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MINUTES OF THE SPECIAL MEETING OF THE MEMBERS OF THE MUNICIPAL DISTRICT OF KILLARNEY HELD IN THE TOWN HALL, KILLARNEY ON WEDNESDAY, 1ST APRIL 2015.

MIONTUAIRISCÍ DE CHRUINNIÚ SPEISIALTA DE CHEANTAR BARDASACH CHILL ÁIRNE A THIONÓLADH IN HALLA AN BAILE CHILL ÁIRNE AR AN CHÉADAOGIN 1 APRIL 2015.

PRESENT/I LÁTHAIR

Councillors/Comhairleoirí

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

**Cllr. N. Kelleher
Cllr. B. O'Connell
Cllr. J. Sheahan**

In attendance/i láthair

Ms. A. McAllen	Delegated Executive for the MD of Killarney
Mr. J. Breen	Director of Sustainable Communities / Quality of Life
Mr. G. O'Brien	Meetings Administrator
Mr. D. Doyle	SE
Mr. P. Neary	SEE
Mr. P. Bradley	EE
Ms. M. Galvin	CO

The meeting commenced at 9.40am.

15.04.01.01 To consider and agree arrangements for the twinning of the Killarney Municipal District Area

Mr. J. Breen addressed the Members. The issue of Twinning was conferred on the Municipal District by Section 75 of the Local Government Act 2001. It is a Reserved Function and a matter for the Members. Formerly a Twinning Sub-Committee of the Town Council was in place. The Members of this Committee were *(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* New arrangements now need to be put in place to reflect the requirements of the Local Government Reform Act 2014.

Twinning arrangements for the Killarney Municipal District need to be agreed and should be strategically focussed. This will provide benefits to businesses and the community.

Twinning is a civic function and is a link with other civic areas and current civic leaders.

Mr Sean Counihan the Chair of the former sub-committee of Killarney Town Council, requested a meeting with John Breen, the Cathaoirleach, Cllr. John Joe Culloty and Niamh O'Sullivan. This meeting was held on the 4th of March 2015. The former group expressed the view of co-operation with the Municipal District on Twinning arrangements moving forward.

Cllr. D. Grady stated that he is currently a member of the Twinning Committee who are actively dealing with matters since the abolition of Killarney Town Council. He stated that there were 5 people on the Committee which includes five ex-Mayors. This Committee is actively involved in organising various events at the present time and he read out a list of the Committee's achievements. Cllr. Grady stated that this work needs to continue with the Municipal District. He stated that all the contacts that have been made need to be kept.

Cllr. M. Gleeson stated that Killarney is an area of very rich culture and is an important tourist destination which includes Sliabh Luachra. Great people have come from this area from a music and linguistic point of view. We need to interact with other people and places. Liebherr came to Killarney by accident when people came together late one night. There is no reason to say that won't happen again. It is important that we would have in place a twinning committee but it must embrace the entire area.

Cllr. B. Cronin stated that the twinning arrangements were a civic function. It is an important link for the Municipal District to develop into the future. Cllr. Cronin stated that he would also be of the view to support the entire area. Twinning arrangements are important to open doors to other countries.

Cllr. J. Sheahan supported twinning arrangements for the Killarney Municipal District. He stated it was important to keep promoting ourselves to attract new people into the area. It will help maintain links all over the globe.

Cllr. N. Kelleher stated that twinning was of major importance culturally and in relation to business links. As an Authority, the Killarney Municipal District represents 38,000 people whereas the former Committee represented 10,000 in Killarney Town. We now have three towns, namely Killarney, Rathmore and Castleisland and significant villages across the area. We need to constructively look at who we are twinned with and explore other relationships and twinings. It is important that when set up it needs to be all encompassing and promote inclusiveness.

