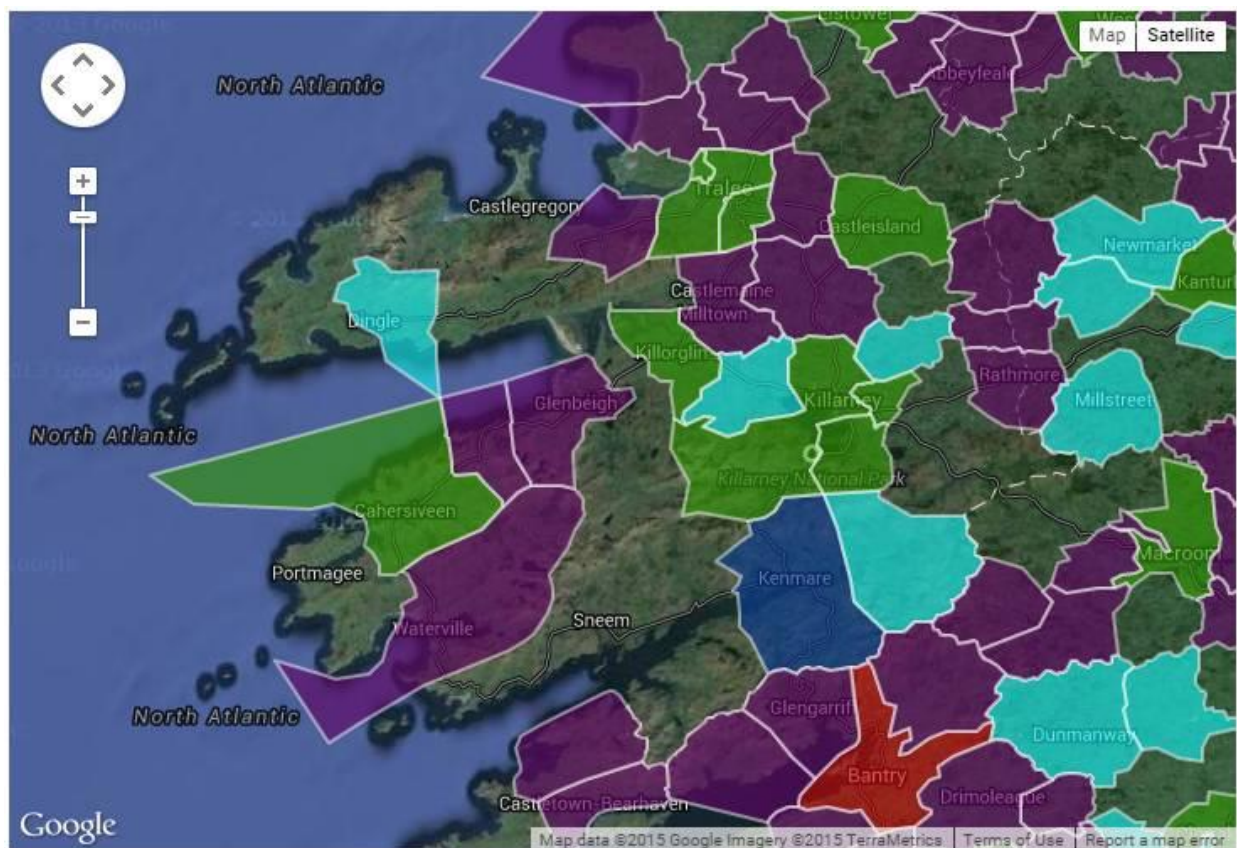
Figure 1 - Areas of Commercial service (blue) and Intervention required (orange)

A [by premises](#) analysis shows that Kerry has the 4<sup>th</sup> highest number of premises requiring intervention and the 5<sup>th</sup> highest percentage premises where no commercial broadband will be available from the market.

County Name	Number of Premises Covered by National Broadband Plan Intervention	% premises within the NBP Intervention Area
Roscommon	24856	64%
Leitrim	13326	60%
Mayo	50831	60%
Monaghan	19551	58%
Cavan	24197	57%
Kerry	51180	57%

Eircom have an online map (below) of the roll-out of their high speed “eFibre” service. This service is currently available in parts of Tralee, Killarney, Listowel, Killorglin, Cahersiveen and Castleisland.

Many rural areas of the Killarney Municipal District outside of the towns of Killarney, Castleisland, Rathmore and bigger villages like Farranfore, Fies, Barraduff & Beaufort are unlikely have an eircom eFibre service.



### eFibre Rollout Dates



**Cllr. J. Sheahan said that it was important to have a good broadband service. There are areas from Muckcross to Ballyhar that have no service whatsoever. We need to keep fighting for it.**

**2. Cllr. N. Kelleher:** This Authority calls on the Minister for Jobs, Enterprise & Innovation and the Government to help minimise the job losses in Cadbury's.

**Reply:** This is a matter for consideration by the Members.

**Cllr. N. Kelleher asked that a letter issue to the Minister for Jobs, Enterprise & Innovation regarding the job losses.**

**Cllr. D. Grady also asked to include the 7 job losses at John A. Woods, Killarney.**

**3. Cllr. N. Kelleher:** When are we due to have our Joint Policing Committee set up in Killarney as proposed in the November meeting?

