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**MINUTES OF THE MEETING OF THE MEMBERS OF THE MUNICIPAL DISTRICT OF LISTOWEL HELD IN , ÁRAS AN PHIARSAIGH, LISTOWEL ON MONDAY, 14<sup>th</sup> JULY 2014.**

**MIONTUAIRISCÍ NA CRUINNITHE DE CHEANTAR BARDASACH LIOS TUATHAIL A THIONÓLADH IN ÁRAS AN PHIARSAIGH, LIOS TUATHAIL, AR AN LUAN 14 IÚIL, 2014.**

**PRESENT/I LÁTHAIR**

**Councillors/Comhairleoirí**

**R Beasley  
M Kennelly  
J Moloney  
D Nolan  
L Purtill  
A Thornton**

**Apologies**

**Clr J Brassil**

**In attendance/i láthair**

<b>Mr. O Ring</b>	<b>Delegated Executive for the MD of Listowel</b>
<b>Mr. G O'Brien</b>	<b>Meetings Administrator</b>
<b>Mr. M O'Donoghue</b>	<b>SEO Human Resources</b>
<b>Mr. J Sheahan</b>	<b>SEE</b>
<b>Mr. P Stack</b>	<b>A/DOS Planning</b>
<b>Mr. M McEnery</b>	<b>Executive Engineer</b>
<b>Mr. M Griffin</b>	<b>Area Engineer</b>
<b>Mr. P Corkery</b>	<b>Press &amp; Communications officer</b>
<b>Ms. M McCarthy</b>	<b>CO Corporate Affairs</b>
<b>Ms. C Fitzgerald</b>	<b>ASO Corporate Affairs</b>

The meeting commenced at 10.00am.

Cathaoirleach M Kennelly took the opportunity to welcome everybody to the first full meeting of the Municipal District of Listowel. He said that a lot of changes have taken place, with everything still a work in progress.

**14.07.14.01 Confirmation of the Minutes**

- (a) On the PROPOSAL of Cllr Cllr. R Beasley SECONDED by Cllr J Moloney, it was agreed that the Minutes of the Listowel Electoral Area Meeting held on the 28<sup>th</sup> April, 2014 be confirmed.
- (b) On the PROPOSAL of Cllr. L Purtill SECONDED by Cllr J Moloney. it was agreed that the Minutes of the first meeting of the members of the Municipal District of Listowel held on the 13<sup>th</sup> June, 2014 be confirmed

**14.07.14.02 Business prescribed, by Statute, Standing Orders or Resolutions of the Municipal District Members for transaction at such meeting.**

- (b) Standing Orders for meetings of the Municipal District of Listowel.

Mr G O' Brien said of the Standing Orders, there were no contentious issues and are very similar to what was presented at the previous Municipal District meeting.

Cllr L Purtill PROPOSED to adopt the Standing Orders, this was SECONDED by Cllr D Nolan A vote was taken on the adoption of the Standing Orders which resulted as follows.

**For :** Cllrs: R Beasley, M Kennelly, J Moloney, D Nolan L Purtill, A Thornton.(6)

**Absent: Cllrs:** J Brassil.

On the PROPOSAL of Cllr L Purtill. SECONDED by Cllr. D Nolan it was resolved to adopt Standing Orders for meetings of the Municipal District of Listowel in accordance with Schedule 10, Paragraph 16 of the Local Government Act 2001.

- (b) Payment of an allowance to the Cathaoirleach of the Municipal District of Listowel.

Mr G O' Brien said provision has been made in the Local Government Reform Act 2014 as enacted by the Local Government, for the payment of an Allowance to the Cathaoirleach of the Municipal District of Listowel. The Maximum allowance payable is €6,000 per annum. It is a matter for the members by resolution to determine the amount of allowance payable.

Cllr J Moloney PROPOSED to adopt the payment of an Annual Allowance to the Cathaoirleach of €6,000, this was SECONDED by Cllr L Purtill. A vote was taken on the payment of an allowance of €6,000 to the Cathaoirleach of the Municipal District of Listowel which resulted as follows.

**For :** Cllrs: M Kennelly, J Moloney, L Purtill, A Thornton.(4)

**Absent: Cllrs:** J Brassil (1)

**Not Voting:** R Beasley, D Nolan (2)

On the PROPOSAL of Cllr J Moloney. SECONDED by Cllr. L Purtill it was resolved to adopt the payment of the Annual Allowance of €6,000 to the Cathaoirleach of the Municipal District of Listowel.

(c) Update on the transfer of functions from Listowel TC to Kerry County Council.

Mr. M O' Donoghue SEO Human Resources briefed the members on the transfer of functions from Listowel TC to Kerry County Council as follows.

**Update on the transfer of functions from Listowel TC to Kerry County Council.**

As Members are aware the Town Councils were formally dissolved on 1<sup>st</sup> June 2014. From that date all services, functions, assets and liabilities transferred and became the responsibility of Kerry County Council. Work had been on-going for many months on an implementation plan to mitigate against any possible risks to business continuity around the transfer process.

Listowel Town Council was a statutory entity in its own right and much of the work focused on what could reasonably be termed 'back office' type functions and responsibilities while maintaining service continuity at operational and customer level.

The following is a summary and update on the current position

**'Back Office' / Support Services**

**Staff**

Listowel Town Council was an employer in its own right. All staff and their employment contracts have transferred to Kerry County Council with the core rights and entitlements (pay, pensions, service) preserved on transfer. The staff of Listowel Town Council were met, the reform programme explained to them and any queries they had were dealt with.

There was also work in transferring payroll across to a consolidated KCC payroll. This work was facilitated and significantly more efficient given the work done on the implementation of the CORE HR/ Payroll system in recent years. The process of consolidation within Kerry County Council required work with the Revenue Commissioners to facilitate the change in employer. This work has been completed.

**Finance**

Considerable work was required in the areas of Treasury Management, creditor's payments, suppliers, Agresso Financial Management system, rent/ rates accounts and Revenue interaction/ returns.

Essentially we have moved from 4 separate Statutory Entities with fully separate accounting processes and requirements to one consolidated entity while at the same time operating in an extremely busy robust and challenging

environment. The work has happened with little if any disruption for the organisation or indeed our customers.

### **Information Technology**

IT systems and telephony have had to be consolidated in the lead into the dissolution.

Systems such as Planning System, Housing System, Agresso Financial Management System, CORE HR System and our Internet/ e-mail and telephony system have all completed a process of consolidation to reflect the change.

### **Corporate Governance**

One of the main cornerstones of the Government Reform Agenda was the transition to revised governance structures at Elected Member level - the establishment of Municipal Districts and associated tasks. Many of these have been implemented and have begun to operate. However it is fair to say that we are still in the early phases of implementation. Today's meeting is part of the revised approach.

There are further steps and phases to be worked through – Reserved functions, Budgetary Process, Co-ordination of functions/powers and work between full Council and Municipal Districts.

This process will be on-going and will require further review and analysis to ensure that the system in Kerry is as efficient and effective as it can be.

### **Customer Service changes**

The other significant cornerstone of the Government Reform Agenda was the establishment of a single integrated executive and operational organisation to deliver services and support the revised governance structures (combining the existing 4 Authorities in Kerry and building one new organisation)

A number of changes have already taken place.

A revised Corporate Strategy, priority tasks and Organisation structure has been agreed, designed and substantially implemented.

At service delivery level a number of changes have happened or are in the process of implementation. The two offices in Listowel have been consolidated into one operational structure operating from Áras an Phiarsaigh. (the NeoData office has been closed). This change happened on 7<sup>th</sup> July.

From a service delivery perspective the most significant changes occur in two of the main service areas

**Planning** – a consolidated single County wide service operating from Tralee has been established and is operational. All Planning applications must be lodged and processed in Tralee. Files and file inspection facilities are only available in Tralee. The on-line planning system has been consolidated and the public can still view Planning Files on-line. Local pre planning consultations will continue as heretofore.

**Housing** – a consolidated single County wide service operating from County Buildings in Tralee has been established and is in the process of implementation. Housing applications will be processed and assessed centrally in Tralee. Housing Rents will also be managed centrally in Tralee. Tenants can continue to avail of existing payment facilities and will still be able to pay rent and to report maintenance requests through local Council Offices across the County. Any complaints in relation to anti-social activity must be reported to the Housing Offices in County Buildings and will be dealt with by the Council's Housing Liaison and Tenancy Enforcement Officers. In other areas the changes are less significant and indeed less visible to the customer. While back office changes have occurred in certain additional areas much of what was traditionally available and the traditional work and services provided at either Town Council or Area Office level continues to be provided. Customers can still avail of services such as payments (rents, parking etc.), roads, housing maintenance, operational services and the range of information and dealing with queries that have traditionally been available at local level.

