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**MIONTUAIRISCÍ AN FAISNÉISIÚ AR-LÍNE DE COMHAIRLE CONTAE CHIARRAÍ  
A THIONÓLADH AR MICROSOFT TEAMS AR AN LUAN, 19 DEIREADH  
FOMHAIR 2020**

**MINUTES OF THE ONLINE BRIEFING OF KERRY COUNTY COUNCIL HELD VIA  
MICROSOFT TEAMS ON MONDAY, 19 OCTOBER 2020**

**PRESENT/I LÁTHAIR**

**Councillors/Comhairleoirí**

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

**IN ATTENDANCE/I LÁTHAIR**

<b>Ms. M. Murrell, Chief Executive</b>	<b>Mr. C. O'Sullivan, Dir. Rds, Trspn &amp; Marine</b>
<b>Mr. M. Scannell, Dir. Job Cr/Sust. ED</b>	<b>Mr. J. Breen, Director Water Services</b>
<b>Mr. M. O'Donoghue, Director Housing</b>	<b>Ms. A. McAllen, Head of Finance</b>
<b>Mr. C. O'Connor, Director Corp. Servs.</b>	<b>Mr. P. Corkery, Meetings Administrator</b>
<b>Mr. B. Looney, Broadband Officer</b>	<b>Mr. O. O'Shea, Press Officer</b>
<b>Ms. D. Griffin, SO Corporate</b>	

The meeting commenced at 9.30 a.m.

Cllr. Patrick Connor Scarteen, Cathaoirleach, took the Chair.

Cathaoirleach Connor-Scarteen referred to letter dated 16<sup>th</sup> October 2020 issued to Elected Members from the Chief Executive. The letter outlined that a Special Corporate Policy Group Meeting was held on Friday, October 16<sup>th</sup> to discuss the October Council Meeting, specifically the physical portion of the Meeting scheduled for the John Mitchel's GAA Complex to discuss statutory items. Due to the increase in COVID-19 transmission rates in the County and Public Health advice, which Kerry County Council had recently sought from the HSE in relation to the potential implications of holding such a gathering, the Chief Executive strongly recommended against holding a physical meeting. The Chief Executive outlined that the situation in relation to COVID-19 had deteriorated since the previous CPG Meeting on Tuesday, October 13<sup>th</sup>, and outlined other issues such as Health & Safety concerns, the numbers of Staff and Elected Members travelling across the County to attend the Meeting and the potential implications of a positive test for COVID-19 by an attendee at the Meeting. Apart from the risk of contracting COVID-19, this also includes the potential restriction of all attendees at the Meeting for a period of 14 days. In light of these issues, the Chief Executive strongly recommended that the CPG should consider deferring the physical Council Meeting dealing with Statutory Items (including the Chief Executive's Report, Disposal of Land, Overdraft and Notices of Motion).

The CPG was unanimous in their support of this position and stressed that local leadership from the Local Authority in relation to measures to suppress the rate of transmission was vitally important.

The Chief Executive also updated the Members on Regulations relating to online Council Meetings which would allow for Statutory Decisions to be made online.

The CPG confirmed that the online portion of Monday's October Council Meeting, which deals with Non-Statutory Items/Presentations, would continue as scheduled.

The Chief Executive outlined that Local Authorities have since been advised that Regulations are expected this week in relation to online Council meetings which would allow for statutory decisions to be made online. Elected Members will be updated further on receipt of the Regulations.

### **19.10.2020.01 Update on present situation in relation to COVID-19**

Mr. C. O'Sullivan, Director of Service, outlined report regarding 'Resilience and Recovery Plan for Living with Covid-19 – Current Position'. Members will be aware that since midnight, Monday, 6<sup>th</sup> October all counties have been placed on Level 3 under the Government's Plan for Living with COVID-19 and this is in place for a period of three weeks until midnight 27<sup>th</sup> October.

Following a meeting of the Senior Management Team in relation to these restrictions, the majority of Council services and delivery of services has remained unchanged. The delivery of services in the following areas is subject to the following restrictions:

- Library Services has reverted to a click and collect system;
- Museum is closed;
- Sports/Leisure (Enclosed Facilities - Swimming Pools/Leisure Centres/Gyms) – open with protective measures for individual training only
- Organized Indoor Events including business, training events, conferences and other Arts events (excluding sport) should not take place. Outdoor Arts events, in a controlled environment are permitted with gatherings up to 15 people.

All Kerry County Council's other services continue to be deemed essential services under Level 3 restrictions and continue to be delivered in accordance with existing COVID -19 related measures which require continued full compliance in their delivery.