**Reply:** There is no provision for the establishment of a Joint Policing Committee specifically for the Killarney MD area. The legislation establishing JPCs only provides for a County JPC. However, as agreed with the members, a meeting with the Gardaí and the Municipal District members is being organised to coincide with the next MD meeting to discuss issues of mutual concern.

**Mr. J. Breen stated that there was no provision in the legislation for the setting up of JPCs at Municipal District level. A commitment was given that a meeting would be set up with the Gardaí to review issues of concern to Members in the Municipal District.**

#### **15.03.25.09 To consider a request for reception of a deputation**

On the Proposal by Cllr. D. Grady and Seconded by Cllr. J.J. Culloty it was agreed to receive a deputation from Scartaglin Community regarding issues in the Village as requested by Cllr. D. Grady.

#### **15.03.25.10 Date for next Municipal District Meeting**

It was agreed the next meeting of the members of the Municipal District of Killarney will be held on Wednesday, 27<sup>th</sup> May 2015.

#### **15.03.25.11 Any Other Business**

##### **Charges at Transfer Stations**

Cllr. M. Gleeson asked if Kerry County Council proposed to introduce weighing of all bags at the Transfer Stations. He stated that if weighing is introduced, the County will be heavily littered. He said that no one objected to paying " 3.50 per bag.

Ms. A. McAllen referred to the proposed Waste Regulations which were due to commence this summer have now been moved to 2016. She confirmed that there will be no change to the charges for the present.

#### **Plaque for Robert Emmett**

Cllr. B. Cronin referred to a plaque for Robert Emmett that used to be erected in the lawn area at the Liebherr Roundabout. He asked where was the plaque located now?

Mr. D. Doyle agreed to look into the matter.

#### **Garda Vetting**

Cllr. D. Grady asked that a letter issue to the Minister for Defence in relation to the current processing time for people to get Garda vetting which can take up to 6 - 8 weeks. Cllr. Grady expressed concern that the Local Authority tenants are obliged to wait to move into accommodation until Garda clearance has been received.

#### **Park Road**

Cllr. D. Grady referred to a dip in Park Road on the right hand side before the roundabout. He asked that it be levelled off.

#### **Lissivigeen Roundabout**

Cllr. M. Gleeson asked that a pothole at the Lissivigeen Roundabout be filled in as it has been there 6 months. He also asked that the directional signs on the Killarney side be replaced.

Ms. B. Mulryan confirmed that the signs were due to be put back in place.

#### **Rusheen Beg**

Cllr. D. Healy-Rae referred to Rusheen Beg in Glenflesk. He stated that people had been killed there. He referred to the speed limit at this location of 100 km/h which is not appropriate for the location. He asked had the NRA reverted with a report on the matter.

#### **Bollards at Poulgorm Bridge**

Cllr. D. Healy-Rae requested proper bollards for Poulgorm Bridge. Since his last request, someone turned off before they should have - it has to be judged correctly. He stated that he had asked for public lighting here at a previous meeting of Kerry County Council.

#### **Road Entering Farranfore**

Cllr. B. Cronin referred to a previous Notice of Motion regarding the National Primary Route going into Farranfore. He stated that there are 4 reoccurring places that open up and create lags. He asked that it be looked at.

**Potholes at Knockaderry**

Cllr. J. Sheahan referred to 3 potholes at Knockaderry. He requested that the section of the road be cut out and a proper job be carried out there.

**Gortnahaneboy West**

Cllr. J. Sheahan referred to Gortnahaneboy West (Mossie's Turn). He asked what is happening here as the residents are concerned.

**Turn at Artigallivan**

Cllr. N. Kelleher referred to the right hand turn at Artigallivan where an accident occurred. People are driving too fast here. He asked that it be investigated.

**15.03.25.12 To consider Requests for Receptions**

On the Proposal by Cllr. M. Gleeson and Seconded by Cllr. D. Grady it was agreed to hold a reception for Killarney Athletic Soccer Club who are celebrating their Golden Jubilee as requested by Cllr. M. Gleeson.

On the Proposal by Cllr. N. Kelleher and Seconded by Cllr. B. Cronin it was agreed to hold a reception from the Hilliard Family in recognition of the huge contribution they have made to Killarney as requested by Cllr. J.J. Culloty.

Mr. G. O'Brien referred to the decision to hold a reception for the Kilcummin Dancers at Cllr. D. Healy-Rae's request. He suggested holding two receptions at the one meeting. He asked the Councillors for their opinions on this.

Cllr. D. Healy-Rae said that some of this group are working and they would have no flexibility to fit it in.

Cllr. B. Cronin said that the meetings needed to be more streamlined.

Cllr. M. Gleeson stated that he didn't think we could hold these two Receptions together as they were very different receptions.

**15.03.25.13 Correspondence**

Mr. G. O'Brien said that no correspondence had been received for circulation at the Meeting.

Mr. O'Brien asked for the approval of the members to deal with all future correspondence in the following way. He suggested that where a Councillor requests a letter to issue from the Council, only that Councillor will be emailed the reply when same is received. This reply will then be uploaded to Alfresco for the other Councillors to view for the next meeting.

The Members agreed to this.

The Meeting concluded at 15.20.

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**Cathaoirleach of Killarney M.D.**

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**Mr. G. O'Brien**  
**Meetings Administrator**