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MINUTES OF THE MEETING OF THE MEMBERS OF THE MUNICIPAL DISTRICT OF LISTOWEL HELD IN ÁRAS AN PHIARSAIGH, LISTOWEL ON 28TH SEPTEMBER, 2015.

MIONTUAIRISCÍ NA CRUINNITHE DE CHEANTAR BARDASACH LIOS TUATHAIL A THIONÓLADH IN ÁRAS AN PHIARSAIGH, LIOS TUATHAIL, AR AN 28 MEAN FÓMHAR, 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. J Breen	DOS
Ms. J McCarthy	SEO
Mr. G O'Brien	Meetings Administrator
Mr. G Riordan	SE
Mr. J Sheehan	SEE
Mr. D Doyle	SE
Ms. T Smith	SEE
Mr. C Mangan	SEE
Mr. J McEniry	EE
Mr. M Griffin	EE
Mr. P Stack	SE
Mr. P Bradley	EE
Ms. B Conway	AO
Ms. N O'Mahony	EPT Officer
Ms. S Griffin	Community/Voluntary Sector Involvement Facilitator
Ms. S Broderick	SO

The meeting commenced at 9.30am.

The Cathaoirleach, Cllr. J Moloney took the Chair.

Suspension of Standing Orders

Cllr. M Kennelly informed the Cathaoirleach that a group of students from a school in the Spanish city of Vigo were visiting Listowel. As their visit is sponsored by the

Municipal Authority in Vigo they would like to meet the members of the Municipal District of Listowel and observe a meeting in progress.

On the PROPOSAL of Cllr. M Kennelly SECONDED by Cllr. R Beasley it was agreed to suspend Standing Orders to allow the students to join the meeting. The Cathaoirleach Cllr. J Moloney welcomed the students to Listowel and wished them an enjoyable visit to Kerry.

Cllr. M Kennelly welcomed the students to Listowel and said that he hoped that this link with Vigo will be maintained and that students will continue to visit Listowel into the future.

The students thanked the members for affording them the opportunity to join the meeting and presented a book on Vigo, which is a city on the Atlantic Ocean in Galicia, north-west Spain, to the Cathaoirleach.

15.09.28.01(a) Confirmation of the Minutes

On the PROPOSAL of Cllr. L Purtill, SECONDED by Cllr. J Brassil it was agreed that the Minutes of the meeting of the members of the Municipal District of Listowel held on the 13th July, 2015 be confirmed.

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

(a) Installation of traffic calming measures and enhanced pedestrian facilities on the N69 National Secondary Route at William St. Listowel.

Mr. D Doyle briefed the members on the following report which was circulated.

Ábhar/Subject: Section 38 . Traffic Calming and Enhanced Pedestrian Facilities
William Street, Listowel

Report on Submissions received

Kerry County Council **proposes** to install traffic calming measures and enhanced pedestrian facilities on the N69 National Secondary Route at William Street, Listowel, Co. Kerry.

The scheme will involve improvement works for a length of 240m on the N69 from the entry to William Street at John B Keane Statue to the junction with Charles Street.

Other measures included in the proposal are as follows:

- 3.5m carriageway,
- Build outs to facilitate pedestrian crossings and landscape areas,
- Pavement overlay and inlay works as required
- Signage and road markings,
- All associated ancillary and accommodation works

A Public Notice was published in the 6 August, 2015 edition of the Kerry Eye and drawings of the proposed works were put on display. The closing date for receipt of submissions and observations was Monday, 7 September 2015. In total 6 submissions were received (which are outlined in the attached report).

Having regard to the submissions received, I am recommending the adoption of this scheme subject to the amendments proposed to Council for your approval, in accordance with Section 38(4) of the Road Traffic Act, 1994.

Is mise le meas,

Cathal O Súilleabhain, *Charlie O'Sullivan*

Stiúrthóir Seirbhísí, *Director of Services*

An Roinn Oibríochtaí, Sláinte agus Sábháilteacht,
Operations, Health & Safety

Section 38

Traffic Calming and Enhanced Pedestrian Facilities

William Street, Listowel

Kerry County Council **proposes** to install traffic calming measures and enhanced pedestrian facilities on the N69 National Secondary Route at William Street, Listowel, Co. Kerry.

The scheme will involve improvement works for a length of 240m on the N69 from the entry to William Street at John B Keane Statue to the junction with Charles Street.

Persons or bodies who responded within the prescribed period:-

1. **Pierse Fitzgibbon Solicitors, Market Street, Listowel**
2. **Vincent Hussey, Acting Chief Fire Officer, Fire Services Department**
3. **Superintendent Daniel J Keane, An Garda Síochána, Listowel**
4. *(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)*
4. **Stacks Furniture, William Street, Listowel**
6. *(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)*

1. **Pierse Fitzgibbon Solicitors, Market Street, Listowel**

The above is in agreement with the Traffic Calming proposals for William Street.

Issues Raised:

- 1.1 . Concerns regarding the proposed trees that will hinder view for traffic exiting from the side road of Jumbo Fast Food Outlet.
- 1.2 . The other points are not relevant to this proposal.

Reply to Issues Raised:-

1.1 . Kerry County Council will remove the proposed tree on the build out outside the premises outside Building No. 40.

2. Vincent Hussey, Acting Chief Fire Officer, Fire Services Department

Letter of acknowledgement received . no observations made.

3. Superintendent Daniel J Keane, An Garda Síochána, Listowel

Issues Raised:

3.1 . Concern that the proposed planting of trees in proximity to the Mermaids Nite Club and Jumbo's Fast Food Outlet on William Street may become a focus for damage.

Reply to Issues Raised:-

3.1 . Kerry County Council will examine the possibility of using low level planting in lieu of trees.

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

Issues Raised:

4.1 . The location of trees would prevent daylight on shop fronts, public houses, etc. The proposed planting of trees in proximity to the Mermaids Nite Club and Jumbo's Fast Food Outlet on William Street may become a focus for damage.

4.2 . At McKenna Corner, besides the disabled parking space, it is proposed to plant a tree here. Slanted parking spaces are very difficult to enter/exit at this side of the road due to continuous traffic. The presence of a tree would deter the driver of a car to see their right as they reverse out onto Market Street.

4.3 - This submission refers to a problem with the sewerage system along Market Street.

4.4 - The pedestrian crossing at Stack's Arcade be moved to Market Street.

4.5 - Concerns with narrowing of William Street.

4.6 - Concerns with disruption to businesses during construction.

Reply to Issues Raised:-

4.1 . Kerry County Council will examine the possibility of using low level planting in lieu of trees.

4.2 . Kerry County Council will examine the possibility of using low level planting in lieu of trees.

4.3 - This point is not relevant to this proposal.

4.4 - The provision of a pedestrian crossing at Market Street does not form part of this proposal.

4.5- This proposal involving narrowing of William Street is to reduce speed of the traffic.

4.6- Kerry County Council will liaise with all businesses to minimise disruption during the construction.

5. *(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)*
Stacks Furniture, William Street, Listowel (on behalf of some of the business people in William Street)

(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)
is objecting to the Traffic Calming proposals for William Street.

Issues Raised:

5.1 - The proposed one lane of traffic going up William Street, a one way system, will affect the whole town. It will also have a serious effect on the deliveries to certain shops.

5.2 - Concerns that the roots of the proposed trees will lift the brick paving and cause serious health and safety issues.

5.3 - Suggest using a temporary measure before carrying out any works.

Reply to Issues Raised:-

5.1 - This proposal gives priority to pedestrians as well as traffic and the removal of the left hand lane is necessary to enhance the safety of pedestrian crossing the road at this location.

5.2 - Kerry County Council will examine the possibility of using low level planting in lieu of trees.

5.3 - The removal of the left turn lane was trialed the week commencing Monday, 21 September 2015.

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

(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) is objecting to the traffic Calming proposals for William Street.

Issues Raised:

6.1 - Trees on William Street will hamper lines of vision and could thus create danger to people crossing the road. Trees will shade off business premises from people's view. They will also cut light from the premises on William Street as the street is quite narrow. There is significant activity at night on William Street, particularly on the week-end nights. Trees will be an increased temptation for vandalism.

6.2 - There is a need for two lanes of traffic at Shanahan's Corner (i.e. 36 William Street), turning into Market Street. If this is reduced to one lane, it will lead up to a back-up of traffic on lower William Street and into the Square, and will result in access problems to Market Street.

6.3 - The road in William Street needs to be repaired and resurfaced.

6.4 - Another zebra crossing positioned somewhere in Lower William Street could be justified.

Reply to Issues Raised:-

6.1 - We will examine the possibility of using low level planting in lieu of trees.

6.2 - This proposal gives priority to pedestrians as well as traffic and the removal of the left hand lane is necessary to enhance the safety of pedestrians crossing the road at this location.

6.3 - William Street will be improved as part of this proposal.

6.4 - It is proposed to provide 4 uncontrolled crossing points along William Street which is adequate to meet the needs of pedestrians crossing William Street.

Cllr. M Kennelly said that he had submitted a number of motions for previous meetings regarding the resurfacing of the streets in Listowel. While he acknowledged the design of the scheme he said that the build outs to facilitate pedestrian crossings could cause problems for traffic. He proposed that the scheme be amended to remove the proposed build outs at McKennas Corner.

Cllr. J Brassil welcomed that funding has been made available for this work and said that improvement to the streetscape will have long term benefits for Listowel. It is the responsibility of the members of the Listowel MD to ensure that Listowel town gets the best option. It is important that the Tidy Towns Committee and other Community Groups are involved in the consultation process.

Cllr. Kennelly referred to Friday 18th September . Ladies Day at Listowel Races when a traffic survey was being carried out on William Street in Listowel by a private company commissioned by Kerry County Council. This work caused traffic chaos in

the town on one of the busiest days in the year. He thanked Mr. J Sheehan for his immediate response on becoming aware that this work had commenced. He proposed that a letter issue from the Listowel Municipal District, to the traders in the town, explaining the circumstances and apologising for the inconvenience caused.

Cllr. D Nolan **SECONDED** the proposal to remove the build outs at Market St. Junction and agreed that the left hand lane at Shanahan's corner turning into Market St. be retained. She welcomed that Kerry County Council would examine the possibility of using low level planting in lieu of trees.

Cllr. A Thornton agreed that amendments should be made to the scheme as the business people are very aware of what works best in the town. With regard to the traffic survey being carried out on Ladies Day of the Listowel Races, she said it was totally unacceptable and consideration should be given to the development of a policy/protocol for the carrying out of work in the town on event days to ensure that an incident such as this does not reoccur.

Cllr. J Moloney said that it is critical for Listowel town that this work goes ahead. He said that the incident concerning the traffic survey on Ladies Day of Listowel Races was unacceptable and very unfortunate for the traders who had suffered due to the cancellation of the races earlier that week. He said that it is very important that the proposed traffic calming works are not carried out during the month of December which is a very busy time of year in Listowel.

Mr. D Doyle undertook to revert to the Transport Infrastructure Ireland (TII) (formerly NRA) with regard to the amendments proposed by the members. With regard to commencement of work, Mr. Doyle said that the project would be more appropriate for commencement in early 2016 to minimise disruption to the businesses in the town.

On the **PROPOSAL** of Cllr. M Kennelly **SECONDED** by Cllr. D Nolan it was unanimously agreed to consider the provision of Traffic Calming Measures and enhanced pedestrian facilities on the N69 National Secondary Route at William Street, Listowel, **as amended** pursuant to Section 38 of the Road Traffic Act, 1994, as amended by Section 46 of the Public Transport Regulation Act, 2009.

(b) Proposed new Burial Ground at Clogher, Lixnaw.

Mr. JD Flynn briefed the meeting on the following report which was circulated.

**COMHAIRLE CONTAE CHIARRAÍ
KERRY COUNTY COUNCIL**



**REILIG AN CLOICHIR LEIC SNÁMHA
CLOGHER LIXNAW BURIAL GROUND**

**Tá Reilig nua amolta le 988 spás d'uaigheanna inti
Proposed new Burial Ground and provision for 988 grave spaces**

**Tuarascáil don Údarás Áitiúil de réir Alt 179(3) den
Acht um Pleanáil agus Forbairt 2000 (LEASAITHE)**

**Report to the Local Authority in Accordance with Section 179(3)
of the Planning and Development Act 2000 (AS AMENDED)**

John D Flynn

**Feidhmiúchain Tarmiligthe agus Bainisteoir Cheantair Bardasach Lios Tuathail
Delegated Executive and Listowel Municipal District Manager
28/ 9/ 2015**

COMHAIRLE CONTAE CHIARRAÍ
ACHT UM PLEANÁIL AGUS FORBAIRT 2000 (LEASAITHE)
Tuarascáil an Phríomh-Fheidhmeannaigh Ullmhaithe de réir Alt 179(3)

KERRY COUNTY COUNCIL
PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED)
Chief Executive's Report Prepared Pursuant to Section 179 (3)

Location
Clogher, Lixnaw, Co. Kerry
<u>Nature & extent of proposed development</u>
Proposed new Lawn Style Burial Ground and provision for 988 grave spaces. The proposed new Burial Ground will measure 1.5 acres.
Persons or bodies who made submissions or observations within the prescribed period
<p>The plans and particulars of the proposed development were available for inspection from Friday the 19th December, 2014 to Friday the 6th February, 2015 (inclusive). The closing date for receipt of submissions was the 20th February, 2015.</p> <p>No observations or submissions were received from the Prescribed Bodies.</p> <p>5 External Observations/Submissions were received from the following: <i>(Names withheld for data protection purposes. A paper copy of unedited Minutes available on request)</i></p> <p>A number of issues were raised in these submissions and these are now listed along with the Kerry County Council response to each of these issues.</p> <p>No Hydrogeological assessment has been carried out for the proposed development</p> <p><i>(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)</i> expressed concern that the proposed Burial Ground was in close proximity to a well which supplies his water needs, and <i>(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)</i> also identified this well and requested that a Hydrogeological assessment was carried out for the proposed Burial Ground. <i>(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)</i> also expressed their concern about potential effects to Groundwater.</p>

Response

The Preliminary Environmental Impact Assessment carried out by Kerry County Council did not identify any water source/receptor in the immediate environs of the site and did not consider that a Hydrological / Hydrogeological assessment was necessary, however once the presence of a well was identified in the vicinity of the proposed development, then this assessment had to be done.

