

MINUTES OF THE MEETING OF THE MEMBERS OF THE MUNICIPAL DISTRICT OF LISTOWEL HELD IN THE TINTEAN THEATRE, BALLYBUNION ON MONDAY, JULY 12th, 2021

MIONTUAIRISCÍ NA CRUINNITHE DE CHEANTAR BARDASACH LIOS TUATHAIL A THIONÓLADH AMHARCLANN TINTEÁN BAILE AN BHUINNEÁNAIGH AR DÉ LUAIN 12^ú IÚIL, 2021.

PRESENT/ I LÁTHAIR

Councillors/Comhairleoirí

Cllr. T. Barry

Cllr. R. Beasley

Cllr. M. Kennelly

Cllr. J. Moloney

Cllr. A. Thornton

Cathaoirleach M. Foley

In attendance/i láthair

Mr. J. Kennelly

Listowel Municipal District Manager

Mr. D. O'Mahony

Listowel Municipal District Engineer

Mr. A. Smith

Listowel Municipal District Officer

Mr. V. Horgan

SSO Housing

Ms. T. Smith

Kerry NRDO

Mr. G. O'Brien

AO Environment

Mr. C. Mangan

SE Water Services

Mr. P. Corkery

Meetings Administrator

Mr. J. Downes

CO Corporate Support

The Meeting began at 10.30am. Cathaoirleach M. Kennelly took the chair.

Meeting Protocols

Mr. P. Corkery, Meetings Administrator, referred Elected Members to the Protocols for Listowel Municipal District Meetings held during COVID-19. 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.

21.07.12.01 (a) Confirmation of the minutes of the meeting of the following meetings:

- (1) Annual General Meeting of the Members of the Municipal District of Listowel held on 24th June 2021.**

On the PROPOSAL of Cllr. J. Moloney SECONDED by Cllr. M. Foley it was agreed that the Minutes of the Annual General Meeting of the

Members of the Municipal District of Listowel held on 24th June 2021 be confirmed.

- (2) Ordinary Meeting of the Members of the Municipal District of Listowel held on 10th May 2021.**

On the PROPOSAL of Cllr. R. Beasley SECONDED by Cllr. T. Barry it was agreed that the Minutes of the Ordinary Meeting of the Members of the Municipal District of Listowel held on 10th May 2021 be confirmed.

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

- (1) To consider the adoption of the Draft Litter Management Plan 2021-2023 in accordance with the Local Government Reform Act 2014, Schedule 3, Part 1, Section 131A (No 33), which amends Section 13 of the Litter Pollution Act 1997.**

COMHAIRLE CONTAE CHIARRAÍ

KERRY COUNTY COUNCIL

DRAFT LITTER MANAGEMENT PLAN 2021-2023

1. INTRODUCTION

LITTER MANAGEMENT PLAN REVIEW AND UPDATE PROCESS

LITTER CHALLENGES

2. REVIEW OF 2017-2019 LITTER MANAGEMENT PLAN

___2017-2019 LITTER MANAGEMENT PLAN KEY PERFORMANCE INDICATORS

3. OBJECTIVES FOR THE LITTER MANAGEMENT PLAN 2021-2023

2021-2023 LITTER MANAGEMENT PLAN KEY PERFORMANCE INDICATORS

4. REVIEW AND MONITORING.....

APPENDIX 1

APPENDIX 2 DEFINITION OF LITTER AND THE RESPONSIBILITIES OF THE

PUBLIC/BUSINESS PEOPLE RELATING TO LITTER

1. Introduction

Kerry is noted for its beautiful landscapes, coastal scenery, magnificent lakes, strong cultural heritage and flora and fauna, which are of local and national importance. These attributes help attract over two million tourists into the county annually.

Kerry is a very rural county with a widely dispersed network of towns and villages with less than 25% of persons living in the three urban areas of Killarney, Listowel and Tralee. The seasonal increases in population due to tourism, represents significant challenges to Kerry County Council in the area of street cleaning, litter prevention and control.

Litter management in Kerry County Council is the responsibility of the Environmental Services Section including the provision of litter enforcement service, education and awareness officer, provision of recycling and waste facilities. The Council's Municipal District Roads Offices are responsible for street sweeping, cleaning, provision and emptying of litter bins, graffiti and chewing gum removal from the streets.

The importance of Kerry's *Green Image* cannot be over-estimated, and the strategy outlined in this plan is designed to provide a systematic, comprehensive, and responsible approach to addressing the issue of litter in Kerry.

Litter Management Plan Review and Update Process

This plan is being prepared in accordance with the Litter Pollution Acts, 1997-2009.

There are 4 steps in this process.

Initial Consultation

In reviewing and updating this plan Kerry County Council has consulted firstly with key stakeholders, Municipal District staff, Waste Management and Enforcement staff.

Draft Plan Prepared & Statutory Consultation

The previous plan has been reviewed and an evaluation of the key performance indicators carried out. This draft plan has been considered by Kerry County Councils Senior Management Team, the Environment, Climate Change and Emergency Planning SPC and the Elected Members prior to commencing the public consultation process. The final plan will be brought back through the SPC and the full Council for final adoption.

Submissions and observations will be invited from members of the public during the consultation process. The consultation process will be advertised in a local Newspaper and Radio, and on the Kerry County council's Website. Copies will be available from all council offices and copies will be sent to registered Tidy Towns groups, Green Schools and elected members for their observations and submissions.

The results of the Statutory Consultation will be reviewed through a meeting of the SPC committee.

Review and Publishing the Plan

The draft plan will be reviewed and amended on the basis of the submissions received followed by adoption of the Plan by Kerry County Council. Finally, the agreed plan will be published as The Litter Management Plan 2021-2023.

Litter Challenges

Litter is a persistent problem in Ireland and is defined in the Litter Pollution Act 1997 as follows *“a substance or object, whether or not intended as that, when deposited in a place other than a litter receptacle or other place lawfully designated for the deposit, is or is likely to become unsightly, deleterious, nauseous or unsanitary, whether by itself or with any other such substance or object, and regardless of its size or volume or the extent of the deposit.”*

Protection of the environment is a real concern and one of the biggest challenges facing Kerry County Council is how to motivate the public to act against litter.

This challenge is best addressed by a partnership approach involving all key stakeholders in society raising awareness of litter and its effects, as well as reviewing and enhancing, where necessary, the local authorities' own role in litter prevention and control.

It is essential that all sectors (e.g. residential, commercial and community) work with Kerry County Council to ensure that the streets, footpaths and roadways in our towns, villages and county are kept clean and attractive. There is a growing awareness of the importance of keeping Kerry litter free, but there is still a need to change attitudes and behaviour to recognise that littering is antisocial.

At one level, such a change can be achieved by the heightening of awareness of littering, its causes and its consequences. At another level, stringent enforcement through on-the-spot fines and prosecutions will be required.

The plan seeks to achieve a continued reduction of the litter pollution levels throughout the County. Performance in this regard will be monitored through the

yearly implementation of the National Litter Pollution Monitoring System (see appendix 1) and through monitoring of Kerry County Council Key Performance Indicators (KPI's)

Monitoring the volume of illegally dumped waste and litter, which is collected by Kerry County Council staff and also by the many community groups that do trojan work around the county to keep our county free of litter, will indicate the extent of Kerry's litter problem.

There are many litter challenges facing the county and the principal ones are identified below:

Principal Litter challenges Identified

Litter challenge	Action required
Disposal of Face Coverings & Gloves	Education and Awareness raising on how to properly dispose of single use face masks and gloves. Promote the use of reusable face coverings.
Illegal dumping in the countryside including bogs, mountain sides, rivers and forests	Enforcement action coupled with the involvement of local communities is required in dealing with litter black spots.
To maintain our beaches free from litter	Education and Awareness raising, coupled with beach cleaning and enforcement action to ensure our beaches are kept litter free.
Passing Motorists and Pedestrians tipping litter	Engagement with the business community to develop an integrated plan to prevent large amounts of

	packaging litter, chewing gum, cigarette butts etc. that are appearing on an ever-increasing rate on our streets and roadsides
Dog Fouling is problematic along some walking routes and in some housing estates	Continue with education and awareness campaign and seek the assistance of local communities to identify the culprits
Litter from Convenience Food Outlets	Engagement with the business community to develop an integrated plan to prevent large amounts of packaging litter, that is being discarded
Cigarette Litter outside public houses and restaurants	Engagement with these businesses to reduce cigarette related litter in the county which remains the main cause of litter pollution in Kerry towns. Litter Pollution Surveys and Litter Quantification Surveys carried out in 2019 indicate that the main cause of litter pollution in Kerry is still cigarette related. There is a lack of understanding as to what constitutes litter. Many of the public do not consider cigarette ends and chewing gum as litter (see appendix)

Litter Highlights during the period of the last plan

Success in Tidy Towns competitions

2017-2019 continued to be a very successful period for Kerry towns and villages in the annual Tidy Towns Competition. Listowel was the overall winner of the competition in 2018 with Killarney, Tralee and Listowel awarded gold medals in their categories each of the years. Knightstown, Portmagee and Sneem were also medal winners during this period. These awards are testament to the great work being carried out by local communities in partnership with the local authority.

Irish Business against Litter (I.B.A.L) awards

Both Killarney and Tralee have also scored very well in the annual Irish Business Against litter (I.B.A.L) awards during this period. Killarney was placed 2nd with Tralee placed 6th overall in recently published results for 2019.

County Clean Up Day

County Clean Up Day has grown from strength to strength over the last three years with up to 6,500 bags of waste collected in 2019 by an estimated 5,500 volunteers. There continues to be a tremendous display of cooperation from businesses, community groups and Kerry County Council staff to make the events such a success. In the last two years the GAA and IFA have come on board to support to this event. Due to the impact of Covid-19 the 2020 County Clean Up Day was cancelled however it is hoped that it will resume in 2021.

Dog Foul Awareness Campaign

Active Dog Foul Awareness Campaigns have been carried out during the period of the plan. In 2018 the campaign focussed on the effect of dog foul on wheelchair users which heightened awareness of their problems. Joint patrols with dog and litter wardens have been very effective in stamping out problems in housing estates and dog fouling around the county. The facilities along the dog walking routes are

being well used by dog owners with plans to provide additional supports along some routes to deal with the demand.

New and innovative means to address the dog fouling issues are being developed. Education will continue to be the main tool along with fostering a sense of social responsibility amongst dog owners to always carry bags, clean up after their pet and to be less distracted by conversation and technology when out walking their dog. During the lifetime of the plan the council will work to increase the 10 dog walking routes developed and 60 bag dispensing and waste bins strategically placed throughout the county.

The Dog Foul Awareness Campaign will also continue, with regular patrols by dog and litter wardens being carried out.

Anti-litter Enforcement service in the county

There are three full-time litter wardens covering the county. These are supported in the principal towns by the local Traffic Wardens and in the Municipal Districts by five Enforcement Officers. All the Wardens and Enforcement Officers meet on a regular basis with Environmental Services management to discuss issues and find solutions to ongoing and emerging litter problems. With the assistance of our Traffic Wardens there are regular litter patrols and litter surveys in our towns.

Kerry County Council's central complaints system is used to ensure all complaints received in the county are logged, investigated and the data collated is used to determine future litter strategies throughout the whole county. In 2020 alone there were 1,043 litter complaints investigated and 8 prosecutions secured

GLAN Dingle and Tralee

In January 2018 a new initiative "Glan" that aims to lead the way in the reduction of single use plastics in our everyday lives and inspire environmental actions was piloted in Dingle and subsequently taken on board by businesses in Tralee. Businesses are asked to join the initiative and pledge their support to commit to

certain actions to reduce single use plastic. As part of the initiative Kerry County council no longer uses plastic utensils and cups in canteens and at water fountains in council buildings. All staff were presented with a reusable Keep cup for beverages. Water refill stations have been purchased for the principal towns and installation commenced during 2020.

Anti-dumping initiative

During the period of the plan The Dept. of Communications, Climate Action and Environment made funding available to LA's to tackle illegal dumping in the country. These funds were used to run bulky waste events in Ballybunion (2017) Kilshannig, Maherees (2018), Banna and Caherciveen (2019) and a Mattress amnesty (2019) with over 800 mattresses safely disposed.

The "Man in the Van campaign" was run in 2018 to raise public awareness that waste should be collected by licensed/permitted operators. A Backyard Burning Campaign run in 2019 to highlight this persistent problem. Funding was also used to place CCTV cameras in litter black spots around the county. Covert cameras were located in 8 known black spots in 2017 and 2019.

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2. Review of Litter Prevention and control measures during the period of the current Litter Plan 2017-2019

The previous litter management plan published in 2017 set out the objectives and subsequent actions to be put in place by Kerry County Council for the management of litter over this period. A summary report on actions over the period 2017-2019 is presented below:

Objective: Educate and raise Public Awareness

Actions	Target	Indicator	Outcomes
a) Retain the role of the L.A. Environmental Awareness Officer (EAO) to work on activities including the implementation of the waste plan on a local and regional basis <i>SRWMP Policy Action B.2.1</i>	Continue the employment of E.A.O to work with Schools, Community & Environmental Groups in raising awareness of litter and promoting sustainable waste management.	E.A.O in place. Annual report on awareness raising activities.	Litter Pollution Report published annually
b) Support the Green Schools Programme	Continue the increase in the number of schools taking part in this programme.	No. of active Green Schools > 130	141 schools were active in 2019

c) Communicate the anti-litter awareness message to businesses and the general public through the Kerry County Council's website, social media and through use of appropriate anti-litter signage.	<p>Good quality information to be available to the public on the Councils website and through social media</p> <p>Reduction of littering and illegal dumping around bottle banks/litter black spots etc</p>	Reduction in volume of litter collected from previous plan	<p>KCC website, twitter, facebook accounts etc used to promote anti-litter awareness message</p> <p>77.54 tonnes of litter collected from Bottle Bank locations & litter black spots during lifetime of plan</p>

d) Promote Sustainable Living	Continue to support the development of Transition Town movement in Kenmare, Tralee & Dingle	E.A.O to prepare annual report on activities for relevant MD meeting	Litter Pollution Report published annually
	Work on projects with EPA funded Local Authority Prevention Network (LAPN) relating to reduction in waste/litter/food waste i.e festivals and events	Report projects as they occur at M.D. meetings.	Delivery of waste seminar to Kilcummin workshop. 2 indoor water bottle refill water stations. Reusable beer cups at festivals
e) Promote the use of Authorised Collectors	Only collectors with valid Waste Collection permit operating in the county.	List of authorised collectors on KCC website - to be updated regularly	'Man in the van campaign' carried out during 2018 in local cinemas, facebook, print media and Radio Kerry
f) Maintain, the implementation of effective local prevention, awareness and education campaigns targeting households, communities' school and businesses. <i>SRWMP Policy action B.2.3</i>	Improve waste management practises through behavioural change	At least 2 No of local events, workshop and campaigns held	Campaigns on fog fouling, chewing gum, backyard burning held during lifetime of plan

Objective: Litter Prevention and control

Actions	Target	Indicator	Outcomes
a) Grant Assist Anti-Litter Initiatives using the Anti-Litter grant received from Department	Apply for Department funding for Anti-Litter initiatives still in place	Grant funding received	Grant received
b) Promote the “Adopt a Bank” Scheme subject to sufficient funding in place.	Increase in no. of groups involved in scheme.	> 35 groups receiving grants annually	45 groups now involved
c) Promote the “Adopt a road” scheme Expand scheme to encourage GAA clubs and other community groups/organisations to get involved subject to sufficient funding in place.	Increase in no. of groups involved in scheme Target groups in litter black spots	>10 groups receiving grants annually.	16 groups now involved
d) Implement Gum Litter Monitoring	Gum litter monitoring continuing to be carried out by litter wardens. Following review appropriate action to be taken in problem areas	Report survey results annually.	Gum Litter monitored annually.

e) Install Dog Fouling dispensing bins	Dog foul dispensing units installed along walking routes, at all Blue Flag beaches and where appropriate in consultation with community groups etc	No. of dog foul dispensing units in place.	10 dog walking routes developed, and 60 bag dispensing and waste bins strategically placed throughout the county.
f) Continue to Carry out Street Cleaning	Comprehensive street cleaning plan in place throughout the county	Street cleaning tonnage collected. No. of street litter complaints received in environment referred to operations.	444 tonnes collected during lifetime of plan 2,693 received during lifetime of plan
g) Maintain liaison with the Business Community	Plan to be put in place in conjunction with business community to reduce litter near business premises cigarette litter, including the use by businesses of appropriate ash holders and clean up procedures.	Plan in place and Implementation started	GLAN Tralee and Dingle-set up in 2018 - network of businesses work on this objective
h) Address Public Litter Complaints 1) Promote the EPA's "See	Increase in the number of complaints reported using the app.	No. of complaints received.	19 complaints received

It? Say It?" app

- 2) Provide a confidential Free Phone hotline for reporting of illegal litter incidences in the county

All complaints received to be investigated within working 3 days.

90% of litter complaints investigated within 3 working days

Fix your street -196 complaints received

82% investigated within 3 working days

Freephone no: 1800 326 228

i) That longer-term litter management be considered in all future Infrastructure and plans for design of street scapes etc	Infrastructural and planning sections to confirm litter management will be considered in all infrastructural plans and designs	All projects to include litter management if relevant.	The County Development Plan 2015 -2021, Chapter 13 Development Standards & Guidelines, makes provision for applying conditions in respect of waste disposal & recycling

Actions	Target	Indicators	Outcomes
j) Geographic Information System (GIS) be used to create a database of litter black spots in the county to assist in monitoring areas that are prone to dumping	Database in place and information used to target anti-litter initiatives	System to be in place by the end of 2017	Carried forward to new plan
k) Litter wardens to be given smart phones to enable them use apps in relation to more efficient and effective litter reporting and to allow them use technology to set up CCTV and monitor CCTV footage.	<p>Suitable app. sourced to allow for jobs to be scheduled for litter wardens, data to be sent to and from the field to headquarters remotely, to protect lone workers.</p> <p>Increased used of CCTV footage which should result in more fines issues and subsequent reduction in illegal dumping</p>	<p>App in place by end of Dec 2017</p> <p>Phones to be used with CCTV technology by end of 2017.</p> <p>Fines to have issued as a</p>	<p>All litter wardens have Smart phones which allow them to operate more efficiently</p> <p>This system was not rolled out mainly because of GDPR issues.</p>

result of this technology.

l) Liaise with residents regarding estate management in order to control litter and untidiness in estates around the county. county	Reduction of litter in housing estates around the county	Report to be prepared regarding the measures to control litter in estates	Litter Pollution Report published annually. KCC Housing Dept & EAO liaise with and assist resident associations with clean ups.
m) Explore the feasibility of providing a Bulky Household waste collection service on an annual or bi-annual basis	Possibility of providing annual or biannual collection of large waste items.	If decision taken to provide the service - volume of waste collected	Mattress amnesty held during 2019 with over 800 mattresses safely disposed. A “bulky waste day” was held in 2017, 2018 & 2019. Several WEEE collections are held each year
n) Liaise with Farm relief services and Irish Farm Film producers with regard to organisation of collection of farm plastics.	Reduction of Farm plastic dumped illegally	>1 farm plastic collection to be carried out during the period	9 annual collections + 1 permanent collection point 1,774 tonnes of FP 429 bags of netting 624 bags of fertilizer/feed bags (1/2 tonne bags) collected during 2019
o) Use stencils along walkways	Locations to be	Anti-litter stencils to be	Carried forward to new

to promote environmental messages.	identified in each Municipal district for location of anti-litter stencils.	placed along 1 walking route in each M.D.	plan
p) Collaborate regionally on prevention initiatives and programmes targeting priority areas to raise awareness of prevention and deliver campaigns with more impact and better value for money <i>SRWMP Policy Action B.2.1</i>	Deliver at least one campaign per year.	Campaign to be carried out by Q 4 each year	<p>“My Reuse Month” held in October each year promoted through website and mywaste.ie</p> <p>Green Government Initiative for reduce plastic in KCC</p>

Objective: Enforcement

Actions	Target	Indicator	Outcomes
a) Provide an enhanced Litter Warden Service	3 full time litter wardens and 11 part time litter wardens continue to:	3 No. litter wardens and 11 part-time litter wardens in place	All Litter Wardens still in place.
	<ul style="list-style-type: none"> Investigate all complaints within 3 working days 	90% of complaints investigated within 3 working days	82%
	<ul style="list-style-type: none"> Carry out litter/dumping patrols of towns, villages and countryside. 	> 600 patrols to be carried out annually	1,196 patrols took place during lifetime of plan.
	<ul style="list-style-type: none"> Carry out dog foul patrols of estates and dog walking routes in conjunction with dog wardens and educate the public as to their responsibility as dog owners. 	> four joint litter patrols to be carried out annually in each MD area i.e. 16 patrols	293 Litter Warden patrols & 8 joint patrols (Litter & Dog Warden) undertaken.
	<ul style="list-style-type: none"> Issue on the spot fines for 	No. of on the spot fines	372

	<p>illegal dumping, littering and</p> <p>unauthorised advertising and prosecute where necessary.</p>	issued	
	<ul style="list-style-type: none"> Where fines have issued for more large-scale dumping Sec 18 notices to issue to ensure offenders have satisfactory arrangements for disposal of their waste. 	No of section 18 notices issued	25
	<ul style="list-style-type: none"> Conduct litter surveys in line with the National Litter Pollution monitoring system 	No of litter surveys carried out.	290
b) Continue Overt and Covert Surveillance with the help of new technologies	Fixed cameras to continue to be located at KCC bottle banks and regularly monitored for illegal activity.	>8 cameras in place	Cameras still located at KCC bottle banks however not currently operational due to GDPR issues. Legislative changes required.

