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**MIONTUAIRISCÍ AN CRUINNIÚ DE COMHAIRLE CONTAE CHIARRAÍ
A THIONÓLADH I LÁR IONAD SPORT, INSTITIÚID TEICNEOLAÍOCHTA, TRÁ LÍ, AR
AN LUAN, 15 MEITHEAMH 2020**

**MINUTES OF THE ORDINARY MEETING OF KERRY COUNTY COUNCIL HELD IN THE
KERRY SPORTS ACADEMY, I.T. TRALEE, ON MONDAY, 15 JUNE 2020**

PRESENT/I LÁTHAIR

Councillors/Comhairleoirí

Tom Barry	Robert Beasley	Michael Cahill
Patrick Connor-Scarteen	Brendan Cronin	Charlie Farrelly
Deirdre Ferris	Jim Finucane	Breandán Fitzgerald
Fionnán Fitzgerald	Seamus Fitzgerald	Cathal Foley
Michael Foley	Donal Grady	Jackie Healy-Rae
Maura Healy-Rae	Niall Kelleher	Michael Kennelly
Sam Locke	Dan McCarthy	Jimmy Moloney
Marie Moloney	Norma Moriarty	Niall O'Callaghan
Bobby O'Connell	Michael O'Shea	Mikey Sheehy
Aoife Thornton	Johnnie Wall	

IN ATTENDANCE/I LÁTHAIR

Ms. M. Murrell, Chief Executive	Mr. C. O'Sullivan, Dir. of Rds, Transp'n & Marine
Mr. J. Breen, Director Water Services	Mr. M. O'Donoghue, Director Housing
Mr. M. Scannell, Dir. Job Cr/Sust. ED	Mr. C. O'Connor, Director Corp. Servs.
Ms. A. McAllen, Head of Finance	Mr. J. Kennelly, A/Dir. Of Service
Mr. P. Corkery, Meetings Admin'r.	Mr. O. O'Shea, Press Officer
Ms. D. Griffin, SO Corporate	Ms. O. O'Shea, CO Corporate Support
Mr. D. Ginty, A/Senior Planner	Mr. D. O'Malley, Snr. Exec. Planner
Ms. L. O'Carroll, Asst. Planner	Mr. J. Purcell, A/SEE Corp. Servs.

The meeting commenced at 10.30 a.m.

Cllr. Niall Kelleher, Cathaoirleach, took the Chair. He welcomed everyone to the Kerry Sports Academy, I.T. Tralee for the first ordinary monthly meeting of Kerry County Council since the start of the COVID-19 pandemic. He thanked the Elected Members for their co-operation over the last number of months in finding new ways to do business as a Local Authority. He thanked management for the work they have been doing in these difficult times.

15.6.2020.01 Protocols/Induction

Mr. C. O'Connor, Director of Service, referred Elected Members to the Protocols for Kerry County Council Meetings held in Kerry Sports Academy, ITT North Campus during COVID-19 which had been circulated. The protocols were approved at the Special Meeting of Kerry County Council held on 29 May 2020. They are based on national guidelines and public health guidance. He gave an overview of the protocols, highlighting the symptoms of COVID-19, hand hygiene and social distancing procedures, time limit for meetings, documentation and use of the speaker system.

Cathaoirleach Niall Kelleher said these protocols are in place to prevent the spread of COVID-19 and it is important they are adhered to. He reiterated that the time limit for this meeting is two hours and in the main reports, which were circulated in advance, will be taken as read to ensure Members have ample opportunity to ask questions.

15.6.2020.02 Cathaoirleach's Report on CPG meeting held on 11 Feb 2020

On the PROPOSAL of Cllr. Bobby O'Connell, SECONDED by Cllr. Jackie Healy-Rae, the Cathaoirleach's report on the CPG meeting held on 9 June 2020, which had been circulated, was noted by the Members.

15.6.2020.03 Confirmation of Minutes

- a) On the PROPOSAL of Cllr. Bobby O'Connell, SECONDED by Cllr. Jim Finucane, it was resolved that the minutes of the February Ordinary Meeting of Kerry County Council held on 17 February 2020 be confirmed.
- b) On the PROPOSAL of Cllr. Jackie Healy-Rae, SECONDED by Cllr. Michael O'Shea, it was resolved that the minutes of the Special Meeting of Kerry County Council held on 25 February 2020 be confirmed.
- c) Councillor Jim Finucane referred to the draft minutes of meeting of the 29th May as circulated. He stated that the item relating to his proposal on the Shannon LNG project was incorrect and requested that the draft minutes be amended. He pointed out that at the Special meeting of Kerry County Council held on 29 May 2020 he had proposed that the Shannon LNG Project not form part of political negotiations and this proposal was seconded by Cllr Robert Beasley. He said Kerry County Council's support and involvement in the Shannon LNG Project cannot be questioned, with an all-party group taking part in deputations to the former Taoiseach and various Ministers and to the Office of the Energy Regulator over a period of time. He requested that the minutes of the Special meeting of Kerry County Council held on 29 May 2020 would be amended to reflect his proposal as follows:-

"Cllr. Jim Finucane PROPOSED that the future of the Shannon LNG project, should not be part of any political negotiations as a new application will come before An Bord Pleanála in September.

Cllr. Robert Beasley SECONDED this proposal."

On the PROPOSAL of Cllr. Jim Finucane, SECONDED by Cllr. Jimmy Moloney, it was resolved that the minutes of the Special Meeting of Kerry County Council held on 29 May 2020 would be confirmed, subject to the above amendment being included prior to publication.

15.6.2020.04 Chief Executive's Report to Council

The Chief Executive's report for the month of June 2020, which had been circulated, was noted by the Members.

Cllr. Mike Kennelly referred to the Safe Streets Programme by Kerry County Council and expressed disappointment in the consultation process with Elected Members and businesses in relation to this initiative. He said the proposals are unpalatable for the businesses in the town of Listowel and a one size fits all approach cannot be taken on this. He said the Elected Members must be included in any proposals such as this initiative.

Cllr. Aoife Thornton asked that the Safe Streets Programme would be reviewed at regular intervals, with the first review due on 29 June. She said while understanding that this is not a reserved function, she asked that definitive dates for reviews beyond 29 June would be agreed, adding that everyone wants to work to a plan that has proportionate measures. In relation to playgrounds, she asked that consideration would be given to allocating certain hours each day for children with special needs.

The Chief Executive outlined that the Safe Streets Programmes are urgent and temporary works during the COVID-19 pandemic. She said she is satisfied with the level of engagement and consultation that was had by way of the Safe Street Programme going through the Municipal District process and public observations being sought. Practical amendments to the plans that have been submitted were taken on board. The Safe Street Programme will be under constant review as it is unknown how national public health guidance in relation to the pandemic will change over the coming months. The purpose of the Safe Street Programme is to make Kerry as safe as it possibly can be. The Chief Executive undertook to review Cllr. Thornton's request in relation to playgrounds.

Cathaoirleach Niall Kelleher referred to the finances of the Local Authority and said while there is a three month rebate on rates, Kerry, as a tourism county has been severely impacted by the COVID-19 pandemic. It will be very difficult for many businesses to pay rates. He asked that a letter issue to the Department, in support of the economic report that has been done on the county, requesting that Kerry be compensated for the substantial loss of rates that will be suffered due to the number of businesses that have been closed during this time.

Cllr. Michael O'Shea supported the Cathaoirleach's request and said the Oireachtas Members should meet the executive of this Council to discuss this matter.

The Chief Executive said she and the Cathaoirleach met the Oireachtas Members recently to discuss the economic report on the county and the impact on the financial position of Kerry County Council due to the county's reliance on tourism. It was agreed with the Cathaoirleach that there would be regular updates and engagements with the Oireachtas Members.

15.6.2020.05 Disposal of Property

On the PROPOSAL of Cllr. Jim Finucane, SECONDED by Cllr. Johnnie Wall, it was agreed to approve the disposal of a plot of land comprising of 0.115 hectares in area, in folio KY2416 (plan no 55), KY42344F and KY12298F at Mitchels Road, in the townland of Cloonmore, in the District Electoral Division of Trughanacmy, County Kerry to Clúid Housing Association in accordance with the terms of notice issued 27 May 2020 pursuant to Section 183 of the Local Government Act 2001, Section 211 of the Planning and Development Act 2000 and Article 206 of the Planning and Development Regulations 2001.

15.6.2020.06 Variation No. 3 of the Listowel Town Development Plan 2009-2015 (as extended)

Mr. D. Ginty, A/Senior Planner, referred Elected Members to the Chief Executive's report on submissions/observations received in relation to proposed Variation No. 3 of the Listowel Town Development Plan 2009-2015 (as extended) which had been circulated and outlined the following:

“1.1 Variation No.3 to the Listowel Town Development Plan 2009-2015

A Planning Authority may at any time, for reasons stated, decide to make a variation of a Development Plan. The procedure for such a variation is set out in Section 13 of the Planning and Development Act 2000 as amended by Section 10 of the Planning and Development (Amendment) Act 2010.

The Listowel Town Development Plan 2009-2015 was adopted by the Council on the 11th May 2009 and came into effect on the 8th June 2009. The Plan was extended in accordance with Section 11 of the Planning & Development Act 2000 (as inserted by Section 28 of the Electoral, Local Government and Planning and Development Act 2013).

1.2 The purpose of Proposed Variation

The purpose of Proposed Variation (No.3) is to incorporate into the Town Plan the; 1) population allocation and housing unit requirement as contained in the Core Strategy of the Kerry County Development Plan 2015-2021, 2) new objectives and policies, in particular to support and facilitate public infrastructure, 3) revised up to date land use zoning map which incorporates the Myplan zoning Classification which is being used in the Municipal District Plans, and 4) initiatives to encourage urban renewal and regeneration.

The Proposed Variation No. 3 will include the population allocation and housing land requirement as contained in the Core Strategy of the Kerry County Development Plan 2015-2021. The Core Strategy will provide for the orderly development of suitably zoned lands for housing development as well as ensuring that adequate infrastructure is provided to service these lands to accommodate the targeted population growth for Listowel town. The Strategy will coordinate development and promote the sustainable growth of the town by ensuring that adequate, suitably located and serviced land is available to cater for the orderly development of the town in a sequential manner which is sustainable and protects its social, cultural, environmental and economic assets for future generations.

2.0 Environmental Assessments

In preparing the third Variation, the Planning Authority determined that: -

- Pursuant to the relevant criteria as set out in the Planning & Development Regulations, 2001 as amended, that the proposed fourth variation will not significantly affect the environment, and
- Following the preparation of an Appropriate Assessment, no adverse effects on integrity of the Natura 2000 sites were considered likely.
- A Strategic Flood Risk Assessment was carried out in accordance with Department Guidelines.

3.0 Public Consultation

In accordance with Section 13(2) of the Planning and Development Act 2000 (as amended) Notice of the proposed Variation to the Town Development Plan, SEA Environmental Report, the Habitats Directive Assessment/ Natura Impact Report and the Strategic Flood Risk Assessment were published in a local newspaper and invited observations and submissions. Copies of the proposed Variation and Environmental Reports were placed on display for public inspection from **31st October to 13th December 2019 (both dates inclusive)**. An open day for members of the public was held in the Listowel Civic Offices on the 21st November 2019.

4.0 Statutory Bodies

Under Section 13(2) of the Planning and Development Act 2000 (as amended) the Planning Authority is required to consult the prescribed authorities listed under Part 3 Section 13 of the Planning and Development Regulations 2001 (as amended) and those prescribed under Article 13K of the Planning & Development (Strategic Environmental Assessment) Regulations 2004-2011.

5.0 Submissions Received

There were 39 no. submissions received during the public consultation period. Only submissions received relating to lands within Listowel Town boundary are included within this report.

The Chief Executive's Report in accordance with Section 13 (4) (a) & (b) of the Planning & Development Act 2000, as amended shall:

- (a) List the persons or bodies who made submission or observations,
- (b) Summarise the issues raised by the Minister and thereafter issues raised by other bodies or persons,
- (c) Give the response of the manager to the issues raised, taking account of the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or of any Minister of the Government.

Written Submission No. 1:

Office of the Planning Regulator

Submission:

The submission highlights two primary areas for the Local Authority to address, firstly in respect of consistency of proposed Variation no. 3 with the hierarchy of statutory plans/land-use zonings and secondly consistency with relevant Section 28 Guidelines.

Consistency of proposed Variation no. 3 with the hierarchy of statutory plans

The Office of the Regulator states that the revisions included in the proposed variation will provide for a considerably more consolidated and compact form to the future development of Listowel than is currently the case under the Listowel Town Development Plan 2009-2015, as extended. The submission states that the Office is satisfied that in general terms the proposed variation is broadly consistent with the objectives of the National Planning Framework and in particular with NPO3c (compact growth).

The submission states that while it acknowledges the Council's work to address the issue of excessive land use zonings in the past, the Office of the Regulator has noted that the extent of land zoned for residential development and for mixed residential development under the proposed variation is in excess of the 15.25ha provided for in the core strategy of the Kerry County Development Plan 2015-2021, when the potential yield from brownfield lands and windfall sites are taken into account.

The submission highlights that the revised zoning does not include R2 or R4 land use zonings and therefore the Office of the Regulator states that objective H1d '*prohibit development on lands zoned strategic residential reserve R4 until 80% of all other residential zoned lands (R2) have been developed to the satisfaction of the Planning Authority*' cannot promote development on a phased basis or facilitate a sequential

approach to the development of lands in ensure consistency with the Kerry County Development Plan.

With respect to the above, The Office of the Regulator sets out the following recommendation to the Planning Authority:

Recommendation 1, from Office of the Planning Regulator

Consider the incorporation of a phasing sequence for zoned residential land (R1/R2/R4) taking into account whether the subject zoned lands are serviced or serviceable (having regard to Appendix 3 of the National Planning Framework: A Methodology for a Tiered Approach to Land Zoning).

Response from Planning Authority

The Planning Authority has considered carefully the contents of the submission received. As acknowledged by the Office of the Regulator the Local Authority has in recent years carried out significant work to reduce the excessive land zonings that existed in Listowel with the successful adoption of Variation no. 2 to the Listowel Town Development Plan. In proposed Variation no. 3, the Planning Authority has focused on renewing and developing the existing built up area, making more efficient use of land rather than continued expansion and sprawl of the town.

Proposed Variation no.3 does not propose to extend the development boundary of the Town to include significant residential developments located within the environs of the town.

The lands originally proposed as R1 are all located in areas that are described as residential in character and are either infill sites or sites contiguous to existing established residential estates in line with the objectives of the National Planning Framework, and with NPO3c (compact growth).

With respect to the Regulator's comment that the revised land use zoning does not include R2 or R4 zoned lands, a review of the Listowel Town zoning map will show that established residential areas have been zoned as R2, existing residential use.

With respect to the absence of R4 lands in the land use zoning, it is now proposed to designate some of the previously proposed R1, Proposed Residential lands as R4, Strategic Residential Reserve.

In addition to the above, existing Objective H 1d in the draft Variation, which seeks to promote development on a phased basis, will be amended to ensure that a sequential approach to the development of lands in Listowel will take place.

An analysis of the location of the all the R1, Proposed Residential sites were undertaken, which included examining services in the area and flood risk together with a review of planning histories of the area and likelihood of the site being developed in the medium term. Based on the above it is now proposed to zone three parcels of land to the north-east, and west of the town centre as R4, Strategic Residential Reserve. It is also proposed to re-zone lands to the south-east of the town centre from R1, Proposed Residential use to P1, Agricultural use.

Recommendation from Planning Authority

1. Re-zone lands to the north-east of Ballygologue Park residential estate comprising of an area of 1.8ha from R1 Proposed Residential use to R4, Strategic Residential Reserve. See maps 1a and 1b.

2. Re-zone lands in the townland of Clievragh comprising of an area of 2.2ha from R1 Proposed Residential use to R4, Strategic Residential Reserve. See maps 2a and 2b.
3. Re-zone lands in the townland of IslandGanniv North, on Greenville Road, comprising of an area of 1.14ha from R1 Proposed Residential use to R4, Strategic Residential Reserve. See maps 3a and 3b.
4. Re-zone lands in the townland of Ballygowloge, comprising of an area of 1.052 ha from R1, Proposed Residential use to P1, proposed Agriculture use. See maps 4a and 4b.
5. Amend Objective H 1d as follows:

Prohibit development on lands zoned as Strategic Residential Reserve (R4) until 80% of all other residential zoned lands (**R1, Proposed Residential and R2, Existing Residential**) have been developed to the satisfaction of the Planning Authority.

Submission from Office of the Planning Regulator on Relevant Section 28 Guidelines

The submission states that the proposed variation includes zoning objectives for land R1 at Castleisland (the correct townland is Castleinch, not Castleisland) adjacent to the N69 and at Islandganniv North, that would enable vulnerable uses such as residential to be in an area that the Planning Authority's strategic Flood Risk Assessment states is located within flood zones A and / or B. On this basis the Planning Authority is requested to comply with the following:

Recommendation 2 from Office of the Planning Regulator-

Omit, or amend as necessary, the proposed revised land use zoning objectives under variation no. 3 accommodating vulnerable uses on the lands at Castleisland (should read Castleinch) adjacent the N69 and at Islandganniv North within flood zone A and or B. Alternatively, the Office of the Regulator requests that the Planning Authority demonstrate compliance with the justification test under The Planning System and Flood Risk Management Guidelines for Planning Authorities, (OPW, 2009).

Response from Planning Authority

The Planning Authority acknowledges the Office of the Regulator's concerns in relation to the potential development of the lands at Castleinch and Islandganniv North with respect to flood risk. The Planning Authority has reviewed all flood mapping information available. Having considered the potential flood risk, it is considered prudent to re-zone the lands at Castleinch from R1 proposed residential to O1 White land and to include same within the delineated red line, which denotes the requirement to prepare a masterplan for these lands. This O1 designation does not propose a specific land use zoning, this approach is consistent with the that taken for other lands at this location. The masterplan, accompanied by a detailed flood risk assessment for all the lands zoned O1 at this location will guide the Planning Authority in determining the most appropriate and sustainable use for this land, if any, into the future.

With respect to the lands at IslandGanniv North, on Greenville Road, the Planning Authority has carried out additional further assessment on these lands and is satisfied that this land is outside flood zone B and that subject to a flood risk assessment at planning application stage that the development of these lands would be in accordance

with the Guidelines. However, to ensure the phased orderly development of residential lands in Listowel, these lands will now be zoned as R4, Strategic Residential Reserve.

Recommendation from Planning Authority:

- 6. Re-zone lands at Castleinch comprising of an area of 1.85ha from R1 Proposed Residential to O1 White Lands, see maps 5a and 5b.
- 7. Include these lands within the delineated red line for the Castleinch Masterplan area and attach objective OR -1/2 to these lands- that is a requirement to prepare a masterplan for these lands.
- 8. Re-zone lands in the townland of IslandGanniv North, on Greenville Road, comprising of an area of 1.14ha from R1 Proposed Residential use to R4, Strategic Residential Reserve. See maps 3a and 3b.

Written Submission No. 2: Southern Regional Assembly

Submission:

The submission states that proposed Variation no. 3 is consistent with the National Planning Framework. The Southern Regional Assembly also states that the Variation provides strengthened policy support for sustainable higher densities, facilitates compact growth targets aligned with the National Policy Objectives of the NPF, the renewal of vacant brownfield sites and regeneration of opportunity sites amongst other initiatives.

The submission notes that the proposed Variation is considered consistent with the Core Strategy and Settlement Hierarchy of the Kerry County Development Plan 2015-2021 and with the South Western Regional Planning Guidelines 2010-2022, as far as practicable.

The submission further states that the proposed Variation is consistent as far as practicable with the content of the Regional Spatial and Economic Strategy and Regional Planning Objectives including the following:

- Support for the strategic sub regional economic role of Listowel in the context of urban networks that support the combined economic assets and strengths of Listowel, North Kerry, West Limerick and the Shannon Estuary.

Response from Planning Authority:

The Planning Authority notes the content of the submission received and welcomes the Southern Regional Assembly’s view that the proposed Variation is considered consistent with the Core Strategy and Settlement Hierarchy of the Kerry County Development Plan 2015-2021 and with the Regional Spatial Economic Strategy and the National Planning Framework.

Recommendation:

No amendment proposed.

Written Submission No. 3: Department of Education & Skills

Submission:

The Department has acknowledged receipt of the proposed Variation and states that having examined the contents therein, it has no comment to make at this time.

Response from Planning Authority

Content of submission is noted.

Recommendation:

No amendment proposed.

Submission:

The submission relates to two proposed revisions namely proposed revision no.9 and proposed revision no. 24.

1. Proposed Revision 9

The TII notes the Local Authority's proposal relating to lands at Castleinch and the objective to prepare a masterplan. The T.I.I. note that these lands adjoin the N69, national secondary road. The T.I.I. states that any access to the Castleinch Materplan area should be planned to ensure that the development of the lands is undertaken in a manner complementary to safeguarding the strategic function of the national road network in the area in accordance with the provisions of official policy.

T.I.I. recommends that any development proposals for the site are appropriately assessed to ascertain the implications of traffic generation on the safe and efficient operation of the national road network and associated junctions. The submission also states that the cumulative impact of development in the area be considered in any proposals and be subject to a Traffic and Transport Assessment. Any proposed work should be undertaken in consultation with T.I.I. and that the process of adopting any masterplan should be clearly identified.

Response from Planning Authority to point 1 raised:

Having regard to zoned lands and the proposed Castleinch lands adjacent to the N69, the Planning Department confirms that the masterplan for these lands will be subject to a Traffic and Transport Assessment, in consultation and co-operation with the T.I.I. Any development on national roads or adjacent to national roads will comply with section 2.7 of the Spatial Planning and National Roads Guidelines, published January 2012.

It is also considered acceptable to include an additional objective to require traffic and transport assessments to be carried out as part of any proposals for the opportunity sites identified in the plan.

2. Proposed Revision 24

The TII welcomes the provision for the N69 Listowel Bypass scheme and recommends the inclusion of a provision to state that all lands identified for the N69 Listowel Bypass Scheme should be retained free from development to facilitate the delivery of the scheme.

Response from Planning Authority to point 2 raised:

It is considered acceptable to include an objective to ensure that all lands required for the approved N69 Scheme be retained free from development.

Recommendation:

It is recommended to include the additional objectives as follows:

OR-03; A Traffic Impact assessment shall be carried out as part of any proposals for the opportunity sites and Castleinch Masterplan area.

MAC32 A, Ensure lands required for the approved N69 Listowel Town Bypass Scheme are retained free from development to facilitate the delivery of the scheme.

Written Submission No. 5: Environmental Protection Agency (EPA)

Submission:

The EPA submission sets out some general guidance and comments in respect of preparing a SEA and the SEA Environmental Report proposed for the proposed Variation. In addition, specific comments in respect of proposals made under the Variation are also set out.

