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MINUTES OF THE SPECIAL MEETING OF THE MEMBERS OF THE MUNICIPAL DISTRICT OF KILLARNEY HELD IN KILLARNEY SPORTS & LEISURE CENTRE, KILLARNEY ON FRIDAY, 15 MAY 2020

MIONTUAIRISCÍ NA gCRUINNITHE SPEISIALTA DE CHEANTAR BARDASACH CHILL ÁIRNE A THIONÓLADH I LÁR IONAD SPÓIRT IS FÓILLÍOCHTA CHILL ÁIRNE DÉ hAOINE, 15 BEALTAINÉ 2020

PRESENT/I LÁTHAIR

Councillors/Comhairleoirí

Cllr. B. Cronin

Cllr. D. Grady

Cllr. M. Healy-Rae

Cllr. N. Kelleher

Cllr. N. O'Callaghan

Apologies

Cathaoirleach M. Gleeson

Cllr. M. Moloney

In attendance/i láthair

Ms. A. McAllen

Mr. C. O'Sullivan

Mr. C. O'Connor

Mr. J. Ahern

Mr. P. Corkery

Ms. E. O'Donoghue

Ms. M. Galvin

Killarney MD Manager

Director of Roads, Transportation & Marine

Director of Corporate Services

SEE Killarney MD

Meetings Administrator

MD Officer

A/ASO Corporate Support

The meeting commenced at 1.30pm.

Leas-Chathaoirleach B. Cronin took the Chair and welcomed everyone to the special meeting which was being held in public because of the legal requirement that Members must be physically present to deal with urgent statutory business. Leas-Chathaoirleach Cronin outlined the protocol to be followed for the holding of meetings during the COVID-19 Pandemic.

It was noted that Cathaoirleach M. Gleeson and Cllr. M. Moloney had sent their apologies as they were unable to attend the meeting due to the fact that they were adhering to HSE advice in relation to cocooning during the Pandemic.

Leas-Chathaoirleach Cronin wished to offer his sympathy and condolences to families in the area who lost family members due to Covid-19. He further stated

that it was important that the Council expressed its sincere gratitude and thanks to every member of the frontline staff that are putting their lives at risk on a daily basis. He also expressed his sincere thanks to the emergency services and to the staff who were working in essential services.

Cllr. D. Grady concurred with the sentiments expressed and said he was indebted to the frontline staff and offered his sympathies to the grieving families.

Cllr. M. Healy-Rae wished to acknowledge the general public who were abiding by the social distancing guidelines and stated that the efforts of people were suppressing the virus.

On the Proposal of Cllr. N. Kelleher, Seconded by Cllr. B. Cronin, a minute's silence was held as a mark of respect for the people that had lost their lives due to Covid-19.

20.05.15.01 To consider and adopt the Schedule of Municipal District Works Plan for the Killarney Municipal District, in accordance with the provisions under Section 58 of the Local Government Reform Act, 2014 and guidelines issued by the Department of Environment Community and Local Government

Ms. A. McAllen acknowledged that the Pandemic had created uncertainty. She noted that the meeting was being convened to consider the Roads Programme and wished to acknowledge the work carried out by the staff in Killarney Municipal District and in particular, the work undertaken on 9th February to reinstate the road near Loo Bridge following Storm Ciara.

Leas-Chathaoirleach Cronin noted that a WebEx briefing had been held on 13th May at which time the Members discussed in detail the Draft Roadworks Programme for 2020. He stated that if the members had any new queries, they would be dealt with.

Mr. C. O'Sullivan stated that he had met with the Members and had taken their considerations on board when preparing this Programme. Mr. O'Sullivan advised that the National Road Grants allocation totalling €25,293,386 received last December had been incorporated into this Programme. The overall grant allocation for non-national roads for 2020 is €25,310,959 and the Restoration Improvement Programme is €11.464m. This Programme was prepared on the basis that grant funding will continue. He informed the Members that the Roads staff would recommence their activities on Monday, 18th May but it would be a gradual process in order to comply with health and safety advice issued under Government protocols.