O'Donoghue & Associates were engaged through a tender process to carry out this Hydrological / Hydrogeological Assessment. Their report concluded that the site is potentially suitable for use as a cemetery provided that there is a 1 metre thickness of subsoil between the base of any grave and the top of bedrock.

They recommended that a groundwater monitoring well be installed at the southeast corner of the proposed development and that this well should be monitored to confirm water quality between the site and the well in the adjacent property. Kerry County Council will incorporate this well into the proposed development.

No Environmental Impact Assessment has been carried out for this proposed development

(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) expressed the belief that an Environmental Impact Assessment should be carried out for this proposed Development.

Response

The Preliminary Environmental Impact Assessment Screening Report states: It is considered that the project provides adequate and standard safeguards as inherent components of the overall project so as to ensure that significant risks to the environment are not likely to occur.

Overall it is considered that there is no potential for significant effects on the environment to arise as a result of this proposal and that an EIA is not required in this instance.

The Hydrological / Hydrogeological Assessment carried out by O'Donoghue & Associates did not identify any significant risks to the environment are likely to occur from this proposed development or that an Environmental impact assessment is required.

Kerry County Council still does not consider that an EIA is required in this instance.

No provision has been made for parking within the proposed Development and this will create a hindrance to traffic and particularly emergency vehicles

All of the external submissions expressed concern about the lack of parking provided within this development

Response

Kerry County Council carried out a Preliminary Environmental Impact Assessment Screening Report which considered this to be a very suitable location for a Burial

Ground. This proposed development is within easy walking distance of St. Michael's R.C. Church and the general environs of Lixnaw village where parking and other services are already available, while adequate off street parking is provided in the Car Park in front of the Community Centre adjacent to the proposed development and around the Village.

Kerry County Council considers that the proposed development is in accordance with the proper planning and sustainable development of the area and as such will not cause a hindrance to passing traffic or Emergency Vehicles.

Traffic Hazards

(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) believes that there are restricted sight lines at the access point to the proposed development and that the location of the proposed entrance will encourage uncontrolled parking along the roadside and on the public footpath.

(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) believe that a road safety audit should be carried out. *(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* believes that the existing road should be widened and that a bend should be removed. He particularly expressed concern about illegal parking which could hinder emergency vehicles, block fire hydrants and cause traffic congestion. *(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request)* believes that people have been disregarded and put at risk by this development.

Response

Kerry County Council Roads Department assessed this proposed development as part of the internal consultation process. They concluded that the proposed development is located within a 50 Km zone and the sight distance required is 90 metres as per the Design Manual for Roads and Bridges. The sight lines available are well in excess of 100 metres on both directions and as such no sight distance issues arise from this proposed development.

There is no evidence to suggest that the location of the proposed entrance will encourage uncontrolled parking. Illegal parking should it ever arise, would be a matter for An Garda Síochána.

The proposed development is located on the Local Secondary Road L6047-22. A Road Safety audit is not required for a new access onto a local road. Safety Audits are required for new accesses onto national roads.

A clear access will always have to be maintained to the Community centre to ensure

Access for emergency vehicles.

Kerry County Council considers that the proposed development is in accordance with the proper planning and sustainable development of the area and is in compliance with the Kerry County Development Plan (2015 - 2021). As such nobody has been disregarded or put at risk by this proposed development.

Pollution of Surface Water and Flooding

(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) expressed the belief that this Development would cause Pollution of surface water and flooding and that a storm attenuation system and a petrol interceptor should be provided.

Response

There will be minimal vehicular access into this Burial Ground and Hence a Petrol interceptor was not deemed to be necessary for this proposed development.

Kerry County Council do not consider that there will be any issue with flooding from this proposed development as the site is located in lands not designated as prone to coastal, fluvial or pluvial flooding and hence do not consider the need to provide a storm attenuation system.

This development will devalue homes and property in the immediate vicinity of the proposed burial ground.

(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) believe that property will be devalued by this development.

Response

Further to the information provided in the Part 8 process, the planning authority has concluded that the proposed development will not be seriously injurious to amenities of any property or depreciate the value of the property and is a development in compliance with proper planning and sustainable development.

Extend Kiltomey Graveyard

(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) believe that the community is better served by extending Kiltomey Graveyard.

Response

The existing Burial Ground currently utilised by the people of Lixnaw, is Kiltomy Burial Ground. No more new grave spaces are available here and its location is approximately 2 km from Lixnaw. Kerry County Council could still extend Kiltomy Burial Ground some time in the future, subject to existing planning constraints and the cooperation of the adjoining Landowner.

Zoning/planning issues relating to the site of the proposed Development.

(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) questioned why we were proposing to develop a graveyard on a site which was originally proposed for a school and why was the zoning changed from Institutional/Community Facilities to Rural General.

Response

Further to the adoption of the Tralee/Killarney HUB Functional Area Local Area Plan 2013-2019, the lands of the proposed burial site in Lixnaw is now located outside the settlement boundaries. It is zoned %rural general+which allows for the development of a burial site. Issues raised in relation to a possible new school in Lixnaw should be discussed with the Department of Education. The development of a new educational facility is not within the remit of the Planning Authority

Anti Social Behaviour

(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) is concerned that this proposed development will attract anti social behaviour and that the fencing is not adequate to prevent access to his property.

Response

There is no evidence to suggest that this proposed Burial Ground would be a source of anti social behaviour. The timber post fencing which forms the Burial Ground boundary does not adjoin his property and is not there to provide security for his property and does not change the current situation with his existing boundary.

The proposed development does not appear to have been forwarded to other departments within Kerry County Council for their input/observations.

(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) noted that the proposed development does not appear to have been forwarded to other departments within Kerry County Council for their input/observations.

Response

The following departments of Kerry County Council were included in the internal consultation process for this part 8 planning:

Kerry National Road Design Office

Planning and Sustainable Development Section

County Archaeologist, Department of Arts, Culture & Heritage

Heritage Officer, Department of Arts, Culture & Heritage

Housing Department

Roads Department

Environment Department.

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 2015.2021 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 2015. 2021 and in accordance with the proper planning and sustainable development of the county, I recommend that the proposed development should proceed with the modifications set out in the responses to the public submissions above.

John D Flynn

Feidhmiúcháin Tarmiligthe agus Bainisteoir Cheantair Bardasach Lios Tuathail

Delegated Executive and Listowel Municipal District Manager.

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.

Cllr. A Thornton acknowledged the further correspondence forwarded to the members in relation to this matter and said that she would like clarification as to the situation with regard to the presence of a well in the vicinity of the proposed development.

The Hydrological/Hydrogeological Assessment report stated that the well is 50m from the proposed Burial Ground but the further correspondence stated that the well is 37m from the site.

Mr. P Bradley clarified that the distance from the proposed Burial Ground to the well is 37 m.

Mr. P Bradley said that there are no national guidance documents in Ireland for the siting of Cemeteries. In the case of a private well, the recommended minimum separation distance from an upgradient well is 15m.

Mr. JD Flynn said that the report from O'Callaghan Moran & Associates concluded that the site is potentially suitable for use as a Burial Ground provided that there is a 1m thickness of subsoil between the base of any grave and the top of the bedrock.

Cllr. J Brassil thanked Mr. Flynn for the report and welcomed the proposed new burial ground. He said that it was unacceptable that people have to inter their loved ones outside of their own parish.

With regard to the distance of the burial ground from the well and the required dept of graves, he said that he would assume that it would be good practice for burials to commence at the most suitable part of the burial ground. The proximity of the proposed burial ground to the Church will enable people to walk from the Church thus reducing traffic congestion.

Cllr. R Beasley welcomed the proposed new burial ground and asked if Mr. Bradley was aware of how long the well has been at this location.

Mr. Bradley said that he did not know the exact time that the well was developed but the owner ceased to use the public water supply in July 2014.

Cllr. R Beasley said the majority of the people in Lixnaw would support the proposal as it is very difficult for families who have to inter their loved ones outside of their parish.

Cllr. L Purtill welcomed the proposed new burial ground and said that he was very happy for the people of Lixnaw.

Mr. J Breen said that a Hydrological/Hydrogeological Assessment was carried out and did not conclude that any significant risks to the environment are likely to occur

from the proposed development or that an Environmental Impact Assessment (EIA) is required in this instance.

Cllr. R Beasley PROPOSED that the proposed development of a new Burial Ground at Clogher, Lixnaw Co. Kerry and the Chief Executives Report thereon be approved in accordance with Section 179(3) of the Planning and Development Act 2000 (as amended).

Cllr. J Brassil SECONDED the proposal and asked that a vote be taken.

A vote was taken on the proposal which resulted as follows:

For: Cllrs. R Beasley, J Brassil, M Kenelly, J Moloney, D Nolan, L Purtill, A Thornton, **(7)**

Against: (0)

The Cathaoirleach declared the proposal to be carried.

Cllr. A Thornton acknowledged the group of people from Lixnaw who were observing the meeting from the public gallery.

15.09.28.03 Job Creation / Sustainable Economic Development Directorate

Cllr. L Purtill advised the Cathaoirleach that he would have to leave the meeting and asked for permission to move his notices of motion at this stage.

The Cathaoirleach agreed that all Notices of Motion from Cllr. L Purtill would be moved.

(a) Question.

1. Cllr. J Moloney: Can this council be provided with a timeline for the proposed bypass of Listowel.

Reply: Subject to necessary approvals being in place, it is proposed to advertise the CPO and EIS by the end of 2015.

The documentation - EIS, NIS and CPO maps and schedules, should be available for inspection and purchase for a period of at least six weeks. They will also be available on the Kerry County Council website. During this period submissions may be made to An Bord Pleanála (The Board) in relation to the Development.

In road schemes where no objections are received by the Board or any objection received is subsequently withdrawn or the Board is of the opinion that the objection received relates exclusively to matters which can be dealt with by a property arbitrator, i.e. compensation, the Board will inform the local authority which can then confirm the Compulsory Purchase Order. If this is not the case, the Board may hold an Oral hearing on the CPO/EIS. Based on past experience, the hearing date is likely to be mid 2016 with a 3-6 months to allow the Board to make a determination.

Assuming that approval is received for the scheme by the end of 2016, and that this approval is not then the subject of a legal challenge, a number of works are required prior to award of a construction contract, including archaeology and further ground

investigation. In addition, the tendering process will require at least 6 months and will be ongoing during in tandem with these works. The most optimistic date for commencement of construction is therefore early 2018, and construction is likely to take 18 months.

Cllr. J Moloney acknowledged this response.

Ms. T Smith reiterated that the most optimistic date for commencement of construction is early 2018, and construction is likely to take 18 months.

She said that the National Road Design Office is currently meeting with landowners and advised that her team is available to meet with any interested groups.

Cllr. J Brassil asked if the support of the members of the Municipal District would be influential with regard to the allocation of funding for the project.

Ms. T Smith said that the support of the members for the scheme is very important.

Cllr. J Brassil asked that a copy of the route be sent on to the members.

Cllr. D Nolan thanked Ms. Smith for the response and acknowledged that the greenway would be incorporated into the project.

Ms. Smith said that the aim is to draw people into the town and she hoped that the gateways into the town from the bypass will be constructed with a view to enticing visitors into the town.

Cllr. A Thornton said that is important that the public is made aware that there are non statutory meetings being held to allow interested parties the opportunity to discuss issues of concern.

15.07.13.03 Sustainable Communities / Quality of Life Directorate

Ms. N O'Mahony Economic Planning & Tourism Officer referred to the Kerry Local Economic and Community Plan, copies of which were forwarded to the members in advance of the meeting and advised that workshops would be held for the Municipal District members on agreed dates in early October.

Mr. G O'Brien said that the members will be agreeing a date to consider and adopt the Draft Budgetary Plan 2016 for the Municipal District of Listowel before the conclusion of the meeting and suggested the workshop could be held on the same day.

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

Environmental Protection Services Report for September 2015

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

Kerry County Council Dog and Litter Wardens are currently jointly carrying out house to house calls in a number of estates and walking routes around the county, including the Listowel Municipal District during September in an effort to raise awareness amongst dog owners of their responsibility to license and control their

dogs and to clean up after them in public places. A specific article on this issue was placed in the Kerryman last week and an interview was also held with our County Veterinary Officer on Kerry Radio on this important topic.