General comments

1. The EPA recommends that the guidance document 'SEA of Local Authority Land Use Plans- EPA recommendations and Resources' be considered, and the relevant recommendations incorporated into the finalisation and implementation of the proposed Variation.
2. The submission states that Kerry County Council should ensure that the Variation aligns with key relevant higher-level plans and programmes.
3. In finalising the Variation and integrating the findings of the SEA into the Variation, the Local Authority are advised that key recommendations, issues and challenges set out in Ireland's Environment -An Assessment 2016 (EPA, 2016) should be considered, as relevant and appropriate.
4. The EPA requests that future amendments to the Variation should be screened for likely significant effects, using the same method of assessment applied in the 'environmental assessment' of the Variation.
5. The EPA advises that once the Variation is adopted a SEA Statement should be prepared. The submission sets out what should be contained in that Statement.
6. The submission also sets out the requirements for consultation with various statutory agencies and adjoining Local Authority.

Response from Planning Authority to the above six points

1. With respect to point 1 above, these guidance documents were utilised for all stages of the SEA to date and will continue to be used as the SEA progresses.
2. Kerry County Council will ensure that variation aligns with key relevant higher-level plans and programmes including the recently published *Regional Spatial and Economic Strategy for the Southern Region*.
3. The Environmental Report used the most up to date data available at the time of writing. As SEA is an iterative process- more relevant data will be referenced as it becomes available.
4. Kerry County Council is obligated under both the SEA and Habitats Directive to screen all plans/projects for significant effects on the environment/European Sites.
5. It is standard practice as part of a SEA to publish a SEA Statement. This will be published on adoption of the variation and in line with the EPA's recently published *Guidance on Strategic Environmental Assessment (SEA) Statements and Monitoring*.
6. The consultation process undertaken is outlined in the published Environmental Report and was undertaken to date as per the recommendations of the EPA.

Comments from EPA on the SEA Environmental Report

1. The submission states that greater emphasis should be placed on the RSES in the Environmental Report.
2. Reference is made to the population allocation for Listowel MD under Table 2.2. The submission recommends that the most up-date population data is used from the CSO for the various settlements covered in the Plan.
3. Chapter 5- State of the Environment – the submission states that the newly launched Environmental Sensitivity Mapping webtool, be incorporated into the decision-making process.
4. References to EPA air quality reports should be updated to reflect the latest version of this report series, for the year 2018.
5. The submission recommends that a table showing the key environmental issues and challenges and the related objectives and commitments associated is produced in order to provide clarity.
6. In relation to 6.1 and landscape considerations, the EPA recommends that areas of scenic amenity and areas of high landscape character within and adjacent to the plan area be set out.
7. Chapter 7, with respect to the proposed blueways and related infrastructure, the EPA states it is important to ensure that appropriate control and management of invasive species and biosecurity are integrated into any development or planning considerations.
 - With respects to the beach access objective (LS-BA-01), the submission states that access to beaches should only be undertaken at appropriate locations, and that private access to beaches should be deterred.
 - The submission recommends that the wording of the objective in respect of section 7.1.1.2 Settlements, be amended to include the wording in the National Planning Framework.
8. The submission recommends that appropriate mitigation measures to avoid or minimise the like significant effects identified be included and that there should be a clear commitment in the Variation to implement the relevant mitigation measures.
9. The submission states that the monitoring programme should be flexible to take account of specific environmental issues and unforeseen adverse impacts should they arise, in addition to cumulative effects. The EPA states that suitable and effective remedial action should be taken should any adverse impacts be identified during the monitoring of the implementation of the Plan and Variation.

Response from Planning Authority to the above nine points raised

1. The *Regional Spatial Economic Strategy for the Southern Region* has since been adopted since the publication of the proposed Variation therefore the Environmental Report can now be amended to reflect same.
2. Comments from EPA noted. However, Table 2.2 relates to a table that is referenced from the Kerry County Development Plan 2015-2021. Table 2.2 therefore relates to an earlier census valid at the time of writing of the County Development Plan in 2015 and on which the County's Core Strategy is based. A review of Section 2.6.2.1 of the Environmental Report provides an overview of populations figures relative to the 2016 census. However, at the time of writing it is the Core Strategy that determines allocated population figures for the town and other various settlements covered in the Plan.
3. The availability of the recently launched web tool is noted. The resource will be reviewed as appropriate as the drafting of the plan/variation progresses.

4. The Environmental Report used the most up to date data available at the time of writing. As SEA is an iterative process more relevant data will be referenced as it becomes available.
5. The presentation of key environmental issues/related objectives and commitments is noted and will be included in the Environmental Report to provide clarity.
6. Reference to areas of scenic amenity and areas of high landscape character within and adjacent to the plan area will be added to the Environmental Report, where appropriate.
7. With respect to the proposed blueways and related infrastructure, the comments made in the EPA's submission are noted. It should be noted that there are already objectives in place that support the appropriate control and management of invasive species/biosecurity measures for all developments in the Municipal District area.

With respect to the beach access objective (LS-BA-01), the objective was amended as part of the NIR to state "where appropriate" while the objective is also qualified by the wording "sustainable improvements". The objective will be amended as follows:

Where appropriate facilitate the sustainable improvement and enhancement of beach access and beach infrastructure. ***Where possible deter private vehicular access to beaches.***

The Planning Authority will amend objective LS-OO-04 as set out in section 7.1.1.2 Settlements as per EPA's recommendation.

8. Comments on chapter 8/Mitigation measures are noted. The mitigation proposed for each significant effect identified is provided in the Environmental Report, specifically Tables 8.2- 8.2.14; 8.3.1-8.3.11;8.4 and 8.5.1-8.5.4.
9. Comments on monitoring are noted, the Environmental Report provides details on the monitoring programme proposed for the MD LAP and proposed Variation no.3. Further to the recent publication of the EPA's *Guidance on Strategic Environmental Assessment (SEA) Statements and Monitoring*, monitoring in the Environmental Report will be reviewed in line with the recommendations from those Guidelines.
10. The Environmental Report provides details on the monitoring programme proposed for the MD LAP and the Variation no. 3. Comments on the forthcoming SEA monitoring guidance is noted. Once published it will be reviewed and used as appropriate as the plan/variation progresses.

Specific comments from EPA on the Variation

In the submission the EPA makes specific comments in relation to two sites, the (i) Former Mart Site and the (ii) Castleinch Masterplan site and a number of general recommendations as set out below.

(i) Former Mart Site

With respect to the former mart site, EPA states that given the location of this site, any relevant recommendations of the flood risk assessment should be considered and that it is important that water quality and biodiversity, including riparian area are protected.

(ii) Castleinch Masterplan

With respect to the masterplan, the Planning Authority is reminded to take account of the requirements of the SEA and Habitats Directives. Further the EPA states that a

construction and environmental management plan for the development of this site, to ensure that environmental sensitivities are afforded significant protection should be established.

Revision 18 -Objective ENH 25B

The EPA states that the relevant aspects of the Article 17 Report on the Status of EU Protected Habitats and Species in Ireland (DCHG, 2019) should be considered with respect to the above objective.

Revision 22

With respect to the development of Greenways, the EPA recommends that the wording 'subject to the relevant environmental assessments being carried out' be included.

Revision 23

The EPA requests that clarification should be given on whether proposals for improved cycling related infrastructure and greenways are intended within the lifetime of the plan or over successive plans.

Revision 25

The submission states that the Planning Authority should ensure that the required mitigation measures for the development of the flood relief scheme and flood defence schemes are fully integrated during their construction. Further the requirements of the Habitats, EIA and Water Framework Directives should be fully considered.

Response from Planning Authority:

Former Mart Site

With respect to the former mart site, the Planning Authority commits to incorporating relevant recommendations of the flood risk assessment into any plans for this site and to ensuring that water quality and biodiversity, including riparian area are protected.

Castleinch Masterplan

With respect to the proposed Castleinch Masterplan, the Planning Authority is committed to incorporating the requirements of the SEA and Habitats Directives. Further the Planning Authority will ensure that a construction and environmental management plan for the development of this site is carried out as a requirement of any planning application, to ensure that environmental sensitivities are afforded significant protection.

Revision 18-Objective ENH 25B

With respect to Revision 18-Objective ENH 25B, referred to above, the Planning Authority is committed to incorporating the relevant aspects of the Article 17 Report on the Status of EU Protected Habitats and Species in Ireland (DCHG, 2019) in the development of a catchment wide invasive species management plan.

Revision 22

With respect to Revision 22 above, the EPA's comments have been noted, Section 12.3 will be re-worded as follows:

The Council will seek to sustainably develop the proposed greenway, ***subject to the relevant environmental assessments being carried out***, through the town, park and along the urban road/footpaths in order to join up the two route corridors linking Dromin/Woodview with Curraghatoosane.

Revision 23

With respect to the EPA's comments in respect of Revision 23 above, it should be noted that proposals for improved cycling related infrastructure and greenways are intended within the lifetime of the plan and that construction work on the Greenway from Listowel to Limerick commenced in November 2019. However, some projects are subject to funding and therefore some proposals may occur over successive plans.

Recommendation:

1. Amend **Table 1: EOs and associated Targets, Indicators and Monitoring used in the SEA, Table 6-1 List of environmental SEA objectives, targets and indicators for the Listowel MD LAP/3rd variation to the LTDP 2009-2015 and Table 9-1 List of environmental SEA objectives, targets, indicators and associated monitoring for the Listowel MD LAP/Variation of the Environmental Report, under SEA Topic, Landscape, as follows:**

Landscape	L1 Protect the landscape of the plan area and adjoining areas	That landscapes identified in the plan area and adjoining the area , including local urban townscapes and streetscapes, are protected and enhanced by good design principles.	<ul style="list-style-type: none">• Design statements/public realm plans undertaken• Village Renewal schemes/projects undertaken• Visual Impact Assessments/relevant sections of EIA submitted with planning applications• Architectural Impact Assessments undertaken for PS/ACAs
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2. Amend objective (LS-BA-01), as follows:
Where appropriate facilitate the sustainable improvement and enhancement of beach access and beach infrastructure. **Where possible deter private vehicular access to beaches.**
3. Amend objective LS-OO-04 as set out in section 7.1.1.2 Settlements as follows:
LS-OO-04 ~~Promote~~ **Implement** a more sustainable pattern of development through prioritising development on suitable derelict, backland, infill and brownfield sites.
4. Insert the following text in bold italics to Revision 22:
The Council will seek to sustainably develop the proposed greenway, **subject to the relevant environmental assessments being carried out**, through the town, park and along the urban road/footpaths in order to join up the two route corridors linking Dromin/Woodview with Curraghatoosane.

Written Submission No.6:

Office of Public Works

Submission:

1. Re: Objective OR1 and OR2 (Other/Strategic Reserve Sites/Castleinch Masterplan)

The submission states that re-zonings are proposed within the Variation that appear to the O.P.W. to be in contravention of the Planning System and Flood Risk Management Guidelines (2009) and Circular PL2/2014.

The Local Authority's attention is specifically drawn to objectives OR1 and OR2 (Other strategic Reserves sites/Castleinch Masterplan).

The O.P.W. note that this land is located within flood zone A, and that only water compatible development uses such as amenity, outdoor sports and recreation would be appropriate at this location. The submission states that other or strategic sites would not fall into the category of water compatible development.

Response from Planning Authority:

The land at Castleinch is zoned as O1, White land with a specific objective to prepare a masterplan, (OR1/2). This land was specifically designated as O1 White land to take account of the potential vulnerability of the land to flooding. Under the MyPlan zoning classification system the O1 White land zoning is recommended to be used where land may be zoned for development at some time in the future, but no specific objectives or controls are indicated at this time.

The Planning Authority acknowledges the O.P.W.'s concerns in relation to the potential development of the lands at Castleinch, with respect to flood risk. The Planning Authority shares those concerns hence the O1 White land designation and the absence of a specific land use zoning determination in the proposed Variation for the Castleinch land. The masterplan, accompanied by a detailed flood risk assessment will guide the Planning Authority in determining the most appropriate and sustainable use for this land, if any, into the future.

2. Proposed New Residential zoned lands

The O.P.W. refers to lands located at Castleinch and IslandGanniv North, on Greenville Road respectively. The submission states that both areas of lands identified are located within flood zone A. It states that new proposed residential zoning would not be considered a water compatible designation and is not in accordance with the guidelines.

The O.P.W. acknowledges that a balanced view of land use and flood risk should be taken in full compliance with the Flood Risk Guidelines and welcomes the Council's commitment to adhere to the Flood Risk Guidelines.

Response from Planning Authority:

The Planning Authority has reviewed all flood mapping information available. Having considered the potential flood risk, it is considered prudent to re-zone the lands at Castleinch from R1 proposed residential to O1 White land and to include these lands within the delineated red line, which denotes the requirement to prepare a masterplan for these lands. The masterplan, accompanied by a detailed flood risk assessment for all the lands zoned O1 at this location will determine the most appropriate and sustainable use for this land, if any, into the future.

With respect to the lands at IslandGanniv North, on Greenville Road, the Planning Authority has carried out additional further assessment on these lands and is satisfied that this land is outside flood zone B and that subject to a flood risk assessment at planning application stage that the development of these lands would be in accordance with the Guidelines. However, in response to the submission from the Office of the Planning Regulator to ensure the phased orderly development of residential lands in Listowel, these lands will now be zoned as R4, Strategic Residential Reserve.

Recommendation:

1. Re-zone lands at Castelinch identified on maps 5a and 5b from R1 Proposed Residential to O1 White land. Include these lands within the delineated red line – which denotes the requirement to prepare a masterplan, see objective (OR1/2).

2. Re-zone lands in the townland of IslandGanniv North, on Greenville Road, identified on maps 3a and 3b, from R1, Proposed Residential use to R4, Strategic Residential Reserve.

Written Submission No.7: Irish Water

Submission:

The submission highlights that Irish Water is developing the National Water Resources Plan which is a strategic plan for water services outlining how Ireland moves towards a sustainable, secure and reliable public drinking water supply over the next 25 years, whilst safeguarding the environment. It advises that a draft of this Plan will be available for public consultation in 2020.

In addition, Irish Water advises the Local Authority that Drainage Area Plans for the wastewater networks in Listowel town is progressing and is currently at Stage 2 (Survey and Model Build).

Finally, the submission includes a menu of policies for Development Plans, which contain a list of appropriate policies/objectives for water services. Irish Water request that these policies and objectives be included in Development Plans/Local Area Plans.

Response from Planning Authority:

The content of Irish Water's submission is noted. Several objectives put forward have been included where appropriate in the Variation. In addition, where not considered appropriate at this time, some of the policies and objectives may be more suitable for inclusion in the County Plan, the review of which is to commence in late spring of 2020.

Recommendation:

Insert the following new objectives into Section 13.2 of the plan.

TPWDFRM15a: Protect both ground and surface water resources including taking account of the impacts of climate change, and to support Irish Water in the development and implementation of Drinking Water Safety Plans and the National Water Resources Plan.

TPWDFRM15b: Promote water conservation and demand management measures among all water users, and to support Irish Water in implementing water conservation measures such as leakage reduction and network improvements.

TPWDFRM36a: Provide adequate storm water infrastructure in order to accommodate the planned levels of growth within the plan area and to ensure that appropriate flood management measures are implemented to protect property and infrastructure.

TPWDFRM36b: Require all new development to provide a separate foul and surface water drainage system and to incorporate sustainable urban drainage systems where appropriate in new development and the public realm.

TPWDFRM36c: Prohibit the discharge of additional surface water to combined (foul and surface water) sewers in order to maximise the capacity of existing collection systems for foul water.

TPWDFRM36d: Support Irish Water in the promotion of effective management of trade discharges to sewers in order to maximise the capacity of existing sewer networks and minimise detrimental impacts on sewage treatment works.

TPWDFRM36e: Ensure that all new developments connect to the public wastewater infrastructure, where available, and to encourage existing developments that are in close proximity to a public sewer to connect to that sewer. These will be subject to a connection agreement with Irish Water.

Written Submission No.8: MRG Consulting Engineers Limited on behalf of Mr. Shaun Hegarty (*address withheld for data protection purposes. A paper copy of the unedited document is available on request*).

Submission:

This submission requests that several additions be made to the Variation. The amendments put forward relate to a sustainable strategy for the development of appropriate housing to meet growing needs and demands of the population of the town with a sustainable mix of dwelling types within existing or new residential areas within the Plan area.

Additions proposed in this submission are outlined in italics below:

Section 5.1 of the Variation – the following text is requested to be added as follows: The Planning Authority will seek to ensure that all developments are carried out in a sustainable manner and comply with the ‘Sustainable Residential Development in Urban Areas Guidelines. The appropriate density for applications for housing developments...and elsewhere *if appropriate to ensure the provision of a mix of unit types in existing developments with capacity for additional residential development, in proximity to existing and proposed transport and service infrastructure, in order to meet and adapt to the changing demographic trends and household profiles in a neighbourhood.* ...In the majority of settlements infill and vacant sites ...town centre *or in proximity to transport and service infrastructure.*

The following additional text is also requested to be included under the following objectives, Revision 3 of the proposed Variation:

Objective H9a

Ensure that residential densities reflect the density of appropriate adjoining developments. Higher densities...town centre *or in proximity to transport and service infrastructure that serves the development.*

Objective H9b

Require all new residential development schemes *and completion of existing residential schemes within the town boundary* (over 5 units) to provide for a mix of house typesprofiles in the County.

Response from Planning Authority:

Higher densities will be considered on a case by case basis depending on amongst other issues – the location of the site, the design and quality of the scheme - how it complies with certain performance criteria and the quality of life proposed for incoming residents in addition to existing or proposed services in the area. The Town Plan and proposed Variation does not limit the consideration of higher densities to certain areas of Listowel. Therefore, it is not considered necessary to specify specific locations outside of the town centre where higher densities may be suitable as doing so may exclude some suitable areas.

The Planning Authority is required to have regard to Section 28 Guidelines with respect to densities and compact growth. More recently Section 28 now distinguishes between advisory guidelines and specific requirements which must be mandatorily applied by Planning Authorities in the performance of their functions and these are set out as Specific Planning Policy Requirements (SPPR), such as those set out in the Urban Development and Building Heights Guidelines for Planning Authorities, (2018) and the Apartment Guidelines (2018). In such cases the SPPR'S take precedence over any conflicting policies and objectives contained in development plans or local area plans.

The Planning Authority through proposed Variation no. 3 is committed to facilitating increased densities with developments that provide for a mix of unit types to meet the needs of the changing demographic trends and household profiles in Listowel. The existing policies and objectives proposed are not limited to greenfield, new residential areas but rather are applicable to all zoned lands that facilitate residential use. 'New residential development schemes' refers to any new development granted planning permission whether on a greenfield site, infill site, partially completed development site or a site contiguous to an existing development once the Variation is adopted. In the interests of clarity however it is recommended that the following amendments be proposed:

Recommendation:

(a) Include amendments to objective H9b as follows:

Require all new residential development schemes **and completion of existing residential schemes within the town boundary** (over 5 units) to provide for a mix of house typesprofiles in the County.

(b) Delete the following proposed objective H 9a:

~~Ensure that residential densities reflect the density of appropriate adjoining developments. Higher densities will be considered in the town centre or within close proximity to the town centre.~~

(c) And replace with the following new objective H 9a:

Proposals for new residential developments shall comply with Specific Planning Policy Requirements (SPPR's) as set out in Section 28 Guidelines such as the Urban Development and Building Heights Guidelines for Planning Authorities, (2018) and the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2008) and any subsequent SPPR's that may issue, in the interests of compact growth.

Written Submission No.9: Cunnane Stratton Reynolds on behalf of John Whelan Submission:

This submission relates to Greenville Primary Care Limited. The submission outlines that the agent's client retains an interest in the Primary Care site (Site B) and owns the former Presentation Convent (Site A), which comprises of 0.7ha and is now vacant and disused. The submission notes the protected status of the Presentation Convent building. The location of sites A and B relative to the town centre (500m to the east) and character of the surrounding area which is dominated by established residential and educational/community uses are noted in the submission.

The submission states that the landowner is fully supportive of the proposed change in zoning to *M4 Mixed Use - Built Up Area* on both sites A and B and considers it to

be in accordance with the current national and regional planning policies and guidance. Further the submission notes that the site B has also been identified as an 'opportunity site' and the stated aims and objectives for the opportunity site in the proposed Variation are strongly supported.

The submission states that the proposed zoning of M4 on the former Convent site will provide an opportunity to redevelop the site with several potential suitable uses including residential/hotel accommodation as well as tourism related uses or educational uses. The submission sets out wider policy considerations at county, regional and national level that are supportive of the re-zoning which focuses on renewing and developing the existing built up area, making more efficient use of land rather than continued expansion and sprawl of the town.

Response from Planning Authority:

The Local Authority welcomes the content of the submission received and the commitment to renewing and developing these important existing brownfield sites for a mix of uses for the benefit of Listowel town.

The council recognises that Listowel has an ageing population and will encourage and promote age friendly development thereby making Listowel an attractive place in which to retire.

The council will facilitate the development of digital and economic hubs within the town and promote remote working.

Recommendation:

Include the following text in section 8.4. **Home working**

Similarly, technological changes have also led to the development and growth in co-working spaces (hubs) where groups of individuals work together. One of the responses to Covid-19 has resulted in significant numbers of people working remotely from home and opportunities now exist to capitalise on this cultural change as a mechanism to sustain and further economically develop Listowel. Kerry County Council will support the development of hubs in appropriate locations in (or adjacent to) the Town centre as a means to grow indigenous enterprise and to attract jobs and enterprise into the Town

Include an additional Objective EEAUR 11. *It is an objective of the Council to facilitate the development of co-working spaces (hubs) at appropriate locations in or adjacent to the Town centre*

Written Submission No.10: Cllr. Mike Kennelly

Submission:

This submission relates to development levies and incentives.

- (1) The submission requests that development contributions applicable to 'Lands Zoned Existing Residential' in the Listowel Town Development Plan be reviewed in the context of the development levies that apply in other areas in County Kerry and that adjustments be made to ensure equality be made across the County.
- (2) The submission requests that development contributions collected in respect of any development should in consultation with development management, be prioritised for spending by the Local Authority to ensure the timely provision of the amenities / services to enhance the public areas immediately outside of the contributing development.

- (3) The submission requests that a reasonable reduction to development contributions should be applied to promote early development on existing zoned lands.

The following amendment is suggested for Revision 13 of the proposed Variation. The new text suggested by Cllr. Kennelly in his submission is highlighted in italics below:

8.6.3 Existing Sustainable Residential Zoned Land

As a measure to encourage the provision of and to support the viability of sustainable development on 'lands zoned, existing residential' including in existing, non-completed developments, in respect of which no specific development contribution reduction provision has been made in the previous section.

A once off reduction of 50% shall apply to development contributions for the lifetime of this Variation no. 3 of the Listowel Town Development Plan 2009-2015 as extended, as an incentive to the development of these lands.'

Response from Planning Authority:

- (1) The Planning Authority has noted the content of the submission received and the proposal put forward to incentivise development on residential zoned lands. *The Kerry County Council Development Contributions Scheme* was adopted in 2017. It should be noted that the development levies applied in Listowel particularly for residential development are significantly less than those applied in Tralee or Killarney. For example, an additional levy of €12.00 per m² is applicable to residential development in Tralee and Killarney in addition to the standard residential development levy. However, no additional levy applies to residential development in Listowel.
- (2) Development contributions fund a range of projects throughout the County many of which traverse Municipal Districts and areas outside the immediate vicinity of a development. It is not possible therefore under a county wide scheme to restrict the expenditure of funds to locations where the funds have been collected. However, there is provision under Section 48 (2) (c) of the Planning Act to levy a special development contribution in respect of a development where specific exceptional costs not covered by the development contribution scheme are incurred by the Local Authority, in respect of public infrastructure and facilities benefiting the development.
- (3) The Local Authority is committed to encouraging and supporting development initiatives in key areas of Listowel town through a range of measures including significant reductions in development contributions particularly where development is permitted in areas identified for regeneration/opportunity sites. In particular, table 3, page 16, of the adopted Contribution Scheme sets out the reductions in development contributions that apply in relation to certain development types and locations. In addition, Kerry County Council will engage with any individual seeking to develop lands by way of a pre-planning consultation (under section 247 of the Planning and Development Act, as amended) to advise in relation to the development of lands and the provisions of the Development Plan, Development Contribution Scheme and other guidelines and requirements.