There remains work to be completed in the amalgamation of the outdoor direct labour force to ensure the most efficient and effective approach to service delivery while maintaining the traditional strengths of both services and the particular focus on Listowel Town within the context of the overall Listowel Municipal District. Members will be familiar with the traditional Roads Department in the County Council. This has now changed to incorporate all direct labour and maintenance works in a new consolidated and revised Operations approach – very similar to the traditional Town Council approach – with one multi-disciplinary staff operating across a range of operational areas (roads, housing maintenance, environmental enhancement works etc.) For 2014 budgetary provision is in place to continue the full work programmes agreed at the start of the year at both County and Town level.

### **Summary**

Significant work has been completed under the Implementation Plan for Local Government Reform in Kerry under what has been the most radical and unprecedented central Government Reform of Local Government. To date the process in Kerry has been successful although we must be guarded in our assessment and conscious that it is still very early in the post Town Council era. The work to date could not have been completed without the commitment, enthusiasm and hard work of staff across the Council (both Kerry County Council and the former Town Councils). There is still much work to be done to successfully complete the process. A key part of the process will be the on-going review and assessment of the operation of the revised approaches and structures. Members will play a key part in this process.

Cathaoirleach M Kennelly thanked Mr. M O' Donohgue for the update. Cllr D Nolan referred to the interviews for Housing assessment in Listowel Town and asked would these interviews now take place in County Buildings. She expressed a concern that some applicants would have limited resources and it would pose a great difficulty for them to attend interviews in Tralee.

Mr. M O' Donoghue replied that Kerry County Council will assess each applicant individually and their circumstances will be taken into consideration. The Housing Investigating officers will continue to operate on a geographical basis.

Cllr J Moloney asked was there any plans in place for the Neo Data building (old Listowel Area office), it an eye sore when entering the town.

Mr. M O' Donoghue replied that there is currently no plan in place, Kerry County Council is in the process of reviewing all their assets county wide. Cathaoirleach M Kennelly supported the comments of Cllr J Moloney and said he would certainly support any improvements made to the building.

Mr. G O' Brien briefly referred to the budgets of Kerry County Council and transfer of functions within the Authority. He said the members would be updated on these matters at full Council meetings and prior to the adoption of the full Budget the matter will go before the meetings of the Municipal Districts.

#### **14.07.14.03 Presentation on Listowel By-Pass by Kerry National Road Design Office**

Ms Tracy Smith E.E. briefed the members on the N69 Listowel by Pass Improvement Scheme.

She outlined the benefits as follows

- Divert 'through' traffic from town centre.
- Provides a second crossing of the River Feale
- Removal of Town Centre Traffic (47% reduction)
- Significant improvement in safety to road users, particularly in Town Centre (pedestrians/cyclists)
- Opportunity for enhanced pedestrian and cyclist facilities within Town Centre
- Enhance the environment of the Heritage Town of Listowel
- Festival, Race Week & Match Traffic can be accommodated without causing congestion. Traffic can be diverted along bypass. Options for
- More attractive Town Centre Environment
- Improved quality of life
- Provide opportunities for development along declassified N69
- Journey time savings for all traffic

- N69 more attractive to National Route Traffic accessing Kerry

Cathaoirleach Cllr M Kennelly thanked Ms. T Smith for the presentation and said his main concern was the CPO process.

Ms. Smith replied that Kerry County Council have met with all the landowners involved, she said not everybody is satisfied, but assured the members that everything will be done to be accommodating and helpful to the landowners.

Cathaoirleach Cllr M Kennelly asked is the project on schedule.

Ms Smith replied we are hoping to have the planning application in by 2015.

Cllr J Moloney asked if there was currently any CPO in process.

Ms. Smith replied no and if there is any it will be advertised.

Cllr J Moloney asked will the footpath on the Ballybunion Road remain.

Ms T Smith replied there will still be a footpath on the Ballybunion road but it will be re routed.

Cllr L Purtill thanked the Roads Design Office for the presentation and again expressed concerns to the CPO process.

Ms. T Smith replied we are available to anybody who wishes to meet with us.

Mr P. Curry said there are a lot of benefits to the scheme and it is very important that these positives will be forwarded to An Board Pleanála. He added they would appreciate all the support they can get from the members and the public and that every effort will be made to work as closely with the landowners as possible.

Cllr R Beasley expressed concern over the amount of traffic coming into Listowel Town and said there isn't enough car parking spaces to accommodate same. He asked would Kerry County Council be providing more car parks.

Ms. T Smith replied that the intention of the crossing is to divert the unnecessary traffic and parking out of the town.

Cllr M Kennelly said he felt there are sufficient car parks in the town.

Mr. P Stack said in his opinion this scheme is critical for the town. The route chosen by Kerry County Council is the best route from a cost and environmental point of view. There are a number of benefits and opportunities to be gained from this scheme and it is imperative that the people of Listowel and members of the Municipal District of Listowel are fully supportive of the scheme. Mr. P Stack concluded by saying he had no doubt it would greatly benefit the town.

Cathaoirleach M Kennelly said he hoped this presentation will update the public and in the long term it will bring more business to the town.

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

Mr. O Ring read the following report into the record of the meeting.

The new Directorate of Economic Development and Job Creation consists of 5 Business Units:

- Business Support Unit/LEO;
- Tourism Development/Built Infrastructure Unit;
- Capital Infrastructure Unit;
- Planning & Sustainable Development;
- Kerry National Road Design Office (NRDO);

**Business Support Unit/LEO**

The new Local Enterprise Office (LEO) has now been established as the successor to the County Enterprise Board and is headed up by Tomás Hayes. The LEO held its first meeting on 19<sup>th</sup> June, 2014. The LEO will work with the Economic Development and Enterprise Support SPC to draw up the economic development element of the Economic and Community Plan over the next 9 months or so.

**Tourism Development**

Ms. Joan McCarthy SEO has been appointed to head of this Unit and other staff are being assigned at present. The Unit will be responsible for management of all tourism products developed by local authorities in Kerry.

**Capital Infrastructure Unit**

Mr. Tom Sheehy, SE has been appointed to head up this Unit which will be responsible for the delivery of all major infrastructure projects in the County. Additional staff are being assigned to the Unit at present. The Unit will be responsible for the development of the Glenbeigh/Renard Greenway which has received substantial funding and other Greenway Projects. It will now also advance the elements of the Tralee Transportation Study which has also received substantial funding.

**Planning & Sustainable Development**

Mr. Paul Stack SE heads up this Unit. The Unit has just published the report on submissions received on the draft County Development Plan 2015-2021. The Elected Council has until 18<sup>th</sup> September, 2014 to consider this report.

**NRDO**

The NRDO based in Castleisland is headed up by Mr. Paul Curry SE. This Unit advances the design and procurement of major capital projects on the National Primary and Secondary Roads in the County. Current projects being advanced include the N86 Camp to Dingle Improvement Scheme, the N69 By-pass of Listowel and the Kilderry Bends project on the N70 at Milltown.

Cathaoirleach M Kennelly referred to the Tourism Development Unit and asked would Ms J McCarthy be based in Listowel.

Mr. G O' Brien replied that Ms J McCarthy will be based in Tralee as head of the unit but will be working county wide and will also have other staff dedicated to the unit.

Cllr D Nolan asked would this unit be dealing with festivals and Arts.

Mr. G O' Brien replied that Arts will be dealt with under the Sustainable Communities/ Quality of Life Directorate.

Cathaoirleach M Kennelly asked that a list of the names and contact details for the staff dealing with the structures within the new Directorate could be forwarded to the members.

Cllr A Thornton said due to the vast amount of changes within the organisation, she asked that a staff member of each structure would meet with the councillors and explain to them what each Directorate is responsible for.

Mr. G O' Brien committed to organising this briefing but said he will be at a full Council meeting.

(b) Notices of Motion

**1.Cllr. M Kennelly:** That Kerry County Council give a complete update on the progress of Listowel By-Pass.

Reply: A briefing to the members on the progress to date on the Listowel Bypass will take place at the meeting of the Municipal District of Listowel.