Cllr. B. O'Connell concurred with the views of the Councillors. He said that it made sense that this important function be continued. Castleisland is twinned with Bannalec, in Brittany, France which was very successful. The Castleisland Committee didn't have the benefit of Council funding. Other towns and villages around Killarney can now benefit from this. They can use

Killarney to promote their own areas. Cllr. O'Connell also complimented the work done in the past by the previous Twinning Committee.

Cllr. J.J. Culloty also wished to acknowledge the work carried out to date by the Committee. The Sliabh Luachra area had a lot to offer by way of culture and music. There is huge potential in this area. The work of the previous committee should be continued and built upon. The community, economic development, education side of this needs to be broadened out.

Cllr. M. Gleeson stated that expressions of interest should be sought which should encompass sporting, cultural and economic aspects of the community.

Cllr. B. Cronin asked if the Members had an input on the committee or were people identified from the community.

Mr. J. Breen stated that the establishment of the committee was a matter for the Members. The Members must agree in principle to the establishment of a Committee and should be looking at a 2 - 3 year action programme to build upon the cultural and business links. The Members need to agree the relevant budgets to support the committee's priorities.

Cllr. B. Cronin stated it was important for Members to be on the committee if they wished.

Cllr. D. Grady stated that it was a good job that previous committee continued on with their work. He believed that the old committee and the new Municipal District Committee could work together. He stated that they have a lot of information and could progress together.

Mr. J. Breen stated that on 4th March 2015 he had a meeting with the former committee. He had asked four times for a Programme of Works and has yet to receive it. Mr. Breen stated that the proposed new Twinning committee will need to have a strategic approach to twinning.

Cllr. M. Gleeson stated that he was aware of what the old committee achieved. There is now new legislation in place and we have to abide by this. The people who served on the committee have done excellent work. They will signify their wish to join the new committee. They have something of value to offer.

Cllr. M. Gleeson PROPOSED the establishment of a Twinning and Marketing Committee for the Killarney Municipal District and it was SECONDED by Cllr. B. Cronin.

The establishment of a Twinning and Marketing Committee inclusive of Community / Economic Interests and Elected Members

was agreed.

Mr. J. Breen stated that a sub-committee of the Municipal District Council is established to enable arrangements as defined under Section 75 of the Act that an Elected Member, ideally the Mayor, should Chair this Committee.

Cllr. M. Gleeson asked if there was a stipulation that the Chair would rotate annually.

Mr. J. Breen said there was no such stipulation.

Cllr. N. Kelleher referred to Cllr. M. Gleeson's proposal to advertise expressions of interest. He said that the current committee should be written to and let them know that expressions of interest in a new committee were being sought.

15.04.01.02 Burial Ground Update

Mr. J. Breen said that it was decided at the last meeting that the Members would look at the long-term future of the provision of a Burial Ground in Killarney.

In relation to Aghadoe Burial Ground, Mr. Breen stated that there were 2 years of additional spaces identified. An issue was raised previously regarding the Bye-Laws and Mr. Breen confirmed that there was no issue with them.

The owners of Aghadoe Private Burial Ground issued a 14 day ultimatum to the Council to conclude the deal on the acquisition of same. Mr. Breen stated that the Council were not in a position at present to finalise an agreement.

Mr. Breen said that the Council were in active discussions on other options which would have the potential to deliver 3,000 plus spaces for Killarney. Any new proposals would be subject to Part VIII planning. The Council were at present carrying out technical assessments to determine absolute suitability and Mr. Breen confirmed that he would revert to the Councillors with the results of same.

Cllr. B. Cronin welcomed the examination of other potential sites as agreed at the Special Meeting held in November 2014. Cllr. Cronin stated that he was delighted that it had been officially confirmed that up to 3,000 burial plots had been identified in these sites. This would give long-term secure facilities where parking could be provided and would be the only sensible option to pursue. Cllr. Cronin recognised that the work by the Council in trying to locate lands and swaps with the National Park & Wildlife Service had proven unsuccessful. Cllr. Cronin referred to the landowner in Aghadoe issuing the Local Authority with an ultimatum. He said that we should immediately terminate all negotiations with the owners of the Cemetery.