Recommendation:

No amendment proposed.

Written Submission No.11: Mr. Kevin Lynch, Listowel Athletics Club

Submission:

This submission relates to land located off the N69, Listowel - Tralee Road, across from the KERRY Ingredients facility. The submission requests that the lands identified on the accompanying map be re-zoned from existing proposed 'agriculture' to 'active open space'.

The rationale sought for the re-zoning is outlined in the submission which states that the Athletics Club seeks to build an athletic training facility for the club. The submission highlights that the land is leased from KERRY Ingredients. It is stated that a planning application will be submitted for the facility once the lands have been re-zoned.

Response from Planning Authority:

The content of the submission is noted. Having regard to the location of the site, on the edge of Listowel town within the restricted speed limit of 60km/hr, the nature and type of the development proposed, which will benefit the community and the unlikely negative visual or residential impact that would arise; it is recommended that the re-zoning should be supported in this case. Any new entrance proposed onto the N69 will be subject to consultation and agreement with Transport Infrastructure Ireland in the interest of safety.

Recommendation:

Re-zone the lands from P1, Agriculture to G4 Active Open Space as highlighted on maps 6a and 6b.

Written Submission No.12 Mr. Michael Barrett

Submission:

The submission refers to 'Feale View House' and the surrounding lands and requests that 'Feale View House' and surrounding ancillary buildings and grounds be zoned Existing Residential R1 from the proposed Mixed General Green Conservation G5.

The submission further highlights issues relating to the proposed Greenway. It states that the proposed Greenway route indicated in the Variation is not suitable as it proposes to use part of Mr. Barrett's private access from Feale View House to the junction of Cahirdown via Gurtinard.

Response from Planning Authority:

The Planning Authority has considered the content of the submission received. Having regard to the existing established buildings and use on the site, it is considered reasonable to zone Feale View House and surrounding ancillary buildings and grounds as R2, Existing Residential. The issues raised regarding access to the proposed Greenway route has been noted.

Recommendation:

Re-zone Feale View House and surrounding ancillary buildings and grounds, lands with an area of 0.606ha as indicated on maps 7a and 7b from G5 Mixed/General Recreation and Conservation to R2 Existing Residential.

Written Submission No.13: Tony Fitzgerald on behalf of Michael Barrett

Submission:

This submission refers to an area of land south of Golf View and Kenny Heights estates. A copy of a map is enclosed.

1. The submission requests that the lands identified in orange colour be zoned for proposed residential use. It states that the land has all the required infrastructural services in place and has the benefit of two access routes.
2. With respect to the lands identified in white, the submission requests that these lands be zoned for independent living/retirement, stating that there is significant demand for such type of development in Listowel. The proximity of the site the town park and church are highlighted.
3. With respect the proposed Greenway, the submission proposes an alternative route which it is stated does not require landowner approval. The submission states that submissions lodged by Kenny Heights and Golf View residents would appear to support this proposal.
4. The submission states that Feal View House is a residential property with several ancillary buildings, the G5 zoning is therefore incorrect for this location.
5. The area highlighted in blue colour is stated to be in use for agricultural use for in excess of 10 years, therefore the submission states that the G5 zoning should be amended to reflect this use.

Response:

- (1) Having considered the content of the submission received, the comments from the Office of the Planning Regulator and having regard to the de-zoning of lands at Castleinch (1.85ha) and Ballgologue, (1.05ha) it is considered reasonable to zone an area of 2.107ha for R1 Proposed Residential use. The proposal to re-zone these lands to R1, Proposed Residential use has considered the proximity of the lands to the town centre and all essential services, the location of the lands contiguous to existing residential development, the infrastructural services in place, access arrangements and the characteristics of the site and absence of flood risk. It is also considered prudent to facilitate the development of additional linkages between these lands and the adjacent town park in order to promote greater connectivity.
- (2) With respect to the independent living/retirement proposal, it is considered that adequate brownfield and opportunity sites have been zoned within the town centre or within very close proximity to same that can facilitate a mix of uses including independent living/retirement schemes should they be proposed. This is supported by objective (Objective H22b), which aims to encourage and facilitate adequate levels of assisted living schemes at appropriate locations within Listowel.

In addition, a development of this nature may also be put forward on any of the sites zoned for residential use. Further it should be noted that all residential schemes proposed over 5 units must provide for a mix of house types in order to meet and adapt to the changing demographic trends and household profiles in the County, (objective H9b). The provision of mixed aged residential schemes has been shown to be a sustainable solution to not only addressing the housing needs of both the younger population and those transitioning into retirement and older years but also in tackling issues of isolation and loneliness.

Finally, the subject lands are bounded to the north, south and west by lands zoned G5 and which form part of the Town Park. The zoning of these lands for development other than G5 may compromise the setting and tranquility of the existing Town Park.

The zoning of additional lands for this specific land-use is not considered necessary in this Plan.

- (3) The comments put forward on the proposed Greenway route have been noted by the Planning Authority. It is also considered appropriate to amend Revision no.22; Objective: MAC11e Facilitate the sustainable development of the Listowel-Ballybunion Greenway in order to read as Facilitate the sustainable development of the Listowel-*Tarbert* Greenway.
- (4) With respect to item 4 above, please see response to submission 12 above.
- (5) With respect to the area highlighted in blue on the map attached to the submission received, it is noted that this area is located directly north of the River Feale. These lands are located partly within the Lower River Shannon, Special Area of Conservation (SAC) designation, the majority however are located between two areas of the designation directly abutting the SAC to the north and south. The zoning of the lands for G5 Mixed/general 'green'/recreation/conservation is considered appropriate having regard to the characteristics of the site and its location partly within and directly abutting the SAC at this location.

Recommendation:

1. Re-Zone 2.107ha of land at Ballygowloge from G5 Mixed/General Recreation and Conservation to R1 Proposed Residential and to create additional linkages, see maps 8a and 8b.
2. Amend objective MAC11e; Facilitate the sustainable development of the Listowel-*Tarbert* Greenway.

Written Submission No. 14: **Mr. Pat Tobin (address withheld for data protection purposes. A paper copy of the unedited document is available on request)**

Submission: This submission relates to 2.4 acres of land at Ballygowloge. The landowner fully supports the proposed re-zoning to residential use as proposed in the variation. The submission highlights that the 2.4 acres in question was originally shown as part 2 on the original planning application in 2004. The submission states that the proposed zoning may also assist in the enhancement of the Greenway services, including the proposed G3 option of connecting the river walk with the Greenway.

Response from the Planning Authority:

The Planning Authority acknowledges the content of Mr. Tobin's submission and his support outlined for the residential zoning proposed on the lands adjoining the Kenny Height's residential estate.

The Planning Authority has re-examined the proposal to zone this land as R1 proposed residential use. The submission received from the Office of the Planning Regulator and the number of submissions received from the general public and issues raised in those has informed this re-examination. It is considered that other undeveloped lands in Listowel should be advanced first for development and that the lands at Ballygowloge (though contiguous to an established residential area) are not required for residential development at this time. Therefore, it is recommended that the lands be zoned for P1 agricultural use, in this Variation.

Recommendation:

As per response to Submission 1 above: Re-zone lands in the townland of Ballygowloge, comprising of an area of 1.05 ha from R1, Proposed Residential use to P1, proposed Agriculture use. See maps 4a and 4b.

Written Submission No.15:**John Corridan**

Submission: The submission relates to 'Corridans Field' and the topic of sustainability.

It is requested that the Opportunity site named 'Corridans Field' should be re-named to reflect that the lands are owned by several people. The submission highlights access issues to these lands and suggest that the Local Authority may need to exercise greater flexibility in terms of facilitating access and consider piecemeal development as part of an overall plan to advance development on this site.

On the topic of Sustainability, it is suggested that the town should be responsible for its own waste generation, separation and disposal and requires its own bring centre or a municipal waste site where citizens can bring waste and recyclable items. This the submission suggests will improve the public's understanding of the waste issue.

The submission states that Listowel Town should be identified as a potential national leader in terms of sustainability in the plan and promoted as a Pilot Town within Kerry to lead best practice sustainability solutions for subsequent rollout across other towns in Kerry. Such a role would complement its position as a heritage town and literary town.

Response from Planning Authority:

The content of the submission is noted. It is proposed to re-name the opportunity site as the 'Lands to the rear of Church Street' to accurately reflect the location of the lands. It should be noted that this designated opportunity site has the benefit of financial incentives in the form of reduced development levies under the Development Contribution Scheme adopted in 2017. The Planning Department acknowledges that some phased development and flexibility in terms of access may be necessary to advance the development of this land, but this could only be considered within the context of an overall agreed plan. A masterplan therefore is mandated as per objective OR-1 of the proposed Variation in order to set out a vision for the overall lands in order to ensure adequate vehicular and pedestrian accesses to produce visual continuity/harmony and to avoid piecemeal/haphazard development. In the meantime, the Planning Authority would welcome a collaborative approach to the development of these lands to provide opportunities for employment and enterprise.

With respect to waste management and recycling, it is noted that it is an objective of the Council (WM-3) as set out in the Kerry County Development Plan 2015-2021 to '*Facilitate the sustainable provision of additional waste recycling/recovery facilities at appropriate locations.*' Further the Listowel Town Development Plan sets out a suite of objectives - EFWM13-21 in respect of energy, food and waste management. The provision of a civic amenity centre is specifically supported under this section of the plan.

However, until such time as an appropriate site is located and approved, the Council will continue to promote waste prevention and minimisation initiatives to target all aspects of waste in the County, focusing on both commercial and domestic waste producers.

With respect to the issue of sustainability raised in the submission, proposed Variation no.3 continues to promote sustainable development. The identification of brownfield and opportunity sites deemed suitable for re-development, the significant reduction in excessive land zonings on the periphery of the town together with greater emphasis

now on building up the existing urban fabric to achieve compact growth; will make a significant contribution towards achieving compact growth, reducing carbon emissions and in creating a sustainable town into the future.

Recommendation:

1. Rename opportunity site Corridan's Field in section 7.4.3 to '***Lands to the rear of Church Street***'

Written Submission No.16: Patrick Carey on behalf of Gerald and Joan Carey

Submission:

This submission refers to property at 107 Church St. Listowel and access routes to lands at the rear of Church Street. The submission questions why the proposed route corridor originally shown in the Listowel Town Development Plan and subsequent Variations to it at 107 Church Street has now been removed in the proposed Variation no. 3.

Response from Planning Authority:

An examination of the existing Listowel Town Development Plan and Variation no. 2, shows that an indicative access point was originally shown at 107 Church Street in addition to a number of other indicative access points along this Street. Proposed Variation no. 3 indicates a potential access route at the location of property number 109, Church Street, in addition to a number of other potential access routes.

It should be noted that the access routes indicated on the map are considered indicative only. Their final location will be determined as part of an overall agreed masterplan plan for the entire opportunity site at the rear of Church Street, as per objective OR-1 of the proposed Variation. Given the development potential of these lands to the rear of Church Street and possible traffic implications it was considered prudent to highlight several possible access routes to the lands at the rear of Church Street.

In addition, some of the routes to be developed to access these lands may provide for pedestrian access only and may not in every case facilitate vehicular access. It should also be noted that any amendment shown to proposed access routes indicated in the current proposed Variation no. 3 does not rule out previously indicated routes or preclude other suitable access routes being put forward for consideration at masterplan stage.

Recommendation:

No amendment proposed.

Written Submission No. 17

Caroline Flaherty (part 1 and 2)

Submission: The submission relates to 2.4 acres of land at Ballygowloge, adjoining the Kenny Height's estate. The submission outlines its objection to the proposed re-zoning for several reasons, including impact on the character and reputation of the estate. It is stated that the proposed re-zoning will impact on property value, and general amenity with loss of views, noise disturbance and increased traffic, potentially creating a hazard for young and older people.

Response from Planning Authority:

The Planning Authority has re-examined the proposal to zone this land as R1 proposed residential use. The submission received from the Office of the Planning Regulator

and the number of submissions received from the general public and issues raised in those has informed this re-examination. It is considered that other undeveloped lands in Listowel should be advanced first for development and that the lands at Ballygowloge (though contiguous to an established residential area) are not required for residential development at this time. Therefore, it is recommended that the lands be zoned for P1 agricultural use, in this Variation.

Recommendation:

Re-zone lands at Ballygowloge from R1, proposed residential use to P1, Agriculture. See maps 4a and 4b.

Written Submission No.18:

Mark Grace

Submission: The submission relates to 2.4 acres of land to the south-east of Kenny heights residential estate. The submission states its objection to the proposed re-zoning and highlights several concerns in respect of the proposed residential re-zoning.

The submission states that the Kenny Heights is a completed development and that opening additional lands for development would have serious negative impacts on the residential amenity of the area. The issue of construction traffic accessing through Kenny Heights and the implications for the safety of the residents is highlighted. The potential impact on the green area of the estate is highlighted if an access road is to be constructed through it. The residents current work and pride in maintaining the green area of the estate is highlighted.

The submission concludes that if the re-zoning is to go ahead, those lands should have their own entrance outside of the Kenny Heights estate.

Response and Recommendation: See response to submission 17 above.

Written Submission No.19:

Sarah and Conor Moriarty

Submission: The submission relates to 2.4 acres of land at Ballygowloge, adjoining the Kenny Heights residential estate. The submission outlines objections to the proposed residential re-zoning. The submission highlights the Resident's Association's commitment to maintain and improve their estate and their achievements in the Listowel Tidy Town's awards night.

The on-going issue of speed within the estate and attempts in co-operation with the Council to tackle this is highlighted. The submission states that the re-zoning of the lands at Ballygowloge will bring increased traffic, including construction traffic into the estate with consequential impacts for the safety of residents.

The submission highlights the amount of voluntary work carried out by residents to maintain their estate with reference to the green area and its landscaping. It is stated that should the re-zoning be approved, and access given to any future development through the estate that this will have detrimental impacts on the current green area and landscaping, safety and wellbeing of the families residing there.

Response and Recommendation:

See response to submission 17 above.

Written Submission No.20: Jacqueline Grace (address withheld for data protection purposes. A paper copy of the unedited document is available on request)

Submission:

The submission relates to 2.4 acres of land to the south-east of Kenny heights residential estate. The submission outlines Ms. Grace's concerns in relation to the

residential zoning proposed at that location. The impact of traffic including construction traffic accessing through the estate is highlighted with implications for residential amenity including on the safety of young children playing near the green area highlighted as a serious concern.

It is stated that the layout of the estate would be different had it been intended to construct additional housing on the lands at Ballygowlege. The attractiveness of the green area is highlighted as a reason why the Ms. Grace states that her family bought the site and built their house there. She questions how the lands would be serviced, given the variance in site levels between Kenny Heights and the lands at Ballygowlege. The potential need for the installation of a pump to adequately service any new development is highlighted which it is stated would be contrary to Kerry County Council's own promoted environmental policies.

Response and Recommendation:

See response to submission 17 above.

Written Submission No. 21

Liam and Mareeda De Róiste

Submission:

The submission refers to 2.4 acres of undeveloped land adjoining the Kenny Heights estate to the south-east. Objections to the proposed residential re-zoning are outlined for several reasons including loss of natural environment and the determinantal impact on the residential amenity of the estate. The additional traffic and associated noise and dust that would result in the area because of any new development accessing through Kenny Heights is highlighted, together with the potential impact of additional traffic on the adjoining local and national road network and on the safety of vulnerable road users.

The potential for impact on the Kenny Heights' residents as a result of the recently commenced Greenway development is highlighted and that additional development in the vicinity of the estate would not be proportionate.

Response and Recommendation:

See response to submission 17 above.

Written Submission No.22:

Mary Crowley and John Connolly

Submission:

The submission refers to the 2.4 acres of land to the immediate south-east of the Kenny Heights residential estate. Objections to the proposed residential re-zoning are outlined for several reasons. The detrimental impact of construction traffic accessing through the Kenny Heights estate on the residential amenity of the area in terms of increased volumes, speed, dust, noise and impact on health is highlighted.

The potential for impact from any new development on the character of the estate with its mature landscaped area is highlighted as an issue. In addition, the Planning Authority is advised of the work that has been carried out by committed residents to maintain their estate to a very high standard.

Finally, the submission questions the need for additional lands to be zoned in Listowel, particularly at this location.

Response and Recommendation:

See response to submission 17 above.

Written Submission No.23:

Myra and Denis O'Shea

Submission: The submission refers to 2.4 acres of land at Ballygowloge, adjoining the Kenny Heights residential estate. Objections to the proposed residential re-zoning

are outlined for several reasons including: loss of natural environment and the determinantal impact on the residential amenity of the estate. The additional traffic and associated noise and dust that would result in the area because of any new development accessing through Kenny Heights is highlighted, together with the potential impact of additional traffic on the adjoining local and national road network and on the safety of vulnerable road users.

The potential for impact on the Kenny Heights' residents as a result of the recently commenced Greenway development is highlighted and that additional development in the vicinity of the estate would not be proportionate.

Response and Recommendation:

See response to submission 17 above.

Written Submission No.24: Donal Daly

Submission: The submission refers to 2.4 acres of undeveloped land at Ballygowloge, adjoining the Kenny Heights residential estate. Objections to the proposed residential re-zoning are outlined for several reasons including: loss of natural environment and the determinantal impact on the residential amenity of the estate. The additional traffic and associated noise and dust that would result in the area because of any new development accessing through Kenny Heights is highlighted, together with the potential impact of additional traffic on the adjoining local and national road network and on the safety of vulnerable road users.

The potential for impact on the Kenny Heights' residents as a result of the recently commenced Greenway development is highlighted and that additional development in the vicinity of the estate would not be proportionate.

Response and Recommendation:

See response to submission 17 above.

Written Submission No.25: Paddy and Edel Kelly

Submission: The submission refers to 2.4 acres of undeveloped land at Ballygowloge, adjoining the Kenny Heights residential estate, to the south-east. Objections to the proposed residential re-zoning are outlined in the submission on several grounds: impact on skyline and visual amenity, the creation of additional traffic through the estate and potential for the creation of hazards for children of the estate. Issues around the addition of noise and potential for anti-social behaviour are also highlighted.

Response and Recommendation:

See response to submission 17 above.

Written Submission No.26: Claire Hanrahan

Submission: The submission refers to 2.4 acres of land at Ballygowloge, adjoining the Kenny Heights residential estate. Objections to the proposed residential re-zoning are outlined in the submission on several grounds. It is stated that Kenny Heights is a well maintained, mature estate that would be damaged by further development. The submission states that increased traffic volumes through the estate would add to existing concerns regarding speed in the estate. The potential for a hazard between construction traffic and young children is highlighted. The potential negative impact on the green area which is very well maintained by the residents is highlighted.

Response and Recommendation:

See response to submission 17 above.

Written Submission No.27: Ina Baumann & Bill Kissane

Submission: The submission refers to 2.4 acres of land at Ballygowloge, adjoining the Kenny Heights residential estate. The submission outlines three principle areas of objection to the proposed residential re-zoning of the lands, as follows:

1. Loss of amenity - specifically referring to impact on the extensive established green area and on existing countryside views.
2. The overuse of existing infrastructure – existing concerns regarding traffic and speed through the estate which are compounded by the straight alignment of the existing estate road. Additional traffic would exacerbate this on-going problem.
3. Traffic during construction period – impact of construction traffic on safety and residential amenity of the residents. Absence of overall plan for the development proposed – fear that any new development may be haphazard and on-going over a long period of time.

Response and Recommendation:

See response to submission 17 above.

Written Submission No. 28: Paul and Audrey Collins

Submission: The submission refers to 2.4 acres of land at Ballygowloge, adjoining the Kenny Heights residential estate. This resident of the Kenny Heights objects to the proposed residential re-zoning on several grounds, including that new development would bring increased traffic into the estate, which already experiences high levels of traffic. The negative impact of construction traffic on the estate and the potential for such traffic to impact adversely on the safety of children is highlighted. The submission also states that the residents have worked tirelessly over the years to maintain the estate and that new development would erode this work and would impact on property values.

Response and Recommendation:

See response to submission 17 above.

Written Submission No.29: Diane Donovan

Submission: The submission refers to 2.4 acres of land at Ballygowloge, adjoining the Kenny Heights residential estate. The submission sets out its objection to the proposed re-zoning on the grounds that any new development proposed may impact on existing views and result in additional traffic through the estate, and that it was understood at the time of purchasing property there that this was a completed estate.

Response and Recommendation:

See response to submission 17 above.

Written Submission No.30: Ellen O'Reilly

Submission: The submission refers to 2.4 acres of land at Ballygowloge, adjoining the Kenny Heights residential estate. The submission sets out its objection to the proposed re-zoning on the grounds that any new development proposed may impact on existing views and result in additional traffic through the estate, and that it was understood at the time of purchasing property there that this was a completed estate.

Response and Recommendation:

See response to submission 17 above.

Written Submission No.31: Michelle Kearney and Daniel Leahy

Submission: The submission refers to 2.4 acres of land at Ballygowloge, adjoining the Kenny Heights residential estate. Objections to the proposed residential re-zoning are outlined for several reasons including loss of natural environment and the impact on the residential amenity of the estate. The additional traffic and associated noise and dust that would result in the area because of any new development accessing through Kenny Heights is highlighted, together with the potential impact of additional traffic on the adjoining local and national road network and on the safety of vulnerable road users.

The potential for impact on the Kenny Heights' residents as a result of the recently commenced Greenway development is highlighted and that additional development in the vicinity of the estate would not be proportionate.

Response and Recommendation:

See response to submission 17 above.

Written Submission No. 32: Norma Ní Scanláin

Submission: The submission refers to 2.4 acres of land at Ballygowloge, adjoining the Kenny Heights residential estate. Objections to the proposed re-zoning are set out for several reasons including that new development would bring increased traffic into the estate, with potential for risk to public safety, with concerns raised for the safety of children playing freely in the estate. The submission also highlights issues in relation to the potential for negative impact on residential amenity of the area and a possible devaluation of house prices.

Response and Recommendation:

See response to submission 17 above.

Written Submission No.33: Stephen & Gerardline Behan

Submission: The submission relates to lands, adjoining the Kenny Heights residential estate. Objections to the proposed residential re-zoning are outlined for several reasons including: loss of natural environment and the determinantal impact on the residential amenity including quality of the surrounding environment of the estate. The additional traffic and associated noise and construction work debris that would result in the area because of new development accessing through Kenny Heights is highlighted, together with the potential impact of additional traffic on the adjoining local and national road network and on the safety of road users. The suitability of the proposed residential site in terms of its physical characteristics is questioned in addition to the negative impact any new development may have on the established green area. The submission requests that the Planning Authority should conceive of better ways of planning residential developments while safeguarding the integrity of the River Feale hinterlands and valley ecosystem.

