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**MINUTES OF THE MEETING OF THE MEMBERS OF THE MUNICIPAL DISTRICT OF KILLARNEY HELD VIA MS TEAMS ON WEDNESDAY, 5 MAY 2021**

**MIONTUAIRISCÍ NA gCRUINNITHE DE CHEANTAR BARDASACH CHILL ÁIRNE A THIONÓLADH AR LINE TRÍ FHOIRNE MS AR AN CHÉADAÓIN, 5 BEALTAINE 2021**

**PRESENT/I LÁTHAIR**

**Councillors/Comhairleoirí**

**Cathaoirleach B. Cronin  
Cllr. M. Gleeson  
Cllr. D. Grady  
Cllr. M. Healy-Rae**

**Cllr. N. Kelleher  
Cllr. M. Moloney  
Cllr. N. O'Callaghan**

**In attendance/i láthair**

<b>Ms. A. McAllen</b>	<b>Killarney MD Manager</b>
<b>Mr. J. Ahern</b>	<b>SEE Killarney MD</b>
<b>Mr. D. Ginty</b>	<b>A/Senior Planner</b>
<b>Mr. P. Corkery</b>	<b>Meetings Administrator</b>
<b>Mr. P. Curry</b>	<b>A/SE Kerry NRDO</b>
<b>Mr. G. O'Brien</b>	<b>A/SEO Environmental Services, Planning Enforcement and Housing Estates Unit</b>
<b>Mr. C. Mangan</b>	<b>SEE Water Services</b>
<b>Ms. E. O'Donoghue</b>	<b>MD Officer</b>
<b>Mr. O. O'Shea</b>	<b>Press &amp; Communications Officer</b>
<b>Mr. T. O'Connor</b>	<b>SSO Housing</b>
<b>Ms. M. Galvin</b>	<b>A/ASO Corporate Support</b>

**The Meeting commenced at 10.10am.**

Cathaoirleach B. Cronin took the Chair.

Mr. P. Corkery briefed those present on the protocols to be adhered for the meeting. He advised that recording of the meeting was not permitted, all present should mute their microphones and if a Member wished to speak, they should raise their virtual hand.

**21.05.05.01 (a) Cathaoirleach's Address**

Cathaoirleach B. Cronin briefed the Members on the following matters:

## **Cathaoirleach's Report**

- Fires in Killarney National Park – The Cathaoirleach referred to the weekend's fires and said it was devastating to see what occurred. Much of the flora and fauna was destroyed. He stated that people must be careful with fires, cigarettes and BBQs. Members wished to acknowledge the efforts of the Fire Service, Air Corp, all agencies including NPWS, An Garda Síochána and volunteers who battled the fires in the National Park.  
Cllr. N. Kelleher referred to the fires and said it was a destruction of this beautiful amenity which is hugely important to Killarney. He thanked all those who battled the fires.  
Cllr. M. Gleeson said it was time to examine the matter of lighting of BBQs or smoking in the National Park. Protecting this National treasure presents a huge challenge. Signs need to be erected.  
Cllr. M. Moloney requested that a Civic Reception be held for those involved in extinguishing the fires  
Cllr. M. Healy-Rae wished to be associated with the comments made and said it was devastation of the worst kind. She thanked the Fire Service crews and all involved.  
Cllr. N. O'Callaghan wished to be associated with the sentiments expressed and wished to include the boatmen who had rescued animals from the shorelines.  
Cllr. D. Grady concurred with the sentiments expressed. He also referred to gorse fires in Killorglin that had started 8 hours previous. He referred to clear ways that Coillte previously created in the National Park which created gaps preventing fires from travelling and also to Fire Spotters who were employed to prevent fires from spreading. He said these practices should be re-introduced.
- Active Travel 2021 – DTTAS Grant
  - Transport Mobility Plan Killarney
  - Rock Road Cycleway
  - Gaelscoil Road cycleway
  - Flesk Cycleway – it is hoped to have this completed by end of month and open ahead of the tourist season
- Flesk
  - Due to be completed as far as Castlefalls by the end of the month.
- Road to Torc Mountain
  - Works to begin by the end of May/early June

### **21.05.05.01 (b) Confirmation of the Minutes**

- (a) On the Proposal of Cllr. N. Kelleher, Seconded by Cllr. M. Gleeson, it was agreed that the Minutes of the Meeting of the Members of the Municipal District of Killarney held on 3<sup>rd</sup> March 2021 be confirmed.
- (b) On the Proposal of Cllr. N. Kelleher, Seconded by Cllr. M. Healy-Rae, it was agreed that the Minutes of Special Meeting of the Members of the Municipal District of Killarney held on 24<sup>th</sup> March 2021

**21.05.05.01 (c) Reception of the following deputation:**

- (a) Deputation from Killarney Celtic regarding anti-social behaviour in the area and other issues - Cllr. N. Kelleher & Cllr. N. O'Callaghan (via link)

Mr. P. Corkery introduced (names withheld for data protection purposes. A paper copy of unedited Minutes available on request), Killarney Celtic who had joined the meeting online.

(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) read the following to the Members:

*“Mayor Cronin, councillors and executive members of Kerry County Council and Killarney Municipal District:*

*Good morning and thank you, on behalf of Killarney Celtic FC, for the opportunity to address this meeting.*

*My name is (name withheld for data protection purposes. A paper copy of unedited Minutes available on request) and I am here today my capacity of Club Chairman. I am joined by my colleague, (name withheld for data protection purposes. A paper copy of unedited Minutes available on request) who is Vice Chairman of the club.*

*The opportunity to address you today is on a foot of a letter I wrote on the 8th of February 2021 to Municipal District Manager, Angela McAllen, and Municipal District Officer, Eileen O'Donoghue, and it has now been circulated to the wider group. Whilst I wanted to highlight anti-social behaviour and the fact that our grounds are being accessed from the adjoining lands there are, as I alluded to in my letter, far wider issues at play that affect all of us.*

