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MINUTES OF THE MEETING OF THE MEMBERS OF THE MUNICIPAL DISTRICT OF LISTOWEL HELD IN , ÁRAS AN PHIARSAIGH, LISTOWEL ON 9TH FEBRUARY 2015

MIONTUAIRISCÍ NA CRUINNITHE DE CHEANTAR BARDASACH LIOS TUATHAIL A THIONÓLADH IN ÁRAS AN PHIARSAIGH, LIOS TUATHAIL, AR AN 9 FEABHRA 2015

PRESENT/I LÁTHAIR

Councillors/Comhairleoirí

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

In attendance/i láthair

Mr. JD Flynn	Delegated Executive for the MD of Listowel
Mr. B Reidy	Meetings Administrator
Mr. G Riordan	SE
Mr. T Sheehy	SE
Mr. J Sheahan	SEE
Mr. P Stack	SE Planning
Mr. M Lynch	SEE Planning
Mr. L Brosnan	AO Planning
Mr. T Hayes	Head of Local Enterprise
Mr. V Sheehan	AO Local Enterprise
Ms. H Switzer	AO Housing
Mr. M McEnery	Executive Engineer
Mr. M Griffin	Area Engineer
Mr. C Mangan	SEE Water Services
Mr. J McEniry	EE Water Services
Mr. P Bradley	Executive Engineer
Ms. S Broderick	SO Corporate Affairs

The meeting commenced at 10.00am.

15.02.09.01 Confirmation of the Minutes

On the PROPOSAL of Cllr. R Beasley, SECONDED by Cllr. L Purtill it was agreed that the Minutes of the meeting of the members of the Municipal District of Listowel held on the 21st November, 2014 be confirmed.

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

(a) Part VIII proposed new Burial Ground at Dromkeen, Causeway.

It was agreed to note the following report which was circulated to the members:

<p style="text-align: center;">COMHAIRLE CONTAE CHIARRAÍ ACHT UM PLEANÁIL AGUS FORBAIRT 2000 (LEASAITHE) Tuarascáil Bhainisteora ullmhaithe de réir Alt 179(3) KERRY COUNTY COUNCIL PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED) <u>Chief Executive's Report Prepared Pursuant to Section 179 (3)</u></p>
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Location
Dromkeen West, Causeway, Co. Kerry
<u>Nature & extent of proposed development</u>
Proposed new Burial Ground and provision for 230 grave spaces. The proposed new Burial Ground will measure 0.2 acres.
Persons or bodies who made submissions or observations within the prescribed period
<p>1 External submission was received:</p> <p>1. <i>(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)</i></p> <p><u>Issues raised by</u> <i>(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)</i></p> <p><i>(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)</i> requested that the following condition be included in the Part 8 planning of the above proposed development.</p> <p>1. That the proposed boundary wall facing my side of the property to run parallel with my back garden be covered in stone cladding. After much research and advice sought on this, the wall requires no further maintenance once completed with the cladding. I have no objection to the</p>

proposed extension, however as the adjoining neighbour, my concern is the maintenance of the wall as it impacts me directly.

Tralee Stone and Patio, John Joe Sheehy Road, Tralee, stock, supply and will construct the cladding if necessary. They have recommended this process as the best way forward. They will be happy to discuss with you any question you may have. I realise this is an expense on the council, but I feel very strongly that this option be explored fully and implemented. Otherwise, I will request in writing from Kerry County Council that I will not be obligated to maintain the wall at my side that is not my property, but again impacts my garden and overall view of my property.

Response

1. The above issues have been noted.
2. The cost of the stone cladding would be prohibitive, so Kerry Co. Council will not be stone cladding the wall facing (*Name withheld for data protection purposes. A paper copy of unedited Minutes available on request*)
3. The wall will be plastered and capped and will have a rough cast finish, which would not require maintenance.

Likely implications with respect to the proper planning and sustainable development of the area

1. Determination Statements (attached) have been made by the Planning & Sustainable Development Section of the Council that the project does not require an EIA and does not require an Appropriate Assessment because the project would not have significant effects on a Natura 2000 site or on the environment.
2. It is considered that the proposed development is in accordance with the provisions of the Kerry County Development Plan 2009–2015 and is in accordance with the proper planning and sustainable development of the county.

Recommendations / Amendments

Having concluded that the proposed development is in accordance with the provisions of the Kerry County Development Plan 2009–2015 and in accordance with the proper planning and sustainable development of the county, I recommend that the proposed development should proceed but with the modifications set out in the responses to the public submissions above.

John Breen

Stiúrthóir Pobail Inbhunaithe/Caighdeán Beatha/

Director of Sustainable Communities/Quality of Life

Alt 138(1)(a) - Acht Rialtais Áitiúil 2001

Tá an tuarascáil seo á chur chuig Baill Chomhairle Contae Chiarraí i ngéilliúlacht d'Alt 138 (1) den Acht Rialtais Áitiúil 2001.

Section 138 (1) (a) - Local Government Act 2001

This report is submitted to the Members of Kerry County Council in the course of compliance with Section 138 (1) (a) of the Local Government Act 2001.

Cathaoirleach Cllr. M Kennelly welcomed the development and said that the Burial Ground Committee wanted the ditch around the existing burial ground to be replaced by a wall.

Mr. P Bradley said that the option of re-planting the existing ditch could be considered

Cllr. J Brassil welcomed the development and said that at the September 2014 MD meeting he had submitted a notice of motion requesting that ditch, side ditch and back ditch at the existing Causeway graveyard be removed and replaced with a concrete wall. The response had indicated that the required works would be estimated in the region of €35,000. As the proposed extension to the burial ground will have a concrete wall, a wall should also be constructed around the existing burial ground.

Mr. JD Flynn said that he would examine the availability of funding for this project and revert to the members.

On the PROPOSAL of Cllr. L Purtill SECONDED by Cllr. J Brassil it was agreed to note the proposed development and the Chief Executives Report thereon in accordance with Section 179(3) of the Planning and Development Act 2000 (as amended) Part VIII of the Planning and Development Regulations 2001 and Articles 17 to 19 of the Planning and Development Regulations 2006 in respect of the proposed new Burial Ground at Dromkeen, Causeway, Co. Kerry. The proposed new Burial Ground will measure 0.2 acres and have provision for 230 grave spaces.

(b) Material Contravention Ballybunion Health & Leisure Centre.

Ethics Declaration

Cllr. R Beasley declared in accordance with Section 177 of the Local Government Act 2001 that he is a shareholder of Beverley and would leave the meeting while this item was been considered.

Cllr. Beasley then left the meeting.

Ms. B Reidy and Mr. JD Flynn briefed the members on the following report which had been circulated to the members:

Development Description

Construct 4 no. c.120 sq.m. each and 2 no. c 142 sq.m. each holiday home units in 3 no. 2 storey semi-detached blocks, 12 no. car parking spaces and associated

landscaping to the rear of Ballybunion Health & Leisure Centre at Lartigue Road, Ballybunion, Co. Kerry.

The Material Contravention Procedure in this case was initiated with publication of the prescribed notice in the Irish Examiner newspaper on 12th December, 2014, pursuant to Section 34 of the Planning and Development Act, 2000 as amended by Section 23 of the Planning and Development (amendment) Act 2010.

Note: 2 submissions were received following the publication of planning notices by applicant while no submissions were received following the publication of the material contravention notice by Kerry County Council on 12th December 2014.

The attached report and recommendation has been prepared to facilitate your consideration of this matter.

In accordance with the terms of this report and recommendation, it is considered that the proposed development is in accordance with the proper planning and sustainable development of the area, is in compliance with Ministerial Guidelines and in accordance with the Regional Planning Guidelines, and a grant of permission is, therefore, recommended, subject to the conditions listed therein (15 no.).

**Signed: Michael McMahon, Director of Job Creation/
Sustainable Economic Development**

Date 30/01/2015

Implementation of the Material Contravention Procedure under and in accordance with Section 34 of the Planning & Development Act, 2000 as amended by Section 23 of the Planning and Development (Amendment) Act, 2010 in relation to application for permission to construct 4 no. c. 120sqm each and 2 no. c 142sqm each holiday home units in 3 no. 2-storey semi-detached blocks, 12 no. car parking spaces and associated landscaping to the rear of Ballybunion Health and Leisure Centre at Lartigue Road, Ballybunion.

Planning Register No. 14/158

Name of Applicant: Bevely, Ballybunion Health and Leisure Centre

Address of Applicant: Lartigue Road, Ballybunion

Agent: Ralph Bingham, MOLA Architecture, Fumbally Square, Fumbally Lane, Dublin

Date application lodged: 27/03/2014

Further Information received: 18/11/2014

Material Contravention Procedure: Initiated with publication of prescribed notice in Irish Examiner newspaper on 12/12/2014.

Decision due date: 14/02/2015

Proposal

Construct 6 no. semi-detached holiday homes and associated site development works.

Site Location Maps





Aerial photograph of site and environs

Description of Site and Surroundings

The site is located within the development boundary of Ballybunion on the former public playground site to the rear of Ballybunion Health and Leisure Centre on Lartigue Road. The playground surface and the surrounding steel fencing are still in place but all the play equipment has been removed. The Ballybunion Health and Leisure Centre is located to the south and the site is surrounded on the other three sides by residential development.

Pre-Planning Consultation

Proposal was discussed at meeting held on 09/01/2014 which was attended by the following:

Mr Jackie Hourigan and Mr Padraig Hanrahan on behalf of Bevelly, Ballybunion Health and Leisure Centre,

Mr Ralph Bingham, MOLA Architecture

Michael Lynch, SEE Planning Dept, Kerry County Council.

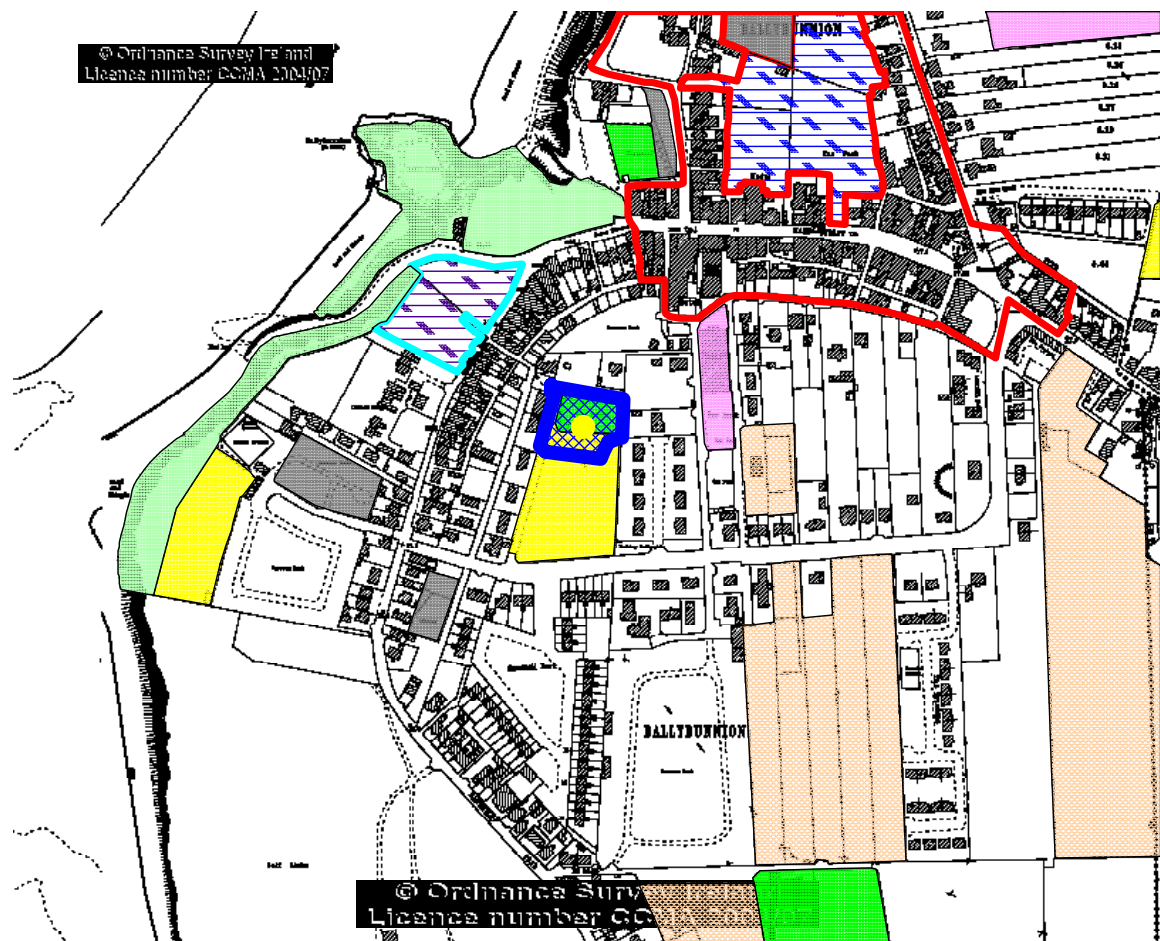
Zoning and Designations

Listowel/Ballybunion Functional Area Local Area Plan 2013-2019

The site is located within the development boundary of Ballybunion

The proposed development is located mainly on lands zoned Active Open Space with a specific Objective BN-22 to 'Facilitate the sustainable development of an all-weather playing pitch at this location.'

The southern end of the site is on lands zoned Tourism/Leisure.
An existing Pedestrian Route is indicated along the west boundary of the site.
The following objectives are also relevant to the proposed development:
BN-7 Facilitate infill development to reinforce the fabric of the town.
BN-8 Ensure that all new dwelling units shall be permanent places of residence.
BN-9 Ensure that the development of further holiday homes development is discouraged.



Ballybunion Local Area Plan Zoning Map



Existing vehicular access to site from the south



Existing pedestrian access to site from the north-west



Photograph of application site showing old playground surface and fencing



Photograph showing eastern site boundary and residential development to the north

Relevant Planning History

Planning Register No. 01/152

Applicant: Ballybunion Development Company

Permission granted: TO CONSTRUCT A 1,545SQ.M LEISURE CENTRE INCORPORATING SWIMMING POOLS, HEALTH AND FITNESS FACILITIES, 87 CAR PARKING SPACES AND ASSOCIATED LANDSCAPING

Planning Register No 14/789

Applicant: Bevely, Ballybunion Health and Leisure Centre

Retention permission granted to: RETAIN EXISTING BALLYBUNION HEALTH AND LEISURE CENTRE AND ASSOCIATED WORKS WITHIN REVISED SITE BOUNDARIES

Reports

- (1) Housing Estates Unit – received on 16/04/2014
Conditions recommended to be attached to any grant of permission
- (2) Fire Officer – received on 01/04/2014
No objection to application.
- (3) Environment Dept – received on 28/11/2014
Conditions recommended to be attached to any grant of permission
- (4) Irish Water – received on 17/04/2014
Further information required regarding water and wastewater networks
- (5) Irish Water – received on 02/12/2014
 - (a) No watermain in the area. Watermain extension is required to serve the development. Clarification required regarding layout of watermain including connections, fire hydrants and valves.
 - (b) Clarification required regarding layout of foul sewer network to Kit Ahern Road.

Submissions/Observations following submission of planning application

(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) – received on 30/04/2014

- (a) Proposed 2-storey houses would be out of place in the area and would over-look existing properties.
 - (b) Numerous empty houses in Ballybunion – 6 more are not needed.
 - (c) More amenities are needed for visitors.
 - (d) Is capacity available in sewerage system?
 - (e) Does Leader funding used to build the playground need to be repaid?
 - (f) Additional traffic generated by the proposed development would endanger pedestrians.
 - (g) Hazard would be caused to residents using rear exits from their homes on to the access road to the site.
- (2) An Taisce – received on 30/04/2014.
A recreational facility, such as an all-weather playing pitch, would be a more appropriate use of the site.