Kerry County Council's office continue to remain open to the public-however, we are asking members of the public to continue using our online and telephone services at this time. We would also remind all customers that use of face masks is mandatory in our Council offices.

### **Resilience and Recovery 2020 – 2021 Plan for Living with Covid-19**

The Governments "Resilience and Recovery 2020-2021 Plan for Living with Covid-19", published on the 15<sup>th</sup> September 2020, set out a framework of restricted measures to risk manage the transmission of the disease. The Plan is framed to account for varying levels of incidence and transmission rates with measures for 5 different levels, as summarised in the following table:

# National Framework for living with COVID-19

More detailed information is available at [gov.ie/COVID19](http://gov.ie/COVID19)

		Very low rate of COVID-19 infections Low R-Number			Very high rate of COVID-19 infections High R-Number	
		Level 1	Level 2	Level 3	Level 4	Level 5
	Social & Family Gatherings	Max: 10 from 3 other households	Max: 6 from 3 other households	Max: 6 from 1 other household	No visitors	No visitors
	Weddings	Max: 100	Max: 50	Max: 25	Max: 6	Max: 6
	Indoor Events	Depending on venue size 100 200	Depending on venue size 50 100	No organised events	No organised events	No organised events
	Outdoor Events	Depending on venue size 200 500	Depending on venue size 100 200	Gatherings of up to 15	Gatherings of up to 15	No organised events
	Sports Training	Normal training with protective measures	Indoors Pods of 6 Outdoors Pods of 15	1 individual only Pods of 15 Non-contact	1 individual only Pods of 15 Non-contact	Individual training only
	Matches & Events	100 200 500 Indoor outdoor stadia	50 100 200 Indoor outdoor stadia	Except specific exemptions	Except specific exemptions	No events
	Gyms, Pools & Leisure Centres	Open with protective measures	Open with protective measures	Individual training only	Closed	Closed
	Religious Services	50 (or sub-groups of 50)	50 (or sub-groups of 50)	Services move online Funerals 25	Services move online Funerals 25	Services move online Funerals 10
	Bars serving food, Cafés & Restaurants	Open with protective measures	Open Groups of 6 from up to 3 households	Range of restrictions: up to and including no indoor dining	Outdoor dining only Max: 15 Takeaway/Delivery	Takeaway/Delivery only
	Wet Pubs	Open with protective measures	Open Groups of 6 from up to 3 households	Range of restrictions: up to and including no indoor service*	Outdoor only Max: 15 persons Takeaway/Delivery	Takeaway/Delivery only
	Hotels, Guesthouses B&Bs	Open with protective measures	Open with protective measures	Services limited to Residents only	Existing Guests & Essential Purposes only	Essential Purposes only
	Retail & Services	Mandatory face coverings Open with protective measures	Open with protective measures	Open with protective measures	Primarily outdoor Essential retail/services	Essential Retail only
	Indoor Cultural Venues	Open with protective measures	Open with protective measures	Venues closed Libraries available for e-services/call & collect	Venues closed Online services available	Venues closed Online services available
	Workplace	Work from home if possible Staggered attendance	Essential Meetings, Induction & Training only	Attend only if absolutely necessary	Essential & other designated workers only	Essential workers only
	Domestic Travel	No restrictions	No restrictions	Stay in your county except for work, education & essential purposes	Stay in your county except for essential work, education & essential purposes	Stay at home Exercise within 5km
	Public Transport	Off-peak hours	50% Capacity Peak hours prioritised to essential workers & purposes	50% Capacity Only when necessary	25% Capacity Avoid public transport	25% Capacity Avoid public transport
	Schools & Childcare	Open with protective measures	Open with protective measures	Open with protective measures	Open with protective measures	Recommendations based on situation and evidence at time
	Adult & Higher Education	Open with protective measures	Open with protective measures	Open Escalate all appropriate protective measures / limit congregation	Move online On-site attendance only when essential	Recommendations based on situation and evidence at time
	Care Homes	Open with protective measures	Open with enhanced protective measures	Visiting suspended, aside from critical and compassionate circumstances		
	Over 70s & Medically Vulnerable	Exercise judgement regarding engaging with others and in activities outside home.				

\*Pubs currently remain closed in Dublin

Under the Government Plan, local authorities are considered as essential service providers and there are some specific roles identified for the sector.

In particular, it identifies the community call structures put in place in March 2020 to be fully operational in phase 3 upwards. The Community Call line in Kerry has been retained, since it was established, and is being monitored to ensure that the needs of the community are met.