Response and Recommendation:

See response to submission 17 above.

Written Submission No.34: John and Siobhán Kennelly

Submission: Objections to the proposed re-zoning of lands to residential use are set out in this submission on several grounds, including that additional residential development would increase traffic through the estate and impact on the safe

environment for children, that it would negatively impact on property prices, create the potential for anti-social behaviour and impact on the established green area of the estate.

Response and Recommendation: See response to submission 17 above.

Written Submission No.35: Susan O'Carroll & Padraig Thornton

Submission: The submission refers to 2.4 acres of land at Ballygowloge, adjoining the Kenny Heights residential estate. This submission objects to the proposed re-zoning for several reasons including that access would be through Kenny Heights' estate thus creating additional traffic and potential for a traffic hazard on the local estate roads and on the adjoining road network. Concern is raised about the potential for damage to the established green area and to impacts on local biodiversity of the area. The potential for impact on the Kenny Heights' residents as a result of the recently commenced Greenway development is highlighted and that additional development in the vicinity of the estate would not be proportionate.

Response and Recommendation: See response to submission 17 above.

Written Submission No.36: John Kelleher

Submission: Mr. Kelleher is a resident of Kenny Heights estate and objects to the proposed re-zoning of lands at Ballygowloge to residential uses. He also objects to the proposed Greenway route. The submission states that Kenny Heights is a finished estate and that adjoining estates still have lands undeveloped which are considered more suited for residential development than the location of the current proposal. In addition, concern is raised regarding the Greenway route adjoining the Kenny Heights estate and an alternative route via Golf View and the rear of the green area of Kenny Heights is proposed as an option.

Response and Recommendation: See response to submission 17 above.

Written Submission No.37: Claire Carmody

Submission: Objections to the proposed re-zoning of lands to residential use at Ballygowloge are outlined in the submission on several grounds including that access to this land would go through Kenny Heights creating additional traffic on the existing local and adjoining national road network where visibility can be limited. The submission objects to the negative impact the development would have on an established green area of the estate. The submission considers that the characteristics of the land in question would necessitate a significant amount of work and that the lands would be difficult to service. The existing work carried out by residents in maintaining their estate is highlighted in the submission.

Response and Recommendation: See response to submission 17 above.

Written Submission No.38: Geraldine and Billy Stack

Submission:

Objections to the proposed re-zoning of lands to residential use at Ballygowloge are outlined in the submission on several grounds including that access to this land would go through Kenny Heights creating additional traffic on the existing local and adjoining national road network, thus potentially increasing safety issues for those within and seeking to access and exit from the estate.

The submission also highlights concerns with any potential access route that may go through the public open space serving the estate given the amenity value it provides, and care taken of it by residents. The submission also highlights issues in relation to the site's characteristics and that any new residential development there may detract from the natural environment and from views from the Greenway.

Response and Recommendation: See response to submission 17 above.

Written Submission No.39: Shane and Bríd Marie O'Driscoll

Submission: This submission highlights concerns with the proposed re-zoning of land to residential use at Ballygowloge adjoining the Kenny Heights estate. The submission asks how many houses are likely to be built and where access to the site is to be from. Issues in relation to increased traffic accessing the estate are set out. In addition the submission highlights that additional traffic using the Greenway route which is being developed adjacent to the estate could increase traffic in the area.

Response and Recommendation: See response to submission 17 above.

Chief Executive's Recommendations:

It is recommended that the Variation No. 3 of the Listowel Town Development Plan 2009-2015 be amended as follows:

Additions to the text of the Listowel Town Development Plan 2009-2015 are in **bold italics** with deletions in ~~strikethrough~~.

Amendment:1

Re-zone lands to the north-east of Ballygowloge Park residential estate from R1 Proposed Residential use to R4, Strategic Residential Reserve. See maps 1a and 1b.

Amendment:2

Re-zone lands in the townland of Clievragh from R1 Proposed Residential use to R4, Strategic Residential Reserve. See maps 2 a and 2b.

Amendment:3

Re-zoned lands in the townland of IslandGanniv North, on Greenville Road, from R1 Proposed Residential use to R4, Strategic Residential Reserve. See maps 3a and 3b.

Amendment:4

Re-zone lands in the townland of Ballygowloge, from R1, proposed residential use to P1, Agriculture. See maps 4a and 4b.

Amendment:5

Amend Objective H 1d as follows:

Prohibit development on lands zoned as Strategic Residential Reserve (R4) until 80% of all other residential zoned lands (***R1, Proposed Residential and R2, Existing Residential***) have been developed to the satisfaction of the Planning Authority.

Amendment: 6

Re-zone lands in the townland of Castleinch, comprising of an area of 1.85ha from R1 Proposed Residential to O1 White Lands, see maps 5a and 5b.

Include these lands within the delineated red line for the Castleinch Masterplan area and attach objective OR -1/2 to these lands- that is a requirement to prepare a masterplan for these lands.

Amendment:7

Insert the following additional objective into Section 7.4.6:

OR-03; A Traffic Impact assessment shall be carried out as part of any proposals for the opportunity sites and Castleinch Masterplan area.

Amendment:8

Insert the following new objective into Section 12.7:

MAC32A, Ensure lands required for the approved N69 Listowel Town Bypass Scheme are retained free from development to facilitate the delivery of the scheme.

Amendment:9

Amend **Table 1: EOs and associated Targets, Indicators and Monitoring used in the SEA, Table 6-1 List of environmental SEA objectives, targets and indicators for the Listowel MD LAP/3rd variation to the LTDP 2009-2015 and Table 9-1 List of environmental SEA objectives, targets, indicators and associated monitoring for the Listowel MD LAP/Variation of the Environmental Report, under SEA Topic, Landscape, as follows:**

Landscape	L1 Protect the landscape of the plan area and adjoining areas	That landscapes identified in the plan area and adjoining the area , including local urban townscapes and streetscapes, are protected and enhanced by good design principles.	<ul style="list-style-type: none"> • Design statements/public realm plans undertaken • Village Renewal schemes/projects undertaken • Visual Impact Assessments/relevant sections of EIA submitted with planning applications • Architectural Impact Assessments undertaken for PS/ACAs
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Amendment 10:

Amend objective (LS-BA-01), as follows:

Where appropriate facilitate the sustainable improvement and enhancement of beach access and beach infrastructure. ***Where possible deter private vehicular access to beaches.***

Amendment 11:

Amend objective LS-OO-04 as set out in section 7.1.1.2 Settlements as follows:
 LS-OO-04 Promote **Implement** a more sustainable pattern of development through prioritising development on suitable derelict, backland, infill and brownfield sites.

Amendment 12:

Insert the following text to Revision 22:

The Council will seek to sustainably develop the proposed greenway, ***subject to the relevant environmental assessments being carried out***, through the town, park and along the urban road/footpaths in order to join up the two route corridors linking Dromin/Woodview with Curraghatoosane.

Amendment:13

Insert the following new objectives into Section 13.2 of proposed Variation no.3

TPWDFRM15a; To protect both ground and surface water resources including taking account of the impacts of climate change, and to support Irish Water in the development and implementation of Drinking Water Safety Plans and the National Water Resources Plan.

TPWDFRM15b; To promote water conservation and demand management measures among all water users, and to support Irish Water in implementing water conservation measures such as leakage reduction and network improvements.

TPWDFRM36a; To provide adequate storm water infrastructure in order to accommodate the planned levels of growth within the plan area and to ensure that appropriate flood management measures are implemented to protect property and infrastructure.

TPWDFRM36b; To require all new development to provide a separate foul and surface water drainage system and to incorporate sustainable urban drainage systems where appropriate in new development and the public realm.

TPWDFRM36c; To prohibit the discharge of additional surface water to combined (foul and surface water) sewers in order to maximise the capacity of existing collection systems for foul water.

TPWDFRM36d; To support Irish Water in the promotion of effective management of trade discharges to sewers in order to maximise the capacity of existing sewer networks and minimise detrimental impacts on sewage treatment works.

TPWDFRM36e; To ensure that all new developments connect to the public wastewater infrastructure, where available, and to encourage existing developments that are in close proximity to a public sewer to connect to that sewer. These will be subject to a connection agreement with Irish Water.

Amendment:14

Insert the following additional text to objective H9b as follows:

Require all new residential development schemes ***and completion of existing residential schemes within the town boundary*** (over 5 units) to provide for a mix of house typesprofiles in the County.

Amendment:15

Delete the following proposed objective H 9a:

~~*Ensure that residential densities reflect the density of appropriate adjoining developments. Higher densities will be considered in the town centre or within close proximity to the town centre.*~~

And replace with the following new objective H 9a:

Proposals for new residential developments shall comply with Specific Planning Policy Requirements (SPPR's) as set out in Section 28 Guidelines such as the Urban Development and Building Heights Guidelines for Planning Authorities, (2018) and the Sustainable Urban Housing: Design Standards for New

Apartments Guidelines for Planning Authorities (2008) and any subsequent SPPR's that may issue, in the interests of compact growth.

Amendment:16

Include the following text in section 8.4. Home working

Similarly, technological changes have also led to the development and growth in co-working spaces (hubs) where groups of individuals work together. One of the responses to Covid-19 has resulted in significant numbers of people working remotely from home and opportunities now exist to capitalise on this cultural change as a mechanism to sustain and further economically develop Listowel. Kerry County Council will support the development of hubs in appropriate locations in (or adjacent to) the Town centre as a means to grow indigenous enterprise and to attract jobs and enterprise into the Town

Include an Objective EEAUR 11. ***It is an objective of the Council to facilitate the development of co-working spaces (hubs) at appropriate locations in or adjacent to the Town centre***

Amendment:17

Re-zone the lands from P1, Agriculture to G4 Active Open Space at Ballygrenane. See maps 6a and 6b.

Amendment:18

Re-Zone 0.60 ha area of land surrounding Feale View House as R2, Existing Residential, see maps 7a and 7b.

Amendment:19

Re-Zone land at Ballygowloge from G5 Mixed/General Recreation and Conservation to R1 Proposed Residential and include additional linkages, see maps 8a and 8b.

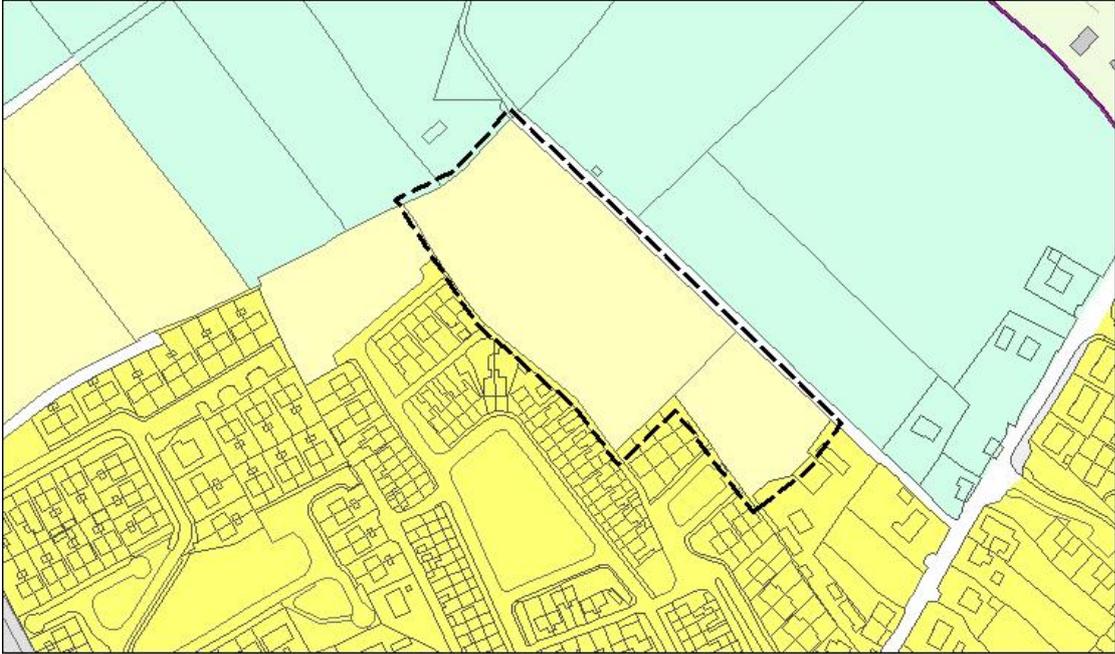
Amendment:20

Amend objective MAC11e; Facilitate the sustainable development of the Listowel-Tarbert Greenway.

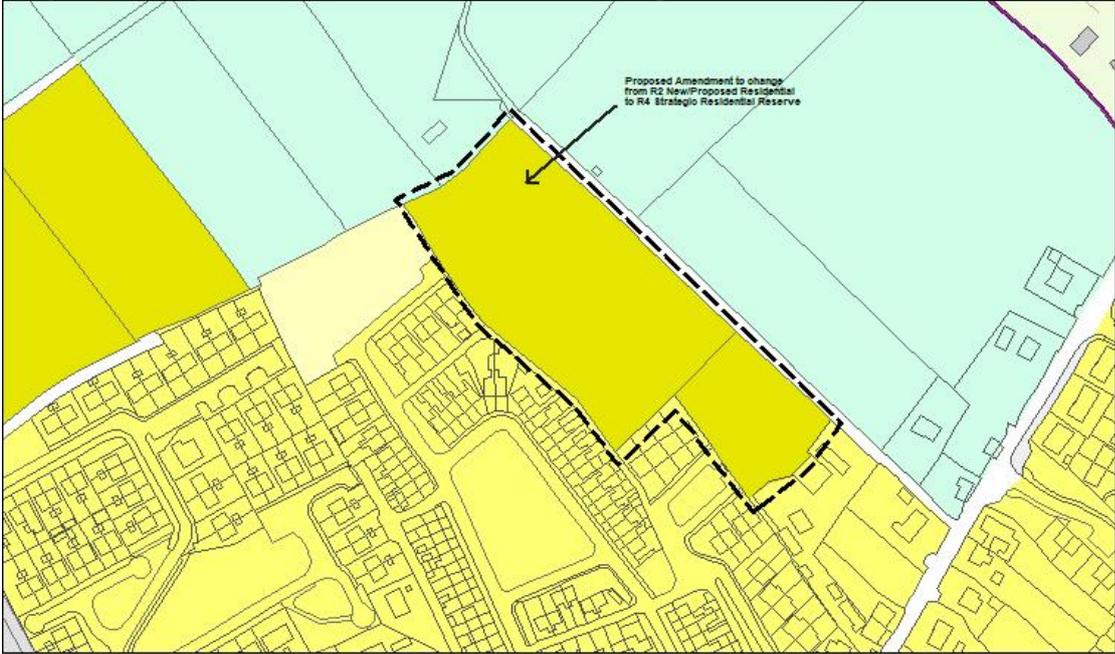
Amendment:21

Rename opportunity site Corridan's Field in section 7.4.3 to '***Lands to the rear of Church Street***'

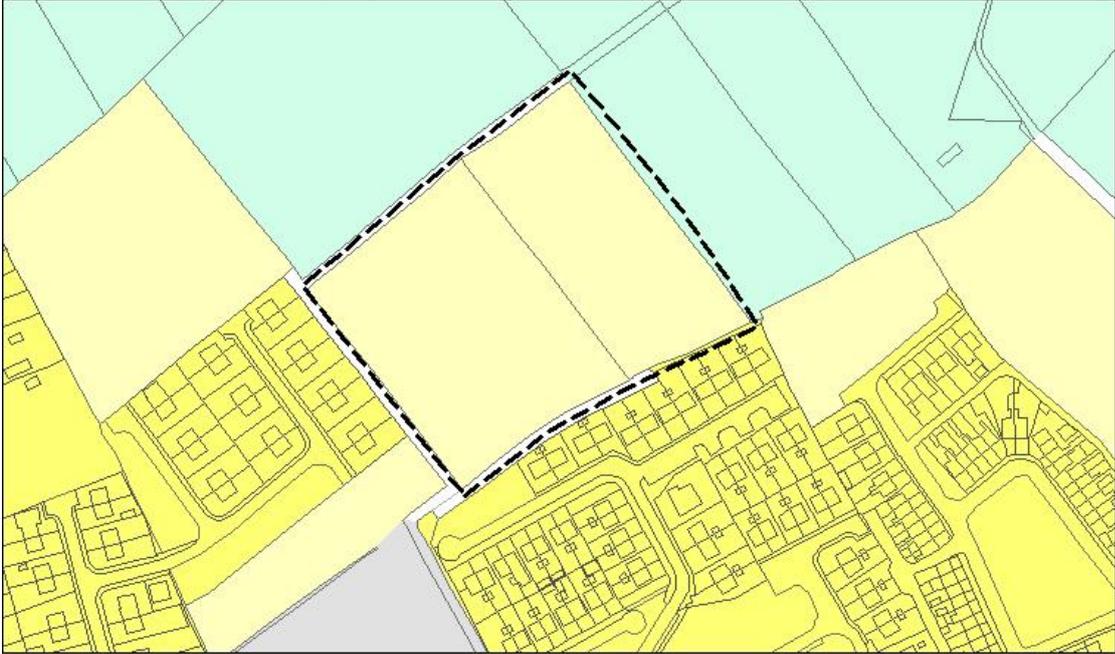
Map 1 a, Draft on Display, R1 Proposed Residential zoned lands at Ballygowloge



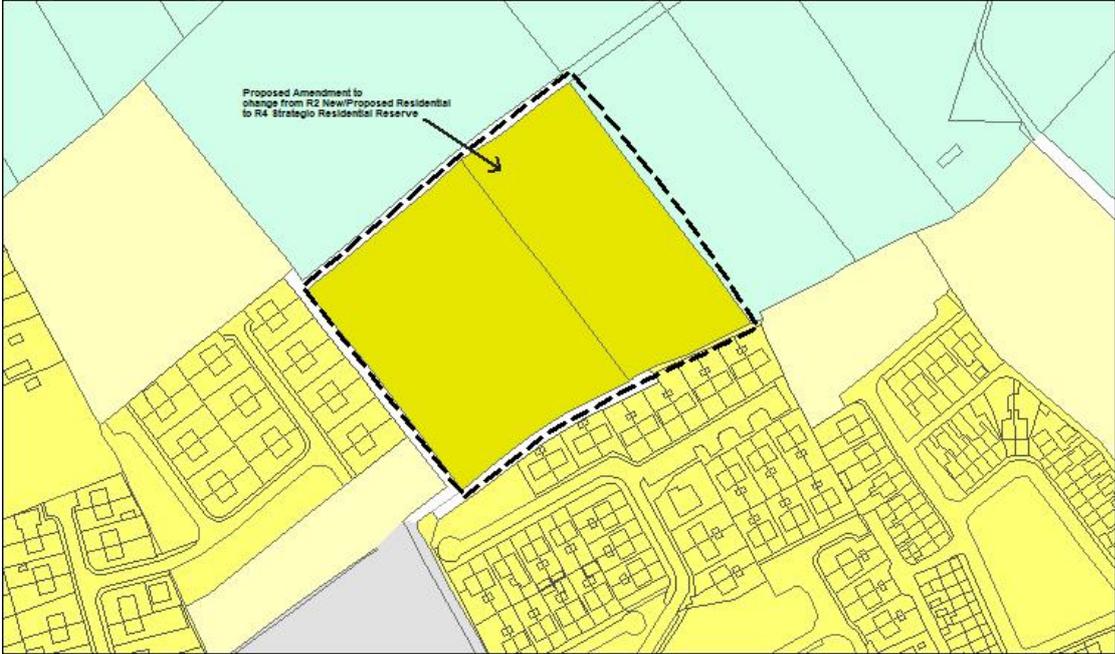
Map 1 b, Proposed Amendment, R4, Strategic Residential Reserve



Map 2 a, Draft on Display, R1 Proposed Residential zoned lands at Lartigue



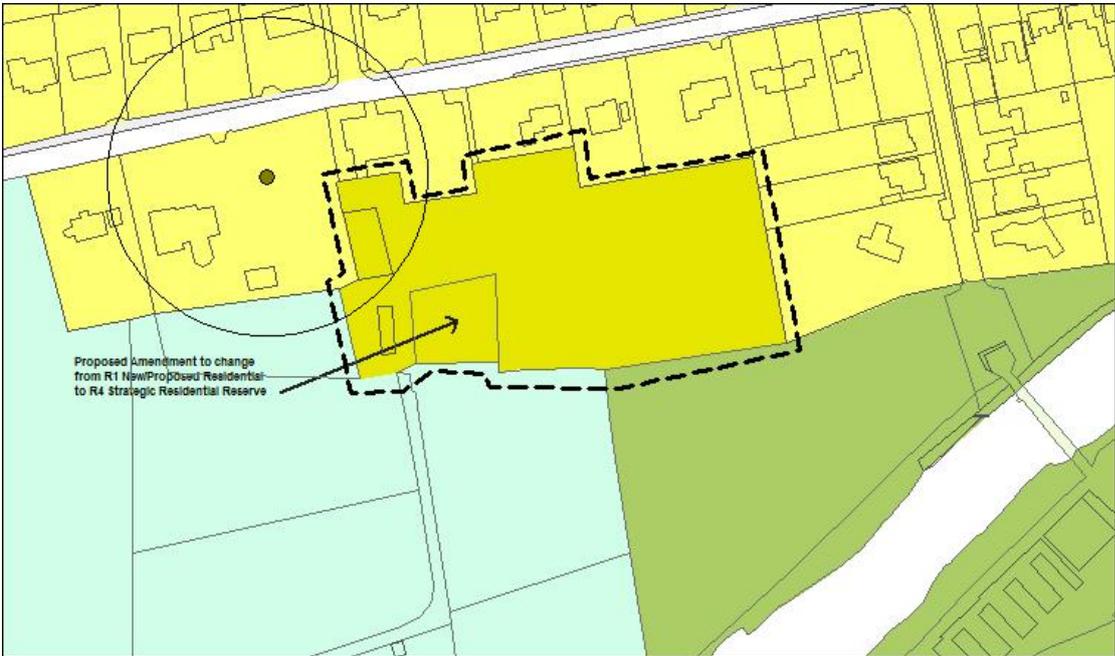
Map 2 b, Proposed Amendment, R4 Strategic Residential Reserve