(c) Questions

**1.Cllr. J Moloney:** What is the up to date position on the proposed Listowel Bypass?

A briefing to the members on the progress to date on the Listowel Bypass will take place at the meeting of the Municipal District of Listowel.

**14.07.14.04 Sustainable Communities / Quality of Life Directorate.**

**Emergency Services Report for July 2014**

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

**Operation of the Fire Brigade Service:**

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

**Fire Safety and Prevention:**

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

### **Building Control:**

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

### **Civil Defence:**

During the first half of 2014:

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

Operation Transformation in Killarney, Ras Mumhan, Rally of the Lakes, Listowel Races and the AFS Display in Tralee Town Park. We have also provided an EMT to cover the Home to Rome (Donal Walsh)

**Major Emergency Management:**

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

**Community Services and Engagement Report for July 2014**

Business Unit Manager – Mr Michael Scannell, Senior Executive Officer

**Pride of Place**

- The Ballyduff community has been chosen as an entrant in the IPB Pride of Place Competition for excellence in promoting mental health awareness and well being under "Community Innovation Category". This is one of four entrants representing Kerry in this year's competition. Adjudication takes place at the end of August and is again very much community based, where the judging panel is seeking strong affirmation of community engagement, co-operation, co-ordination of work.

**Kerry Public Participation Network.**

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

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

The Kerry County Register of Community & Voluntary Groups is a crucial element of the new structure and the re registration process for the PPN structure has commenced. 840 groups were registered with the C & V Forum and to date 220 groups have registered under the

new Public Participation Network. Groups can register up to the end of September 2014 and a further advertisement campaign is planned.

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

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

### **Public Area Enhancement Scheme**

- This is a once off Scheme from the Department of the Environment, Community & Local Government, which is intended to support community efforts by providing grant funding to Local Authorities for the purpose of enhancing public areas before and during the summer tourist season. €90,000 has been allocated to Kerry Co Co which has been matched by 25% funding by the Local Authority  
In Co. Kerry, this funding has been provided to local area Tidy Towns Committees for additional work to improve **public areas** such as parks, seating areas, walking areas and areas in need of refurbishment after storm damage. Thirty three projects have benefitted from this scheme. This grant is being administered by the Community Dept.

### **Kerry Library Service Report for July 2014**

#### **Business Unit Manager – Mr Tommy O Connor, County Librarian**

- For the period Jan. - June 2014, **321,516 items** were borrowed from Kerry Libraries i.e. a 2% increase on the same period last year.
- As part of the Kerry Library Decade of Commemorations events programme, a series of lectures on World War I will be held in conjunction with the Dingle Historical Society at Leabharlann an Daingin during July. These are:
  - Lecture: *'Ireland, Kerry and the Great War, a century on'* by Kevin Myers, journalist and author.
  - Thursday, 24 July, 7.30 pm
  - Lecture: *'The West Kerry Experience during World War I'* by Thomas F. Martin, author.
  - Friday, 25 July, 7.30 pm

- Lecture: '*Our War? The First World War and Ireland: impact and legacy*' by Diarmaid Ferriter, Professor of Modern History, U.C.D.
- Saturday, 26 July, 7.30 pm
- The Kerry Women's Writers' Network Reading workshops continue to hold their meetings on 2<sup>nd</sup> Saturday of every month at Tralee Library and will hold an open mic reading session in Killarney Library on Thursday, 31 July 6.00- 8.00 pm.
- The Kerry Library Mobile Library service will participate in the Festival of Kerry (Rose of Tralee) Children's events programme on Friday, 15 and Saturday, 16 August.
- Tralee Library is hosting Children's Storytelling at 11.00a.m. each Saturday in July
- The Kerry Library Children's Summer Reading Challenge, 'Mythical Maze' has got underway and will run in all libraries including mobiles during the summer.
- Daniel O'Connell Summer School will be held in Caherciveen Library from Friday, 29 August – Saturday, 30 August.
- New online sources recently added to the Kerry Library website include: Origins.net, the 19<sup>th</sup> & 20<sup>th</sup> century House of Commons Parliamentary Papers and languages online.

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

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

#### **Planned Closure of North Kerry Landfill**

- We have in the past week advertised the closure of the North Kerry landfill with effect from Friday 11th of July as agreed by Council . All activities at the site relating to disposal and recycling of waste will cease from that date . The councils waste Transfer stations throughout the county will continue to operate as normal and details of opening times and charges at these transfer stations is available at [www.kerrycoco.ie](http://www.kerrycoco.ie)

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

Business Unit Manager – Mr Liam Quinlan , Senior Executive Officer

#### **Activity Report**

- The housing activity report for the period is attached

**Housing /Social Services Report for June 2014**

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

**The housing activity report for the period is as follows:**

**Social Housing Applicants (year to date position)**

Accommodation offers made for properties located within MD	24
New Tenancies commenced	21
Accommodation refusals	7

**Social Houses**

Vacant properties within Municipal District	
Under/awaiting repair	6
Awaiting allocation	1

**Rental Accommodation Scheme**

Total Active Tenancies	County (794)	LMD(107)
New Tenancies in 2014	County (59)	LMD(3)
Tenancies terminated in 2014	County (14)	LMD (1)

**Leasing**

Leased Properties	County (50)	LMD (5)
Leases under negotiation	County (9)	LMD (2)

**Housing Adaptation Grants (County Wide)**

Allocation 2014		€1.789m
New Grants allocated in 2014	258	€1.559m
Total 2014 commitment	309	€1.804m
Grants paid	90	€0.443

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Cllr D Nolan referred to the closing of the North Kerry Landfill and asked if there will be any Transfer Stations operating in North Kerry.

Mr. O Ring replied there is no transfer station in North Kerry, efforts were made in the past to open one, but unfortunately it proved to be unsuccessful.

Cllr D Nolan asked could there be any scope to partially open the North Kerry Landfill to use as a transfer station in North Kerry.

Mr. O Ring replied that it will remain fully closed. Mr. Ring said Kerry County Council owns a site in Listowel but any plans to progress this would have to be done through a Public / Private Partnership. He said Kerry County Council would welcome any expressions of interest on the matter.

Mr G O'Brien referred to the Notice of Motions and Questions. Mr. O'Brien explained that the Questions are a new Item on the Agenda and that the only the councillor who submitted the question will receive the replies. He asked the members did they wish to have the replies to the Questions recorded into the minutes of the meeting. It was agreed to put the replies of the Question into the minutes.

(b) Notices of Motion

**1.Cllr. R Beasley:** What is up to date with the Single Rural Dwelling in (Details with Directorate).

Reply: The Council is awaiting the removal of personal items from the house before any refurbishment can be carried out. This is being managed by the Council's Tenant Liaison Officer.

Cllr R Beasley asked management what is the future plans with this property taken into the consideration the tragic circumstances surroundings same. Cllr R Beasley added that he has met with members of the community who have expressed an interest on the future of the property.

Mr. M Griffin replied that currently Kerry County Council is waiting for members of the extended family to remove the personal belongings.

Mr. M Griffin gave a commitment to investigate the matter further and to revert back to Cllr. Beasley.

(c) Questions

**1.Cllr. J Moloney:** With the new structures in Local Government in place how is it envisaged funding for community groups/local festivals will be administered?

Reply: Allocations will continue to be made within the available budget as agreed by Kerry County Council and the Town Councils for 2014. The allocation of the majority of available funding tends to occur in spring/summer with the festival season and the build up to tidy towns when local communities mobilise themselves. The availability of the fund for future years will depend on the allocation of sufficient funds within the budgetary process for same. The administration of funding allocations is currently being considered and will be clarified over the coming months.

Prior to the briefing on the report from the Operations, Health & Safety Directorate, Mr. O Ring took the opportunity to welcome Mr. Johnnie Sheehan S.E.E. to the Municipal District of Listowel. Mr O Ring explained that Mr. J Sheehan will be working under the Operations, Health & Safety Directorate and will have responsibility for the Municipal District of Listowel.

**14.07.14.05 To note update report from the Operations, Health & Safety Directorate.**

Mr O Ring briefed the members on the updated report from the Operations, Health & Safety Directorate. It read as follows.