An evening seminar for teachers, both primary and post primary schools, will take place during the last week of September in Ballygarry House Hotel. The seminar is designed as an aid to schools undertaking various modules of the Green Flag Award Scheme. Areas to be covered include Litter & Waste, Energy, Water, Transport, Biodiversity and Global citizenship.

A presentation will be made to Listowel Tidy Town Group on the 1st October as part of the Local Prize giving evening.

As part of the EPA sponsored Local Authority Prevention Network (LAPN), we are working with the Kerry Food Share Project to reduce the quantity of food waste being produced by Supermarkets in Kerry. The food is collected before its ~~Best~~ by Dateq stored and distributed by the St. Vincent de Paul to needy families. Supervalu in Listowel is one of the participating supermarkets which provide food to the Food Share Kerry project. The food is being redistributed to a number of participating charities & organisations throughout Kerry including the Listowel Municipal District.

Emergency Services Report to end of August 2015

Business Unit Manager – Mr. Vincent Hussey , Acting Chief Fire Officer

Operation of the Fire Brigade Service:

- There were 692 incidents up to the end of July 2015 compared to 615 incidents for the same period in 2014.
- The number of gorse fires was 213 up to the end of July 2015, compared with 81 for the same period last year. While the numbers have stabilized it is still true to state that the overall increase in this type of incident will have a consequent negative impact on the Fire Service Operations budget for 2015.
- The number of chimney fires was 95 up to the end of July 2015, compared with 81 for the same period last year.
- The number of Road traffic collisions in the county was 79 up to the end of July 2015, compared with 92 for the same period last year-a welcome decrease.
- Initial Breathing Apparatus Training for recruit fire fighters took place during August. This is to fill positions in Tralee, Killarney, Killorglin and Castleisland.
- All Fire fighters from each of the 10 stations have received training on the use of Defibrillators. These are now carried on our front line appliances for the safety of our crews.
- A Community Fire Safety Demonstration took place in Caherciveen and Sneem as part the local food festivals in the towns during the summer.
- Kerry Fire Service requested capital funding from the National Directorate for Fire and Emergency Management, (NDFEM), to upgrade floors in

Castleisland and Killorglin Fire Stations and also to replace 2 No. brigade mechanics vans. I am pleased to advise that our requests have been approved by the NDFEM.

Major Emergency Management

- Regional participation has been ongoing. The third quarterly meeting of the Control of Major Accident Hazards, COMAH Group, for 2015 was held on 31st August.

Fire Safety and Prevention:

- Fire Officers continued to provide the Courts with recommendations in respect of any licencing applications notified to the Fire Service.
- Fire Officers carried out during performance inspections at a number of premises in the county.
- Fire officers attended a pre event planning meeting for the Rose of Tralee festival. Also inspections were carried out by fire officers prior at the Dome prior to the events staged at the Dome, all helping to achieve the successful and safe outcome achieved.
- A pre event planning meeting for Listowel Racing Festival was attended by Fire Officers.

Building Control:

- 230 Commencement Notices were received up to the end of July 2015.
- The number of Disability Access Certificate applications received was 50 for the same period.
- A total of 78 Fire Safety Certificate applications were received.

Civil Defence:

- **Training:**
- A full Emergency First Responder Course is planned for Local Fire Service in September & October.
8 x Students Tralee Course 21st.to 25th. September
7 x Students Killarney Course 28th. September to 2nd. October
Assessments/Exams to take place in October.
- A demo car was received on loan from the University of Limerick. This is a specially designed car to assist with Road Traffic Collision extrication training. Training using this demo car was provided to Tralee, Killarney, Castleisland and Dingle firefighters.
- Works have been completed on the new Civil Defence warehouses in Monavalley Tralee.
- Nationally, a new director of Civil Defence has been appointed. He is Mr. Stephen Hall.
- A White Paper has been published on Civil Defence.
- **Duties:**
- Duties attended in August by Civil Defence : The Annascaul Beerfest, The Tralee Ultra Marathon, Killorglin Pony Show, Puck Fair, The Rose of Tralee

Festival , The National Coastal Rowing Championships, Cycle Against Suicide, Sandstorm and the Mid - Kerry Vintage Rally.

- Listowel Races . preparations are ongoing by Civil Defence for the 7 day harvest festival in Listowel.

Library Service Report

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

Library service:

“ Kerry Library has recently added the following to its resources (i) an e-books service on a pilot basis (ii) Atomic Training . an online training resource with over 40,000 online training videos, 150 software applications and a range of short tutorials. All are available to members via the library website www.kerrylibrary.ie

“ The opening hours at Listowel Library from 28th September will be as follows: Monday . Saturday, 10.00a.m. to 5.00p.m. with late opening on Thursdays until 8.00p.m. There may be occasional lunch time closures. Staffing levels there have improved with the transfer of a staff member there.

“ Kerry Library got a vote of confidence in August when Ballybunion Library was mentioned in the Sunday Independent Living Supplement of 23 August. A member of the public, from outside the county, who has been using the library over the past 10 years, nominated the library as the best place to go to do free things in Ireland and commended the librarian there, Dolores McKenna for her welcome and recommendations [copy attached]

Housing/Social Services Report for September 2015

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

Capital Assistance Scheme 2015 Call for Proposals

Following on from the DOECLG Call for Proposals to Approved Housing Bodies issued in March 2015 seeking Capital Assistance Scheme proposals, Projects in Kerry were allocated total funding of ” 3.93 mn for the delivery of 26 housing units. These 26 units are located in Tralee and a further funding announcement may be made in relation to housing projects in other parts of the county. The Council continues to work closely with Approved Housing Bodies as part of the delivery of the Housing Programme to meet our needs.

Social Housing Activity Report as at 16th September 2015

Listowel Municipal Area (L.M.A.)

Social Housing Applicants (Year to Date Position)

Qualified Applicants with area of choice within Municipal Area	464
Accommodation offers made for property located within Municipal Area	20
New Tenancies Commenced	17
Accommodation refusals	1

Social Houses

Vacant Group scheme properties within Municipal Area

Under Repair (Excl those awaiting major refurbishment)	16
Awaiting Allocation	10

Construction Programme

Single Rural Dwellings - Site Transfer Stage	1
Single Rural Dwellings - under construction	
Extensions - applications on hands	6
Extensions - Tender Stage	
Extensions - under construction	

Rental Accommodation Scheme

	<u>County</u>	<u>L.M.A.</u>
Total Active Tenancies	865	117
New tenancies in 2015	95	10
Tenancies terminated in 2015	31	4

Leasing

	<u>County</u>	<u>L.M.A.</u>
Leased Properties	92	11
Leases under negotiation	16	0

Housing Adaptation Grants (County Wide)

	<u>No.</u>	<u>"</u>
Revised Allocation 2015		1.789m
New Grants Allocated 2015	270	1.363m
Total 2015 Commitment	222	1.104m
Grants Paid	167	0.816m

John Breen
Director of Services
Sustainable Communities /Quality of Life

Cllr. J Brassil referred to the update on Building Control and asked for clarification with regard to the Building Control Regulations 2014 which has no provision for the retrospective submission of a Commencement Notice.

Mr. JD Flynn undertook to clarify this issue with Building Control and include it as an item on the agenda for the next meeting.

Ms. B Conway advised that the Council had not been notified of a top up of the Housing Grant Allocation to date.

(b) Notices of Motion

1. Cllr. L Purtill: That Kerry County Council would replace the rusty wire fencing at the entrance to Lislaughtin, graveyard Ballylongford. Some of the fencing has been replaced recently and the remainder is sagging and looks very unsightly.

Reply: Kerry County Council will replace the rusty wire fencing at the entrance to Lislaughtin graveyard, Ballylongford

2. Cllr. R Beasley: What is the up to date position with regard to Lixnaw Churchyard.

Reply: The part 8 planning for the proposed new Burial Ground for Lixnaw is before the members for consideration at today's Municipal District meeting.

3. Cllr. D Nolan: That Kerry County Council provide members with details of building programme in Listowel Municipal District, including when available, type of unit and proposed start and completion dates.

Reply: In accordance with the Department of Finance Works Framework, projects require 4 stage approvals from the DoECLG . Appraisal, Planning, Implementation and Review.

In the Listowel Municipal District we have Stage 1 approval for 4 no 2 bedroom, 2 storey houses at Cloghers, Lixnaw. Detail design and pre-tender cost plan has commenced for stage 2 and 3 approvals. Estimated tender date Dec 2015, construction start early 2016, completion by end 2016.

We have submitted an appraisal for 10 no 1 and 2 bed houses off Upper William Street, Listowel and await stage 1 approval. Planning/Part 8 is required, then pre-tender cost plan approvals. We estimate construction start in late 2016 for completion in mid 2017.

1 no Single Rural Dwelling in progress at Dreenagh, Ballyheigue,

A 4 bedroom accessible house in Ashgrove, Listowel to be tendered in October 2015, construction completion in Q2, 2016.

Cllr. D Nolan acknowledged the response and welcomed that a 4 bedroom accessible house in Ashgrove, Listowel will be constructed in 2016.

4. Cllr. D Nolan: That Kerry County Council expand on the outcomes achieved for Listowel's entry to Pride of Place 2015, working with the four sectors identified to maintain cohesiveness and a strong localised network.

Reply: Kerry County Council wishes to acknowledge the huge participation made by all sections of the community in Listowel's entry into this year's Pride of Place competition. Initial engagement has already commenced with exploring the possibility of establishing an umbrella group, along the lines of a Chamber Alliance, which brings together all sectors of the community.

Cllr. D Nolan said that because of the size of Listowel, into the future it would be appropriate and work well if the four sectors identified would work together to maintain a strong localised network that would feed into the various plans for the county.

Cllr. J Moloney that the Pride of Place Awards day was a wonderful day which was enjoyed by all involved.

(c) Question

1. Cllr. M Kennelly: Has Kerry County Council an update on the Ballygologue Park/Baile Dhubha motion which I have tabled three times to prevent anti-social behaviour in this area?

Reply: The boundary between the open green area in Ballygologue Park and the cul de sac in Baile O'Dubhda (no 22-23) is delineated with a wall, which on the Baile O'Dubhda side has an average height in excess of 2.0m, but considerably less on the Ballygologue side.

There is evidence of pedestrian activity in the green verge contiguous with the wall on the Baile O'Dubhda side of the boundary.

Erecting an anti-climb or palisade fence might temporarily arrest the access.

The cost of providing a fence is "6,000 and this should be backed up with the planting of Berberis thunbergii, both as a further deterrent and to lessen the visual obtrusiveness of the fencing, the cost of which would be an extra "1,000.

The total cost of works to be undertaken is therefore "7,000

As Baile Dubha is a Respond Development and Ballygologue is KCC development shared cost of the project was proposed.

Respond Housing Association will not share in the cost of the fence as the problem is perceived as having its origin in the local authority housing estate (Ballygologue Park).

Kerry County Council Housing Department do not have finance for this project.

The only source of funding available to undertake this work is the Councillor Specific Municipal District Operations Fund.

No funding has been pledged by any Councillor, to date, through this scheme.

Cllr. M Kennelly referred to the response and said that it appeared that Respond Housing Association were not taking any responsibility for the anti social behaviour which is taking place in this area.

Mr. J Sheahan said that it is perceived that most of the anti social behaviour has its origin in the local authority housing estate.

Cllr. M Kennelly said that he could not accept that residents of the local authority housing estate are responsible for the majority of the anti social

behaviour at this location and **PROPOSED** that a meeting be held in January 2016 to discuss and finalise this matter.

Cllr. J Brassil referred to his notice of motion submitted for the July meeting requesting that additional living accommodation and storage space be provided for a tenant of a demountable housing unit which happens to be outside of the Listowel MD and asked that Ms. B Conway would follow up on this matter and revert to him

15.09.28.04 Water Services Directorate

(a) Mr. C Mangan SEE Water Services briefed the members on the following report which was circulated.

**Clár Infheistíochta na Seirbhísi Uisce Comhairle Contae Chiarraí
KERRY COUNTY COUNCIL WATER SERVICES DIRECTORATE REPORT
LISTOWEL MUNICIPAL DISTRICT**

Achoimre Stádais ar an 18ú Meán Fomhair 2015
Status Summary at 18th September 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 CIP. The Schemes listed in the CIP which affect the **Listowel Municipal District** are outlined in the following tables:

<u>CAPITAL INVESTMENT PROGRAMME 2014-2016</u> <u>WASTE WATER PROJECTS</u>	
Project	Status
Tarbert SS	Tarbert and Ballylongford WWTP are being constructed as one contract awarded to Response Engineering Ltd. Effluent was diverted to the new plant in May and the Works will be completed in October 2015. The Tarbert Advance pipe-work Contract was completed in June 2013.
Ballylongford SS	Tarbert and Ballylongford WWTP are being constructed as one contract Awarded to Response Engineering Ltd. Effluent was diverted to the new plant in June and the Works will be completed in October 2015.