Furthermore, it recognises the need for a co-ordinated public service response at regional level. The Regional Major Emergency Management Team for the Southern Region (Cork & Kerry), chaired by the Chief Executive, is meeting weekly on operational matters, the coordination of local services, local communication strategy and any other logistical arrangements requiring interagency co-operation. The Council is supporting the HSE in its objective to have a test centre in each county, as well as on the provision of popup centres as required.

The Plan recognises that there is an opportunity to harness existing structures and goodwill to drive tailored local sustainability and business initiatives. It provides that local authorities working with LCDC's and PPN's develop recovery initiatives, including town centre/public realm alterations, initiative schemes and advisory assistance, using agencies such as LEO, Tourism Officers, local development initiatives and town centre management groups.

The Plan recognises the importance of promoting resilience within communities, with a local campaign element to be delivered by local authorities to promote awareness of and participation in local wellbeing programmes, initiatives and amenities.

However, there is also an obligation under the Plan, for workers to work from home, unless it is absolutely necessary and, under level 5, unless it is an essential service which cannot be done from home. A number of staff are currently working from home or under a blended home/office structure, where service delivery can be maintained, to minimize the risk of spreading the virus in our offices and for the safety of our staff. Where it is necessary for staff to attend in our offices to maintain essential services, strict health & safety protocols are in place, which are monitored by a Covid Compliance Team, reporting to our Safety Officer.

### **Impact on Service Delivery - Sectoral Approach**

The Local Government Management Agency (LGMA) has produced a high level matrix of priorities for operational services in the sector in line with Health & Safety requirements and developed through the City & County Managers Association.

In accordance with the ethos of the Plan, it is the intention of local authorities to ensure that service provision is maintained at its highest capacity throughout the different levels of restriction identified within the plan.

A core element will be to preserve and maintain the democratic mandate of the elected council and to ensure that it continues to carry out its statutory functions in accordance with sectoral Standard Operating Guidelines and relevant legislation.

The following is a summary of the main impacts of Level 4 and Level 5 restrictions on the delivery of our services, some of which may be contingent on changes in legislative provisions.

#### *Level 4*

- Heritage Services & Environmental Awareness Programmes to be suspended
- Rental Inspections to be suspended
- Housing Maintenance to be restricted having regard to risk assessment of emergency situations
- Housing Allocations restricted only where it can proceed safely
- Disabled Person Grant Inspections suspended
- House visits suspended
- Enclosed Sports / Leisure facilities (incl Swimming Pools / Gyms) to close
- Council meetings to be reviewed, having regard to legislative direction
- Library Services restricted to online services only, with a suspension of the current click and collect service

#### *Level 5, in addition to Level 4 restrictions*

- Landscape Maintenance Services to be suspended
- Road Works to be suspended in line with government policy for the construction sector, with maintenance restricted to Emergency and Winter Maintenance

- Capital Works (including Housing Voids and Retrofits) to be suspended in line with Government policy for the construction sector
- RAS / Leasing Inspections & Allocations only in emergency situations
- SICAP projects to be suspended
- Building Control Inspections may be suspended pending legislative direction
- Planning Services (including Enforcement / Decisions and Development Plan) may be restricted pending legislative direction
- Motor Tax Office closed to the public

The Government may determine to move to Level 4, with additional restrictions, which will require a review of service delivery, and members will be advised accordingly.

In relation to Council meetings, there is a provision under Section 29 of the Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020, to allow for the holding of meetings by State bodies remotely. This is subject to Ministerial Order and a decision in this regard is expected shortly.

Cllr. Jim Finucane expressed concern for people managing through the pandemic during the winter season, facing the stresses of Christmas and maintaining their wellbeing through public health restrictions. In this regard he asked that a list of helpline numbers be published.

Cllr. Jackie Healy-Rae asked if the Community Call helpline has sufficient capacity to cater for calls during the expected next level of public health restrictions. He asked for clarification on the supports Kerry County Council is providing to the HSE.

Cllr. Marie Moloney asked if road works will have to be deferred and if the Department would provide an extension on the timescale for expenditure of road grants. She asked for clarification regarding the continuance of housing maintenance works and if the Motor Tax service will continue to be available online.

Cllr. Breandán Fitzgerald said Kerry County Council must continue to issue the simple message regarding adhering to social distancing, wearing face coverings and hand washing. Social media posts by all Elected Members should also carry this message.