*I can list off various incidents of damage, trespass and all sorts of anti-social behaviour, at all times of the day and night, and it has even become a sport now for some of these young people to be found running along the apex of the roof of the clubhouse, putting their lives at risk.*

*A concern from our point of view and, of course, for yourselves as a local authority, is that someone will have an accident and end up bringing a case against us, either together or individually.*

*While I have asked that you look at securing the property, I feel very strongly that this is more than just a simple case of installing a fence. I think that is the easy option but I believe we all know that it will not solve this problem. There are wider social issues at play here.*

*As a club, we are very conscious of our environs and we are engaged with the local community in so many positive ways.*

*Over the last number of years, the area in which our club grounds are located has become very built-up with a large development of social housing to the extent that the estate is now as big as or even bigger than Ballyspillane.*

*This, in itself, is not a problem of course but the lack of provision of a local amenity or green areas for children for play purposes has not been a provision in these developments.*

*In fact, at an information meeting of the residents prior to the last phase of development, when they raised the provision of playgrounds and green areas as an issue, they were directed to Killarney Celtic and Legion GAA club by the developer as being ample provision.*

*The issues that I highlight are not just a consequence of Covid-19 our concerns were raised with the Garda Superintendent back in September 2019 and with the local authority, through Cllr Niall Kelleher, in September 2019. In response to this, on the 4th of November 2019, I met with municipal district officials, Noel O'Leary and Stephen Sheehan, and we visited the road area leading to Killarney Celtic, the estate and the ground between ourselves and Legion GAA Club.*

*I was asked to submit a list of concerns which had been discussed on the day. There was a list of 20 items, some of which, in fairness, were addressed and some of which were outside of their remit and authority. I can provide you with the list following today's meeting.*

*You will all, no doubt, be aware that this area of land, or part of it, was allocated to the Kerry Stars Project and the National Sports and Adventure Centre Company Ltd and, it is my understanding that sufficient funding has not been secured to develop the lands.*

*As a club, we were involved in a land swap scenario to facilitate this development. We are aware that there is still an open planning consent on the property, however nothing appears to be happening.*

*Given the possibility that, in time, there will be a further housing development, possibly on the old rugby field, we as club feel that the time is now right to look at utilising the grounds between Legion and ourselves to create that much-needed amenity space and recreational sports hub which is such an obvious use for this parcel of land.*

*As a club, we are willing to engage with yourselves to create something that will facilitate Kerry Stars and serve as a wider amenity space or development for the ever-increasing local community.*

*Any project that is undertaken with this in mind requires the full engagement of the local authority and us as neighbouring clubs and a well thought-out, ongoing, sustainable management process for its operation.*

*Our purpose here today is to bring this issue back on the agenda with a view to solving some of the social problems that are impacting on us as a club and on the lives of the residents and children of the area.*

*We all have an ongoing responsibility to develop and maintain our areas and to look out for the social fabric of the area. It is unacceptable to deliver these housing estates without ongoing support, maintenance and management.*

*Thank you once again for hearing us today and I hope you will agree that the solution goes way beyond the installation of fencing.”*

(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) Vice-Chairman addressed the Members.

(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) stated that all clubs are under financial difficulty due to the lockdown. On a daily basis, the Club would have 30 – 40 children running around the pitch. An Garda Síochána will get them to leave and they come back in through another gate. (Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) said that was not the fault of the children as they do not have an alternative. Since the present lockdown, 10 goalposts were sent away for specialised welding and the fences are constantly being repaired. There is a huge problem with anti-social behaviour and drinking and it is now a health and safety issue. Children are scaling roofs and 10ft fences and breaking the goalposts and they are heavy so there is potential for someone to get seriously injured. This could result in an insurance liability down the line. It is putting serious financial strain on the Club. The Club is looking for help and needs to find a solution and to that end, this morning's meeting is very much appreciated. Ballydribeen is a relatively new estate and this problem will exist for 20 – 25 years and will not be sorted overnight. The Club can cater for children under the membership guise – they are insured when they are members and they can discipline them when they are members but it is lawless there now. The speaker stated that the Academy started back last Friday night and the main priority was to ensure safety of the children which necessitated people having to pick up broken glass from the pitch. People had been throwing bottles onto pitch and breaking them. (Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) said that the Club is open to any suggestions in an effort to find solutions.

Cathaoirleach thanked deputation for honest in way you both expressed your concerns on behalf of the Club.

Cllr. N. O'Callaghan stated that he was previously the PRO of the Club 36 years ago. He acknowledged that the Club has built the most amazing facility which is due to the dedication of both speakers. He said that the Council needs to help these Clubs progress. Every club has these issues. Cllr. O'Callaghan said the Council needs to create a line of communication and educate parents and children. He said that he did not want to see accidents happen. He noted that there are heavy costs in running a club. Cllr. O'Callaghan stated that Celtic was an amazing club for young people and it was great to see kids participating and playing. The Councillor said that assistance

must be given if facilities are being destroyed and the Council must help. Cllr. O'Callaghan agreed to support the deputation in any way possible.

Cllr. N. Kelleher thanked the deputation for taking the time to discuss their issues with the Members. He noted that increasing the size of the boundary wall of the vacant site has not worked. People will climb any size of wall if they want to. Socially there are issues and it is a minority of individuals engaging in this behaviour. There are issues in that general area and not necessarily caused by people from the area. Cllr. Kelleher stated that a number of residents have contacted the Councillors and have reported many of these issues. Fires are being lit outside the grounds in the vacant site and ditches are going on fire. He said this was a big issue that needs to be dealt with and not just the vacant site element. Cllr. Kelleher said he was very supportive of the deputation's issues and some of these issues have been brought to the fore by Cllr. M. Moloney who invited a deputation from Ballydribeen Residents' Association to attend an MD Meeting. Cllr. Kelleher requested that the MD Manager would look at setting up a committee of relevant people to look at issues and work with the An Garda Síochána to deal with the anti-social behaviour taking place at Celtic. He added that he would like to see any development that would allow for an amenity space for the people who reside in and around that facility. Cllr. Kelleher offered his full support and thanked the deputation for attending the meeting to highlight their concerns.