<u>ADDITIONAL MAJOR CAPITAL WORKS</u> <u>BUT NOT PUBLISHED IN IW CIP 2014-2016</u>			
Project	Description	Estimate	Status
Derry Listowel NKRWSS	Replace 3.5Km of 300mm diameter Asbestos Cement Water Main. A 750m length is currently being being laid as advance	" 1,163,000	Site Investigation completed; To go to Tender in Nov 2015

	worksqby KCC staff		
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Funding Priorities for Capital Projects

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

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

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

IRISH WATER MINOR IMPROVEMENTS PROGRAMME

Irish Water has also launched a Minor Capital Works Programme. 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 table below.

<u>MINOR CAPITAL WORKS PROGRAMME</u>			
Project	Description	Estimate	Status
Listowel SS	Replacement of pump at Tea Lane	" 5,300	Substantially Complete
Lyreacrompane WTP - Sludge Treatment	Complete Sludge Treatment Plant	" 50,000	In progress
Lyreacrompane RWSS	Site Acquisition	" 30,000	In progress
Ballyheigue Water Softener	Repair of pipework and replace resin	" 7,000	Complete
NKRWSS: Ballyduff Cast Iron Mains Replacement	Replacement of 2,9Km of old / deficient C.I. pipes	" 278,000	Complete
CRWSS Cloonafineela	Provision of SCADA/Telemetry for reservoir and pumphouse	" 6,400	Complete
NKRWSS: Derry - Clontibret	Replacement of 2.25Km of 300mm diameter Asbestos Cement Water Main	" 270,000	Complete
NKRWSS: Dromin Water TP	Extensive roof repairs	" 150,000	Consultants to prepare Tender
NKRWSS: Rusheen Ballylongford	Replacement 550M old / deficient 100mm diameter C.I. pipes	" 33,000	Complete
NKRWSS: St Pat's Tce. Tarbert	Replacement 350M old / deficient 100mm diameter C.I. pipes	" 42,000	Almost Complete
Lahesherragh Pressure Mgmt.	Installation of PRVs etc	" 14,500	Complete
NKRWSS: Tieraclea Pk. Tarbert	Replacement 250M old / deficient 3+PVC water	" 26,250	Complete

	mains		
NKRWSS: Rusheen Ballylongford	Replacement 335M old / deficient 100mm diameter C.I. pipes	" 43,550	Approved
Lyreacrompane RWSS: Network - Unidirectional Scouring	Install new scour valves and provide sampling points on existing scours	" 17,000	Approved
NKRWSS: Lisselton	Replacement 3.8KM 250mm AC mains	" 315,000	Approved
NKRWSS William St	Installation of 450M of 250MM water main	" 66,000	Approved
CRWSS Kilflynn area	Replace Sluice Valves	" 23,300	Approved
CRWSS Laccamore Abbeydorney	Replacement 1.44KM old / deficient 125mm PVC main with 160mm pipe	" 158,400	Approved
Ballyheigue WS Pressure Management	Install Pressure Reducing Valves and Meters	" 7,000	Approved
Glenderry Mains Replacement	Replace 750m of 50mm Watermain	" 56,250	Approved
Total ALLOCATED		€1,598,950	

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 €780,100 has been allocated to Kerry County Council for the various measures under the Rural Water Programme in 2015.

Takeover of Group Schemes

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

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

Cllr. M Kennelly asked if a start date for works required at Cleanderies, Causeway is available as requested in his notice of motion No. 38 (Operations Health & Safety)

Mr. Mangan said that this notice of motion would be addressed under the Operations Health & Safety Directorate.

(b) Notice of Motion

1. Cllr. D Nolan: That Kerry County Council confirm or otherwise if the section of water pipe underneath Gale Bridge on the N69 at Clounprohus/Cuss Moyvane is included in current replacement works as there appears to be damage to the pipe

Reply: The section of water pipe underneath Gale Bridge on the N69 at Clounprohus/Cuss Moyvane is included in the currently proposed replacement works. The 300MM AC watermain at this location is to be replaced by contract and it is intended that the job will be put out to Tender in November 2015.

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

It was agreed to note the following Report from Mr. G Riordan SE and Mr. J Sheahan SEE which was circulated.

***Listowel Municipal District Meeting
28th September 2015
Report from the Director of Operations, Health & Safety***

Programme of Works

<i>Listowel Municipal District Operations</i>	<p style="text-align: center;"><u>Roads</u></p> <p><i>Listowel Municipal District East</i></p> <p>Footpath improvement works in Woodview & Cahirdown Listowel are complete.</p> <p>Footpath works on Ballybunion Road are ongoing Flood protection works at Ballylongford are complete. L-1025- Bunglasha - Road Restoration Works complete following ducting works associated with wind turbine development.</p> <p><u>Restoration Improvement</u> Works are complete on the following roads L-1013- Tarmons East - Co.Bounds R-551 Ballymackessy to Glencullane R-551 Meelcon - Carhoona R-553- Ballintoher- Ballyhorgan L-1010- Quay Street to Lislaughtin L-6010- Rusheen to Carrigafoyle</p> <p><u>Restoration Maintenance</u> Preparatory works have commenced on the following locations on the Restoration Maintenance Programme</p> <p>L-6111- Coolaneelig R-523- Shanacool to Boltons Cross L-1017- Bedford Cross L-1024- Six Crosses - Beheens</p> <p><i>Listowel Municipal District West</i></p> <p><u>Restoration Improvement</u></p> <p>Works are complete on the following roads</p> <p>L-1031 Buncarrig - Ballinorig L-6084 Ballinclemsig</p>
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L-1034 Feans Cross - Lodge Cross
L-1030 Kilmoyley Church - Snipefield
R-553- Ballyrehan - Garrynagore
L-10559- Laccamore

Restoration Maintenance

Works are complete on the following roads

L-1000 - Doon Cross - Beale

L- 6038- Knoppogue

Preparatory works have commenced on the following location

R-551- Ferry Bridge - Ballyconry

Retro CIS

Listowel MD has received funding of €25,627 to carry out works on 3 roads in the MD

L-10032- Cockhill - Work complete

L-10098- Ballinclogher - Preparatory Works complete

L-10096- Clashmealcon- Preparatory works complete

Housing

Listowel Rural

Update on Casual Vacancies

Group Schemes

Abbeydorney

2 Bed 34 Riverside Complete

Ballyheigue

1 Bed 45 Marian Park Complete

1 Bed 49 Marian Park Complete.

Ballyduff

3 Bed 30 Benmore Keys received 16/9/15, estimate to be completed.

Moyvane

3 Bed 41 Woodgrove Awaiting Estimate Approval

Lixnaw

1 Bed 2 Baile an Gharrai Complete,

Single Rural Dwellings

3 Bed Lahesrough, Ballybunion Awaiting Estimate Approval

3 Bed Bromore West Estimate to be completed

2 Bed Aghabeg Middle, Lixnaw Works underway.

3 Bed Ballinclemisig Ballyheigue Keys received, estimate to be completed. House not cleared of

	possessions.
	<i>Update on Long term Voids</i>
	Group Schemes
	Ballyduff
	3 Bed 11 Benmore Tender received,
	Single Rural Dwellings
	3 Bed Knockbrack Ardfert Tender received,
	2 Bed Bawnmore Ardfert Law Agents, Trespass
	3 Bed Aghabeg Middle, Lixnaw Boundary Issues
	2 Bed Ballinagearagh Lixnaw With Housing Admin
	3 Bed Boherroe Abbeydorney Law Agents
	2 Bed Dirha Listowel Awaiting Estimate Approval
	<u>Current non maintenance works</u>
	Re-construction of chimneys recently completed at Woodview, Tarbert and Ratoo, Ballyduff
	Re-construction of chimneys on 2no Single Rural Dwellings in hand, One at Banemore, Listowel, one at Duagh.
	Extension to Single rural dwelling at Lady's walk in progress, possible Practical Completion within six weeks.
	Currently going to tender with Insulation upgrade package for approx 100 no Single Rural Dwellings.
	Listowel Urban
	Apt 1, Ballygologue Awaiting Estimate
	11 Feale Drive Awaiting Estimate
	24 Feale Drive Awaiting Estimate
	72 Feale Drive Estimate Awaiting approval
	76 Feale Drive Estimate Approved 16/9/15.
	10 Ashgrove Estimate Approved 16/9/15

John Sheehan
Senior Executive Engineer

Gerry Riordan
Senior Engineer

Cllr. J Brassil referred to footpath improvement works which have been completed at Cahirdown Listowel and said that issues regarding the requirement for works at the roundabout at the top of Cahirdown and a loose manhole cover also at this location had been raised at previous meetings. He asked that these works be prioritised.

Mr. J Sheehan said that there are structural issues with the entire road where the manhole cover is located.

Mr. M Griffin said that the reason for the planting of high shrubs at the roundabout at Cahirdown is to obscure a clear view of the road ahead for the health and safety of drivers, as a result of the assessment of a traffic accident which occurred a number of years ago.

(b) Draft Policy on Traffic Calming in residential estates.

Mr. D Doyle briefed the members on the following report which was circulated:

Introduction

In recent years there has been an increasing demand for traffic calming measures to be introduced in new and existing housing estates, access roads and distributor roads in towns and villages in Co. Kerry.

This Policy intends to address the concerns, which the public and their elected representatives have regarding the negative impact of excessive or inappropriate traffic speed on public roads.

This Policy does not intend to provide guidance with respect to traffic calming on national, regional or major urban roads. Guidance on these roads is available in the Design Manual for DMRB and from the National Roads Authority.

Legislation

Section 38 of the Road Traffic Act, 1994 deals specifically with traffic calming measures: *"A road authority may, in the interest of the safety and convenience of road users, provide such traffic calming measures as they consider desirable in respect of public roads in their charge"*.

The provision of Traffic Calming measures under the Section of the Act is a reserved function.

Road Traffic (Bollards and Ramps) Regulations 1988 gives details of the geometric specification for the construction of ramps, including restrictions on the proximity to other highway features.

Guidance documentation

The *Traffic Management Guidelines* published by the Department of Environment and Local Government and the Dublin Transportation Office deals with all aspects of traffic management with emphasis on safety of vulnerable road users.

The *Design Manual for Urban Roads and Streets (DMURS)* published by the Department of Transport, Tourism & Sport and Department of Environment, Community and Local Government set out guidance relating to the design of urban road and streets. This document sets out a series of principles, approaches and standards to have self regulating streets and roads.

Circular Letter PL 6/ 2014 refers to the guidance given in DMURS, which provides new national guidance in relation to street design to enhance the safety and attractiveness of urban roads and streets, and thereby enhance the quality of life of citizens. The Manual specifically places emphasis on designing new urban roads and streets in such a way that excessive speeds are discouraged through design i.e. by the incorporation of features at design stage such as narrowing carriageway width, limited forward visibility, avoidance of long straight stretches of road, pedestrian crossings etc.

As part of both the pre-application process and the planning application stage, the Department strongly recommends the use of Road Safety Audits (RSAs) for all new housing development / housing estates, as set out in Section 5.4.1 of DMURS.

Policy Objectives and aims:

The objectives of this policy are to:

- Improve safety
- Reduce and control vehicular speed
- Improve driver awareness of the vulnerable roads user
- Enhance the environment
- Reduce noise, disturbances and anxiety in the area being assessed

To achieve these objectives, Kerry County Council Traffic Calming Policy includes the following aims:

- Incorporate traffic-calming measures at planning and design stage of any new schemes.

Kerry County Council will adopt a pro-active approach to traffic calming at pre-planning/planning stage with developers. It is the intention that all planning applications for new residential or commercial development will be assessed from a speed perspective.

- Introduction of an appraisal system for traffic calming on existing roads and estates.

Kerry County Council will introduce a standardised appraisal system, which will be used in the County.

- The Introduction of a prioritising and scheme selection system for traffic calming schemes on existing roads and estates.

Kerry County Council will develop a scheme selection system, which will prioritise traffic calming schemes.

- Introduction of a Central Database for Traffic Calming Schemes.

Kerry County Council will set up a central database that will hold all requests for traffic calming measures from the public and elected representatives.

Traffic Calming Procedures on New Schemes

It is desirable that the layout of any new development is designed in such a way as to limit the speed of traffic to safe values without the use of vertical ramps. With good design and the application of design principles that encourage low speeds the speed reduction measures can be inherent within the development of any new schemes.

To facilitate this good design, Kerry County Council will continue to adopt a pro-active approach with developers in the introduction of traffic calming features into new road layouts. Specifically Kerry County Council will examine all planning applications for new residential or commercial developments and they shall be assessed from a speed and safety perspective.

To achieve good designs, which will limit vehicular speed, in new schemes the

following should be adhered to:

- A requirement that all residential/commercial developments shall comply with the recommendations contained in the Traffic Management Guidelines and the Design Manual for Urban Road and Streets.

Where pre-planning discussions occur, traffic management and calming issues shall be addressed at those meetings.

- Kerry County Council Roads Engineers shall be involved in any pre-planning discussions and shall be involved in the assessment of planning applications.

Recommended Traffic Calming Procedures in Residential Estates and local roads

With the increasing demands being put on Kerry County Council to introduce traffic calming on public roads the following are procedures to be followed in gathering data, scheme assessment, scheme prioritising and scheme design.

Data Collection

A central database will be set up and maintained for all requests from the public and elected representatives for traffic calming in the County. Potential projects can also be listed by Kerry County Council own staff based on their judgement of a need for traffic calming at a particular location.