Submissions/Observations following publication of Material Contravention Notice

None

Assessment

1. Traffic: It is considered that the existing access road, which served the playground and which also serves the side and rear of the Ballybunion Health

and Leisure Centre as well as the rear of a number of existing dwelling houses to the west, would be adequate to cater for the additional vehicular traffic that would be generated by the proposed holiday homes.

2. Effluent disposal: The site is served by public sewerage. The final Irish Water report on the file seeks clarification of details of proposed connection to the public foul sewer. This issue may be dealt with by planning condition.
3. Surface water disposal: To public surface water sewer.
4. Water supply: The final Irish Water report on the file seeks clarification of details of proposed connection to the public water supply. This issue may be dealt with by planning condition
5. Residential amenity: It is considered that the design and layout of the proposed houses would not impact on the residential amenities of the existing houses in the vicinity.
6. Visual impact: It is considered that the design and layout of the proposed houses would integrate with existing development in this predominately residential area.
7. Planning History. The application site overlaps with the site where permission was originally granted for the Ballybunion Health and Leisure Centre. However, under Planning Register 14/789, a decision to grant retention permission to retain the leisure centre was issued, thus addressing the overlap issue.
8. Ministerial Guidelines: It is considered that the proposed development would not contravene Ministerial Guidelines under Section 28 of the Planning and Development Act.
9. Regional Planning Guidelines: It is considered that the proposed development would not contravene Regional Planning Guidelines.
10. Zoning: The proposed development is located mainly on lands zoned Active Open Space with a specific Objective BN-22 to 'Facilitate the sustainable development of an all-weather playing pitch at this location. Since the Listowel/Ballybunion Functional Area Local Area Plan was adopted, an all-weather playing pitch has been developed in the grounds of the Tintean Theatre in the town. It is considered that there is no current need for another similar facility in Ballybunion.
The application site has lain unused since the public playground was closed and the play equipment removed. A new public playground has been developed close to the beach and this has proven popular with residents and visitors alike. While the proposed development would contravene Objectives BN-8 and BN-9 of the development plan, the development would constitute in-fill development which would reinforce the fabric of the town in accordance with Objective BN-7. Furthermore, the project would revitalise an unused site close to the town centre, which would continue to deteriorate in appearance if left undeveloped.
11. Submissions: The planning issues raised in the submissions are addressed above.
12. Miscellaneous:
Roads levy: $(2 \times 120 \text{sqm} + 4 \times 142 \text{sqm}) = 808 \text{sqm} @ \text{EUR } 10/\text{sqm} = \text{EUR } 8,080$

Amenity levy: $(2 \times \text{EUR}1038) + (4 \times 142\text{sqm} @ \text{EUR}8.60/\text{sqm}) = \text{EUR} 6,960.80$

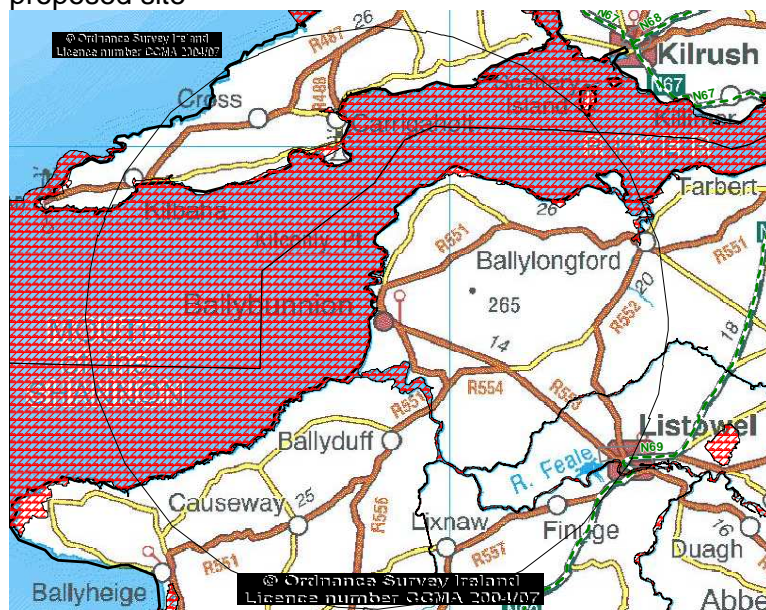
Appropriate Assessment Screening Report

Planning Reference Number:	14/158
Description of the proposed development (including a brief outline of its nature and size):	Construct 4 no. c. 120sqm each and 2 no. c 142sqm each holiday home units in 3 no. 2-storey semi-detached blocks, 12 no. car parking spaces and associated landscaping to the rear of Ballybunion Health and Leisure Centre
Is the proposed development directly connected with or necessary to the nature conservation management of a Natura 2000 site	No

1. Proposed development site location relative to that of Natura 2000 Sites

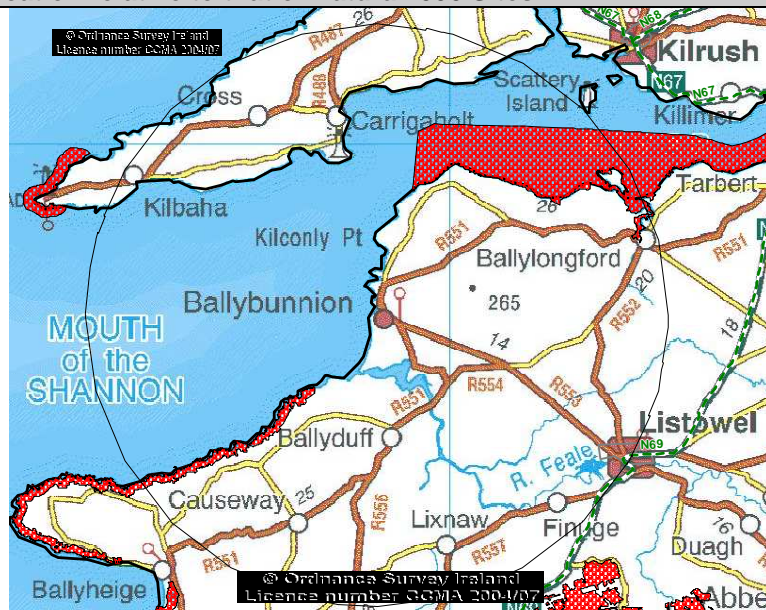
Description of the development site location, relative to Natura 2000 sites, having particular regard to Natura 2000 sites located within 15Km of the proposed site or within the same water catchment as the proposed site

Lower River Shannon SAC is located within 15km of proposed site



Kerry Head SPA is located within 15km of proposed site
River Shannon & River Fergus Estuaries SPA is located within 15km of proposed site

1. Proposed development site location relative to that of Natura 2000 Sites



2. Specialist reports, advice and recommendations received (if any)

Brief overview of specialist reports, advice, and recommendations received from NPWS / Heritage Officer / other Specialists (where appropriate)

None received.

3. Consideration of the potential for significant impacts on Natura 2000 sites, having particular regard to potential significance indicators and to qualifying interests and conservation objectives for Natura 2000 sites. In line with the precautionary principle, where doubt exists, it should be assumed that effects could be significant.

Potential significance indicators include:

- Reduction / erosion / fragmentation of key habitat(s)

Not likely

- Disturbance / mortality / harm of key species (e.g. noise or light pollution, trampling, general disturbance)

Not likely

- Alteration of key environmental conditions (e.g. water quality, water supply, air quality)

Not likely

- Facilitation of the introduction / spread of exotic invasive species within Natura 2000 sites

Not likely

- Interference with the movement of key species within, between or in the vicinity of Natura 2000 sites

Not likely

3. Consideration of the potential for significant impacts on Natura 2000 sites, having particular regard to potential significance indicators and to qualifying interests and conservation objectives for Natura 2000 sites. In line with the precautionary principle, where doubt exists, it should be assumed that effects could be significant.

• Interference with the movement of mobile dune and intertidal Natura 2000 habitats	Not likely
• Other potential impacts	
• Interactive / cumulative / in combination impacts including potential climate change impacts and those with other plans and projects	Not likely

4. Conclusion (a, b, c or d)

(a) The proposed development is directly connected with or necessary to the nature conservation management of a Natura 2000 site ¹	AA not required. (b) There is no likely potential for significant effects to Natura 2000 sites ¹
(b) There is no likely potential for significant effects to Natura 2000 sites ¹	
(c) The potential for significant effects to Natura 2000 sites cannot be ruled out ²	
(d) Significant effects to Natura 2000 sites are certain or likely or where potential for significant effects to Natura 2000 sites remains following receipt of Further Information requested under S177U of the Planning and Development (Amendment) Act 2010 ³	

¹ Appropriate Assessment is not required and therefore Planning permission may be granted at this stage subject to all other planning considerations. However no changes may be made to the proposed development after this conclusion has been reached as this would invalidate the findings of the screening exercise.

² ~~In accordance with S177U of the Planning and Development (Amendment) Act 2010,~~ the applicant should be requested to submit an 'Appropriate Assessment Screening Matrix' completed by a suitably qualified ecologist, by way of Further Information. Following receipt of this information a new Appropriate Screening Report should be completed. The requested 'Appropriate Assessment Screening Matrix' should be in accordance with the template outlined in Annex 2, Figure 1 of the EU (2001) guidance document 'Assessment of plans and projects significantly affecting Natura 2000 sites – Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC. This guidance document is available on at: http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf

Alternatively, where other planning concerns arise the proposal could be refused planning permission.

³ The proposed development must either be refused planning permission or alternatively an 'Appropriate Assessment' (AA) should be carried out by the Planning Authority. In order to facilitate the preparation of an AA the applicant should be requested to submit a Natura Impact Statement (NIS) ~~in accordance with S177 (T) of the Planning and Development (Amendment) Act 2010.~~ However, in the case of an application to retain unauthorised development of land and where the authority decides that an 'appropriate assessment' should have been carried out prior to the commencement of development, ~~the application is required to be invalidated by the Planning Authority as per S34 (12) of the Planning and Development (Amendment) Act 2010 and accordingly an NIS should not be requested in such instances.~~

SUB-THRESHOLD EIA SCREENING REPORT

1. Characteristics of development	
Size	Small scale development – approx 0.36Ha.
Accumulative impacts with other developments / projects	<p>It is noted that there are a number of existing residential developments in the area.</p> <p>Potential for permanent cumulative impacts in relation to landscape, water quality and road safety.</p>
Use of natural resources	Soil overburden to be removed from part of site.
The production of wastes	No large-scale wastes generated apart from waste from old playground.
Pollution and nuisances	<ul style="list-style-type: none"> • No significant nuisances anticipated • Slight risk of small scale spillage of oils / hydrocarbons • Slight to moderate risk of small scale sediment loss at construction stage to nearby watercourses <p>The above risks are not considered to be difficult to avoid or reduce and are not overly complex.</p>
The risk of accidents having regard to substances or technologies used	No hazardous activity on site posing a significant risk to a habitat or human environment.
2. Location of Proposed Development	
Existing land use	Disused playground
Previous land use	Playground
Relative abundance, quality and regenerative capacity of natural resources in the area	<p>Small scale soil overburden to be removed - regenerative capacity minimal.</p> <p>Area affected not considered to be significant within the context of the relative abundance of these resources in the area.</p>
<p>The existing environment and absorption capacity of the natural environment, paying particular attention to the following areas:</p> <ul style="list-style-type: none"> ○ Wetlands ○ Coastal zones ○ Mountain and forest areas ○ Nature reserves and parks ○ Natura 2000 sites ○ Areas in which environmental quality standards laid down by the EU 	<p>This proposed project is a small scale development.</p> <p>The lands in question are designated for 'Active Open Space & Tourism/Leisure' development purposes.</p> <p>A number of environmentally sensitive sites are located in the wider area, including Natura 2000 sites, wetlands, lands designated for landscape and archaeological purposes and mountain / forest areas. It is considered that these are unlikely to be significantly affected by way of a proposal of this nature at this location.</p> <p>It should be noted that a separate AA Screening</p>

<p>have already been exceeded</p> <ul style="list-style-type: none"> o Densely populated areas o Landscape of historical, cultural or archaeological significance 	Report is being prepared in relation to this proposal.
3. Characteristics of Potential Impacts The potential significant effects of the proposed development in relation to the criteria set out in 1 & 2 above and having particular regard to:	
Extent of the Impact (geographical area and size of affected population)	Generally limited to the development site itself and its immediate vicinity. However, the potential for visual impacts extends to the wider area and the potential for water quality impacts extends to the wider water catchment.
Transfrontier nature of the impact	None.
Magnitude and complexity of the impact	<p>Main impacts include potential for pollution events to downstream watercourses and potential for impacts on landscape.</p> <p>It is not anticipated that many people will be adversely affected by the proposal. The magnitude of impacts is not considered to be overly great or complex.</p>
Probability of the impact	Low to moderate. No significant impacts anticipated.
Duration, frequency and reversibility of the Impact	<p>Construction risks (hydrocarbon spillages, sediment loss etc) and nuisances (noise etc) are likely to be temporary in nature.</p> <p>More long term impacts will be associated with the permanent and operational aspects of the project (visual impact, water quality impacts etc).</p> <p>No significant impacts anticipated.</p>
4. Recommendation and conclusion	
Having regard to the above and in particular to the nature, scale and location of the proposed project, It is considered that an EIA is not required in this instance.	

Recommendation

Grant planning permission subject to the following conditions:

FIRST SCHEDULE

Having regard to the nature, extent and location of the proposed development, it is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development would not be visually obtrusive, would not seriously injure the amenities of the area or be otherwise contrary to the proper planning and sustainable development of the area.

SECOND SCHEDULE

The development shall be carried out in accordance with the plans and particulars received by the Planning Authority on 27/03/2014 and 18/11/2014 except for any alterations and/or modifications specified in this decision.

Reason: To regulate and control the layout of the development.

- (a) Proposed holiday houses shall be in accordance with the design drawings received on 27/03/2014 and 18/11/2014.
- (b) Roofs shall be covered with slates or tiles which shall be either black, dark-grey or blue-black. The colour of the ridge tile shall match the colour of the roof.
- (c) All external finishes shall be neutral in colour, tone and texture.

Reason: To integrate the structure into the surrounding area.

Under no circumstances shall the applicant\developer cut or otherwise interfere with the public road for the purposes of connection to public services without a road opening licence.

Reason: In order to protect public property.

Vehicular access to the site shall be located as shown on the Site Layout Map received on 18/11/2014.

Formation of the vehicular entrance shall not cause surface water or seepage water to flow onto the road surface.

Reason: To avoid a traffic hazard and protect public property.

- (a) The roads and footpaths shall be constructed in accordance with Section 2 of 'Recommendations for Development Works for Housing Areas'.
- (b) The service road shall be finished in DBM road surfacing material.
- (c) All footpaths shall be a minimum width of 1.5 metres.
- (d) Stop sign and appropriate thermoplastic road markings shall be provided at the entrance to the development in accordance with the Dept of Transport 'Traffic Signs Manual'.
- (e) All road gullies and pre-cast drain covers shall be to the Class D grade for roadways.
- (f) Public lighting shall be carried out to the requirements of the Public Lighting Section, Kerry County Council.

Reason: In the interests of orderly development

The development shall be connected to the public water supply and the public foul sewerage system to the satisfaction of Irish Water.

No development shall commence until such time as the developer has obtained a Connection Agreement from Irish Water for the provision of water and sewerage services necessary to enable the proposed development.