Cllr. N. Kelleher referred to lay-bys being provided on the Clydagh road and asked that additional lay-bys would be provided on that stretch of road. Cllr. Kelleher

referred to the Community Involvement Scheme and the Local Improvement Scheme and noted that some communities may not be in a position to pay their contribution this year due to Covid-19 and that there may be scope to allow them to defer works until the following year. He referred, in particular, to Knockysheehan Road which totalled 1,844m in length and noted that it was different to other roads that had applied for funding under the scheme as it was a through-road and it was unlikely that the community would be in a position to fund their portion due to its length. He asked that this would be included in next year's Road Programme. Cllr. Kelleher referred to the Schedule of Municipal District Works and noted that grass was not being cut which had allowed for the growth of wildflowers. He asked the Council to review the cutting of grass from a bio-diversity point of view as it was important for bees and looked attractive. Cllr. Kelleher referred to Bóithrín na nGabhann and enquired if agreement had been reached with 2 of the landowners and if any land had been acquired. He also sought clarification on the supplementary list which was developed with the 3 year Restoration Improvement Programme.

Cllr. D. Grady asked for an update in relation to resurfacing the Foiladuane Road which had been used as a relief road when the road at Loo Bridge had been closed as a result of Storm Ciara. Cllr. Grady referred to grass cutting and said it was important that the majority of it be cut. Cllr. Grady asked for an update in relation to proposals for the Hahah.

Cllr. M. Healy-Rae welcomed the Programme and asked if the Council would be tendering out for street cleaning and/or grass cutting due to the Pandemic. She asked for further clarity regarding the works to be undertaken on Main Street and asked if the roadworks in the town would be given priority as this was an opportune time.

In relation to grass cutting, Cllr. O'Callaghan asked who was cutting it and would it impact on the Council's maintenance works.

Leas-Chathaoirleach Cronin stated that this Roadworks Programme was hugely important but noted that the Local Authority was about 3 months behind schedule due to Covid-19 and noted that it was a huge body of work to complete within the timeframe. He asked that the Council's own staff be maximised in order to complete these works as he was fearful that the funding would be lost if not utilised within the year. He Proposed that the Council proceed at the earliest stage to tender out work. Cllr. Cronin said he supported plans to complete Ross Road and Main Street while the opportunity exists.

Mr. C. O'Sullivan addressed the queries raised by the Members as follows:

- Supplementary list on 3 year Programme - this was included in the event that the programme for 2020 did not go ahead. If there is a call by the Department for a new 3 Year Programme, these roads will be considered as part of the new programme, and this programme would be brought back to Council for their approval.
- CIS / LIS - in relation to payment of the local contribution towards approved projects, Mr. O'Sullivan acknowledged that some people may have found themselves in a difficult financial position as a result of the Pandemic. The Council will have to be flexible with them where projects may have to be delayed as a consequence.
- Wildflowers - the Local Authority are identifying areas of land from a bio-diversity viewpoint and will revert to Members on this in due course.
- Bóithrín na nGabhann - agreement in principle has been reached with 2 landowners. Negotiations with one landowner were on hold pending the decision on the planning application for an adjoining site, however, An Bord Pleanála has now refused same. Mr. O'Sullivan did confirm that certain powers were available for the Local Authority to use in such instances but advised that he would be hopeful of pursuing agreement by negotiation.
- Hahah - Mr. O'Sullivan advised that he will arrange for Mr. P. Curry, SE to brief the Members at a future WebEx briefing on all current National road projects for Killarney.
- Programme Delivery - Mr. O'Sullivan stated it was a priority for Management to deliver the Roads Programme. If there are specific projects that must go to tender, this will be reviewed. He was confident that this Programme would be delivered. Priority will be given to town works where a window of opportunity now exists, with lower traffic volumes and minimal impact on road users.