Cllr. M. Moloney welcomed the deputation to the meeting and thanked Cllr. O'Callaghan and Cllr. Kelleher for organising the deputation. She referred to a deputation she brought in from Ballydribeen Residents' Association who had attended an MD meeting and had stated that they did not have an adequate green area or facilities for the children and that is the reason why they wander. She noted that it was a very serious issue for people to run on the apex of the Clubhouse. She noted that the property developer had referred to Celtic pitch as their green area when they were setting up the development and said the Council should not allow that. Developers should be providing the green areas within the developments they are building. Cllr. Moloney referred to Ballyspillane where she used to reside and stated she was on the Residents' Association who provided for the children there. They built a basketball court and the family resource centre (community centre at the time) and set up a youth club and a pre-school. They provided for the children in that area and today it is a thriving family resource centre. Cllr. Moloney noted there was a community house in Ballydribeen but further facilities need to be provided. Cllr. Moloney said the anti-social behaviour was a big issue and people need to come together and meet and it needs to be a multi-agency approach. Cllr. Moloney referred to the access to facilities which is great for the children who are members of the Club but suggested that the gates may need to be manned. Cllr. Moloney concluded by agreeing to do whatever she could to assist.

Cllr. M. Healy-Rae thanked the deputation for their presentation. She acknowledged the anti-social behaviour taking place but noted that it had worsened. She referred to the destruction of property and fencing and potential insurance issues and said it was not acceptable. Cllr. Healy-Rae referred to 20 issues which were outlined by Celtic to the Council and that some were outside the remit of the Local Authority and asked if the Council could address the ones under its responsibility immediately. She agreed

that there was a need to hold multi-agency meetings regarding this area. Cllr. Healy-Rae asked that the MD Manager would set up a forum.

Cllr. D. Grady welcomed the deputation and agreed that this issue had been going on a long time and that the Council should assist, together with An Garda Síochána. He noted that it was people who were not members of the Club that were causing the issues. He said that the adjoining site was too open. Cllr. Grady acknowledged that Celtic was a great club with 700 – 800 members and was a great credit to all involved. Cllr. Grady said that confirmation was needed from Kerry Stars if they would be using the site. Cllr. Grady offered his assistance to the Club.

Cllr. M. Gleeson welcomed the deputation and congratulated the Club on their superb all-weather facility. He said it was an enormous tribute to their commitment to sport. He stated that sport is a human entitlement to play safely and healthily and that is what the Club wants for its members. Cllr. Gleeson referred to his time working in a huge conurbation in Dublin and the problems there replicated exactly with those now being encountered by Celtic. These places are built at excess density and without adequate recreational facilities. Parental responsibility by a tiny percent of people was reneged upon. These Dublin Clubs experienced difficulties that are now experienced by Killarney Celtic. That Club and other clubs in the area overcame them and became hugely successful. Cllr. Gleeson said that the question of density has to arise and be seriously considered. A situation of having houses on top of each other is not tolerable. People need room to socialise and interact and to feel a degree of freedom. Cllr. Gleeson referred to the Kerry Stars project and noted that it has been ongoing for a long while and it was time to address it. If a forum is to take place, there is a need for parents to be brought on board and be multi-agency, to include An Garda Síochána, residents, all the Clubs and the Council have to come together and form a dynamic grouping that will do their best. Cllr. Gleeson noted it was never tolerable to have splinters of glass on a playing field. Cllr. Gleeson concluded by offering his support to the Club.

Cathaoirleach B. Cronin thanked the deputation for the comprehensive way they outlined their concerns. He stated that no individual has the right to damage the Club's fences or goalposts and break glass and agreed it was difficult to control. The Cathaoirleach agreed with sentiments expressed by the deputation regarding anti-social behaviour and drinking. He stated he had received photographs over the years from residents showing teenagers running along the roofs of the Local Authority estate and shouting down chimneys of people who live on their own and shouting at elderly people living there and he advised that he had forwarded these photos to the Gardaí. He advised he had been given further photos of other private houses on the perimeter showing youths shouting at elderly people who live on their own. This is causing huge problems and is not acceptable and is caused by a minority. The Cathaoirleach agreed with Cllr. Gleeson's comments in relation to planning. A policy needs to be put in place for big planning applications and the need for the developer to state what facilities will be provided for children together with green areas. He said developers are only concerned about how many houses can fit into the site and what the profit margin will be. This is why we are faced with the situation that presents itself here today. He said that developers do not want to hear about green areas. He referred to the huge development of houses in Firies Village that had no facilities for children for 18/19 years and this presents huge problems for children growing up. The

Cathaoirleach agreed there was a need for all agencies to sit down and take focus. He asked the deputation to email their list of 20 items to the Members. Cathaoirleach Cronin said he would offer his assistance to the Club to make progress on the issues raised.

Mr. J. Ahern, SEE thanked the deputation for attending the meeting to highlight their concerns in relation to Killarney Celtic and surrounding areas. He confirmed that in the past, the Council has dealt with matters under its own direct control. He referred to the property owned by Kerry County Council and agreed that the provision of a fence was not the ultimate solution. Mr. Ahern advised that in the short-term, the Council has gone out to tender to acquire a private contractor to erect a fence line to secure its property and hoped it will assist in securing Celtic's property. He stated that the site itself contains rubble that has to be removed and funding has been allocated to begin the process of levelling the site in late August / early September which will hopefully deter any potential anti-social behaviour within the site and eliminate potential risk of people entering the property. Mr. Ahern agreed that there is a need for an overall forum / agency engagement between all the stakeholders associated with the area. He referred to a deputation from Ballydribbeen Residents' Association and stated that the Council has worked with them over last number of years. He said there was a need for residents and Clubs to come together to form a plan and it should be driven by the community and set out what will work for the area. Multi-agencies within the Local Authority such as the Housing Department, MD Office and Transport Department can come together with the agreed plan and assist to develop the needs that are required there. Mr. Ahern acknowledged this would not happen overnight but it should be first step of the journey to eliminate and minimise the amount of anti-social behaviour taking place. Mr. Ahern noted there will be potential further development in the area so now is the time to do it.