1. Restructuring is on-going at present

**Gerry Riordan**

Senior Engineer (also has responsibility for Tralee) – based in County Buildings

**Johnnie Sheehan**

Senior Executive Engineer Municipal District – based in Aras an Phiarsaigh.

**Dominic Scanlon**

Administrator – based in Aras an Phiarsaigh

**Area Engineering Staff:**

Michael Griffin EE, Mike Mc Enery EE,  
Eddie Joy, Gene Courtney.

2. Programme of Works

<b>Listowel Town</b>	<p>Roads</p> <ul style="list-style-type: none"> <li>• Roads Programme- Surfacing works on Ballybunion Road &amp; Laneway to Rear of William Street complete, footpath works in Ballygologue Park to be carried out later in 2014.</li> <li>• Town Park Works- All works to footpaths/walkways within Listowel Town Park are complete.</li> <li>• Convent Cross Junction Improvement Works- Works commenced 1<sup>st</sup> July.</li> </ul> <p>Housing</p> <ul style="list-style-type: none"> <li>• Refurbishment works have just commenced to 1 Convent View, Listowel</li> <li>• All other housing works are of a general routine maintenance nature.</li> </ul>
<b>Listowel Municipal District (Rural)</b>	<p>Roads</p> <ul style="list-style-type: none"> <li>• <u>Restoration Improvement (Strengthening) Works will</u></li> </ul>

	<p>be carried out at the following locations within the Listowel Municipal District from July to The End of August:</p> <p>R551 Curraghderrig West X to Curraghderrig East Cross Asdee, 1000m</p> <ul style="list-style-type: none"><li>• <u>Restoration Maintenance (Surface Dressing) Works</u> will be carried out throughout the months of July and August at the following locations within the Listowel Municipal District:</li></ul> <p>R555 Ballinruddery, 1300m L-10102 Keel rd, Lixnaw, 1,900m L6076 Ballyrehan to Kilflynn School, 2350m L6085 Ballylongane to Maulin Mtn, 2,000m</p> <ul style="list-style-type: none"><li>• <u>R551 Ballyduff Village</u>, 1,000m – These works will not commence until the water main replacement works (recently approved by Irish Water) throughout the Village are completed. We do not yet have a commence date for these works.</li><li>• <u>R555 Duagh Village</u>, Emergency drainage works are currently underway at Foildarrig on the outskirts of Duagh Village to replace a large stormwater culvert that was damaged and suffered partial failure during the recent extreme rainfall on 20<sup>th</sup> May</li></ul> <p>Housing</p> <ul style="list-style-type: none"><li>• One single rural house currently under construction in Clashmealcon, Causeway.</li><li>• There are no further major works planned for Housing at present, however, the maintenance programme is ongoing.</li></ul>
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Cllr J Moloney referred to the report and said of the surface dressing works on R555 Ballinruddery 1,300m, was this correct?

Mr. M Griffin replied yes, surface dressing would be carried out on this section of road for 1300m.

#### **Lighting at the Town Park in Listowel**

Cathaoirleach M Kennelly referred to the Town Park in Listowel and asked why there wasn't public lighting installed at the end of the park.

Mr M McEnery said there is a significant cost attached to it. Listowel Town Council carried out a public consultation on the matter and the public were satisfied to leave it the way it was.

Cathaoirleach M Kennelly asked if the matter could be reviewed again.

Mr. M McEnery reiterated that this project would be very costly.

(b) Notices of Motion

**1. Cllr. R Beasley:** That Kerry County Council take immediate action to eliminate the flooding in Duagh Village from Killcara down by Foildarrig where the water course was changed some years ago and piped to the other side of the road. It appears that the present pipes are not large enough to carry the flow during torrential down pours which are a common occurrence in recent times and many homes have been flooded 3 to 4 times since 2011. Residents cannot obtain insurance.

Reply: The water-course to which the Cllr. refers was neither changed nor piped to the other side of the road by Kerry County Council.

The drainage pipes in question are in private ownership and are not in the charge of Kerry County Council.

The Local Authority did not carry out any drainage works on the flank of the road where the flooding occurred. The information which we have indicates that one house was flooded. This has occurred on three separate occasions, the first of which incidents was caused by an inadequate pipe network being further restricted with hedge trimmings.

The existing system is not satisfactory and is likely to cause further problems; however, this is a matter for the house owner to address.

**2. Cllr. L Purtill:** That Kerry County Council should provide a zebra crossing in the vicinity of the church grounds to service Duagh National School, the church and the new sports facility. The 197 pupils in the school will be using the new sports facility next September. The school is located on the opposite side of the Duagh/Listowel Road. The zebra crossing would be essential to ensure their safety.

Reply: This location will be referred to the Road Design Office for assessment in accordance with the current guidelines as to the suitability and justification process for a pedestrian crossing.

A pedestrian crossing, alone, at this location, would not appear to be

sufficient to facilitate the safe crossing of school children in large numbers.

The school authorities should be encouraged to develop procedures a safety protocol and for the times when the children will be crossing the road.

This location is situated within a 50kmph speed limit and any concerns regarding the speed of traffic will be referred to the Gardaí.

**Cllr L Purtill thanked the Directorate for the reply and said this is a very busy road. The crossing would be used by the people availing of the community centre, the pupils at the school and the public attending**

**funerals and mass. He added that unfortunately the 50 km speed limit isn't always adhered to.**

**Cllr J Moloney also expressed concerns on how busy the road is and said that the introduction of safety measures is a priority at this location.**

**Cathaoirleach M Kennelly concurred with the previous comments mentioned.**

**3.Cllr. L Purtill:**That Kerry County Council would address a footpath problem at (Details with Directorate). The Listowel office is already aware of this problem.

Reply: Construction of this short section of footpath is planned to be undertaken in conjunction with other works in the locality over the coming weeks.

**Cllr L Purtill said the matter is ongoing for sometime now.**

**Mr M Griffin said we are waiting to commence the job in conjunction with other works in the locality.**

**4.Cllr. L Purtill:**That Kerry County Council would remove an old mobile home adjacent to (Details with Directorate) on the Listowel/Ballylongford Road. This site is now used as a dump and is an attraction for vermin.

Reply:The unit is on Council property and needs to be retained on site as an emergency housing unit.

The Council will investigate and if necessary clean and tidy the unit/site.

If dumping is taking place on a regular basis this should be reported to the Listowel Municipal Office and appropriate action will be taken.

**Cllr L Purtill said the mobile unit is located there now for a substantial amount of time.**

**5. Cllr. L Purtill:**That Kerry County Council should maintain the roads network i.e. potholes especially the roads around Ballylongford and Tarbert on the Wild Atlantic Way. Potholes are not being addressed as they were in the past and would the Council give a commitment to a time frame when a road problem is reported?

Reply:Kerry County Council are repairing defects on a continuous basis with a record of all reports being kept in the office to prioritise repairs.

The following protocol in relation to reported road faults will be established within the Listowel Municipal Area.

- A logging system, based in the Listowel Municipal Area Building (former Town Hall) will be introduced and maintained for all reported road defects in the area.

- Any reported defect will be examined within 2 days and a course of action determined.
- All restoration works, which are deemed necessary, will be affected within 2 working weeks of the initial report.
- In some instances the restoration will be permanent.
- For all other situations the works will be temporary, pending the availability of machinery to undertake a permanent repair.

**Cllr L Purtill referred to the Wild Atlantic way sign on the Ballylongford / Tarbert road and said it is pointing in the wrong direction.**

**Cllr A Thornton added that she was aware of another sign on Litter beach facing in the wrong direction.**

**Mr M Griffin said he was not familiar with this signage and agreed to investigate the matter further and revert back to the members.**

**6.Cllr. L Purtill:** That Kerry County Council would reinstate a sign at Bunty's Cross, Ballyduff which was knocked as a result of an accident earlier this year. The railing in front of the sign was also damaged and needs to be replaced.

The Ballyduff Tidy Towns Committee said that these works should be done before the inspection of the village otherwise they will lose points.

Reply: The sign will be reinstated over the coming weeks.

Given our limited resources and current workload, the restoration of the fence delineator would not be a priority. However, I would recommend that a small stipend from Councillors' Allocations be given to the Ballyduff Tidy Towns Group to effect the repairs themselves.

If this is not satisfactory, Listowel Municipal Area will undertake the works in the latter part of the current year.