	Extra mobile cameras to be located in litter black spots by litter wardens as required with the help of new technologies. Footage to be used to prosecute illegal dumpers.	> 1 mobile camera to be located in each MD area	Mobile cameras were located at litter black spots during 2019
c) Carry out Clean-Ups	Clean ups of illegal dumping in public places will be carried out by the council where no evidence is found as to the identification of the offender.	Tonnage collected from large clean-ups	42.16 tonnes collected
d) Develop a policy to address the issue of temporary signage.	Certainty by members of the public as to where and what signage can be erected.	Policy in place and implemented.	Temporary signage policy in place since 2017
e) Ensure waste contractors travelling through the county have adequate covers on their load to prevent roadside littering	Reduction of roadside litter	> 2 spot checks to be carried out during the year by our enforcement team ensure contractors have adequate covers are in place.	In conjunction with other agencies (An Garda Siochana, HAS, etc) enforcement staff carry out regular spot checks with 9 carried out in 2019
f) Carry out inspections under Section 2 of the Waste Presentation Byelaws	Target areas, housing estates where littering & illegal dumping is a recurring problem	Carry out surveys to establish how household are disposing of their waste	8 locations to be identified and surveyed annually

Objective: Develop Partnerships

Actions	Target	Indicator	Outcomes
a) Promote the National Spring Clean Campaign	Continue to attract community volunteers to take part in the annual Spring Clean Up. Bags/litter pickers to be provided and waste to be picked up environment and operation staff as required.	No. of volunteers and volume of waste collected	Approx. 300 groups involving over 5,000 volunteers collected 220 tonnes of litter during 2017 - 2019
b) Support the Kerry Clean-Up Day	KWD facilitated by Kerry County Council with the help of local community groups and individuals will continue with the annual County Clean-up day each year. More volunteers get involved each year.	No. of volunteers and volume of waste collected	The no. of volunteers has increased in 2019 to 5,500 with 2,500 bags collected
c) Support Tidy Towns Committees/Community Groups to keep their areas litter free.	Assist Tidy Towns and communities keep their areas litter free through the provision of litter picking supplies, signage and bins where required. And work in partnership with them to stamp out	No. of groups assisted	44 towns & villages from Kerry participated in 2019 with 4 participants awarded Gold medals and 3 participants awarded Bronze

	littering and dog fouling in their communities.		
d) The Community department to Promote Local Agenda 21	EAO to continue to provide funding to assist communities at local level with anti-litter control projects	No. of grants allocated to litter projects under agenda 21	Number of projects grant funded including “the story of the Rubbish Monster”, water refill stations, footpath sweeper, “Get drastic about plastic” etc
e) Establish links with Coillte and National Parks and Wildlife service who have property around the county. Important to maintain good links to allow us to work together to develop litter prevention Initiatives	Integrated plan to be put in place with the 3 agencies	Plan to be in place by Q2 2017	Ongoing discussions with Coillte and National Parks and Wildlife during the period of the plan. While there is no formal plan in place there is good communication between the agencies as issues arise
f) Engage with the business community to develop an integrated plan to prevent large amounts of packaging litter chewing gum, cigarette butts etc on our streets and	Reduction of litter on our streets.	> 2 initiatives to occur during the plan.	Support has been given to GLAN Tralee re preventing littering on the streets Chewing gum litter

roads			awareness campaign held in conjunction with IBEC
g) Work through the Municipal District offices to encourage further contacts in the community to tackle heavily littered areas including bogs and forests around the county. Explore with Community Alert groups possible actions that could be taken in communities to reduce dumping in their area.	Improved community involvement in addressing littering and illegal dumping black spots throughout the county.	Reduction in illegal dumping in litter black spots and in the no of complaints received.	16 large cleanups carried out in conjunction with MD Offices
h) The Public Participation Network to promote objective of this litter plan through their network.		Promotion carried out by network	The PPN network was used to publicise the Litter Plan
i) Through the community section promote the Purple	Vintners to be vigilant in preventing glass being taken onto streets and	Reduction in glass in public areas	Wardens, Enforcement Officers & staff from the Municipal Districts

Flag initiative to reduce litter on streets.	<p>public areas particularly during the evening and night-time trade.</p> <p>Local Authority and Gardaí to undertake spot checks to ensure no glass or bottles in public areas.</p>		monitor businesses and work closely with publicans.
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Objective: Promote Recycling and recovery

Actions	Target	Indicator	Outcomes
a) Raise Public Awareness of civic amenity Recycling/Bring Facilities and all private and community waste initiatives	In conjunction with Southern Waste Region produce and distribute leaflets encouraging the principle of Prevention, Reduction, Reuse and Recycling in order to reduce amount of waste going to landfill.	Increase the number of transactions at transfer stations	280,695 transactions carried out at 5 Transfer Station's during lifetime of plan.
b) In conjunction with the SWRO engage with and facilitate enterprises in	To engage with the sector and develop possibilities	No. of enterprises facilitated	Promote Reuse Month which is an annual national waste prevention

the development of
repair and preparing for
reuse activities. *SRWMP*
C1.1

initiative which usually
takes place throughout
October

Key Performance Indicators 2017/2018/2019

Litter Management Plan Key Performance Indicators 2017 V 2018 V 2019	2017	2018	2019
Number of litter complaints received.	820	937	942
Number of Litter Fines Issued each year	116	142	112
Number of Litter fines paid each year	39	63	45
Number of Prosecutions	9	15	8
Performance in annual litter surveys: Cigarette related Litter	<u>2017</u> 60.17%	<u>2018</u> 61.84%	<u>2019</u> 59.6%
Food Related Litter	24.03%	17.85%	
Package Related	5.82%	6.47%	23.1%
			5.1%

Performance in annual Tidy Towns competition	4 Gold 1 Silver 2 Bronze	National winner + best small town 4 Gold 3 Bronze	4 Gold 3 Bronze
Performance in Annual IBAL monitoring. Killarney: Tralee	Clean to European norms Moderately Littered	Cleaner than European norms Clean to European norms	Cleaner than European norms (2 nd place) Cleaner than European norms (6 th place)
Volume (Tonnage) of Fly-tipping waste collected at Kerry County Council Sites and County Clean-up Day	221.58	195.50	172.69

3. Objectives for the Litter Management Plan 2021 – 2023

The primary objectives of Kerry County Council regarding litter management are as follows:

- **Educate and Raise Public Awareness-** To roll out a programme of education and awareness activities, through our Environmental Awareness officer, to schools, community groups etc. to raise awareness of relevant legislation, challenges and opportunities in relation to the management of litter.
- **Litter Prevention and control-** To undertake and develop litter prevention and control measures throughout the county to ensure a reduction in littering and to continue with integration with Municipal district offices.
- **Develop Partnerships-** To continue to develop partnerships with the business and community sectors to assist with the management and control of litter.
- **Promote Recycling and Recovery-** To promote usage of recycling infrastructure provided and to extend this infrastructure so that all towns and villages are adequately served with easily accessible recycling facilities.
- **Enforcement-** To carry out effective enforcement in order to prevent and control litter.

In order to achieve the above objectives a set of proposed actions have been identified, some of these actions are as set out in the Southern Region Waste Management Plan. A summary of actions proposed to be carried out during the life of this plan and the expected outcomes and indicators are set out below:

Section 3 Objectives for Litter Management Plan 2021 – 2023

Objective (1) Educate & Raise Public Awareness

Actions	Measurements
Environmental Awareness Officer (EAO) to continue to work with KCC Press & Communications Officer, local & national media and other stakeholders in raising awareness of litter and promoting sustainable waste management.	EAO in place. Annual report on awareness raising activities. Information on litter management services provided by KCC shared on social media on an ongoing basis.
Promote the Litter Management Plan and make it available on the Council's website, libraries etc.	Copies available in libraries, all KCC offices and website.
Kerry County Council will continue to engage with primary and secondary schools through the Green Schools programme.	Number of active Green Schools.
Promote the use of authorised waste collectors.	Only collectors with valid waste collection permit operating within the county.

Objective (2) Litter Prevention & Control

Actions	Measurements
Work with the commercial sector (retail & hospitality) on various anti-litter and green initiatives.	Reduction in volume of litter collected from previous plan.
Grant assist anti-litter initiatives using the Anti-Litter Grant Funding.	Department grant funding received and allocated.
To continue to operate a cleaning schedule for all Bring Bank facilities in Kerry	Schedule in place
Continue to assist communities who participate in initiatives such as adopt a bottle bank, adopt a road and other litter prevention initiatives.	Increase in number of groups involved.
Analyse the reports generated from the National Litter Pollution Monitoring System (NLPMS) to direct the policy and	Survey results used to identify the composition and extent of litter pollution in order to target resources.

actions in relation to litter pollution and anti-litter initiatives over the course of this Plan.	
Increase the number of Dog Fouling Dispensing Bins.	Number of bins increased.
Increase the number of Water Bottle Refill Stations in order to reduce the amount of single use plastic bottles.	Number of stations increased.
Liaise with relevant stakeholders to ensure litter control measures are in place at major and minor events.	Control measures in place.

Objective (3) Develop Partnerships

Actions	Measurements
Promote National Spring Clean Campaign	Number of volunteers & tonnage of litter collected annually.
Support Tidy Towns Committees & Community Groups in keeping their areas litter free.	Amount of resources distributed, litter pickers, gloves, bags etc.

Support Kerry Clean-Up Day.	Tonnage of litter collected.
Work with businesses and trades to ensure that areas outside their premises are kept litter free.	Results from the National Litter Pollution Monitoring System (NLPMS) surveys.
Promote Local Agenda 21 to provide funding to assist communities at local level with anti-litter control projects.	Number of grants allocated to litter projects under Agenda 21.

Objective (4) Promote Recycling & Recovery

Actions	Measurements
Promote the use of the five Civic Amenity Centres and Bottle Bank Facilities and what can be recycled/disposed at them.	Activity levels at CA Centres and Bottle Banks.
In conjunction with the SWRO, promote Reuse Month which is an annual national waste prevention initiative which usually takes place throughout October, and aims to raise awareness about the benefits of reusing everyday items and materials that would otherwise go to waste.	Campaign carried out by Q4 each year.

Objective (5) Enforcement

Actions	Measurements
Ensure that the three full time Litter Wardens, seven Traffic Wardens & four Enforcement Officers maintain a visible presence in our towns and villages to deter littering.	>400 patrols to be carried out on an annual basis.
Promote awareness through the KCC Press & Communications Officer, website and local media of the implications, in terms of penalties and fines, of littering, not cleaning up after your dog, illegal dumping etc.	Decrease in littering and number of fines issued.
Ensure that all litter related complaints received via the Council's litter hotline, email, post etc are investigated and dealt with promptly.	90% of complaints investigated within 3 working days.
In conjunction with other agencies (An Garda Siochana, HSA etc) the Environment enforcement team to carry out spot checks to ensure that contractors have adequate covers on their load to prevent roadside littering.	At least 2 spot checks to be carried out each year.
Initiate legal proceedings when required.	Number of legal proceedings initiated.

2021-2023 Litter Management Plan Key Performance Indicators

1. Number of litter complaints received annually.
2. Number of litter fines issued each year.
3. Number of litter fines paid each year.
4. Number of Prosecutions
5. Performance in annual litter surveys.
6. Performance in annual tidy towns competition.
7. Performance in annual IBAL monitoring.
8. Volume of Flytipping waste collected

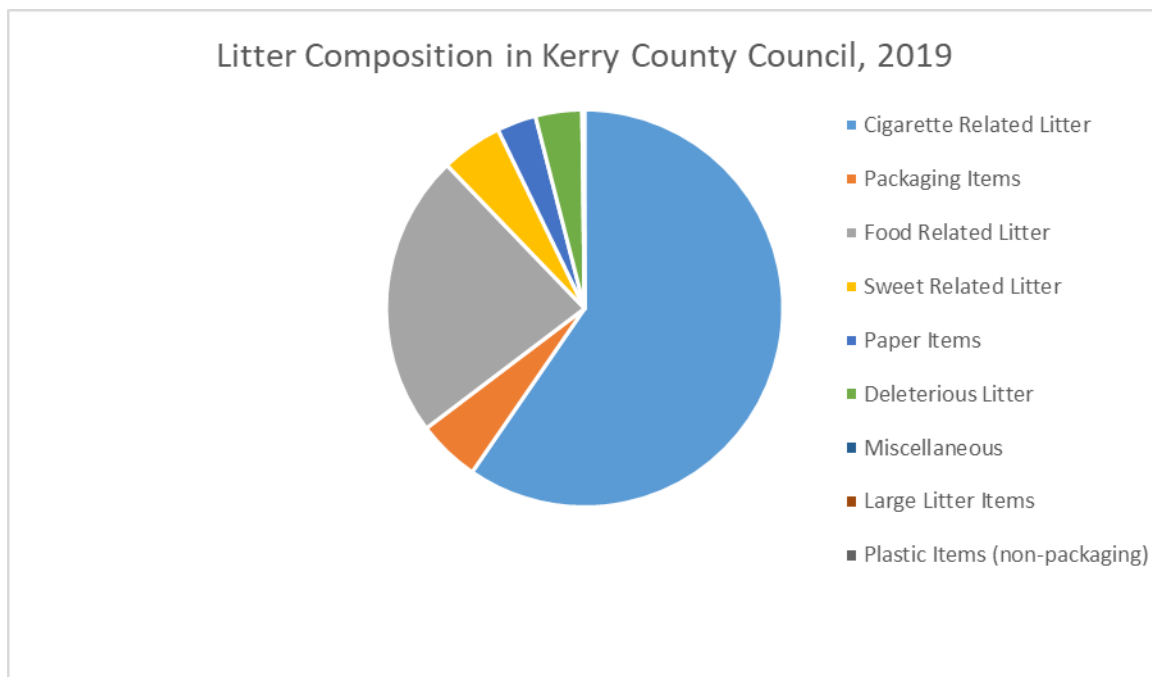
4. Review and Monitoring

The targets set out in this plan will be reviewed by the Environment Section monthly with progress report presented to the Strategic Policy Committee annually.

Appendix 1

National Litter Pollution Monitoring system

LITTER QUANTIFICATION SURVEY RESULTS



The composition of litter pollution is established by carrying out Litter Quantification Surveys. The results of Litter Quantification Surveys submitted to the Litter Monitoring Body by Kerry County Council are summarised in this report. Results from a total of 36 surveys have been used to compile this section of the report. The main categories of litter are illustrated in pie chart above.

Appendix 2

What is litter? How is it defined?

Litter is defined in the Litter Pollution Act 1997 to 2009* - In summary, this definition means that any item or material which is disposed of improperly (i.e. not deposited in a litter bin or authorised waste facility) is considered to be litter. This can range, for example, from a single coffee cup or cigarette butt discarded on the street or thrown from a car window, to the dumping of larger volumes of litter or waste.

*Litter Pollution Acts 1997 to 2009: "a substance or object, whether or not intended as waste that, when deposited in a place other than a litter receptacle or other place lawfully designated for the deposit, is or is likely to become unsightly, deleterious, nauseous or unsanitary, whether by itself or with any such substance or object, and regardless of its size or volume or the extent of the deposit".

As a member of the public – What are my Responsibilities regarding litter

The Litter Pollution Act puts legal responsibilities on members of the public to control litter. The following are examples of offences under the Act:

- Failure to keep private property which is visible from a public place free of litter
- Dropping cigarette butts, chewing gum, paper, food, etc. on the ground
- Failure to clean up dog litter when walking one's dog in a public place
- Placing household waste in a public litter bin.

As a businessperson. What are my responsibilities when it comes to litter?

The Litter Pollution Act puts legal responsibilities on businesses to control litter. The following are examples of offences under the Act:

- Failure to keep the footpaths and pavements not exceeding 100m of the premises free of litter
- Failure to secure transported material on a trailer or truck

- Dumping material (fly-tipping) in an area other than a waste receptacle or authorised waste facility
- Putting up posters or signs without authorisation
- Placing advertising flyers on cars
- Placing commercial waste in a public litter bin
- There are additional responsibilities on persons operating mobile outlets and organisers of major events

What are the penalties for littering?

Leaving or throwing litter in a public place is an offence which can be subject to an 'on the spot' fine of €150 and a maximum fine of €3,000 through the Courts (conviction on indictment for litter offences carries a maximum fine of €130,000). A person convicted of a litter offence may be required by the Court to pay the Council's costs and expenses in investigating the offence and in bringing the prosecution. Large-scale dumping will be prosecuted under the Waste Management Acts, with penalties on conviction or indictment of up to €15 million and/or a 10-year prison term.

After the report was read into the record of the Meeting by SEO Mr. G. O'Brien, Cathaoirleach M. Kennelly welcomed the Draft Litter Management Plan for tackling the scourge of litter in the County. The plan sets out the challenges facing the County over the coming years. The Councillor stated it was infuriating that there were no submissions nor observations on the Plan. The Cathaoirleach proposed the Plan for adoption and welcomed the work of the Environmental Department for putting together such a comprehensive report.

Cllr. M. Foley stated that there needs to be education in terms of letting individuals know how wrong it is to deface urban and rural areas with the vile behaviour of littering. The Councillor stated that the educational system would be a good place to start letting young children how wrong it is to litter the landscape.

Cllr. A Thornton queried whether there had been any movement on the drones' issue, and could they be used by Local Authorities in catching individuals in the act. The Councillor stated that perhaps the PPN might be the best way of communicating with individuals about the scourge of littering.

Cllr. T. Barry condemned not only the littering but also the indiscriminate dumping of face masks in locations. Dumping on private property is also an issue now. The Councillor commended the work of local groups within the community who are so dedicated to keeping the countryside clean and neat.

Ultimately, the Councillor feels that CCTV is the only way to get a handle on the vile behaviour of dumping.

Noting the comments of the Councillors, SEO Environment Mr. G. O'Brien stated that legislation is currently going through the Oireachtas in relation to the lacuna in the law, which will then allow Local Authorities to action the use of CCTV in dealing with individuals dumping.

In response to a query from Cllr. A. Thornton in relation to the use of the PPN in catching individuals who litter, Mr. G. O'Brien stated that it is a personal responsibility to come forward. However, in order to prosecute, there needs to be a willingness from an individual to come forward and give evidence.

On the PROPOSAL of Cllr. M. Kennelly SECONDED by Cllr. M. Foley and by the Members it was agreed that the Draft Litter Management Plan 2021-2023 in accordance with the Local Government Reform Act 2014, Schedule 3, Part 1, Section 131A (No 33), which amends Section 13 of the Litter Pollution Act 1997 be adopted.

(1) 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 roads to be a public road pursuant to Section 11 (2) (i) of the Roads Act 1993: Declaration of Road to be Public Road at the following locations:

- Woodview, Dromin Upper, Listowel, Co. Kerry
- The Gallops, Moynsha, Shanbally, Co. Kerry

Dáta/Date 6th July 2021

Chuig/To: Cathaoirleach Mike Kennelly
Gach ball de Cheantar Bardasach Lios Tuathail

Ábhar/Subject: Declaration of Roads to be Public Road/s in Accordance with
Section 180 of the Planning and Development Act, 2000 (as
amended) and Section 11 of the Roads Act 1993

A Chomhairleoir, a Chara,

In accordance with Section 180 of the Planning and Development Act, 2000 (as amended) and Section 11 of the Roads Act 1993 I enclose a report on the Taking in charge, by Kerry county Council of two housing estates in the Listowel Municipal District.

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

No submissions or observations were received.