Mr. J. Ahern addressed the following queries raised by the Members:

- Knockysheehan Road - depending on response from locals, the matter of providing extra lay-bays can be considered in future Road Programmes.
- Grass cutting - these works were traditionally carried out in Killarney by a contractor. The Council's finances are at present under review. For a short period of time, these works will be carried out by direct labour commencing from Monday, 18th May. Bio-diversity plans will be reviewed where an opportune area exists.
- Foiladuane Road - this was used as a relief road during the Loo Bridge works and necessary repairs were carried out on the reopening of the main road. This may be considered for next year.
- Main Street - works to this street were last carried out in the early 2000s and the road has since failed. All options are being reviewed to ascertain what are the appropriate works that can be undertaken within available funding.

In response to a query from Cllr. N. Kelleher regarding Bóithrín na nGabhann, Mr. J. Ahern confirmed that no land had been purchased to date.

In response to a query from Cllr. D. Grady, Mr. C. O'Sullivan said he was satisfied that sufficient staff were in place to deal with the Roads Programme.

In response to a query from Cllr. M. Healy-Rae, Mr. C. O'Sullivan stated that the whole emphasis on the Government's Roadmap is the gradual re-introduction of staff, on delivering the works in a safe manner and in compliance with public health requirements. In each Electoral Area, one major job will commence on Monday. Crews will be brought in gradually after that. Mr. O'Sullivan confirmed that each Municipal District will be updated on a fortnightly basis about the projects that are going ahead.

Cllr. N. O'Callaghan PROPOSED that we the Members of the Municipal District of Killarney resolve to adopt the Schedule of Municipal District Works Plan for the Killarney Municipal District, in accordance with the provisions under Section 58 of the Local Government Reform Act, 2014 and guidelines issued by the Department of Environment Community and Local Government as presented.

Cllr. N. Kelleher SECONDED the proposal.

A vote was taken which resulted as follows:

For: Cllr. D. Grady, Cllr. M. Healy-Rae, Cllr. N. Kelleher, Cllr. N. O'Callaghan, Cllr. B. Cronin, Leas-Chathaoirleach **(5)**

Against: None **(0)**

Absent: Cllr. M. Gleeson, Cllr M. Moloney **(2)**

Mr. P. Corkery declared the proposal to be carried.

20.05.15.02 - Roadmap for Reopening Society & Business

Ms. A. McAllen noted that this matter had been discussed in detail during the WebEx briefing with Members on Wednesday, 13th May and work is ongoing to identify how it translates to Kerry County Council's workforce. The Roadmap refers to the gradual easing of restrictions and has mapped them according to the Council's own services. Ms. McAllen referred to a number of activities and services that can be gradually recommenced on 18th May. Ms. McAllen referred to the gradual re-opening of towns and villages across the County. Social distancing on footpaths will create a challenge, especially where pavements are narrow. This has necessitated a review of social distancing in urban areas that will include car parks and traffic movement. Keeping this in mind, deliveries to businesses will have to be maintained. This work is currently underway and plans will be developed. In some instances, this will require the inter-agency approval of An Garda Síochána / Chamber Alliances.

Cllr. B. Cronin asked for clarification in relation to the daily sanitisation of the town streets as requested at the WebEx briefing.

Mr. C. O'Sullivan stated that as outlined in the Roadmap, beaches and amenities will reopen from 18th May. A meeting was held with An Garda Síochána in relation to this. The plan will be circulated to the Members today. There are still restrictions in place and there is a need to ensure compliance with public health requirements. The Project Team will be taking on board a huge range of issues and plans will be prepared for same. Any proposed measures, for example, street furniture, parking etc will have regard to what is appropriate as directed by public health advice from the HSE.

Cllr. M. Healy-Rae asked that bins, benches and streets be disinfected and sanitising stations and signage be placed in towns. She noted that Killarney as a tourist destination could be a leader and example of the measures that are put in place.