Ms. A. McAllen, MD Manager thanked the deputation for their presentation and commended the Club's facilities which are second to none. She agreed that a group of relevant parties to deal with issues themselves would be a very positive step forward. Ms. McAllen advised that Kerry Stars had been in contact with Kerry County Council regarding use of the site so it is expected that further communication will be received from them in the very short-term and agreed to update Members on same.

Ms. E. O'Donoghue, MD Officer thanked the deputation for attending the meeting. She advised that there has been engagement in last 18 months in relation to all issues raised and confirmed the Council have gone through the list. She fully appreciated the need for proper infrastructure and recreational facilities in developing communities. Ms. O'Donoghue advised that she sits on the inter-agency group in Ballyspillane and it works very well as a forum and she advised that she would be willing to sit on a similar type forum in Ballydribbeen. She referred to the deputation from Ballydribbeen Residents' Association and acknowledged they were an excellent association who have brought a lot of strategic issues to the attention of the Council. Ms. O'Donoghue advised that the Residents' Association was developing a plan for the estate and area so the timing for holding a meeting would be an opportune time for all stakeholders to be engaged.

Cllr. Kelleher stated that it would be important that the Local Authority would be involved in setting up the inter-agency group and asked that the Local Authority would

take the lead in setting it up. He stated that it did not have to be the lead in developing it and could be undertaken in conjunction with the voluntary clubs in the area.

Ms. O'Donoghue agreed to look at this.

(Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) thanked everyone for their positive engagement and said it was very encouraging. He said this was all about pride of place. (Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) stated he had great pride in the Club and for most part, the uninvited young people coming to the premises were not bad kids. They were looking for a place to play ball, however, they do not appreciate the insurance implications. (Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) stated that all of this was resolvable and the development of the piece of land is key. He stated the Club was willing to engage in a multi-agency committee and was sure that Legion will do the same. (Name withheld for data protection purposes. A paper copy of unedited Minutes available on request) stated that this was a great opportunity and the time was right to move this forward. He looked forward to working with everybody and thanked the Members and staff for their engagement.

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**21.05.05.01 (d) Business prescribed by Statute, Standing Orders or Resolutions of the Municipal District Members for transaction at such meeting:**

- (a) To consider the Chief Executives report in accordance with Section 34(6) of the Planning and Development Act 2000 (as amended) on a proposal by the Chief Executive to grant permission to OLD ROAD PARTNERSHIP (Planning Ref. no. 20/849) for permission to (A) Demolish 1 No. derelict dwelling house (B) Form vehicular and pedestrian access (C) Construct the following dwellings in thermohouse construction system: 6 No. 1 bedroom single storey units, 9 No. 2 bedroom single storey units, 27 No. 3 bedroom 2 storey terraced units, 12 No. 3 bedroom 2 storey semi-detached units, 6 No. 4 bedroom detached units (D) Estate road, footpaths, boundary walls, services and all associated site works at lands South and North of Old Road, Shinnagh, Rathmore, Co. Kerry, which would, if permitted, contravene materially the Killarney Municipal District Local Area Plan 2018-2024 in respect of the village of Rathmore.
- (b) To grant permission to OLD ROAD PARTNERSHIP (Planning Ref. no. 20/849) for permission to (A) Demolish 1 No. derelict dwelling house (B) Form vehicular and pedestrian access (C) Construct the following dwellings in thermohouse construction system: 6 No. 1 bedroom single storey units, 9 No. 2 bedroom single storey units, 27 No. 3 bedroom 2 storey terraced units, 12 No. 3 bedroom 2 storey semi-detached units, 6 No. 4 bedroom detached units (D) Estate road, footpaths, boundary walls, services and all associated site works at lands South and North of Old Road, Shinnagh, Rathmore, Co. Kerry.

At the outset, Mr. P. Corkery read out the following ethics declaration to the Members:

I wish to remind members 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, and accordingly, he/ she shall take no part in the discussion of the matter and shall refrain from voting in relation to it.

Cllr. N. Kelleher declared he had a conflict as he was a share owner in the Partnership involved in this planning application and removed himself from the meeting.

Mr. Corkery thanked Cllr. Kelleher and noted that he had advised him of interest in advance of the meeting.

Cllr. M. Healy-Rae stated that she had recently been contacted by people in Rathmore. Their issue is that they did not realise it was coming before the Members at the Municipal District meeting or would have any part in this. They feel there should have been a public information session in relation to this application. Cllr. Healy-Rae asked was there any possibility that a decision on the material contravention could be deferred to allow locals more time to consider the report and make their views known to the Elected Members.

Cathaoirleach B. Cronin stated that under Standing Orders this is "Business as Prescribed by Statute" and there are legal parameters and deadlines that must be met.

Mr. D. Ginty referred to Section 34 of the Act and advised that the public had ample opportunity to submit observations in this process. The planning application had been advertised in The Examiner newspaper. This Material Contravention process had been open and transparent. Other people had made submissions/observations. There had been 3 occasions for the public to participate in the process. Mr. Ginty confirmed that there was no provision in the Act to hold a public meeting. People must pay a fee of €20 should they wish to make a submission. Mr. Ginty advised that a decision had to be made by the Councillors today.

Cllr. Healy-Rae stated that the decision was due on 13<sup>th</sup> May which is in a couple of days' time.

Mr. Ginty confirmed that this report must be presented to the Elected Members today and the date to consider the report could not be extended.

Cllr. D. Grady said that he supported Cllr. M. Healy-Rae's request.

Cathaoirleach B. Cronin said it was the decision of each Member as to what they wished to do. Every member would be asked to vote for or against the proposal.

Cllr. Healy-Rae asked that her request to delay the process would be recorded in the Minutes.