Scheme Appraisal/Assessment

Once a request is received an initial appraisal of the scheme will be carried out. This appraisal will determine if the proposed scheme meets the basic criteria listed below. Any proposed scheme must meet the basic criteria before it receives further consideration.

The basic criteria are as follows:

- The site must be inside a speed limit zone of 50kmph or less (unless otherwise agreed).
- That two thirds majority of households who reside on the section of road under consideration must be in favour of the introduction of traffic calming.
- In the case of a through road, the minimum length of straight road shall be 300m.
- In the case of a cul-de-sac, the minimum length of straight road shall be 150m.

Prioritising of Schemes

Once a scheme has passed the basic criteria, further assessment of the proposed scheme will be carried out to establish where the request will be placed on a list of priority schemes.

The assessment of proposed scheme shall be examined under the following headings:

- Accident History/Data
- 85th Percentile Vehicular Speed
- Vulnerable Road Users
- Traffic Volumes
- Local Conditions

A Marking Scheme shall be awarded for each heading in accordance with a Priority Assessment Form, which is included in Appendix A. The total marks awarded for each scheme will determine where a scheme will be on the priority list.

Priority List Approval

Once all schemes are assessed and marked, a priority list of schemes will be established and agreed with the Members of Kerry County Council at Municipal District level.

Scheme Design and Consultation

A detailed examination of a proposed scheme on the agreed priority list will be undertaken to determine the best measures to be installed to control vehicular speeds. The measures that will be considered are those measures recommended in the Traffic Management Guidelines and other technical documents that are referred to in the Traffic Management Guidelines. Below is an extract from these guidelines which recommend appropriate traffic calming measures.

SELECTION OF APPROPRIATE TRAFFIC CALMING MEASURES			
MEASURE	TYPE OF ROAD		
	District Distributor	Local Distributor	Access Road
Road closure	x	x	✓
Traffic island	✓	✓	x
Gateway	✓	✓	x
Entry treatment	x	✓	✓
Overrun area	✓	✓	✓
Rumble device	✓	x	x
Mini-roundabout	✓	✓	x
Build-out	✓	✓	✓
Pinch point	x	✓	✓
Chicane	x	✓	✓
Ramp	x	x	✓
Speed table	x	✓	✓
Speed cushion	x	✓	✓

The use of kerbside parking will also be used where appropriate to curtail traffic speed.

The Council will then prepare a design and cost the scheme.

When this detailed examination/design is being carried out consultation should take place with Residents Groups, An Garda Síochána, Fire Service, Ambulance and Bus Services where relevant.

Additional Policies

Traffic calming schemes will be installed in their entirety. Individual items such as ramps shall not be installed on a piecemeal basis.

Having regard to the fact that:

- Greater emphasis will be placed using horizontal deflections, pinch points and chicanes.

- The Traffic Management Guidelines emphasise that vertical deflections (ramps, speed cushions and tables) should only be used as a last resort and that all other measures should be considered first.
- Ramps and/or rumble strips do have unwelcome side effects such as additional noise, vehicle damage and possible personal injury.
- The Ambulance Service, generally, is not in favour of ramps and has concerns about the effect of ramps on people with spinal injuries travelling over ramps.
- The Fire Services are also concerned that ramps delay the response time of their fire tenders.

Financial Considerations

A decision to proceed with any developed scheme will be subject to funding being made available.

Formal Process

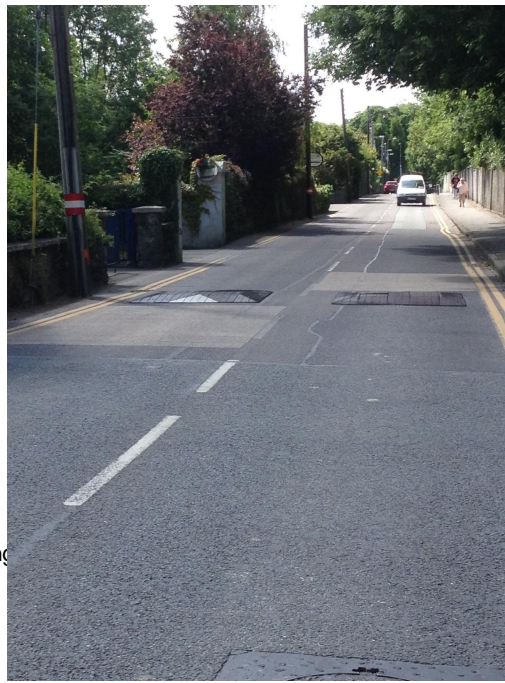
Once a scheme has been designed, cost estimate prepared and is assigned a position on the priority list for construction the formal process should take place. This shall be carried out in accordance with the requirements listed in Section 38 of the Road Traffic Act, 1994.

Monitoring

It is important that the scheme is monitored post construction to ensure that the objectives of the policy are achieved and the problems originally identified are addressed.

References

- “ Road Traffic Act, 1994
- “ Road Traffic (Bollard and Ramps) regulations (S.I. No. 32 of 1988)
- “ Traffic Management Guidelines
- “ NRA Design Manual for Roads & Bridges (NRA DMRB)
- “ Design manual for Urban Roads and Streets



APPENDIX A

Traffic Calming Priority Assessment Form

Qualification Criteria				
Description	Yes	No	N/A	Remark
Site inside 50kmph Speed Limit (Unless otherwise agreed.				
Agreement Obtained from the Majority of Residents on the Road under consideration (two thirds majority)				
Length of Through Road 300m or greater				
Length of Cul-De-Sac Road 150m or greater				

If the proposed scheme has met the basic criteria please proceed to page 2 of this form.

Marking Scheme				
Description				Marks Awarded
Accident History / Data	No		0	
	Yes		30	
85 th Percentile Vehicular Speed	Less than 30kmph		0	
	Between 30kmph and 40kmph		10	
	Between 40kmph and 50kmph		20	
	Greater than 50kmph		30	
Vulnerable road users (Plat area, shops, schools in area)	No		0	
	Yes		15	
Traffic Volumes				

Local Conditions (Parking, footpaths, houses, scheme length)			0	
			10	
			20	
Total Marks awarded				
Estimates cost of the Proposed scheme				

Cllr. J Brassil welcomed this report and said that it was a very positive development. Traffic calming is a major issue at the Cloisters Estate in Abbeydorney and it would now be possible to advise the residents that a policy is in place.

Cllr. M Kennelly welcomed the report. He referred to the basic criteria which requires that a two thirds majority of households who reside on the section of road under consideration must be in favour of the introduction of traffic calming and said that while there is a huge number of requests for traffic calming in housing estates, not all residents would be in favour of this policy.

Cllr. D Nolan asked if an update on estate management is available.

Mr. J Sheehan said that a considerable number of surveys were carried out in the past year and a criteria for Cluainín Housing Estate, Listowel was developed. This is a cul-de-sac housing estate roadway that feeds thirty (30) semi-detached houses and a Family Resource Centre. A submission for funding of signage and widening of the junction was made to the Department of Transport and a response is awaited.

Cllr. J Moloney referred to housing estates situated on national routes and asked if a policy is in place for traffic calming in these estates.

Mr. D Doyle said that this Policy does not intend to provide guidance with respect to traffic calming on national, regional or major urban roads. Guidance on these roads is available in the Design Manual for DMRB and from the National Roads Authority.

Replacement of damaged road signs

Cllr. A Thornton asked if an update is available on the replacement of damaged and vandalised road signage.

Mr. G Riordan said that a survey of signage has been carried out and a submission for funding has been made.

Mr. D Doyle said that there is no funding available at present for the replacement of road signage.

(c) Notices of Motion

1. Cllr. A Thornton: That the Council consider Gale West Road off the Ballybunion road in the next Roads Programme.

Reply: The current Roads Improvement Programme is determined up to and including the fiscal year 2016.

As Listowel Municipal District Operations has already undertaken some of the projects designated for 2016, it is likely that a new three year Roads Improvement Programme will be determined in advance.

This programme will be crafted in consultation with the elected members.

Prudent management dictates that priority should be given to those roads that serve a majority of the population and are most heavily trafficked.

The infrastructure in our towns and villages, which has not seen recent development should be considered a high priority and roads which have a strategic function should also be included.

Road Maintenance Programmes are drawn up annually in consultation with the elected members.

2. Cllr. A Thornton: That the Council provide an update in relation to my previous motion regarding Dromerin Bridge and works thereto.

Reply: The bridge in question, is a stone arch type bridge.
Repairs to this bridge will be carried out before end of 2015.

Cllr. A Thornton said that she was delighted with this response.

3. Cllr. L Purtill: Further to my motion on May 25th, I am again asking Kerry County Council if progress has been made as promised last May to eliminate the flooding at Addergown, Ballyduff. Has a meeting taken place with the landowner ?

Reply: A meeting has taken place with the landowner, who has been affected by the flooding, and a solution has been agreed.

4. Cllr. L Purtill: That Kerry County Council would close off the Grotto end of the bridge on the old school road, Ballylongford. This was one of the main areas of flooding at this location. I have been informed by the residents that huge volumes of water have come out on the road at this end of the bridge.

Reply: This work will be undertaken in the near future.

5. Cllr. L Purtill: Has Kerry County Council carried out any repairs on the footpaths at Tower Drive, Ballyduff. I have submitted this motion for a previous meeting.

Reply: Tower Drive, Ballyduff is a housing estate, in the charge of Kerry County Council, consisting of twenty four (24) semi detached houses, situated off the eastern flank of R551 in Ballyduff Village. As the estate is set back it has an access road feature.

The footpath stock is, without exception, in poor condition.

Complete replacement is required including vehicular access fronting each driveway. The cost of undertaking this work is " 61,000.

The required works can be scheduled over a number of years and the project would be recommended for Councillor Specific Municipal District Operations Funding as this is the only source of finance available for such projects.

6. Cllr. L Purtill: What is the position regarding the road sweeper coming to Ballylongford and Tarbert. The Tidy Towns Committees in both villages have been in contact with me on several occasions regarding this matter.

Reply: Kerry County Council has swept both Tarbert and Ballylongford on numerous occasions throughout the year and will continue to do so going forward. Ideally all towns and villages within the Municipal District should be swept once a fortnight with the large road sweeper, however with 17 towns and villages in the district, the largest amount of conurbations in any of the municipal districts in Kerry, it hasn't always been possible to get to all places once a fortnight. Over the past number of weeks and for the first 2 weeks of October a revised rota is being trialled, so as to establish the most effective use of the road-sweeper.

7. Cllr. L Purtill: That Kerry County Council would strengthen a small section of the Steeple Road, Tarbert. This section of the road is impassable by car and people have to make detours to get to the village. This is a safety hazard should a doctor or an ambulance be required in the area. I would be grateful if repair work could be carried out on this small section of road immediately.

Reply: Steeple Road is a roadway which runs due south from the N69, east of Tarbert, connecting with the L 1021, it is approximately 2.95kms in length. For the greater part of its length, the roadway is in good condition, however a 200m section of the carriageway, approximately at mid-point of this road (L-6022) is in need of regulation and strengthening. It would cost " 19,500 to bring this section to the same condition as the rest of the road.

This road is not included in any current roads programme.

The works are considered suitable for Councillor Specific Municipal District Operations Funding as this is the only source of finance currently available for the project.

It was agreed that Mr. J Sheehan would examine this location in the company of Cllr. L Purtill.

8. Cllr. J Brassil: What is the up to date status with the extension of the footpath from The Cloisters Estate to Abbeydorney Village?

Reply: Planning permission was granted for this 62 house development on the 26th January 2004, subject to 34 conditions. Condition numbers 11 and 12 required the developer to pay a contribution towards the provision of public services, in accordance with provisions of Section 26 (2) (h) of the Local Government (Planning and Development) Act, 1963.

Condition 12 stated that the *Developer shall before the commencement of the development pay to the Council a sum of money equivalent to the value of **EUR 93,000.00** at the time of grant of this permission updated in accordance with Consumer Price Index to the value pertaining at the time of payment, as a contribution towards the provision of public road network as they exist to serve the proposed development*" and the reason for this condition was *"It is considered reasonable that the developer should contribute towards the cost of expenditure*

*incurred by the Council in the **provision of public road networks**, which facilitate the proposed development”.*

This condition was not specifically for the provision of a public footpath and I can confirm that the contribution paid was used towards pavement improvement works and road drainage to facilitate the development and the additional traffic generated by it. The total cost of these works was ” 103,260.

A separate condition (Condition No. 16) required the applicant to remove the front boundary fence and replace same with a 900mm high native stone wall in accordance with the site layout plan received on 29/10/03. The applicant was also required *“to construct a concrete footpath to match and join the concrete footpath fronting the adjoining Local Authority development”* in accordance with details received on 29/10/03.

The requirements of this condition were for the developer to extend the footpath to connect to the existing public footpath. However, it would be difficult for the developer to comply with this condition as some of the lands were not indicated as being in her ownership and was outside the boundary of the site for which permission was sought.

The extension of the footpath from the development will require the construction of 92 m of new footpath and agreement with 4 landowners. There is no capital funding available from development levies and the funding of same will have to be provided from our own resources.

We will arrange to meet the relevant adjoining landowners to establish if agreement can be achieved to acquire the land.

However, it must be reiterated that the construction of the footpath will require a funding source which will have to be agreed with the members.