Leas-Chathaoirleach Cronin stated that Killarney was a tourist destination and asked that the Council's Tourism Unit would liaise with the Chambers of Tourism & Commerce across the County and assist in portraying Kerry in a positive light and sell and market for the domestic market in an effort to bring back incomes to people in dire straits. The Leas-Chathaoirleach appealed to businesses in tourism / hospitality sectors to sit down with staff to put plans in place.

Cllr. N. O'Callaghan suggested that the WebEx briefings should be opened to the Press.

20.05.15.03 - In accordance with the Local Government Act 2001 (as amended) and having regard to Section 180 of the Planning and Development Act 2000 in relation to the taking in charge of estates, to consider any objections or representations received and the making of an Order declaring the following road to be public pursuant to Section 11 (2) (i) of the Roads Act 1993:

Faha Glen, Faha, Killarney, Co. Kerry - Road from its junction with R-563-67 to all terminal points within the estate Faha Glen, Faha, Killarney Map 19-01 (serving 10 houses).

Total Length of road to be Taken in Charge: - 300m

The following report was circulated to the Members in advance of the meeting:

Dáta/Date 8th May 2020

Chuig/To: Cathaoirleach Michael Gleeson
Gach ball de Cheantar Bardasach Chill Árne

Ábhar/Subject: Declaration of Roads to be Public Road's in Accordance with Section 11 of the Roads Act, 1993

A Chomhairleoir, a Chara,

In accordance with Section 11 of the Roads Act 1993 I enclose a report on the Taking in charge, by Kerry county Council of one housing estate in the Killarney Municipal District (Faha Glen, Faha, Killarney).

Public notice of our intention to declare the roadways as public roadways was advertised in the local press and submissions were invited.

No Submissions or observations were received.

I now recommend that this estate is Taken in Charge by Kerry County Council, in accordance with the legislation and the Taking in charge policy, adopted by the Council in June 2008 and the recent Memorandum of Understanding and Protocol with Irish Water.

The consideration of this Report and the making of the Order to declare these roadways as a public roadway is now a reserved function of the members of the Killarney Municipal District in accordance with the Local Government act 2001 (as amended).

Is mise le meas,

Gerard O'Brien, A/S.E.O.
Environmental Services, Planning Enforcement,
and Housing Estates Unit

**KERRY COUNTY COUNCIL
COMHAIRLE CONTAE CHIARRAI**



**Report to the Municipal District of Killarney in accordance with
Section 11 of the Roads Act 1993**

Declaration of Road to be Public Road at the following location:

- (i) Faha Glen, Faha, Killarney, Co. Kerry.

Date 8th May 2020

**MUNICIPAL DISTRICT OF KILLARNEY/CEANTAR BARDASACH CHILL
ÁIRNE
Report Prepared Pursuant to Section 11 of the Roads Act 1993**

Locations of Roads to be taken In Charge:

Faha Glen, Faha, Killarney, Co. Kerry - Road from its junction with R-563-67 to all terminal points within the estate Faha Glen, Faha, Killarney Map 19-01 (serving 10 houses).

Total Length of road to be Taken in Charge: - 300m

Background:

Pursuant to 'Taking in Charge' Policy, adopted by the Council in June 2008, it is proposed to take this roadway in charge.

Statutory Procedures:

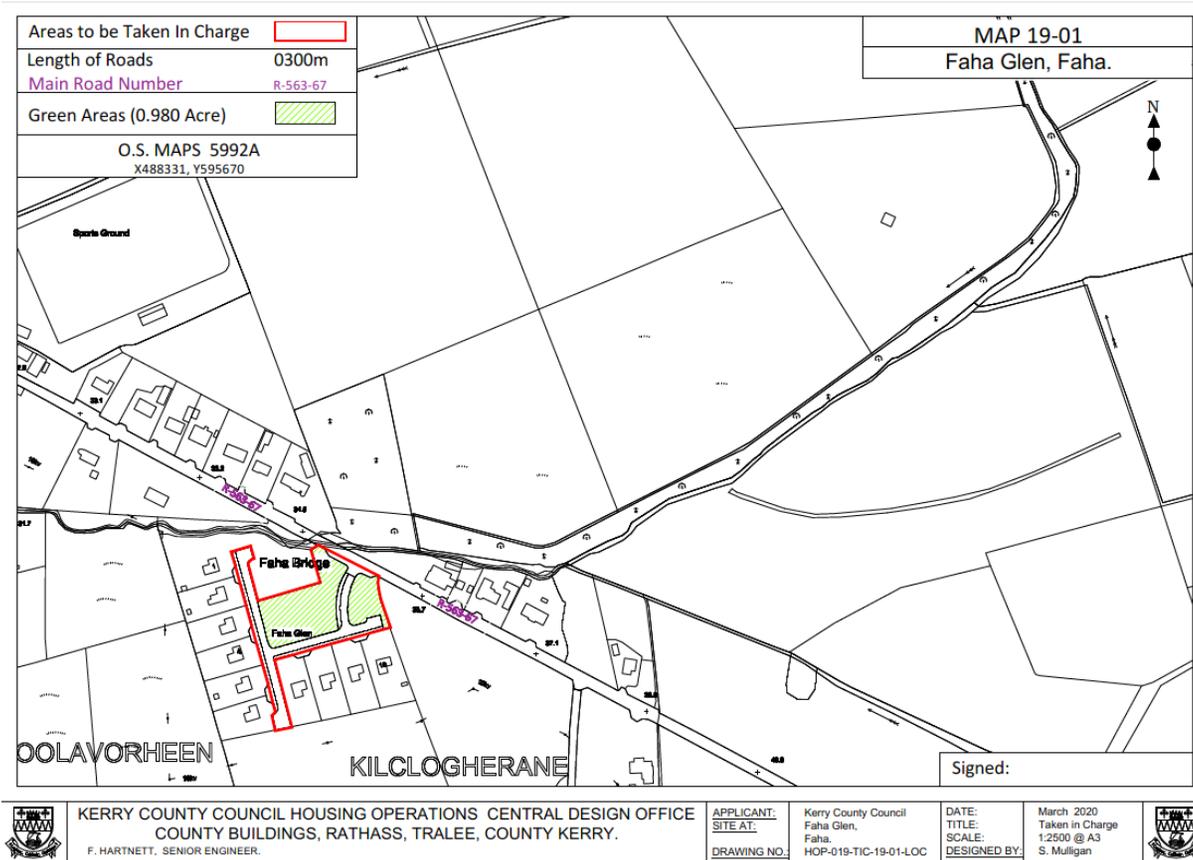
In accordance with Section 11(b)(iii) of the Roads Act 1993, a Notice of Intention to declare as a public road, the road in Faha Glen, Faha, Killarney, Co. Kerry was published in The Kerryman Newspaper, issue date 11th March 2020.

Persons or Bodies who made objections or observations within the prescribed period:

No objections or observations were received within the prescribed period.

I recommend that the road be taken in charge.

Michael Scannell
Director of Economic & Community Development



Having considered the report, it was Proposed by Cllr. B. Cronin, Seconded by Cllr. D. Grady that Faha Glen, Faha, Killarney, Co. Kerry - Road from its junction with R-563-67 to all terminal points within the estate Faha Glen, Faha, Killarney Map 19-01 (serving 10 houses) be taken in charge by Kerry County Council.

Total Length of road to be Taken in Charge: - 300m

Leas-Chathaoirleach B. Cronin thanked the Elected Members for the work they had been engaged in during recent weeks and for their participation in the WebEx briefings to date. He thanked the Members for attending today's meeting and for adhering to the rules and regulations.

The Meeting concluded at 12.25pm.

P. Corkery
P. Corkery
Meetings Administrator

Cllr. B. Cronin
Leas-Chathaoirleach of Killarney MD