Mr. D. Ginty, A/Senior Planner read the following report to the Members:

Report on Item for  
Meeting of Killarney Municipal District May 2021

**Implementation of the Material Contravention Procedure under and in accordance with Section 34 of the Planning & Development Act, 2000 as amended in relation to application for planning permission for the following development at Shinnagh, Rathmore:**

A) DEMOLISH 1 NO. DERELICT DWELLING HOUSE B) FORM VEHICULAR AND PEDESTRIAN ACCESS, C) CONSTRUCT THE FOLLOWING DWELLINGS IN THERMOHOUSE CONSTRUCTION SYSTEM: 6 NO. 1BEDROOM SINGLE STOREY UNITS, 9 NO. 2 BEDROOM SINGLE STORE UNITS, 27 NO. 3 BEDROOM 2 STOREY TERRACED UNITS, 12 NO. 3 BEDROOM 2 STOREY SEMI-DETACHED UNITS, 6 NO. 4 BEDROOM DETACHED UNITS, D) ESTATE ROAD, FOOTPATHS, BOUNDARY WALLS, SERVICES AND ALL ASSOCIATED SITE WORKS

Planning Register No. 20/849

Name of Applicant: Old Road Partnership

Agent: Brendan Williams Architects, Design Studio, The Orchard, Ballydunlea, Tralee.

Date application lodged: 17/09/2020

Date further information lodged: 25/01/2021, 26/01/2021, 05/02/2021 and 10/03/2021

Material Contravention Procedure: Initiated with publication of prescribed notice in Irish Examiner newspaper on 19/03/2021.

Decision due date: 13/05/2021

A Material Contravention is required as the proposed development would materially contravene the following specific objective contained in the Killarney Municipal District Local Area Plan 2018-2024:

Objective KY-RES-01 which is to *“Facilitate the development of residential units within each settlement boundary in accordance with the Core Strategy.”*

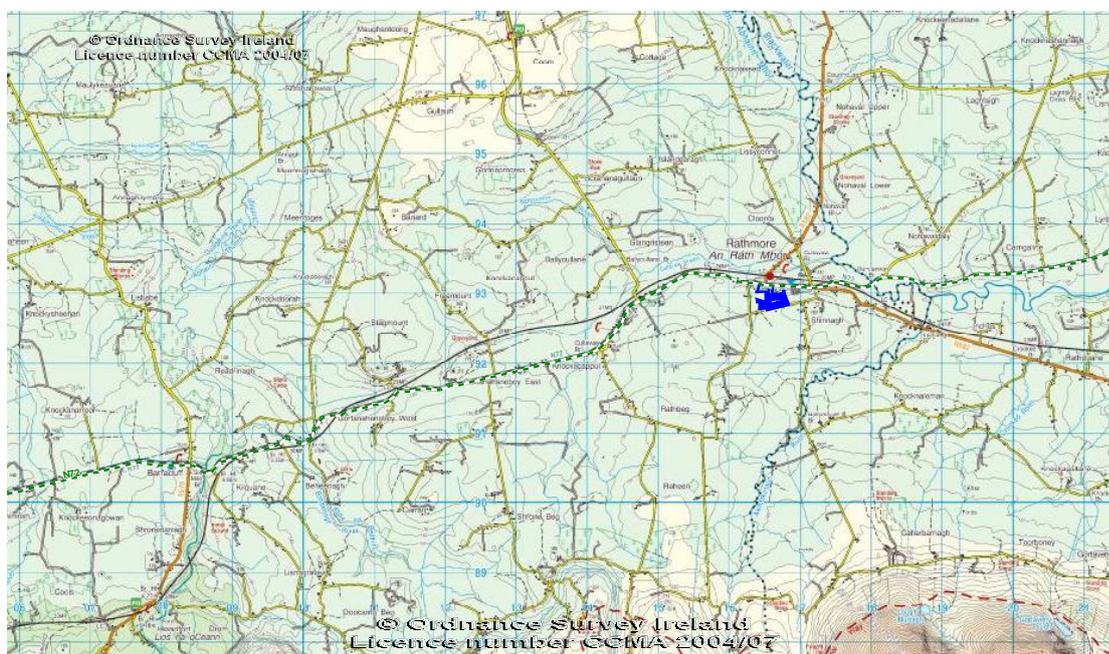
The site is located in an area zoned O1 – Strategic Reserve in the Rathmore Local Area Plan which forms part of the Killarney Municipal District Local Area Plan 2018-2024.

## Proposed development

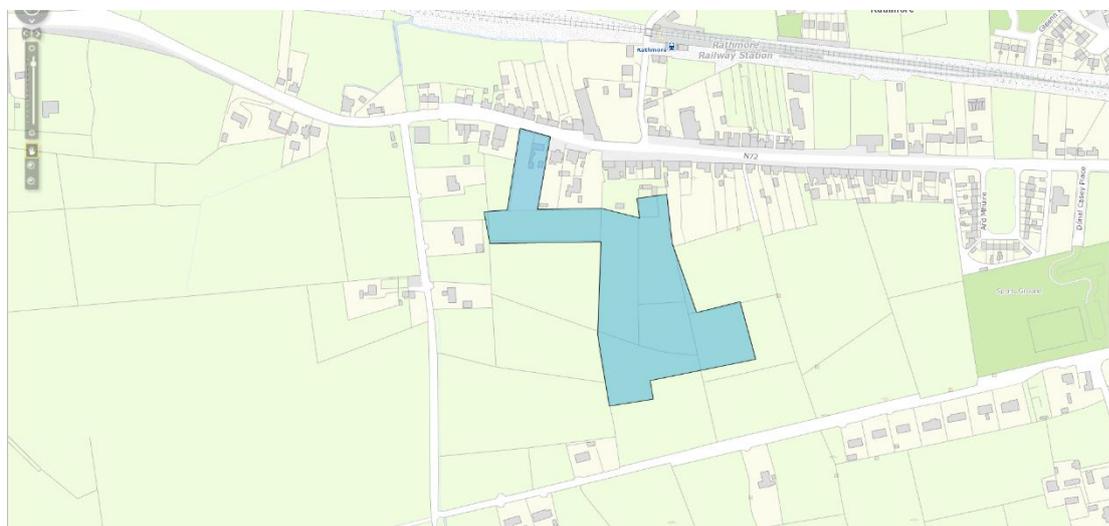
It is proposed to demolish an existing derelict dwelling house on the site. It is proposed to construct sixty dwelling houses comprising 6 no. one-bedroom single storey units, 9 no. two-bedroom single storey units, 27 no. three-bedroom two-storey units, 12 no. three-bedroom two-storey units, 6 no. four-bedroom detached units and associated site development works on a 2.98ha site.