Cllr. Niall Kelleher said it was a wise decision to defer the physical meeting. This is a concerning time for people having gone through a lockdown already this year and the impact that has had. Another lockdown will result in further job losses and loss of earnings. It is important that all services that continue to be available are assisted. He asked for clarification on the impact the different levels of the Government's Plan for Living with COVID-19 will have on Local Authority services. He said there was a lot of benefit to the Council meeting virtually on a regular basis during the first lockdown and suggested that such briefings at Municipal District or full Council level be re-instated.

Cllr. Mike Kennelly said this is a concerning time for everyone. To protect people and their livelihoods is paramount. It is important that Local Authority services continue to be delivered, in particular housing maintenance as people are staying at home more at this time. There are issues with heating systems that must be rectified. There is one Covid Test Centre in Kerry and there are issues with contact tracing and follow ups. He asked if further Test Centres can be provided in the county.

Cllr. Norma Moriarty said housing maintenance works were impacted during the first lockdown. It is important that a list of outstanding works be drawn up and prioritised by need. The Local Authority could request that houses be vacant in order to carry out works. People cannot be left without heating in their homes and there is a need for level access showers to be provided. House inspections for grants and housing allocations must continue.

Cllr. Deirdre Ferris said heating is a significant problem for tenants in our houses. She asked if unspent funds can be reallocated from other projects and used to bring housing stock up to standard. If the country goes into another lockdown Kerry County Council must again assist community services, e.g. Meals on Wheels services. It is also important that funding be provided to groups that provide mental health services to support the vulnerable and elderly.

Cllr. Michael Cahill said there are serious issues with heating in our housing stock. It is the responsibility of Kerry County Council as landlord to provide working heating systems. He asked if Kerry County Council has funding for housing maintenance works.

Cllr. Tom Barry supported comments regarding housing maintenance. The coronavirus will be with us for a long time and infections are on the increase at present, he stated. A pop-up mobile test centre must be provided in the North Kerry area to facilitate people who do not have transport to access the test centre in Tralee. People are relying on family and friends and public transport, which is not recommended.

Cllr. Charlie Farrelly said it is essential that housing repairs are done, in particular in relation to heating. Community supports must be put in place again as they were of great assistance during the first lockdown. He asked if road works will continue. He expressed concern regarding the capacity of the HSE's Covid-19 contact tracing system.

Cllr. Michael O'Shea said there is great concern regarding the number of Covid-19 infections in Kerry at present. The county's hospitality service is under pressure with many job losses in the sector. He asked if Kerry County Council has issued a letter to its tenants informing them that minor repairs will not be carried out to properties. There is a duty on the landlord maintain the property.

Cllr. Sam Locke said it is essential that drainage works continue to address areas prone to flooding. He asked if drainage works can be done during a lockdown if there is an emergency situation. He supported the call for a mobile Covid-19 Test Centre in the county. He said there is concern regarding contact tracing and follow up. The Covid Tracker app is not enough. He asked that Kerry County Council's Cathaoirleach convey the seriousness of the current situation via the media. He asked for clarification regarding funding for Councillors Allocations and if these works will be done.

Cllr. Aoife Thornton supported the call for a testing centre in the Listowel area. Housing maintenance works must also continue. There is confusion regarding messages issuing from schools and crèches when a Covid-19 case is identified within these premises. People are also moving around while waiting for a test or test result. A simplified message must issue so people know the guidelines they must adhere to while they are waiting for a test or test result and when they know their test results.

Cllr. Brendan Cronin asked if works remaining to be done under Councillors Allocations and the Roads Programme will be completed. He asked if funding under the Roads

Programme has been drawn down and will continue to be available to fund outstanding works. He asked if Kerry County Council will co-ordinate with voluntary groups should there be another lockdown. Community supports must be provided again. He also expressed concern regarding the capacity of the HSE's contact tracing system which appears to be overwhelmed at present. The teaching profession are hugely concerned regarding their health and wellbeing as it is proposed that schools will remain open in Level 4 and Level 5 restrictions. It is critically important that the frontline workers who have worked throughout this pandemic are considered and all people protected.

Cllr. Niall O'Callaghan thanked the Chief Executive and Mr. M. O'Donoghue, Director of Housing, for their assistance with a housing case in Killarney. He also thanked the volunteers that helped and the businesses that sponsored goods to assist the family. He said he too has cases where tenants are without heating in their homes and there is a responsibility on Kerry County Council as landlord to address this issue. People need to understand and adhere to public health restrictions and consideration must also be given to mental health and wellbeing. It is of concern that visitors from outside the county continue to visit hotels in Killarney. Hotels must work within the public health guidance and people must take personal responsibility. This Council must convey this message. It is also disappointing that Ryanair have cancelled all flights to and from Kerry Airport until April 2021.