The cost of repairing the railing should be borne by the driver of the vehicle who caused the damage. However, it would seem in this instance that the cost of pursuing recompense would outweigh the value of the works to be undertaken.

**Mr J Sheehan suggested that the railing be removed as it is serving no purpose.**

**Cllr L Purtill asked could he give an allocation from his CCA to arrange to have it removed.**

**Mr J Sheehan expressed an interest on meeting with a member of the Ballyduff Tidy Towns committee to discuss other matters relating to the village.**

**Cllr L Purtill said he would arrange to forward the name and contact details of a member of the tidy towns committee to Mr J Sheehan.**

**Mr. M Griffin informed the meeting that a programme of works have been planned for Ballyduff Village, they are currently awaiting confirmation from Irish Water before the works can be finalised.**

**Cllr J Moloney agreed to move NoM no 7- 14 on behalf of Cllr J Brassil**

**7.Cllr. J Brassil:** A Bus Shelter is required for Sraid Thaidhg estate Ballyheigue where the school bus collects and drops children.

Reply: The responsibility for the provision of Bus Shelters for School Children lies with the Department of Transport, Tourism & Sport.

On Tuesday 20th May 2014, Public Transport Minister, Alan Kelly, announced a €7million investment programme for public transport improvements, part of which 'the bus shelter programme' will see investment of €1.5 million providing numerous additional shelters and will be specifically targeted for rural areas.

To date no notification has been received on the criteria for application.

If we fail in our eligibility for application to this fund, Listowel Municipal Area will seek quotations for a Bus Shelter and undertake an estimate of associated works.

We will present the total cost of works which you may consider for a scheme funded from Councillors' Allocations.

**8.Cllr. J Brassil:** That the beach wall at the car park in Ballyheigue be replaced following storm damage.

Reply: Funding has been allocated for the replacement of this wall and these works will commence shortly after the Ballyheigue Pattern Day in September.

**9.Cllr. J Brassil:** That Kerry County Council put in place improved Road Safety Measures at Clounametig Road Abbeydorney to prevent further serious accidents.

Reply: This location will be referred to the Road Design Office for assessment and consultation with the Gardaí, with a view to making recommendations on possible safety initiatives.

We will undertake all required works given sufficient funding is available.

**10.Cllr. J Brassil:** That Kerry County Council would repair the exterior of the property of (Details with Directorate) as the exterior has been washed away.

Reply: The property owner is responsible for the provision and maintenance of roadside drainage fronting their property in accordance with the conditions of planning.

**11.Cllr. J Brassil:** That Kerry County Council would repair the road at (Details with Directorate).

Reply: This location has been logged on the repairs register and these repairs are due to be carried out within the next two weeks.

**12.Cllr. J Brassil:** That Kerry County Council would repair the road at (Details with Directorate).

Reply: This location has been logged on the repairs register and these repairs should be undertaken before the end of the month.

**13.Cllr. J Brassil:** That Kerry County Council would resolve the flooding issue at (Details with Directorate).

Reply: Road repairs will be undertaken at this location next week.

**14.Cllr. J Brassil:** That Kerry County Council investigate and fix the flooding problem at plot (Details with directorate).

Reply: The Burial Grounds Engineer visited Killury Graveyard on the 8<sup>th</sup> July 2014 and no evidence of any flooding problem was observed at this Graveyard. This Graveyard will be assessed for any flooding problems next winter.

**15.Cllr. R Beasley:** That Kerry County Council would widen Dores Bridge coming right from Ballyhennessy road . I understand that the landowner (Details with Directorate) would have no problem making the necessary land available.

Reply: The water main is contained within ducting pipes which run through this bridge.

Any construction associated with widening works to the bridge will involve a water outage while the main is being extended.

The estimated cost of undertaking these works is €6,000. The project is suitable for funding through a County Councillors Allocation.

**Cllr R Beasley said the widening of the bridge is a priority.**

**Mr. M Griffin explained that the relocation of the water main is the problem.**

**16.Cllr. J Moloney:** That road safety measures be put in place on the R555 in Duagh Village due to the imminent opening of the new Community Centre .

Reply: This location will be referred to the Road Design Office for assessment in accordance with the current guidelines as to the suitability and justification process for a pedestrian crossing.

A pedestrian crossing, alone, at this location, would not appear to be sufficient to facilitate the safe crossing of school children in large numbers. The school authorities should be encouraged to develop procedures a safety protocol and for the times when the children will be crossing the road. This location is situated within a 50kmph speed limit and any concerns regarding the speed of traffic will be referred to the Gardaí.

**Cllr L Purtill** thanked the Directorate for the reply and said this is a very busy road. The crossing would be used by the people availing of the community centre, the pupils at the school and the public attending funerals and mass. He added that unfortunately the 50 km speed limit isn't always adhered to.

**Cllr J Moloney** also expressed concerns on how busy the road is and said that the introduction of safety measures is a priority at this location.

**Cathaoirleach M Kennelly** concurred with the previous comments mentioned.

**17. Cllr. J Moloney:** That Kerry County Council would address the issue with water pooling outside (Details with Directorate).

Reply: Kerry County Council will address this matter later in 2014.

**18. Cllr. J Moloney:** That Kerry County Council would repair the broken fence at Woodford Listowel.

Reply: Emergency repairs were carried out to the crash barrier following the severe storm of February last. Resources are not readily available at the moment to carry out repairs to the timber post & rail fence at the moment. Repairs should be carried out on this fence later in the year.

**Cllr J Moloney** said the Tidy Towns committee contacted him regarding the matter.

**19. Cllr. J Moloney:** That Kerry County Council would carry out urgent repairs on the (Details with Directorate).

Reply: This road has recently been repaired.

**20. Cllr. J Moloney:** That Kerry County Council would take steps to ensure that flooding does not occur again in Clieveragh, Listowel.

Reply: Flooding occurred in a number of locations on the 20<sup>th</sup> May following a particularly intense amount of rainfall in a 4 hour period that evening. A culvert under the R-552 on the main Listowel-Ballylongford road at Clieveragh got blocked with debris from lands upstream which caused water to back up and flow southwards along the R-552 in the direction of the Industrial Estate. A number of premises within the Industrial Estate flooded along with a private house. The excess water that reached the Industrial Estate contributed to the flooding; however, the main reason for flooding in this area is the lack of maintenance of drains within privately owned lands. The Culvert at Clieveragh will need to be further examined to determine its adequacy and whether upgrading is required. If so, the costs involved will be significant.

**Cllr J Moloney** asked that the situation could be monitored if there is another significant downpour of rain. He also asked who is responsible for the drains and dykes on the private lands.

**Mr. M McEnery** replied it is the businesses within the industrial estates, there is an issue with the lack of maintenance of these drains that must be addressed.

**Cllr J Moloney** asked if any grants are available to carry out the works.

**Mr. M McEnery** replied no.

**Cathaoirleach** said the problem of flash flooding needs to be addressed. On the 20<sup>th</sup> May a factory has to close along with some premises in the Square, Listowel.

**Mr. J Sheehan** said that going forward we will certainly have to look at dealing with this problem.

**21. Cllr. J Moloney:**That the bad stretch of road known as the Scenic Route in Tarmons be repaired as a matter of urgency.

Reply:This road has been logged on the repairs register and should be repaired within the next two weeks.A kilometre section of this roadway is scheduled for carriageway overlay in the 2015 Roads Programme

**Cllr J Moloney welcomed the reply.**

**22. Cllr. J Moloney:**That Kerry County Council in conjunction with the NRA would address the road safety problems on Bridge Road Listowel, outside the Town Park. This has been an ongoing issue over the past few years and has been highlighted on many occasions with no satisfactory solution.

Reply:Consideration of this issue has been logged for evaluation with the Road Design Section of Kerry County Council. They cannot, as yet, indicate a definite date when a response will be forthcoming.

We will attempt to have this matter dealt with as a matter of priority.

**Cllr J Moloney explained that the matter has been raised several times at the meetings of the Listowel Town Council over the past number of years. He said the area is problematic day and night and it is a disaster waiting to happen.**

**23. Cllr. J Moloney:**That Kerry County Council would carry out repairs to the chimney (Details with Directorate).

Reply:The Council will investigate and undertake any necessary repairs.

**Cllr J Moloney expressed satisfaction with the reply.**

**24.Cllr. D Nolan:** That traffic safety measures, such as a pedestrian crossing and signage, be put in place at the entrance to the new Moyvane

Playground crossing to Holly's Gala Supermarket as access to the playground is proving dangerous for children.