I now recommend that these estates are 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 Listowel 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 Listowel in accordance with
Section 180 of the Planning and Development Act, 2000 (as
amended) and Section 11 of the Roads Act 1993**

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

- (i) Woodview, Dromin Upper, Listowel, Co. Kerry
- (ii) The Gallops, Moynsha, Shanbally, Co. Kerry

Date: 6th July 2021

MUNICIPAL DISTRICT OF LISTOWEL/CEANTAR BARDASACH LIOS TUTHAIL

Report Prepared Pursuant to Section 180 of the Planning and Development Act, 2000 (as amended) and Section 11 of the Roads Act 1993

Locations of Roads to be Taken In Charge:

Woodview, Dromin Upper, Listowel , - Road from its junction with L-6326-8 to all terminal points within the estate Woodview, Dromin Upper, Listowel Map 20-15 (serving 15 houses).

Total Length of road to be Taken in Charge: - 177m

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 180 of the Planning and Development Act, 2000 (as amended) and Section 11(b)(iii) of the Roads Act 1993, a Notice of Intention to declare as a public road, the road in Woodview, Dromin Upper, Listowel, Co. Kerry was published in The Kerryman Newspaper, issue date 24th March 2021.

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

A/Director of Economic & Community Development

Areas to be Taken In Charge



Length of Roads

177m

Main Road Number

N-69-153

Green Areas (1.52 Acre)

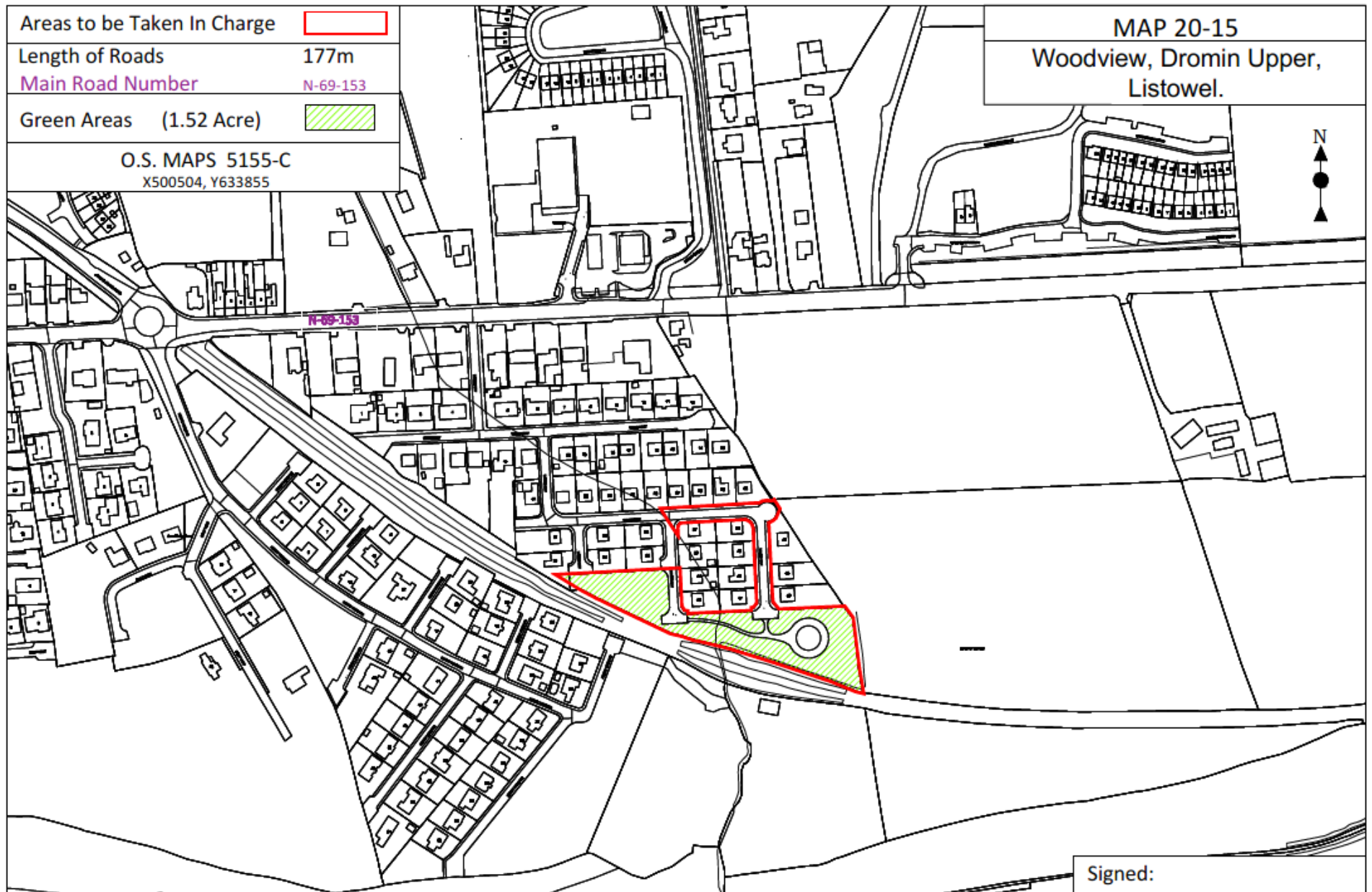


O.S. MAPS 5155-C

X500504, Y633855

MAP 20-15

Woodview, Dromin Upper,
Listowel.



Signed:



KERRY COUNTY COUNCIL HOUSING OPERATIONS CENTRAL DESIGN OFFICE
COUNTY BUILDINGS, RATHASS, TRALEE, COUNTY KERRY.

F. HARTNETT, SENIOR ENGINEER.

APPLICANT:
SITE AT:

DRAWING NO.:

Kerry County Council
Woodview, Dromin Upper,
Listowel.
HOP-021-TIC-20-15

DATE:
TITLE:
SCALE:
DESIGNED BY:

March 2021
Taken in Charge
1:2500 @ A3
S. Mulligan



MUNICIPAL DISTRICT OF LISTOWEL/CEANTAR BARDASACH LIOS TUTHAIL

Report Prepared Pursuant to Section 180 of the Planning and Development Act, 2000 (as amended) and Section 11 of the Roads Act 1993

Locations of Roads to be Taken In Charge:

The Gallops, Moynsha, Shanbally, Co. Kerry - Road from its junction with the R-555-138 to all terminal points within the estate The Gallops, Moynsha, Shanbally Map 20-10 (serving 7 houses).

Total Length of road to be Taken in Charge: - 302m

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 180 of the Planning and Development Act, 2000 (as amended) and Section 11(b)(iii) of the Roads Act 1993, a Notice of Intention to declare as a public road, the road in **The Gallops**, Moynsha, Shanbally, Co. Kerry was published in The Kerryman Newspaper, issue date 24th March 2021.



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

No objections or observations were received within the prescribed period.

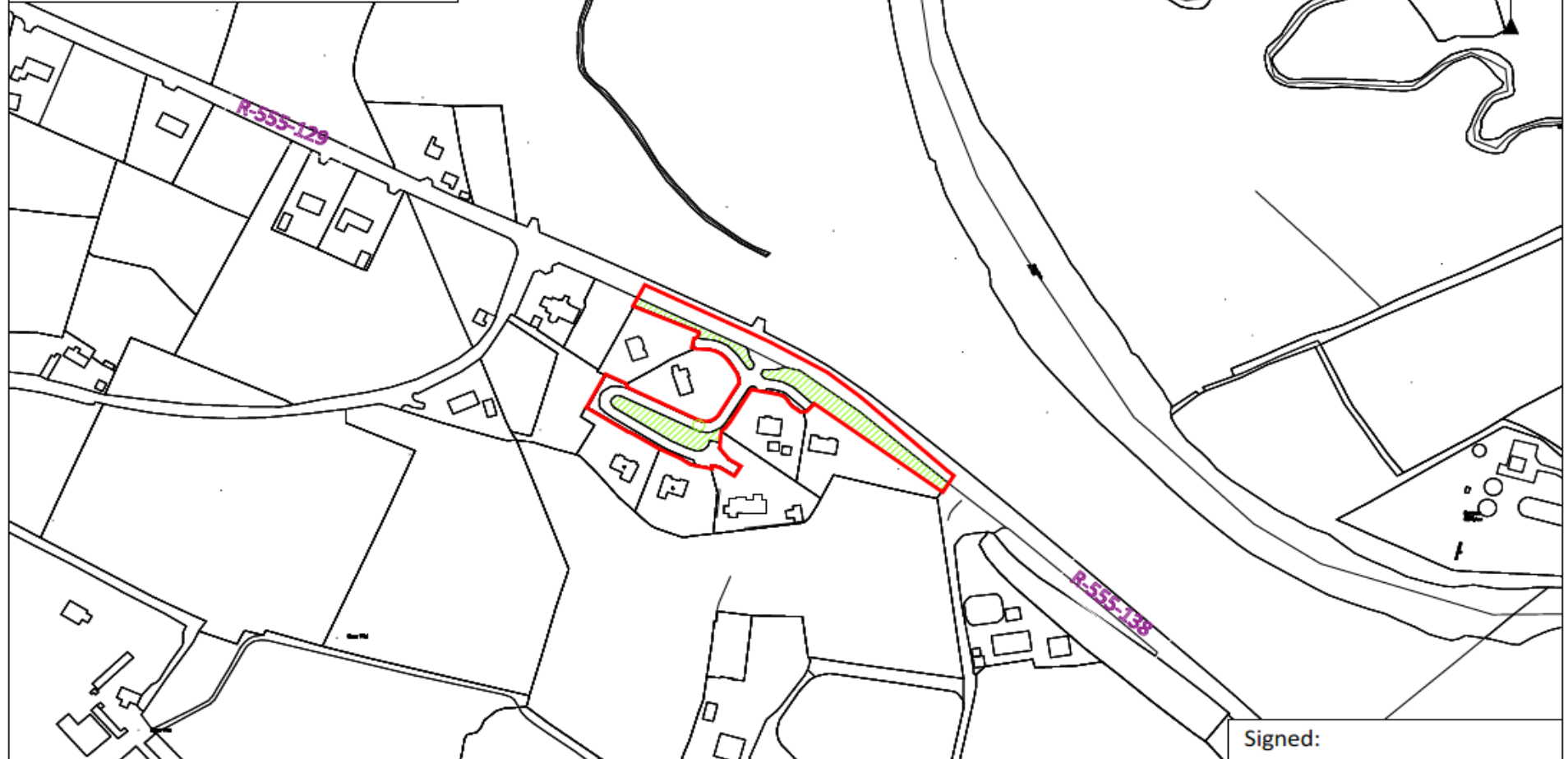
I recommend that the road be taken in charge.



Michael Scannell
A/Director of Economic & Community Development

Areas to be Taken In Charge	
Length of Roads	302m
Main Road Number	R-555-138
Green Areas (0.63 Acre)	
O.S. MAPS 5281-D X510492, Y627434	

MAP 20-10
The Gallops, Moynsha,
Shanbally.



Signed:



KERRY COUNTY COUNCIL HOUSING OPERATIONS CENTRAL DESIGN OFFICE
COUNTY BUILDINGS, RATHASS, TRALEE, COUNTY KERRY.
F. HARTNETT, SENIOR ENGINEER.

APPLICANT:
SITE AT:
DRAWING NO.:

Kerry County Council
The Gallops,
Moynsha, Shanbally.
HOP-021-TIC-20-10

DATE:
TITLE:
SCALE:
DESIGNED BY:

March 2021
Taken in Charge
1:2500 @ A3
S. Mulligan



Having considered the reports, it was PROPOSED by **Cllr. M. Kennelly** SECONDED by **Cllr. J. Moloney** and agreed by the Members that:

- Woodview, Dromin Upper, Listowel , - Road from its junction with L-6326-8 to all terminal points within the estate Woodview, Dromin Upper, Listowel Map 20-15 (serving 15 houses) - Total Length of road to be Taken in Charge: - 177m be taken in charge by Kerry County Council.

Having considered the reports, it was PROPOSED by **Cllr. M. Foley** SECONDED by **Cllr. T. Barry** and agreed by the Members that:

- The Gallops, Moynsha, Shanbally, Co. Kerry - Road from its junction with the R-555-138 to all terminal points within the estate The Gallops, Moynsha, Shanbally Map 20-10 (serving 7 houses) - Total Length of road to be Taken in Charge: - 302m be taken in charge by Kerry County Council.

(2) To consider the Chief Executive's Report on the Public Consultation in compliance with Part XI of the Planning & Development Acts 2000-2020 as set down in Part 8 of the Planning and Development Regulation, 2001 – 2020 for:

(i) Approval of Part VIII – **Proposed Bridge Rehabilitation Works on Moybella North Bridge.**

Elected Members' duties under Ethics Legislation

Mr. P. Corkery, Meetings Administrator, reminded Councillors of their duties under the ethics legislation and in particular of their requirements under Part 15 (Ethics Framework) of the Local Government Act 2001 and the Code of Conduct for Councillors. Councillors should be aware that the onus for complying with the requirement of the Act and the Code of Conduct lies with each individual Councillor. Under the beneficial interest provision and should that provision apply, a Councillor must:

- (1) Disclose the nature of his/her interest or the fact of a connected person's interest at the meeting and before discussion or consideration of the matter commences and**
- (2) Withdraw from the meeting for so long as the matter is being discussed or considered, and accordingly, he/she shall take no part in the discussion or consideration of the matter and shall refrain from voting in relation to it.**

MD Manager Mr. J. Kennelly read the report into the record of the Meeting as follows:

COMHAIRLE CHONTAE CHIARRAI
KERRY COUNTY COUNCIL



Oibreacha Molta Athsholáthair Droichid ar Dhroichead Mhaigh Bile Thuaidh

Proposed Bridge Replacement Works on Moybella North Bridge

Moltaí agus Tuairisc Príomhfheidhmeannach Comhairle Contae Chiarraí ar an gComhairliúchán Phoiblí a ullmhaíodh de bhun Alt 179 (3) den Acht um Pleanáil agus Forbairt 2000 – 2020 agus Cuid 8 de na Rialacháin um Pleanáil agus Forbairt 2001 - 2021.

Chief Executive's Report and Recommendations in accordance with Section 179 (3) of the Planning and Development Acts 2000 – 2020 and

Part 8 of the Planning and Development Regulations 2001-2021

Dáta/Date: 1st July 2021

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by persons or bodies who made submissions or observations and	
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APPENDICES

APPENDIX A 12

Determination Statements

*(Appropriate Assessment Screening Statement and Environmental Impact
Assessment Screening Statement)*

APPENDIX B 13

Part 8 – Drawings

**Chief Executive's Report and Recommendations in accordance with Section 179 (3) of
the Planning and Development Acts 2000 – 2020 and
Part 8 of the Planning and Development Regulations 2001-2021**

1. INTRODUCTION

1.1 LOCATION, NATURE & EXTENT OF PROPOSED DEVELOPMENT: -

Location: Moybella North Bridge on the R554 Regional Road, Gortagurrane East and Gortagurrane West, Lisselton, Co. Kerry. Bridge Structure ID: KY-R554-002

Townland(s): Moybella North

The proposed works will include the following:

- Demolishing the existing masonry arch bridge, wing walls, parapets and abutments and installing new precast box culvert sections, with associated waterproofing works;
- Concrete headwalls to be constructed at the upstream and downstream extents of the culvert with Kee Klamp handrails to be installed on top of the headwalls. The space between the parapet and the headwall is to be infilled with seeded topsoil;
- Rock armour to be installed upstream and downstream of the new culvert with geotextiles beneath all areas of rock armour;
- Stone gravel bed lining to be installed along the culvert invert;
- Carriageway build up and road resurfacing to be installed, including concrete rubbing strips and stone masonry parapets along both upstream and downstream of the culvert;
- Appropriate road markings to be painted along the new resurfaced area.

1.2 PUBLIC CONSULTATION

A Public Notice was advertised in the Kerry's Eye on Thursday, 6th May 2021.

Site Notices were erected along the routes and these were inspected regularly.

Having regard to the COVID-19 restrictions, Kerry County Council Offices were closed to the public. Therefore, Plans and Particulars of the proposed development were only available for inspection on the Kerry County Council website from **Thursday, 6th May to Thursday, 3rd June 2021**.

♦ Kerry County Council Website www.kerrycoco.ie

An advisor was available to explain the plans in the Roads Department by contacting (066) 7183588.

Plans and particulars of the proposed development were available for purchase, on payment of a specified fee not exceeding the reasonable cost of making such as copy.

Submissions or observations with respect to the proposed development dealing with proper planning and sustainable development of the area were invited before 5.00 p.m. on Friday, 18th June 2021.

1.3 RELEVANT DEVELOPMENT PLAN POLICIES / OBJECTIVES / STRATEGIES

Kerry County Development Plan 2015-2021

7.2.1.4 Regional and Local Roads

It is the policy of the Plan to continue the ongoing upgrading, strengthening and improvement works on all regional & local roads in a sustainable manner in accordance with the objectives of this Plan and in compliance with the annual Roads Programmes.

The Plan has the following objectives:

RD-2 Facilitate the improvement of the quality of life of all citizens of the County by providing good quality environment, energy, communication and transportation infrastructure.

RD-6 Ensure that all objectives and any development will not have significant adverse effects on the built natural or cultural heritage, residential or visual amenity.

RD-23 Continue the ongoing sustainable upgrading, strengthening and improvement works on regional & local and tertiary roads in accordance with the objectives of this Plan.

NR-23 Support the protection of water quality, key habitat and other natural resource requirements necessary to safeguard coastal, estuarine and freshwater fisheries.

NR-24 Have regard to the advice of the relevant statutory bodies, as appropriate and recommendations of the Environmental Section of Kerry County Council in assessing the environmental impacts of developments.

NE-1 Work with all stakeholders in order to conserve, manage and where possible enhance the County's natural heritage including all habitats, species, landscapes and geological heritage of conservation interest and to promote increased understanding and awareness of the natural heritage of the County.

NE-2 Ensure that the requirements of relevant national and EU legislation, including the Habitats Directive (92/43/EEC), the EU (Birds) Directive (79/409/EEC), the Environmental Impact Assessment Directive (85/337/EEC), the Water Framework Directive (2000/60/EC), and the Flood Directive (2007/60/EC), are met by the Council in undertaking its functions.

NE-5 Ensure that the cumulative impacts are taken into account when evaluating the impacts of a particular proposal on biodiversity, particularly in relation to habitat loss and wildlife disturbance.

NE-9 Liaise with the OPW on all issues involving river drainage and flood relief, especially when dealing with any development consent applications in the vicinity of important drainage channels.

NE-24 Support any initiative by IFI or other relevant bodies, including community groups, to undertake river restoration works that would enhance the biodiversity of waterways.

NE-31 Promote the concept of connecting corridors for the movement of wildlife.

NE-49 Ensure that in the formulation of development proposals the protection of the biodiversity of flora and fauna is taken into consideration.

H-25 Protect and preserve the underwater archaeological heritage of the County. In assessing proposals for development, the Council will take account of the rivers, lakes, intertidal and sub-tidal environments.

H-26 Secure the preservation of all sites, features and objects of archaeological interest within the County. In securing such preservation the Council will have regard to the advice and recommendations of the National Monuments Service, Department of Arts Heritage & the Gaeltacht, the National Museum of Ireland and the County Archaeologist.

Kerry Local Economic & Community Plan 2016-2021

The Plan has the following objectives:

High Level Goal 1.11 Maximise connectivity of the county through investing in sustainable communication, services and transport infrastructure in appropriate locations.

1.11.1 Ensure the sustainable development and maintenance of a good road infrastructure within the county and good radial access into the county.

High Level Goal 2.1 To work with stakeholders in order to protect the landscape and natural environment of the county as a major economic asset and an invaluable amenity which contributes to the quality of people's lives.

2.1.2 Protect the rich biodiversity and vulnerable natural areas of the county by implementing the objectives as set out in chapter 10 of the Kerry County Development Plan.

Draft Listowel Municipal District Local Area Plan 2019-2025

The Plan has the following objective:

LS-NE-01 Protect and where appropriate enhance the provision of biodiversity features in the plan area.

2. PERSONS OR BODIES WHO MADE SUBMISSIONS OR OBSERVATIONS WITHIN THE PRESCRIBED PERIOD

1. Geological Survey Ireland
2. An Garda Síochana
3. Irish Water
4. Inland Fisheries Ireland
5. Development Applications Unit (DAU), Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media

3. ISSUES RAISED, WITH RESPECT TO THE PROPER PLANNING AND DEVELOPMENT OF THE AREA, BY PERSONS OR BODIES WHO MADE SUBMISSIONS OR OBSERVATIONS AND MANAGER'S RESPONSE AND RECOMMENDATIONS

Submission No. 1: Geological Survey Ireland

- No specific observations or comments.