In relation to water supply, the layout of the watermain including connections, fire hydrants, sluice valves and scour outlets shall be fully agreed prior to commencement of development.

In relation to foul sewerage, a full layout of the proposed network to Kit Ahern Road shall be fully agreed prior to commencement of development.

Reason: In the interest of public health.

(a) The management and maintenance of the proposed development following its completion shall be the function and responsibility of a properly constituted management company.

(b) Prior to the commencement of any development on this site, the developer shall enter into an agreement with the Planning Authority under Section 47 of the Planning and Development Act 2000 to deal with the ongoing management and maintenance of the development including responsibility for maintenance of roads and footpaths, water supply, storm and foul drainage, public lighting, electrical, telephone and other underground services and public open spaces.

(c) The Section 47 agreement shall provide for the establishment of a management company whose legal status shall be proven to be adequate to provide for the ongoing management and maintenance in perpetuity of the facilities within the development.

Reason: In the interest of orderly development and to provide for the ongoing management and maintenance of the proposed development which will not be taken in charge by the Local Authority.

Before the development is commenced the developer shall lodge with the Planning Authority a Bond in the sum of EUR 70,000 coupled with an agreement to empower the Local Authority to apply such security or part thereof to the satisfactory completion of any part of the development. Such Bond will be increased from 1st January, 2016 and annually thereafter in line with the Wholesale Price Index for Capital Goods, Building and Construction as published by the Central Statistics Office to the value pertaining at the time of payment and shall be from an approved Financial Institution as may be acceptable to the Planning Authority to secure the provision and satisfactory completion and maintenance of roads, footpaths, water supply, foul sewer and drainage required in connection with the proposed development. The Bond shall remain in place for a period of 7 years from the date of grant of permission or until such time as the development has been completed to the satisfaction of the Planning Authority in accordance with the conditions of the planning permission granted (whichever is the sooner).

Reason: In order to secure the satisfactory completion of the development.

(a) Prior to the occupation of each house, all site development works shall be substantially completed in accordance with the conditions attached to this decision in order to ensure an adequate means of access and the provision of all services to facilitate the development.

(b) On completion of the development, the developer shall submit a certificate from an approved person stating that all the works carried out to-date on the development are in accordance with:

- The 'Recommendations for Site Development Works for Housing Areas' as issued by the Dept. of the Environment and Local Government
- Any other condition which may have been imposed as a condition of planning.

(c) On completion of the works the developer shall submit a set of as-constructed drawings indicating the on-site position of all structures and services. These drawings shall include the location of all sewers, watermains, ESB and Telecom ducting.

Details of all pipes sizes, inverts, manholes, cover levels, hydrants and stopcock locations as well as records of all pipe tests shall be included as a minimum.

Reason: In the interest of orderly development

(a) All landscaping works shall be carried out in public and private areas in accordance with details received on 18/11/2014.

(b) Any failure of plant/shrubs/tree through disease, damage or removal within the first three years after planting shall be replaced by such similar species.

(c) All hard surfacing, kerbing, paving shall be carried out in accordance with plans and particulars received on 18/11/2014.

(d) All boundary treatment shall be carried out in accordance with plans and particulars received on 18/11/2014 except that new boundary fences shall be constructed of capped concrete blocks to a height of 2 metres at the following locations:

- Along the northern boundary of the site at the rear of Units Nos 1 and 2 and to the side of Unit No 3
- Along the southern boundary of the site at the rear of Units Nos 5 and 6 and to the side of Unit No 4.

Reason: In the interests of visual and residential amenity.

Site construction working hours shall be confined to between 0730 hours and 1900 hours on Monday to Friday and 0800 hours to 1830 hours on Saturdays. No on-site works shall be permitted on Sundays or Public Holidays without the prior written agreement of the planning authority.

Reason: In the interest of protecting residential amenity.

The applicant shall carry out an evaluation and quantification of all construction, demolition and excavation waste likely to arise during all phases of development/construction and shall develop a waste management and disposal plan for all such wastes arising. A copy of the required format for the plan in question shall be obtained from The Environment Department of Kerry County Council and

the completed plan shall be submitted to the Planning Authority for agreement and approval prior to Commencement Notice stage.

Reason: To prevent pollution

No polluting matters including sediment laden waters shall be discharged directly or indirectly to any waters from the proposed development. Suitable measures shall be put in place onsite in advance of any demolition or construction works to prevent sediment laden waters entering any waters.

Reason: To prevent pollution

Prior to the commencement of development the developer shall pay a contribution of **EUR 6,960.80** to Kerry County Council (Planning Authority) in respect of community infrastructure, environmental amenities and facilities benefiting the development. The amount of this contribution is calculated in accordance with the Council's prevailing Development Contribution Scheme and will be increased from January 1st 2016 and annually thereafter (unless previously discharged) in line with the Wholesale Price Index for Capital Goods, Building and Construction as published by the Central Statistics Office unless the Scheme is superseded by a further Development Contribution Scheme adopted by the Council.

Reason: It is considered appropriate that the Developer should contribute towards the cost of public infrastructure and facilities benefiting the development, as provided for in the Councils prevailing Development Contribution Scheme, made in accordance with Section 48 of the 2000 Planning and Development Act and that the level of contribution payable should increase at a rate in the manner specified in that Scheme.

Prior to the commencement of development the developer shall pay a contribution of **EUR 8,080.00** to Kerry County Council (Planning Authority) in respect of roads infrastructure, and facilities benefiting the development. The amount of this contribution is calculated in accordance with the Council's prevailing Development Contribution Scheme and will be increased from January 1st 2016 and annually thereafter (unless previously discharged) in line with the Wholesale Price Index for Capital Goods, Building and Construction as published by the Central Statistics Office unless the Scheme is superseded by a further Development Contribution Scheme adopted by the Council.

Reason: It is considered appropriate that the Developer should contribute towards the cost of public infrastructure and facilities benefiting the development, as provided for in the Councils prevailing Development Contribution Scheme, made in accordance with Section 48 of the 2000 Planning and Development Act and that the level of contribution payable should increase at a rate in the manner specified in that Scheme.

Cllr. D Nolan welcomed the proposal and said that Ballybunion Leisure Centre had taken 20 years of planning. It is an important amenity in the town and has great community support.

Cllr. J Brassil welcomed the proposal and agreed that the Leisure Centre is a very important amenity in Ballybunion. He remarked that no submissions were received and asked if people who made submissions when the original application for planning permission was advertised were precluded from appealing the material contravention.

Mr. M Lynch said that people who made the original submissions were entitled to appeal to An Bord Pleanála.

Cllr. D Nolan PROPOSED that we the members of the Municipal District of Listowel hereby resolve, in accordance with the provisions of Section 34(6) of the Planning & Development Act 2000, as amended by Section 23 of the Planning & Development Act 2010, to grant planning permission to Bevely, Ballybunion Health & Leisure Centre to construct 4 no. c.120 sq.m. each and 2 no. c 142 sq.m. each holiday home units in 3 no. 2 storey semi-detached blocks, 12 no. car parking spaces and associated landscaping to the rear of Ballybunion Health & Leisure Centre at Lartigue Road, Ballybunion, Co. Kerry in accordance with plans submitted on Planning Register No. 14/158 which development would materially contravene the Kerry County Development Plan 2009 – 2015 and the following Objectives of the Listowel/Ballybunion Functional Areas Local Area Plan 2013-2019 as the subject site is located in an area zoned for Active Open Space Amenity and zoned Tourism/Leisure.

Objective BN-22: Facilitate the sustainable development of an all-weather playing pitch at this location,

Objective BN-8: Ensure that all new dwelling units shall be permanent places of residence,

Objective BN-9: Ensure that the development of further holiday homes is discouraged,

Cllr. J Brassil SECONDED this proposal.

The vote was taken which resulted as follows:

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

Against: None **(0)**

Note Voting: None **(0)**

Absent: Cllr. R Beasley **(1)**

The Cathaoirleach declared the proposal to be carried.

Cllr. Beasley then returned to the meeting.

15.02.09.03 Job Creation / Sustainable Economic Development Directorate

Kerry /Limerick Border to Listowel Town and Tralee to Fenit proposed Amenity Trails

Mr. T Sheehy SE briefed the members on the progress of the proposed Amenity Trails from the Kerry/Limerick Border to Listowel Town and from Tralee to Fenit as follows:

Kerry /Limerick Border to Listowel Town Amenity Trail

Work to date (06_02_2015):

1. Public Consultation:

Kerry County Council (KCC) carried out a non statutory, pre-design, public consultation from the 05th February 2014 to 19th February 2014. Following this process 182 submissions from members of the public and interested parties were received by KCC, 81% supportive, 17% opposed to the proposal and 2% no comments.

2. Determination to An Bord Pleanála (ABP)

Following issues which arose during the non statutory public consultation and, to enable the Capital Infrastructure Unit (CIU) advance the project further, a determination request to ABP (under section 50(1)(c) of the Roads Act 1993) is deemed necessary. An application to ABP is currently being prepared, jointly by the CIU and the Planning Department – Environmental Unit, to determine; whether or not the proposed development of an amenity trail on the existing disused railway line from Kerry/Limerick border to Listowel town requires the preparation of an Environmental Impact Assessment (EIS).

As part of the determination application to ABP the following documents are currently being prepared in-house:

ABP Determination Report	Progress
1. Description of Proposed Development	90 % Complete – awaiting finalised plans and drawings.
2. Landscape and Visual Impact Assessment	90% Complete – awaiting finalised plans and drawings.
3. Habitat and Landuse Survey	Completed
4. Appropriate Screening Report	In preparation – awaiting finalised plans and drawings including a form of a construction management plan.
5. ABP Determination Mapping	Partly complete

3. CIE transfer of lands

CIU and the County Solicitors are negotiating the final terms of the contract for purchase of the railbed for the North Kerry Line (including the Tralee – Fenit branch line) with CIE. The KCC transfer maps are complete and ready for resubmission to CIE for confirmation.

Constraints:

The absence of design drawings, cross sections, bridge design, etc. and a construction management plan due to budget and resource constraints, is limiting the determination application moving forward.

Timeframe:

The anticipated timeframe for making the application to ABP for a determination is mid spring 2015. However this schedule is subject to availability of either funding or resources to prepare design drawings and particulars.

It's anticipated that agreement on the CIE transfer of the railway line will be concluded in the near term.

Cllr. R Beasley asked if the entire farming community along the trail is opposed to the development.

Mr. Sheehy confirmed that not all the landowners concerned were opposed to the development.

Cllr. J Moloney asked when the transfer of the land would be finalised.

Mr. Sheehy said that the transfer maps are complete and will be submitted to CIE that week for confirmation.

Mr. Sheehy said that CIE said that ducting for fibre optic cable must be provided on the line from the county bounds to Listowel and also from Tralee to Fenit prior to the opening of the trail. Kerry County Council does not have the funding for this work.

Cllr. J Moloney asked if an estimate of the cost of the provision of ducting was available.

Mr. Sheehy said that it is preferable that the planning process is finalised before the preparation of a preliminary design for the provision of ducting commences.

Cllr. J Brassil acknowledged that a huge amount of slow methodical work has been done which the group promoting the provision of the trail may not be aware of.

Cllr. Brassil remarked on the provision of ducting for fibre optic cable on the line and asked why Kerry County Council must provide the funding for this work.

Mr. Sheehy said that Kerry County Council will next make an application for First Registration of the title. This will be advertised in the media and interested parties will have three weeks to make a claim on the lands. If any claims are made, it will be possible to deal with them at this stage.

Mr. JD Flynn said that the greenway in Mayo has been closed on a number of occasions due to disputes over land ownership.

Cllr. J Brassil said there is a huge body of work involved and asked if adequate resources were available.

Mr. Sheehy said that there are no specific resources for this work. It is being carried out by staff in conjunction with their regular responsibilities.

Cllr. R Beasley welcomed the progress made and asked for an update on the development of the line from Listowel to Tralee.

Mr. Sheehy said that this would also be part of the land transfer as the land transfer must be done in one block. Currently the CIU is concentrating on the development of the amenity trail from the county bounds to Listowel town.

Mr. JD Flynn said that the progression of the amenity trail from the county bounds to Listowel town would bring its own momentum to the development of the trail from Listowel to Tralee.

Cllr. M Kennelly welcome the work which has been carried out to date and said that the development of the amenity trail would enhance North Kerry and the whole county.

In reply to a query from Cllr. J Moloney, Mr. Sheehy said that the determination by An Bord Pleanála usually takes approximately three months.

Cllr. A Thornton thanked Mr. Sheehy for his report and said that it is unfortunate that the land transfer must be carried out in one block.

Cllr. L Purtill thanked Mr. Sheehy for his report and asked if any discussions had been held with the 17% who are opposed to the proposed amenity trail from the county bounds to Listowel.

Mr. Sheehy said that CIE owns the land. When the First Registration of the land is published, interested parties will have three weeks to make a submission.

Tralee to Fenit proposed Amenity Trail

Work to date (06_02_2015):

1. Determination to An Bord Pleanála (ABP)

An application for a determination to An Bord Pleanála (under section 50(1)(c) of the Roads Act 1993), will commence in-house in the coming weeks. The application will be prepared jointly by the Capital Infrastructure Unit and the Planning Department – Environmental Unit, to determine; whether or not the proposed development of an amenity trail on the existing disused railway line from Tralee to Fenit requires the preparation of an Environmental Impact Assessment.

2. CIE transfer of lands

Capital Infrastructure Unit and the County Solicitors are negotiating the final terms of the contract for the purchase of the railbed for the Tralee – Fenit branch line with CIE. The draft transfer maps prepared in-house are complete and ready for resubmission to CIE for confirmation.

Timeframe:

The timeframe for the proposed project is undefined subject to availability of resources and funding. It's anticipated that agreement on the CIE transfer of the railway line will be concluded in the near term.

(a) Presentation on the Local Enterprise Office

Mr. Tomas Hayes, Head of Local Enterprise circulated copies of his presentation and briefed the members on Kerry Local Enterprise Office (LEO) as follows:

Formerly known as the County Enterprise Board, the Kerry Local Enterprise Office (LEO) as part of Kerry County Council since April, 2014 supports and provides assistance to existing and potential small business promoters located in the Kerry Region. It operates on a Service Level Agreement between Enterprise Ireland and the Local Authority.

It is a local enterprise advisory and support organisation and is the primary resource for those thinking of starting a business and a source of enterprise advice and support for existing small firms. Its primary focus is small businesses which employ up to ten people.

One of the key roles of the LEO is to provide small start up businesses and small businesses looking to expand with exciting networking opportunities. Local companies can attend various local national and international networking events each year with the objective of raising their profile and making important business contacts.

It's focus is on businesses involved in manufacturing, internationally traded services and innovative local services where no displacement occurs (retail sector is excluded, primary production is excluded). Resources are increasingly focused on training and soft supports.

Types of Support

- Business Information and Advisory Service
- Enterprise support services (financial supports, training, mentoring, microfinance)
- Entrepreneurship support services (education, seniors, awards)
- Local Enterprise Development Services – Economic Unit.

Financial Support

Kerry Local Enterprise Office provides a range of financial supports to qualifying small businesses based in Kerry employing less than 10 employees. The annual Supports Budget is approximately €450,000 and a Repayable Grants Fund of €220,000 is also available.

Grants Available for Eligible Businesses

Feasibility Studies

- Maximum 50% of the investment or €20,000 whichever is the lesser.

Priming Grants

- Maximum 50% of the investment or €150,000 whichever is the lesser. Priming grants are available to micro enterprises within the first 18 months of start up.