Reply: This location will be referred to the Road Design Office for assessment in accordance with the current guidelines as to the suitability and justification for a pedestrian crossing.

Parking has been provided along the front of the playground to lessen the need to cross the road.

**Cllr D Nolan said it is a busy area because of the shape of the street and hoped that safety measures can be installed as soon as possible.**

**25.Cllr. D Nolan:** That a review of lighting provision for Woodgrove Estate, Moyvane, would take place as parts of the estate are poorly serviced.

Reply: The Council considers that the lighting in place is adequate.

**Mr. J Sheehan said the lighting is very adequate here and would not consider it urgent.**

**Cllr D Nolan referred in particular to the section of lighting down by the back wall and said that if a light goes here it will be an issue.**

**26. Cllr. R Beasley:** Will the Council immediately improve the appearance and the interior conditions of the Life Guard huts in Ballybunion.

Reply: Listowel Municipal Area is preparing a cost estimate for the Environment Dept and will seek funding to carry out works on the lifeguards huts.

**Cllr R Beasley welcomed the response and said it has been years since any works have been carried out to the hut. The Tidy Towns committee have painted the toilets but said they are very busy and will eventually paint the hut. Cllr Beasley added that the hut is a very busy place in hot weather and it isn't good enough that the matter had to be raised at a Municipal District Meeting to draw attention to the matter. He said going forward the matter needs to be addressed on an annual basis and an identify flag needs to be erected also.**

**Mr. J Sheehan gave a commitment to investigate the matter further and revert back to Cllr R Beasley in the next few days.**

**Cllr R Beasley said the matter needs to be addressed urgently.**

**Cathaoirleach M Kennelly and Cllr A Thornton both wished to support the notice of motion.**

**27.Cllr. R Beasley:** That a small range be installed for (Details with Directorate), who is incapable of using the stove which he has at present and it keeps smoking as a result of not replacing the lid correctly. As a result the smoke alarm keeps going off and upsets a lot of the neighbours who are very kind to him.

Reply: The tenant is elderly and previously had a range that he could not manage and which the Council replaced with a stove. A stove is easier to use than a range. We will inspect and see what can be done but a small range is not the answer – electric heating is a possible option.

**Cllr R Beasley said he is an elderly man and it is an unfortunate situation.**

**28.Cllr. R Beasley:** What is the up to date position on derelict houses that are unsightly in many towns and village.

Reply: Derelict Sites now form part of the Listowel Municipal Area Operations, Health & Safety Directorate and will be dealt with on an ongoing basis as resources permit.

**Cllr R Beasley said he has been in contact with the Housing Department regarding the matter. He added that the Tidy Towns Committee would like to see the house painted and asked that Kerry County Council would follow up on the matter.**

**29.Cllr. R Beasley:** That Kerry County Council drop the path outside the Men's Sheds in Ballybunion so as to make easy access.

Reply: A preliminary estimate of the cost of this work is €1,800, funding for which would be suitable from Councillors' Allocations.

**30.Cllr. M Kennelly:** That Kerry County Council resurface Upper William St (R552), in Listowel Town Centre with immediate urgency. This road is now a driving health and safety hazard.

Reply: This job has been costed and submitted to the NRA for funding. We await a reply from the NRA

**Cathaoirleach M Kennelly said he was glad the matter had been forwarded to the NRA and asked that the works could be done before the festival week. He added that the road isn't safe.**

**Cllr J Moloney wished to support the Notice of Motion but questioned why the matter had to be forwarded to the NRA for approval.**

**Mr. M McEnery said the road is in the ownership of the NRA.**

**Mr. O Ring explained that Kerry County Council can't carry out any works to this road without the permission of the NRA. We also rely on them to fund the works. Mr O Ring said that Kerry County Council will try to contact the NRA to seek an update on the matter.**

**31.Cllr. M Kennelly:** That Kerry County Council install speed control ramps on the Rear access road of Upper William St (Back of Listowel Post Office) which has been recently resurfaced by Listowel Town Council.

Reply: This location will be referred to the Road Design Office for assessment in accordance with the current guidelines as to the suitability and justification for traffic calming measures.

**Cathaoirleach M Kennelly said that a fantastic job done was done however there is a lot of traffic coming out of the back entrance which needs to be slowed down.**

**33.Cllr. M Kennelly:** What is the policy of Kerry County Council on the upkeep and maintenance (Including grass-cutting) of Housing estates within the Municipal District of Listowel?

Reply: With regard to those locations previously maintained by Listowel Town Council, they will continue to be maintained by Listowel Municipal Area Operations Unit for the remainder of 2014. As a general principle, the Local Authority is not obliged to cut grass or maintain open spaces of estates which have been 'taken in charge' and this policy will pertain into the future. The whole issue of maintenance of open spaces will require a coordinated policy decision at county level taking a unified approach, considering which works should receive priority and the available budgets for the coming fiscal year.

**Cathaoirleach M Kennelly said the matter is very topical at the moment. Mr. O Ring said that in the past different areas may have had different policies on the matter, but going forward we will have to introduce a corporate policy.**

**The matter is down to finance and he suggested that every Municipal District will have to introduce their own corporate policy based on their budgets.**

**Cathaoirleach M Kennelly suggested that we approach the estates.**

**Mr. O Ring said that we have approached estates in the past and have provided equipment.**

**34.Cllr. M Kennelly:** That Kerry County Council in conjunction with Irish Water would do a full audit and survey of the drainage system in Listowel, focussing on the areas worst affected by the most recent floods and that their agencies would prepare and initiate an emergency plan in the event of future flooding.

Reply: Flooding occurred in a number of locations on the 20<sup>th</sup> May following a particularly intense amount of rainfall in a 4 hour period that evening. A culvert under the R-552 on the main Listowel-Ballylongford road at Clieveragh got blocked with debris from lands upstream which caused water to back up and flow southwards along the R-552 towards the Industrial Estate. A number of premises within the Industrial Estate flooded along with a private house. The excess water that reached the Industrial Estate contributed to the flooding; however, the main reason for flooding in this area is the lack of maintenance of drains within privately owned lands. The Culvert at Clieveragh will need to be further

examined to determine its' adequacy and if upgrading is required. If so the costs involved will be significant.

With regard to Irish Waters involvement, they have a role to play where combined sewers are involved in flooding such as the case in Clieveragh and this matter will be brought to their attention.

**35.Cllr. M Kennelly:** That Kerry County Council would install speed-ramps in the Meadow Lane Housing Estate in Ballyduff as a matter of urgency, in the interest of safeguarding the large number of children living there.

Reply: The installation of speed ramps (or any traffic calming measures) would require detailed analysis of accident histories on the road and the need to satisfy strict criteria and guidelines in relation to road layouts. Any design would also be required to undergo period of public consultation as per section 38 (3) of the Road Traffic Act

**Cathaoirleach M Kennelly said a petition has been signed by the residents requesting ramps in the estate and asked for clarity on the procedure involved in acquiring ramps.**

**Mr. J Sheehan explained that a member of Kerry County Council will liaise with the Gardaí to see if any accidents have been reported and revert back to Kerry County Council accompanied with an engineering report.**

**Cllr R Beasley wished to support the notice of motion and said if the problem arises from within the estate, the matter can prove to be difficult to deal with.**

**Cathaoirleach M Kennelly said all residents have signed the petition which is a very positive step.**

(c) Questions

**Cllr J Moloney moved Questions no 1-2 for Cllr J Brassil**

**1.Cllr. J Brassil:** Can Kerry County Council put in place improved Road Safety Measures at (Details with Directorate)?.

Reply: A new crash barrier has been erected at this location in the last year. The signage and lining will be re-examined.

**2.Cllr. J Brassil:** Can Kerry County Council put in place improved Road Safety Measures at The Grotto, Ballyheigue?.

Reply: This location was referred to the Road Design Office following a recent accident. This Grotto is situated on the apex of an acute bend. There are entrances from /exits onto the roadway at this locus. The road surface has a continuous central white line. The area would benefit from advanced warning signs. Currently various types of signs are being proposed to the Regional Safety Inspector for her consideration and Listowel Municipal Area will act

immediately on any recommendations. The principle cause of accidents at the locus is excessive speed within the 50kmph speed limit. The location will also be referred to the Gardaí for consideration in their safety camera scheme.