## Description of Site and Surroundings

The proposed development site is located to the south of Main Street (N72) in the centre of Rathmore. There is an existing vacant house at the north end of the site fronting Main St with a number of out buildings behind. This vacant dwelling house is proposed to be demolished in order to provide for vehicular access to the lands. The proposed dwelling houses are located to the rear of the properties that run along the southern side of Main Street. The majority of the site is unused, with large areas of overgrown vegetation over the 2.98ha site area.



Location of application site



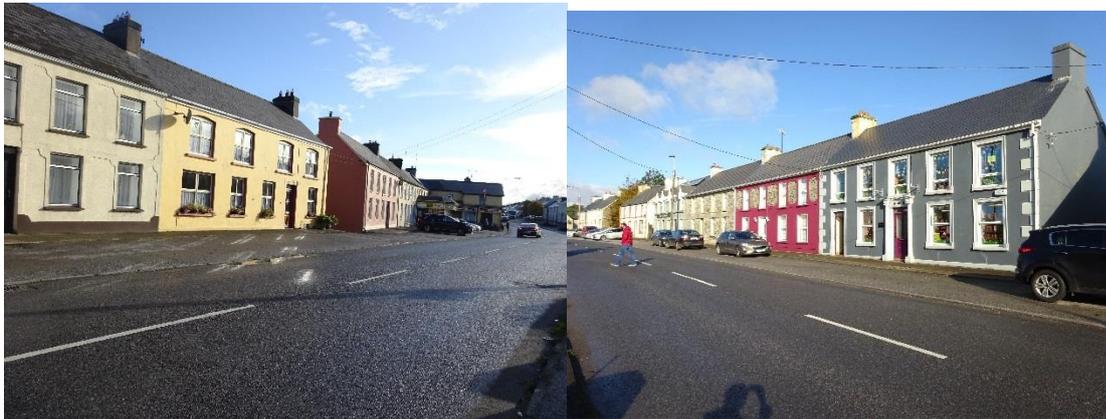
Large scale map of site and environs



Vacant derelict dwelling to be demolished as viewed from Main Street, Rathmore.



Derelict dwelling to be demolished and the existing streetscape along Main Street, Rathmore



Streetscape along northern side of Main St, Rathmore





Views showing unused and overgrown nature of the site to the rear of Main St



Petrol filling station and associated shop to the west of the proposed entrance.

### **Site notices**

A site notice was in place, legible and correctly worded on the day of the site inspection.

### **Pre-Planning Consultation**

Pre-planning discussions took place between the agent and Planning Dept in relation to the proposed development.

## Relevant Planning History

Planning Register No: 08/972

Permission for DEVELOPMENT CONSISTING OF THE DEMOLITION OF 2 NO. EXISTING HABITABLE HOUSES AND 5 NO. EXISTING AGRICULTURAL SHEDS AND THE CONSTRUCTION OF 8 NO. SINGLE STOREY 2 BEDROOMED, 1 NO. TWO STOREY 1 BEDROOMED 47 NO. TWO STOREY 2 BEDROOMED, 245 NO. TWO-STOREY 3 BEDROOMED, 7 NO. TWO-STOREY 4 BEDROOMED AND 11 NO. THREE STOREY 5 BEDROOMED HOUSES AND 2 NO. TWO STOREY COMMERCIAL/OFFICE UNITS (TO BE USED AS MARKETING SUITES DURING CONSTRUCTION), INCL. THE PROVISION OF TWO NEW VEHICULAR AND PEDESTRIAN ACCESS POINTS FROM MAIN STREET/N72, ONE NEW VEHICULAR ENTRANCE FROM OLD ROAD TO THE SOUTH OF THE SITE, A SECOND DEDICATED PEDESTRIAN/CYCLE ACCESS AT MAIN STREET, THE PROVISION OF NEW INTERNAL STREET NETWORK, A VILLAGE GREEN, OPEN SPACE NETWORK, HARD AND SOFT LANDSCAPING, LIGHTING, SIGNAGE AND ASSOCIATED SITE WORKS ON LANDS TO THE SOUTH OF MAIN STREET AND TO THE NORTH OF OLD ROAD RATHMORE

Permission refused by an Bord Pleanála Reference 08.231419

## Zoning and Planning Policy

Killarney Municipal District Local Area Plan 2018-2024.

The northern part of the site fronting Main St is zoned M2 Town Centre and the majority of the site is zoned O1 Strategic Reserve.



**KY-RES -01** Facilitate the development of residential units within each settlement boundary in accordance with the Core Strategy.

**KY-RES -04** Ensure that new development schemes shall contribute towards the consolidation of the settlement and development of a sense of place. Development should make effective use of infill, brownfield and back land sites while preventing unnecessary ribbon development.

**KY-RES – 05** Require all new residential development schemes (over 5 units) to provide a mix of house types in order to meet and adapt to the changing demographic trends and household profiles in the County.

**KY-RES -07** Ensure that residential densities reflect the residential density of appropriate adjoining developments. Higher densities will be considered in the

town/village centre within close proximity to the town/village centre. Lower densities will be considered at the edge of the settlement as per the Department of Environment, Heritage and Local Government publication, guidelines for Planning Authorities on “Sustainable Residential Development in Urban Areas” 2009.

**OS – 01** Provide an improved quality of life for all citizens of the plan area by promoting the area’s economic potential, protect its natural and built environment and safeguard its cultural heritage.

**OS-02** Prioritise the regeneration and renewal of the Municipal District’s towns, villages, and rural nodes in order to support vibrant and strengthened communities and drivers of economic growth. In line with this the renewal of underutilised buildings will be emphasised, while all new future residential and retail development shall be located in the town/village where the lands have been identified for their use.