Business Expansion Grants

- Maximum 50% of the investment or €150,000 whichever is the lesser. This grant is designed to assist a business in its growth phase after the initial start up period.

Microfinance Ireland

- Unsecured loans from €2,000 to €25,000 are available from 3 to 5 years for businesses that have been refused credit by a lending institution.

Training Supports

To assist the small business community in meeting the challenges of the business world, Kerry LEO provides a wide range of high quality training supports which are tailored to meet specific business requirements. A confidential advisory service is open to everyone exploring self employment as an option or for those who are currently operating a business.

Mentoring Supports

Mentoring supports are open to both new and existing businesses within the Kerry LEO region. Mr. Hayes said that the Training and Mentoring Supports are currently in very high demand.

Business Advice Clinics

The LEO operates Business Advice Clinics which give people the opportunity to discuss a specific business idea on a one to one basis with a business mentor. One hour appointments are available every month at different locations around the county.

Online Trading Vouchers

Kerry is a pilot area for the introduction of Online Trading Vouchers which are targeted at businesses that have a limited online trading presence, less than ten employees and a turnover less than €2m.

Applicants must be registered and trading for a minimum of 12 months and the business must be located in one of the pilot areas under this phase of the scheme. Mr. Hayes said that 41 vouchers have been approved to date.

Student Enterprise Programme

Kerry Local Enterprise Office runs Ireland's largest student enterprise programme and a competition called "The Student Enterprise Awards"

The programme aims to foster an entrepreneurial environment whereby more young people will consider self employment in the future. The Student Enterprise Awards gives students the opportunity to take a business from idea stage through to generating a profit. The LEO provides educational materials free of charge to secondary schools participating in the programme. Mr. Hayes said that there is a huge interest in the programme and over 200 students are now participating.

Ireland's Best Young Entrepreneur

Any young person aged 30 and under who has a business idea can enter the IBYE Competition. There is a €50,000 investment fund available from the LEO and an investment fund of €100,000 nationally for Ireland's best young entrepreneurs.

Engagement with Local Councillor's

Mr. Hayes said that the LEO operates an open door policy and welcomes engagement with local councillors and their constituents and both he and Mr. V Sheahan and staff of the LEO are available to discuss any queries.

Cllr. D Nolan thanked Mr. Hayes for his presentation and welcomed the grant aid which is available.

Cllr. J Brassil thanked Mr. Hayes for his presentation. He said that the LEO is providing a fantastic service and people should be made aware of this. The advice available on the setting up of a business is immeasurable. He welcomed the support provided to micro enterprises but said that he was concerned about businesses with 10 to 20 employees as there is no support available to them.

Mr. Hayes said that Kerry is a county where there are a considerable number of indigenous businesses and agreed that there is a gap in the provision of support for businesses that fall into the category between micro enterprises and businesses that are exporting their products. When the LEO was established a submission was made to the Department of Jobs, Enterprise and Innovation outlining the need for the brief of the LEO to be extended.

Cllr. J Moloney welcomed the presentation and asked for further details regarding Online Trading Vouchers.

Mr. Hayes said that if a business is planning to get a re-vamp of its website it could apply for an Online Trading Voucher for up to 50% of the cost to a maximum of €2,500. This scheme is being reviewed in 2015.

Cllr. L Purtill thanked Mr. Hayes for his presentation and said that he was aware of a constituent who would like to discuss a business idea with a staff member of the LEO office.

Mr. Hayes said that he would be very happy to talk to the person concerned.

Cllr. A Thornton thanked Mr. Hayes for his excellent presentation and asked if there was a timeframe in a year for the availability of the grants.

Mr. Hayes said that the LEO works on an annual budget. The allocation from the Department of Jobs, Enterprise and Innovation is received on an annual basis. An increase in the allocation should be considered in order to attract foreign investment. Kerry was registered by the EU as an Entrepreneurial Region in 2011 therefore additional resources are needed to support this achievement.

Cllr. A Thornton asked that the members would be notified of the closing date for applications for grants.

Mr. Hayes said he would be happy to do this and added that all the details are available on the website www.localenterprise.ie/kerry

Cathaoirleach Cllr. M Kennelly thanked Mr. Hayes for his presentation and said that he was aware of a number of people who would benefit from the advice available from the LEO. He PROPOSED that the meeting room at Áras an Phiarsaigh be used on a weekly basis to provide an advisory service for start up businesses in Listowel.

Mr. Hayes said that the LEO would be delighted to avail of the facility. Also, an employment survey will be carried out every year in Listowel.

(c) Notices of Motion

1. Cllr. D Nolan: That Kerry County Council give an update on the Historic Towns programme and the status of new towns coming into the programme this year in relation to funding.

Reply;

Listowel Heritage Towns Initiative Pilot'

Kerry County Council has identified the highly respected 'Paul Hogarth Company' as the most suitable consultants to produce the "Listowel Heritage and Community Led Regeneration Strategy 2014". Terms and conditions have been agreed and contracts are ready to be signed. Once commenced a detailed 15 week timeline has been agreed with the consultant in order to bring this project to a conclusion and the resultant strategy ready for implementation.

The remaining barrier that prevents the signing of the contracts with the Paul Hogarth Company, the subsequent formal establishment of the project steering group and the commencement of work, is finalising funding for the project. The final cost of the successful tender is €24,179. Kerry County Council has currently committed €10,000 towards the production of the plan. The Heritage Council have committed €5,000. The Department of Arts, Heritage and the Gaeltacht are expected to clarify the amount of their contribution within the next two weeks.

'Status of new towns coming into the programme this year'

There was no specific mention of funding for the National Historic Towns Initiative in when 2015 DoAHG budget was announced. Kerry County Council has been in contact with the DoAHG it was indicated it may take up until April of this year for the them to finalise details of the potential continuance of the initiative and potential future roll out to other towns. Also at this stage there are no defined eligibility criteria or application procedures in place for new towns wishing to enter the scheme.

Cllr. D Nolan asked that this matter be prioritised by Kerry County Council.

Cllr. J Moloney asked if some of the funding from last year had been paid to consultants.

Mr Stack said that none of the money allocated last year was paid to Consultants as they were only appointed in December.

15.02.09.04 Sustainable Communities / Quality of Life Directorate

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

Community Services and Engagement Report

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

Kerry Public Participation Network.

- The Public Participation Network has been established at County level and representatives have been elected to the various SPCs and JPC at the initial County Plenary session. The County election of representatives to the secretariat has also been undertaken and the secretariat will be complete by selection of representatives through the Municipal District PPN. The next step is to establish the PPN at Municipal district level and information meetings in this regard have already been held in Tralee & Listowel. It is proposed to hold similar sessions in Killarney & the South and West Municipal districts over the coming weeks prior to the elections taking place in these areas and the finalisation of the secretariat.

The permanent nominations from the PPN to the LCDC will be undertaken once the current procurement process for the Social Inclusion Community Activation Programme (SICAP) is concluded.

Local Economic & Community Plan

- The preparation of the LECP is underway and a detailed presentation was given to the members at the January Council Meeting in relation to the process and content of the LECP. The Municipal Districts will play an important role in the development of these plans and in particular in identifying issues that relate specifically to there areas. It is proposed to consult with the Municipal Districts following the completion of the socio economic profile for the County.

Housing/Social Services Report

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

Housing Programme

Following the announcement in the recent national budget of the development of a housing construction and acquisition programme , we have carried out an extensive analysis of our housing list , our available lands and our need to build and acquire properties . In this analysis we are cognisant of the needs in particular of single applicants , elderly and disabled persons and larger families , This analysis will inform a submission to the Department of our immediate requirements from the

funding announced at budget time . We are making a strong submission seeking the maximum funding for a public housing construction and acquisition programme in Kerry

Additional Grant funding

The council has again been successful at the end of 2014 in securing an additional EU 200,000 in state funding towards our disability and elderly grant programme . This has enabled us to advance the provision of much needed extensions and adaptations for those most in need and is again recognition at departmental level of the quality and efficiency of the administration of these grant schemes by Kerry County Council. We await our 2015 Allocation from the DOECLG.

Purchase of houses for people with a disability

In December 2014 the Department provided funding to Kerry County Council for the immediate purchase of 6 houses for persons on the housing list with disabilities . These houses will require some modification and adaptation work before being available for letting . Such funding is most welcome particularly as we implement the National Policy on Housing People with a Disability .

Social Housing Activity Report at 15th January 2015, Listowel Municipal District

<i>Social Housing Applicants (Year to Date Position)</i>		2014	2015
Qualified Applicants with area of choice within Municipal Area		464	
Accommodation offers made for property located within Municipal Area		32	0
New Tenancies Commenced		28	0
Accommodation refusals		8	0
<i>Social Houses</i>			
Vacant Group scheme properties within Municipal Area			
Under Repair (Excl those awaiting major refurbishment)		11	1
Awaiting Allocation		8	0
Construction Programme			
Single Rural Dwellings - Site Transfer Stage		1	
Single Rural Dwellings - under construction		0	
Extensions - applications on hands		3	
Extensions - Tender Stage		0	
Extensions - under construction		0	
<i>Rental Accommodation Scheme</i>			
	<u>County</u>	<u>L.M.A.</u>	
Total Active Tenancies	801	107	
New tenancies in 2014	146	15	
Tenancies terminated in 2014	74	5	
<i>Leasing</i>			
	<u>County</u>	<u>L.M.A.</u>	
Leased Properties	63	7	
Leases under negotiation	9	1	

Housing Adaptation Grants (County Wide)

	<u>No.</u>	<u>€</u>
Allocation 2014		2.039m
New Grants Allocated 2014	420	2.3m
Total 2014 Commitment	473	2.608m
Grants Paid	318	1.827m

Emergency Services Report

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

Operation of the Fire Brigade Service:

- There were 105 station mobilizations to 97 incidents in December. This is average for a December volume of work in Kerry. There were 33 Chimney fires and was quite similar to January and February last.
- Interviews for recruit fire fighters took place on the 9th and 10th of December to fill upcoming positions in Killarney, Killorglin and Castleisland.

Year 2014 summary:

- Operational volumes of work in 2014 are down on last year. There were 1016 incidents in 2014 compared to 1191 incidents for 2013.
 - There was a 36% decrease in fires (464 in 2014 compared to 729 in 2013).
 - There was a 34% increase in RTAs (160 in 2014 compared to 119 in 2013).
 - Chimney fires down 35% (144 in 2014 compared to 222 in 2013).

Fire Safety and Prevention:

- In order to promote fire safety awareness the Fire Service placed adverts in local papers listing the “top twelve” fire safety tips for Christmas. Posters of these were posted in County Buildings and the Motor Tax building.
- Also fire officers did radio interviews during December regarding fire safety in the home on Radio Kerry and on Radio na Gaeltachta.
- Fire officers also carried out further spot checks in respect of fire safety at larger entertainment venues in the county.

Building Control:

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

- The number of Fire Safety Certificate applications received this year to the end of December was 129, which is marginally up on the figure of 126 for 2013.

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

Civil Defence:

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

The Year 2014:

- The new Civil Defence fleet garage and stores (rented premises) acquired
- Civil Defence covered 80 duties for 2014.
- Restructured the local organisation due to Health & Safety policies in the role of operational volunteers being competent
- New Child protection policy & data protection introduced to all active volunteers
- Department-level decision taken that no young people (UNDER 18) can join Civil Defence from September 2014

Major Emergency Management

- Regional participation has been ongoing. The Regional Steering Group had their final quarterly meeting for 2014 in December.
- A Major Emergency Exercise took place on the 11th December to practice the Local Co-ordination group.

Environmental Protection Services Report

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

Environment Awareness Activities in the Listowel Municipal District

There are two new schools going for their first Green Flag

- Listowel Community College
- The Adult Education Centre, Youthreach Listowel

There are seven schools within the Municipal District having their Green Flag renewed for modules such as energy conservation, Water conservation, Sustainable transport, Biodiversity and Global Citizenship

All these schools will be assessed by the Environment Section of Kerry County Council between now and the end of March. Flags will be awarded in April/May of this school year.

We are launching an anti - Cigarette Litter Campaign in Kerry in the next month which will focus on all the main towns in the county. Listowel will be to the fore as work is ongoing with the Vintners Group in getting the local publicans on board. We would like to replicate that cooperation in other towns.

A Tidy Towns Seminar will be held in Kerry for all participating groups in Mid March. Advisors will be invited to speak on various aspects of the competition and how help groups improve their results.

Preparations are also underway for the National Spring Clean which will take place in April this year. We would encourage all communities to get involved in their local area. Bags/Gloves /pickers will be available from the Environment Section of Kerry County Council

Environmental Awareness Programme for 2015

A programme has been recently developed for the coming year and the Members will be updated on progress being achieved in respect of the Listowel Municipal District

Consultation on the Timetable and Work Programme for the for the Development of the Second Cycle River Basin Management Plans

As advised at the January Council Meeting, the Department of the Environment, Community & Local Government (DoECLG) has published a Consultation Document in relation to the Timetable and Work Programme for the Development of the Second Cycle River Basin Management Plans to which we have responded as per the report presented to Council. The Municipal District Members will be kept advised on progress being achieved in the development of this plan.

Library Service Report

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

Library service:

- Usage at Kerry's Libraries continues to expand. In **2014**, a record number of **647,533** items were **borrowed**, an increase of **5%** on the 2013 figure.

This is the **8th year** in succession that the no. of borrowings has increased and borrowings show a **59%** increase on the 2007 figure.

The no. of verified **visits** to Kerry's Libraries in 2014 was **435,010** while **53,221 internet sessions** were provided. **WiFi** usage accounted for **11,051** of this figure.

Usage of Listowel & Ballybunion libraries continues to be quite positive and the usage figures in 2014 were as follows:

Library	No. of items borrowed [2014]	No. of visits [2014]
Ballybunion	26,541	12,837
Listowel	46,670	37,976

- A review of library opening hours will be necessary at Listowel Library for the month of February.

John Breen
Director of Services
Sustainable Communities /Quality of Life
November 2014

Cllr. D Nolan referred to the Housing Activity Report and said that the content was very similar to that of the previous meeting. She asked if an update is available on additional funding for housing grants.

Ms. H Switzer said that a submission for funding has been made to the Department of the Environment, Community & Local Government and the allocation announcement is awaited.

Ms. Switzer acknowledged that there has been a backlog with regard to the allocation of vacant properties in Listowel. A procedure is now being implemented and regular meetings of management of the Housing Department are held with a view to expediting this process.

Cllr. J Brassil asked for an update on repairs to vacant properties at Knockbrack and Bawnmore.

Mr. M Griffin said that the approval of the estimate for the work at Knockbrack is awaited. In the case of the house at Bawnmore the scope of works will be considered following the allocation of the property.

Cllr. J Brassil referred to a house at Boherroe, Abbeydorney which has been vacant for a number of years and said that there were issues with the boundary which need to be resolved.

Mr. M Griffin said that he would refer this matter to the Tralee Municipal District and revert to Cllr. Brassil when an update is available.

Cllr. R Beasley asked that a report be prepared for the next meeting to update members on the current Housing List for the Listowel MD.

Cllr. R Beasley asked if emergency accommodation is provided in Tralee for people who become homeless.

Ms. H Switzer said there are a number of facilities available for emergency accommodation in Tralee. Any person who presents as homeless is accommodated.

Cllr. R Beasley referred to a recent tragedy in Dublin when a homeless person died while sleeping on the street and said that he had observed a homeless person on the street in Tralee.

Ms. Switzer reiterated that any person who presents as homeless to the Local Authority will be accommodated.

Cllr. J Brassil referred to a difficult situation concerning homelessness which he had dealt with recently and highly commended Kerry County Council on its response to the matter. He said that the interaction between the various services which is now

being put in place in Dublin, in response to the recent tragedy, has been in operation in Kerry for many years.

