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**MIONTUAIRISCÍ AN CRUINIÚ SPEISIALTA DE COMHAIRLE CONTAE CHIARRAÍ
A THIONÓLADH I OSTÁN BALLYGARRY, TRÁ LÍ, AR AN LUAN, 9 SAMHAIN 2020**

**MINUTES OF THE SPECIAL MEETING OF KERRY COUNTY COUNCIL HELD IN
BALLYGARRY HOUSE HOTEL, TRALEE, ON MONDAY, 9 NOVEMBER 2020**

PRESENT/I LÁTHAIR

Councillors/Comhairleoirí

Robert Beasley	Patrick Connor-Scarteen	Charlie Farrelly
Deirdre Ferris	Jim Finucane	Breandán Fitzgerald
Fionnán Fitzgerald	Seamus Fitzgerald	Cathal Foley
Jackie Healy-Rae	Johnny Healy-Rae	Mike Kennelly
Sam Locke	Jimmy Moloney	Niall O'Callaghan
Bobby O'Connell	Michael O'Shea	Mikey Sheehy
Johnnie Wall		

IN ATTENDANCE/I LÁTHAIR

Ms. M. Murrell, Chief Executive	Mr. M. O'Donoghue, Director Housing
Mr. C. O'Connor, Director Corp. Servs.	Mr. P. Corkery, Meetings Administrator
Mr. O. O'Shea, Press Officer	Ms. D. Griffin, SO Corporate
Ms. O. O'Shea, CO Corporate	

The meeting commenced at 2.00 p.m.

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

9.11.2020.01 Protocols/Induction

Mr. C. O'Connor, Director of Service, referred Elected Members to the Protocols for Kerry County Council meetings held in Ballygarry House Hotel, Tralee, during COVID-19 which had been circulated. The protocols 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 and the time limit for meetings.

9.11.2020.02 Approval of Supplementary Standing Orders

Cathaoirleach Patrick Connor-Scarteen thanked Elected Members who joined the on-line briefing held on 6 November 2020 in relation to the Supplementary Standing Orders and those attending today. Elected Members raised many valid points regarding the working of this new legislation, which were responded to by the Chief Executive at the on-line briefing. The Supplementary Standing Orders will help to conduct business in the present situation. These are Supplementary Standing Orders which can be removed by the Elected Members in time to come. It may be useful, however, to retain elements of the Supplementary Standing Orders should there be occasions when an Elected Member cannot physically attend a meeting. It is essential that the Elected Members be supported and facilitated with the relevant technology and connectivity for online meetings, e.g. Elected Members could attend their local area office to connect to online meetings. The Supplementary Standing Orders facilitate dealing with important issues which require a vote of the Elected Members.

Cllr. Bobby O’Connell commended the work on the Supplementary Standing Orders and asked if a sunset clause should be included which could be reviewed after a few months, particularly when there is sight of the end of the COVID-19 pandemic. He referenced the control available to the Cathaoirleach during online meetings. He also referred to discussions regarding Local Area Plans and who would have access to meetings when they are being discussed. In relation to voting, he asked if there is an alternative option available, e.g. to vote by phone. He asked if the introduction of the Supplementary Standing Orders is legal.

Cllr. Michael O’Shea sought clarification on the security of the MS Teams platform for online meetings and asked if it is possible to prevent forwarding of the link to the online meetings/restrict access to Elected Members, Executive and invited media.

Cllr. Sam Lock PROPOSED the approval of the Supplementary Standing Orders as presented.

Cllr. Jim Finucane SECONDED this proposal.

Cllr. Mike Kennelly asked if the online meeting could be trialled for one meeting of Kerry County Council and reviewed thereafter.

The Chief Executive said the November Ordinary meeting will be held online via the MS Teams platform which has good security measures in place. The invitation to the November Ordinary meeting will be restricted to the Elected Members, Executive and the Press. In relation to meetings regarding Local Area Plans, the Members’ duties under Ethics legislation, which the Elected Members are required to comply with, will be read by the Meetings Administrator as normal when such items are being considered. Detail on the “Protocols for Remote Meetings of Kerry County Council” will be considered at the November CPG meeting. The sunset clause is a matter for consideration by the Elected Members. Regarding the legality of the Supplementary Standing Orders, there has been a lot of engagement with the CCMA and the Department regarding this matter. The Department’s view is that the regulations, once signed by the Minister, form part of the Local Authority meeting structure. The CCMA considered it important that the regulations be incorporated into the Local Authority’s Standing Orders in this format. By incorporating the regulations into the Standing Orders of the Local Authority it adds another layer of security.

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

“On the PROPOSAL of Cllr. Sam Locke, SECONDED by Cllr. Jim Finucane, that we the members of Kerry County Council hereby resolve to approve Supplementary Standing Orders to cater for the holding of remote meetings of Kerry County Council in accordance with S.I. No. 445 of 2020 Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020 (Section 29) (Local Authorities) (Designation) Order 2020 from the Minister Darragh O’Brien, Minister for Housing, Local Government and Heritage, as provided for in Schedule 10, Section 16 of the Local Government Act 2001 (as amended by the Local Government Reform Act 2014).”

The result of the vote was as follows:

For: Cllrs. Robert Beasley, Charlie Farrelly, Deirdre Ferris, Jim Finucane, Breandán Fitzgerald, Fionnán Fitzgerald, Seamus Fitzgerald, Cathal Foley, Jackie Healy-Rae, Johnny Healy-Rae, Mike Kennelly, Sam Locke, Jimmy Moloney, Niall O'Callaghan, Bobby O'Connell, Michael O'Shea, Mikey Sheehy, Johnnie Wall, Cathaoirleach Patrick Connor-Scarteen **(19)**

Against: **(0)**

Not Voting: **(0)**

Absent: Cllrs. Tom Barry, Michael Cahill, Brendan Cronin, John Francis Flynn, Michael Foley, Michael Gleeson, Donal Grady, Maura Healy-Rae, Niall Kelleher, Dan McCarthy, Marie Moloney, Norma Moriarty, Terry O'Brien, Aoife Thornton **(14)**

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

9.11.2020.03 Any Other Business

November Ordinary Meeting & Budget Meeting

On the PROPOSAL of Cllr. Jimmy Moloney, SECONDED by Cllr. Fionnán Fitzgerald, it was agreed that the following meetings of Kerry County Council would be held online:

- a) November Ordinary Meeting - Monday, 16 November 2020 at 10.30 a.m.
- b) Budget Meeting - Monday, 23 November 2020 at 10.30 a.m.

Photograph of the November Ordinary Meeting

On the PROPOSAL of Cllr. Michael O'Shea, SECONDED by Cllr. Johnnie Wall, it was agreed to authorise that a photograph would be taken of the November Ordinary Meeting of Kerry County Council to be held on-line on Monday, 16 November 2020.

The meeting concluded at 2.30 p.m.

Pádraig Corkery
Meetings Administrator

Cathaoirleach of Kerry County Council