Manager's Response:

- No response required.

Submission No. 2: An Garda Síochana

- No objections to the proposed works.

Manager's Response:

- No response required.

Submission No. 3: Irish Water

- Irish Water records indicate that the proposed development is located near existing Irish Water infrastructure. The existing watermain and pipe bridge adjacent to the bridge must be protected during the proposed works and provision should be made on the proposed bridge to enable the watermain to be incorporated into the bridge.
- Whilst Irish Water has no objection to the proposed development, we request any grant of permission be conditioned as follows:
 1. Prior to the commencement of works the applicant must engage with Irish Water Diversion Team in order to review and approve the proposed works in order to ensure that adequate protection and access for future maintenance is maintained throughout construction and operational phases of the development.
 2. Any proposals by the applicant to divert or build over existing water or wastewater services must be submitted to Irish Water for written approval prior to works commencing.
 3. Any existing buried access covers encountered during the course of the works are to be raised and reset at proposed finished levels.
 4. Separation distances between the existing Irish Water assets and proposed structures, other services, trees, etc. have to be in accordance with the Irish Water Codes of Practice and Standard Details.
 5. All development shall be carried out in compliance with Irish Water Standards codes and practices.
- Reason: To ensure adequate provision of water and wastewater facilities.

Manager's Response:

- Kerry County Council acknowledges the submission by Irish Water and will work with Irish Water to maintain their assets during this project.
- Regarding the request to enable the existing watermain and pipe bridge adjacent to the existing bridge be incorporated into the new structure. The project is designed not to impact on the existing pipe bridge as the 200mm watermain cannot be accommodated within the road build up without adding significant cover and therefore a considerable vertical realignment of the carriageway. This is due to the soffit of the proposed bridge having been raised significantly to meet OPW requirements. It may be possible to fix the watermain to the parapet of the

proposed bridge, subject to agreement on the design and subject to receipt of funding for these works from Irish Water.

Submission No. 4: Inland Fisheries Ireland

- The chief concern of IFI in relation to the proposed development is the protection of the inland fisheries resource. This includes both the instream and riparian habitat and the water quality of the downstream Kilmulhane stream.
- Please note that any instream works or other works which may impact directly on a watercourse should only be carried out during the fisheries open season which is from 1st July to 30th of September in each year (to avoid impacting on the aquatic habitat during the spawning season.) It is important that appropriate scheduling of works is allowed for.
- Prior to damming and over-pumping, the works area will need to be de-fished and any resident fish captured and relocated. Inland Fisheries Ireland shall be notified at least 1 week ahead of the commencement of works to facilitate this fish removal.
- The final CEMP should be agreed in advance with IFI.
- During the construction phase the following shall apply:
 1. There shall be no permitted discharges to surface water resources of contaminated water or surface water run-off from the development.
 2. Silt fencing and other sedimentation ponds should be established prior to works proper commencing.
 3. Servicing including refuelling of plant and equipment shall only be undertaken on impermeable hard standing areas.
 4. All plant and equipment used within the subject site shall carry spill clean-up kits and not be used or operated if there is evidence of leakage or damaged oil seals.
 5. There shall be no discharge during the construction period of cementitious materials or residues thereof to surface water.
 6. When cast-in-place concrete is required, all works shall be undertaken in the dry and effectively isolated from entering any receiving waters for a period sufficient to cure the concrete.
 7. Concrete delivery vehicles shall be precluded from washing out at locations that could result in a discharge to surface waters.
 8. Where cement or lime is stored on site, it shall be held in a dry secure area.

9. All oils and fuels used on or within the site shall be stored in secure bunded areas and servicing including refuelling of plant and equipment shall only be undertaken on impermeable hard standing areas.
10. Where temporary diesel or petrol driven pumps are used within the site, they shall be positioned within portable bunded units.
11. All plant equipment should be thoroughly cleaned and disinfected prior to arriving on and leaving site to prevent the spread of invasive species.

Manager's Response:

- Kerry County Council acknowledges the submission by Inland Fisheries Ireland.
- Their observations and recommendations will be incorporated into the detailed design and will be complied with during the construction phase. Kerry County Council will continue to engage with Inland Fisheries Ireland as the project progresses.

Submission No. 5: Development Applications Unit (DAU), Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media

- The Department has reviewed the first edition 6 inch Ordnance Survey map of the location of the structure proposed for demolition and notes the presence of the associated watercourse and earlier fording point which increases the archaeological potential of this area.
- Therefore, in line with the Objective RD-6 of the County Development Plan it is recommended that a detailed survey of the masonry bridges, that is proposed for removal by the proposed works, should be undertaken to ensure they are both preserved by record. This record will comprise detailed descriptive, scaled drawn and photographic surveys of the structures (in-water and out of water to ensure complete recording of all elements of the bridges), together with licensed archaeological monitoring of the demolition and associated works. This will include any dredging/removal of granular/sediment material in the watercourses or impacts on the riverbanks. A suitably qualified archaeologist with prior experience of intra-riverine monitoring should be engaged to carry out the work.
- Archaeological Monitoring shall consist of the following:
 1. In order to ensure the preservation of the historic structures the Local Authority shall engage the services of a suitably qualified archaeologist to monitor all ground disturbance works, including dredging operations, associated with the development.

It is recommended that the archaeologist be licensed under the National Monuments Acts 1930-2014.

2. Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site suspended, pending a decision as to how best to deal with the archaeology. The developer shall be advised by the Department with regard to any necessary mitigating action (e.g. preservation in situ, wade/dive survey or excavation). The Local Authority shall facilitate the archaeologist in recording any material found.
 3. The Department shall be furnished with a report describing the results of the monitoring and the detailed survey of the structures.
- Reason: To ensure the continued preservation (either *in situ* or by record) of places, caves, sites, features, or other objects of archaeological interest.

Manager's Response:

- Kerry County Council acknowledges the submission by the Development Applications Unit (DAU), Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media.
- The requirements for recording, surveying and monitoring of the structure and its environs will be incorporated into the Main Construction Contract.

4. EVALUATE THE PROPOSED DEVELOPMENT WITH RESPECT TO THE PROPER PLANNING AND SUSTAINABLE DEVELOPMENT OF THE AREA

1. Determination Statements (Attached in Appendix A) have been made by the Planning and Sustainable Development Section of the Council. It concludes that the project does not require an Environmental Impact Assessment. It also concludes that a screening report was prepared which confirms that this project will not have any significant effects on a Natura 2000 Site and as such, a Stage 2 Appropriate Assessment /Natura Impact

Statement is not required.

2. It is considered that the proposed development is substantially below the (mandatory) thresholds for EIA and is in accordance with the provisions of the Kerry County Development Plan 2015-2021 and is in accordance with the proper planning and sustainable development of the County.

5. RECOMMENDATIONS/AMENDMENTS

Having considered the proposed development regarding Section 179 of the Planning and Development Act 2000-2020, the proposal is considered to be in accordance with the proper planning and sustainable development of the County. Consequently, it is recommended that the proposed development should proceed without amendment.

It is considered that the proposed development is in accordance with the provisions of the Kerry County Development Plan 2015-2021 and is in accordance with the proper planning and sustainable development of the area.

The Local Authority has concluded that an EIA (Environmental Impact Assessment) is not required.

The Local Authority has concluded that an AA (Appropriate Assessment) is not required.

It is recommended to proceed with the proposed development without modifications.



John Kennelly
Municipal District Manager,
Listowel Municipal District

APPENDICES

APPENDIX A

Determination Statements

**Planning Authority
Preliminary Environmental Impact Assessment Screening Report
Conclusion Statement**

**for the proposed bridge replacement project on the R554 Regional
Roadway, at Moybella North, Gortagurrane East and Gortagurrane West,
Lisselton, Co Kerry.**

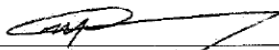
**Environmental Impact Assessment Preliminary Screening Conclusion
Statement**

Kerry County Council concludes that this project is not one which requires EIA Screening or EIA. The Preliminary EIA Screening Examination prepared by the Environmental Assessment Unit contains a fair and reasonable assessment. That assessment is adopted as the assessment of Kerry County Council.

Reason for Conclusion

There is no real likelihood of significant effects on the environment arising from the proposed development.

Signed:



Michael Scannell

**Director of Services / Stiúrthóir Seirbhísí, Economic & Community
Development / Forbairt Eacnamaíochta & Pobail**

Date:

26/4/2021

**Planning Authority Habitats Directive
Appropriate Assessment Screening
Determination Statement**

**for the proposed bridge replacement project on the R554 Regional
Roadway, at Moybella North, Gortagurrane East and Gortagurrane West,
Lisselton, Co Kerry.**

Stage 1 Appropriate Assessment Screening Statement

Kerry County Council as Competent Authority determines that the proposed works, individually, and in combination with other plans and projects, are not likely to have a significant effect on a European site (Natura 2000 Site), and as such, a Stage 2 Appropriate Assessment / Natura Impact Statement is not required.

It is considered that the AA Screening Report prepared by the Environmental Assessment Unit, contains a fair and reasonable assessment of the likelihood of significant effects of the development on European sites. That assessment is adopted as the assessment of Kerry County Council. It is noted that the exclusion of likely significant effects is based wholly on objective information and that there is no reliance on any measures intended to reduce or avoid impacts on European Sites.

Reasons for Determination

- The location of the proposed development outside of any Natura 2000 site,
- The nature of the works which will remove the risk of an uncontrolled collapse into the Kilmulhane Stream, improve fisheries habitat and landscape connectivity for fish and otters.
- The small scale and short duration of the works which will be undertaken over a short construction period during the summer months when potential for impact on fisheries and aquatic life is low.
- The proposal is unlikely to facilitate the introduction or spread of introduced invasive plant species to Natura 2000 sites given that none are located in the vicinity of the works area.

Signed:


Michael Scannell

**Director of Services / Stiúrthóir Seirbhísí, Economic & Community
Development / Forbairt Eacnamaíochta & Pobail**

Date:

26/4/2021

APPENDIX B

Part 8 - Drawings

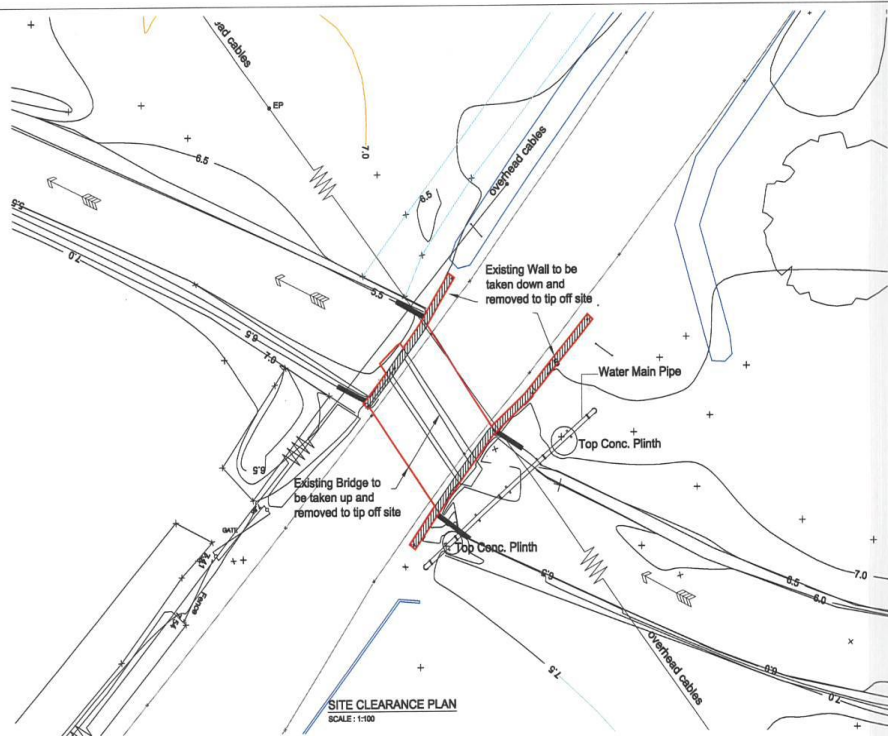


REPRODUCED FROM THE ORDNANCE SURVEY
BY PERMISSION OF THE GOVERNMENT.
LICENCE No. EN 0015720

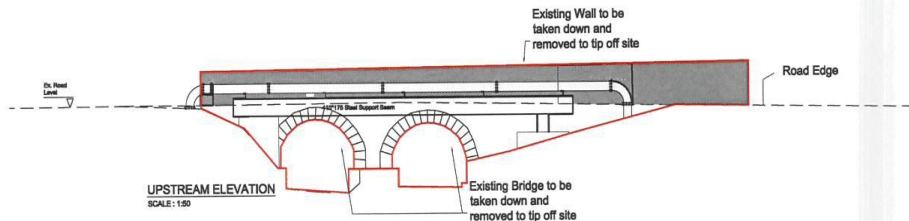


Scales (A1)		AS SHOWN	Org. No.	Rate
Dress	HM	NOV 2020	21126-5001	A
Chr(D.O.)	JD	NOV 2020		
Chr(Eng.)	GOR	NOV 2020		
Approved	POD	NOV 2020		

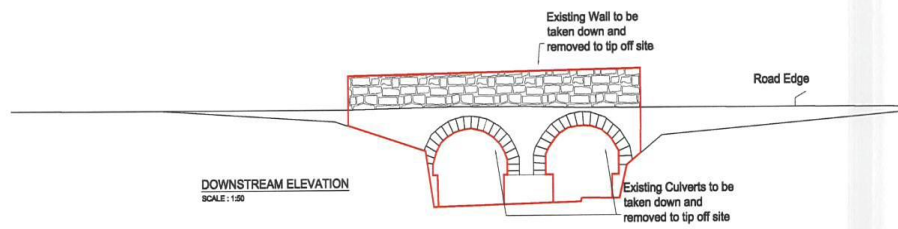
21126-5001 A



SITE CLEARANCE PLAN
SCALE: 1:100



UPSTREAM ELEVATION
SCALE: 1:50

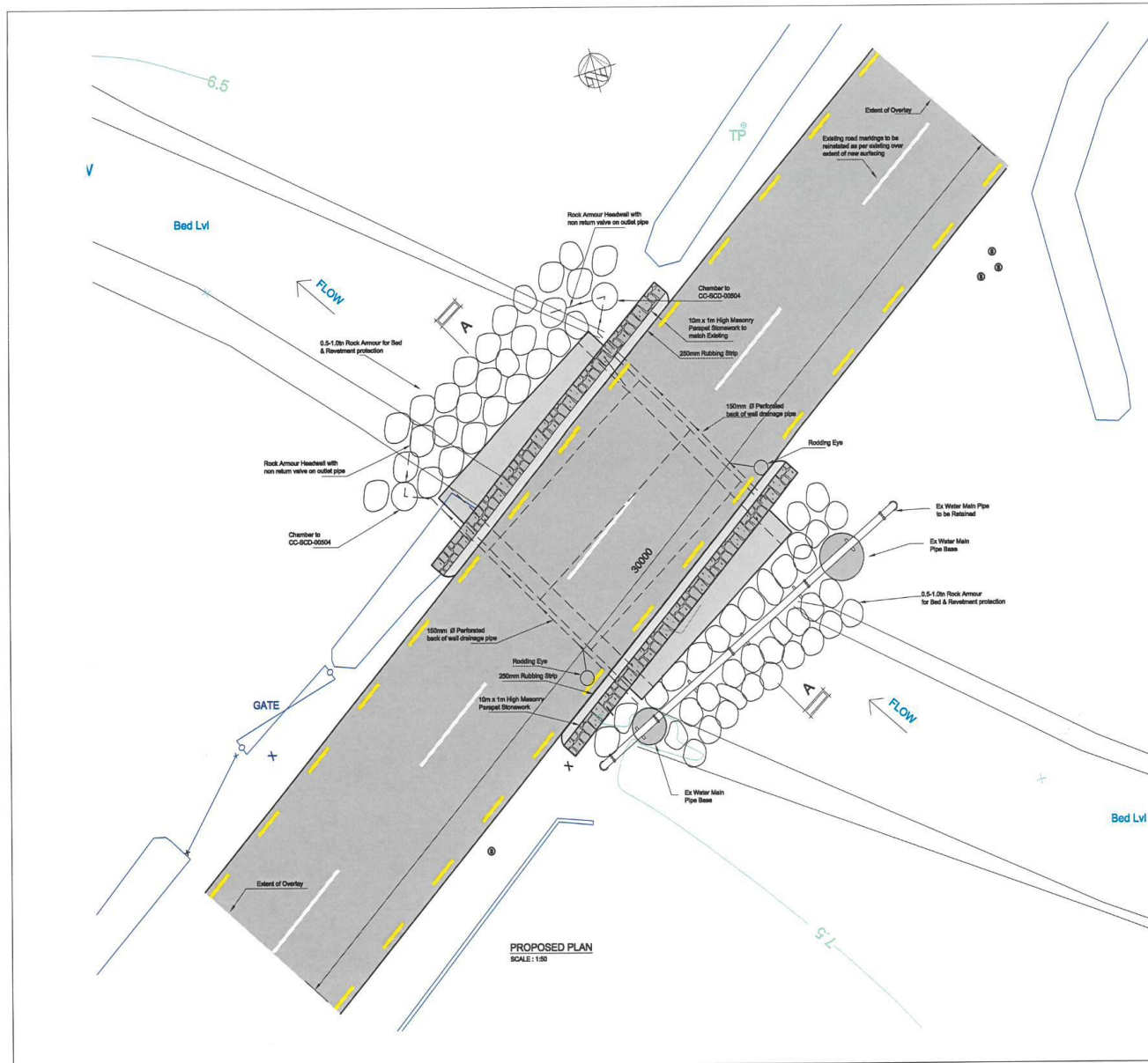


DOWNSTREAM ELEVATION
SCALE: 1:50

Notes



1. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE NOTED.
2. ALL LEVELS ARE IN METRES TO ORDNANCE DATUM.
3. ALL COORDINATES ARE IN METRES TO ITM.
4. THE EXACT POSITION AND LEVEL OF ALL SERVICES SHALL BE DETERMINED ON SITE BY THE CONTRACTOR.
5. THE CONTRACTOR IS REQUIRED TO PROTECT EXISTING SERVICES.

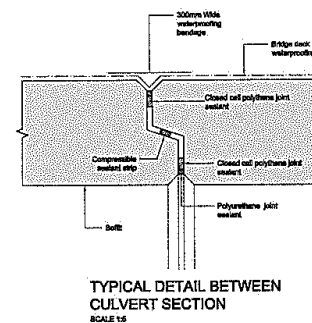
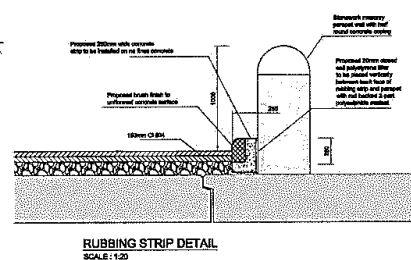
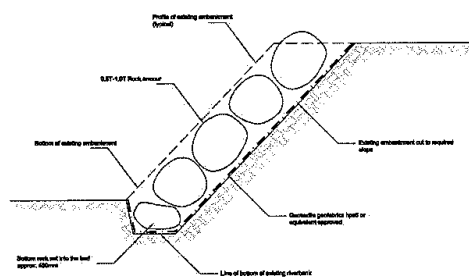
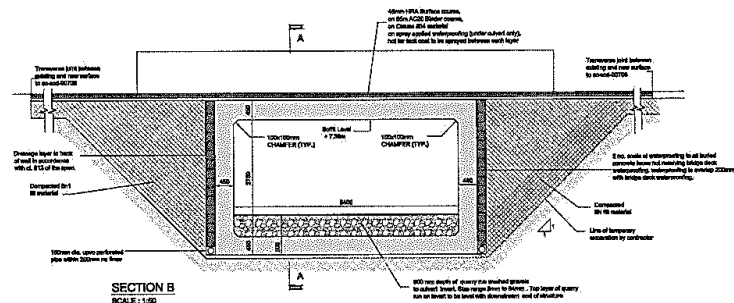
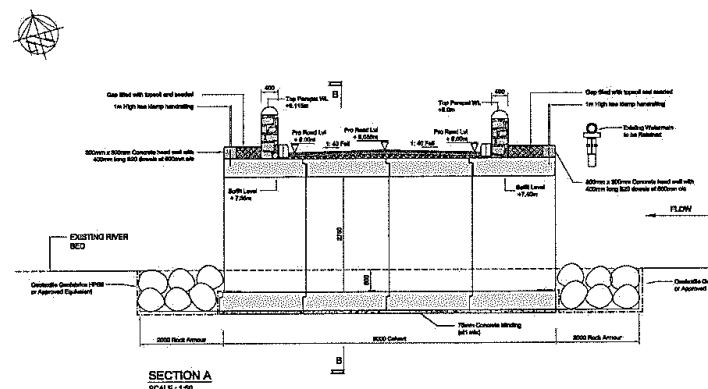
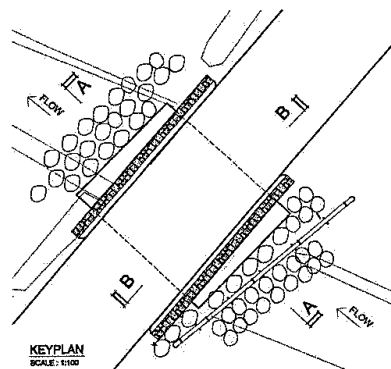
A		18/11/2020	MAILED FOR PLANNING	18/11/2020	18/11/2020
Rev	Date	Description			By
Project					
MOYBELLA NORTH BRIDGE REPLACEMENT					
Title					
SITE CLEARANCE					
Client					
KERRY COUNTY COUNCIL					
Malachy Walsh and Partners Engineering and Environmental Consultants Cork Tralee Limerick London					
Park House Malachy Walsh and Partners Buckingham Road Buckingham UK					
Tel: +353 (0)21 4516400 Fax: +353 (0)21 4516400 Email: enquiries@malwa.ie					
Scale	1:1	AS SHOWN	Drawn	NOV 2020	Rev.
Checked	NOV 2020	21126-5002	Approved	NOV 2020	A



Notes

1. All drawings are to be read in conjunction with all relevant Specifications, Bills of Materials, Architectural, Services and Engineering drawings.
2. Any discrepancies between these documents shall be brought to the attention of the Engineer.
3. All dimensions are in millimetres unless noted otherwise.
4. All levels are in metres related Ordnance Datum Mean Head.
5. Drawings are not to be scaled.