Mr. JD Flynn said that if the landowner is amenable and land is available at a reasonable cost consideration could be given to the extension of the footpath over a number of years.

9. Cllr. J Brassil: That Kerry County Council would install another street light outside the property of (Details with Directorate)

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 outside the property of (Details with Directorate), 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.

10. Cllr. R Beasley: That the footpath at Meadow Lane estate, Ballyduff, be replaced as a matter of urgency.

Reply: Tower Drive, Ballyduff is a housing estate, in the charge of Kerry County Council, consisting of twenty four (24) semi detached houses, situated off the eastern flank of R551 in Ballyduff Village. As the estate is set back it has an access road feature.

The footpath stock is, without exception, in poor condition.

Complete replacement is required including vehicular access fronting each driveway.

The cost of undertaking this work is " 61,000.

The required works can be scheduled over a number of years and the project would be recommended for Councillor Specific Municipal District Operations Funding as this is the only source of finance available for such projects.

Cllr. A Thornton moved notice of motion No. 21 at this stage.

21. Cllr. A Thornton: Can Kerry County Council clarify whether Tower View in Ballyduff has been taken over by the Council as the footpaths are in a terrible state in the estate?.

Reply: Tower Drive, Ballyduff is a housing estate, in the charge of Kerry County Council, consisting of twenty four (24) semi detached houses, situated off the eastern flank of R551 in Ballyduff Village. As the estate is set back it has an access road feature.

The footpath stock is, without exception, in poor condition.

Complete replacement is required including vehicular access fronting each driveway.

The cost of undertaking this work is " 61,000.

The required works can be scheduled over a number of years and the project would be recommended for Councillor Specific Municipal District Operations Funding as this is the only source of finance available for such projects.

Cllr. A Thornton said that the footpaths in this estate are in a very bad state of repair.

Mr. J Sheehan said that complete replacement of the footpaths is required, including vehicular access fronting each driveway. The cost of undertaking this work is €61,000. If the work is carried out on a phased basis, it would be money well spent.

Cllr. R Beasley asked that this project be kept on the priority list.

Cllr. J Brassil asked if it would be possible to make an application for LEADER funding for this work.

11. Cllr. R Beasley: That Kerry County Council take immediate action to improve the surface on the Tullahinnell road from Morans Cross to Ahanagran Cross.

Reply: The road in question is the L-6012.

Pothole repair works will be carried out to this road in the coming weeks, however the road riding surface is in poor condition and would benefit from strengthening. Unfortunately we do not have the required finance to undertake such works at the moment.

The current Roads Improvement Programme is determined up to and including the fiscal year 2016.

As Listowel Municipal District Operations has already undertaken some of the projects designated for 2016, it is likely that a new three year Roads Improvement Programme will be determined in advance.

This programme will be crafted in consultation with the elected members.

Prudent management dictates that priority should be given to those roads that serve a majority of the population and are most heavily trafficked.

The infrastructure in our towns and villages, which has not seen recent development should be considered a high priority and roads which have a strategic function should also be included.

Road Maintenance Programmes are drawn up annually in consultation with the elected members.

Cllr. R Beasley said that the road surface at this location is in very bad condition.

12. Cllr. R Beasley: That the footpaths near the grotto in Ballybunion be replaced as they are dangerous to the residents and people coming to pray at the grotto.

Reply: The Footpath on the North flank of the L 6077 leading Eastward from Ahafona Cross is in poor condition for approximately 200m.

The cost of repairing and undertaking some reinstatement work is " 7,600.

No source of funding is currently available for these works, however the project is considered suitable for Councillor Specific Municipal District Operations Funding.

13. Cllr. R Beasley: That major pothole filling and levelling of some roads which are in a dangerous state as a result of roads being constantly repaired, be carried out, especially on the road from Coolard to Ballydonoghue Cross , from Callaghans Cross to the Listowel/Ballylongford road and from Callaghans Cross down to Dromin Cross.

Reply: The roads in question are of a bog rampart road type construction and to eliminate the surface undulations a full road reconstruction is required to adequately improve the structural stability and riding quality of the carriageway.

The cost of undertaking a full reconstruction is in the region of " 1.85- " 2.21 million per kilometre.

Filling the undulations, strengthening and reinforcing the existing road surface of a typical bog rampart roadway will cost between " 240,000 - " 380,000 per kilometre, the resultant improvements to which road, will only be temporary.

The roads in question are not on any current Roads Programme and Listowel Municipal District does not currently have the required finance to affect structural reconstruction at these locations.

The current Roads Improvement Programme is determined up to and including the fiscal year 2016.

As Listowel Municipal District Operations has already undertaken some of the projects designated for 2016, it is likely that a new three year Roads Improvement Programme will be determined in advance.

This programme will be crafted in consultation with the elected members.

Prudent management dictates that priority should be given to those roads that serve a majority of the population and are most heavily trafficked.

The infrastructure in our towns and villages, which has not seen recent development should be considered a high priority and roads which have a strategic function should also be included.

Some patching works will be carried out to these roadways, as a short term measure, however, more substantial works are required to bring the roads to the required standard.

14. Cllr. R Beasley: That Kerry County Council improve the visibility exiting at Grady's Cross which is a junction on the Ballyduff/Tralee road.

Reply: Visibility to the South of this junction is partially impeded by some pillars on a privately constructed boundary wall.

Sight distance to the North of the junction is less critical but could be improved by acquiring a piece of ground adjacent to the junction subject to the agreement of the landowner.

Kerry County Council will meet with the relevant landowner in to establish if there is the possibility of acquiring the piece of ground in question.

Re aligning the manner in which vehicles are presented to the junction through the use of road surface markings will further improve the situation.

Cllr. R Beasley welcomed this reply.

15. Cllr. R Beasley: That the speed limit opposite the Parklands Caravan site be moved out approximately 200m from its current position.

Reply: Speed limits across the county are currently being reviewed at county level and we will forward your request for consideration.

16. Cllr. R Beasley: That a portion of road near Stokes Cross on the Ballybunion road be replaced as it is very difficult for wheelchair user (Details with Directorate) who uses this road several times per week.

Reply: The section of roadway in question, is 150m in length, on the L-6013.

The remainder of the road is in good condition.

The cost of upgrading this segment of road is " 9,000.

The L 6013 is not included in any current roads programme.

The works are suitable for financing through the Councillor Specific Municipal District Operations Fund.

17. Cllr. J Brassil: Following on from the previous two notices of motion regarding the boreen from (Details with Directorate) can Kerry County Council please repair the road and potholes as it is now in a very poor state

Reply: The section of roadway has been recently repaired.

18. Cllr. L Purtill: Is there any further information on the works which were to be carried out outside the home of (Details with Directorate) he was promised that these works would be carried out some time ago.

Reply: To ameliorate the drainage issue that exists at this location it will be necessary to install a storm water pipe with appropriate gulley traps extending northwards from the locus to Finuge Bridge.

The cost of the work is estimated at " 5,000.

The project is suitable for financing through the Councillor Specific Municipal District Operations Fund, no other source of funds being currently available.

19. Cllr. A Thornton: Can Kerry County Council clarify the reason that the road at Knockanebrack, Lyre and Dungalsha, Duagh have not been resurfaced since they were dug up at the time that wind turbines entered the area?. Who is responsible for this and can the council ensure that these works are undertaken as soon as possible as the road is in a dangerous and unacceptable condition?.

Reply: The restoration works were funded by a contribution levied on the developer of a wind turbine project. The works were carried out, earlier in the year, by Kerry County Council.

The funding available at the time allowed the Listowel MD staff to undertake resurfacing works, in the affected area, along the full length and width of the roadway in the Listowel Municipal District, up and including the first coat of surface dressing.

The outstanding work is a second coat of surface dressing as well as some accommodation works along the edge of the roadway.

Further funding has been provided by the developer to Kerry County Council in recent weeks which will allow the outstanding works to be completed later this year.

Cllr. A Thornton said that there has been a number of near accidents at this location since the road was dug up.

20. Cllr. A Thornton: Can Kerry County Council write to the landowners from Doodys Cross to the Cork line passing through Ballymacjordan regarding dangerously overgrown hedges in this area as a matter of urgency?.

Reply: This issue has been referred to the Roads Enforcement Officer who will arrange to have notices issued to the landowners.

Notice of Motion No. 21 was moved in conjunction with Notice of Motion No. 10.

22. Cllr. A Thornton: That Kerry County Council again reconsider their procedures and letters in relation to hedge cutting.

Reply: The policy was recently reviewed at the Operations SPC, and it was agreed by the members that the provisions of the policy were adequate but greater emphasis should be given to implementing the policy. It was agreed that management should have a more pro-active approach to cutting hedges and recovering costs where landowners failed to comply with the direction of the Enforcement Officer. This may necessitate going to court for recovery of costs rather

than using the courts to enforce the provisions of the Roads Act, and which can take a considerable amount of time. However it is considered that a more pro-active approach should have a more positive impact on promoting compliance.

We are in the process of issuing letters to approximately 5,600 known landowners on our database, advising of their obligations under the current legislation. The vast majority of landowners comply with the notification and there is a substantial amount of cutting on-going at present throughout the county.

In order to get more effective use of the Road Enforcement Officers' time in investigating complaints, additional administrative support is being put in place, along with revised procedures to acknowledge all representations made and provide a follow up report on the outcome of any investigation. This will also allow for effective monitoring of complaints received, identification of persistent offenders, measurement of performance, and recovery of costs.

A member of staff in the main office in the Operations Department has been assigned responsibility for processing representations received. A representation or complaint can be made to the main office by ringing 066-7183677 or email roads@kerrycoco.ie.

Cllr. A Thornton said that in her opinion changes to the wording of the hedge cutting notices should be considered.

Cllr. M Kennelly asked why funding from Councillor Specific Municipal District Operations Fund could not be used for hedge cutting work.

Mr. JD Flynn said that hedge cutting is the responsibility of the land owner.

Cllr. M Kennelly said that hedge cutting costs approximately €45 per hour and this may be prohibitive for a landowner who is in difficulty financially.

Cllr. J Brassil said that this policy has failed. There are overgrown hedges all over the county which are dangerous and very unsightly. Kerry County Council should consider cutting the hedges and charging the landowner accordingly as the issue of hedge cutting notifications is a waste of time and resources.

23. Cllr. A Thornton: That Kerry County Council provide an update in relation to works to be done on the entrance to the Listowel Community Centre and the Arch.

Reply: A contractor has been appointed to carry out works to restore the Millenium Arch and this work will progress over the coming months.

No works are planned for the entrance to the Town Park.

A proposal for the ~~Neodata~~ site is currently being drafted, which would envisage extra parking and pedestrian linkage to a re-orientated Community Centre.

Cllr. A Thornton asked that an update on the 'Neodata' building be included for discussion at the next meeting of the members of the Municipal District of Listowel.

Ms. J McCarthy said that she is aware that a proposal for this site is currently being drafted and she undertook to advise the members of the progress at the next meeting.

24. Cllr. A Thornton: That Kerry County Council costs the necessary works to decrease the height of the wall entering Wood Lawn Estate as it is very blind on exiting.

Reply: The exit from Woodlawn, onto the N-69 at Bridge Road, Listowel is a matter which the former Listowel Town Council made efforts to address.

The local authority has sought to acquire a piece of ground 5mx5m at the left hand side of the exit (Eastern flank) to improve the sightline view of traffic travelling northbound on the N69.

Recent contact with the landowner on the subject did not result in any agreement being reached and appears likely that the landowner is unwilling to forgo this section of property.

Acquisition of property on the Northern flank of the entrance/exit to Woodlawn is not possible due to an existing access lane and commercial properties on the streetscape.

Cllr. J Moloney supported the notice of motion.

25. Cllr. J Moloney: Can a report be provided on the impact of the bypass in Castleisland concerning both traffic volume and impact on business?

Reply: Permanent Traffic Counters installed on the Castleisland Bypass indicate that in 2015 there are 7400 vehicles per day using the N21 Northern Section between Dooneen Roundabout and the Tralee Road Roundabout. The 2015 flow on the N23 Southern Section between the Tralee Road Roundabout and the Killarney Road Roundabout is 4600. Approximately 2000 vehicles per day are using the old N21 north of the town.

Notwithstanding these figures the town network now provides much needed capacity for local traffic movements many of which are doing business in the town. In effect the introduction of the Bypass has enabled local traffic previously suppressed by National Through traffic to use the town network which is ultimately beneficial to the town.

The Castleisland Bypass was opened in 2010 at a time when the economic downturn had impacted most towns in Ireland. In the absence of a targeted study it is difficult to assess the impact of the Bypass on Business in the town as distinct from the economic downturn.

Ms. T Smith said that to date no targeted study of the impact of the bypass on Castleisland has been carried out.

Cllr. J Moloney asked if any surveys on the impact of a bypass on a town similar to Listowel have been carried out

Ms. J McCarthy said that the bypass of Castleisland was opened in 2010 at a time when the economic downturn had impacted most towns in Ireland therefore the carrying out of a survey over the past few years would not reflect the true impact on the town. The proposed project for Listowel is referred to as a bypass of the town but it will be a continuation of the system already in place and be very close to the town

26. Cllr. J Moloney: Have traffic surveys been carried out in Listowel by the NRA/KCC? If so what is the current traffic volume on a daily basis ?