Area of Choice for Housing Applicants

Cllr. M Kennelly asked if an applicant for housing could specify an area of choice anywhere in the county.

Ms. H Switzer said that an applicant can specify three areas of choice on the original application form and each has equal weighting. During the subsequent interview process the applicant may specify their preferred choice.

Cllr. M Kennelly said that he was concerned that applicants who were not from Listowel may get preference over applicants who are from the area.

Ms. Switzer said that if Cllr. Kennelly was referring to a specific case, the matter could be examined.

Cllr. A Thornton suggested that newly appointed Municipal District Officer, Kathleen Curtin would be requested to update the members on a regular basis regarding the status of vacant properties in Listowel.

Tenant Purchase Scheme

Cllr. J Brassil asked if an update was available on the introduction of a new Tenant Purchase Scheme as he was aware of a number of tenants who wish to purchase their houses.

Ms. H Switzer said that a new scheme has not been announced by the Department to date. She undertook to get further clarification and to revert to Cllr. Brassil.

Cllr. J Brassil said that it is totally unacceptable that there is no Tenant Purchase Scheme in place.

Building Control

Cllr. J Brassil requested clarification on behalf of a person who commenced the building of a house after the introduction of the new Building Control (Amendment) Regulations 2014.

Mr. JD Flynn undertook to seek clarification regarding this matter and to revert to Cllr. Brassil.

Anti-cigarette Litter Campaign.

Cllr. J Moloney referred to page 4 of the report concerning an anti-cigarette Litter Campaign and requested clarification on it.

Mr. JD Flynn said that the Business Unit Manager, Mr. L Quinlan would be requested to revert to Cllr. J Moloney regarding this matter.

Review of library opening hours in Listowel during February.

Cllr. J Moloney requested clarification on the last line in the report which states that "A review of library opening hours will be necessary at Listowel Library for the month of February"

Mr. JD Flynn said that he did not have specific details and would follow up on this matter and update Cllr. Moloney before the end of the meeting.

(a) Notices of Motion

1. Cllr. R Beasley: That Kerry County Council clean up and paint the lifeguards huts in both beaches in Ballybunion and install a small refrigerator for refreshments to keep sandwiches and milk fresh.

Reply: It is being arranged for this work, for which funding has been provided, to be carried out in the next few weeks. Also, if there is a requirement for a small fridge this will also be provided at the appropriate time.

2. Cllr. R Beasley: That the toilets on the Castle be painted and brightened up inside and outside until such time as the new facility is built. They are very dark and dated at present.

Reply: This work will be done in the coming months.

3. Cllr. M Kennelly: That Kerry County Council in conjunction with Kilehenny graveyard committee Ballybunion initiate the works required at this graveyard.

Reply: There are a number of potholes out side the graveyard wall, in the parking area, which require attention. These will be repaired in the coming week.

4. Cllr. M Kennelly: That Kerry County Council carry out immediate refurbishment of the public toilets located at the blue flag Ladies Beach, Ballybunion to provide a positive reflection during the upcoming tourism season in this County. The facilities are in real need of urgent upgrade.

Reply: Kerry County Council considers that the public toilets at the Ladies Beach, Ballybunion are in good condition and while they are a bit dated, they are currently fit for purpose. Any modernisation and refurbishment would incur a significant cost and funds are currently not available for this work.

Cllr. M Kennelly said that the response states that "they are a bit dated" and asked that they be refurbished.

Cllr. R Beasley supported the notice of motion and agreed that the facility needs to be upgraded.

Mr. JD Flynn said that an estimate of the cost of the refurbishment would be requested.

5. Cllr. D Nolan: That Kerry County Council survey current provision and identify the absence or shortage of particular types of waste recycling in the Listowel area.

Reply: Currently in the Municipal District there are 15 Bottle Banks provided by Kerry County Council. Also, there is an extensive private kerbside recyclables collection service as well as a Pay To Use (PTU) facility in Listowel. The two privately operated Civic Amenity Sites in Tralee service a wide geographic area with the following recycling available:- aluminium, cardboard, scrap metal, steel cans and textiles.

The requirement for additional recycling facilities and review of existing facilities within the Listowel Municipal District as well as the other Municipal Districts will be kept under review in the context of the targets set out for recycling of municipal waste for the Southern Region in accordance with the Southern Regional Waste Management Plan 2015-2021.

Cllr. D Nolan asked that the recycling of particular types of waste i.e. batteries etc. which is currently not available be considere.

Cllr. J Moloney supported the notice of motion.

Mr. JD Flynn said that the requirement for additional recycling facilities will be kept under review.

(c) Question

1. Cllr. J Brassil: What is the up to date status regarding funding for repairs to rural cottages in North Kerry?

Reply: The Department has not to date issued notification of our Social Housing Investment Programme 2015 (SHIP). Funding was made available to local authorities in 2014 to return vacant stock, and in particular long term voids to productive use. In addition, there is an annual provision within the Housing Revenue Budget for the maintenance and repair of housing stock, including single rural dwellings. An application for funding in relation to the 2015 Programme for Return of Vacant Social Housing Units is currently being prepared for submission to the Department.

15.02.09.05 Water Services Directorate

It was agreed to note the following report from Mr. J Kennelly SE Water Services which was circulated.

Clár Infheistíochta na Seirbhísi Uisce Comhairle Contae Chiarraí Kerry County Council Water Services Investment Programme

Achoimre Stádais ar an 2^ú Feabhra 2015
Status Summary at 2nd February 2015

Irish Water Capital Investment Programme 2014-2016

The Irish Water Capital Investment Programme 2014-2016 was launched in May 2014. A total of 8 wastewater Schemes (total value of €10.7 million) and 7 water schemes (total value of €22.5 million) in Kerry are included in the IW Capital Investment Programme. The schemes listed in the CIP which affect the Listowel Municipal District are outlined in the following table.

<u>CIP TIONSCNAIMH FUÍOLLUISCE</u> <u>CIP WASTEWATER PROJECTS</u>	
Tionscnamh Project	Stádas Status
Tarbert SS	Tarbert and Ballylongford WWTP are being constructed as one contract awarded to Response Engineering Ltd. Tarbert Advance pipe-work Contract was completed in June 2013
Ballylongford SS	Tarbert and Ballylongford WWTP are being constructed as one contract Work by Response Engineering Ltd. is underway – due to be completed by June 2015

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 is given to Schemes on a Boil Water Notice (BWN) or on the EPA Remedial Action List (RAL) and/or on a Direction from the EPA. 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 is given to towns (agglomerations) on which there's an ECJ Ruling, and also on meeting the EPA Discharge License requirements.

Irish Water Minor Capital Works 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:

MINOR CAPITAL WORKS PROGRAMME			
Project	Description	Estimate	Status
Ardoughter Water Tower Boundary Wall Replacement	Remove fallen trees and rebuild part of boundary wall	€ 5,750	Work Completed
Lyreacrompane WTP - Sludge Treatment	Complete Sludge Treatment Plant	€ 50,000	Work Underway
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	Work Completed
Ballyduff Cast Iron Mains Replacement	Replace 2,900m of C.I. pipes	€ 277,500	Work Completed
Fenit Sewerage Scheme	Replace 50m section of sewer damaged by storms	€ 25,400	Completed
Ardfert South Water Supply Scheme	Installation of 3no. PRVs and 9 Air Valves	€ 24,500	Work Underway
Derry Listowel NEKRWSS	Replace 3.5Km of 300mm diameter Asbestos Cement Water Main	€1,163,000	Site Investigation Contract completed; Tender Documents almost completed; Tender in March 15
Derry Clontibret NEKRWSS	Replace 2.25Km of 300mm diameter Asbestos Cement Water Main	€270,000	Commencement Feb. / Mar. 15 by KCC direct labour works
Total		€1,570,150	

THE RURAL WATER PROGRAMME

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

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.

Takeover of Group Water Schemes

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

Nationally, discussions are ongoing between the DoEC&LG, the County and City Managers' Association and Irish Water to develop a protocol to facilitate the Takeover of Group Schemes. Pending the publication of this protocol, all Takeover applications are 'on hold'.

For 2014, much of the €625,100 grant for the upgrade prior to Takeover of GWSSs was allocated towards the completion of ongoing works on existing schemes – pipe replacement works at Ballylongane, Ballyheigue and Ballynoe Causeway and reservoir works at Trisk Kerryhead, all on the Clanmaurice GWSS, are examples in this MD.

The replacement of 1.6Km of old and deficient 50mm watermains with a new 90mm diameter pipe has been completed at Kilmore and Cloghane near Ballyduff – this is also part of the Clanmaurice GWSS.

The replacement of 1.06Km of old and deficient 4" watermains with a new 100mm diameter uPVC pipe at Feeans, Causeway is currently underway on the same Scheme.

Group Sewerage Schemes

General Background

The DOECLG Grant for Group Sewerage Schemes (GSSs) was increased to €6,500 per house or 75% of the cost of the scheme, whichever is the lesser, in December 2012. The members of a proposed group scheme must then make up the balance of the initial capital / construction costs. It is also necessary that each GSS and Irish Water agree in advance of the Scheme's construction that Irish Water will take over that scheme on its satisfactory completion. Kerry County Council has discussed this with Irish Water and does not anticipate any difficulty in obtaining the consent of IW.

There are no Group Sewerage Schemes in the Listowel Municipal District.

Cllr. J Brassil asked if there was a problem with water quality at Tarmons, Tarbert as a report in the Farmers Journal had indicated that water quality in the Tarmons area is poor.

Cllr. M Kennelly said that he had contacted Irish Water regarding this matter.

Mr. J McEniry said that this is dated information. Water at Tarmons as well as all over the county is continually tested and there are no issues there.

Mr. C Mangan said that the Listowel Regional Water Supply services the Tarmons area. This plant is very well run and the water is tested on an ongoing basis.

Cllr. L Purtill referred to a recent issue with regard to water quality in Ballylongford and said that on one particular day the water was not drinkable in the morning but was drinkable that evening.

(a) Notices of Motion

1. Cllr. R Beasley: Are there any plans for a sewage treatment plant in Asdee and has land been acquired for same?

Reply: A proposed Sewerage Scheme for Asdee has not been included to-date in Irish Water's Investment Plans. As was the case with the Department Of Environment, Community and Local Government, the focus of IW in the short term is on resolving issues with existing infrastructure.

Cllr. R Beasley asked if Mr. Mangan would meet with the residents to discuss this matter.

Mr. Mangan said that he would be happy to meet with them but there is no positive news with regard to the provision of a treatment plant in Asdee.

2. Cllr. A Thornton: Kerry County Council to prepare an Asset and Needs Brief for Irish Water in relation to a new Waste Water Treatment System in the site adjacent to Baile na Garrai housing estate in Lixnaw which was purchased for this purpose. There are six housing estates in the rural village and another ghost estate at the Abbeydorney side of the village. Can the Council also confirm the number of new houses developed in these estates which have been connected to the main sewer?

Reply: An Asset Needs Brief for the development of a new Waste Water Treatment plant to replace the existing overloaded system in Lixnaw has been sent to Irish Water.

There are approximately 180 newly built houses, not all of which are occupied, in these estates, all of which are connected to the public sewer.

Cllr. A Thornton asked that a copy of this document would be forwarded to her.

3. Cllr. D Nolan: That Kerry County Council test individual household water samples from areas with lead piping previously to stopcock or from cast iron mains to confirm the presence of lead piping from stopcock inwards.

Reply: The carrying out of any extra testing of drinking water, other than the statutory testing in accordance with the EU Regulations, is a matter for Irish Water. The responsibility of Irish Water and Kerry County Council to provide safe drinking water to the customer ends at the stopcock in front of each property.

Cllr. D Nolan asked if the residents of old estates could get their water supply tested.

Mr. Mangan said that if the houses are privately owned they would have to get the water tested by a private company. If they are owned by the Local Authority testing would be arranged by Kerry County Council.

Cllr. J Brassil suggested that water from some of the houses owned by the Local Authority would be tested as the result may be similar to that of the privately owned neighbouring houses.

(c) Questions

1. Cllr. D Nolan: Requesting an update on possibility of a scheme to address the financial cost to households who would need to replace unsafe pipes from stopcock inwards.

Reply: The introduction of such a scheme is highly unlikely because Irish Water has no responsibility for such privately owned service pipes which are laid in private properties to the individual customers.

Mr. JD Flynn said that the statutory position with regard to the ownership of water service pipes is that from the stopcock inwards is the responsibility of the property owner.

2. Cllr. D Nolan: Will the cast iron water mains that remain in the Listowel area be replaced and upgraded?

Reply: In most cases where cast iron water mains exist, the accompanying service pipes to the individual customers are of Lead.

In October 2014 Kerry County Council submitted an inventory and map of all cast iron piping in the water mains' network throughout the county to Irish Water, which was then conducting a nationwide survey, with a view to producing a Lead Strategy in the coming weeks, to addressing this issue. It is likely that this Strategy will include a multi – annual approach to replacing cast iron piping in the public water network.

First Fix Free Scheme

Cllr. M Kennelly said that he was concerned about a specific case and asked if the first fix of a leak was free as indicated by Irish Water in 2014.

Mr. Mangan advised that the customer should contact Irish Water regarding this matter.