Cllr. Michael Gleeson said our primary objective must be the prevention of the spread of Covid-19. In that context, a message could go out through the media to request second level students on their way to and from school buses or their homes to wear face coverings. It would be a good example and of great help. People must also avail of the winter flu vaccine so this can be ruled out should they become ill. He asked for an update regarding the Local Improvement Scheme. He said a further testing centre should be set up in Killarney.

Cathaoirleach Patrick Connor-Scarreen said messaging is very important and advised that he along with the Mayors of Cork City and Cork County have filmed a video regarding adhering to public health guidance. He agreed with the need for further testing centres in different parts of the county. There is a genuine concern regarding housing and heating in our Council housing stock. This Local Authority must make these matters a priority to carry out these essential works.

The Chief Executive said there is a role for this Local Authority in the Community Call and Wellbeing project. The Community Call has continued to operate and can now be further resourced as required. As some services become restricted staff will become available to be redeployed. The co-ordination of volunteers is also hugely important.

When the Regulations relating to online Council Meetings become available Elected Members will be informed regarding the structure/mechanisms for the holding of Council Meetings and Municipal District Meetings online.

In relation to Local Authority service provision, it must be acknowledged that a significant amount of time has been lost already due to the first lockdown and there are works that will not be completed in 2020. Kerry County Council will have to adhere to the sectoral framework as the country moves through the levels of the Government's Plan for Living with COVID-19 and will have to abide by public health guidance. Where there are emergency works those works will be undertaken.

In relation to a media campaign, Kerry County Council will conduct a strong campaign and will use local media to deliver strong messages to re-enforce the national guidelines around public health.

With regard to COVID-19 testing centres and contact tracing, this is a matter for the HSE and correspondence will issue to the HSE outlining issues raised by the Elected Members. The Chief Executive explained that her responsibilities lie with Kerry County Council and ensuring the continuity of services and protecting the staff of this Local Authority. The Regional Inter-Agency group is comprised of the HSE, An Garda Síochána and Kerry and Cork Local Authorities. This group provides support and co-ordination to the HSE if required. The HSE has asked Kerry County Council to assist in the identification of a site for a testing centre.

Discussions have been held with Elected Members regarding the financial situation of the organisation. The re-allocation of funding will be considered in the context of the forthcoming Budget meeting. We also need to await the public health guidance that is to be announced this evening and consider its impact on services.

Mr. M. O'Donoghue, Director of Service, said at present, in accordance with public health advice, the housing aid grants are fully operational. Operations will be reviewed in light of this evening's announcement from Government. Works in exceptional/urgent cases were accommodated during the previous lockdown and a number of cases were facilitated. The availability of outside contractors is also a consideration in these cases. In relation to housing maintenance, a letter did not issue to tenants in this regard. Housing maintenance works are operational; however, a considerable amount of time was lost due to the lockdown and many routine works did not take place. The housing maintenance programme is continuing and the backlog of works may or may not be cleared, depending on the next level of public health restrictions, where it may move to urgent/emergency works only. For heating systems there is a reliance on private sector contractors. The absence of a heating system would fall into the emergency works category.

Mr. C. O'Sullivan, Director of Service, said the Chief Executive comprehensively addressed the roads programme and there are a lot of unknowns until the Government announcement this evening. In relation to Motor Tax, online, telephone and postal services will be maintained.

#### **19.10.2020.02 Presentation on Broadband**

Mr. B. Looney, Broadband Officer, gave a presentation to Elected Members which included the following:

- National Broadband Plan Rollout
  - NBI Fibre Rollout -National network
  - Kerry Overview
  - Kerry County Surveys in 2020
- Connected Community Hubs (Broadband Connection Point - BCPs)
  - BCPs are public locations which have been selected to receive high-speed connectivity in the first year of the National Broadband Plan
  - This will enable people living in the area to go to the selected location and access broadband for daily use including remote working, online education, general access and even keeping in touch with family and friends abroad through video calling
  - The BCP delivery project is well underway, surveying of the 12 locations – 9 BCPs and 3 schools is complete and the first wave of BCPs have their backhaul connected
  - The remaining BCPs remain on track for delivery by the end of 2020.
  - The two Valentia sites are live and a launch of the Cable Station BCP took place by webinar Friday, 16<sup>th</sup> October 2020

- Remote Education & EDUROAM - EDUROAM is a network which allows users of most Higher Education institutes to sign on with their college login – taking their college profile with them
- Councillors' Communications, Queries and Motions

Cathaoirleach Patrick Connor-Scarreen thanked Mr. Looney for his presentation and said it is essential we have good Broadband in the county. He acknowledged the delivery of 9 BCPs and 3 schools under the BCP project. Broadband access for students is also vital. He welcomed contacts made with ComReg regarding representation and queries from Elected Members.