Reply: A number of surveys were undertaken in Listowel in April and May 2013 to provide traffic data. These included:

- Manual Classified Counts (MCCs);
- Automatic Traffic Counts (ATCs);
- Automatic Number Plate Recognition (ANPR) Survey;
- Journey Time Surveys (JTS).

The approximate 2013 AADT (total 24 hour flow) traffic levels) at locations within Listowel town are outlined below.

- Church Street: 8,000 vehicles (note this is a one way flow);
- Bridge Road: 15,000 vehicles (note this is a two way flow); and
- William Street: 9,500 vehicles (note this is a one way flow).

This is a significant volume of traffic to be accommodated through the narrow busy streets of Listowel town centre.

As further background information on Listowel Bypass, traffic volumes are forecast to increase over the next 15-20 years. In assessing the traffic in Listowel, traffic volumes in Listowel have been forecast for a design year of 2032. If the Bypass is not constructed, the traffic levels within the town are predicted to increase to the approximate levels below leading to congestion and delays.

- *Church Street: 10,000 vehicles (note this is a one way flow); (+24%)*
- *Bridge Road: 19,000 vehicles (note this is a two way flow); and (+28%)*
- *William Street: 11,500 vehicles (note this is a one way flow). (20%)*

In the absence of any intervention, predicted traffic growth will result in increased traffic demand, resulting in further congestion with Listowel urban area. In 2032, the time taken to travel through Listowel is predicted to take over twice the length of time currently required.

27. Cllr. J Moloney: That the council repair the road at the junction of Lartigue Drive and the R551.

Reply: Lartigue Drive is not in the care of Kerry County Council.

However, the local authority has recently obtained a relatively small amount of bond money in respect of this development and is currently considering how best to utilise the funding available as there is insufficient finance to complete all the necessary works.

Consideration will be given to the request, however protocols dictate that water supply issues receive priority, after which, if any monies remain, a priority programme of works will be determined.

Cllr. J Moloney asked that this request be reconsidered.

Cllr. J Moloney asked that a lag on the road to Tarbert (N69) at Caherdown be addressed.

Mr. J Sheehan said that the road surface at this location would be examined.

28. Cllr. J Moloney: Can improvements be made to improve sight lines for residents entering the N69 at the town side of the Tim Kennelly Roundabout?

Reply: Transport Infrastructure Ireland (formerly the NRA) will be written to in relation to this request.

29. Cllr. J Moloney: That this council contact the OPW regarding the erosion of the river bank between the Big Bridge and the Garden of Europe entrance.

Reply: The Office of Public Works will be written to in relation to this request.

30. Cllr. J Moloney: As a safety measure that the council extend the speed limit in Bunagarha at the Kilmorna side.

Reply: Speed limits across the county are currently being reviewed at county level and we will forward your request for consideration.

31. Cllr. J Moloney: That the junctions in Cois Baile be marked as a traffic calming measure.

Reply: The requested works will be undertaken during the current fiscal year.

32. Cllr. D Nolan: That Kerry County Council inform as to the number and dates of faults and outage incidents at traffic lights on Ballygologue/John B Keane Road junction

Reply: The number of critical faults recorded in 2014, i.e. where the lights default to flashing amber, was five (5). To date in 2015 four (4) such faults have been recorded.

Mr. J Sheehan said that he is aware that there are faults in the system. If there is a drop in the voltage, the lights trip immediately. The lights were examined by an expert in the past week who advised that the controllers for that system are no longer available. Some circuit poles have been sourced and if this is not successful a mains monitor will be installed. If that does not resolve the issue, new controllers will have to be fitted.

Cllr. D Nolan said that people who use this junction are very dissatisfied with the regular faults and outage incidents at the traffic lights at this location and asked that Mr. J Sheehan would keep the members informed regarding this matter.

33. Cllr. D Nolan: That the dampness in the house occupied by (Details with Directorate) be investigated and the roof ridge tile be replaced

Reply: Kerry County Council has investigated the dampness in no 21 Woodgrove, Moyvane.

We are confident that the staining is a legacy from condensation in the bedroom from the early years of the tenants occupation prior to the attic insulation being

upgraded, this problem would have been exasperated, prior to the works, due to the bedroom concerned facing due north and receiving no direct sunlight.

A dilute solution of bleach will remove the mould growth.

Kerry County Council will replace the missing ridge tile over the coming days.

At the same time we will check that the attic insulation is properly placed, sufficient, and correct where it meets the gable wall over the bedroom with the staining.

We have discussed the issue with the tenant and she is happy to monitor the situation over the winter months to ensure that it does not re-occur.

If the problem persists over the winter months, remedial dry lining will be undertaken in the bedroom concerned.

34. Cllr. D Nolan: That Kerry County Council confirm the position on cars using the roadway along the river and town park as a rat run through the town

Reply: The track-way, which is here referred to, runs diagonally through the old golf club lands.

It is not a public road and so does not have a public right of way.

There are two cul de sac public roadways abutting this track, one, from the West, via the Listowel Municipal District Works Yard access road and the other, from the North through Slí na Choille.

The two public roads and this trackway, if placed together, form a loop which connects Bridge Road to the N69 at Upper Church Street.

The non public segment of track-way is privately owned.

There is a gate at the Northern end of the private road, where it abuts Slí na Choille, which is released when "1" is placed in a meter in close proximity to the gateway.

The entrance at the South Western flank of the track is open.

Access to the public road system is universal, if however, people are using the private track they are doing so of their own choice and at their own risk.

Should any issue arise it is a matter between the land-owner and those who have paid for usage of the facility.

Ms. J McCarthy said that the Planning Authority would be requested to investigate this matter.

35. Cllr. M Kennelly: That Kerry County Council carry out immediate works to the bridge L-1012 road, just off Mail Road cross on the Tarbert/Listowel road. This bridge is in dangerous condition and is unsafe for all pedestrians.

Reply: The bridge in question, is a stone arch type bridge.

A portion of one of the parapet walls is no longer in place.

The works will require a structural beam, reinstatement of the masonry parapet wall and some other refurbishment works.

Repairs to this bridge will be carried out before end of 2015.

36. Cllr. M Kennelly: That Kerry County Council extend the footpath in Cahirdown/Dromin Lower area in Listowel for 100m as the residents in the Skehanierin area are fearful for all pedestrians.

Reply: The length of footpath required is 215m, but to achieve some form of consistency a further 30m, closer the town will have to be reconstructed. Any footpath constructed here will have a major impact on surface water drainage, no ready outlet being available.

The construction of a footpath at this location may require land purchase and will certainly necessitate accommodation works.

The cost of a concrete footpath, without taking into consideration, drainage, accommodation works or land purchase is " 39,600, the equivalent, with a bitmac finish and inner kerb is " 26,200

The project is suitable for financing through the Councillor Specific Municipal District Operations Fund, no other source of funds being currently available.

Cllr. M Kennelly asked if this work can be carried out in stages.

Mr. JD Flynn said that the construction of a footpath at this location would have a major impact on surface water drainage and while the development would be beneficial it requires further investigation.

37. Cllr. M Kennelly: Can Kerry County Council give an update on the amount of derelict houses that we currently know about in the Listowel M.D. and what measures are being taken to relieve this problem in the Municipal District.

Reply: There are nine derelict sites within the Listowel Municipal District entered on the derelict sites register, the majority of which are located in Ballybunion and Ballyheigue.

A further seven properties are candidates for entry on the register. Section 8(2) Notices have been served in relation to these properties (notice of intention to make an entry on register).

A further four properties have been reported to Kerry County Council as being possible derelict sites. Two of these properties are in Ballybunion and two are in Tarbert. One has been inspected and requires re-painting. The other three require inspection.

Under Section 11 of the Derelict Sites Act 1990, Kerry County Council can, following inspection of a property, direct an owner to carry out certain works to remove a property from dereliction. Failure to carry out these works may result in the issuing of a Section 8(7) Notice which notifies the owner that the property has been placed on the Derelict Sites Register. A property entered on the register may incur a levy of 3% of the market value of the property on a yearly basis until the dereliction is removed.

The local authority prefers to work with property owners rather than applying derelict sites levies, which in some cases may become an impediment to carrying out works.

Many other derelict properties can be resolved through co-operation with Tidy Towns groups, etc, particularly in urban areas and where ownership is uncertain.

Prior to the abolition of Listowel Town Council, there were fourteen properties being dealt with. Some were minor in nature and some have since been removed from dereliction.

Should the members have any properties they wish to be considered for inspection they can forward details to roads@kerrycoco.ie.

Ms. J McCarthy undertook to revert to the members regarding this matter.

38. Cllr. M Kennelly: That Kerry County Council give an immediate start date for road works under the emergency and hardship scheme and water services works required to complete this (Details with Directorate) road in Cleanderies, Causeway.

Reply: Kerry County Council had intended to undertake the road works during the Summer period, however immediately prior to commencement an associated issue was raised i.e. the construction of a new water-main to service properties on this roadway.

No funds were available at the time to undertake the sanitary works and it was decided to defer the road-surfacing until some resolution was achieved.

Kerry County Council is currently awaiting tenders for the civil works for the installation of a water-main. (Water services will supply pipe materials etc)

The tenders will be received by the end of the current week.

In the event that the successful contractor can swiftly supply the supporting documentation etc., and subject to funding, works could commence within a month. The works are unlikely to take longer than a week.

Road surfacing will follow as soon as practicable (ie weather dependant) on completion of the watermain.

Cllr. M Kennelly said that he had raised this matter with Water Services and asked that this work would be carried out as a matter of urgency.

39. Cllr. M Kennelly: That Kerry County Council pedestrianise the laneway next to St. Patrick's Hall leading onto William Street. This is a dangerous junction with traffic trying to emerge onto a busy street which has led to accidents in recent weeks.

Reply: The lane is a vital exit for the Charles Street Car Park allowing vehicles access to the North and North West of Listowel Town without the need to enter Charles Street.

The volume of traffic exiting this junction is extremely low.

The junction with Upper William Street is standard for a built up area.

Two parking spaces specifically for disability are situated to the immediate North of this junction, these spaces are rarely occupied, especially since the closure of the Post Office on Upper William Street, with the consequence that good visibility of oncoming traffic from the North is afforded.

Upper William Street is a wide boulevard allowing good visibility of traffic coming from the South.

The proposed traffic amelioration suggested at the junction of Charles Street/ William Street will reduce the speed of vehicles travelling north from this junction thus enhancing safety in the upper reaches of the street.

Cllr. M Kennelly said that he was not happy with the response as this is a narrow laneway leading onto a busy street.

Cllr. J Moloney said that this laneway is an exit from Charles St. car park.

Cllr. D Nolan said that there are businesses and residences located on this laneway.

40. Cllr. M Kennelly: That Kerry County Council carry out immediate traffic survey in the Square, Listowel where I propose that the two sets of traffic lights in the area of the Square go on ~~flashing amber~~ for a two-week period. A full report on its findings be given to the council at the November Meeting.

Reply: Both sets of lights are Pedestrian Crossings as distinct from traffic lights and are in place to provide pedestrians with a safe place to cross at both locations.

Prior to conducting any survey, it would be necessary to consult with the Gardaí on this matter as the switching over of the lights to flashing amber for a 2 week period could lead to difficulties for the safety of both pedestrians and motorists for that time-period.

Any survey that might be carried out would have to measure differences from both a motorists and pedestrian perspective. The survey work would have to be undertaken both when the lights are in normal operation and when turned to a ~~flashing amber~~ state for comparative analysis.

Listowel Municipal District does not currently have the resources to undertake this survey.

Cllr. A Thornton said that this matter had been discussed with the business people in Listowel who feel that traffic moves faster if lights are on “flashing amber”

Mr. J Sheehan said that Listowel Municipal District does not currently have the resources to undertake this survey. If funding becomes available the request will be considered.

41. Cllr. M Kennelly: Can Kerry County Council do a structural survey on the residential wall adjacent to the footpath on the Ballygologue Rd, Listowel. (Details with Directorate).

Reply: The wall is private property constructed by private individuals and not an issue for Kerry County Council.

42. Cllr. J Brassil: Can Kerry County Council investigate the flooding adjacent to (Details with Directorate) with a view to resolving the problem.

Reply: On preliminary investigation this appears to be a property at a lower level than the adjacent inclined roadway, where uphill properties are not taking surface-water from the carriageway.

This matter needs to be investigated further and a meeting will be arranged with the individual concerned over the coming weeks.

Cllr. J Brassil said that he would arrange for the landowner to make contact with Mr. J Sheehan.

43. Cllr. L Purtill: As a result of recent heavy rain has the Council any plans to address the problem outside the home of (Details with Directorate) Ballylongford. A nonreturnable valve was to be put in place when the work was carried out and he is concerned that this has not been done. The Ballyline river is the main source of flooding in this area and it needs to be cleaned and the vegetation removed. This would hopefully solve the problem.

Reply: A non-return valve will be installed at this location during the current fiscal year.

Cllr. L Purtill welcomed this response.

(c) Questions

1. Cllr. A Thornton: Can Kerry County Council give serious consideration to adding the road from Finuge Cross to Finuge Bridge and the road that runs through Lixnaw Village, to the current Roads Programme if possible or alternatively the next Roads Programme?

Reply: The current Roads Improvement Programme is determined up to and including the fiscal year 2016.