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

It was agreed to note the following Report from Mr. G Riordan Senior Engineer

Listowel Municipal District Meeting 9th February 2015

Report from the Director of Operations, Health & Safety

Programme of Works

Listowel Municipal District Operations	<p style="text-align: center;"><u>Flood Mitigation</u></p> <p><u>Ballylongford</u> Works have commenced on a flood protection wall on the western flank of the Ballyline River, south of Bridge Street in Ballylongford. Other works will be undertaken in Quay Street, Bridge Street and the Rusheen area in line with the agreed programme of works with the Ballylongford Flood Action Committee. All flood mitigation works will not be complete before the high tide events of 5th & 6th and 18th – 23rd February.</p> <p><u>Duagh</u> Flood alleviation works have been completed in Foildarrig, Duagh, it is hoped that the works undertaken will prevent surface water from particular private properties accessing the road network. Channels and gullies which have been constructed will remove excess surface water from the road, up-catchment. Finally works were undertaken outside a property, which was previously badly affected to mitigate the probability or reoccurrence.</p> <p><u>Ballybunnion</u> Specific works to an interceptor system at the junction of Marian Park and the Doon Road should have alleviated the probability of houses, fronting the roadway at this junction, being flooded.</p> <p style="text-align: center;"><u>Roads</u></p> <p><u>Abbeydorney</u> Works on the expenditure of bond monies to upgrade Carrig Geal, Montanagay, Abbeydorney is ongoing.</p> <p><u>Kilflynn</u> Apart from minor sundries, our planned bond works at Crotta, Kilflynn are complete.</p> <p><u>Moyvane</u> Again, apart from minor sundries, Work has been completed at Bruach na Gaille, Moyvane</p> <p><u>R551</u> Road strengthening of the shoulders and cautionary road markings have been rendered to a segment of the Dale Road (R551)</p> <p><u>Listowel Town</u> Footpath works are ongoing at present.</p> <p>Note: Listowel Municipal District Operations will henceforth undertake 'preliminary screening surveys' for any requests for traffic calming and pedestrian crossings. All 'legacy issues' will be dealt with in a timely fashion.</p>
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	<p style="text-align: center;"><u>Housing</u></p> <p><u>Update on Casual Vacancies</u></p> <p>Group Schemes</p> <p>Lixnaw</p> <p>3 Bed - 3 Convent View - returned to Housing /awaiting re-allocation</p> <p>2 Bed - 3 Baile An Garrai - returned to Housing /awaiting re-allocation</p> <p>Ballybunion</p> <p>2 Bed - 34 Marconi Avenue - returned to Housing /awaiting re-allocation</p> <p>1 Bed - 21 Hillview - returned to Housing /awaiting re-allocation</p> <p><u>Ballyduff</u></p> <p>3 Bed - 5 Benmore - returned to Housing /awaiting re-allocation</p> <p><u>Abbeydorney</u></p> <p>3 Bed - 8 Riverside - returned to Housing /awaiting re-allocation</p> <p>Listowel</p> <p>47 Feale Drive – works ongoing</p> <p>1 Convent View - returned to Housing /awaiting re-allocation</p> <p>101 Feale Drive - returned to Housing /awaiting re-allocation</p> <p>71 Feale Drive - awaiting estimate approval</p> <p>3 Stokers Drive - awaiting estimate approval</p> <p>1 Stokers Grove - awaiting estimate approval</p> <p>4 Liosarda - awaiting estimate approval</p> <p>Single Rural Dwellings</p> <p>2 Bed - Aghabeg Middle, Lixnaw - awaiting estimate</p> <p>3 Bed - Ballinclemisig, Ballyheigue - keys with Housing</p> <p><u>Update on Long Term Voids</u></p> <p>Group Schemes</p> <p>Ballyduff</p> <p>3 Bed - 11 Benmore - awaiting estimate approval</p>
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	<p>Single Rural Dwellings</p> <p>3 Bed - Lerrig South Ardfert - returned to Housing /awaiting re- allocation</p> <p>3 Bed - Ballydonoghue Lower - returned to Housing /awaiting re- allocation</p> <p>2 Bed - Ahamore Causeway - returned to Housing /awaiting re- allocation</p> <p>3 Bed - Knockbrack Ardfert - out to tender</p> <p>2 Bed - Bawnmore Ardfert – Legal issues re boundarries</p> <p>3 Bed - Aghabeg Middle, Lixnaw – Legal issues re septic tank</p> <p>3 Bed - Boherroe Abbeydorney –Legal issues re storage onsite</p> <p>2 Bed - Ballinagearagh, Lixnaw - with Housing Admin</p> <p>2 Bed - Dirha Listowel - awaiting estimate approval</p> <p><u>Other non maintenance works</u></p> <p>Tenders received for re-construction of chimneys on 3no Single Rural Dwellings - works awaiting confirmation of funding</p> <p>Extension to existing house at Lady's Walk, Ballyduff – heat design to be finalised – submit for tender</p>
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John Sheehan
Senior Executive Engineer

Gerry Riordan
Senior Engineer

Cllr. M Kennelly moved notice of motion No. 28 at this stage.

28. Cllr. M Kennelly: That Kerry County Council review the street drainage system in Ballybunion as heavy rainfall makes some sections of the street impassable.

Reply: It is intended to carry out gulley cleaning works in Ballybunion in the coming week.

This will include the area around the Golf Hotel.

We will ensure that the source of the ponding, ie the gulley trap on the south eastern flank of the raised junction pad is fully functional.

We will further monitor the area and if the issue tends to reoccur we will connect a new gulley trap to the main surface water system.

(b) Notices of Motion

1. Cllr. L. Purtill: That Kerry County Council would address the condition of the road that leads from Greenville Road, Listowel to Dromurrin School. This road is extremely dangerous because of the undulations on this road. Warning signs should be erected immediately.

Reply: This is a 'bog rampart road' and to eliminate the surface undulations it is acknowledged that a full road reconstruction is required to adequately improve the riding quality.

Funding for reconstruction of this section of road is unavailable. Kerry County Council have ordered advance warning signs to alert motorists of the undulating nature of the road and to urge caution and will erect these upon receipt.

Cllr. L Purtill said that this road is extremely dangerous for vehicles transporting livestock.

Cllr. R Beasley supported the notice of motion and said that this road has been neglected for a long time. He commented that if revenue from motor tax will be used to fund Irish Water the condition of roads such as this will deteriorate further.

Cathaoirleach Cllr. M Kennelly supported the notice of motion.

2. Cllr. Robert Beasley: That Kerry County Council would take immediate action to eliminate the difficulties that are on the Ballyduff/Tralee Road, from Ballinclogher Cross to Abbeydorney and that the Council call on the NRA to implement Phase Two of the Dale Road Project before there is a serious loss of life.

Reply: This road is the R556 regional road from Tralee to Ballyduff. The section of road from Ballinclogher Cross to Abbeydorney is built on a bog rampart which, due to the nature of the underlying ground conditions, is subject to settlement resulting in a significant number of undulations on the road surface. The pavement was overlaid in 2010 and further minor repairs works were carried in 2014 to the worst sections of this road. Consideration was also given to the erection of crash barriers on this section of road, where the road level is above the adjoining ground level, but considerable works would be required to extend the embankments on either side of the road, to facilitate these measures.

It is acknowledged that a full road reconstruction is required to adequately improve the riding quality of this road, similar to the works completed on the 2.5 km section north of Ballinclogher Cross in 2009, which was funded under a specific improvement grant and at a cost of €3 million. The estimated cost of these works is €3million. The Council has made repeated requests to the Department of Transport, Tourism and Sport for specific funding for these works but due to the reduction in overall grant aid, has been unsuccessful. Since 2014, the Specific Improvement Grant Scheme has been suspended and the scale of the works could not be considered for funding under the Discretionary Maintenance Grant scheme. Given the scale of works required, central government funding is required, and we will continue to raise this issue with the Department.

Cllr. R Beasley said that he was concerned that a serious accident would occur on this road. He would raise this issue at every meeting of the Listowel MD until the matter is resolved.

Cllr. A Thornton supported the notice of motion and asked that progression of Phase Two of the Dale Road Project would be prioritised.

3. Cllr. L Purtill: That Kerry County Council would immediately address a road at the entrance to a field at Ballyline, Ballylongford on the left hand side coming from Listowel (Details with Directorate) and the farmyard on the left. The side of the road and the yellow line has subsided.

Reply: A section of the shoulder of the roadway at this locus has disintegrated. Listowel Municipal District Operations has undertaken minor strengthening works at the location and will re-line the area in the near future.

4. Cllr. L Purtill: That Kerry County Council would address the road at Tarmons East leading to the county bounds. This road is now in a treacherous state and a danger to health and safety. The residents of this road are very concerned. I have been highlighting this for a number of years.

Reply: This road is the L-1013, it is included in the 2015 Restoration Improvement Programme.

Kerry County Council is awaiting confirmation from the Department of Transport of its allocation for the current fiscal year.

Upon confirmation, this road will be scheduled for works during 2015.

5. Cllr. L Purtill: That Kerry County Council would urgently address the condition of the road from Greenville to Dromurrin schoolhouse. This is the most dangerous stretch of road I have ever travelled, due to the dangerous undulations vehicles are in danger of being overturned especially if the driver is not familiar with the road.

Reply: This is a 'bog rampart road' and to eliminate the surface undulations it is acknowledged that a full road reconstruction is required to adequately improve the riding quality.

Funding for reconstruction of this section of road is unavailable.

Kerry County Council have ordered advance warning signs to alert motorists of the undulating nature of the road and to urge caution and will erect these upon receipt.

6. Cllr. L Purtill: I would ask that Kerry County Council would have the flood relief measures in place in Ballylongford before the very high tides on 20th, 21st and 22nd February which are 5.5m, 5.5m and 5.4m. I would like to commend Mr, J Sheehan SEE and his staff for preparing and submitting the plans so promptly.

Reply: The raising of a flood protection wall on the western flank of the Ballyline River, south of Bridge Street in Ballylongford, is under construction. Other works are scheduled to be undertaken in Quay Street, Bridge Street and the Rusheen area, in line with the agreed programme of works drawn up by Kerry County Council in consultation with Ballylongford Flood Action Committee.

The works are expected to take a minimum of 10-12 weeks and hence all flood mitigation works will not be complete before the high tide events of 5th & 6th and 18th – 23rd February.

Cllr. L Purtill welcomed this reply.

7. Cllr. L Purtill: That Kerry County Council would surface dress the road from Callaghan's Cross to the cross of the wood. In particular, on the right hand side as you drive towards Tarbert which is in an appalling condition. A number of claims have been made to Kerry County Council concerning damage to tyres. It is a safety hazard because motorists try to avoid the side of the road which is in bad condition.

Reply: This section of road (1.6km from Ballinaclessy – Glencullarne Cross) is included in the 2016 Restoration Improvement (Strengthening) Programme. In the interim we will maintain this section of roadway to the best of our ability as resources allow.

Cllr. R Beasley supported the notice of motion.

8. Cllr. L Purtill: When will work commence on the N69 at Tarbert as a result of the recent announcement regarding funding?

Reply: Kerry County Council have recently been informed that additional funding will be provided to carry out Pavement Strengthening/ Overlay works on the N69 between Tarbert and the County Boundary.

Design works must be carried out initially and agreed with the NRA.

The design work for this pavement improvement has commenced and will be forwarded to the NRA for approval.

It is expected that Construction works on this road will not commence until the pavement design is approved. It is expected that construction works will commence in the third quarter of 2015.

9. Cllr. J Moloney: In line with the rate harmonisation in Listowel that Kerry County Council introduce 1 hour free parking in the town.

Reply: Kerry County Council have adopted a budget based upon certain projected income criteria, such as that from parking revenue. Apart from the loss of revenue, with a probable consequent reduction in service provision, 1 hr 'free parking', where tried, has proved particularly unmanageable from a policing perspective.

As an alternative a small number of strategically sited 'Set Down Areas' could be considered allowing 'free parking' within these zones for up to 15mins for any particular visit. This system has proved very popular and effective in other towns and would allow flexibility for shoppers for reasonable usage.

Mr. JD Flynn said that rate harmonization would not be coming into effect this year. This matter will be considered when the next budget is being prepared.

Mr. J Sheahan said that a number of set down areas were provided in Tralee and are very popular and effective and very positive feed back has been received from the traders and road users in the town.

Cllr. J Moloney said that any system that would help traders would be very welcome.

Cllr. A Thornton and Cathaoirleach M Kennelly supported the notice of motion.

10. Cllr. J Moloney: That Kerry County Council re-examine the need for traffic calming measures in Stokers Lawn/ Stokers Place/ Stokers Drive/ Cluainin estates.

Reply:

a) Cluainín Housing Estate, Listowel

This is a cul-de-sac housing estate in Listowel town, off the main 'Stoker's distribution road intersecting at right angles.

Cluainin roadway feeds thirty (30) semi-detached houses and a Family Resource Centre.

Preliminary Scheme Assessment

This estate satisfies the criteria that a roadway on which traffic calming can be considered is within a 50kph zone.

It is border-line on the stipulation of a minimum uninterrupted length of 150 m of cul-de-sac road.

Over 65% of the residents have not sought traffic calming.

There are no recorded accidents within or adjacent to the estate.

Survey and Traffic Calming Scheme Assessment

A preliminary warrant assessment was be undertaken by Listowel Municipal District Operations to determine traffic volumes and vehicle speeds within the estate.

The Average Annual Daily Traffic, albeit determined from a preliminary no exhaustive survey is less than 3000, negating the use of horizontal traffic calming measures.

The highest volume of traffic, predominantly generated by the Listowel Family Resource Centre was between 12.30 – 13.30.

Pedestrian and cyclist traffic was minimal with no conflicts being observed between vehicular and pedestrian volumes.

Assessment of the results was undertaken on the basis of Accident History, 85% Percentile Speed, Vulnerable Road Users, Traffic Volumes and Local Conditions.

On the basis of the Preliminary Assessment, Survey Results and Traffic Calming Scheme Assessment, no vertical or horizontal traffic calming measures will be considered within this estate.

b) Stoker's Own Housing Estate, Listowel

This is a cul-de-sac housing estate in Listowel town, off the main 'Stoker's distribution road intersecting at right angles.

Stoker's Own roadway feeds twelve (12) semi-detached houses and is approximately 90m in length.

Preliminary Scheme Assessment

While this estate satisfies the criteria that a roadway on which traffic calming can be considered is within a 50kph zone, it fails on the stipulation of a minimum uninterrupted length of cul-de-sac road in excess of 150 m.

There are no recorded accidents within or adjacent to the estate.

On the basis of this preliminary assessment no vertical or horizontal traffic calming measures will be considered within this estate.

c) Stoker's Place Housing Estate, Listowel

This is a cul-de-sac housing estate in Listowel town, off the main 'Stoker's distribution road intersecting at right angles.

Stoker's Place roadway feeds twelve (12) semi-detached houses and is approximately 90m in length.

Preliminary Scheme Assessment

While this estate satisfies the criteria that a roadway on which traffic calming can be considered is within a 50kph zone, it fails on the stipulation of a minimum uninterrupted length of cul-de-sac road in excess of 150 m.

There are no recorded accidents within or adjacent to the estate.

On the basis of this preliminary assessment no vertical or horizontal traffic calming measures will be considered within this estate.

d) Stoker's Drive Housing Estate, Listowel

This is a cul-de-sac housing estate in Listowel town, off the main 'Stoker's distribution road intersecting at right angles.

Stoker's Drive roadway feeds sixteen (16) semi-detached houses and is approximately 100m in length.

Preliminary Scheme Assessment

While this estate satisfies the criteria that a roadway on which traffic calming can be considered is within a 50kph zone, it fails on the stipulation of a minimum uninterrupted length of cul-de-sac road in excess of 150 m.

There are no recorded accidents within or adjacent to the estate.

On the basis of this preliminary assessment no vertical or horizontal traffic calming measures will be considered within this estate.

e) Stoker's Grove Housing Estate, Listowel

This is a cul-de-sac housing estate in Listowel town, off the main 'Stoker's distribution road intersecting at a reflex angle.

Stoker's Place roadway feeds eighteen (18) semi-detached houses and is approximately 120m in length.

Preliminary Scheme Assessment

While this estate satisfies the criteria that a roadway on which traffic calming can be considered is within a 50kph zone, it fails on the stipulation of a minimum uninterrupted length of cul-de-sac road in excess of 150 m.

There are no recorded accidents within or adjacent to the estate.

On the basis of this preliminary assessment no vertical or horizontal traffic calming measures will be considered within this estate.

To sum up

A Preliminary Warrant Assessment, Survey and Traffic Calming Scheme Assessment was undertaken for Cluainín by Listowel Municipal District Operations. On the basis of the results achieved no vertical or horizontal traffic calming measures will be considered within this estate.

Preliminary Assessment is not satisfied for Stoker's Own, Place, Drive or Grove and consequently no vertical or horizontal traffic calming measures will be considered.

Consideration should be given to appropriate signage and road markings at the confluence of the exits of Cluainín, Stoker's Own, Place, Drive and Grove to the distribution road within the overall estate as an alternative to other forms of traffic calming measures for which a warrant can not be justified.

Apart from the above and in line with Circular RSD 01/2014 on the control of Vehicle Speeds in Housing Estates and expression of interest can be made by the Residents Associations requesting measures in line with this directive for their estate.

Mr. J Sheahan said that the Family Resource Centre is located on Cluainin roadway and this is a major source of traffic. However, the result of the assessment did not indicate a need for traffic calming measures within the estate. The only issue highlighted in the estate was that there were a number of very young unsupervised children in the public areas.

Cllr. D Nolan said that this is an open plan estate and walls around properties are not allowed.

Mr. J Sheahan said that the volume of pedestrians and traffic observed on the roadway was very low with the busiest time being between 12.30pm and 13.00pm.

Mr. JD Flynn said that the results of the assessment had indicated that no vertical or horizontal traffic calming measures will be considered within this estate.