A		16/11/2023	REVISED FOR PLANNING	NO	BS	POS
Rev	Date	Description				
Project: MOYBELLA NORTH BRIDGE REPLACEMENT						
Title: PROPOSED PLAN						
Client: KERRY COUNTY COUNCIL						
 Malachy Walsh and Partners Engineering and Environmental Consultants Cork Tralee Limerick London						
 Park House Malachy Walsh and Partners Malachy Walsh and Partners Malachy Walsh and Partners			Tel: +353 (0)21 4576400 Fax: +353 (0)21 4576402 Email: malachy@malachy.com			
Drawn by:	AS	16/11/2023	Proj. No.	21126-5003		
Checked by:	AS	16/11/2023	Rev.	A		
Approved by:	POS	16/11/2023	Scale			



- ## Notes

1. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE NOTED.
2. ALL LEVELS ARE IN METRES TO ORDINANCE DATUM.
3. ALL COORDINATES ARE IN METRES TO FTM.
4. ALL BURIED SURFACES TO BE WATERPROOFED WITH 2 LAYERS OF EPOXY RESIN WATERPROOFING.
5. ALL EXPOSED AREAS OF STRUCTURAL CONCRETE SHALL BE FINISHED WITH A 25 x 25mm CHAMFER UNLESS OTHERWISE NOTED.
6. REFER TO APPENDIX 17/1 FOR CONCRETE GRADES.
7. 1000mm DIA. DRAINAGE OUTLETS TO BE PROVIDED AT EACH END OF PARAPET WALLS.

A	18.11.2025	ISSUED FOR PLANNING	MM	BR
Rev	Date	Description	By	Ch'd

MOYBELLA NORTH BRIDGE REPLACEMENT

PROPOSED SECTIONS & DETAILS

KEFRY COUNTY COUNCIL



Malachy Walsh and Partners
Engineering and Environmental Consultants
Cork | Tralee | London | Limerick

Park House
 Mahen Technology Park
 Bandra Road
 Tel : +91 (0)22 43364000
 No. : +91 (0)22 43364012
 E-mail : info@mahen.com

Tel : +253 (0)21 4326400
Fax : +253 (0)21 4326410
E-mail : info@nig.org.np

Scaled (A1) AS BUCHAN		Orig. No.
Drawn: MM	NOV 2020	21126-5004
Chk'd (D.C.): JD	NOV 2020	
Chk'd (Eng.): SN	NOV 2020	
Approved: PMS	NOV 2020	

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

“On the PROPOSAL of Cllr. R. Beasley SECONDED by Cllr. J. Moloney We, the members of the Municipal District of Listowel hereby resolve to adopt the Chief Executive’s Report on the Public Consultation in compliance with Part XI of the Planning & Development Acts 2000-2020 as set down in Part 8 of the Planning and Development Regulation, 2001 – 2020 for the Proposed Bridge Rehabilitation Works on Moybella North Bridge”.

The result of the vote was as follows:

For: Cllrs. Tom Barry, Robert Beasley, Michael Foley, Jimmy Moloney, Aoife Thornton, Cathaoirleach Mike Kennelly **(6)**

Against: **(0)**

Not Voting: **(0)**

Absent: **(0)**

Cathaoirleach M. Kennelly declared the resolution CARRIED.

(ii) To agree the date for a Special Listowel MD Meeting for:

- Approval of Part VIII – Chief Executive’s Report for **N69 Upper Church Street, Listowel - Traffic Calming and Enhanced Pedestrian Facilities**
- Approval of Part VIII – Chief Executive’s Report for **N69 Upper Church Street, Listowel to NeoData Cycle/ Walkway**

The date for a Special Meeting to consider the CE Part 8 Reports for N69 Upper Church Street Safety Scheme and the Listowel Town Park Active Travel Scheme was agreed for 2:00pm on Tuesday 20th July 2021 via MS Teams with the Members and Executive.

21.07.12.0.2. Economic & Community Development Directorate

- (a) It was agreed to note the update report from Economic and Community Development Directorate.**

Economic and Community Development

Report

LISTOWEL Municipal District

DATE: 12th July 2021

Director of Service: Michael Scannell

1. Local Enterprise Office

Grant Approvals

The next meeting of the Grant Evaluation and Approvals Committee takes place at the end of June. Work is ongoing in project advisory support and preparation.

Trading Online Voucher Scheme

Demand for the scheme remains strong although this has slowed with the reintroduction of the 50% matched funding requirement. Work is ongoing in the drawdown of previously approved 2020 vouchers.

Upcoming Training Programmes

There is ongoing strong demand for training courses which continue to be delivered online. Courses currently available for booking include:

- ☐ How to advertise on Facebook and Instagram Level 1
- ☐ How to design eye catching graphics for your website and social media posts
- ☐ How to create marketing videos on a budget
- ☐ How to advertise on Facebook and Instagram Level 2
- ☐ Beginners Facebook marketing
- ☐ Beginners guide to search engine optimisation
- ☐ Brexit Mentoring – Ongoing
- ☐ Customs training webinars.

Other Activities

Demand for LEO supports remains high, with existing and potential businesses enquiring about grants, supports, mentoring, training and other services.

Listowel MD Meeting – Report from the Community Department July 2021

Outdoor Recreation Infrastructure Scheme 2021

This year's scheme was announced on 26th April 2021 and includes four measures of funding. The 2021 Scheme emphasises the opportunities for recreational amenities located near rivers, lakes and beaches and seeks to support recreational infrastructure that provides an inclusive approach for communities to deliver outlets that support a diverse range of users, including people with disabilities and older adults. The rate of available aid, as with the 2020 Scheme, has increased to 90% in recognition of the challenging environment for local fundraising and other finance-raising in light of the Covid 19 crisis.

Four projects were submitted from the Listowel MD

Measure 1: €20,000

- 1.) Repairs to the Ballybunion Cliff Walk (submitted by KCC)
- 2.) Creation of the Asdee Loop Walk / Trailhead (submitted by NEWKD)
- 3.) Lighting of the Moyvane Woodland Walk (submitted by NEWKD)

Measure 2: €200,000

1.) Joint Listowel MD / Tralee MD project: Greenway furniture, signage and marketing (submitted by KCC)

Capital Grant Funding Scheme for Play and Recreation

Kerry County Council in conjunction with Ballybunion Development Committee recently installed an outdoor street exercise area and inclusive upgrade to the existing playground in Ballybunion.

The works were funded by the Department of Children and Youth Affairs (2020 Programme) in the amount of €3,750 towards an inclusive upgrade of the existing playground and €7,802 from the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media under the Sports Capital and Equipment Programme towards Outdoor Adult Exercise Equipment in Ballybunion.

Kerry County Council via the Community Department and Listowel MD supplemented these Grants through the Community Support Fund. Furthermore, Ballybunion Development Committee generously contributed €6,000 towards the project giving an overall budget of €35k for the works.

KCC in conjunction with Ballybunion Development Committee procured and install the Inclusive Roundabout and Outdoor Exercise Equipment adjoining the existing playground in Ballybunion. Browne Brothers Site Services Ltd. were awarded the contract and constructed the facility in June 2021, following the lifting of Covid 19 restrictions.

The resulting facility is a wonderful open exercise area available for use by all people in the locality. The rich colours entice users to the facility and encourage use. The facility will make Ballybunion Town Park an extremely attractive area to exercise with a beautiful view of the beach and castle in the background.

Ballybunion Playground was developed in 2005. Following a review of the playground in early 2020, it was highlighted that facilities at the playground for children with a difference were limited. The latest installation of an inclusive roundabout within the playground which is fully accessible to children and young people with special needs and/or who require a wheelchair for mobility is a welcome benefit. The new roundabout allows space for assisted devices and wheelchairs to access same and will inspire young children of all abilities to play actively whilst feeling secure in their movements.

Community Enhancement Programme 2021

The Community Enhancement Programme (CEP) was launched by the Minister for Rural and Community Development, Heather Humphreys TD, and Minister of State with responsibility for Community Development and Charities, Joe O'Brien TD. Funding of €4.5 million has been ring fenced to support community groups impacted by COVID-19. The allocation for Kerry is €142,409. Kerry County Council and Kerry Local Community Development Committee (LCDC) invite applications for funding under the Department of Rural & Community Development's Community Enhancement Programme 2021.

Who is eligible to apply?

Any not-for-profit community or voluntary group can apply. Commercial organisations and individuals are not eligible for funding.

What projects are eligible for funding?

The following provides a non-exhaustive list of projects that could receive funding under the programme:

1. Adaptation to community centres and amenities for COVID-19 related measures
2. Once off maintenance of premises
3. Purchase of equipment for youth clubs and/or adaptations to facilities for COVID-19 related measures
4. Improvements works to create safe sport/recreation facilities
5. Improvements to town parks and common areas and spaces and the provision of comfortable and safe meeting places for young and older people
6. Public realm improvements and accessibility projects, in line with Kerry's Age Friendly Strategy
7. Streetscaping
8. Minor enhancements of play/recreation spaces
9. Energy efficiency type projects
10. Purchase of equipment
11. Adaptations or equipment needed as a result of COVID-19
12. Purchase of IT Equipment for Community usage and to facilitate training for older people

Separately, for this iteration of the CEP, grants are available for costs associated with reopening of a facility or the sustainability of the facility. These include costs such as utility bills, etc. To ensure appropriate monitoring and governance, the Department is stating that only costs falling due for payment in 2021 are eligible.

Project proposals that have not previously received public funding during COVID in the past 12-18 months will also be prioritised by the LCDC where possible, subject to the overall quality of the project.

Please keep in mind that the delivery of your project must be within the confines of any COVID-19 restrictions that may be in force and that all HSE guidelines and protocols are adhered to.

Offers of funding may be for a lesser amount than that sought by the applicant. Applicants should be aware that the Programme may be oversubscribed. Therefore, in such circumstances, all applications fulfilling the conditions may not be successful or may be for a lesser amount.

Target groups

This funding is targeted towards enhancing community facilities for individuals and communities that are impacted by disadvantage as identified in the Local Economic & Community Plan (LECP).

How to Apply

Applications should be made online using the following link: - <https://arcg.is/1byG1u>

Please ensure that all documentation required to complete the application is included, otherwise this may render your application invalid.

Queries should be referred by email to community@kerrycoco.ie or by contacting the Community & Tourism Department on (066) 7183680.

All Information is available to download from Kerry County Council's website, www.kerrycoco.ie.

THE CLOSING DATE FOR RECEIPT OF ONLINE APPLICATIONS IS 5PM ON FRIDAY, 16th JULY 2021

Members queried the Outdoor Recreation Application Fund and what has been applied for. In reply, MD Officer Mr. A. Smith stated that seating and road signage for the Greenway Car Parks has been applied for. This signage will be classed as additional signage for the Greenway.

In relation to the marketing of Greenways, Cllr. J. Moloney requested that a meeting take place with Limerick County Council to discuss the joint marketing of the Greenway from Kerry to Limerick, noting the official opening of the Limerick Greenway which was highlighted on national media and has dedicated a website. He further requested an update on the marketing strategy for the North Kerry Greenway. Subject to the availability of SEO Community Niamh O'Sullivan, an undertaking was given to provide this briefing at the Special Part VIII Meeting on 20th July.

(b) Notices of Motion

- 1. Cllr. R. Beasley:** That Kerry County Council, in conjunction with the new County Development Plan, allow people that wish to build in the country areas be allowed to do so without difficulty.

REPLY: The review of the current County Development Plan has commenced. Policy in respect of rural housing will be drafted taking cognisance of the National Planning Framework and in particular National Policy Objective 19, the Regional Spatial and Economic Strategy for the Southern Region and the current Ministerial Guidelines Sustainable Rural Housing Guidelines 2005 issued by the Minister and any revised successive guidelines. The draft plan including any areas to be designated for the purposes of any policy in the plan will be brought to Full Council for consideration shortly.

Noting the reply, Cllr. R. Beasley hoped consideration could be given to families who wish to reside near elderly parents or relatives so they could be available to care for them in their later years.

2. **Cllr. M. Foley:** That Kerry County Council would give a lease agreement to Moyvane Community Group under Fáilte Isteach Gach Duine Moyvane to develop the Garda Barracks in the village.

REPLY: This property is currently in the ownership of the OPW; however, Kerry County Council is exploring the possibility of entering into a leasing arrangement with them as part of the proposal from Fáilte Isteach Gach Duine Moyvane to redevelop the building as a Community Hub.

Reply noted by Cllr. M. Foley. The Motion was supported by Cllr. J. Moloney.

3. **Cllr. J. Moloney:** Now that the Listowel Bypass has gone to tender, what steps will Kerry County Council be taking to ensure it brings the maximum economic return for Listowel and North Kerry?

REPLY: There are significant opportunities for the delivery of projects in Listowel Town. Funding streams available include the Rural Regeneration and Development Fund, Town & Village Renewal Grant Scheme, Active Travel, Fáilte Ireland forthcoming Platforms for Growth Schemes, Heritage Schemes, and the funding opportunities associated with delivery of housing and roads infrastructure as well as the funds already secured. A funding application is currently being prepared to for a significant investment in the town under the Rural Regeneration and Development Fund to maximise the benefits to the Town by capitalising on the significant investment secured for the Listowel By-Pass and the Greenway, both of which offer substantial economic and social opportunities for Listowel.

Reply welcomed by Cllr. J. Moloney.

4. **Cllr. M. Kennelly:** That Kerry County Council provide a step by step procedure in relation to the urgent or immediate use of Defibrillators in Kerry.

REPLY: Kerry County Council has provided co-funding in the past to community groups for the purchase of defibrillators. The Irish Heart Foundation run courses that teach the basic techniques of CPR and how to use an automated External Defibrillator (AED). These courses are led by qualified instructors who guide participants through each step as they practice on a manikin. The Council has also provided support for training and the purchase of manikins through the Community Support Fund.

The Members welcomed the updated from MD Officer Mr. A. Smith that a Defibrillator map for Listowel Town is currently being developed and a page showing a map of these Defibrillators will be developed for the Listowel Town website. Mr. A. Smith informed the Members that there are a total of 7 Defibrillators in the town, which have access 24 hours a day, 365 days of the year.

5. **Cllr. A. Thornton:** That Kerry County Council confirm the level of funding received by the Festival of Kerry i.e. the Rose Festival from Kerry County Council in 2018 and 2019.

REPLY: The level of funding received by the Festival of Kerry from Kerry County Council was as follows:

2018	€120,000
2019	€120,000

In response to her NOM on funding provided to Rose of Tralee, Cllr. A. Thornton said that the Listowel Writer's Week Festival, which is an international festival, is lagging behind in terms of the funding support received from Kerry County Council and she wants to see this festival to be supported in a proportional manner. Cllr. J. Moloney added that currently, the funding the festival receives comes from 3 sources within the Council which brings uncertainty and also takes a big chunk of the CSF fund for the MD. He wants to get more certainty around the support the festival receives. Cllr. A. Thornton proposed to bring this matter to Full Council, and this was supported by the Members.

(c) Questions

1. **Cllr. J. Moloney:** When can we expect the Marketing for the Greenway to begin? What steps have been taken for joint Marketing with the Limerick Greenway?

REPLY: Following an extensive procurement and evaluation process, a provider of branding and marketing services for the greenways in North Kerry will be procured in the coming weeks. The successful provider comprises a multidisciplinary team with expertise in Branding, Orientation, Interpretation, Graphic Design, and Digital Strategy and Marketing. They will be tasked with creating a suite of tourism product development and promotional material for the greenways including brand values, attributes and messaging of the greenway offering in Kerry, as well as logo design and development. They will design promotional brochures, signage, and maps for the greenways.

They will collaborate with a multi-disciplinary team within Kerry County Council working on the delivery of the overall greenway project. Kerry County Council continues to work closely with Limerick City and County Council to ensure a joint marketing approach to the greenways in line with the shared key themes.

Members hoped there will be a closer collaboration with Limerick County and City Council and also there could be some advertising in place now, so as to attract visitors and let prospective visitors know that the Greenway is coming in early 2022.

2. **Cllr. A. Thornton:** Is it envisaged that Kerry County Council will progress a campervan site in Listowel?

REPLY: Kerry County Council is currently working with Fáilte Ireland to explore the feasibility of developing a campervan park as part of the Cliff Coast Destination and Experience Development Plan.

Noting the reply, Members hoped temporary bays similar to those used in Castlegregory could be investigated.

3. Cllr. A. Thornton: What funding streams are available to further sustainable development goals in Listowel Town.

REPLY: There are significant opportunities for the delivery of projects in Listowel Town. Funding streams available include the Rural Regeneration and Development Fund, Town & Village Renewal Grant Scheme, Active Travel, Fáilte Ireland forthcoming Platforms for Growth Schemes, Heritage Schemes, and the funding opportunities associated with delivery of housing and roads infrastructure as well as the funds already secured. A funding application is currently being prepared to for a significant investment in the town under the Rural Regeneration and Development Fund to maximise the benefits to the Town by capitalising on the significant investment secured for the Listowel By-Pass and the Greenway, both of which offer substantial economic and social opportunities for Listowel.

Noting the reply, Members hoped that more sustainable funding streams could be explored so as to give a “green ethos” to the Town.

21.07.12.03. Water, Environment, Fire and Library Services Directorate

(a) It was agreed to note the update report from Water, Environment, Fire and Library Services Directorate.

Water, Environment, Fire & Library Services Report

Listowel Municipal District

DATE: July 12th, 2021

Director of Service: John Breen

Environmental Protection

Business Unit Manager: Gerard O'Brien SEO

Blue Flag & Green Coast Award 2021

An Taisce confirmed the following beaches were awarded a Blue Flag for the 2021 bathing season.

1. Inch
2. Ballinskelligs
3. Ballybunion South
4. Ballyheigue
5. Banna
6. Derrynane
7. Fenit
8. Kells
9. Maharabeg
10. Rossbeigh
11. Ventry
12. White Strand
13. Fenit Marina

Additionally, the Portmagee Pontoons run by Kilrush Maritime Ltd was also awarded Blue Flag status.

The following sites were awarded the **Green Coast** award for the 2021 bathing season:

- Beal Ban
- Castlegregory
- Littor
- Waterville
- Ballinskelligs

The blue flag season commenced on 5th June and 41 lifeguards are on duty on the blue flag beaches for the summer months.