### **Kerry County Development Plan 2015-2021**

Section 3.4 Urban Settlement Strategy

Objective US-5 Encourage and stimulate the sustainable re-development and renewal of the town and village centres.

Objective US-6 Support the sustainable development of derelict sites and infill sites in towns and villages.

Objective US-7 Ensure that all new urban development is of a high design quality and supports the achievements of successful urban spaces and sustainable communities. The Council will have regard to the provisions of the Guidelines on Sustainable Residential Development in Urban Areas.

Section 13.3 Standards for Residential Developments in Urban Areas

#### Reports

**Dr Michael Connolly County Archaeologist** – Condition recommended to be attached to any grant of planning permission requiring archaeological monitoring of groundworks.

**Donal Murphy S.E.E. Housing Estates Unit** – Comments made in relation to layout and development standards.

**Irish Water** – Following review of further information response, no objection to connections to public water supply and public foul sewerage.

**Pat McCarthy E.E. KNRDO** – No observation to make.

**John Ahern S.E.E.** – No objection. Conditions recommended to be attached to any grant of planning permission.

**Cathy Fisher Biodiversity Officer** – Appropriate Assessment Screening Report carried out which concludes that Appropriate Assessment is not required. Conditions are recommended to be attached to any grant of planning permission.

### **Submissions/Observations received following publication of planning notices by applicant**

**TII** – A Road Safety Audit has been submitted. Any recommendations arising should be incorporated as conditions on the permission if granted. The developer should be advised that any additional works required by the RSA should be funded by the developer. Full sight distance to be provided at the entrance to allay the concerns outlined in Section 3.3.

**Betty Linehan Main Street** –

Concerns raised regarding loss of privacy and impact on residential amenities.

**Michelle Murphy and others –**

Concerns raised regarding housing density, traffic safety and lack of a design statement.

**Joe and Lucy O’Keeffe –**

Concerns regarding the scale of the development and material contravention of the development plan.

**Donal and Kathleen Kelleher-**

Concerns regarding surface water drainage, residential amenities, traffic calming required.

**Submissions/Observations received following publication of significant further information planning notices by applicant**

TII – Authority’s position remains as set out previously.

**Michael, Mary and Paul O’Sullivan –**

Concerns regarding the right of way to the rear of Cahill’s Bar and possibility of accessing the site from there.

**Elizabeth Linehan –** Concerns regarding the right of way to the rear of Cahill’s Bar. Concerns regarding boundaries being of a suitable scale.

**Submissions/Observations received following publication of Material Contravention Notice by Kerry County Council on 19<sup>th</sup> March 2021.**

Casey and Co, Solicitors on behalf of Joe and Lucy O’Keeffe– submission reiterates objections raised earlier.

**Environmental Impact Assessment (EIA) – Preliminary Examination**

This is a residential project for the construction of a residential development with the construction of 60 no. dwelling units and associated site development works on a 2.98ha site to the rear of Main Street Rathmore. No designated areas of biodiversity importance adjoin the site and the development will not result in the production of any significant waste or result in emissions or pollutants.

**Conclusion**

Having regard to the above, and in particular to the nature, scale and location of the proposed project, it is considered that this proposal is not one which requires EIA Screening or EIA.

**Reasons for conclusion**

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

**Appropriate Assessment Screening**

See Appendix A attached to this report

**Assessment of application**

**Planning History:**

The application site forms part of a much larger site on which permission was refused by an Bord Pleanála for over 300 dwellings under Reference 08.231419.

**Visual impact:**

The site is located along the southern side of Main Street in Rathmore. It is proposed to demolish an existing two storey derelict dwelling house which fronts onto Main Street. This portion of the site will be used to create a 6m wide vehicular entrance road with 2 metres wide footpaths of both sides from the N72/Main Street. The

proposed residential development will be located to the rear of the existing premises along Main Street. This portion of the site is relatively flat and the majority of the dwellings will not be readily visible from Main Street. The form, scale and pattern of the new buildings are appropriate to the immediate area and to other local developments. Therefore, it is considered that the proposed development would have no negative visual impact given the nature and location of the site and surrounding land uses.

**Effluent disposal:** Connection to public sewerage system is available.

**Surface water disposal and flooding:**

Currently, surface runoff from the site is collected in open drains which ultimately discharge to the public surface water drainage system. The proposed development will implement a Sustainable Urban Drainage System (SUDS) incorporating a piped surface water network which will flow to attenuation storage tanks with flow restrictors. The system is designed to limit the flow rate from the developed site to the current greenfield runoff rate so as to ensure that the proposed development will not increase the discharge rate to the public surface water drainage system.

**Residential amenity:** Having regard to the design, layout and levels of the proposed dwelling houses, it is considered that the proposal would not be seriously injurious to the residential amenities of existing residential properties on adjoining lands.

**Traffic:**

Access to the site is proposed via a new entrance from Main Street/N72 which will be located approx 130m west of the existing Main Street/Station Road Junction. This new access road will provide suitable vehicular and pedestrian connectivity to the town centre.

An indicative Masterplan has been submitted with the application which indicates that this application would comprise Phase One of a larger development. Other future accesses on to Main Street to the north and to Old Road to the south have been indicated as part of that Masterplan.

**Zoning and Land Use Objectives:**

It is the objective of **KY-RES-01** of the Killarney Municipal District Local Area Plan 2018-2024 to facilitate the development of residential units within each settlement boundary in accordance with the Core Strategy. The Core Strategy provides for 28 additional housing units in Rathmore over the lifetime of the Plan. The proposed development of 60 no. dwellings on these lands zoned Strategic Reserve would, therefore, contravene Objective KY-RES-01.

The majority of the application site is zoned as O1 Strategic Reserve in the Killarney Municipal District Local Area Plan 2018-2024 which is provided to cater for the long-term development of the town. The part of the site occupied by the derelict house to be demolished fronting Main St is zoned as M2 Town Centre. The principle of developing houses within the town is to be welcomed. Towns such as Rathmore have suffered over the years from de-population due to the development of houses at the edge of town/village or one-off houses in the open countryside. This is the first substantial housing development that has been applied for in Rathmore for a number of years. It is very much at the centre of the village and once occupied will help to rejuvenate the village by bringing new residents into the village.