Cllr. M. Gleeson welcomed Mr. J. Breen's comments. He said that we were faced with an urgent situation. A proper burial ground was required for Killarney. Cllr. Gleeson referred to the NPWS's refusal to negotiate with the Council regarding the acquisition of ground in the National Park, of which the Council own 24 acres. He thought it disrespectful to the Council and the people of Killarney that the owners of Aghadoe Private Cemetery would issue a 14 day ultimatum. Cllr. Gleeson said that he has had discussions with landowners who are willing to enter into discussions with Management. He stated that the days of people parking their cars on a narrow road to enter a burial ground were over. A burial ground that is properly laid out is required. He asked that all due haste would be used in discussions. He asked that land be acquired and not to be held to ransom regarding the price.

Cllr. J. Sheahan stated that the Council have been looking for a burial ground for so long. He said that an owner of a private burial ground was asked by the Council to carry out works which he did. He stated he knew people who had family buried in Aghadoe and that is where they too wanted to be buried. He said that it was no wonder the landowners were looking for ultimatums as this had gone on so long. This man wants to finish the deal and move on. He said that we need to keep an open mind regarding this location.

Cllr. D. Grady said that discussions regarding Aghadoe had been ongoing since 2010. People from Killarney, Aghadoe and Fossa have been buried there. This burial ground is a place where people can be buried immediately. There is no need to get involved with Part VIIIs. People were traditionally buried here. Money was provided by Killarney Town Council and ringfenced for this.

Cllr. N. Kelleher said that as an Elected Member, he felt uncomfortable entering into a process of openly discussing an Executive decision regarding the purchase of land. He concurred with Cllr. D. Grady stating that people in the town want to see Aghadoe go into public ownership. He said the issue of withdrawing from discussions with Aghadoe was a matter for the Executive. He stated he had every faith in the Executive to make the right decision.

Cllr. B. O'Connell stated at the outset that he didn't know any party connected with this issue. He said he didn't want the Local Authority to be coerced into buying land. We should keep all options open. He stated that if another portion of land was available for a cemetery, this would put Kerry County Council in a better position to negotiate with the landowner in Aghadoe. The price of the land would be driven up if no other land was available. Land shouldn't be bought at any price. This sends out the wrong message.

Cllr. J.J. Culloty said that ultimatums were not the way to do business. They were disrespectful. He said we should keep our options open. He stated that people could still be buried in Aghadoe.

Mr. J. Breen acknowledged Cllr. Kelleher's reference to the fact that this issue is a matter for the Executive, however, we must now deal with the active involvement of the Members. He said that it was a policy directive of the

former Town Council to deliver a burial ground in Aghadoe. He stated that the job of the Executive was to follow through on that direction. He stated that people needed to be clear that there was not a lack of burial spaces in Killarney. There was a history and desirability to deliver a burial ground in Aghadoe but it was not a lack of spaces.

Mr. Breen said that in relation to the Part VIII process, the decision ultimately rested with the Councillors to either agree, amend or reject. The Local Authority's role is to seek submissions/observations. If there is the need for a burial space in Killarney, then surely the submissions should support that. The submissions don't have to be negative. He stated that Part VIIIs involved a difficult process but public and common good require difficult decisions. He said that Mr. P. Bradley and Mr. P. Neary were making every effort in this process. The policy direction of the Local Authority is to provide as many spaces as possible. Management have looked at the situation regarding provision of extra spaces in Aghadoe. In relation to the present terms and conditions regarding private burial grounds, we have no control over that. Mr. Breen said that we cannot comment on how people run their business. We are pursuing the longer term option now.

Cllr. N. Kelleher said that at the November Meeting, Cllr. B. Cronin produced a letter which stated that there were no spaces in Aghadoe and it was because of this information that it was presumed there were no spaces left in Killarney. That message was given by Council Officials.