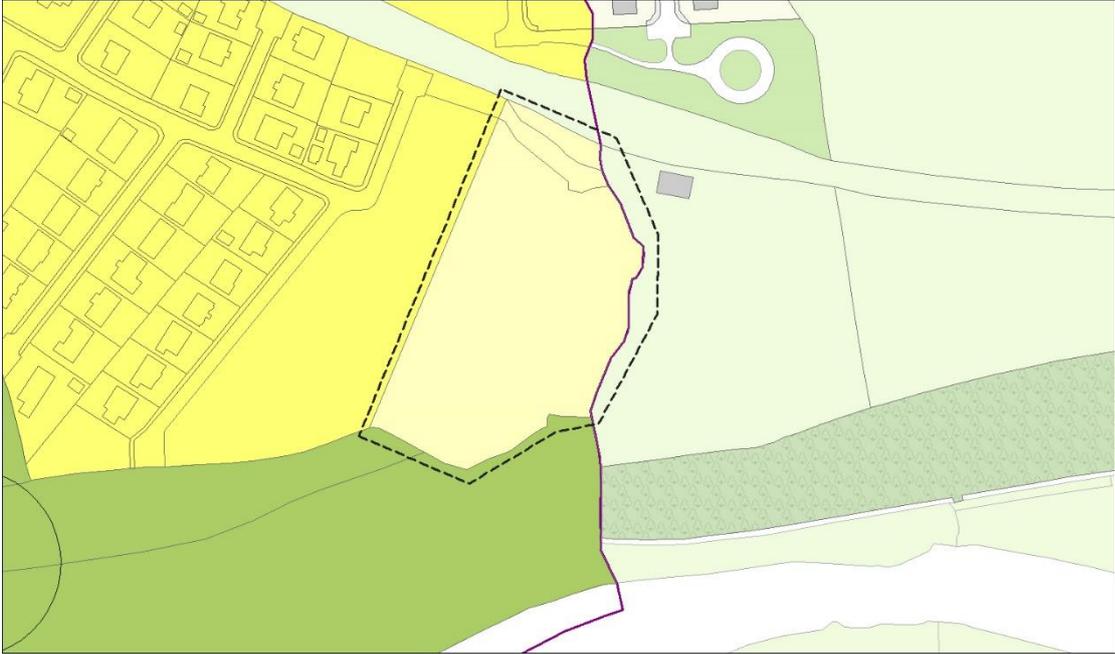
Map 3 a, Draft on Display, R1 Proposed Residential zoned lands at IslandGanniv North, Greenville Road



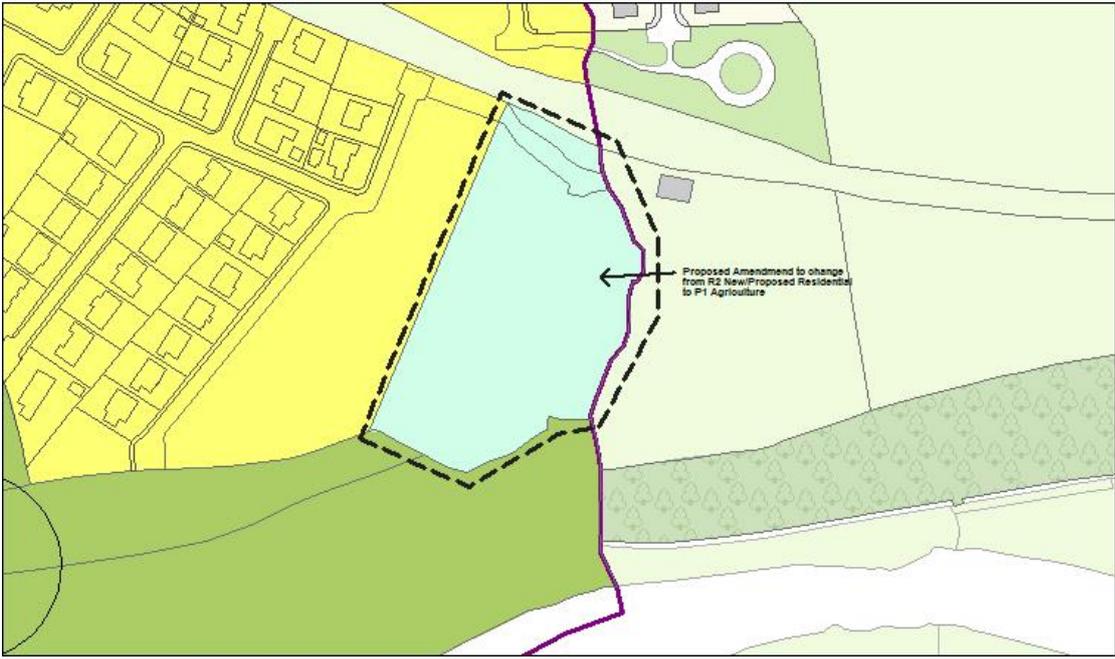
Map 3 b, Proposed Amendment, R4 Strategic Residential Reserve



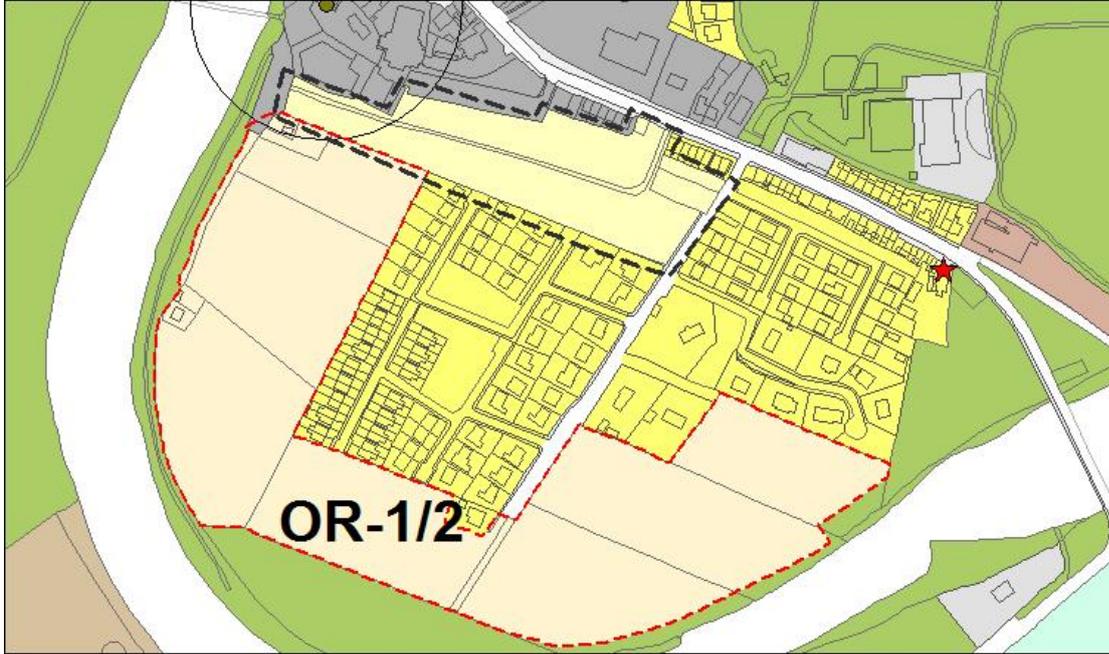
Map 4a, Draft on Display, showing R1, Proposed Residential use at Ballygowloge



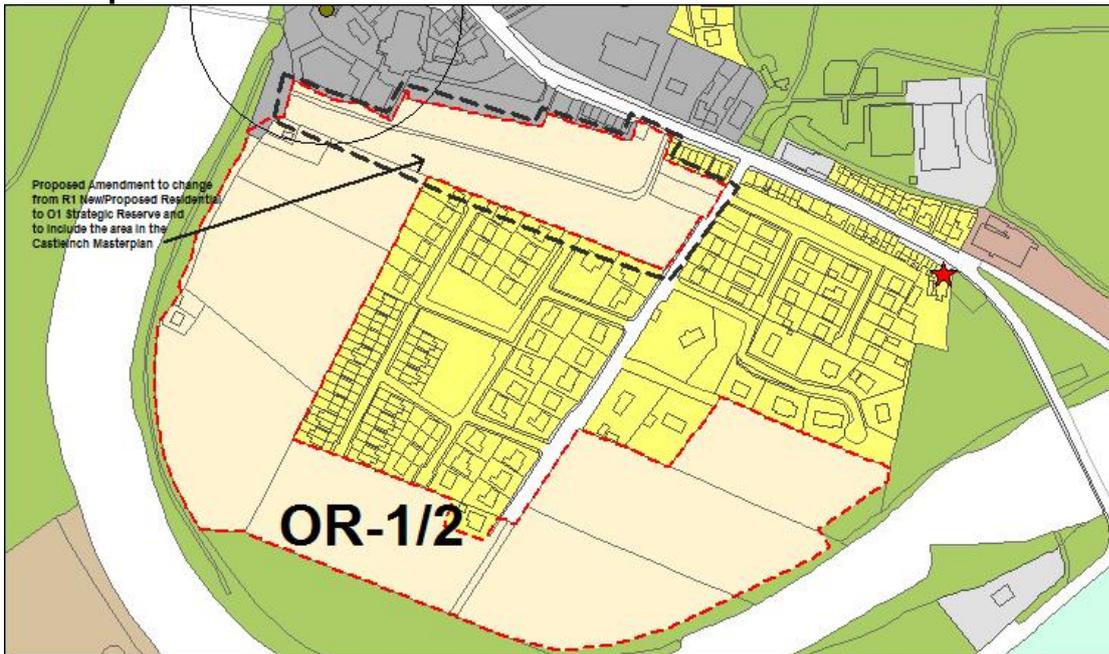
Map 4b, Proposed Amendment, showing re-zoning from R1 to P1, Agricultural use



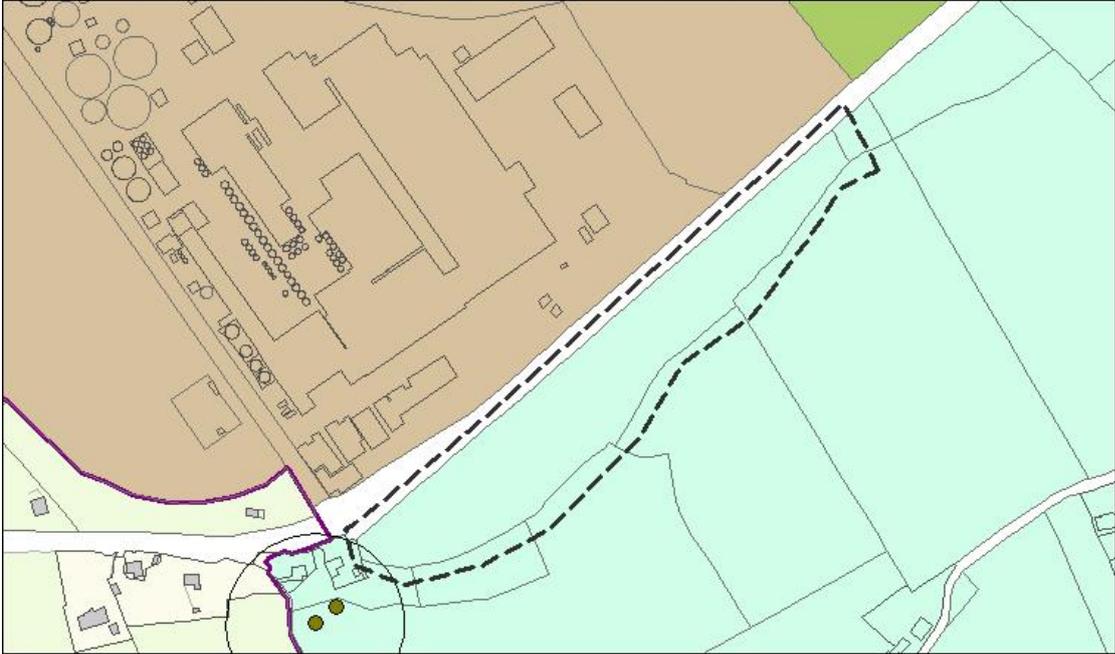
Map 5 a, Map on display, showing R1 Proposed Residential zoning on lands at Castleinch



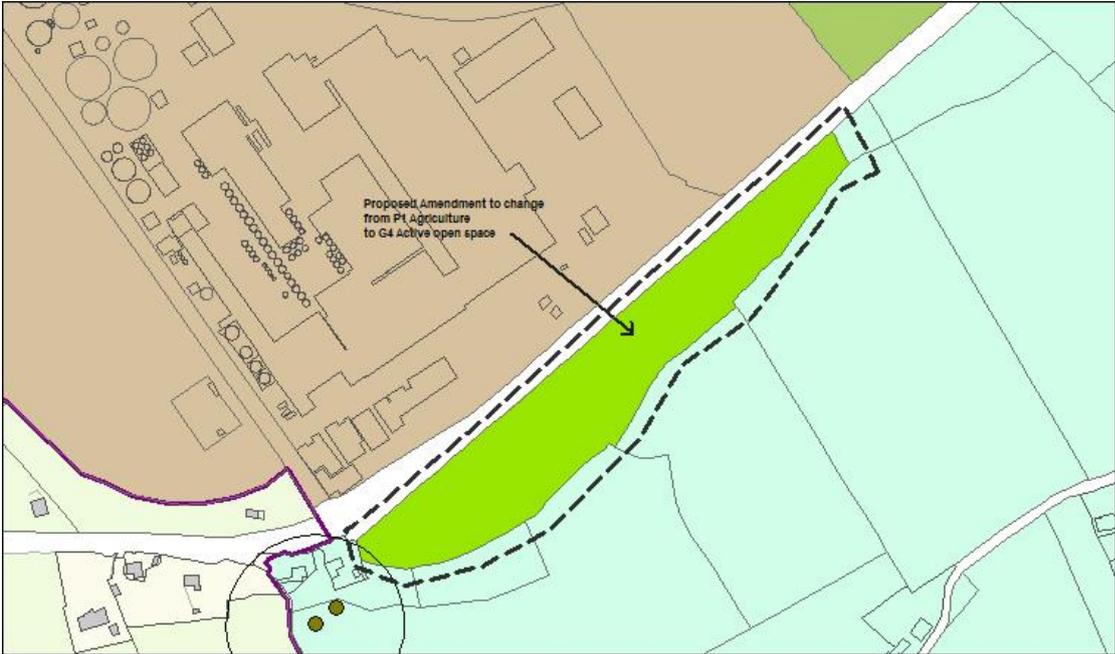
Map 5b, Proposed Amendment: re-zoning from R1, Proposed Residential to O1 White Land, Strategic Reserve and include lands within the Castleinch Masterplan area



Map 6a, Draft on Display, showing P1, agricultural zoning at Ballygrenane



Map 6b, Proposed Amendment, re-zoning from P1, Agriculture to G4, Active Open Space



Map 7a, Draft on Display, showing G5, Mixed Green, Recreation and Conservation zoning at Ballygowloge



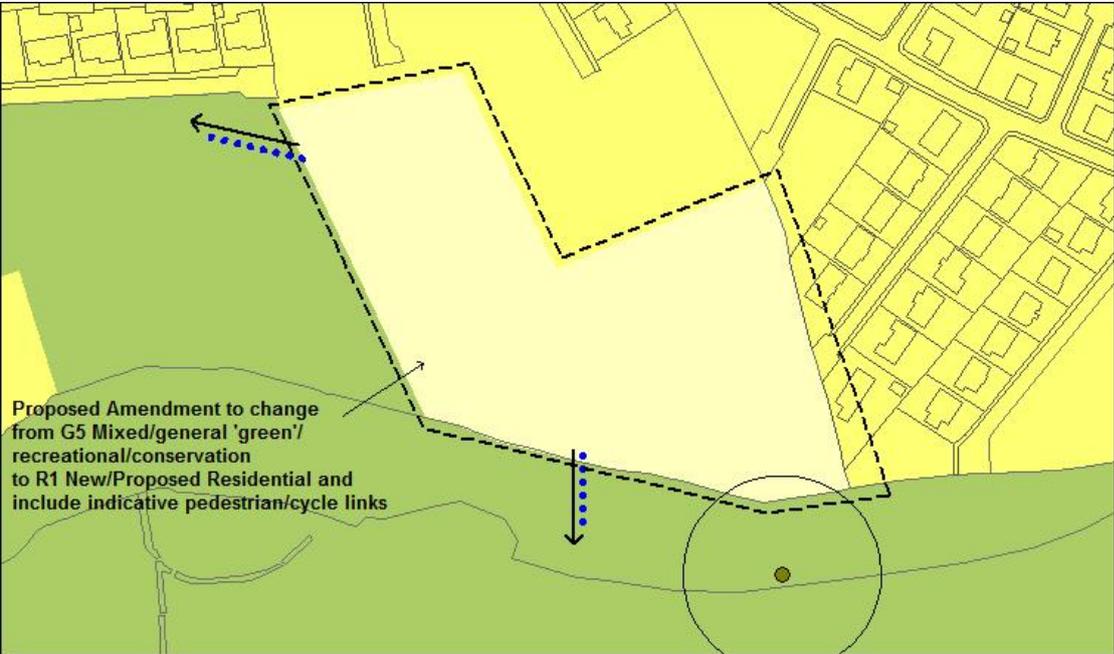
Map 7b, Proposed Amendment, showing re-zoning from G5 to R2, existing residential



Map 8a, Draft on Display, showing G5, Mixed Green, Recreation and Conservation zoning at Ballygowloge



Map 8b, Proposed Amendment, showing re-zoning from G5 to R1, Proposed Residential use



Cllr. Jimmy Moloney acknowledged the work of the Planning Department on the proposed variation of the Listowel Town Development Plan. He asked that work on the masterplan for Castleinch would be undertaken in the next 12-24 months. He PROPOSED that land at Ballygowloge, which is currently zoned mixed use, would be zoned as economic development or enterprise.

Cllr. Mike Kennelly SECONDED this proposal.

Mr. M. Scannell, Director of Service, said it is intended that all masterplans will be carried out as soon as possible. In relation to the lands at Ballybunion Road, there are significant issues regarding the zoning of these lands, which are not serviced and are physically distanced and removed from the built-up area of the town. There is sufficient zoned lands within the area for any development proposals that may come to Listowel over the coming five year period. It is understood that the bypass route for Listowel will be constructed during this plan and will provide an opportunity to service and zone lands west of the town. At present the zoning of these lands as enterprise would be premature as they are not serviced. There are sufficient lands in the various zonings to cater for developments that may arise.

Mr. D. Ginty, A/Senior Planner, said at present there is no demand for this additional 14.9 hectares of land for this purpose. There is over 14 hectares of land zoned for enterprise in the Town Plan of which 3.7 hectares is in state ownership. These lands are serviced with roads, water and wastewater infrastructure and there is no known impediment to their development for employment uses. The zoning of these lands economic or enterprise (C6) would open up the possibility of a range of uses/developments that would undermine the vitality and viability of the town centre including: offices, call centres, wholesale warehouses, show rooms, motor sales showrooms, gallery/museums, cafes, restaurants, garden centre, fast food takeaway outlets. These spatially distant lands, if sold, would represent and lead to the piece meal and unco-ordinated development of Listowel Town and the erosion of the established town boundary on its North Western side. The passing of this resolution may also attract the attention/intervention of the Planning Regulator. The intervention of the Planning Regulator may have unintended consequences. He strongly recommended not to proceed with the proposal to zone lands at Ballygowloge as economic or enterprise (C6).

Cllr. Jimmy Moloney welcomed the response regarding the masterplan for Castleinch. He withdrew his proposal regarding the zoning of lands at Ballygowloge as enterprise. He asked that the zoning of lands be kept under review with the bypass and greenway being constructed.

Mr. P. Corkery, Meetings Administrator, said a vote would now be taken on the following:

“On the PROPOSAL of Cllr. Jimmy Moloney, SECONDED by Cllr. Mike Kennelly, that this Council hereby resolves that Variation No. 3 of the Listowel Town Development Plan 2009-2015 (as extended) be made as amended by the Chief Executive’s Report.”

The result of the vote was as follows:

For: Cllrs. Tom Barry, Robert Beasley, Michael Cahill, Brendan Cronin, Charlie Farrelly, Deirdre Ferris, Breandán Fitzgerald, Fionnán Fitzgerald, Seamus Fitzgerald, Cathal Foley, Michael Foley, Donal Grady, Jackie Healy-Rae, Maura Healy-Rae, Mike Kennelly, Sam Locke, Dan McCarthy, Jimmy Moloney, Marie

Moloney, Norma Moriarty, Niall O'Callaghan, Michael O'Shea, Mikey Sheehy, Aoife Thornton, Johnnie Wall, **(26)**

Against: (0)

Not Voting: (0)

Absent: Cllr. Patrick Connor-Scarteen, Jim Finucane, John Francis Flynn, Michael Gleeson, Johnny Healy-Rae, Terry O'Brien, Bobby O'Connell **(7)**

Mr. P. Corkery, Meetings Administrator, declared the resolution CARRIED.

15.6.2020.07 Review of the County Development Plan 2022-2028

Mr. M. Scannell, Director of Service, referred Elected Members to Issues Paper in relation to the commencement of the Review of the County Development Plan 2022-2028 dated June 2020, which had been circulated. The issues paper marks the commencement of the review of the County Development Plan and sets out the context of where we are as a Planning Authority at this point in time. The issues paper is intended to instil debate. National and regional strategies are in place into which the new County Development Plan must be developed. At this point submissions/observations should relate to Strategic Issues only, i.e. "the big picture". Site specific issues or the zoning of land for any purpose is not considered at this stage of the development plan process. Closing date for submissions/observations is 4.00 p.m. on 21 August 2020.

Cllr. Maura Healy-Rae asked if a formal consultation process will commence after the closing date of 21 August 2020.

Cllr. Michael Cahill asked how lands can be zoned for development in areas where water and wastewater plants are at capacity. The zoning of lands for development is very important for the economic recovery of the county.

Cllr. Aoife Thornton asked if queries in relation to the Landscape Character Assessment can be submitted during this stage of the County Development Plan review.

Mr. M. Scannell, Director of Services, said at this point in time submissions of a general nature will be accepted as part of the review process which will guide the overall development of the Draft Plan. In relation to detailed zoning, that will come in the first quarter of 2021. The Draft Plan will go on public display and give people an opportunity to make submissions in relation to the draft plan. The whole process will take approximately two years with several points of engagement for the public throughout the process.

Cllr. Niall O'Callaghan said the County Development Plan must intrinsically include Irish Water in order to provide for the county.

Cllr. Jackie Healy-Rae suggested that a webinar would be held regarding the County Development Plan as part of the consultation process.

Cllr. Marie Moloney said planning permissions have been extended, however, because water treatment plants are not in place developments cannot proceed. Lands cannot be zoned residential, or otherwise, until sewerage schemes are place. To put a County Development Plan in place there is a dependence on Irish Water.

Mr. M. Scannell, Director of Service, said it is vitally important that Kerry County Council as an Authority put a proper County Development Plan in place. This is the only way that national organisations will be required to provide the services required within the county. There must be a substantive County Development Plan in place with proper plans for the county's settlements in order that they can grow and develop. Consideration can be given to providing a webinar as part of the County Development Plan consultation process.

Mr. J. Breen, Director of Service, said Irish Water are a prescribed body under the Planning Acts. Guidelines are in place regarding the County Development Plan review and as part of the process Irish Water will be consulted.

The Chief Executive said there will be a lot of engagement with Irish Water during the review process for the County Development Plan. The issue of providing water and waste water infrastructure is vital for the county.

15.6.2020.08 Kerry County Council Corporate Plan 2019-2024

Mr. C. O'Connor, Director of Service, referred to report dated 11 June 2020 including the Draft Corporate Plan 2019-2024 which had been circulated to Elected Members. The preparation of the Corporate Plan is a statutory requirement under section 134 of the Local Government Act 2001 (as amended), and is prepared in accordance with Guidelines for Local Authorities in the preparation of Corporate Plans issued by the Department of Housing, Planning and Local Government.

The draft plan sets out a vision for the development of the county and our organisation and sets strategic objectives for the period of the plan, together with supporting strategies. The supporting strategies will be delivered by the various Directorates/Departments in accordance with the Annual Service Delivery Plan and available resources as provided for in the budget.