Cllr. Niall O'Callaghan said this should be a Roll-in Broadband Scheme, rolling the provision of broadband from rural parts of the country into urban areas. There is concern that once broadband has been provided in urban areas there could be a slow down with delivery of the Broadband plan.

Cllr. Michael O'Shea said Milltown does not have state-of-the-art Broadband in the area and many businesses are affected. This was raised previously and it was advised that Milltown had sufficient providers in the area. He asked what will happen with private operators when the rollout of the national Broadband scheme is complete and fibre broadband is available throughout the county. He asked if a BCP could be provided in the Town Hall in Milltown as many people are now working remotely.

Cllr. Jackie Healy-Rae said when people are buying/renting a house a broadband service is now as important as electricity and water services. He welcomed the provision of two broadband hubs in the Castleisland-Corca Dhuibhne Municipal District. He said there is also a difficulty with mobile service providers and asked for assistance in getting answers from those service providers.

Cllr. Norma Moriarty welcomed the provision of BCP points across the county. She asked for clarification as to why the fibre broadband in Waterville is only available to half of the village. In relation to mobile phone coverage, there was a notice of motion inviting service providers to address this Council. It is important that we meet with them. There are a lot of service providers using the same masts and a commitment is needed from these providers as to when this infrastructure will be upgraded. Small companies and businesses must be supported and it is crucial we have proper infrastructure in place to do this.

Cllr. Michael Cahill said the Covid-19 Pandemic has brought the delivery of high speed broadband to the fore now that people are working and studying from home. The delivery of the national broadband scheme is going on for a long time, yet National Broadband Ireland said they were bringing the delivery plan from seven years to five years. That is not good enough when top-quality, high-speed broadband is required in every home and business, now more than ever before. The survival of the Kerry economy is reliant on top quality broadband. We should be calling on Government and broadband providers to deliver this service now, not in seven years' time.

Cllr. Johnnie Wall said to attract business to the county we need good quality broadband. He asked if the I.T. companies who wish to locate in the county would have access to sufficient broadband service.

Cllr. Deirdre Ferris expressed concern regarding the reliability of information available in relation to broadband access points and service coverage maps they are providing. She asked who provides the information to Kerry County Council regarding broadband access points.

Cllr. Brendan Cronin said it is critically important to have decent quality broadband now that many people are working from home and to facilitate our council meetings. He referred to a notice of motion he had at a Killarney Municipal District meeting regarding the provision of broadband in Barleymount wherein the reply indicated that the fibre would not be laid in the direction of certain houses in that area. This has also happened in other areas. There does not seem to be progress on the ground in relation to the broadband roll out.

Cllr. Aoife Thornton referred to motions she raised previously on this matter. She acknowledged the great work done by the Broadband Officer and thanked him for information provided. However, there are serious problems in the county, with students and lecturers unable to get broadband connectivity. This is not acceptable. She asked for an update on the Council's request to meet with the telcos and that a further request would issue to them to meet with the Elected Members.

Cllr. Norma Moriarty supported this request from Cllr. Thornton.

Mr. B. Looney, Broadband Officer, outlined that Kerry County Council made a submission during the consultation phase for the National Broadband Plan, specifically in relation to the rollout methodology and to ensure that peripheral areas would not be the last to be dealt with. Broadband rollout started in all 26 counties at the same time, with a large number of sub-contractors engaged to carry out the works. Applications are being received for road openings to provide ducting and on completion of that process there will be construction on the ground in Tralee. In relation to cases where broadband is not available he asked Elected Members to work with him to find a solution/explore every available opportunity to resolve the matter. He asked that details of businesses affected in Milltown be submitted and he undertook to follow up with the Department of Communications. When the National Broadband Plan was being drawn up, all service providers were asked to indicate areas where they could provide services in the interim. There are points where there is ducting in place, which was assumed to be available for the national broadband project, but it is not available. He asked that the Eircode of any black spots, along with their service provider, be brought to his attention to be entered on the Department of Communications database and added to the work schedule. It is acknowledged that seven years is a long time for the rollout and a re-acceleration of the roll out of the Broadband Plan would be desirable. He undertook to contact service providers in relation to meeting with Elected Members regarding broadband and mobile service provision in the county. He supported the request of Elected Members to have a single point of contact, similar to Irish Water, whereby there is a process and procedure for queries available specifically for Elected Members. The provision of further community hubs will first require an assessment of where community centres are located. High speed connectivity is available to any multi-national I.T. company that wishes to locate in the towns within the county.