**3.Cllr. J Moloney:** How many wind farms/turbines have been (a) erected and (b) still have valid planning permission to build in the Municipal District of Listowel and in Kerry as a whole?

Reply: Kerry County Council's survey of wind turbines is currently out of date and information was not collated on a geographic basis throughout the county. County-wide, as of December 2011, planning permission had been granted for a total of 375 turbines capable of generating 711.11 mw of electricity. Of these permissions, 172 have been placed, with 203 turbines yet to be constructed.

The Planning Policy Unit of Kerry County Council is currently undertaking a survey of the county as a whole, which will include information on a municipal district basis, to determine the number of turbines with planning permission and the number which have been constructed.

The PPU will also be recording when permissions will expire.

**Mr. J Sheehan said the information will be available over the coming months.**

**4.Cllr. J Moloney:** What is the position re funding/grants for graveyard maintenance?

Reply: Kerry County Council allocates funding to local committees who carry out maintenance and improvement works to Graveyards. All funding to these committees has been allocated for 2014. Any local groups who wish to receive funding to improve their local graveyards in the future should contact the Burial Grounds Section of Kerry County Council.

Cllr J Moloney asked could he use his CCA for graveyard maintenance.

Mr. O' Ring said he wasn't sure and would have to revert back to Cllr J Moloney on the matter. Mr. O Ring stressed that Kerry County Council strongly support groups that maintain their graveyards.

Cllr A Thornton requested further information on what County Councilors Allocations can be used to fund.

Mr. G O' Brien said he would ask that a member of the Roads & Transportation Department would provide further information to the members on C.C.A

**5.Cllr. D Nolan:** I request an update on the provision of speed ramps for Cluainin Housing Estate (Kerry County Council), Listowel as per motion forwarded from Listowel Town Council meeting 2/12/13.

Reply:With regard to ramps for Cluainin, this area has been assessed and a plan is being prepared to indicate a suitable location for the ramps. Once finalised, this plan will be presented to the Members and will then be put on public display in accordance with Section 38 (3) of the Road Traffic Act 1994 which sets out a statutory consultation process which needs to be undertaken. A report on this process will be brought back to the elected members for their consideration.

**Cllr D Nolan was satisfied with this reply.**

**6.Cllr. D Nolan:**I would ask that the wall damaged, during February's storms, at Ahavoher Graveyard be repaired before the Annual Graveyard Mass on the August 1<sup>st</sup>.

Reply:It is the intention of Kerry County Council to commence these works within the next two weeks, resources permitting.

**Cllr D Nolan was satisfied with this reply.**

**7.Cllr. D Nolan:**Will work on the removal of the dangerous bend on Dromin Hill, Listowel (Details with Directorate) be able to commence in the near future?

Reply:Following the presentation of an Engineer's Report at the meeting of the Listowel Electoral Area, on 12<sup>th</sup> April 2014, Elected Members present, unanimously agreed that Kerry County Council would no longer pursue these works and further determined to re-allocate the County Councillors Allocations to other projects.

These monies have been spent elsewhere, consequently no works are planned or scheduled for this area.

**8.Cllr. R Beasley:**When is the wall at the end of the Men's Beach in Ballybunion going to be rebuilt which was badly damaged in the storms of January and February?.

Reply:The section of wall damaged during the storm is short and does not pose any present danger to the public.

The cost of rebuilding this wall is estimated at €3,000 and is suitable for funding through County Councillors Allocation

**9.Cllr. M Kennelly:** To ask Kerry County Council Roads Department to give an update to new members of what Private Roads are in existence within the Municipal District of Listowel, and to give an update on what works are being carried out on Private Roads as requested by the residents of Gortdromasilly.

Reply: A Register of Roads in the care of Kerry County Council is readily available for members. By extrapolation, any road not on the register is private. We do not keep a specific register of private roads.

No works are being carried out on any private roads outside of a limited number of Local Improvement Schemes listed in the Annual Roads Programme with the addition of a number of Hardship and Emergency cases.

The private road at Gortdromasillahy is not in the charge of Kerry County Council and the Local Authority will not undertake any works on this road.

**Cathaoirleach M Kennelly said this matter was very topical when he was canvassing for the local elections among his constituents. He referred to the Medical Hardship fund and asked if Kerry County Council had any such scheme available to the residents living on private roads.**

**Mr O Ring said Kerry County Council will not invest public money into private roads.**

**Cathaoirleach M Kennelly asked do Kerry County Council take over private roads.**

**Mr. O Ring replied it has been done in the past, but every situation is different. He added that he wasn't in a position to comment on this particular road.**

**Cllr L Purtill said that several efforts in the past were made for this particular road to be taken in charge by Kerry county council but were deemed unsuccessful.**

**Cllr R Beasley referred to the Local Improvement Scheme, he said this scheme wasn't an option because of the cost and time frame attached to it.**

**Cathaoirleach M Kennelly requested that an engineer would carry out a costing on the road.**

**Mr. O Ring replied that this wasn't an option as it is a private road.**

**Cllr J Moloney asked was there a process involved in taken a private road in charge.**

**Mr. G O' Brien replied in the past very few roads have been taken in charge by Kerry County Council.**

**Mr. O Ring concurred with the comments of Mr. G O' Brien and concluded by saying the Local Authority doesn't want to spend public money on private roads.**

**10.Cllr. M Kennelly:** That Kerry County Council would source and supply finger signage for all rural schools within the Municipal District of Listowel.

Reply: The cost of supplying fingerpost signs to all schools within the Listowel Municipal District would not be insignificant and there is no current budgetary provision for such works. The cost of providing a sign for a school should be funded by the school. Any school seeking a sign should contact the planning department to obtain the requisite licence.

**Cathaoirleach M Kennelly** referred to Coolard School in particular and said it is very hard to find especially for delivery vans going to the school as drivers are getting lost.

**Mr. O Ring** explained that there are road number signs erected on all roads and the schools should use these road numbers when giving out their address.

**Cathaoirleach M Kennelly** asked is planning permission required for finger post signs.

**Mr. O Ring** replied yes but added that the road number signs should be of assistance to them, he also referred to the introduction of post codes in the next year or so which should significantly help this situation also.

**11.Cllr. M Kennelly:** That Kerry County Council would investigate the hazardous road junction from Coolard entering on the R553 to Ballybunion. Currently Vans, Cars and Trucks are parking up on the footpath, reducing driver visibility of oncoming traffic, (Details with Directorate).

Reply:Listowel Municipal Area will investigate the parking of HGVs close to this junction. We will monitor the situation to establish the frequency of such incidents and further ascertain by what quantum the site distance at the junction is compromised by such parking activities.

**Cathaoirleach was satisfied with this reply.**

**12.Cllr. M Kennelly:** That Kerry County Council Roads Department would give an update on the progress of erecting a pedestrian crossing adjacent to Listowel Post Office.

Reply:This location has been referred to the Road Design Office for assessment in accordance with the current guidelines as to the suitability and justification for a pedestrian crossing.

We would like to improve the junction of Charles Street/William Street to the new DMURS standard which should also incorporate a pedestrian crossing for people wishing to cross to the Post Office.

We have undertaken a survey but due to resources available the design of the scheme hasn't commenced.

When the design has been completed and costed, an application will be made for funding.

**Cathaoirleach M Kennelly was satisfied with reply.**

**13.Cllr. M Kennelly:** That Kerry County Council would give members an update on speeding ramps to be installed in Dromin Green Estate Listowel, following on from a motion to Listowel Town Council in April 2014.

Reply:With regard to ramps for Dromin Green, this area has been assessed and a plan is being prepared to indicate a suitable location for the ramps. Once finalised, this plan will be presented to the Electoral Area members

and will then be put on public display in accordance with Section 38 (3) of the Road Traffic Act 1994 which sets out a statutory consultation process which needs to be undertaken and a report on this process will be brought back to the elected members for their consideration

**Cathaoirleach M Kennelly was satisfied with reply.**

**14.07.14.06 To note update report from the Water Services Directorate.**

Mr O Ring briefed the members on the report from the Water Services Directorate.