Beach wheelchairs are also available free of charge at the following beaches:

- Ballinskelligs
- Inch
- Banna
- Maharabeg
- Ballybunion

'GIVE YOUR LITTER A LIFT'

NEW CAMPAIGN TO STAMP OUT LITTER AT KERRY'S BEACHES

Kerry County Council recently launched a new anti-littering campaign encouraging anyone visiting the county's beaches this summer to 'Give Your Litter A Lift' and to ensure that coastal areas remain free of litter over the coming months. This campaign will also involve increasing the number/servicing of litter bins available at beaches across the county and placing newly designed signage at the blue flag beaches encouraging beach users to act responsibly by taking litter home.



County Clean Up Day

Now in its 9th year, a scaled down, covid compliant County Clean-up took place from 22nd to 30th May. Traditionally this wonderful county-wide community event was held on a specific day however this year it was extended to ensure compliance with Covid-19 public health guidelines. County Clean-Up took place with the support of Kerry County Council and KWD Recycling and in previous years 5,000 volunteers gathered 6,500 bags of litter on a single day in their own localities that left the county of Kerry looking spick and span.

Facilitated by KWD Recycling this year's campaign saw 3,400 volunteers work in 200 "pods" fill approximately 1,800 bags with litter gathered from local roads. We wish to thank all the volunteers and participants who took part and to acknowledge the important role that volunteers, community groups and tidy towns committees play in keeping our county clean. We also want to acknowledge and thank KWD for their ongoing annual support for this event.

Joint Dog Patrols

The Litter Wardens, Dog Wardens and Enforcement Officers carried out 33 dog patrols during the period January to May where they discussed dog related issues (disposal of dog waste, licencing, effectual control etc) with 190 dog owners and established that 92% of owners had plastic bags for the disposal of dog waste.

Civic Amenity Site Transactions

Accumulative Waste Transactions for All Waste Stations

Year	Weighbridge Transactions	% of weigh bridge transactions as % of Total transactions	No. of bags transactions	% of bag tickets sold as % of total transaction	Total no. of Transactions
2021	6,262	11%	50,023	89%	56,285

Recycling – Accumulative Sales for All Stations

2021 Eco sense bags sales = **13,220**

Accumulative Waste and Recycling Tonnage for All Stations

Year	Weighbridge Waste Tonnage (Incl Tkt Weight)	Recycling Tonnage for Eco Sense Bags
2021	894.07	212.36

Dogs Statistics January – May 2021

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Number of Dog Licences Issued	5,516
Number of Dogs Fines issued	31
Number of dogs Rehomed	39

ENVIRONMENTAL ENFORCEMENT
PERIOD: JANUARY – MAY 2021

Beach Bye Law Fines Issued January – May 2021

No. of Fines Issued	32
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Litter	2021
No. of Litter Complaints	443
No. of Fines Issued	41
No. of Fines Paid To-date	17
No. of Court Prosecutions	0
Total Amount Awarded	€0
Air - No. of Complaints Investigated	31
Air - No. of Court Prosecutions	0
Air - Total Amount Awarded	€0.00
Waste - No. of Complaints Investigated	188
Waste - No. of Court Prosecutions	0
Waste -Total Amount Awarded	€0

Water - No. of Complaints Investigated	77
Water - No. of Court Prosecutions	0
Water - Total Amount Awarded	€0

Fire Service

Business Unit Manager: Mr. Andrew Macilwraith, Chief Fire Officer

Operation of the Fire Brigade Service:

- There were 321 mobilisations up to the end of May 2021 compared to 315 mobilisations for the same period in 2020. This represents a 2% increase in mobilisations.
- Gorse fires at 158 were up from 151 for the same period last year. This represents a 4.6% increase.
- Chimney fires were at 57 which is up from 42 for the same period last year. This represents a 36% decrease.
- Road Traffic Collisions were at 29 which is down from 36 for the same period last year. This represents approximately 20% decrease.

	2020	2021
	Jan-May	Jan-May
<i>FIRE OPERATIONS - DETAILS OF OPERATIONAL WORK</i>		
<i>Fires Number</i>		
Chimney Fires	42	57
Gorse Fires	151	158
Other Fires	77	85
Total	270	300
<i>Special Services Number</i>		
Entrapment	3	4
Gas/Chemicals	0	1
Hazardous substances in transit not involving fire	0	0
Hazardous Substances non-Transit	6	5

Machinery	1	0
Miscellaneous	52	50
Other rescue	35	39
Rescue/Removal of persons from water	9	2
Road traffic accident	36	29
Water pumping/flooding	0	5
Total	142	135
<i>False Alarms Number</i>		
Malicious	1	4
Good Intent	62	71
Total	63	75
<i>Total Number of Incidents</i>	475	510
<i>Total Number of Mobilisations</i>	315	321

Fire Safety and Prevention:

- Due to restrictions caused by the COVID -19 emergency, inspections by Fire Officers were limited to those considered to be absolutely essential. An inspection protocol has been put in place and Fire Officers were provided with additional suitable PPE to enable essential inspections of premises to be carried out as safely as possible.

Building Control:

- The number of Commencement Notices/ 7 Day Notices received to the end of May 2021 was 235 valid Commencement Notices, which is a 48% increase on the same period last year.
- The building control section continues to process Disability Access Certificate applications and also Fire Safety Certificate applications. Up to the end of May 2021 a total of 34 No. Disability Access Certificate applications had been received representing a 15% decrease on the same period last year. A total of 44 Fire Safety Certificate applications were received, which is a 24% decrease on the same period last year.

Building Control Statistics

BUILDING CONTROL- DETAILS OF OPERATIONAL WORK

<i>Fire Safety Certificate Applications Received</i>	58	44
<i>Disability Access Certificate Applications Received</i>	40	34
<i>Commencement Notices Received</i>	159	235

Library Services

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

Library service:

- **Restoration of Library services**

Libraries re-opened to the public on Monday, 10 May. The following services are currently being provided: Browse & Borrow; Book returns; Photocopying. A Contact & collect service is also offered if requested.

Opening hours for Tralee, Killarney, Dingle & Listowel libraries: 10.00am – 5.00pm, Monday – Saturday. Castleisland, Caherciveen, Kenmare & Killorglin libraries: 10.00am – 5.00pm, Tuesday – Saturday, with lunch time opening when possible. Ballybunion library: 10.00am – 1.30pm & 2.30pm - 5.00pm, Tuesday – Saturday.

As of 15 June, public computers, daily newspapers, study spaces, research facilities and the Mobile Libraries service are not available as per government guidelines and it is intended that these will be restored on a gradual basis in line with national guidance. The Local History/Archives service is also closed but facilitates e-mail and phone enquiries.

The national online book request service resumed on Monday, 17 May & online services are available as usual at

- **Library Reading Initiatives**

Kerry Library and Right to Read Book Bag Project - connecting Early Learning and Care Centres with Libraries

With funding received from the Department of Children, Equality, Disability, Inclusion and Youth (DECDIY) and the Department of Community and Rural Development (DRCD), Kerry Library has recently engaged with the 134 Early Learning and Care Centres across the county, offering them a First 5 book bag [each 'Little Library Bag' contains 5 books, one in Irish and four in English] on long term loan and additionally a range of library merchandise. The books will target the 2.5 years to 5.5 years age groups. Each library will also hold book bag sets, available for lending by parents/guardians and/or to remain in the library for story times and reading events.

Kerry Library Adult Literacy Project

Kerry Library has linked with the Kerry Educational and Training Board, the Killarney Immigrant Support Centre and the Tralee International Resource Centre to enable the distribution of a 'Quick Read's' series of books for adults who need literacy support and who engage with current adult literacy initiatives. This initiative was made possible through Dormant Accounts Funding and Kerry County Council matched funding of €4,000.

Also included in the packs is information on current library services and on the free online Touch, Type, Read and Spell [TTRS] resource currently available via remote access at www.kerrylibrary.ie for users who wish to improve their literacy and language skills.

• Summer Stars

The Kerry Library Summer Stars reading programme 2021 will run from 12 June – 31 August. Normal book lending has resumed at each of the 9 libraries while there is also the option to use free downloadable e-books and e-audio books to add to the Summer Stars reading experience. Libraries will offer a range of reading supports, summer reading tips and recommended books for children. Details available at www.kerrylibrary.ie or at www.summerstars.ie

Summers Stars is part of the national Right to Read programme.

KERRY COUNTY COUNCIL WATER SERVICES DIRECTORATE REPORT **LISTOWEL MUNICIPAL DISTRICT**

Status Summary at 25th June 2021

Funding Priorities for Capital Projects

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

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

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

IRISH WATER MAJOR INFRASTRUCTURE

This information has been provided by Irish Water.

The Schemes in the Listowel Municipal District which are listed in Irish Water's national **Capital Investment Programme** (the CIP) are outlined in the following tables:

<u>WASTE-WATER PROJECTS IN THE LISTOWEL M.D.</u>	
Project	Status
Listowel and Ballylongford DRAINAGE AREA PLANS	Consulting Engineer Ove Arup Ltd has been appointed for the preparation of these Drainage Area Plans , and the Tralee and Killarney DAPs. The surveys in preparation for the Ballylongford and the Listowel Plans are substantially complete, and the Drainage Area Plans are due for completion by late Autumn 2021.
Ballylongford WW Scheme	New waste water treatment plant completed 2016; Drainage Area Plan being done in conjunction with Plans for Tralee, Killarney and Listowel; Connections Work Contract, value circa €120K - Tendering Docs, prepared by KCC, under review with IW; KCC submission for €245K funding for Well St and Quay St Sewers also with IW; Outcome of DAP will affect these projects.
Lixnaw WWTP	Integrated Constructed Wetland (ICW) construction by Contractor – now substantially complete and in full operation.

CAPITAL PROGRAMME

This is a rolling programme of **Minor Improvement Works** which can be added to as the need arises.

<u>COUNTYWIDE CAPITAL PROJECT</u>			
Project	Description	Estimate	Status
Ballyheigue Water Treatment Plants	Disinfection Upgrade including Ultra-Violet treatment at the Slugaire	€200,000	Underway

The list of **current** projects in the Listowel Municipal District is outlined in the following table:

<u>LISTOWEL M.D. - CAPITAL WORKS PROGRAMME</u>			
Project	Description	Estimate	Status

NKRWSS: Dromin Listowel Water Treatment Plant	Remodelling of building	€700,000	Planning Permission granted 2017; Site Investigation completed Oct 19; Detailed design commenced in January 21.
Watermain replacement at the Square and Bridge Road Listowel	Replacement of 750M of 150MM diameter watermain.	€250,000	Complete 12Feb21
Watermain replacement at Dromin Listowel	Replacement of 500M of 300MM diameter asbestos cement watermain with 300MM uPVC pipe between Dromin and the N69 Listowel-Tarbert road	€120,000	Complete 15April21
Watermain replacement at Church St. Listowel	Courthouse Road to Ballygologue Road; 320M of 250MM diameter	€140,000	Underway

NEW RESERVOIRS PROGRAMME

Irish Water, through KCC Water Services, is currently reviewing water resources, including storage requirements, under its **National Water Resources Plan**.

The provision of several new reservoirs throughout the county, to improve security of water supply, is planned.

Tarbert is included and it is intended that a new reservoir may be developed beside the existing in Tieraclea. The combination of both reservoirs would ensure 24-hour storage for this area.

THE RURAL WATER PROGRAMME

The administration and development of the Group Scheme sector continues to be a function of the Local Authorities under the guidance and supervision of the **Department Of Housing, Planning and Local Government**.

Irish Water has no authority, responsibility, or involvement.

The national **Rural Water Programme 2019 – 2021** was published by the DoHP&LG in 2019.

Takeover of Group Schemes

Since 1 January 2014, responsibility for the Takeover of Group Schemes has transferred to Irish Water, **and KCC is no longer in a position take over Group schemes.**

Irish Water has now developed a **protocol to facilitate its Takeover of Group Schemes.**

Substantial funding has been included in the **Programme for Upgrade Prior To Takeover Works** (mains' replacement) at **Clanmaurice** and **Lyreacrompane GWSSs**. Work of value €450,000 on water mains replacement of length 4Km has been completed on the network served by **Trisk** reservoir (Clanmaurice GWSS) at **Dreenagh and Maulin on Kerryhead.**

It is planned that further similar works of that value will be carried out on the **Clanmaurice** (to commence in **Ballinglanna**) and **Lyreacrompane GWSSs** (late Summer) in 2021.

FIND and FIX PROGRAMME

This is a specially funded, nationwide, capital project which was set up to search for leaks in the public water pipes and repair them.

The project was commenced in January 2018 and involves the deployment of **three new Kerry County Council van crews** comprising one 'Find' van crew and two 'Fix' van crews. There is also the deployment of one van crew from Coffey Northumbrian Limited, the Irish Water appointed contractor whose 'Find' van crew is helping in building a repository of potential leak locations for follow-on investigation and repair by the **Fix** van crews.

Following extensive works in Tralee, the Council's WSs crews have also been involved in works, some at night, in **Listowel** town. Find and Fix crews began working in Listowel in January 2020. To-date the daily outflow from the Dromin WTP to Listowel town has been reduced by almost 50%.

Work, some at night, on this county-wide project has also been undertaken in Dingle, Castleisland, the greater Knockaninane Killarney area and Killorglin.

FIRST FIX PROGRAMME

Under this project, Irish Water, having electronically read the domestic meters, has written to each householder whose domestic meter is recording excessively high flow, to offer the free service of the appointed contractor, **Coffey Northumbrian Ltd**, to investigate the cause. The Contractor had also been 'knocking on doors' of houses (prior to the COVID-19 pandemic), the meters for which indicate possible leaks. This is a nation-wide project.

(b) Notices of Motion

1. **Cllr. R. Beasley:** That Kerry County Council call on all dog owners to use a lead when walking dogs on beaches and in parks plus other public areas.

REPLY: Section 9 of the Control of Dogs Act 1986 provides the following regulations:

The owner or any other person in charge of a dog shall not permit the dog to be in any place other than—

- (a) the premises of the owner, or
- (b) the premises of such other person in charge of the dog, or
- (c) the premises of any other person, with the consent of that person,

unless such owner or such other person in charge of the dog accompanies it and keeps it under effectual control.

“Effectual control” does not require a dog to be on a leash however owners of specified restricted dog breeds or strains of them (see details below) are legally required to have their dog/dogs:

- kept on a short strong lead by a person over 16 years who is capable of controlling them.
- muzzled whenever they are in a public place.
- wear a collar bearing the name and address of their owner at all times.

Restricted dog breeds are

- American Pit Bull Terrier
- English Bull Terrier
- Staffordshire Bull Terrier
- Bull Mastiff
- Dobermann Pinscher
- Rottweiler
- German Shepherd (Alsatian)
- Rhodesian Ridgeback
- Japanese Akita
- Japanese Tosa
- Bandog

Kerry County Council does ask dog owners to keep their dog on a leash on Blue Flag beaches during the blue flag season.

The Litter Wardens, Dog Wardens and MD Enforcement Officers have carried out 43 dog patrols during the period January – June 17th where they discussed dog related issues (disposal of dog waste, licencing, effectual control etc) with dog owners and established that over 90% of owners had plastic bags for the disposal of dog waste.

Members advised on the regulations of the Section 9 of the Control of Dogs Act 1986. Members advised of the dog breeds that are required to be under “effectual control”. Members advised that the Council does ask dog owners to keep their dog on a leash on Blue Flag beaches during the blue flag season. Members advised that 43 dog patrols have taken place in the Jan-June 2021 period.

Cllr. R. Beasley stated that he is not anti –dogs, but would it be feasible to have a ban on dogs on beaches during the 10am-7pm period. The Councillor stated that the problem of dog control on the beaches around the county has gone totally out of proportions. The Councillor stated that he witnessed one unfortunate person being attacked by a dog because the dog owner was unable to control the animal. The Councillor added that although most dog owners were responsible, there are some situations whereby people have no control over their pets, hence the problem of dog fouling and possible attacks on persons or other animals.

This proposal was supported by Cllr. M. Kennelly. The Cathaoirleach stated that the Town Park was a lifesaver for people during the pandemic, but the amount of dogs roaming was scary and an embarrassment. The Councillor added that it was impossible for the Wardens to be everywhere.

Cllr. R. Beasley further opined that people pick up the dog foul when they are being watched but throw it away when not being observed. The ones who throw away the plastic bags are worse as it might take years for it to dissolve.

Cllr. A. Thornton requested a list of the requirements to successfully prosecute a person for dog fouling.

Mr. G. O'Brien stated that it would be hard to enforce such a proposal. Members reminded that dog owners need to exercise personal responsibility and control over their pets, use leashes and plastic bags for dog waste when required.

2. **Cllr. R. Beasley:** That Kerry County Council take an active part in preventing the removal of sand from the Cashen River which is ongoing for a long time. This river has been used to move sand at unusual times at early morning and at weekends.

REPLY: Kerry County Council has received a number of complaints about the removal of sand from the Cashen Estuary. The area in question is the subject of a Prohibitory Order made under the Foreshore Act, which prohibits the removal of beach material in the absence of obtaining a licence for same. On foot of the complaints received, inspections were carried out by staff. A file is currently being prepared for referral to the Law Department in relation to an incident observed during one of these inspections.

Reply noted by Cllr. R. Beasley, who stated that the illegal removal of sand is frustrating locals and creating problems further upstream. The Councillor stated that there is at least one person removing sand at the Cashen. The issue has the potential to damage fish, in an area where people have not been allowed to fish for two years.

The Councillor stated that there are big amounts of sand being removed at the location, when Council staff are not on duty and based on the patterns of the tides.

3. **Cllr. J. Moloney:** Given the huge capital required for wastewater treatment plants can alternative, more affordable systems be explored, e.g. reed beds.

REPLY: Irish Water has replied as follows:

“Integrated Constructed Wetlands (ICWs) are one of the treatment options considered when assessing the site options under the National Certificate Authorisation Programme (NCAP). The recommended option considers the Whole Life Cost of a project, including the initial capital investment, replacement costs and energy / operational costs over a 40-year period.

The land area required for an ICW can be significant and may require the pumping of effluent from the existing wastewater treatment plant location to a new ICW location if sufficient land cannot be acquired adjacent to the existing works.”

Sludge Drying Reed Beds are considered for some sites under the Inlet Works, Storm and Sludge Programme.

Members agreed as a Matter of Resolution to issue correspondence to Irish Water in relation to the alternative wastewater treatment plants planned for the County.

4. **Cllr. M. Kennelly:** That Kerry County Council install a water supply to the Kilshenane Cemetery.

REPLY: The cost of connecting this graveyard to the public mains would be prohibitive. The Council hope to be in a position to install a water harvesting solution to provide water for those using the graveyard before the end of 2021.

Members welcomed that a water harvesting option is to be explored at Kilshenane Cemetery.

5. **Cllr. A. Thornton:** That Kerry County Council seek confirmation from Irish Water that where a sewer is a combined sewer i.e. foul and storm water, it is the responsibility of Irish Water.

REPLY: Irish Water has replied as follows:

“Where there is foul and storm water catered for in the same public pipeline, the sewer is considered a foul sewer. There could however be a situation where there is a storm sewer with foul misconnections – in this case the sewer remains a storm line and it is for the LA Roads Department, which has responsibility for storm lines, to follow up regarding identification and removal of the foul misconnections.”

Members advised that a combined sewer is the responsibility of Irish Water. Members welcomed the reply.

(c) Questions

1. **Cllr. R. Beasley:** What is the up to date position on the Blue Flag at Ladies Beach, Ballybunion.

REPLY: As members are aware there have been issues in relation to bathing water quality at the North Beach in Ballybunion. On foot of this, additional inspections have been carried out in an effort to identify possible sources, particularly in relation to potential land-based sources. In addition, in partnership with University College Dublin, we are arranging to have specialist water quality assessments carried out in an effort to accurately identify the origin of the contamination in question.

Assessments have been carried out on the pumping stations and storm water overflows on the Ballybunion Network adjacent to the North and South Beaches.

There is a pumping station adjacent to the North beach which is working satisfactorily and does not have a storm Water overflow. Previous investigations found no evidence that any wastewater from this pumping station infiltrates the North beach. Additionally, a submission for the upgrade of this Pumping Station has been submitted to Irish Water for funding under the Wastewater Pumping Stations and Rising Mains Capital Maintenance Programme.

There is a pumping station and storm water overflow adjacent to the south beach and both are working as designed. In periods of high rainfall, the storm water overflow is designed to convey storm water into the sea beyond low water mark. During these periods of high rainfall, the discharge is highly diluted.

If the assessments being carried out by UCD together with the additional inspections being carried out highlight any potential infiltration from the wastewater network, further surveys will be considered.

Reply noted by Cllr. R. Beasley.

2. **Cllr. R. Beasley:** Can an update be provided on the extension to Causeway Churchyard and Graveyard?