The approval of the Council is sought to the adoption of the Corporate Plan 2019-2024 in accordance with Section 134 of the Local Government Act 2001

On the PROPOSAL of Cllr. Jim Finucane, SECONDED by Cllr. Robert Beasley, it was resolved to adopt the Kerry County Council Corporate Plan 2019-2024 in accordance with Section 134 of the Local Government Act as amended by the Local Government Reform Act 2014.

15.6.2020.09 Kerry County Council Annual Report 2019

Mr. C. O'Connor, Director of Service, referred to report dated 11 June 2020 regarding the adoption of the 2019 Kerry County Council Annual Report which had been circulated to Elected Members. Section 221 of the Local Government Act 2001 as amended provides for the adoption of the annual report within a period of six months. Work is currently underway in relation to the preparation of the report, however, due to the Government restrictions in relation to work under COVID-19 it has not been possible to finalise the report. The approval of Council to the extension of the time period for consideration of the report until the July Meeting of the Council is sought.

On the PROPOSAL of Cllr. Jimmy Moloney, SECONDED by Cllr. Mikey Sheehy, it was agreed to extend the time period for consideration of the 2019 Kerry County Council Annual Report until the July Ordinary Meeting of Kerry County Council.

15.6.2020.10 LCDC Annual Report 2019

The Annual Report on the operations of Kerry's Local Community Development Committee (LCDC) for the year ending 31 December 2019, which was circulated, was noted and on the PROPOSAL of Cllr. Marie Moloney SECONDED by Cllr. Mikey Sheehy was adopted.

15.6.2020.11 Audit Committee Kerry County Council

Report dated 20 February 2020 on this item which had been circulated was noted. On the PROPOSAL of Cllr. Sam Locke, SECONDED by Cllr. Jackie Healy-Rae, it was agreed to note the 2019 Annual Report of the Audit Committee of Kerry County Council.

On the PROPOSAL of Cllr. Robert Beasley, SECONDED by Cllr. Sam Locke, it was agreed to approve the 2020 Audit Committee Work Programme.

15.6.2020.12 Appointment of AHB Forum Representative to Housing SPC

On the PROPOSAL of Cllr. Jimmy Moloney, SECONDED by Cllr. Mikey Sheehy, it was agreed to approve the appointment of the Approved Housing Body Forum Sectoral Representative, Mr. James O'Halloran, Clúid Housing Association, to the Housing Strategic Policy Committee.

15.6.2020.13 Nomination to Kerry Comhairle na nÓg Steering Group

On the PROPOSAL of Cllr. Norma Moriarty, SECONDED by Cllr. Michael O'Shea, it was agreed to nominate Cllr. Fionnán Fitzgerald to the Kerry Comhairle na nÓg Steering Group.

15.6.2020.14 Appointment of Ethics Officer

Report dated 9 June 2020 on this item, which had been circulated, was noted.

15.6.2020.15 Report on the Southern Regional Drug & Alcohol Task Force

It was agreed to note Cllr. Breandán Fitzgerald's written report on the operations and activities of the Southern Regional Drug & Alcohol Task Force, which was circulated.

15.6.2020.16 Summary of Proceedings at Events

It was agreed to note the reports on proceedings at the following events on behalf of the Kerry County Council delegates that attended in accordance with Section 142(5)(f) of the Local Government Act 2001 as amended:

- (a) Department of Justice conference on the theme 'Politics needs Women' held in Dublin on 14 December 2018 by Cllr. Donal Grady.
- (b) IPPB conference on the theme 'Local Elections 2019' held in Letterkenny, Co. Donegal, from 15-17 February 2019 by Cllr. Bobby O'Connell
- (c) Irish Planning Institute – Autumn Planning Conference held in Malahide, Co. Dublin on 4 October 2019 by Cllr. Bobby O'Connell.
- (d) Celtic Conference on the theme 'Irish Social Welfare System' held in Cork from 6-7 December 2019 by Cllr. Donal Grady.
- (e) IPI conference on the theme 'Planning for Growth – How High-Quality Density can improve Communities' held in Cork on 5 February 2020 by Cllr. Michael O'Shea.
- (f) Report on the March 2020 visit to the US by Cathaoirleach Cllr. Niall Kelleher.

15.6.2020.17 Tenders opened since the February Council Meeting

- (a) On the PROPOSAL of Cllr. Brendan Cronin SECONDED by Cllr. Marie Moloney, it was agreed to note the opening of tenders for Architect Led Design Team Consultancy Services for the construction of 14 Housing Units and associated Siteworks at Phase 5, Gortamullin, Kenmare, Co. Kerry – Closing Date: 24 March 2020 at 3.00 p.m.
- (b) On the PROPOSAL of Cllr. Brendan Cronin, SECONDED by Cllr. Marie Moloney, it was agreed to note the opening of tenders for Design, Construction and Maintenance new Electronic Parking Guidance System for Killarney Town – Closing Date: 30 March 2020 at 3.00 p.m.
- (c) On the PROPOSAL of Cllr. Brendan Cronin, SECONDED by Cllr. Marie Moloney, it was agreed to note the opening of tenders for Construction of 30 No. Housing Units and all associated siteworks at Croogorts, Tralee – Closing Date: 3 April 2020 at 3.00 p.m.
- (d) On the PROPOSAL of Cllr. Brendan Cronin, SECONDED by Cllr. Marie Moloney, it was agreed to note the opening of tenders for Construction of 10 No. housing units and all associated siteworks including site clearance, site enclosures, drainage, site services, hard and soft landscaping at Rock Road, Killarney, Co. Kerry – Closing Date: 9 April 2020 at 3.00 p.m.

In reply to a query from Cllr. Donal Grady, Mr. M. O'Donoghue, Director of Services, confirmed that the start date for the 10 no. apartments is July 2020 as per the Part 8 approved by Killarney Municipal District Members.

- (e) On the PROPOSAL of Cllr. Brendan Cronin, SECONDED by Cllr. Marie Moloney, it was agreed to note the opening of tenders for On the PROPOSAL of Cllr. Brendan Cronin, SECONDED by Cllr. Marie Moloney, it was agreed to note the opening of tenders for Garage services Tralee Municipal District - Metro area – Closing Date: 8 April 2020 at 2.00 p.m.
- (f) On the PROPOSAL of Cllr. Brendan Cronin, SECONDED by Cllr. Marie Moloney, it was agreed to note the opening of tenders for Provision of LEO Client Engagement Services - Business Review and Brexit Readiness Assessment – Closing Date: 1 May 2020 at 3.00 p.m.
- (g) On the PROPOSAL of Cllr. Brendan Cronin, SECONDED by Cllr. Marie Moloney, it was agreed to note the opening of tenders for Maintenance Dredging Fenit Harbour – Closing Date: 20 March 2020 at 12:00 p.m.
- (h) On the PROPOSAL of Cllr. Brendan Cronin, SECONDED by Cllr. Marie Moloney, it was agreed to note the opening of tenders for Columbarium wall for Killarney Burial Ground - Closing Date: 20 March 2020 at 12:00 p.m.

15.6.2020.18 Approval for the Opening of Tenders

- (a) On the PROPOSAL of Cllr. Niall Kelleher, SECONDED by Cllr. Marie Moloney, it was agreed to approve the opening of tenders for Kerry Bridge Rehabilitation Contract 2 (2020): BR KY-R559-041 Cappateige 2 - Closing Date: 8 June 2020
- (b) On the PROPOSAL of Cllr. Niall Kelleher, SECONDED by Cllr. Marie Moloney, it was agreed to approve the opening of tenders for Treatment/Disposal of Mixed Municipal Waste from Tralee Town – Closing Date: 15 June 2020
- (c) On the PROPOSAL of Cllr. Niall Kelleher, SECONDED by Cllr. Marie Moloney, it was agreed to approve the opening of tenders for N70 Caherleheen Pavement Improvement Project - Closing Date: 15 June 2020

- (d) On the PROPOSAL of Cllr. Niall Kelleher, SECONDED by Cllr. Marie Moloney, it was agreed to approve the opening of tenders for N72 Stagmount Bends Road Improvement Scheme - Closing Date: 3 July 2020
- (e) On the PROPOSAL of Cllr. Niall Kelleher, SECONDED by Cllr. Marie Moloney, it was agreed to approve the opening of tenders for Tralee Northern Relief Road - Structural Consultancy Services - Closing Date: 3 July 2020
- (f) On the PROPOSAL of Cllr. Niall Kelleher, SECONDED by Cllr. Marie Moloney, it was agreed to approve the opening of tenders for Tralee Pavements Phase 2 – Closing Date: 12 July 2020

Emergency Motion

Cllr. Michael Cahill PROPOSED:

That Kerry County Council call on the Government and the Minister for Transport Tourism and Sport, Shane Ross, to immediately engage with accommodation booking companies, such as Booking.com, which incurs a booking fee of 15% to the accommodation operators, to drastically reduce their fees to a maximum of 5% for this season at least, to allow B&B, Guesthouse and Hotel owners and operators the leeway to invest in their businesses and reopen successfully and in compliance with Government guidelines and help kick start the Tourism Industry which is vital to this county.

Cllr. Breandán Fitzgerald SECONDED this motion.

15.6.2020.19 Notices of Motion

1. Opening Date for Skellig Michael

Pursuant to notice duly given Cllr. Norma Moriarty PROPOSED:

That we do all possible to secure an opening date for Skellig Michael for the licensed boats that provide a huge boom to our local tourist economy and indeed to that of the whole County. All efforts must be made to rescue some portion of the 2020 season.

The following reply issued:

The management and operation of Skellig Michael is the responsibility of the Office of Public Works. A press release in relation to the intention not to open the island to visitors in the current season stated the following; “In light of the continuing restrictions governing the reopening of tourism locations, which is generally to begin in Phase 1 after 18 May, the OPW, in liaison with the Department of Culture, Heritage and the Gaeltacht, have concluded that it was not feasible to maintain visitor and staff safety at Skellig and that the Island must remain closed to visitors this summer”. Any amendment to this position is a matter for the OPW.

Cllr. Norma Moriarty asked that a letter issue to the OPW calling for the reopening of Skellig Michael as boat operators are confident they can operate safely.

Cathaoirleach Niall Kelleher SECONDED this motion.

2. Regeneration of Caherciveen

Pursuant to notice duly given Cllr. Michael Cahill PROPOSED:

That Kerry County Council call on the Government to look at Caherciveen as a very special case and take into consideration the amount of dereliction and the number of closed/vacant businesses in the town by initiating a number of major schemes that will regenerate and bring life back to this town that is on its knees.

The following reply issued:

Kerry County Council has submitted a comprehensive grant application under the Rural Regeneration and Development Fund in respect of the regeneration of Cahersiveen. This grant submission is a comprehensive response to the structural, economic and social challenges currently facing Cahersiveen. The Cahersiveen Town Centre Regeneration Project builds on the significant locational, environmental, historical, tourism and cultural assets and opportunities that Cahersiveen possesses as well as the strong relationships developed with third level educational institutions. This approach is based on the development of a number of transformational and inter-related urban regeneration projects which target both physical renewal (including the tackling of dereliction in the town), reorientation of the town towards the sea and a comprehensive rebranding of the town as a progressive innovative, creative, environmentally sensitive, culturally rich tourist, education and innovation destination.

Arising from the identified national, regional and local policy objectives as set out in the NPF, RSES and the West Iveragh LAP and the identified issues in relation to population decline and lack of economic growth, this project proposes to regenerate Cahersiveen town centre, stabilise and increase the town's population, increase employment opportunities, build the reputation of Cahersiveen as a centre of learning and innovation, increase tourist visitor numbers and dwell time and improve the quality of the living environment for its residents.

Cathaoirleach Niall Kelleher SECONDED this motion.

3. Tourism Task Force

Pursuant to notice duly given Cllr. Marie Moloney PROPOSED:

That Kerry County Council would write to the Minister for Transport, Tourism and Sport and request that a Workers Representative be appointed to the newly established Tourism Task Force charged with providing a safe, quality environment in which the hospitality industry can reopen safely during the current Covid-19 pandemic. The workers are at the coalface and have a lot to offer and their opinions and expertise should be taken into account.

Mr. P. Corkery said this is a matter for consideration by the members.

Cathaoirleach Niall Kelleher SECONDED this motion.

4. Kenmare Community Nursing Unit

Pursuant to notice duly given Cllr. Patrick Connor Scarteen PROPOSED:

That Kerry County Council write to the Minister for Health requesting that the first floor of Kenmare Community Nursing Unit is opened fully to care for elderly patients.

Mr. P. Corkery said this is a matter for consideration by the members.

Cathaoirleach Niall Kelleher SECONDED this motion.

5. Conversion of Old Commercial Buildings to Public Housing Accommodation

Pursuant to notice duly given Cllr. Jim Finucane PROPOSED:

That this Council takes cognisance of the ongoing project in Portlaoise town and see if we can replicate and invest in similar schemes which convert old commercial buildings to public housing accommodation.

The following reply issued:

Kerry County Council is currently examining opportunities for the reuse of vacant properties in town centre locations, particularly those in a derelict condition and have included a strong submission on same as part of the recent grant applications both under the Urban and Rural Regeneration and Development Funds for a number of locations. While the upgrading and reuse of town centre properties is desirable the costs associated with conversion to social housing units can be challenging in both cost and design terms where there is a substantial housing delivery programme being delivered across the county. Where appropriate opportunities become available and the necessary funding is in place the Council will pursue same.

Kerry County council understands that the project in Portlaoise deals with the redevelopment of a large brownfield site, similar in many ways to the Island of Geese Project in Tralee, which will also have residential components when completed.

Cathaoirleach Niall Kelleher SECONDED this motion.

6. Community Involvement Scheme

Pursuant to notice duly given Cllr. Charlie Farrelly PROPOSED:

I am requesting that Kerry County Council's Roads & Transportation Department make a list available to elected Councillors of the complete list of applications for the CIS/Community Involvement Scheme. This list to include both successful applicants who have been contacted and those who were unsuccessful. I was promised by that Department that this list would be furnished to me in early February but that promise was not honoured.

The following reply issued:

Details of all 41 applications received have been issued to all members. All applications received were submitted to the Department of Transport, Tourism and Sport for funding.

Funding of €865,000 has been allocated this year, which will allow for approximately 16 schemes to be completed. The Department has indicated that a similar CIS allocation will be made in 2021.

Cathaoirleach Niall Kelleher SECONDED this motion.

7. COVID 2 Meter Rule

Pursuant to notice duly given Cllr. Donal Grady PROPOSED:

That Kerry County Council write to the relevant authorities to review the 2 Meter Rule, as it is almost impossible for all businesses to operate under this and to consider reducing it to 1 Meter. It should also be mandatory to wear masks in enclosed spaces.

Mr. P. Corkery said this is a matter for consideration by the members.

Cathaoirleach Niall Kelleher SECONDED this motion.

8. Oil Leaks to Council Properties

Pursuant to notice duly given Cllr. Mike Kennelly PROPOSED:

Can Kerry County Council give a detailed account on the issues relating to 9 Oil Leaks to Council properties in the Listowel Municipal Area.

- When was the first oil leak reported
- The Cause of each Leak
- Liability to neighbouring houses/ homeowners.

- How many properties in all have been affected, including private properties, from oil leaks.
- Estimation of completion of repairs to all these properties. Full Liability/costs to Kerry County Council.

The following reply issued:

The Council has been dealing with a total of 7 separate incidents involving the leaking or discharge of home heating oil. All cases are in the Listowel MD area. The causes primarily are unknown but a number of potential causes have been identified and while initial reviews have found no common underlying issue or connecting cause this remains under review and investigation.

Home heating oil spillages are notoriously complex can involve complex remedial works and involve lengthy delays.

The 7 cases potentially affect a total of 14 properties including 3 privately owned.

The first reported incident happened in January 2018 and the remedial works to affected properties have been completed.

The following are the details of the incidents

Property	Date reported	Remedial costs	Completion Date	Project status
Location A	January 2018	€27,000.00	13/01/2020	Completed
Location B	January 2018	Unknown	N/A	Ongoing insurance claim
Location C	Sept 2018	€44,688.28	Q3 2020	Contractor had commenced works but stopped due to Covid-19
Location D	January 2019	€59,996.75	Q3 2020	Contractor appointed due to start
Location E	April 2019	€16,664.03	Q3 2020	Contractor appointed due to start
Location F	October 2019	Estimate €15,000.00	Q4 2020	Tender June 2020 (delayed due to Covid-19)
Location G	October 2019	Estimate €60,000.00	Q4 2020	Tender June 2020 (delayed due to Covid-19)

Of the 6 projects remaining to be resolved 5 are at various stage of resolution with all expected to be completed before the end of 2020.

There is one remaining case which is currently subject to an insurance claims and associated processes. This matter is being handled by IPB insurance company and is entirely a matter for their resolution processes and any associated legal processes.

It would be wholly inappropriate to deal with any details arising on that case given on-going formal processes.

Cllr. Mike Kennelly asked for the total liability in relation to the oil leaks and if these costs can be recouped.

Cathaoirleach Niall Kelleher SECONDED this motion.

Mr. M. O'Donoghue, Director of Services, said the total liability figures have not been provided as not all of them have yet been established. Where factual figures are available they have been provided. Some matters are subject to legal proceedings and it is not appropriate to discuss same.

9. Sanitisation Stations on Streets

Pursuant to notice duly given Cllr. Maura Healy-Rae PROPOSED:

To ask Kerry County Council to consider the installation of sanitisation stations on streets where there is the greatest footfall and put in place a regular disinfection routine of streets, footpaths, benches, bins, railings etc. These actions could form part of the 'Safe Kerry Initiative' and alleviate the public's concerns.

The following reply issued:

The Council will be providing hand sanitisers in its public offices and libraries when opened to the public, similar to the measures being provided by retailers. This provides a controlled environment to manage the appropriate usage of the equipment. The Council is also reopening the public conveniences in our towns which will allow the public the opportunity to wash their hands in accordance with best practice and public health advice. The public health advice does not identify the need for sanitation stations on streets and other local authorities are not making provision for such facilities.

The Council has carried out a deep clean of the town centres where there is the greatest footfall and has implemented a regular cleaning service. The public health advice has not identified a need for the use of disinfectant. The current public health advice to society remains unchanged as follows:

- Wash your hands frequently in soap and water
- Practice good respiratory hygiene
- Maintain physical distancing, and
- Avoid touching your eyes, nose and mouth

Cathaoirleach Niall Kelleher SECONDED this motion.

10. Business Re-Start Grant

Pursuant to notice duly given Cllr. Brendan Cronin PROPOSED:

To request that this Council introduce a Hospitality and Tourism Reopening Grant to specifically assist businesses in Kerry to be Covid compliant, to purchase or develop technology including apps which can make a business customer friendly and operational while protecting staff and consumers.

The following reply issued:

The Business Re-Start Grant is specifically designed to assist businesses to reopen once their specific sector is permitted to open within the Government's Roadmap over the coming weeks. The grant ranging between €2,000 and €10,000 specifically applies to the types of measures as set out in the notice of motion. Grant applications are currently being assessed and payments will issue in respect of the successful grant applicants from next week. As set out at previous Council briefings the Council is full engaged with the tourism sector and our training partners in Kerry ETB in developing appropriate training and marketing to ensure the tourism sector will be in the best possible position to respond to the reopening of their businesses. In this regard I set out hereunder extract from the recent report circulated to members.

Key Tourism Initiatives

In relation to Tourism and to prepare for reopening – the Council through the economic recovery team is working with key tourism partners to prepare for the reopening of the tourism sector on a phased basis over the coming months.

As the global tourism market is in decline and international visitors are unlikely to travel in the current year, we are targeting the domestic tourism market initially, in line with the Governments phased reopening of the Country.

Once people start planning their staycation, they will want to know that the destination they are visiting is safe and clean and that the accommodation and environment is being managed to the highest standards during their visit.

In this regard;

- In partnership with public sector agencies and the tourism sector Kerry County Council are leading out on the development of a '**Safe Destination Program**' to position Kerry as the safest and cleanest destination in Ireland. There are two elements to the Program:
- A *COVID-19 Specific Training* element which is being developed in conjunction with the Kerry Education and Training Board (KETB) and the Kerry branch of the Irish Hotel Federation to
 - ensure staff in the hospitality sector are trained and premises are managed to the highest standard.
 - Businesses that complete this element will receive a '**Safe Destination Badge**' in recognition of their commitment.
 - Three elements to the training – there's a course on
 - Infection, prevention and control
 - Managing compliance for COVID 19 to ensure social distancing and hygiene rules are maintained
 - Stay safe – to ensure proper measures such as hand and cough etiquette, infection prevention, wearing PPE are adhered to.
- It is the intention to roll out Stage One - the *COVID-19 Specific Training Programmes* in the coming weeks – currently being piloted with the members of the Kerry branch of the Hotel Federation.
- In addition to the training element the Physical planning of the external environment and the roll out of the Safe Street Program as also detailed in today's Briefing is also part of this Initiative.
 - This will ensure that the outdoor environment is managed in line with public health guidelines and that everyone's stay, and experience is safe and enjoyable.
 - We need to re-think and re-imagine the use of space for safe, healthy and physical distancing.

Although we all have a personal and social responsibility to adhere to HSE and Government advice - the messaging in relation to the importance of physical distancing and good hand and cough etiquette is also very important to ensure Kerry is a safe destination.

Another significant element of the Safe Stay Destination Program is the development of a countywide Marketing campaign, which is being developed in consultation with the tourism sector and the Kerry Tourism Industry Federation for the domestic tourism industry initially.

- We are developing a **Discover your county –explore the kingdom campaign** where hospitality vouchers and coupons will be distributed to all household in Kerry to encourage people in Kerry to holiday within their County

Cathaoirleach Niall Kelleher **SECONDED** this motion.

11. Water Pipe in Upper Church Street, Listowel

Pursuant to notice duly given Cllr. Jimmy Moloney PROPOSED:

Can Kerry County Council provide an update on the problem water pipe in Upper Church Street, Listowel. Can Irish Water be contacted again in relation to this matter.

The following reply issued:

There were 3 burst pipe incidents on the 50-year-old, 250MM asbestos cement main supply pipe in Church St. Listowel in 2019, and there have been two to-date this year.

These breaks can totally interrupt the supply to the town centre for hours on end, because there is no alternative pipe to the Square.

When contacted specifically on this issue earlier this year, Irish Water wrote that the water-main in Upper Church Street is not among its planned priority works for 2020.

The €50K replacement of 200M of this main, in conjunction with imminent roadworks, was at the priority item of a €4M prioritised submission by the Council to Irish Water in March 2020.

Following the March Listowel MD Meeting, Kerry County Council wrote on 11/3/20 to Irish Water to ask for a meeting on this issue. A reply has been received from the local representative support desk wherein Irish Water advise :-

“Irish Water is focused on improving service and reducing leaks across Ireland by fixing or replacing old, damaged water pipes and removing lead pipes on the public network. This is a significant undertaking with the current resources and budget available and we are using a risk-based approach to planning this work. The 2020 mains rehab budget has already been fully allocated and the water-main in Upper Church Street is not on Irish Water's priority planned works for 2020.

I note your request to attend an upcoming meeting of Listowel Municipal District. Unfortunately, we do not have the resources available to attend Council or Municipal District meetings at this time.