Mr. J Sheahan said that the erection of appropriate signage could be considered.

11. Cllr. J Moloney: That the 3 malfunctioning lights in The Square, Listowel be repaired immediately.

Reply: Three public lights in the Square, Listowel have not been functioning in a correct manner since the storms of February 2014. An intermittent problem stems from water ingress on one column, which causes the lighting mechanisms on three lanterns to trip.

This is a public safety issue as an entire section of the Square is in constant darkness. Kerry County Councils' Public Lighting Section is 'aware of these lanterns; unfortunately this decorative lantern model is no longer available so we have ordered a very similar model that will match the existing decorative lanterns throughout the town'.

We have contacted Airtricity Ltd. who has indicated that the non-standard items are in stock and that repairs will be undertaken within 10 working days.

12. Cllr. J Moloney: That the section of lights on the R555 at Woodford Listowel be repaired immediately.

Reply: The Public Lighting Section of Kerry County Council issued an order to Airtricity Ltd. to undertake works and rectify the Public Lighting at Woodford. Prior to the electrical works, Crash barrier works and fencing works were required prior to the lighting being repaired. These works have now been completed (end 2014 and start 2015) and a request has gone into the supplier to ascertain the programme for these works, along with projected start/finish dates for the work. As soon as these are available we will inform the council of same.

Cathaoirleach Cllr. M Kennelly moved notice of motion No. 27 at this stage.

27. Cllr. M Kennelly: That Kerry County Council contact Airtricity to request that they carry out a comprehensive assessment of all public lighting in the Listowel Municipal District, as numerous complaints have been lodged with me over the last few weeks.

Reply: The Public Lights Section of Kerry County Council has indicated that any complaints that are received for light outages are dealt with within a number of days. Furthermore the Public Lights Section state that;

'Airtricity is currently undertaking ongoing night time patrols covering all of Kerry, including the Listowel Municipal District, these patrols identify faults within Kerry County Councils' public lighting network. We will, in the meantime, ask Airtricity to carry out an additional assessment of all KCC lights within the Listowel Municipal District'.

Listowel Municipal District Operations also logs all reported faults and passes them to Airtricity Ltd, whereupon each fault is given a complaint reference number. In the normal course of events Airtricity Ltd. undertakes to fix the outages within 10 working days for standard faults.

Since the initiation of the Listowel Municipal District Operations' Roads And Lighting Faults (RALF) register, seven complaints of outages have been logged, four of which have been reported since the start of 2015.

Cathaoirleach Cllr. M Kennelly said that only 4 lights are now operational at Beech Grove.

Mr. M McEnery said that this matter has been addressed.

13. Cllr. J Moloney: That lights be installed between Knockanure Community Centre and the village.

Reply: Currently due to the constraints on maintaining the existing public lighting network, including increasing energy costs, the Council has not been in a position to fund the provision of additional lighting to the public network, except in exceptional circumstances.

In particular, in recent years the taking in charge of housing estates has increased our public lighting costs and there will be additional costs with the proposed taking in charge of other estates, or the placing of extra public lighting on roads in our charge.

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

This will necessitate substantial investment in either retrofitting our existing public lighting network with more efficient lighting equipment and/or restricting the provision of new lights on the existing network.

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

Any request to provide additional public lighting between Knockanure Community Centre and the village will need to be assessed as part of a Public Lighting Policy, which will be developed through the Operations SPC, given the existing demands on the Council to maintain existing public lighting infrastructure throughout the county.

Our information is that the proposed scheme would comply with current Public Lighting Policy, therefore we have costed the scheme.

Current public lighting, within the village, consists of 70Watt SON lanterns on power distribution poles. One of these lanterns is positioned on the western flank of the Community Centre.

The proposal, as requested, would require three extra 6m columns and energy efficient lanterns on 1.5m outreaches, between the Community Centre and the junction at the village.

A connection and metering cost would be applicable.

A road crossing and civil works along the southern flank of the roadway would be also required.

The estimate cost of the works is between €9,250 - €10,000.

Should the scheme satisfy the proposed new Public Lighting Policy as developed through the Operations SPC the works would be suitable for funding through a CCA.

Cllr. J Moloney acknowledged this in-depth reply and asked his fellow members if they would be willing to contribute from their Councillor Specific Municipal District Operations Fund for this work.

Cllrs. J Brassil, M Kennelly, R Beasley & J Moloney indicated that they would each consider contributing €1,500. **Cllrs. D Nolan and A Thornton** said that they would consider the matter further. **Cllr. L Purtill** was not present at that time.

14. Cllr. J Moloney: Can a stove be installed at (Details with Directorate)?

Reply: Kerry County Council Staff visited the tenant on 17th Sept 2014 and found the existing oil fired heating system to be in perfect working order. The existing free standing solid fuel stove in the sitting room, provides excellent heat for that room but is not suitable for heating the radiators.

The tenant subsequently applied to the Housing Liaison Officer for an alternative heating system but it was deemed that she did not fulfil the needs criteria and her request was declined on 3rd Nov 2014.

There are further issues surrounding this tenancy.

15. Cllr. J Moloney: That a review take place of the traffic lights at Upper Church St, Listowel.

Reply: We have consulted with the Gardaí, who have indicated that the lights seem perfectly functional, no accidents have occurred in the vicinity of the installation and they do not cause any traffic management issues.

The lights are a positive aid to pedestrians attempting to cross the road at this point.

Cllr. J Brassil asked that this pedestrian crossing would be observed for the duration of a full day as pedestrians do not appear to be using this pedestrian crossing to cross the road.

Mr. JD Flynn said that a survey of the pedestrian crossing at this location would be arranged.

16. Cllr. R Beasley: That Kerry County Council eliminate the flooding at the junction opposite the Golf Hotel Ballybunion where people are continually being drenched. This problem is ongoing since the one way system was put in place over seven years ago.

Reply: It is intended to carry out gulley cleaning works in Ballybunion in the coming week.

This will include the area around the Golf Hotel. We will ensure that the source of the ponding, ie. the gulley trap on the south eastern flank of the raised junction pad is fully functional. We will further monitor the area and if the issue tends to reoccur we will connect a new gulley trap to the main surface water distribution system.

Cllr. R Beasley welcomed this response.

17. Cllr. R Beasley: That “Slow” signs be erected opposite Lisselton School to prevent a traffic accident as vehicles travel at high speed at this location.

Reply: These signs will be erected in the near future.
We will further undertake to provide advanced warning road markings at the locus.

18. Cllr. R Beasley: That Kerry County Council repair the windows at the rear of (Details with Directorate) and also address the loose tiles at this property.

Reply: Kerry County Council has addressed the problem with loose roof tiles. A window repair subcontractor has been engaged to attend to the windows.

19. Cllr. A Thornton: Kerry County Council to address the potholes on the road leading from Shannow Bridge to Abbeydorney village.

Reply: The potholes have been recently repaired.

20. Cllr. A Thornton: Kerry County Council to address the bad potholes on the main Lixnaw Finuge Road at Dysert Cross, this part of the road was recently resurfaced but unfortunately now has some dangerous potholes.

Reply: There is funding provided for the Finuge – Lixnaw road in the 2015 Restoration Improvement Programme.

This will allow a continuation of works from the section of road improved in 2014 from Ballyhorgan towards Finuge.

It is intended to use a portion of this funding to address the poor surface at Dysert Cross.

In the interim patching will continue to be carried out at this location as necessary.

21. Cllr. A Thornton: Kerry County Council to address the fallen road sign for Rattoo Tower, Ballyduff.

Reply: The existing fingerpost sign for Rattoo Tower at Knockananore, adjacent to the Doctor’s Surgery, is in place.

This is a sign which is not in ‘pristine’ condition and if funds permit we will replace it in the latter part of the fiscal year.

22. Cllr. A Thornton: Kerry County Council to address the bad road surface on the road at Cleanderry, Causeway and more particularly the road that leads to the property of (Details with Directorate) which is the fourth road to the right after the left turn off to the grotto outside the village.

Reply: This roadway is not in the care of Kerry County Council, therefore we will not be undertaking work thereon.

23. Cllr. A Thornton: Kerry County Council to write to the Road Design Office for clarification as to when they envisage being in a position to respond to queries in relation to matters raised such as Duagh Pedestrian Crossing, Moyvane Pedestrian Crossing and issues at the primary school in Abbeydorney. These are matters that are outstanding for some time.

Reply: Listowel Municipal District Operations will henceforth undertake 'preliminary screening surveys' for any requests for traffic calming and pedestrian crossings.

It is hoped that all 'legacy issues' will be dealt with in a timely fashion.

Pedestrian Crossings are provided to give access and easier movement of pedestrians, without incurring excessive delays to traffic.

A site assessment estimates the degree of conflict between pedestrians and vehicles by counting the number of vehicles passing the site, in both directions, and the number of pedestrians crossing the road, along a length extending 50m on each side of the proposed crossing.

A formula using the average flow of both pedestrians and vehicles, taking a mean of the four highest hourly averages, dictates the needs assessment and whether the provision of a pedestrian crossing is warranted and appropriate.

Moyvane L1021

In relation to our survey of Moyvane, the locus where the crossing is requested has parking on both sides of the road. This parking is directly off the carriageway and at a 60° obtuse angle.

Parked vehicles have to reverse onto actual roadway, this of necessity is a 'blind' action, not allowing clear sight distance of oncoming traffic.

As a preliminary, any siting of a pedestrian crossing at this locus would require the sterilisation of 14no. car spaces on the eastern flank of the carriageway, outside the Centra store, and 8no. car spaces on the western side, adjacent to the playground. (Chapter 7 paragraph 7.16.21 & fig. 7.54)

It was noted that the vast majority of pedestrian movements did not relate to the 'play area' but to shoppers who were using the parking outside the playground to facilitate easy access to the Centra store.

There are no recorded accidents at, or adjacent to, the proposed locus.

In assessing the surveyed results at Moyvane we used the highest hourly results rather than our 'average'.

On the basis of the preliminary screening survey and evaluation, the resultant numerical computation falls short of the warranted criterion, therefore a pedestrian crossing will not be considered at this locus.

Duagh R555

The Notice of Motion for a pedestrian crossing is from 'church grounds to service Duagh National School, the Church and the new sports facility'. The actual proposed locus of the crossing is ambiguous, however, directly outside the school roadside boundary there are off street, 'end-on' parking bays with multiple access points to the R555. If this is the proposed location then approximately 40m of the parking, fronting onto the roadway will have to be sterilised.
(equivalent of 16no parking bays)

The other locations mentioned are the Church and the Sports Complex.

The survey encompassed all three prospective sites.

The R555 runs through Duagh Village with a carriageway width of 7.0 – 8.0 m, kerb-to-kerb.

There are no recorded accidents at, or adjacent to, the proposed locii.

Again in assessing the surveyed results at Duagh we used the highest hourly results rather than the 'average'.

On the basis of the preliminary screening survey and evaluation, the resultant numerical computation falls short of the warranted criterion, therefore a pedestrian crossing will not be considered at this locus.

Abbeydorney Village

Road marking works have been undertaken at this location, however it is proposed to undertake further supplementary road markings in the general locality this year.

On the issue of changing the 'pelican' style signalised pedestrian crossing to a 'zebra' type, we have requested clarification from the Road Safety Officer.

We outlined the concerns of members in relation to the confusion that the green light appears to be causing for motorists approaching the crossroads in the village, from both directions. The traffic lights could be mistaken for lights at a junction and consequently when motorists actually approach the junction, at the centre of the village, there is a tendency to drive straight through, instead of stopping.

There is a financial outlay to the changing of the 'type of crossing', costs for the mechanisms, fittings, markings and civil works being estimated at €6,500.

No finance is currently available for this project; however it would be suitable for County Councillors' Allocations.

Cllr. A Thornton said that in Abbeydorney village the Pelican Crossing is so close to the cross that it is sometimes mistaken for traffic lights at night time.

24. Cllr. A Thornton: Kerry County Council to address the extremely poor condition of the road leading from Ballyduff, after the Ferry Bridge to Dromerin.

Reply: This is a 'bog rampart road' and to eliminate the surface undulations it is acknowledged that a full road reconstruction is required to adequately improve the riding quality.

Funding for reconstruction of this section of road is unavailable. Kerry County Council have ordered advance warning signs to alert motorists of the undulating nature of the road and to urge caution and will erect these upon receipt.

25. Cllr. A Thornton: Kerry County Council to address the footpath in Lixnaw Village towards the post office side of the village.

Reply: A length of 250m of footpath is in need of upgrade at this location, to bring it to a satisfactory standard.

The cost of this upgrade is estimated at €11,500.

Currently there is no funding available to carry out these works.

It would, however, be suitable for funding through a County Councillor's Allocation.

It was agreed that the members would consider allocating funding from their Councillor Specific Municipal District Operations Fund for this work.

A discussion also took place regarding the allocation of funding for works on the bridge at Cloolaclarig.

26. Cllr. M Kennelly: That Kerry County Council take in charge Dirrah Way Estate, Dirrah West, Listowel.

Reply: There is currently no 'Taking in Charge' application for a development at Derra West Listowel.

However, a bond release request is being processed in relation to Planning Development 01/2648 & 06/1366.

To set the 'Taking in Charge' process in motion either the developer or a majority of the home owners, within the estate, will have to make a formal application to Kerry County Council.

Notice of Motion No. 27 was moved in conjunction with Notice of Motion No. 13.

Notice of Motion No. 28 was moved in conjunction with item (a) (update report from the Operations, Health & Safety Directorate).

29. Cllr. D Nolan: That Kerry County Council carry out repair works to Francis Road, Ahafona.

Reply: The road in question is the L-6065. Patching works have recently been carried out. Parts of the carriageway are very badly pitted making it unsuitable for a surface dressing programme without first being strengthened, the cost of which is

currently unavailable. It is not included in any current roads programme for improvement.

30. Cllr. D Nolan: That Kerry County Council carry out urgent repair works at Behins Cross, Listowel.

Reply: Patching works at this location have been recently completed. It is intended to carry out additional road markings and signage works at this location in the near future.

31. Cllr. D Nolan: That Kerry County Council put in place warning signage and road markings on the approach to Moyvane Playground.

Reply: Warning signage for this location has been ordered and will be erected once received. Kerry County Council provided road markings at this location in late 2014, the location will be re-examined to see if any additional markings can be provided.

Mr. J Sheahan said that additional road markings would also be considered for this location.

32. Cllr. D Nolan: That Kerry County Council review traffic and pedestrian safety measures in the Market St/Convent St area in relation to increased usage due to relocation of Post Office services to this location.

Reply: The relocation of the Post Office is to a private development and it is a matter for the owners of the development to ensure pedestrian and vehicular safety and make adequate provision for parking within the grounds of that development.

We will ensure that the existing traffic management arrangements will be enforced to negate the issue of illegal parking causing a hazard.

We have plans, which if funded, will provide extra pedestrian facilities on Market Street close to Convent Corner. This will also have the effect of slowing vehicular traffic in the area.

Cllr. D Nolan acknowledged that the relocation of the Post Office is not within the remit of the members of the MD. She asked that Operations staff would meet with representatives of the businesses to discuss this matter.

Cllr. R Beasley supported the notice of motion.

33. Cllr. J Brassil: That Kerry County Council would repair and relay the footpath from Killury school to opposite the Church car park in Causeway, the footpath is currently in very poor condition and poses danger to pedestrians.

Reply: The request comprises of two separate zones, the area which is nearest to the church has no discernable footpath for a length of 65m, beyond this, heading in

the direction of the school a footpath does exist, albeit it never exceeds a width of 1.0m. The surface of this section is in poor condition.