Cllr. Mikey Sheehy said it is hugely important that there is countywide access for the HSE proposal to move towards virtual medical consultations. This would reduce the physical capacity required at hospitals and for other services. The rollout of 5G is essential for paramedics and the Emergency Department to work in tandem.

Cllr. Aoife Thornton said there are immediate issues that must be dealt with through discussion with the telecos. She asked if service providers have refused to meet with the Elected Members.

Mr. B. Looney, Broadband Officer, said the service providers are providing a vital public service and they are accountable to their shareholders and ComReg. If necessary, a meeting with ComReg will also be considered.

### **19.10.2020.03 Update on publication of new National Waste Policy - “A Waste Action Plan for Circular Economy”**

Mr. J. Breen, Director of Services, gave a presentation to Elected Members which included the following:

- Policy Context
- Waste Action Plan Process
  - Waste Advisory Group established to provide cross-sectoral input to developing the plan and provide a platform in which to develop, test, review and refine ideas
- Format and Objectives of the Plan
- **Headline Actions:**
  - Target attainment as condition of permits for collectors
  - Deposit and return scheme
  - Economic instruments to be explored and delivered to drive behavioural change
  - Waste Action Plan as precursor to whole of Government Circular Economy strategy

Cllr. Jimmy Moloney welcomed the many positives outlined in this presentation and said waste must be reduced at source. He asked for a timeline on the introduction of the Deposit and Return Scheme for plastic bottles and aluminium cans. There is also an issue with compostable packaging being placed in the black (residual) bin. He asked if new enforcement measures will allow Local Authorities to implement the current legislation. GDPR is protecting offenders at present.

Cllr. Norma Moriarty welcomed the content of the presentation and said it is important that these measures are introduced quickly, particularly the Deposit and Return Scheme. People are willing to engage with these measures once the facilities are provided. She asked that arrangements would be made to remove Textile Bank Containers that are no longer in use as they are unsightly.

Cllr. Michael O’Shea asked if these measures will result in a price increase for services to the consumer.

Cllr. Marie Moloney asked for further detail on the Deposit and Return Scheme. She referred to the illegal dumping of hazardous/toxic/industrial waste and said there must be prosecutions in these cases. She suggested that the manufacturers could put a code on the product that would be traceable to the person that bought the product. She asked for an update on the number of prosecutions for illegal dumping.

Cllr. Brendan Cronin said illegal dumping instances are prevalent over the last number of months and more action is needed on prosecutions. He asked for an update on the use of covert cameras, particularly in illegal dumping blackspots. These cameras were first acquired to bring offenders to justice.

Cllr. Charlie Farrelly asked if Municipal District Enforcement Officers will continue working during the next lockdown. The Municipal District Enforcement Officers would target littering and illegal dumping which increased during the first lockdown.

Cllr. Mike Kennelly said it is vital that Kerry County Council is seen to be prosecuting for illegal dumping and the GDPR issue regarding the use of covert cameras must be resolved in order that CCTV can be used for prosecutions.

Cllr. Michael Cahill said he has been raising the issue of reverse vending machines for the past two years and welcomed the introduction of these measures nationally. It is important that glass bottles would also be included in the Deposit and Return Scheme as broken glass is a problem at many of our beaches. He asked that Kerry County Council be to the fore in the provision and delivery of these services.

Cllr. Jackie Healy-Rae said illegal dumping of mattresses is a problem. He asked if CCTV cameras were acquired with funding granted to Kerry County Council in 2019 under the Anti-dumping Initiative. In relation to the GDPR issue, he asked if outsourcing of the monitoring of the CCTV has been explored. He said illegal dumping was more prevalent during the lockdown earlier this year.

Mr. J. Breen, Director of Service, outlined that Kerry County Council is prosecuting for litter offences. The Litter Pollution Report for 2019 was presented to the September Council Meeting which provided the outcomes from 2019; 100 Litter Fines were issued and 8 Prosecutions, securing costs of €5,000. To date in 2020, 68 Litter Fines have been issued and 5 Prosecutions are pending.