However, I would like to assure you and the members that it is our intention to provide accurate and up-to-date responses to any queries raised by elected representative as quickly as possible

Should the members have any additional queries in the meantime, they may direct them to the Local Representative Support Desk and we will make every effort to respond as quickly as possible. Our Regional Communications team also provides regular updates to elected representatives concerning upcoming projects in the area.

We thank the members of the Listowel Municipal District for their support and reiterate our commitment to ensuring they are kept informed of developments in the area.

Cllr. Jimmy Moloney said there has been a further two breaks of the water pipe in Upper Church Street, Listowel. Irish Water must understand the volume of people affected when this happens, this water pipe must be replaced.

Cathaoirleach Mike Kennelly **SECONDED** this motion and said Kerry County Council must meet with Irish Water in relation to this matter.

Mr. J. Breen, Director of Service, said discussions are underway with Irish Water regarding the priority replacement of pipe work in Upper Church Street, Listowel.

12. 'See Something Say Something' Campaign

Pursuant to notice duly given Cllr. Tom Barry PROPOSED:

Can Kerry County Council provide an update regarding the proposed roll out of the 'See Something Say Something' Campaign for North Kerry.

The following reply issued:

The 'See Something Say Something' Campaign is an initiative developed and operated by the Chamber Alliance and An Garda Síochána. An update can be requested from An Garda Síochána or at the next Joint Policing Committee meeting.

Cathaoirleach Niall Kelleher SECONDED this motion.

13. Lifeguards at Kerry Beaches

Pursuant to notice duly given Cllr. Robert Beasley PROPOSED:

That Kerry County Council ensure all Kerry beaches are protected by Life Guards seven days a week without further delay. We have had a number of near accidents but no fatalities thankfully.

The following reply issued:

The Blue Flag criteria and associated risk assessments determine when lifeguards are assigned to beaches during the summer bathing season in Kerry. The requirement for our Blue Flag Beaches is to have lifeguards assigned at weekends during the month of June, full time in July and August and for the first two weekends in September. Historically once lifeguards were assigned to beaches in early June, they remained in place for the remainder of the bathing season. This has not been possible this year as a result of the Covid 19 pandemic and associated restrictions and public health advice in place. It was also necessary to ensure that in advance of the easing of travel restrictions with effect from the 8th June that we did not take any action that would encourage or precipitate unnecessary travel to our beaches. Members have been advised of the resumption of lifeguarding services at our beaches which will commence on all beaches weekending 20th/21st June next.

It is important to point out that water safety is every bodies responsibility and whether there are lifeguards in place or not, people have to exercise due caution when entering the water. It should also be noted that many of our beaches never have lifeguards in place during the bathing season.

Cathaoirleach Niall Kelleher SECONDED this motion.

14. Social Housing Units in Milltown

Pursuant to notice duly given Cllr. Michael O'Shea PROPOSED:

To ask Kerry County Council are the Voluntary Housing Association (not named) still pursuing the possibility of purchasing land to construct social housing units in Milltown.

The following reply issued:

A project for the delivery of Social Housing in Milltown by CLUID under the CALF heading is at an advanced stage and has received Department approval on 4th June 2020.

The project provides for the delivery of a Turnkey of 54 Units (including five Part V units).

This project is proceeding with an expected delivery date of early 2022.

Cllr. Michael O'Shea said as schools and crèches are full to capacity, services and infrastructure must be put in place in Milltown to accommodate any proposed housing developments which will result in an increase in population.

Cathaoirleach Niall Kelleher SECONDED this motion.

15. Financial Supports for Local Businesses

Pursuant to notice duly given Cllr. Breandán Fitzgerald PROPOSED:

That Kerry County Council calls on the Minister for Finance to examine new methods which reward local businesses operating in our villages, towns and cities by reducing their tax/commercial rates burden and increases the taxes paid by major online retailers with little or no presence in our County or Country and that this extra monies raised be used in conjunction with commercial rates to fund Local Government in the provision of services. The Covid-19 Pandemic has resulted in an inability for most businesses to open, operate and trade in our villages, towns and cities meaning they cannot pay commercial rates. Online shopping is the new 'Main Street' and our taxation system must be updated to reflect this. If the business is contributing locally within the County or Country it pays less, if it is not it pays more and begins to contribute locally.

Mr. P. Corkery said this is a matter for consideration by the members.

Cllr. Breandán Fitzgerald acknowledged the work done by the Kerry Tourism Industry Federation to highlight concerns and issues affecting the tourism industry in the county over the last number of months. He welcomed the appointment of the Kerry Tourism Industry Federation Chairman, Mr. Pat O'Leary, to the Tourism Recovery Task Force. He asked that Kerry County Council continue to work with the Kerry Tourism Industry Federation to ensure that the tourism concerns of the county are highlighted at the highest level.

Cathaoirleach Niall Kelleher SECONDED this motion.

16. Kerry County Council Housing List

Pursuant to notice duly given Cllr. Niall O'Callaghan PROPOSED:

Taking into account GDPR regulations, that the Council strive to have a fully interactive Housing List online that people can see where they are on the list and what houses the Council have and most importantly the reasons should be published as to allocations and again this can be done within GDPR guidelines.

The following reply issued:

The Publication by the Council of any personal information (which includes an applicant's name) relating to Housing applicants is not compliant with the GDPR statutory framework. However, the Council does provide information on their housing application to applicants, or public representatives on their behalf (who have obtained the specific permission of the applicant to represent them and access their personal data).

Housing allocations are determined in accordance with the Council's Scheme of Letting Priorities, while it is primarily a time based system, it provides for prioritisation based on the criteria set out in the Scheme – including household composition and prioritises applicants in specific circumstances such as disability,

medical needs, homelessness, unfit accommodation, travelling community etc. In addition at local level applicants have the opportunity of declaring an 'area of choice' or preference for where they wish to be considered for Housing – applicants have the ability and choice to change and amend this preference which has an impact on applicant priority when considering applications.

There is no fixed Housing list per se therefore with fixed 'placings'. It is a dynamic and ever-changing process based on constantly changing circumstances.

All properties are allocated in accordance with the Kerry County Council's Scheme of Letting priorities.

The Council has indicated that it intends moving to a Choice Based Letting (CBL) process. This process entails the Council publicising or advertising units within qualified applicants and they would then express a preference as to whether they wish to be considered for that specific property. The allocation would then be determined under the Council's Scheme of Letting Priorities but only from within the group who have expressed their preference to be considered. To date the use of CBL has, to date, been paper based and the number of properties offered has been limited. The Council intends to use this process in a more widespread way and to move to an online platform to enhance our capability in this area. This will enable applicants to view suitable properties that would be available/coming available for letting and express an interest in being considered for the tenancy of same. These plans will be pursued when we are in a position to do so.

Cllr. Niall O'Callaghan said in relation to GDPR he believes a system can be put in place with coding and the allocation of housing can go live. He asked why this cannot be done by Kerry County Council.

Cathaoirleach Niall Kelleher **SECONDED** this motion.

17. Confidential Cyber Medical Facilities

Pursuant to notice duly given Cllr. Dan McCarthy PROPOSED:

To call on Kerry County Council to identify relevant sites for confidential cyber medical facilities for patients, and to contact the relevant Government to propose their implementation to assist in accommodating those without broadband facilities to minimise footfalls in hospitals and allow for greater social distancing in hospitals.

The following reply issued:

This is a matter for the HSE and not a function of Kerry County Council.

Cathaoirleach Niall Kelleher **SECONDED** this motion.

18. Support for Coastal Villages and the Fishing Industry

Pursuant to notice duly given Cllr. Mikey Sheehy PROPOSED:

That this Council assists coastal villages and the Fishing Industry throughout Kerry during the COVID19 pandemic by:

- waiving Harbour fees for fishing vessels for the remainder of 2020
- committing to the dredging of Fenit Harbour to safeguard those industries and those employed who depend on clear passage in the harbour and marina.

The following reply issued:

The Fishing Industry continued to operate during the Covid Restrictions from 28th March until 18th May as it was classified as an essential service and has continued as Outdoor Work since that time. Therefore, the Council does not propose to waive harbour fees for the remainder of 2020.

Kerry County Council is committed to carrying out maintenance dredging in Fenit. Dredging required both an EPA Dumping at Sea Permit for disposal of the dredge material and a DHPLG Foreshore Licence which regulates work in the harbour, time of year it can take place, etc.

Kerry County Council applied for an 8 year Dumping at Sea permit to carry out the dredging works on an ongoing basis. We were recently granted a limited Dumping at Sea licence by the EPA and are awaiting the granting of a Foreshore Licence from the DHPLG prior to commencement of dredging at Fenit Harbour. The latter licence will contain details of what times of the year dredging can take place in Fenit, and this is required in order to be able to tender for the dredging operations.

Cathaoirleach Niall Kelleher **SECONDED** this motion.

19. On-the-spot Fine for Littering

Pursuant to notice duly given Cllr. Fionnán Fitzgerald PROPOSED:

To call on the Minister for the Department of Communications, Climate Action and Environment to increase the on-the-spot fine for littering and illegal dumping tenfold from the current €150 and to update legislation in relation to data protection so as to allow use of all types of video footage and evidence when pursuing these issues through the courts.

Mr. P. Corkery said this is a matter for consideration by the members.

Cathaoirleach Niall Kelleher **SECONDED** this motion.

20. Ban on Road Bowling in Kerry County Council Housing Estates

Pursuant to notice duly given Cllr. Niall Kelleher PROPOSED:

That Kerry County Council ban Road Bowling in all Kerry County Council housing estates.

The following reply issued:

Road Bowling is a sport which has traditionally taken place on public roads. However, issues have been encountered with the sport recently which were linked to breaches of social distancing regulations and potential breaches of public order, the enforcement of both of these issues which is the responsibility of An Garda Síochána.

It would not be appropriate to regulate this sport by the introduction of specific bye-laws prohibiting the sport when the matters can be more appropriately addressed as public order matters.

Cathaoirleach Niall Kelleher asked that a representative from Kerry County Council's Housing Department would speak with An Garda Síochána on working to prevent road bowling in these public housing estates.

Cllr. Norma Moriarty **SECONDED** this motion.

21. Reduction in Hospitality and Tourism VAT Rate

Pursuant to notice duly given Cllr. Jackie Healy-Rae PROPOSED:

That Kerry County Council would write to the Minister for Finance seeking a reduction in the Hospitality and Tourism VAT Rate to 0% for 12 months, rising to 4% in year 2 and finally rising to 9% and remaining at that in year 3 and for future years to ensure the revival of the Hospitality and Tourism Sector in Kerry and across Ireland.

Mr. P. Corkery said this is a matter for consideration by the members.

Cathaoirleach Niall Kelleher **SECONDED** this motion.

22. Retention of Kerry County Council Staff

Pursuant to notice duly given Cllr. Johnny Healy-Rae PROPOSED:

That Kerry County Council would keep on all staff and keep people working in this County.

The following reply issued:

The management of staff and staff contracts is an executive function. All employment is subject to statutory frameworks. All contracts will be managed having regard to established approaches – including original purpose, work programmes and available budgets as has always been the case.

Cathaoirleach Niall Kelleher SECONDED this motion.

23. Closure of Secondary Carparks at beaches

Pursuant to notice duly given Cllr. Deirdre Ferris PROPOSED:

To call for the temporary closure of secondary carparks and unsupervised carparks at our local beaches until we get some plan of conservation and preservation in place for coastal areas and sand dunes and tackle issues of neglect, over grazing and anti-social behaviour.

The following reply issued:

All beach car parks in Kerry are unsupervised and these were closed for a time during the Covid restrictions on the advice of the Gardaí. However, they have since reopened and it would not be advisable to close them indefinitely as it could lead to uncontrolled parking on approach roads and adjacent lands, potentially creating traffic management and further environmental problems.

On Blue Flag beaches, amongst the services required to satisfy the criteria is the provision of car parking facilities and accordingly any removal of such ancillary facilities to permit the proper use of the beach would jeopardise the beach meeting the blue flag criteria. Environmental Management in and about the beach area is also one of the qualifying criteria and this is kept under constant review.

Cllr. Deirdre Ferris said last week four acres of sand dunes at Banna were burned and she was requesting the closure of secondary car parks for the protection of the sand dunes. Closure of secondary car parks should also happen at Fenit and Castlegregory and the Maharees. The burning of sand dunes risks the protection and funding under the SAC and SPA listing which stretches along the coast from Banna to Brandon Point. She asked for an update regarding lifeguards on beaches.

Cathaoirleach Niall Kelleher SECONDED this motion.

Mr. J. Breen, Director of Service, said there are ongoing issues with anti-social behaviour in the sand dunes and with illegal gorse fires. He undertook to discuss the matter directly with Cllr. Ferris.

24. Sewerage Schemes in County Kerry

Pursuant to notice duly given Cllr. Michael Cahill PROPOSED:

That Kerry County Council seek an emergency meeting with the CEO and Executive Board of Irish Water and the Minister for Housing, Planning and Local Government in regard to the non-existence of the most basic infrastructure, i.e., Sewerage Schemes in villages throughout County Kerry as this is

- a. A major "Health and Safety" issue.
- b. Will prevent the Economic recovery of many areas throughout our County post Covid and

c. We need to know what investment will be forthcoming prior to preparing the new County Development Plan which is due to commence in the near future.

Mr. P. Corkery said this is a matter for consideration by the members.

Cathaoirleach Niall Kelleher SECONDED this motion.

25. Annual Leave of Outdoor Staff

Pursuant to notice duly given Cllr. Marie Moloney PROPOSED:

As outdoor staff were encouraged to carry over 10 days annual leave in 2019 due to staff shortages, that Kerry County Council would advise members as to how many annual leave days were carried over by the outdoor workers, from 2019 to 2020 and if they will advise if there is adequate outdoor staff to cover to allow the outdoor staff to avail of their annual leave plus the carryover during 2020.

The following reply issued:

The management of staff leave arrangements is a matter for the Council executive. All leave arrangements are managed in accordance with statutory provision and protocols and agreement in place nationally and locally. The arrangements for the taking of leave and carry over at the end of 2020 has been agreed nationally and staff advised accordingly.

Cathaoirleach Niall Kelleher SECONDED this motion.

26. Remote Working/Digital Hubs

Pursuant to notice duly given Cllr. Patrick Connor-Scarteen PROPOSED:

Please outline what incentives are available for remote workers and for the establishment of digital hubs.

The following reply issued:

While there are no direct incentives for the remote workers, the role of these Hubs supported by Kerry County Council is to showcase their offering, co-ordinate their activities through their Hub networks and to continue to support their development through mentoring and other supports available through the Local Enterprise Office. Kerry County Council has been hugely supportive of the establishment of Hubs in a number of areas in the County including, Sneem, Castleisland, the RDI-Hub in Killorglin, the Dingle Hub as well as its involvement in the KTI centre in Killarney. The Council has through the Town and Village Renewal scheme and other grants, and through its own resources been instrumental bringing these projects to fruition. The Council will continue to play an important role in marketing these facilities through its county marketing strategy and where appropriate continue to support these centres in their applications for funding.

This marketing strategy for the County is currently being developed with our industry partners, business interests and with the Hub Network in the County. There are a number of key aspects to this strategy both in the short and medium, but the following key messages will be central to this campaign:

- Promoting Kerry as a safe place to live, work and do business.
- Marketing Kerry as a location for remote working.
- Previously Kerry County Council had supported the development of several Hubs across the County such as Sneem, Castleisland, Dingle through the Town and Village Renewal Programme.

Cathaoirleach Niall Kelleher SECONDED this motion.

27. Number of Teachers and SNA Personnel in Schools

Pursuant to notice duly given Cllr. Norma Moriarty PROPOSED:

That we write to the Minister for Education and Science and call for an immediate increase in the numbers of teachers and SNA personnel for our schools, most especially at Primary level to best ameliorate the new realities around Covid-19.

Mr. P. Corkery said this is a matter for consideration by the members.

Cathaoirleach Niall Kelleher SECONDED this motion.

28. Flood Prevention Works in Clieveragh Area of Listowel

Pursuant to notice duly given Cllr. Mike Kennelly PROPOSED:

Can Kerry County Council explain why after 5 years, flood prevention works in the Clieveragh Area of Listowel have not yet been undertaken. Another Code Yellow Rain warning on the 19th February last had residents and businesses on high alert.

The following reply issued:

Following the most recent flood events of September 2015, Kerry County Council made an application to the OPW for funding to carry out a study and for the construction of the scheme in January 2016.

The OPW provided funding for the study in February 2016 and subsequently, in October 2017, for the completion of the detailed design and acquisition of lands. The proposed works at Clieveragh involve the construction of a new Culvert to replace an existing culvert crossing under the R552 at Clieveragh, Listowel and a new impoundment area on lands to the west of the road. The detailed design for both elements are substantially complete and the land has been purchased. In providing funding for the detailed design and the land acquisition, the OPW have advised that there is a limit on the level of funding for such schemes based on the level of benefit to affected properties.

Having reviewed the estimated cost of the overall scheme, (estimated at €833,000) as part of the detailed design process, there is significant shortfall in the level of funding available from the OPW. The Council sought to have the culvert funded from the roads grant as it is part of the road network. Funding of €150,000 was secured in 2020 and it is proposed to go to tender for this element of the scheme.

Due to work restrictions imposed as a result of the Covid-19 pandemic, some delays have been experienced in securing approval from other agencies on service diversions and statutory requirements to allow for the completion of the tender documentation. The Council will be in a position to go to tender when these consents are received. Requirements in relation to controlling the risk of the spread of Covid-19 will also have to be incorporated into the tender documentation.

The Council is making a further submission to the OPW for the completion of the remaining works.

Notwithstanding the need for these measures to help alleviate flooding in the Clieveragh area, the Council has put in place a site specific severe weather response plan to respond to the risk of flooding, when notified of any potential severe rainfall, by Met Éireann and property owners identified as being at risk are notified individually and appropriate actions taken.

In the most recent weather alerts, which were predominantly for severe winds, appropriate action was taken haven regard to the assessment of the potential risks identified by the Council's Severe Weather Crisis Management Team.

Cllr. Mike Kennelly said the cost of works has increased from €500,000 to €800,000 and these works must proceed.

Cathaoirleach Niall Kelleher SECONDED this motion.

Mr. C. O'Sullivan, Director of Service, said the costs for Clieveragh were first done 2/3 years ago and subsequently issues arose regarding the replacement of the culvert resulting in increased costs. Lands have been acquired for these works and issues have been resolved with Irish Water and Telecom regarding diversion of services. It is hoped to proceed with the works shortly.

29. VAT Rate on the Tourism Industry

Pursuant to notice duly given Cllr. Maura Healy-Rae PROPOSED:

To ask Kerry County Council to write on behalf of the members to the Department of An Taoiseach and the Department of Tourism asking that the Vat rate on the tourism industry be reduced to 0% to try and alleviate the pressure on related businesses and attempt to avoid the complete decimation of this sector. This is not a decision for the next Government. It is a decision that needs to be made now. Also, can this motion be circulated to all other local authorities.

Mr. P. Corkery said this is a matter for consideration by the members.

Cllr. Maura Healy-Rae said the VAT rate for the tourism sector must be reduced to 0% as it is the most serious issue facing our county and the country at this time. It is an incredibly difficult time for the tourism and hospitality sector and all businesses.

Cathaoirleach Niall Kelleher SECONDED this motion.

30. Flood Prevention Works in Clieveragh Area of Listowel

Pursuant to notice duly given Cllr. Brendan Cronin PROPOSED:

To request that the elected members of this Council be provided with the full list of all Plant Hire and Haulage Contractors employed by Kerry County Council from January 1st 2019 to December 31st 2019, and the full amount paid to each contractor.

The following reply issued:

The following schedule provides details of the total payments made and accrued to Contractors in respect of the hire of plant/equipment and haulage services in the financial year 2019.

In 2019 the hire of plant and machinery for Kerry County Council was procured through the Dynamic Purchasing System for Local Authorities (the "DPS"). The DPS is an 'open market' procurement mechanism that remains open to new or previously unsuccessful applicants. This makes the DPS an effective compliant arrangement for supporting micro, small and medium-sized enterprises. This was developed by the Local Government Operational Procurement Centre, based in Killarney and managed by Kerry County Council.

Essentially, this procurement arrangement is a wholly electronic process which takes the form of a dynamic mechanism from which Local Authorities can look to award future contracts to Applicants admitted to the DPS by way of a competitive process. In each Local Authority the available work is tendered among the DPS Applicants. This competitive process is conducted by means of a mini-competition via www.Supplygov.ie.

When Kerry County Council purchasers (Buyers) need to hire an item of plant, a mini-competition is created on www.Supplygov.ie. Once the tender is created and published, the SupplyGov system will generate an email to contractors/suppliers who have been admitted to the DPS and expressed an interest in the Lot, Local Authority and Category of Plant (e.g. Excavator) being procured. The request for tender includes specific information about the service required, such as type of machine, pricing method (e.g. Rate per Hour with Driver) and will state the time limit available

to contractors/suppliers to submit their response. It will also specify the contract evaluation and award criteria.

The overall effectiveness of our works programme and the achievement of best return on the sizeable level of expenditure incurred, require that we carefully assess the plant hire on an ongoing basis, having regard to the use of the current central purchasing mechanism of the Dynamic Purchasing System and effective use of the Financial Management System. Ongoing achievement of cost effectiveness/value for money and focus on achieving efficiencies in this expenditure area, as in all other activities, remains critically important to the Council.

Within the Finance Directorate, a Centralised Procurement Compliance Unit (CPCU) is in place to create a centralised approach to procurement processes across the County. Purchase requisitions for plant hire expenditure as well as a number of areas of expenditure are routed through the CPCU to check for compliance with procurement processes at an early stage in the purchase cycle, with the unit also providing organisation support in the overall management of procurement processes.