Mr. J. Breen stated that he had put on record at the last meeting that he had apologised for this but that we have now made spaces available.

Cllr. N. Kelleher stated that at that time there were no spaces available in Killarney.

Mr. J. Breen replied that this was specific to Aghadoe. It had been discussed at Area Meetings and Town Council meetings that there were available spaces in Killarney.

Cllr. B. Cronin stated that he disagreed with Mr. Breen. He stated that at the November Meeting a letter was shown that had been given to an Undertaker. Kerry County Council had written to a family and stated that there was no available space in Killarney. He stated that people want to be buried in Aghadoe but when it is full, the duty of responsibility then falls on the Local Authority to find a new site. He stated that in 1997 planning permission was granted to Aghadoe to operate into the foreseeable future. Anybody who wants to be buried here can do so. There is still an issue with parking at Aghadoe. We must get value for the public's money. The Council must not submit to ultimatums, he stated. He stated that if the Executive succeed in negotiations, it will be the 8 Elected Members that must agree on the Part VIII.

Cllr. M. Gleeson stated that it was welcome news that 80 new spaces were found in Aghadoe. This tied us over a considerable time. There are two obligations on us, namely to identify and purchase a place that offers the best

value for money and purchase a site that offers a place with the longest possible term for burial.

Cllr. J. Sheahan stated that the concerns of the people of Killarney would be allayed that have relatives buried in the private burial ground. Many people did not know about the conditions that are entered into. They would like to see the private graveyard come under the remit of Kerry County Council.

Cllr. D. Grady stated that it was important to be buried in Aghadoe. He referred to the Cemetery Bye-Laws. He stated that people were buried on pathways and they were not marked out. Now we must go in and mark out these plots to make it legal. He stated that the 2010 Bye-Laws were incorrect. This matter was clarified by Mr. Peter Bradley that the Bye Laws were not incorrect.

Cllr. N. Kelleher stated that it was up to the Executive to ensure spaces are provided for the people of Killarney and the matter needs to be brought to a conclusion. People would naturally prefer to extend the Aghadoe graveyard.

15.04.01.03 AOB

Mr. J. Breen addressed the meeting and stated that he wished to say a few words of thanks.

He stated that he was leaving the role of Killarney Municipal District Manager due to his current workload. He was Town and Area Manager of Killarney since 2008. He thanked the Members of the Municipal District and previous Killarney Area for their input, courtesy and collective consideration of all that was good for the Municipal District. He stated that he had huge respect for the work that Councillors do and he enjoyed working with each and every Councillor. He stated that they both have their jobs to do but that they always worked as a team as it is the only way. He thanked the Members for their input into the development of the Municipal District. He stated that everywhere else is pushing ahead and we need to do the same. Complacency is the biggest danger for any area. He thanked the business community and their exemplary example of how businesses should interact and work together and with the Local Authority. Mr. Breen thanked the Press for their input and who gave a voice to the meetings. He also thanked Ger, Mairéad, Sheila and Olive for the huge amount of unseen work behind the scenes for each meeting. Mr. Breen thanked the Chairman. He stated that they worked well together at Municipal District level. He wished Ms. Angela McAllen well in her new role. He stated that Killarney had a great Council. Killarney offered pure potential. It had the natural ingredients anyone would be proud of. He stated he was privileged to serve publicly in a place so embellished with beauty and with awesome wilderness. It had a "can do" attitude that was rarely found in towns. Mr. Breen stated that we have a jewel that needs to be polished, cared for and appreciate its immediate and long-term value.

Cllr. J.J. Culloty stated that his dealings with Mr. Breen as a Member of Council and the Municipal District were extremely professional and he would always regard him as a friend. He was very accommodating and the Municipal District's loss was Housing's gain. He stated that a "can do" attitude exists in Killarney and this is what Mr. Breen exemplifies.