In relation to CCTV, a change in legislation is required. The Litter Pollution Act and Waste Management Act do not provide for the operation of CCTV. This applies to all Local Authorities. The presentation makes specific reference to the requirement for legislation to be amended to give effect to the new Waste Policy in order that the use of CCTV is fully compliant.

The services to be provided by the Local Authority will be dependent on the details yet to be announced by the Government and how our services will be affected. He confirmed that the Deposit and Return Scheme will accept only plastic bottles and aluminium cans. Kerry County Council has not been notified of price implications for the proposed services. While many textile banks are located on private property, the matter will be reviewed.

Cllr. Michael Gleeson said one of the very prevalent new forms of illegal dumping is that of dumping grass cuttings to the side of the road, which is blocking drains and causing flooding on roads. There has been a request for municipal sites to be provided for the disposal of grass cuttings.

Cllr. Mike Kennelly asked if Kerry County Council will be the Data Controller in the event of the relevant legislation being updated in relation to the use of CCTV.

Mr. J. Breen, Director of Service, said the issue does not relate to the Data Controller. The primary legislation does not include the use of cameras. The Department is aware of the requirement for an amendment to the primary legislation and is reviewing it. Following an amendment to the primary legislation the use of cameras can be included in the new schemes.

#### **19.10.2020.04 Update on Climate Action and Low Carbon Development (Amendment) Bill 2020**

Mr. J. Breen, Director of Services, gave a presentation to Elected Members which included the following:

- Overview and Policy Development to Date
- Public Sector Leading by Example
- Key Elements – 2050 Target
- Climate Action Plans & Strategies
- Carbon Budgets
- Climate Change Advisory Council
- Oireachtas Scrutiny
- Role of the Local Authority

Cllr. Breandán Fitzgerald referred to concerns of the residents of Dingle in relation to the disappearance of Fungie the Dolphin from Dingle Harbour. Fungie brought much delight to visitors taking boat trips and did a lot for environmental awareness in the area. He also brought a whole new economy to the area. Businesses will be affected by Fungie's disappearance and he called for the State to provide support to everyone impacted. He said supports can take many forms, including a monument or museum to the bottlenose dolphin.

Cllr. Deirdre Ferris said the budget for heating in homes and lack of funding for housing maintenance is an issue. New houses have better forms of heating and retrofitting of older homes must be addressed. Solid fuel heating systems have a great cost and replacement of same with a carbon friendly system will cost a lot. In retrofitting properties, other forms of heating must be considered, e.g. wood pellet boilers which are more efficient and they are grant-aided. A plan must be put in place with regard to retrofitting Kerry County Council's housing stock and remove our dependence on electricity for heating systems.

Cllr. Michael Gleeson welcomed the Climate Action and Low Carbon Development (Amendment) Bill 2020 and said it gives power to Central Government and Local Authorities. He referred to a notice of motion he had at the February 2020 Council meeting and said the greatest challenge facing the entire world is the reality of rising sea levels. He asked if the Bill has any mention of this challenge and its impact on river flow, flood plains and concerns of residents and businesses adjacent to shore lines and river banks which will suffer over the coming years.

Cllr. Michael Cahill said he is also concerned regarding rising sea levels and increased incidents of flooding, e.g. Kenmare, Sneem, Tralee, and the loss of the sand dunes at Rossbeigh. The importance of climate change and doing the right thing now cannot be emphasised enough. Many areas in this area have been flooded and destroyed. It is welcome that climate change is being taken seriously. People are considering relocating because of the damaging effects of climate change and flooding.

Cathaoirleach Patrick Connor-Scarteen said it is essential that Kerry County Council is ready to progress when this Bill is published. The effects of flooding have been witnessed across the county, affecting homes and livelihoods. As a country reaction to climate change has been too slow and it is important that action is taken now.

### **Vote of Sympathy**

Cllr. Michael Gleeson expressed a Vote of Sympathy to the Wixted family on the passing of Mrs. Anne Wixted, Listowel.

Cllr. Michael Gleeson expressed a Vote of Sympathy to the Teahan family on the passing of Mr. Paddy Joe Teahan, Furies.

Cllr. Michael Gleeson expressed a Vote of Sympathy to the O'Halloran family on the passing of Mr. Patrick John (P.J.) O'Halloran, Killarney.

### **Legislation regarding Remote Meetings**

Cathaoirleach Patrick Connor-Scarteen said it is essential that the Department provide further information to Local Authorities in relation to legislation to enable for statutory Council business to be conducted remotely.

The briefing concluded at 12.40 p.m.

**Pádraig Corkery**  
**Meetings Administrator**

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**Cathaoirleach of Kerry County Council**