REPLY: As previously advised, Kerry County Council are advancing this project. Land is being acquired from St Brendan's Trust to gain access to the proposed extension where the Council acquired some land a number of years ago. Once this access has been acquired, we will be in a position to progress the extension to the burial ground. Plans to provide an appropriate boundary treatment around the existing burial ground will be progressed during 2021.

Reply noted by Cllr. R. Beasley.

3. **Cllr. R. Beasley:** Has Kerry County Council any plans of highlighting the problem with dog foul on the airwaves, as the problem has gone out of control?

REPLY: The scourge of dog fouling was discussed on Radio Kerry by a representative of the Environment Section prior to the launch of our newly designed anti dog fouling signage earlier this year.



Approximately 40 of these signs have been installed at popular walking routes, parks, and other public amenities.

The Litter Wardens, Dog Wardens and Enforcement Officers have carried out 43 dog patrols during the period January – June 17th where they discussed dog related issues (disposal of dog waste, licencing, effectual control etc.) with dog owners and established that over 90% of owners had plastic bags for the disposal of dog waste.

The problems associated with dog fouling are regularly highlighted throughout the year on both Kerry County Council social media and traditional media platforms. There are also plans to develop a national dog fouling campaign by the Department of the Environment, Climate and Communications.

Members noted the reply, and hoped for more Enforcement during the Summer months due to extra presence of dogs on beaches, public areas and parks.

21.07.12.04. Housing Directorate

(a) It was agreed to note the update report from Housing Directorate.

HOUSING DIRECTORATE REPORT

LISTOWEL MUNICIPAL DISTRICT

DATE: 17th JUNE 2021

Director of Service: Martin O' Donoghue

Housing Report – LISTOWEL Municipal District

- Housing Applications

The Summary of Social Housing Assessments 2020 (which was deferred nationally from its normal early year completion to November due to Covid19) has just been completed. Members are aware that this is an annual exercise at this point. The total number of qualified applicants (excluding transfers) under the 2020 assessment for County Kerry is 2,183 (SSHA 2019 2,772). This data is at a fixed date. The full details will be presented to the Housing SPC at its January 2021 Meeting and will come back to Council by report from the SPC following that consideration.

The following details are point in time and current and updated details are provided at each MD Meeting.

The figures below include not only applicants who have Listowel as their primary area of choice but applicants in other parts of the County who have indicated that they may be interested in Listowel as not their primary area of choice but as one of their other areas indicated.

	<u>No</u>
Current no. of approved applicants on the housing list who have selected an area within this MD as an area of choice*	746
Net Need for Listowel MD (excluding transfers) *	402
No. of applications received this year who have selected an area within this MD as an area of choice*	83
No. of applications approved since the start of this year who have selected an area within this MD as an area of choice*	68

*(including from other MDs who have indicated Listowel as any one of their 3 areas of choices)

Breakdown by Bed No.

The figures below include not only applicants who have Listowel as their primary area of choice but applicants in other parts of the County who have indicated that they may be interested in Listowel as not their primary area of choice but as one of their other areas indicated.

1-Bed	388
2-Bed	202
3-Bed	105
4-Bed	49
5-Bed	2
Total	746

- **Void Management**

Municipal District breakdown	<u>No</u>
Current no. of dwellings under repair and unallocated	4
Current no. of dwellings under repair and allocated	5
Current no. of dwellings awaiting repairs	20
Current no. of repaired dwellings awaiting allocation	0
Current no. of repaired dwellings allocated awaiting occupation	2
<u>Total No of Vacant dwellings in Municipal District</u>	31

- **Social Housing Options**

Social Housing Options in MD	New tenancies since the start of the year	Current No of tenancies
LA Housing	52	971
RAS	0	100
Leasing	1	35
HAP	25	206
<u>Total no of Tenancies</u>	78	1,312

4 Housing Construction / AHB Programme

Schemes/S.R. dwellings at planning/design stage in Municipal District

<u>Location</u>	<u>No of dwellings</u>	<u>Type of dwellings</u>	<u>Estimated start date</u>	<u>Estimated completion date</u>
Woodview Place, Tarbert	22	4no. 3 bed 8no. 2 bed 10no.1 bed	May 2021	Aug 2022
Glór na Toinne Ballybunion	14	6no. 3 bed 4no. 2 bed 4no. 1 bed	Sep 2021	Oct 2022
Carraig an Phoill Ballylongford	7	2no. 3 bed 2no. 2 bed 3no. 1 bed	Nov 2021	Dec 2022

Schemes/ S.R. dwellings under construction in Municipal District

<u>Location</u>	<u>No of dwellings</u>	<u>Type of dwellings</u>	<u>Start date</u>	<u>Estimated completion date</u>
Baile An Gharraí, Lixnaw, Final Phase	10	8no. 3 bed 2no. 2 bed	Feb 2020	Completed Apr 2021

AHB Schemes in Municipal District

<u>Location</u>	<u>No of dwellings</u>	<u>Type of dwellings</u>	<u>Estimated completion date</u>
Dun Ard, Ballybunion	1	4 Bed	July 2021

Cahirdown Wood, Listowel	38	4 x 2 Bed	August 2021 (12 Units)
		34 x 3 Bed	February 2022 (26 Units)

5 Maintenance/Improvement of Housing Stock

Since 1st January, 2021, 323 requests for repairs have been received for the Listowel Municipal District.

6 Housing Adaptation /Housing Aid for Older People Grants (Private House Grants)

Since 1st January, 2021, 65 grants have been allocated in the Listowel Municipal District.

7 Bedroom Extensions

Since 1st January, 2021, 1 bedroom extension has been allocated in the Listowel Municipal District.

(b) Notices of Motion

1. **Cllr. R. Beasley:** That Kerry County Council replace the door, fix the windows, and carry out whatever repairs are necessary at the house of **[Details with Directorate]**

REPLY: The maintenance and repair of windows and doors are a matter for the tenant as per the Tenant's handbook. No further repair requests were received by the Listowel MD office.

Cllr. R. Beasley expressed his disappointment with the reply, stating that the person who wishes for repairs to be carried out has been renting the property since before the Tenant's handbook came into operation.

2. **Cllr. M. Kennelly:** That qualified Housing applicants that have three areas of choice in the Listowel Municipal District Area be residing in the Listowel Municipal District Area.

REPLY: The legislation does not permit Kerry County Council to limit an applicant's areas of choice to those within the MD area that they currently reside.

Section 20 of the Housing (Miscellaneous Provisions) Act 2009 and the Social Housing Assessment Regulations 2011 set out the legislative basis for the processing and assessment of social housing applications.

One of the most important elements of this assessment process is to allow households a greater level of choice in relation to the social housing support provided to them, particularly in relation to the location of the accommodation. Therefore, under this assessment process, households are allowed to choose up to three areas within the functional area of their local authority in which they are willing to accept an offer of accommodation.

Kerry County Council provides a list of its area of choice, which is included on the social housing application form, and it is a matter for each social housing applicant household to choose which of these it wishes to be considered for accommodation. Once a household has selected its areas of choice, they cannot be amended for a minimum period of twelve months thereafter.

Reply noted by Cllr. M. Kennelly.

(c) Questions

1. Cllr. A. Thornton: What is the position of Kerry County Council on fibre in new build properties owned by Kerry County Council.

REPLY: As part of the construction of all of our new social housing units, the necessary infrastructure is installed in accordance with Eir requirements to facilitate the provision of fibre optic broadband as part of the construction contract.

Reply noted by Cllr. A. Thornton.

21.07.12.05. Roads, Transportation & Marine Directorate

(a) To note update report from Roads, Transportation & Marine Directorate.

ROADS, TRANSPORTATION & MARINE DIRECTORATE REPORT

LISTOWEL MUNICIPAL DISTRICT

DIRECTOR OF SERVICE: CHARLIE O'SULLIVAN

DATE: 12TH JULY 2021

1 Roads, Transportation and Marine

1.1 National Roads

N69 Listowel Bypass (Major Scheme)

The Tender for the Main Construction Contract was published on 1st June 2021 with tenders due for return on 23rd July 2021. Final approvals from TII and DoT will be required prior to Contract Award.

The land acquisition process is progressing, with consultation on land acquisition and accommodation works continuing between Kerry County Council, landowners and land agents as required in each case. Cases continue to be agreed through negotiation and land agreements are being processed.

N69 Listowel Main Street to Kerry Foods (Pavement Scheme)

Tenders for the Pavement Overlay and Safety Improvement Project were advertised on the Irish Public Sector eProcurement website etenders.gov.ie using the Open Procedure with a closing date of Friday 18th June 2021. The tender assessment process was complete by a panel from Kerry County Council and the Tender Report submitted to Transport Infrastructure for approval. Subject to approval of the Tender Report the apparently successful and unsuccessful tenderers will be notified shortly.

N69 Upper Church Street, Listowel (Pavement Scheme)

IW have watermain replacement works along this section in advance of the Pavement Overlay Scheme.

This project incorporates significant safety improvements including enhanced pedestrian and cycling facilities requiring TII approval. In this regard, feasibility reports, design reports and road safety audits were completed and submitted to the TII safety section for approval. The proposals also require a Part 8 process which is currently underway and at the public consultation phase with a closing date for submissions of Thursday 1st July.

1.2 Listowel Municipal District 2021 Roadworks Programme

The Listowel Municipal District 2021 Roadworks Programme was ratified at the Listowel Municipal District Meeting on 10th March 2021. The 2021 Roads Programme works commenced in Listowel MD on 13th April 2021 in line with COVID 19 Health and Safety guidance and procedures. The works are progressing and are approximately 40% complete as of 25th June 2021.

1.3 Restoration Improvement Programme 2021

The Listowel Municipal District 2021 Restoration Improvement Programme is approximately 61% complete as of 25th June 2021.

Road Number	Road Description	Length (m)	Progress
L-1033	Kerryhead- Tiershanahan (Phase 1)	1,200	75%
L-1033	Kerryhead- Tiershanahan (Phase 2)	400	75%
L-6085	Maulin - Ballylongane	640	75%
L-1005	Coolbeha- Laceys Cross	1,130	95%
R-551	Laceys Cross- Asdee	525	
R-555	Cork Line - Dillons Garage	440	95%
R-555	Duagh Village	300	
R-551	Callaghans Cross - Well Street, Ballylongford	990	
L-1004	Lisselton - Asdee	2,020	100%
L-1007	Ballyloughran - Moybella	545	100%
L-1023	Shanacool Cross- Kilmorna	1,220	95%
L-6047	Lixnaw- Ballinagare	710	75%
L-1009	Tullamore - Coolkeragh	3,130	
L-1033	Ballyheigue Village	200	95%
L-6012	Morans Cross - Ahanagran	3,300	85%
L-6065	Lahaseragh South (Francis Road)	1,000	100%
Total	Restoration Improvement Programme	17,750	

1.4 Restoration Maintenance Programme 2021

The Listowel Municipal District 2021 Restoration Maintenance Programme is approximately 28% complete as of 25th June 2021.

Road Number	Road Description	Length (m)	Progress
R-552-79	Bedford - Shrone	1,830	
L-6029-0	Galey Crossroads - Coolard School Cross	2,280	
L-1024-44	Corkline, Deerindaff - Toor	1,210	
L-1023-0	Contine from RI - L-6036 Kilmeany Junction	860	90%
L-1017-30	Bedford Cross - Knockane Cross	1,500	
L-10107-15	Gortnaminch, Listowel	2,000	
L-1016-20	Kilbaha - County Bounds	2,060	90%
L-10101	Derryvtrin	5,300	90%
L-2034-30	Kilflynn Village - Glanballyma	1,200	
Total	Restoration Maintenance Programme	18,240	

Road Number	Road Description	Length (m)	Progress
L-6038-48	Ardcullen Cross - Ardcullen West Cross	1,100	
L-6024-0	Leitrim Middle Junction with L-1021 - Junction with N-69	450	90%
L-1005	Coolbeha - Laceys Cross	550	90%
R-551-283	Bend Past Mulivhills -Ballyeigh Cross (Golf Course)	2,000	
R-556-0	Ballindranhig - Ballincrossig	1,100	
L-6044-30	Dromartin Cross - Slievewaddra	1,800	
L-1033-0	Tiershanaghan Cross - Glendallin Cross	900	
L-1030-24	Bawnmore Cross - Kilmoyley Church Cross	950	
L-1000-82	Beale School - Kilcolman	1,000	

Total	Supplementary Maintenance Programme	10,850	
Total	Restoration Maintenance Programme	28,027	

1.5 Drainage Programme 2021

The Listowel Municipal District 2021 Drainage Maintenance Programme is summarised below and has commenced.

Road Number	Road Description	Length (m)	Progress
L-6076-0	Kilflynn National School - Crotta Cross (Green Road)	1500	
L-6507-49	Laccamore North - Kilflynn	2000	
L-6075-38	Leampreaghane - Knocknakilly	2300	
L-10538-0	Glanballyma	1200	
L-1022-0	Ahavhoer -Gortdromadownagh	2,325	
L-6035-10	Knockanure - Gortdromadownagh	2,624	
L-6012-12	Lyre Cross - Morans Cross	3,500	
L-6021-25	Lenamore -Tullamore	6,500	
L-6025-0	Shroneowen - Ahalahana	4,200	
L-10006-0	Asdee Village - Holy Well	1,320	
L-6008-0	Bunaclugga bay, Asdee	1,750	
L-10007-0	Clounamon, Asdee	1,600	
L-6048-0	Dysart, Lixnaw	3,300	
L-6018-0	Glendullare, tarbert	3,400	

Road Number	Road Description	Length (m)	Progress
L-1010-15	Saleen Pier - Kilcolgan Junction	1,000	
L-1014-0	Aughrim, Moyvane	4,260	
L-6027-0	Gortdromasillahy, Moyvane	650	
L-10064-0	Gortdromasillahy, Moyvane	4,670	
L-10467/6	Stacks Mountain	1,500	
L-10106-0	Coolagowan	3,020	
L-1023-41	Foildarrig - County Bounds	2,190	
L-1032-53	Meenogahane to Clashmelcon	2,000	
L-6007	Bromore to Tullabeg	3,100	
L-1000-82	Littor to Castlequarter	2,200	
L-6013-26	Solum to Derra	1,100	
L-6083	Heirhill to Bouleenshare	1,500	
L-10431	Cloghaneleesh	2,100	
L-6507-49	Lackamore to Knocknacaska	1,300	
L-6047	Ballinagare	4,400	
L-10005	Gounawilliam (Dumper required)	600	
L-10434	Meenogahane to Meenogahane Strand	1,150	
L-10003	Beale Road to Castlequarter	1,500	
L-10447/8/9	Togherbane	2,600	
L-6086	Kilmore	2,000	
L-6045	Ardagh	2,725	
L-6001	Beale Beach Road	600	

<i>Road Number</i>	<i>Road Description</i>	<i>Length (m)</i>	<i>Progress</i>
L-6009	Lahardane	4,000	
L-6042	Rattoo	1,300	
L-6041	Bishopscourt	1,500	
L-10094	Glanerdalliv	1,300	
L-1031	The Line Road	3,230	
L-10559	Popes Cross to Dillons Cross	3,100	
L-10469	Laccamore North Cross to Dromcunnig Cross	2,000	
L-10561	Laccabeg North to Laccabeg South Cross	1,600	
TOTAL	DRAINAGE PROGRAMME	94,714	

1.6 Community Involvement Schemes (CIS)

Two Community Involvement Schemes have been offered in Listowel Municipal District for 2021. One Community Involvement Scheme has been deferred to 2022 at the request of the applicants and one has been accepted and scheduled, the L 10004 Local Tertiary Road at Kilcolman, Asdee.

1.7 Local Improvement Schemes (LIS)

Two Local Improvement Schemes have been offered in Listowel Municipal District subject to acceptance of offer and provision of the necessary contribution by the applicants.

1.8 Maintenance Works

Maintenance works are ongoing throughout the network. Patching, skirting and drainage works are being undertaken across the entire network and we are endeavouring to deal with all road maintenance requests lodged as quickly as possible.

1.9 Specific Improvement Grants

R556 – Ballincloher to Rathscannel

Construction works are progressing on site and the following is a brief summary of site progress:

- Compound and welfare facilities in place for the project.
- Part VIII for the road works and the deposition sites secured.
- Section 50 approval from the OPW for the new culverts secured.
- Archaeological testing of the deposition sites completed the three sites.
- All three culverts are installed.
- Article 27 declaration lodged with the EPA
- All service diversion works are completed.
- 800m of the old R556, from Derryvrin cross north, has been excavated and the new road structure is in place up to the underside of the road surface. This includes a trial section of floating road.
- 300m of the old R556 from the start of the road has also now been excavated and backfilling is under way. It is hoped to complete the excavation of the section to the Derryvrin junction by mid-July with the backfilling following close behind. Once completed the final section approx. 800m in length from Culvert two as far as Ballincloher will commence.
- Alternative access arrangements are now in place for the residents along the road to facilitate the next phases of the road reconstruction
- The entire length of the Liscullane to Derryvrin road has been improved.

Local Road L-1010 Upgrade - Tarbert to Ballylongford Landbank

Works commenced on site in September 2020. The following is a summary update of progress to date:

- Compound and welfare facilities in place for the project.
- Site fencing/boundary works to define the road corridor 99% completed for phase 1 works.
- The removal of the roadside hedgerow boundaries to create the full road corridor is also 99% completed.
- Service diversion works initially identified have been completed. One further section of undergrounding has been identified and will be completed shortly.
- Works, to EirGrid/ESB and windfarm underground infrastructure to facilitate the completion of the road works, have been completed by both the EirGrid and windfarm contractors. KCC has also completed their remediation works required on the duct banks.
- Road strengthening works are substantially completed on section 1 from the Piermount junction back towards Tarbert. Some minor drainage and kerbing works remain to be completed before this section is overlaid with macadams. The overlay works are scheduled for mid-July. It is also hoped to complete part of section two from the site compound as far as the speed limit on the outskirts of Tarbert as part of the initial surfacing works in July.
- The balance of the works including drainage, footpaths public lighting, boundary walls reconstruction and road overlay will be completed in Q3/Q4 2021.

1.10 EirGrid Project

ESB contractors have remobilised in relation to the cable pulling and jointing works. ESB contractors and ESB are continuing to liaise with Kerry County Council.

1.11 Bridge Rehabilitation Works

R552 Clieveragh, Listowel

Construction works are substantially complete with the contractor to return to complete minor works and snagging.

R554 Moybella North Bridge

The Part 8 publication and consultation process carried out with the Public Notice advertised in the Kerryman newspaper on 6th May 2021 with a closing date for submissions or observations of Friday, 18th June 2021. The Part 8 report preparation is underway for presentation to the Elected Members for consideration.

L1023 Kilmorna Bridge

Construction works are substantially complete with the contractor to return to complete minor works and snagging.

2 Public Lighting & Hedge cutting update

2.1 Public lighting

No. of faults reported since last meeting: **30**

No. of faults repaired within 12 working days: **27**

No. of faults repaired outside 12 working days: **3**

This report was generated on **21st June 2021** for the interim period.

Outstanding Repairs not completed within 12 working days - **None**

2.2 Hedge cutting Status update

Status Report on Hedge cutting in Listowel Municipal District April 2021

Number of hedge cutting complaints received	1			
Number of complaints investigated within 2 days	1			
Breakdown of Complaints	Cllr	Dep	Public	KCC / Own Inspections
	0	0	1	0

Follow Up				
Breakdown of Complaints (Severity of Issue)	Resolved After Informal Discussions	No Issue Found	Non Hazardous	Hazardous
	0	0	1	0
				Total Resolved
No. of Complaints Resolved	1			

Non Hazardous Complaints (Advisory Letters)	No. of Landowners
Number of Advisory Letters Issued (Landowners)	0
Numbers of Areas of land that are unregistered	0

Numbers of Letters returned (not known, insufficient address, etc)	0		
Number of Hedges cut by landowner / occupier following issuing of advisory letter	0		
Number of Formal Letters Issued (Landowners)	0		
Number of Hedges cut by landowner / occupier following issuing of Formal Notice	0		
	Cut	To Be Cut	
Number of hedges cut / to be cut by Council where landowner / occupier failed to comply with notice (or where lands are unregistered / letters returned)	0	0	

Hazardous Complaints (Formal Notice)	No. of Landowners		
Number of Formal Letters Issued (Landowners)	0		
Numbers of Areas of land that are unregistered	0		
Numbers of Letters returned (not known, insufficient address, etc)	0		
Number of Hedges cut by landowner / occupier following issuing of Formal Notice	0		
	Cut	To Be Cut	
Number of hedges cut / to be cut by Council where landowner / occupier failed to comply with notice (or where lands are unregistered / letters returned)	0	0	0

Note: Advisory notices for non-hazardous hedges that do not present a road safety hazard have been added to the list for Advisory letters for issue in September following the prohibited period for hedge cutting and vegetation clearance 1st March to 31st August.