Cllr. M. Gleeson stated it was always difficult to say goodbye. He also welcomed Ms. McAllen in her new role. He stated it was appropriate that a man from Kilkenny would serve in Killarney. The two towns were on a par when it came to standards of excellence. He stated that when serving as Mayor he realised how much time Mr. Breen had put into Killarney. He was always present at functions and gave of his best. He presented Killarney in the best possible way to visiting Dignitaries. He stated that people in Killarney are in competition with each other but a level of co-operation exists that everyone should learn from. Cllr. Gleeson stated it was a privilege to serve with Mr. Breen and wished him and his family continued success.

Cllr. B. Cronin wished Mr. Breen every success in his new post. It was Killarney Municipal District's loss. He stated that the roles that Mr. Breen was involved in required a huge amount of work, time, effort and knowledge. He stated that they had many battles but always came away from them in good form. He stated that Mr. Breen always had a good sense of humour and wished him success and luck in his new role.

Cllr. Cronin officially welcomed Ms. McAllen to her new role. He stated that the Councillors want to promote and look after people in the area to the best of their ability and looked forward to working with her.

Cllr. J. Sheahan thanked Mr. Breen for his dedication and work in Killarney. He thanked Mr. Breen for all his assistance and his ability to resolve many issues. He wished him well in his new portfolio.

Cllr. B. O'Connell stated that he came into the Killarney Area in 2008. He stated that the Tidy Towns had many achievements while Mr. Breen was the Manager. He stated he will particularly be missed in Castleisland. He had attended a meeting of the Local Development Association where he had briefed those present and Cllr. O'Connell hoped that he would still offer them advice into the future.

Cllr. D. Grady stated that he had served with Mr. Breen since 2008 and they had their ups and downs. He stated that he had a memorable year when he was the Mayor of Killarney. He travelled to New York with Mr. Breen who was well known there. He stated that it was one of the best weeks of his life and he thanked Mr. Breen for that. He wished him and his family all the best for the future. Cllr. Grady also referred to the "62m that had been allocated to Housing in Kerry that day and stated that he knew Mr. Breen would use it wisely. Cllr. Grady wished Ms. McAllen the best in her role.

Cllr. N. Kelleher stated that he has been a Councillor for 9 months and thanked Mr. Breen for his help in developing and understanding the role of an

Elected Member and they way things work. He stated that Mr. Breen had left his mark on Killarney and he should take a lot of credit for it. He mentioned Mr. Breen's new role with the Local Community Development Committees. He said that Mr. Breen would be dealing with the economics of the town and progression of the County. He stated that Mr. Breen had the skills and attributes to bring people together and wished him every success in this role. He referred to Mr. Breen's recent presentation to the Audit Committee and stated that he had a huge amount of work under his remit. He said that today's announcement of " 62m for Housing will keep him busy and wished Mr. Breen the best for the future.

Mr. J. Breen thanked the Members for their compliments. He also thanked the staff in the Municipal District area. He stated that only for the staff, the work would not get done and Mr. Breen recognised this.

Cllr. B. O'Connell Proposed a Vote of Sympathy for Mr. Arthur Lenihan who had died the previous day. Mr. Lenihan served as a Member of Kerry County Council from 1967 to 1974.

It was agreed that the next meeting of the Members of the Municipal District of Killarney would be held on 27th May 2015.

Mr. G. O'Brien referred to two receptions that were approved at the previous meeting. It was agreed that the reception for the Killarney Athletic Soccer Club would be held at 1pm and the reception for the Hilliard family would be held at the end of the meeting.

Cllr. D. Grady enquired about the public consultation process in relation to the O'Brien family.

Mr. J. Breen said that they would look at building a specially adapted house in the estate as the family were unwilling to move outside the house. It was the general view that this was the right thing to do. Mr. Breen stated that the Part VIII would be published and would come back to Council for agreement.

The meeting concluded at 11.30am.

G. O'Brien

G. O'Brien
Meetings Administrator

Cllr. J.J. Culloty
Cathaoirleach of Killarney MD