**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 €3.5 million) in Kerry are included in the IW Capital Investment Programme. The schemes listed in the CIP which affect the Listowel Municipal District are outlined in the following table:

<b><u>CIP TIONSCNAIMH FUÍOLLUISCE</u></b> <b><u>CIP WASTEWATER PROJECTS</u></b>	
<b>Tionscnamh Project</b>	<b>Stádas Status</b>
Tarbert SS	Tarbert and Ballylongford WWTP being progressed as one contract. Contract has been awarded to Response Engineering Ltd The official contract commencement date was 17/02/2014 Tarbert Advance pipe-work Contract completed – June 2013
Ballylongford SS	Tarbert and Ballylongford WWTP being progressed as one contract. Contract has been awarded to Response Engineering Ltd The official contract commencement date was 17/02/2014

**Funding Priorities for Capital Projects**

Irish Water has indicated that it will prioritize funding for capital projects based on key issues to be addressed. In water, priority will be given to schemes on a Boil Water Notice (BWN), on the EPA Remedial Action List (RAL) and/or on a Direction from the EPA. It should be noted that the upgrade works on the 4 Water Supplies in the Listowel Municipal District that were placed on the EPA RAL list have all been completed.

In wastewater, priority will be given to towns (agglomerations) with an European Court of Justice (ECJ) Ruling and on meeting the EPA Discharge License requirements.

**Irish Water Minor Capital Programme 2014-2016**

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 Listowel Area is outlined in the following table:

<b><u>MINOR CAPITAL WORKS PROGRAMME</u></b>			
<b>Project</b>	<b>Description</b>	<b>Estimate</b>	<b>Status</b>
Ardougher Water Tower Boundary Wall Replacement	Remove fallen trees and rebuild part of boundary wall	€ 5,750	Approved
Lyreacrompane WTP - Sludge Treatment	Complete Sludge Treatment Plant	€ 50,000	Approved
Lyreacrompane WS Network - Unidirectional Scouring	Install new scour valves and provide sampling points on existing scours	€ 17,000	Requested
Ballyheigue Water Softener	Repair pipework and replace resin	€ 7,000	Requested
Ballyduff CI Mains Replacement	2,900m of CI ahead of Roads Overlay	€ 277,500	Approved
<b>Total</b>		<b>€357,250</b>	

### **Group Schemes**

#### **Takeover of Group Schemes**

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

Nationally, negotiations are ongoing between DECLG and Irish Water to develop a protocol allowing Group Schemes to be taken over. Pending the publication of this protocol, all takeover applications are on hold in Co. Kerry

#### **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.

A total Block Grant Allocation of €906,600 has been allocated to Kerry County Council for the various measures under the Rural Water Programme in 2014. This includes grants of €625,100 for Group Water Supply Schemes and €281,500 for Group Sewerage Schemes.

The €625,100 grant for GWSSs is almost all allocated towards the completion of upgrade works on existing schemes in other parts of the county.

### **Group Sewerage Schemes**

#### **General Background on Group Sewerage schemes**

The Dept grant for Group Sewerage Schemes (GSS) increased to €6,500 per house or 75% of the cost of the scheme, whichever is the lesser, in December 2012. It should be noted that the members of the group scheme must make up the balance of the capital costs. Agreement to connect GSS to Public Sewers is now a matter for Irish Water. Also the GSS and Irish Water need to have agreed in advance that Irish Water will take over the scheme on its satisfactory completion. Kerry County Council has discussed this with Irish Water and does not anticipate any difficulty in obtaining their consent.

There were no group sewerage schemes in the Listowel Municipal District that received funding from the 2014 allocations.

(b) Notices of Motion

**1.Cllr. L Purtill:** That Kerry County Council should ensure that Irish Water allows a water fountain in the square in Tarbert to remain usable. This fountain is supplying water for 80 years for locals and tourists. In the event of a break down in the regular supply this was an excellent back up supply and this supply should remain in place.

Reply: Kerry County Council has no plans to decommission this water fountain.”

**Mr. O Ring said the fountain is in the ownership of Kerry County Council.**

**Cllr L Purtill said he was satisfied with this reply.**

#### **14.07.14.07 Motions relevant to other Directorates or issues not relevant to Kerry County Council business.**

(b) Notice of Motion

**1.Cllr. R Beasley:** That Kerry County Council write to the “Towers”, which is the old folks holiday home, and remind them that they can’t use the rear of the building as a parking facility as it is part of the Sandhill Road Housing Estate and people working from the estate, that work with the Fire Station and Sea Rescue live in the vicinity and are often trapped and can’t get to the emergency

Reply: A member of staff from Listowel Municipal Area will investigate and will also speak to the management of the “Towers”.

The area in question is in public ownership and it is not possible to discriminate as to who should use the facility

If the situation arises that a parked vehicle prohibits access and egress for others, or where obstruction occurs, this is a matter for the Gardaí.

The erection of 'Respect Residents' Parking' signs, although having no legal effect might help the situation.

**Pipe replacement at Ballyduff**

Cllr R Beasley referred to pipe replacement work in Ballyduff and asked for an update on the matter.

**Mr O Ring explained that the works will involve replacing the pipes. These works are due to commence very shortly depending on whether the work is done by contractors or direct labour.**

9. To agree a date for the holding of the next Municipal District Meeting.

The date for the next Municipal District Meeting is Monday 08<sup>th</sup> September 2014.

Cllr R Beasley asked how often the meetings will be held.

Mr G O' Brien said it was agreed the meetings would be held monthly.

Cllr L Purtill asked could this frequency be changed.

Mr. G O' Brien replied yes.

10. Correspondence.

There was no correspondence no circulate.

11. Matters arising from the Minutes as confirmed at 1 above.  
No matters arose from the Minutes of the meeting.

Cllr J Moloney referred to the minutes of the Meeting of the May Listowel Town Council.

Mr. G O' Brien replied these minutes will be adopted at the July full council meeting.

12. Any Other Business.

**Pedestrian crossing at the Church in Ballybunion**

Cllr R Beasley asked what any update on the erecting of a pedestrian crossing at the church in Ballybunion.

Mr J Sheehan undertook to investigate the matter further and revert back to Cllr R Beasley.

**Letter to the IDA**

Cllr J Moloney asked that a letter would be forwarded to the CEO of IDA Ireland inviting him to attend a meeting of Municipal District of Listowel or to the Full Council to discuss the promotion of foreign business in the county and in particular North Kerry.

**County Councillor Allocations**

Cllr L Purtill asked can a Councillor use CCA to provide funding to the Tidy Towns committees.

Mr G O' Brien undertook to contact a member of the Roads & Transportation Department to determine what the CCA can be used for.

### **Hedgecutting**

Cathaoirleach M Kennelly referred to the overgrowth of hedges in North Kerry and said they are areas where road signs are no longer visible because of the overgrowth. He said he was very concerned on the matter and that something had to be done urgently.

Mr O Ring explained that a strict policy has been taken by management of Kerry County Council that the matter is for the landowner. Kerry County Council have cut key areas in the past but gave a commitment to forward the legislation to Cathaoirlach.

Cathaoirleach M Kennelly asked is the landowner accountable.

Mr. O Ring replied the landowner is responsible for cutting the hedge and it isn't to go out onto the public road.

Cathaoirleach M Kennelly asked can councillors use their CCA for hedge cutting.

Mr. O Ring replied no.

Cllr R Beasley referred to the island on the Lisselton to Ballybunion road and said the island is completely overgrown.

### **Irish Water Billing**

Cathaoirleach M Kennelly referred to the Irish Water billing system and asked when the public will be advised of the charges.

Mr O Ring explained that to date the regulator hasn't set the charge.

Mr G O' Brien said for this Municipal District Meeting he appreciated that a lot of correspondences had been circulated to the members, such as reports etc. However he said going forward when the member's electronic tablets are up and running it will reduce the amount of paper. Mr. G O' Brien asked the members for their views on this matter.

Cllr J Moloney replied that he preferred no paper and would be happy to receive his correspondence on his tablet.

Cllr A Thornton referred to her previous request to get a list of names and contact details of people responsible for different units within the Directorates.

Mr G O' Brien gave a commitment to investigate this matter further and revert back to Cllr A Thornton.

Mr O Ring concluded the meeting by saying the new structure is a learning curve for everyone. Mr. J Sheehan advised the members that if they had any queries they could contact him directly. Mr. J Sheehan circulated his contact details to the members.

**The meeting finished at 12.15p.m.**

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**Cathaoirleach  
Cllr. M Kennelly**

*Mr. G O'Brien*  
**A/SEO Corporate Affairs**