As Listowel Municipal District Operations has already undertaken some of the projects designated for 2016, it is likely that a new three year Roads Improvement Programme will be determined in advance.

This programme will be crafted in consultation with the elected members.

Prudent management dictates that priority should be given to those roads that serve a majority of the population and are most heavily trafficked.

The infrastructure in our towns and villages, which has not seen recent development should be considered a high priority and roads which have a strategic function should also be included.

Road Maintenance Programmes are drawn up annually in consultation with the elected members.

2. Cllr. A Thornton: Can Kerry County Council give serious consideration to adding the road from Doon Church to the entrance to the Ladies Beach in Ballybunion . WAW and also the descent from Kerry Head in Ballyheigue in the direction of Ballyheigue Village in particular the last two bends which also fall on the WAW, to the current Roads Programme if possible or alternatively the next Roads Programme?

Reply: The current Roads Improvement Programme is determined up to and including the fiscal year 2016.

As Listowel Municipal District Operations has already undertaken some of the projects designated for 2016, it is likely that a new three year Roads Improvement Programme will be determined in advance.

This programme will be crafted in consultation with the elected members.

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The infrastructure in our towns and villages, which has not seen recent development should be considered a high priority and roads which have a strategic function should also be included.

Road Maintenance Programmes are drawn up annually in consultation with the elected members.

3. Cllr. A Thornton: Can Kerry County Council give serious consideration to adding the road that runs through Causeway Village to the current Roads Programme if possible or alternatively the next Roads Programme?

Reply: The current Roads Improvement Programme is determined up to and including the fiscal year 2016.

As Listowel Municipal District Operations has already undertaken some of the projects designated for 2016, it is likely that a new three year Roads Improvement Programme will be determined in advance.

This programme will be crafted in consultation with the elected members.

Prudent management dictates that priority should be given to those roads that serve a majority of the population and are most heavily trafficked.

The infrastructure in our towns and villages, which has not seen recent development should be considered a high priority and roads which have a strategic function should also be included.

Road Maintenance Programmes are drawn up annually in consultation with the elected members.

4. Cllr. A Thornton: That Kerry County Council give serious consideration to adding the Dromerin road, Listowel to the current Roads Programme if possible or alternatively the next Roads Programme? This road is in a deplorable state and while significant funding is not available at present, a plan must be made to deal with the road as soon as possible.

Reply: The current Roads Improvement Programme is determined up to and including the fiscal year 2016.

As Listowel Municipal District Operations has already undertaken some of the projects designated for 2016, it is likely that a new three year Roads Improvement Programme will be determined in advance.

This programme will be crafted in consultation with the elected members.

Prudent management dictates that priority should be given to those roads that serve a majority of the population and are most heavily trafficked.

The infrastructure in our towns and villages, which has not seen recent development should be considered a high priority and roads which have a strategic function should also be included.

Road Maintenance Programmes are drawn up annually in consultation with the elected members.

5. Cllr. A Thornton: Can Kerry County Council give serious consideration to adding the roads that run through Ballylongford Village and Abbeydorney Village to the current Roads Programme if possible or alternatively the next Roads Programme?

Reply: The current Roads Improvement Programme is determined up to and including the fiscal year 2016.

As Listowel Municipal District Operations has already undertaken some of the projects designated for 2016, it is likely that a new three year Roads Improvement Programme will be determined in advance.

This programme will be crafted in consultation with the elected members.

Prudent management dictates that priority should be given to those roads that serve a majority of the population and are most heavily trafficked.

The infrastructure in our towns and villages, which has not seen recent development should be considered a high priority and roads which have a strategic function should also be included.

Road Maintenance Programmes are drawn up annually in consultation with the elected members.

6. Cllr. J Moloney: Can an update be given on the taking in charge of The Writings Listowel.

Reply: Kerry County Council has been in further recent contact with the Bondsman in relation to the full claim made on the bond to have completed outstanding works. We have requested the bondsman to submit a site resolution plan for our agreement for this Estate as a matter of urgency at this stage.

Cllr. J Moloney asked if there was any possibility of getting the lights operational in this estate.

Mr. J Sheehan said that the Council's Estates Unit had written to the Bondsman in relation to the full claim made on the bond to have outstanding works completed.

7. Cllr. M Kennelly: That Kerry County Council put new road signage in the Lartigue Village Estate in Listowel.

Reply: Kerry County Council will provide new signage and markings in Lartigue Village later in Q4 2015.

8. Cllr. M Kennelly: That Kerry County Council erect proper signage for the Gleannaphuca Estate in the Feale Drive Housing Estate in Listowel. Signs are needed at the entrance to the Feale Drive Estate and at the entrance to Gleannaphuca Estate.

Reply: Kerry County Council will erect nameplates for Gleann a Phuca at the entrance to both the development itself and at the Feale Drive entrance later in Q4 2015.

9. Cllr. M Kennelly: Can Kerry County Council carry out road work repairs at the entrance to (Details with Directorate).

Reply: The deterioration in road surface at this location is the result of water ingress to the sub surface of the carriageway.

This is caused to a large extent by a set back constructed outside the named property, which is at a higher level than the adjacent road.

The property, in question, is the lowest point in the surrounding landscape.

No reasonable steps have been taken to ensure a clear definition between the set-back and the carriageway, the consequence of which, is that surface water lodges on the roadway, ingresses the subsurface of the carriageway, resulting in potholing.

Being the lowest property, in the area, it appears that the property owner has not ensured *'that water was not or is not prevented, obstructed or impeded from draining into, onto, under, through or to his land from a public road'* Roads Act 1993 Section 76 (7) (ii).

Until an effective method of surface water removal from the carriageway is demonstrated by the property owner, Listowel Municipal District, Kerry County Council is not in a position to consider any works at or near the locus.

If an effective drainage solution is achieved, the situation will be revisited.

Cllr. M Kennelly asked that resurfacing work be carried out to the centre of the road adjacent to the property.

Mr. JD Flynn said that Councillor Specific Municipal District Operations Fund could be used to pipe the water through the property.

10. Cllr. M Kennelly: When will Kerry County Council carry out minor road repair works and erect warning signage to local road L6049-10 beyond Killochrim National School? Since, July this road has deteriorated to very dangerous levels.

Reply: Minor road repairs will be undertaken, however the road in question requires substantial works in order to bring it to an acceptable standard.

In spite of the fact that there is no potholing on the surface of the road, the underlying ground conditions have caused the large discernable surface undulations.

The road in question is of a bog rampart road type construction and to eliminate the surface undulations a full road reconstruction is required to adequately improve the structural stability and riding quality of the carriageway.

The cost of undertaking a full reconstruction is in the region of " 1.85-" 2.21 million per kilometre.

Filling the undulations, strengthening and reinforcing the existing road surface of a typical bog rampart roadway will cost between " 240,000 - " 380,000 per kilometre, the resultant improvements to which road, will only be temporary.

The current Roads Improvement Programme is determined up to and including the fiscal year 2016.

As Listowel Municipal District Operations has already undertaken some of the projects designated for 2016, it is likely that a new three year Roads Improvement Programme will be determined in advance.

This programme will be crafted in consultation with the elected members.

Prudent management dictates that priority should be given to those roads that serve a majority of the population and are most heavily trafficked.

The infrastructure in our towns and villages, which has not seen recent development should be considered a high priority and roads which have a strategic function should also be included.

Warning signs can be erected there in the near future.

Cllr. M Kennelly said that the undulations on this road are a danger to road users.

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

(a) Notice of Motion

1. Cllr. D Nolan: That Kerry County Council working with relevant bodies identify an area in the environs of Listowel along the river Feale suitable for fish stocking and appropriate development for angling.

Reply: Kerry County Council will look into this matter and discuss with the relevant bodies.

Mr. JD Flynn said that MD Officer Ms. J Foley would contact the relevant bodies regarding this matter.

2. Cllr. D Nolan: That Kerry County Council publish its events calendar/bulletin in poster form that would be suitable for display in information boards in towns and villages across the Municipal District.

Reply: Kerry County Council will look into this matter and revert to Cllr. Nolan.

Mr. JD Flynn said that MD Officer Ms. J Foley would contact/liaise with the Council's Arts Office regarding this matter.

3. Cllr. M Kennelly: That Kerry County Council write to Vodafone and invite them to our next Listowel Municipal Area Meeting to give an update to the people of the L.M.A. on Vodafone service in North Kerry.

Reply: This is a matter for consideration by the members.

It was agreed that a letter would issue to Vodafone on behalf of the members.

15.09.28.07. Date of next meeting

(a) It was agreed that the next meeting of the members of the Municipal District of Listowel would be held in Áras an Phiarsaigh Listowel on Monday 23rd November, 2015, at 9.30 am.

(b) It was agreed that a meeting to consider and adopt a Draft Budget Plan for the Municipal District of Listowel would be held in Áras an Phiarsaigh Listowel on Tuesday 20th October, 2015 at 2.00pm.

(c) It was agreed that a workshop on the Kerry Local Economic and Community Plan would be held in Áras an Phiarsaigh Listowel on Tuesday 20th October, 2015 following the meeting to consider and adopt a Draft Budget Plan for the Municipal District of Listowel at approximately 3.30pm.

15.07.13.08 Correspondence

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

1.	Email from Eircom dated 24 th August 2015 in response to resolution from the members of the Municipal District of Listowel in relation to the removal of two payphone booths in the square Listowel.
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15.07.13.09 Any Other Business

Bottlebank in Lixnaw

Cllr. J Brassil said that he has allocated the remaining " 550 of his Councillor Specific MD Operations Fund for the provision of a concrete plinth at the bottle bank in Lixnaw.

Cllr. A Thornton said that she would also contribute funding for this work.

Cllr. J Moloney said that he too would allocate funding towards this project.

Bye Laws for the Square in Listowel

A discussion took place regarding the need for bye laws for the regulation of parking in the Square, Listowel.

Cllr. J Brassil said that there were issues with regard to Casual Trading in all beach car parks in the county during the summer.

Ms. J McCarthy said that the parking of camper vans is a national issue. The provision of facilities for camper van tourism has the potential to bring revenue into the area. There is an opening for Listowel to attract camper van tourism and this opportunity should be examined.

Public toilets at the top of the Castle in Ballybunion.

Cllr. R Beasley said that the condition of the public toilet facility at the top of the Castle in Ballybunion is unacceptable. There is no wheelchair access and the access to the ladies toilets is through a back alley. He said it is very important that the toilets at this particular location be addressed as a matter of priority this year.

Ms. J McCarthy said that she is aware of the condition of this facility and this project is a priority for 2016.

National Tidy Towns Awards 2015

Cllr. J Moloney announced that he had just received news from members of Listowel Tidy Town Committee who are attending the National Tidy Towns Awards 2015 in Dublin, advising that Listowel has been named Irelands Tidiest Small Town.

He congratulated the Tidy Towns Committee on this great achievement and commended them on the excellent work carried out by them over the past 22 years. All the members said that they were delighted that Listowel had won an award and wished to be associated with the Cathaoirleach's remarks.

Mr. JD Flynn congratulated the Tidy Towns Committee and said that he was very proud that Listowel had won this award.

Ms. J McCarthy commended the work being carried out by the Tidy Towns Committee in the town and said that this award was a wonderful achievement for Listowel.

Retirement of John Flynn Delegated Executive to the MD of Listowel

Cllr. M Kennelly said that John will be retiring from Kerry County Council on 2nd October and this is his final meeting as Delegated Executive for the Municipal District of Listowel. He said that he enjoyed working with John and thanked him for his loyalty and dedication and always willing to help attitude. He wished him a happy and healthy retirement.

Cllr. D Nolan wished to be associated with Cllr. Kennelly's remarks and wished John the very best for the future.

Cllr. A Thornton wished John a happy retirement. She thanked him for his help since her election to Kerry County Council and for always being available to assist and advise the members.

She welcomed Joan McCarthy to the Listowel Municipal District and said that she looked forward to working with her.

Cllr. J Brassil said that he had enjoyed working with John particularly during his year as Cathaoirleach of Kerry County Council and wished him a very happy retirement.

On behalf of all the members, Cathaoirleach Cllr. J Moloney wished John a very happy retirement and welcomed Joan as Delegated Executive to the Municipal District of Listowel.

Ms. Joan McCarthy said that John had joined Kerry County Council ten years ago and has done unbelievable work for the organisation and for the county. He has given a fantastic return for the investment that has been made in him by Kerry County Council and the word that best describes him is ~~honest~~ honest. She thanked him sincerely for all his help and said that she was delighted to see him retire in good health and wished him the very best for the future.

John thanked the Cathaoirleach, the members and Joan for their kind remarks. He said it had been an honour for him to work in Kerry County Council on behalf of the people of Kerry. He thanked the staff of the Municipal District of Listowel, in particular Johnnie Sheehan, Michael Griffin, Mike McEnery and Jean Foley also Ger O'Brien Meetings Administrator and Sheila Broderick and said that he was leaving the MD in the very capable hands of Joan.

Mr. J Sheehan wished John a very happy retirement and said that he has been a fantastic manager of the Municipal District.

The meeting concluded at 13.00pm.

G O'Brien

G O'Brien

Meetings Administrator

Cllr. J. Moloney

**Cathaoirleach of Listowel
Municipal District**