Supplier Name & Address	Total Paid 2019
Archway Products Ltd, Jamestown, Carrick on Shannon, Co. Leitrim	49,593.60
Brendan McGillicuddy (<i>Address withheld for data protection purposes. A paper copy of the unedited document is available on request</i>)	9,562.90
Charleville Hire & Platform Ltd, Kilmallock Road, Charleville, Co. Cork	11,827.85
Clancy Plant Hire Ltd, Knockanure, Moyvane, Listowel, Co. Kerry	303,245.44
Crean & McHugh, t/a CMP, North Esk Business Park, Glanmire, Co. Cork	78,939.25
Cyril Wharton Plant Services Ltd, Lissataggle Gortatlea, Tralee, Co. Kerry	7,675.20
D & L Tool Hire Dingle, c/o D & L Tool Hire Clash Industrial Estate, Tralee, Co. Kerry	33,442.71
D and L Tool Hire, Clash Industrial Estate, Tralee, Co. Kerry	10,446.15
Dan and John O'Driscoll Plant Hire Limited, T/A O'Driscoll Plant Hire, Tinnies, Valentia Island, Co. Kerry	4,326.62
Dave Power Plant Ltd, Owenacurra Business Park, Knockgriffin Road, Middleton, Co. Kerry	17,982.60
David Knightly Plant Hire, Ballyandreen, Annascaul, Co. Kerry	159,482.97
Dick Dalton Garden & Tool Supplies Ltd, Dromtrasnacollins, Abbeyfeale, Co. Limerick	18,781.61
Dillons Waste Disposal, The Kerries, Tralee, Co. Kerry	99,201.16
Eamonn & Seamus Hobbins Ltd, Coolroe, Killorglin, Co. Kerry	239,877.70
Eugene McGillicuddy, (<i>Address withheld for data protection purposes. A paper copy of the unedited document is available on request</i>)	8,569.27
Farran Plant Hire Ltd, Farran, Castleisland, Co. Kerry	118,113.02
Gerard Culloty Transport Ltd., Alderwood Road, Tralee, Co. Kerry	46,855.69
Gerard Naughton & Sons Ltd, Coolbane, Killorglin, Co. Kerry	41,822.76
GPT Plant & Tool Hire (Cork), Little Island Ind Est, Little Island, Co. Cork	71,233.78
GPT Plant & Tool Hire Commerical Estate (Galway), Tuam Road, Galway	10,988.76
Griffin & Sons Agricultural Contracting Ltd, Cools Emlaghmore, Co. Kerry	31,214.78
Healy-Rae Plant Hire Ltd, Main Street, Kilgarvan, Co. Kerry	112,270.40
Height for Hire Ltd, Ashbourne Business Centre, Ballybin Road, Ashbourne, Co. Meath	4,360.35
Higgins Waste & Recycling Services Ltd, The Kerries, Tralee, Co. Kerry	2,264.32
Hireservices (I) Limited, T/A Hireservices, Plovervale, Castlebar, Co. Mayo	44,994.74
J Curtin, T/A Listowel Garden Machinery & Tool Hire, Unit 3A, Tanavalla Industrial Estate, Listowel, Co. Kerry	3,610.04
James Riordan (<i>Address withheld for data protection purposes. A paper copy of the unedited document is available on request</i>)	3,511.69
JNSEL Agri Services Ltd., The Hill, Moyvane, Co. Kerry	2,477.15
John F Doherty (<i>Address withheld for data protection purposes. A paper copy of the unedited document is available on request</i>)	5,468.14
John Gillan T/A Kerry Hoist, Edenbrook, Derrymore East, Tralee, Co. Kerry	7,337.78
John Kerins & Sons Ltd., Curragraigue, Blennerville, Tralee, Co. Kerry	49,822.11
John M Hartnett (<i>Address withheld for data protection purposes. A paper copy of the unedited document is available on request</i>)	14,222.12
John McGillicuddy (<i>Address withheld for data protection purposes. A paper copy of the unedited document is available on request</i>)	13,773.94
John Paul Breen (<i>Address withheld for data protection purposes. A paper copy of the unedited document is available on request</i>)	10,034.44
JS Plant & Equipment Hire Ltd., Derrindaffe, Duagh, Listowel, Co. Kerry	14,614.29
Kelliher Crane & Hoist Ltd, Clashatlea, Ballymacelligott, Tralee, Co. Kerry	9,717.00
Kingdom Fast Hire Ltd, John Joe Sheehy Road, Tralee, Co. Kerry	60,852.99
Laois Hire Services Ltd, Abbeyleix Road, Portlaoise, Co. Laois	17,933.40
Leane's Tool Hire, Woodlands Industrial Estate, Killarney, Co. Kerry	15,981.96
Mac Fuels & General Supplies Ltd, Ballylongford Road, Clieveragh, Listowel, Co. Kerry	12,539.96

Supplier Name & Address	Total Paid 2019
McSweeney Bros. Contracts Ltd., Mid Cork Tar Macadam, Manch, Ballineen, Co. Cork	9,080.00
Michael F Quirke & Sons, Ranguie, Killorglin, Co. Kerry	3,705.68
Michael Gaynor (<i>Address withheld for data protection purposes. A paper copy of the unedited document is available on request</i>)	5,235.76
Michael O'Connor Hedgecutting, Ardtully, Kilgarvan, Co. Kerry	22,729.54
Mike Cronin & Sons Limited, Coolnageragh, Currow, Farranfore, Co. Kerry	205,090.76
Murphy Plant & Tool Hire Ltd., Listellick North, Tralee, Co. Kerry	44,905.97
Newbridge Car & Van Rental Ltd, T/A Go Rentals, Newhall, Naas, Co. Kildare	92,125.52
Nicholas Browne & Son Limited, Clahananoe, Balinskelligs, Killarney, Co. Kerry	124,010.36
O'Connors Hardware & Farm Supplies Ltd, Duagh, Listowel, Co. Kerry	94,568.06
Padraig Campion (<i>Address withheld for data protection purposes. A paper copy of the unedited document is available on request</i>)	67,404.34
Pat O'Driscoll Civil Engineering Ltd, Woodfield, Castlefreke, Clonakilty, Co. Cork	62,511.15
Pat O'Driscoll Plant Hire Ltd., Woodview, Castlefreke, Clonakilty, Co. Cork	43,473.35
Randles Bros. Fussa Kilgarvan Plant and Agri Hire Ltd, Fussa, Kilgarvan, Co. Kerry	65,122.84
RT Hedge & Tree Cutting Limited, Mullin, Cordal, Castleisland, Co. Kerry	17,320.10
Sandmore Ltd, Camp Cross, Tralee, Co. Kerry	247,191.33
Sean O'Shea (<i>Address withheld for data protection purposes. A paper copy of the unedited document is available on request</i>)	62,371.72
Tim Healy Plant Hire (Killarney) Ltd, Upper Barraduff, Headford, Killarney, Co. Kerry	2,034.83
Tommy Finucane Haulage, Lake Vale, Ballydesmond, Co. Cork	19,803.37
Tommy Finucane Ltd, Glencollins Upper, Ballydesmond, Mallow, Co. Cork	76,267.94
Walker Vehicle Rentals Ltd, Bluebell Lane, Bluebell, Dublin 12	94,854.29
Miscellaneous Payments under €2,000 (20 suppliers)	15,453.44
The Collector General - Reverse Charge VAT	219,906.23
	3,374,137.22

Cathaoirleach Niall Kelleher SECONDED this motion.

31. Timeframes for Greenway Projects

Pursuant to notice duly given Cllr. Jimmy Moloney PROPOSED:

Have the timeframes and associated works on the two Greenway Projects changed significantly in light of Covid 19.

The following reply issued:

Works on the Greenway projects had to be suspended, for almost 10 weeks, in compliance with the direction of Government and public health advice, to control the risk of spread of Covid-19. Works on both schemes have now recommenced with additional controls and measures in place, to ensure that the works can be carried out safely, having regard to the Government's "Return to Work Safely Protocol", which all employers are required to comply with.

The slippage in the programme, due to the suspension of works, and the increased measures required to be put in place, has delayed the completion of the projects at least until Autumn 2021.

Cathaoirleach Niall Kelleher SECONDED this motion.

32. COVID 2 Meter Rule

Pursuant to notice duly given Cllr. Robert Beasley PROPOSED:

That Kerry County Council write to the relevant authority to allow the 2 meter distance be reduced to 1 meter considering that the number of Covid 19 cases in Kerry have been low and none recorded in recent times and for the interest of attracting business to be viable and to reopen.

Mr. P. Corkery said this is a matter for consideration by the members.

Cathaoirleach Niall Kelleher SECONDED this motion.

33. Rebate on Motor Tax

Pursuant to notice duly given Cllr. Michael O'Shea PROPOSED:

To ask Kerry County Council and the Department of the Environment for vehicles that are off the road since the start of this pandemic, will they, as like insurance companies, give a rebate on motor tax for vehicles that are off the road due to the pandemic.

Mr. P. Corkery said this is a matter for consideration by the members.

Cathaoirleach Niall Kelleher SECONDED this motion.

34. Covid-10 Pandemic Unemployment Payment

Pursuant to notice duly given Cllr. Breandán Fitzgerald PROPOSED:

That Kerry County Council calls on the Minister for Finance to allow Seasonal Workers and Over 66's to be able to receive the Covid-19 Pandemic Unemployment Payment if their ability to work has been stopped due to Covid-19.

Mr. P. Corkery said this is a matter for consideration by the members.

Cathaoirleach Niall Kelleher SECONDED this motion.

35. Attendance of Media at Council Briefings

Pursuant to notice duly given Cllr. Niall O'Callaghan PROPOSED:

That this Council allow the members of the Press to web into Council MD and Full Council Briefings.

REPLY:

Standing orders provide for the attendance of the media at Council meetings.

Briefings via teleconference/video conference were utilised for a temporary period due to restrictions on the holding of meeting as a result of COVID-19 when Full Council meetings or Municipal District Meetings were not held. Such briefings are not covered by Standing orders.

Following the phased easing of restrictions by the Government as part of their Roadmap for Reopening Society and Business, we are returning to a normal schedule of Council meetings to which members of the press will be entitled to attend. Arrangements have been put in place for the holding of Full Council meetings for June and July, as well as for the Annual Meeting in June. In addition, the normal schedule of Municipal District meetings has resumed at venues where social distancing requirements can be met.

Cathaoirleach Niall Kelleher SECONDED this motion.

36. Regional Covid Restrictions

Pursuant to notice duly given Cllr. Charlie Farrelly PROPOSED:

I wish to request that Kerry County Council write to the Minister for Health asking that if the Corona Virus re-visits our Country on a major scale at a later date, then they should consider only closing down the affected County or Region and not the whole Country.

Mr. P. Corkery said this is a matter for consideration by the members.

Cathaoirleach Niall Kelleher SECONDED this motion.

37. Awarding of Full Driving Licences

Pursuant to notice duly given Cllr. Dan McCarthy PROPOSED:

For Kerry County Council to ask the Department of Transport if it was possible that driving instructors be allowed to grade their students and allow them to be awarded their full licence if they feel they have met the adequate standards.

Mr. P. Corkery said this is a matter for consideration by the members.

Cathaoirleach Niall Kelleher SECONDED this motion.

38. Marketing Campaign to promote Kerry

Pursuant to notice duly given Cllr. Mikey Sheehy PROPOSED:

That this Council undertake a large-scale marketing campaign to promote Kerry as the premier hub for remote working in Ireland highlighting the huge positives the County can offer in terms of a work /life balance.

The following reply issued:

An interagency and business response to COVID 19 is supported in Kerry by a dedicated interagency and business governance structure chaired by Kerry County Council. A 'Targeted Promotion and Communications Team' has been established as part of this structure to oversee a marketing campaign to promote Kerry as a place for remote working and to maximise the potential to promote Kerry's hub network to a wider audience.

A marketing strategy for the County is currently being developed with our industry partners, business interests and with the Hub Network in the County. There are a number of key aspects to this strategy both in the short and medium, but the following key messages will be central to this campaign:

- Promoting Kerry as a safe place to live, work and do business.
- Marketing Kerry as a location for remote working.
- Previously Kerry County Council had supported the development of several Hubs across the County such as Sneem, Castleisland, Dingle through the Town and Village Renewal Programme.

COVID-19 has shown that it is possible to carry out business remotely from Kerry and deliver across a range of activities and sectors. Industry partners will assist in the delivery and validation of these messages.

In addition to marketing Kerry as a location for remote working, we are also partnering with the tourism industry in marketing the county as a safe destination, which complements the messaging of the county as a safe location to live, work and do business. A safe Kerry destination badge is being developed to highlight premises that have undergone specific training, accredited through the Kerry ETB. To date more than 130 businesses in the county have engaged in this training and it is proposed to roll a specific training module for the retail sector also.

Cathaoirleach Niall Kelleher SECONDED this motion.

39. SEE Something SAY Something

Pursuant to notice duly given Cllr. Fionnán Fitzgerald PROPOSED:

To call on the Department of Justice and Equality to roll out the crime deterrent text system 'SEE Something SAY Something' to all towns and villages in Kerry as it has proved very successful in Tralee and Killarney in reducing public order offences.

Mr. P. Corkery said this is a matter for consideration by the members.

Cathaoirleach Niall Kelleher SECONDED this motion.

40. Funding for Voids

Pursuant to notice duly given Cllr. Niall Kelleher PROPOSED:

What is the current situation with funding for Voids and bringing them back into use?

The following reply issued:

The VOIDS programme had traditionally been funded by a combination of central Government grant and local resources from our Internal Capital receipts.

Over recent years it has been flagged nationally (and indeed Members have been advised locally) that this model of funding was under review with a change to a preventative maintenance approach likely in the shorter term.

In 2019 a total of 117 Voids were completed by Kerry County Council. However, the entire programme was not funded or supported by Government to the extent expected.

While 23 Voids have been completed in Q1 2020, the programme stood suspended during the public health restrictions.

On the 27th May the Department issued a call inviting applications for limited funding for Voids under - Housing Circular 11/2020, Covid-19 Voids – "Funding for the refurbishment of voids for the accommodation of Social Housing Support qualified households which are required to help prevent, limit, minimise or slow the spread of COVID-19." This provides very limited funding and only to units related to the on-going Covid-19 public health crisis. In addition, there is a very limited expenditure cap on a per unit basis of just €12,485 (including VAT).

The Department has indicated that there may be a further call later in the year for a general Voids programme but this is not certain.

The current vacancies and the overall approach to Voids is currently under review to make the initial application under the Covid-19 specific programme.

While the Council had been reviewing the overall approaches to the Voids area this has now been overtaken by the current funding limitation available. Given the lack of available Government funding and the current financial position of the Council there simply cannot be a programme similar to previous years in this area.

This area is under urgent review but at this stage in the short term there will be no programme of note and this clearly will have significant implications on the management of Council stock.

Cathaoirleach Niall Kelleher asked that a letter issue to the Department of Housing to ensure funding is provided for voids so that no houses are left unproductive and all stock is being used.

Cllr. Norma Moriarty SECONDED this motion.

41. Marketing Kerry for Remote Working

Pursuant to notice duly given Cllr. Jackie Healy-Rae PROPOSED:

That Kerry County Council would engage in marketing Kerry as a hub for Remote Workers. We have fantastic facilities for remote working throughout the County and Covid-19 has resulted in many people who may have moved from Kerry, coming back and working from home. Kerry County Council needs to capitalise on this and showcase the County as a great place to work and live.

The following reply issued:

An interagency and business response to COVID 19 is supported in Kerry by a dedicated interagency and business governance structure chaired by Kerry County Council. A 'Targeted Promotion and Communications Team' has been established as part of this structure to oversee a marketing campaign to promote Kerry as a place

for remote working and to maximise the potential to promote Kerry's hub network to a wider audience.

A marketing strategy for the County is currently being developed with our industry partners, business interests and with the Hub Network in the County. There are a number of key aspects to this strategy both in the short and medium, but the following key messages will be central to this campaign:

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Mr. P. Corkery said this is a matter for consideration by the members.

Cathaoirleach Niall Kelleher SECONDED this motion.

42. Street Furniture

Pursuant to notice duly given Cllr. Johnny Healy-Rae PROPOSED:

That Kerry County Council would allow all business for this year to place seating outside their premises.

The following reply issued:

The Council is currently developing mobility plans for the reopening of our towns, with the primary objective to create a safe environment for pedestrians, including in particular persons with disabilities and mobility restrictions.

As part of the plans, areas will be identified which may be able to accommodate street furniture, subject to licencing and appropriate conditions in accordance with statutory requirements, whilst allowing for the safe movement of pedestrians.

Cathaoirleach Niall Kelleher SECONDED this motion.

15.6.2020.20 Correspondence – Conferences and Seminars

- a) On the PROPOSAL of Cllr. Sam Locke, SECONDED by Cllr. Johnnie Wall, it was agreed to approve the attendance of Cathaoirleach Niall Kelleher at a meeting of the Chief Executives of Local Authorities and Chairpersons of the Joint Policing Committees held in Dublin on 24 October 2019.
- b) On the PROPOSAL of Cllr. Sam Locke, SECONDED by Cllr. Johnnie Wall, it was agreed to approve the attendance of Cathaoirleach Niall Kelleher at the Major Emergency Management Region South 'Be Winter Ready' Launch held in Cork on 7 November 2019.

- c) On the PROPOSAL of Cllr. Sam Locke, SECONDED by Cllr. Johnnie Wall, it was agreed to approve the attendance of Cathaoirleach Niall Kelleher at the National LCDC Networking Event held in Tullamore Court Hotel, Co. Offaly, on 9 November 2019.
- d) On the PROPOSAL of Cllr. Sam Locke, SECONDED by Cllr. Johnnie Wall, it was agreed to approve the attendance of Cathaoirleach Niall Kelleher at the N22 Baile Bhuirne to Macroom Road Development Design and Build Contract Signing held in County Hall, Cork, on Friday, 29 November 2019.
- e) On the PROPOSAL of Cllr. Sam Locke, SECONDED by Cllr. Johnnie Wall, it was agreed to approve the attendance of Cllr. Donal Grady at the Celtic Conference 'Irish Social Welfare System' conference held in Cork on 6 & 7 December 2019.
- f) On the PROPOSAL of Cllr. Sam Locke, SECONDED by Cllr. Johnnie Wall, it was agreed to authorise the attendance of Cllr. Deirdre Ferris and Cllr. Johnnie Wall at the following events to be held in 2020:
- i) AILG Training Events
 - ii) AILG Conferences
 - iii) LAMA Seminars
 - iv) IPI Conference/Seminars/Training Events
 - v) RIAI Conferences/Seminars/Training Events
- g) On the PROPOSAL of Cllr. Sam Locke, SECONDED by Cllr. Johnnie Wall, it was agreed to approve the attendance of Cllr. Mikey Sheehy at the delegation with Transport Infrastructure Ireland in Dublin on 3 March 2020.
- h) On the PROPOSAL of Cllr. Sam Locke, SECONDED by Cllr. Johnnie Wall, it was agreed to approve the attendance of Cathaoirleach Niall Kelleher on a visit to the US for St. Patrick's Day, March 2020.

15.6.2020.21 Correspondence General

It was agreed to note the following items of correspondence which were circulated:

Date	From	Description
17/02/2020	Minister for Communications, Climate Action & Environment	Response to a resolution from Kerry County Council in relation to non-biodegradable balloons.
27/02/2020	Minister for Rural and Community Development	Response to a resolution from Kerry County Council in relation to a Rural Recreation Officer for the North Kerry Region.
2/03/2020	Minister for Justice & Equality	Response to a resolution from Kerry County Council in relation to the Kerry Coroner's Office.
2/03/2020	Minister for Business, Enterprise & Innovation	Response to a resolution from Kerry County Council in relation to rules around work permits.
4/03/2020	Irish Water	Response to a resolution from Kerry County Council in relation to a Community Waiver process.
18/03/2020	Minister for Employment Affairs & Social Protection	Response to a resolution from Kerry County Council in relation to the State pension provision.
19/03/2020	Minister for Communications, Climate Action & Environment	Response to a resolution from Kerry County Council in relation to any future legislation that would prevent the burning of turf and timber.
26/03/2020	Minister for Finance	Response to a resolution from Kerry County Council in relation to tax treatment of third level fees and registration charges.

Date	From	Description
2/04/2020	Minister for Justice & Equality	Response to a resolution from Kerry County Council in relation to the classification of bicycle theft in law.
8/04/2020	Minister for Finance	Response to a resolution from Kerry County Council in relation to tax deductibility for home security systems and the Home Renovation Incentive.
22/04/2020	Minister for Housing, Planning & Local Government	Response to a resolution from Kerry County Council in relation to the HAP Scheme.
14/02/2020	Donegal County Council	Resolution adopted by Donegal County Council to write to the Irish Water Regulator requesting a review and reduction of costs involved for new water connections.
28/02/2020	Cork County Council	Resolution adopted by Cork County Council calling for Parental Alienation to be recognised as a child-welfare issue.
15/05/2020	Sligo County Council	Resolution adopted by Sligo County Council calling for local authorities to be funded by the Government in order to maintain the services to make good the rates shortfall.

Any Other Business

Retirement of Ms. Joan McCarthy, SEO

Cathaoirleach Niall Kelleher paid tribute to Ms. Joan McCarthy, SEO, who retired in March. Due to the COVID-19 pandemic there has not been an opportunity to thank Ms. McCarthy for her work with Kerry County Council. He wished Ms. McCarthy the best of health and happiness on her retirement. He thanked her for the work she did in her many different roles in Kerry County Council.

Cllr. Jimmy Moloney, as Cathaoirleach of Listowel Municipal District, wished to be associated with the tribute to Ms. McCarthy. He added that she did a lot of work for Listowel as Town Manager and formerly as Town Clerk.

Cllr. Robert Beasley wished to be associated with the tributes to Ms. McCarthy and said she worked in many departments, including Tourism and Listowel Municipal District. She was always approachable and worked very hard for Listowel town and the surrounding areas.

Cllr. Aoife Thornton wished to be associated with the tributes to Ms. McCarthy and said the support and co-operation of Ms. McCarthy for the Listowel Tidy Towns Committee led to Listowel achieving its many medals in the Tidy Towns Competition.

Cllr. Tom Barry wished to be associated with the tributes to Ms. McCarthy and said Ms. McCarthy was extremely helpful to all Municipal District Members and was passionate about Listowel. He wished her well on her retirement.

Cllr. Mike Kennelly wished to be associated with the tributes and said Ms. McCarthy was a wonderful ambassador for Listowel. He wished her a long and happy retirement. He welcomed Mr. John Kennelly as the current Listowel Municipal District Manager.

Cllr. Michael Foley wished to be associated with the tributes to Ms. McCarthy and wished her well in her retirement. He also welcomed Mr. John Kennelly as Manager of Listowel Municipal District.

Driving Licence Renewals

Cllr. Marie Moloney PROPOSED that a letter issue to the Department of Transport requesting an update on driving licence renewals during the Covid-19 pandemic and to review the requirement that people are to attend in person to renew their licence.

Flooding in Camp

Cllr. Michael O'Shea asked for an update regarding works at Camp to prevent flooding. Families cannot get insurance for their homes due to the risk of flooding.

Remote Working in Kerry

Cllr. Aoife Thornton said a direct line to broadband and mobile telephone providers, similar to the Oireachtas Members, is required for Elected Members. As more people are working from home there is more demand on these services.

Cllr. Jimmy Moloney supported Cllr. Thornton's call for Elected Members to have a direct line to broadband and mobile telephone providers.

Cllr. Michael Cahill said while the CEO of Broadband Ireland hopes to bring forward the rollout of broadband from seven years to five years, this is not enough when people are now working and studying from home and high-speed broadband is needed in the county.

Cllr. Mike Kennelly said many people are experiencing difficulties with broadband and mobile services as they try to work from home during this pandemic. As it is unknown how government restrictions will continue these services must be improved.

Independent Representation on CPG

Cllr. Niall O'Callaghan said a change of Standing Orders is required that the CPG would always have a representative of the Independent Elected Members.

Vote of Sympathy

Cathaoirleach Niall Kelleher expressed a vote of sympathy to the Murray family on the passing of former Cllr. Mags Murray, former chairperson of LAMA.

Minute of Silence

Cathaoirleach Niall Kelleher thanked Elected Members for their co-operation at today's meeting. Government public health advice is in place in relation to the pandemic and we as a Council took leadership to prevent the spread of Covid-19. 1,706 people have died from Covid-19 and our thoughts are with their families.

A minute of silence was held to remember those who passed from the Covid-19 coronavirus.

The Cathaoirleach said leadership has been shown by the Chief Executive by way of the Economic Report, the provision of business and community helplines and the work of the local authority throughout the pandemic and now towards opening the county safely for business. All staff have been very flexible in their time and commitment.

The meeting concluded at 12.30 p.m.