In all, 550m of footpath needs to be upgraded in order to bring it to a satisfactory standard.

The work required also includes cutting back overhanging growth to the existing footpath.

The cost of carrying out this upgrade is €16,500.

Currently there is no funding available to undertake the work, however, it would be suitable for funding through a Councillor's Allocation.

Cllr. J Brassil said that he would allocate €5,000 from his Councillor Specific Municipal District Operations Fund for this work.

Cllr. A Thornton and R Beasley said that they too would contribute funding towards this project.

Mr. J Sheahan said that there is no discernable footpath for a length of 65m and suggested that the cutting back of the overhanging hedging would help to address this matter.

Cllr. J Brassil said that flooding of the footpath is also an issue at this location.

Mr. JD Flynn said that the cutting back of overhanging growth along the existing footpath would be carried out.

34. Cllr. J Brassil: That Kerry County Council would repair and replace the sign and fence at Lowes Cross, Ballyheigue. These have been in need of repair for almost 12 months now.

Reply: The fence at this location is scheduled to be repaired.
The sign is beyond repair and a new sign is being ordered.

35. Cllr. J Brassil: The Kerry County Council place a welcome sign at the far side of Abbeyfeale Bridge on the Duagh Road, as was there previously but has been removed.

Reply: A new sign has been ordered and will be erected once received.

36. Cllr. J Brassil: That Kerry County Council would realign the road at the entrance and exit of Ballinagare Bridge, Lixnaw as the current ramps are both dangerous and unsuitable.

Reply: The roads leading towards the Ballinagare Bridge from both directions are on a marshy type sub-surface.

The bridge itself is piled and thus has a structurally solid foundation.

The approach roads have subsided relative to the bridge structure resulting in the 'ramp effect' which is currently evident.

To permanently stabilise the approaches to the bridge would require piling of the ground on either side of the structure. This is an expensive option and currently no funding is available to carry out this type of work.

The only option available is to continue to ramp the entrance and exits with infill material as required.

Cllr. A Thornton supported the notice of motion.

37. Cllr. J Brassil: That Kerry County Council would deal with the road safety issue outside the property of (Details with Directorate) as a matter of urgency.

Reply: The locus is on the southern carriageway of the western flank of the roundabout exiting Listowel, on the N69 to Tarbert.

The property in question is located near the roundabout on the N-69. Subsidence on the section of the roadway, in front of the said property, would require the area to be excavated, strengthened and resurfaced. Chamber covers also require 're-beding'.

Pavement anomalies and requested strengthening works on National Routes, in the area, are monitored by Listowel Municipal District Operations, but determined by the National Roads Authority.

Reports on the deficiencies of this particular locus were logged with the NRA on 21st May 2014 and 18th December 2014.

No funding has been received, to date, to carry out the required works.

The signage on and approaching the roundabout is also a source of concern to the named individual, however, this signage will have to remain in place as it was determined by and installed on behalf of the NRA Road Safety Officer.

Cathaoirleach Cllr. M Kennelly said that the road surface in front of the entrance to the property is in poor condition.

Mr. J Sheahan said that no funding is available to carry out the required works.

38. Cllr. J Brassil: That Kerry County Council remove the footpath opposite properties 61-69 Marian Park, Ballyheigue and increase the area for parking as it is a complete bottleneck at present.

Reply: There are twelve semi-detached houses in this row with a total kerbside length of 90m. This provides parallel parking for 15 cars. The adjacent carriageway is of sufficient width to accommodate parallel parking and two lanes of traffic.

The length of the green area fronting eight of these houses is 50m. The open area has a footpath parallel to and in close proximity to the kerb-line. A 40m length of this

open space could be utilised for 'end on parking' providing 14 parking spaces, 2 of which would be suitable for disability access. To provide parking, in the area indicated, and relocate the footpath would cost €15,800. No funding is currently available. The works would be suitable for consideration through a County Councillors Allocation.

Cllr. J Brassil said that he was pleased with the response but the cost is substantial. There is a footpath that serves no purpose and its removal would provide additional parking space.

Mr. J Sheahan said that he would not agree that the footpath is not used.

Mr. JD Flynn said that Operations could consider this matter further and revert to Cllr. Brassil.

Cllr. Brassil said that he would discuss the issue with the residents and advise them that if the footpath is removed it will not be reinstated.

Mr. JD Flynn said that a cost will be prepared for both options.

39. Cllr. J Brassil: That Kerry County Council would put a stove in the property of (Details with Directorate) who is currently suffering serious health problems and this would be of great assistance in her current condition.

Reply: The tenant of this property removed a solid fuel range and installed an oil fired high capacity central heating system that is more than adequate to heat the house.

There is an 'open fireplace' in the sitting room and the tenant wants a stove fitted in its place.

The Housing Liaison Officer wrote to the tenant last December requesting medical supporting evidence, prior to the 'assessment of the needs' for the provision of a stove to supplement the existing heating system. Following submission of the supporting medical evidence, approval of the request has been granted by Housing Admin.

Cllr. J Brassil welcomed this reply.

40. Cllr. J Brassil: That Kerry County Council replace the windows at the council cottage of (Details with Directorate), the current windows are rotten and in dire need of replacement.

Reply: The property to which you refer ceased being in the care of Kerry County Council in 2004. Her situation may be considered through Kerry County Council's grant programme of housing aid for older people.

(c) Questions

1. Cllr. A Thornton: Kerry County Council to confirm when they will be in a position to commence works in relation to Abbeydorney School which are outstanding since July last year and critical to the safety of the children attending the school.

Reply: Works have been undertaken at this location; however it is proposed to undertake further supplementary road markings in the general locality this year.

2. Cllr. M Kennelly: That Kerry County Council carry out emergency repair work on the Toor Road, Duagh from Toor Creamery to Knockalucca School Cross.

Reply: Patching works will be carried out at this location in the near future.

3. Cllr. M Kennelly: That Kerry County Council carry out emergency repair work at Dirrah East, Listowel and at Dirrah West, Listowel. Can Kerry County Council include these roads in the Road Improvement Scheme 2016?

Reply: Patching works have recently been carried on these roads. The 2016 Restoration Improvement Programme has already determined. 2017 is the earliest opportunity that these roads can be considered for inclusion in any roads programme.

4. Cllr. M Kennelly: That Kerry County Council extend the Public Lighting in Ballylongford from Well Street to Callaghan's Cross, Ballylongford.

Reply: Currently due to the constraints on maintaining the existing public lighting network, including increasing energy costs, the Council has not been in a position to fund the provision of additional lighting to the public network, except in exceptional circumstances.

In particular, in recent years the taking in charge of housing estates has increased our public lighting costs and there will be additional costs with the proposed taking in charge of other estates, or the placing of extra public lighting on roads in our charge.

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

This will necessitate substantial investment in either retrofitting our existing public lighting network with more efficient lighting equipment and/or restricting the provision of new lights on the existing network.

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

Any request to provide additional public lighting from the existing system on Well Street to O'Callaghan's Cross Community will need to be assessed as part of a Public Lighting Policy, which will be developed through the Operations SPC, given the existing demands on the Council to maintain existing public lighting infrastructure throughout the county.

Our indication is that the proposed scheme does not comply with current Public Lighting Policy, and a similar request was previously refused.

Any proposed works here would consist of the erection of 11no x 10m columns with appropriate energy saving lanterns on 1.5m outreaches, attendant civil works, metering and connection fee.

The estimated cost is between €34,000 - €38,000.

5. Cllr. M Kennelly: That Kerry County Council carry out emergency road repair works on Cleanderry road, Causeway.

Reply: Patching works on the public roads in this area will be carried out in the near future.

6. Cllr. M Kennelly: That Kerry County Council install Traffic Calming measures in Lartigue Drive, Ballybunion Road, Listowel.

Reply: This estate is not in charge of Kerry County Council, apart from which, it would not fulfil the stipulated criteria for traffic calming.

7. Cllr. J Brassil: Has Kerry County Council any plans to deal with the Line Road between Ballinorig cross and Buncurrig Cross?

Reply: A 2km section of this road is included in the 2015 Restoration Improvement Programme.

Cllr. J Brassil asked that the 2km in most need of improvement would be addressed first.

8. Cllr. J Brassil: Does Kerry County Council have any plans to provide a right turning lane at Lacey's Cross, Asdee for traffic travelling towards Ballylongford?

Reply: While the proposal is desirable there is insufficient width available on the R-551, at this location, to facilitate both a right turning lane for traffic travelling towards the Asdee GAA grounds and a dedicated through lane for traffic transiting from Asdee to Ballylongford.

To create such would require the acquisition of land and attendant accommodation works, which would not be insignificant.

At present there aren't any plans to acquire this land or funds available to undertake the required works at the junction.

9. Cllr. J Brassil: Have Kerry County Council any plans to fix the uneven road surface on the Ahagran Road, Ballylongford?

Reply: The road in question is the L-1006. A substantial amount of this roadway is in good repair; however there is a 250m section which is of bog rampart construction, which, due to the nature of the underlying ground conditions, is subject to settlement resulting in a significant number of undulations on the road surface. It is acknowledged that a full road reconstruction is required for this part of the road to adequately improve the riding quality.

This scenario is replicated on numerous roadways throughout the Listowel Municipal District but considering the scale of works required, central government funding is required.

Currently there are no plans or sources of funding to undertake major works at this location other than minor repairs.

10. Cllr. J Brassil: When does Kerry County Council plan to deal with the flashing lights outside Tarbert School, which are installed but not currently working?

Reply: On the 3rd December 2014 a member of the Parents' Association in Tarbert N.S reported to KCC that the school flashing lights were not working for sometime. An electrician from Kerry County Council made contact with the school authorities on the 9th December and informed them that the lights were the responsibility of the National Roads Authority, giving the appropriate contact details.

The NRA replaced the lights pre Christmas.

The same member of the Parents' Association contacted Kerry County Council on 20th January and indicated that the new lights were not functional.

On 21st January advice was given that the school authorities should again contact the NRA in connection with the problem.

It should be noted that Kerry County Council also logged the complaint with the National Roads Authority.

The maintenance of the School Warning Signings which are under the National maintenance contract is currently managed by Imtech Ireland. The complaint has also been logged with that company. (NRA_faults@Imtech-ireland.com)

15.02.09.07 Motions / Questions relevant to other Directorates or issues not relevant to Kerry County Council business

(a) Notices of Motion

1. Cllr. J. Moloney: What is the up-to-date position regarding the installation of CCTV cameras in Listowel Town?

Reply: A number of years ago it was agreed at a JPC meeting of Listowel Town Council, that CCTV cameras would be jointly financed by the Listowel Traders and the Town Council. Specifications and tender documents were drawn up and tenders sought and received. A technical challenge to the procurement procedure was initiated by one of the unsuccessful tenderers which put the whole programme on hold. Advice at the time was not to proceed.

Following recent discussion with the members, it was decided to recommence the re-tender for the CCTV cameras, provided the Traders were still willing to contribute the agreed 50% (as per previous arrangements).

It is proposed to make a more formal contact with the traders, before going to the expense of re-tendering again, to ascertain whether the traders are willing to make a contribution to these proposed cameras.

2. Cllr. M Kennelly: That Kerry County Council inform members of Listowel Municipal District on the installation of CCTV in the town of Listowel as already confirmed by the old Listowel Town Council for health & safety reasons.

Reply: A number of years ago it was agreed at a JPC meeting of Listowel Town Council, that CCTV cameras would be jointly financed by the Listowel Traders and the Town Council. Specifications and tender documents were drawn up and tenders sought and received. A technical challenge to the procurement procedure was initiated by one of the unsuccessful tenderers which put the whole programme on hold. Advice at the time was not to proceed.

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It is proposed to make a more formal contact with the traders, before going to the expense of re-tendering again, to ascertain whether the traders are willing to make a contribution to these proposed cameras.

Cllr. J Moloney asked how it would be possible to prevent a re-occurrence of this issue when re-tendering takes place.

Mr. JD Flynn said that he was not familiar with this case.

3. Cllr. M Kennelly: That Kerry County Council request confirmation from Bus Eireann that route 272 serving Tralee, Listowel, Ballybunion, Moyvane and Tarbert is to remain as is with no loss of service.

This is a matter for consideration by the members.

Cllr. J Moloney **SECONDED** the proposal.

Cllr. R Beasley supported the proposal.

4. Cllr. M Kennelly: That Kerry County Council investigate and secure a National Car Testing Centre in the North Kerry Area.

This is a matter for consideration by the members.

5. Cllr. D Nolan: That Listowel Municipal Area express it's disappointment at the fundamental change by An Post in the delivery of Post Office services in Listowel town from direct provision to contract. This is a serious retrograde step for a market town with a large rural hinterland.

Mr. JD Flynn said that this matter had previously been raised at a meeting of the Full Council. A reply had been received from An Post and would be circulated to the members with the agenda for the February meeting.

8. Dates for meetings

It was unanimously agreed that the next meeting of the members of the Municipal District of Listowel would be held on Monday 30th March, 2015.

9. Correspondence

It was agreed to note the following correspondence which was circulated.

1. Reply from NRA re funding for resurfacing works on William St. Listowel

11. Any Other Business

Review of library opening hours at Listowel Library for the month of February.

Mr. JD Flynn referred to Cllr. J Moloney's request for clarification regarding he review of library opening hours at Listowel Library for the month of February (please refer to page 18) and advised that as the Assistant Librarian in Listowel was seconded to the Oireachtas Banking Enquiry the opening times for the Library in Listowel were being reviewed.

Councillor Specific Municipal District Operations Fund

Door's Bridge Ballinageragh, Lixnaw

Cllr. R Beasley asked the other members present if they would be willing to fund works to be carried out at Door's Bridge at Ballinageragh, Lixnaw from their Councillor Specific Municipal District Fund allocation.

A total of €6,500 was committed at the meeting, for this project, as follows:

Cllrs. A Thornton, R Beasley, M Kennelly - €1,500 per councillor. (€1,500 x 3)

Cllrs. J Brassil - €1,000. (€1,000 x 1)

Cllrs. D Nolan and J Moloney - €500 per councillor.(€500 x 2)

Coolaclarig Bridge

Cllr. M Kennelly said works costing €5,000 are required at Coolaclarig Bridge. He asked members if they would be willing to contribute to these works.

A total of €5,000 was committed at the meeting for this project as follows:

Cllrs. J Brassil, D Nolan, R Beasley, - €500 per Councillor. (€500 x 3)

Cllrs A Thornton & J Moloney - €1,000 per Councillor. (€1,000 x 2)

Cllr. M Kennelly - €1,500 (€1,500 x 1)

Footpath in Lixnaw

Cllr. J. Brassil said that it is estimated that the provision of a footpath in Lixnaw Village (250m) will cost €11,500 and asked members if they would be willing to contribute to these works.

Members undertook to consider this request in the light of their remaining allocation.

Update on concerns of deputation from Sliabh a Mhadra National School, Ballyduff which was received at the November meeting.

Mr. J Sheahan said that he had endeavoured to negotiate the removal of the ditch with the adjacent land owner on a number of occasions but was not successful.

Cllr. J Brassil suggested that an alternative landowner be approached.

Mr. JD Flynn said that Cllr. Brassil's suggestion would be considered.

Schedule of Municipal District Works

Mr. JD Flynn said that the Schedule of Municipal District Works for the Listowel MD would be coming before the members for consideration, at the next Municipal District meeting on 30th March, 2015.

The draft policy for Councillor Specific Municipal District Operations Fund of €29,000 per councillor which has replaced the traditional County Councillors Allocation and the Community Support Fund Guidelines would be presented to members for consideration, at the February meeting of the Full Council on 16th February, 2015.

The meeting concluded at 1.40pm.