**Status Report on Hedge cutting in Listowel Municipal District
May 2021**

Number of hedge cutting complaints received	2				
Number of complaints investigated within 2 days	2				
Breakdown of Complaints	Cllr	Dep	Public	KCC / Own Inspections	
	0	0	2	0	

Follow Up					
Breakdown of Complaints (Severity of Issue)	Resolved After Informal Discussions	No Issue Found	Non Hazardous	Hazardous	
	2	0	0	0	
					Total Resolved
No. of Complaints Resolved					2

Non Hazardous Complaints (Advisory Letters)	No. of Landowners
Number of Advisory Letters Issued (Landowners)	0
Numbers of Areas of land that are unregistered	0
Numbers of Letters returned (not known,	0

insufficient address, etc)		
Number of Hedges cut by landowner / occupier following issuing of advisory letter	0	
Number of Formal Letters Issued (Landowners)	1	
Number of Hedges cut by landowner / occupier following issuing of Formal Notice	0	
	Cut	To Be Cut
Number of hedges cut / to be cut by Council where landowner / occupier failed to comply with notice (or where lands are unregistered / letters returned)	0	0

Hazardous Complaints (Formal Notice)	No. of Landowners		
Number of Formal Letters Issued (Landowners)	0		
Numbers of Areas of land that are unregistered	0		
Numbers of Letters returned (not known, insufficient address, etc)	0		
Number of Hedges cut by landowner / occupier following issuing of Formal Notice	0		
	Cut	To Be Cut	
Number of hedges cut / to be cut by Council where landowner / occupier failed to comply with notice (or where lands are unregistered / letters returned)	0	0	0

Note: Advisory notices for non-hazardous hedges that do not present a road safety hazard have been added to the list for Advisory letters for issue in September following the prohibited period for hedge cutting and vegetation clearance 1st March to 31st August.

3 Capital Infrastructure Unit

3.1 Limerick County Bounds to Listowel Greenway

Construction works on the Listowel to Limerick Greenway originally commenced on the 4th March 2020. The site was closed for a period of 2 months in 2020 and a further 3.5 months in 2021 due to the COVID 19 restrictions. It is anticipated that works will be complete in 2022. Accommodation works with adjacent landowners are progressing.

3.2 Listowel to Tralee Greenway

Kerry County Council's Infrastructure Unit have completed the environmental screening process of the Listowel to Tralee line. The public consultation process is being developed to advance the scheme through the design and planning stages.

4 Marine

4.1 Coastal Protection L-1033 Cliff Road, Ballyheigue

Contract documents are being prepared by MWP Consulting Engineers for the construction of a 30m length of rock revetment to stabilise the cliff adjacent to the L-1033 Cliff Road, Ballyheigue. Subject to finalisation, it is planned the tender these works and commence construction works in 2021.

4.2 Flood Protection – Clieveragh Flood Relief Scheme

The replacement of the Clieveragh Culvert on the R552 in Listowel was completed in Q2 2021. A Minor Works Application for the remaining elements (over €700,000) of the Clieveragh Scheme (Impoundment area, overflow channel etc.) has been made to the OPW and we await the outcome of this application.

5 Kerry County Council Safe and Welcoming Streets Mobility Plan

The Listowel Municipal District Safe and Welcoming Streets Mobility Plan will be continuously reviewed over the coming months, in light of government advice and the needs of the public and local business while also facilitating where possible applications for outdoor dining areas.

Charlie O'Sullivan

Director of Services

(b) Notices of Motion

1. **Cllr. T. Barry:** That Kerry County Council will carry out repairs to the Tubertoorine Road in Moyvane.

REPLY: The Local Secondary Road L-6027 Tubertoorine Road in Moyvane has been added to the Road Maintenance list for repairs having regard to available funding.

Reply noted by Cllr. T. Barry, who stated that the road is in a terrible condition. The Motion was supported by Cllr. M. Kennelly.

2. **Cllr. T. Barry:** That Kerry County Council will take the necessary steps to establish a right of way from the Spa Well to the Great Southern Trail Greenway on the Northern Bank of the River Feale at Dromin Lower, Listowel.

REPLY: The creation of a right of way requires an expressed or implied dedication by the owner or owners of the land as evidence of the existence of a right of way. This can prove very challenging where disputes arise or where multiple landowners are involved. Recent legal challenges to rights of way have shown that Local Authorities may be exposed to significant financial risk in the event of adverse findings against them in the Courts.

Notably, An Bórd Pleanála, in consideration of the information made available, has recently made a decision that the erection of a boundary fence along this area is exempted development and does not require planning permission. In so doing, the Board has effectively ruled that a public right of way does not exist at this location.

In response to NOM on Rights of Way, Cllr. T. Barry noted the reply from the Council and stated that people were bitterly disappointed with the recent ruling of An Bórd Pleanála. It was of huge concern to the local people, and those people around the world with links to Listowel. Many of the locations such as the Diving Board, the Long Rock, the Falls and the Bluebells Wood have been a huge part of people's lives for 150 years or more. These locations are now seemingly going to be lost to the future generations and the local community.

The Councillor said that the access to the amenities in this location would be a huge asset to the town. He acknowledged that there was unlikely to be a solution found in the short term but noted that it might be something the Council could support in the future, should the current circumstances change.

The Motion was supported by Cllr. R. Beasley.

3. **Cllr. T. Barry:** That Kerry County Council will carry out repairs to the road surface at Leitrim East, Barragougeen, Moyvane.

REPLY: The Local Secondary Road L-6023 Leitrim East, Barragougeen, Moyvane has been added to the Road Maintenance list for repairs having regard to available funding.

Reply noted by Cllr. T. Barry.

4. **Cllr. T. Barry:** That Kerry County Council will carry out repairs to the Aughrim Road, Moyvane.

REPLY: The Local Primary Road L-1014 Aughrim Road, Moyvane has been added to the Road Maintenance list for repairs having regard to available funding.

Reply noted by Cllr. T. Barry.

5. **Cllr. T. Barry:** That Kerry County Council will provide a sign with the road number on it at the Kilbaha Road, Moyvane.

REPLY: A comprehensive road signage programme has been funded and undertaken on the national road network. A signage programme of this nature has not been funded or undertaken for the Local Road Network. In this regard, the Department of Transport Discretionary Grant, allocated annually, is the only funding stream available under which these signs could be funded. Due to the extent of the Local Roads Network in Listowel MD and the level of maintenance required in the form of pothole repairs, drainage works, regulatory and warning signs maintenance and replacement, the provision of the requested number plate direction signs does not presently form a priority and therefore cannot be provided.

Reply noted by Cllr. T. Barry.

6. **Cllr. R. Beasley:** That at least 2 ramps be installed in the entrance to Dún Ard Estate in Ballybunion. This is a very dangerous estate as one joins to other and a lot of children are in both areas.

REPLY: Traffic calming in the form of a special speed limit of 30kph applies to all roads within Dún Ard Estate as part of the speed limit bye-laws. The 30kph speed limit signage will be installed which also includes children at play signage.

Reply noted by Cllr. R. Beasley.

7. **Cllr. R. Beasley:** That Kerry County Council put in bins at Beale and Littor Beaches with the intent of encouraging people to pick up whatever packaging they bring with them to these beaches.

REPLY: Additional bins will be provided at each location for the summer season.

Reply noted by Cllr. R. Beasley.

8. **Cllr. M. Foley, Cllr. T. Barry:** That Kerry County Council would carry out traffic calming measures on both side of Knockanure National School.

REPLY: The Knockanure National School is located within a 50kph and it also has school flashing lights. The school lights are damaged and the repair or replacement of same is suitable for CCA.

Both Cllr. M. Foley and Cllr. T. Barry welcomed the reply.

9. **Cllr. M. Foley:** To ask Kerry County Council when will the "Pedestrians Walking" warning signs be erected on the L6010-43 to Carrigfoyle Castle.

REPLY: The signs have been delivered and it is aimed to get them installed in the next two weeks.

Reply noted by Cllr. M. Foley.

10. **Cllr. M. Foley:** That Kerry County Council would contact the relevant body regarding the costal erosion of the pathway to the Napoleonic Battery monument on Carrig Island, which needs urgent repairs.

REPLY: Funding applications for coastal protection of agricultural lands does not generally meet the qualifying criteria for OPW funding. Correspondence with the OPW in regarding this location is a matter for resolution by the Elected Members.

Reply noted by Cllr. M. Foley. The Councillor stated that the restoration of the Battery Monument would help boost local tourism in the area.

Correspondence to be issued to the OPW by Corporate Services.

11. **Cllr. M. Foley:** That Kerry County Council would replace two Community Alert Signs, one at the junction with L1012-10 and L6021-25 Lenamore and the other on the L6021-25 Bunharuddee.

REPLY: Kerry County Council will facilitate the installation of the Community Alert Signs on provision of the relevant Muintir na Tíre signs and poles by the local Community Alert Group.

Reply noted by Cllr. M. Foley.

12. **Cllr. J. Moloney:** What is the current schedule for works on the N69 in Listowel?

REPLY: N69 Listowel Main Street to Kerry Foods (Pavement Scheme)

- Tender Period closing date 18th June 2021
- Assessment, award, and appointment of Contractor is estimated by end of August/September 2021 followed by construction commencement for approximately 6 months.

N69 Upper Church Street, Listowel (Pavement Scheme)

- Part 8 public consultation phase closing date for submissions of 1st July 2021
- A Special meeting of Listowel Municipal District will be scheduled to consider Part 8 Report in July 2021
- Tender and appointment of Contractor is estimated for Q4, 2021.

Cllr. J. Moloney welcomed the response.

13. **Cllr. J. Moloney:** As per previous Motions, when will the casual trading by laws be reviewed in the MD?

REPLY: Kerry County Council's Law Section has commenced researching the process for reviewing the Casual Trading Bye-laws and the historic market trading rights in the Town. It is aimed to consult with the stakeholders over the coming months and prepare a draft for review.

Reply welcomed by Cllr. J. Moloney.

- 14. Cllr. M. Kennelly:** That Kerry County Council work in Tandem with all our National Schools in North Kerry to produce proper safety measures in relation to Schools on Public Roads.

REPLY: The National Safe Routes to Schools Programme is being rolled out by the National Transport Authority, An Taisce and the Department of Education. The successful schools for 2021 have been identified and it is anticipated there will be a further call for applicants in 2022.

Reply welcomed by Cllr. M. Kennelly, who hoped the programme will be rolled out annually to schools in the Municipal District.

- 15. Cllr. M. Kennelly:** That Kerry County Council immediately install a Pedestrian Crossing in Duagh Village.

REPLY: An assessment will be required to determine the need for a pedestrian crossing and further assessments may then be required to determine suitability for funding under the Department of Transport Safety Improvement Programme.

Reply noted by Cllr. M. Kennelly, who stated that it is of grave importance that a Pedestrian Crossing can be assessed for Duagh. The Councillor stated that this is one of the most dangerous roads in Kerry. There is a large national school, a GAA field and a large Community Centre all located along the busy Listowel to Abbeyfeale road.

- 16. Cllr. M. Kennelly:** That Kerry County Council install permanent Public Toilets in the Square in Listowel, and has the costly public toilet contract in Market Street expired?

REPLY: Kerry County Council will examine the possibility of providing Public Conveniences in the Square subject to the identification of an appropriate funding stream.

The Contract for the Public Convenience in Market Street has not expired and has approximately four years remaining.

Reply noted by Cllr. M. Kennelly. MD Manager Mr. J. Kennelly stated that the Square in Listowel may well be a better location for any new public conveniences.

- 17. Cllr. A. Thornton:** Can Kerry County Council confirm what percentage of the road maintenance budget remains.

REPLY: An approximate balance of 32% of Road Maintenance funding for 2021 in terms of the Discretionary Grant remains.

Reply noted by Cllr. A. Thornton.

18. Cllr. A. Thornton: Can Kerry County Council confirm when it is expected that the design work will be complete on the Dromkeen Bridge, Causeway.

REPLY: Planning and Design of the replacement structure, including statutory consent is anticipated to be completed in 2021.

Reply noted by Cllr. A. Thornton.

19. Cllr. A. Thornton: That Kerry County Council confirm when it is expected that further funding may become available to assess and complete safety works at Finuge Cross.

REPLY: An assessment of the Finuge junction will be carried out to determine if it meets the Department of Transport criteria for a future submission for funding as part of the Safety Improvements Programme.

Reply noted by Cllr. A. Thornton.

20. Cllr. A. Thornton: That Kerry County Council confirm when it may be possible to do repair works on the L6055.

REPLY: The Local Secondary Road L-6055 Ballyhorgan, Lixnaw has been added to the Road Maintenance list for repairs in the next four weeks having regard to available funding.

Reply noted by Cllr. A. Thornton.

(c) Questions

1. Cllr. T. Barry: Will Kerry County Council provide signs and replace the timber fence at the dangerous bends on the Community Centre Road, Knockanure?

REPLY: A bends ahead sign can be provided. The replacement of boundary fencing is the responsibility of the landowner.

Reply noted by Cllr. T. Barry.

2. Cllr. T. Barry: Will Kerry County Council please carry out repairs to the Bridge at Kilmorna, Listowel at the turn of towards Horgan's Nurseries?

REPLY: The bridge will be assessed, and necessary repairs will be arranged.

Reply noted by Cllr. T. Barry.

3. Cllr. T. Barry: Will Kerry County Council please give a detailed description of the safety measures that will be in place along the John B. Keane Road as part of the Listowel Bypass?

REPLY: The Listowel Bypass incorporates the following pedestrian/cyclist works on the John B Keane Road.

The entire length of this section will be resurfaced and improved, with the carriageway upgraded to an urban road cross section. The carriageway width will be standardised to a 7.0m carriageway and the footpath on both sides will be extended over the entire length. In addition, the northern footpath will be widened to accommodate a shared cycleway and footpath, generally 3m wide, (with the exception of a short stretch between the Lartigue Railway Museum and the R552 Ballylongford Road junction where cyclists will be diverted onto the existing laneway to the rear of the properties at John B. Keane Grove.)

The provision of the two-way shared cycle-footway will increase road safety for vulnerable road users along the R553/John B Keane road while a reduced carriageway width will promote a reduced traffic speed and introduce a degree of traffic calming.

The footpath at the Ballybunion Road will be extended northwards to provide access to the Sive Walk. Uncontrolled crossings with dropped kerbs will be provided here, with islands for refuges on all except the eastern leg (serving the private road and graveyard).

The existing Ballylongford Road Roundabout will be upgraded to traffic lights, incorporating pedestrian crossing phases.

The existing lights at the Ballygologue Road will be upgraded, and pedestrian crossing phases will also be incorporated here.

The existing Pedestrian Crossing at the Fire station will be maintained.

At the entrances to existing developments along the John B Keane Road, dropped kerbs will be provided to assist crossing movements.

Reply welcomed by Cllr. T. Barry. It was agreed that a map detailing the safety measures proposals would be arranged by the Roads Department for the Members.

4. **Cllr. T. Barry:** Can Kerry County Council carry out repairs to the Beenanaspig to Pilgrim Hill Road in Moyvane?

REPLY: The Local Tertiary Road L-10071 Beenanaspig to Pilgrim Hill Road in Moyvane has been added to the Road Maintenance list for repairs having regard to available funding.

Reply noted by Cllr. T. Barry.

5. **Cllr. R. Beasley:** Will Kerry County Council be able to protect the rights of way that have been established over long periods of time by people using these routes in general?

REPLY: The creation of a right of way requires an expressed or implied dedication by the owner or owners of the land as evidence of the existence of a right of way. This can prove very challenging where disputes arise or where multiple landowners

are involved. Recent legal challenges to rights of way have shown that Local Authorities may be exposed to significant financial risk in the event of adverse findings against them in the Courts.

Reply noted by Cllr. R. Beasley. The Councillor sincerely hoped that no rights of way would be lost owing to this stance. There are huge concerns within the locality of people losing access to nature areas that they would have been familiar with, and enjoyed there all of their lives in the locality.

6. **Cllr. M. Foley:** That Kerry County Council would carry out drainage repairs outside [Details with Directorate]

REPLY: The drainage at this location will be assessed to identify if there are issues present and if intervention is required.

Reply noted by Cllr. M. Foley.

7. **Cllr. M. Foley:** That Kerry County Council would carry out road repairs outside [Details with Directorate]

REPLY: Accommodation works will be carried out at this location further to the recent Restoration Improvement Works on the L-6012 Morans Cross to Ahanagran.

Reply noted by Cllr. M. Foley.

8. **Cllr. M. Foley:** That Kerry County Council would carry out repairs on the footpath outside [Details with Directorate] Ballylongford.

REPLY: A cost estimate will be prepared and provided for the repairs to the footpath which will be suitable for a County Councillors Allocation.

Reply noted by Cllr. M. Foley.

9. **Cllr. M. Foley:** That Kerry County Council would carry out drainage works outside [Details with Directorate] on the N69.

REPLY: The roadside drainage at this location on the N69 National Secondary Road will be assessed to determine if and what intervention is required.

Reply noted by Cllr. M. Foley.

10. **Cllr. M. Kennelly:** That Kerry County Council carry out road Markings in the Woodview estate in Listowel.

REPLY: The Line Markings will be assessed and refreshed as required subject to the Taking in Charge of the estate as noted in Agenda Item 1(b)(2).

Reply noted by Cllr. M. Kennelly.

11. Cllr. M. Kennelly: How many local private roads in the Listowel Municipal are to be restored from the Local Improvement Scheme 2021, and how many are on list from the LMA?

REPLY: Two Local Improvement Schemes have been offered in Listowel Municipal District in 2021 subject to the acceptance and provision of the necessary contribution by the applicants. There are approximately 106 applicants on the overall list from Listowel Municipal District.

Reply noted by Cllr. M. Kennelly.

12. Cllr. M. Kennelly: That Kerry County Council carry out road improvement works at the busy junction at the Bridge in Listowel on the Duagh R555 section.

REPLY: The N69 Listowel Main Street to Kerry Foods Pavement Improvement Scheme will include the junction of the N69 and R555 which are estimated to commence construction in September 2021. In the interim, pothole repairs have been carried out at the junction.

Reply noted by Cllr. M. Kennelly.

13. Cllr. M. Kennelly: That Kerry County Council cut back and maintain a regular maintenance on the trees in the Square, Listowel.

REPLY: Maintenance of the trees will be scheduled and carried out in the coming months.

Reply noted by Cllr. M. Kennelly.

14. Cllr. A. Thornton: Can Kerry County Council undergo an assessment of the Tim Kennelly roundabout further to complaints from the residents of Kenny Heights Estate?

REPLY: On receipt of the details of the complaints from the residents of Kenny Heights Estate, the information will be forwarded to the TII Kerry National Road Design Office for consideration in the delivery of the N69 Listowel Bypass and the N69 Pavement Improvement and Safety Scheme from Cahirdown to Upper Church Street.

Reply noted by Cllr. M. Kennelly.

21.07.12.06. Motions / Questions relevant to other Directorates or Issues not relevant to Kerry County Council Business

(a) Notices of Motion

1. Cllr. M. Foley: That Kerry County Council would contact the ESB requesting a site visit to Killpaddogue Substation for Listowel MD elected Members.

REPLY: This is a Matter for Resolution by the Members.

Correspondence to be issued to the ESB by Corporate Services.

(b) Correspondence

1.	Email from the Minister for Transport regarding Funding for Roads in the Listowel Municipal District – arising from March 2021 Meeting.
2.	Email from the Minister for Transport regarding Funding for the R556 – Item 5 Q8 – arising from January 2021 Meeting

(c) Agree a Date for the Following Meetings:

(1) To approve the following dates for the Meetings of Listowel Municipal District:

- Monday, September 13th

The Meeting Date for September 13th was **PROPOSED** by Cllr. R. Beasley and **SECONDED** by Cllr. T. Barry.

(d) Matters arising from the Minutes as confirmed at 1 above

It was agreed by the Members that correspondence would be issued to the HSE regarding the full restoration of the SouthDoc services in Listowel.

(e) Any other Business/Aon Gnó Eile

(1) To consider the reception of the following Deputation:

Deputation from Residents of the Irremore Road, L6110 area, requested by Cllr. M. Kennelly – agreed by the Members for the September Meeting.

This concluded the Meeting at 12.48pm.

Mr. P. Corkery
Meetings Administrator

Cllr. M. Kennelly
Cathaoirleach of Listowel
Municipal District