Furthermore, having regard to the location of the site in the centre of Rathmore and the design and layout of the development, it is considered that the proposed residential scheme would be consistent with the following objectives of the Local Area Plan:

**KY-RES -04** Ensure that new development schemes shall contribute towards the consolidation of the settlement and development of a sense of place. Development should make effective use of infill, brownfield and back land sites while preventing unnecessary ribbon development.

**KY-RES – 05** Require all new residential development schemes (over 5 units) to provide a mix of house types in order to meet and adapt to the changing demographic trends and household profiles in the County.

**KY-RES -07** Ensure that residential densities reflect the residential density of appropriate adjoining developments. Higher densities will be considered in the town/village centre within close proximity to the town/village centre. Lower densities will be considered at the edge of the settlement as per the Department of Environment, Heritage and Local Government publication, guidelines for Planning Authorities on “Sustainable Residential Development in Urban Areas” 2009.

### **Third Party Submissions/Objections:**

Issues raised include concerns regarding traffic congestion and access, residential amenities, the treatment of surface water and concerns regarding boundaries. These issues are addressed in the paragraphs above.

### **Development Contributions**

See Appendix B attached to this report.

### **Recommendation**

The proposed development is a well-considered proposal to provide 60 dwelling houses close to Rathmore town centre. The density and layout of the proposal is appropriate to the location of the site and is consistent with the existing pattern of residential development in the vicinity. The proposed development would not seriously injure the amenities or depreciate the value of property in the vicinity and would be acceptable in terms of traffic safety and convenience.

It is recommended to **GRANT** permission for this development in Material Contravention of the Killarney Municipal District Local Area Plan 2018-2024 subject to attached conditions.

## **FIRST SCHEDULE**

Having regard to the residential character of the area and the pattern of development in the vicinity of the site and to submissions made in relation to the planning application, it is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development would not be visually obtrusive, would not adversely affect traffic conditions in the area, would not detract from residential amenities in the area or be otherwise contrary to the proper planning and sustainable development of the area.

## SECOND SCHEDULE

- (b) The development shall be carried out in accordance with the drawings and details received by the Planning Authority on 17/09/2020, 25/01/2021, 26/01/2021, 05/02/2021 and 10/03/2021, except where altered or amended by conditions in this permission.

Reason: In the interests of orderly development.

(2) Prior to the commencement of development, the developer shall lodge with the Planning Authority a cash deposit or bond of an insurance company to secure the provision and satisfactory completion and maintenance until taken in charge by the Council of roads, footpaths, drains, public open space, public lighting and other services required in connection with the development, coupled with an agreement empowering the Council to apply such security or part thereof for the satisfactory completion and maintenance as aforesaid of any part of the development. The amount of the security shall be **€560,000.00**.

**Reason: To ensure the satisfactory completion of the development**

(3) Prior to the release of the Bond on completion or partial completion of the development, or prior to the taking in charge of the development by the Planning Authority, a Certificate, which certifies that the water mains and the foul and surface water sewers have been provided in accordance with the plans and particulars received by the Planning Authority and Irish Water (except for any modifications or alterations specified in the conditions attached to this planning permission), shall be provided by a qualified person and submitted to the Planning Authority.

**Reason: To ensure the satisfactory completion of the development**

(4) Prior to the commencement of development, the developer shall pay a contribution of **€96,120.00** to Kerry County Council (Planning Authority) in respect of Roads & Transport and Community & Amenity infrastructure benefiting the development.

This contribution is broken down as follows:

Roads & Transport	-	€42,292.80
Community & Amenity	-	€53,827.20

The amount of this contribution is calculated in accordance with the Council's prevailing Development Contribution Scheme and may be increased from January 1<sup>st</sup> 2022 and annually thereafter (unless previously discharged) in line with the Wholesale Price Indices – Building and Construction (Capital Goods) as published by the Central Statistics Office unless the Scheme is superseded by a further Development Contribution Scheme adopted by the Council.

**Reason: It is considered appropriate that the Developer should contribute towards the cost of public infrastructure and facilities benefiting the development, as provided for in the Councils prevailing Development Contribution Scheme, made in accordance with Section 48 of the 2000**

**Planning and Development Act (as amended) and that the level of contribution payable should increase at a rate in the manner specified in that Scheme.**

(5) Prior to the commencement of development, the developer shall pay a contribution of **EUR77,540.00** to Kerry County Council (Planning Authority) in respect of public infrastructure and facilities benefiting the proposed development, as a special contribution within the meaning of Section 48 (2) (C) of the Planning & Development Act, 2000 (as amended) towards the cost of implementation of the following schedule of works:-

**Proposed Infrastructure and Facilities**

**Estimated Cost**

Item	Cost
<b>Contribution towards the Roads Infrastructure which is adjacent to and serves this development</b> 100 % contribution towards the cost of resurfacing the vehicular entrance and the provision of a public footpath into the development	€42,700
<b>Contribution towards improvements to the public lighting which serves this development,</b> 100% Contribution towards the upgrading and providing 3 Public Lights and associated ducting to serve this development	€14,840
<b>Contribution towards improvements to the Undergrounding of ESB Networks which serves this development,</b> 50% Contribution towards improvements to the Undergrounding of ESB Networks which serves this development,	€20,000
<b>Total</b>	<b>€77,540</b>

The amount of this contribution will be increased from January 1<sup>st</sup> 2022 and annually thereafter (unless previously discharged) in line with the Wholesale Price Index for Capital Goods, Building and Construction as published by the Central Statistics Office.

**Reason: It is considered appropriate that the Developer should contribute towards the cost of public infrastructure and facilities benefiting the development, in accordance with the provisions of Section 48 of the Planning and Development Act, 2000.**

(b) Prior to commencement of development, or at the discretion of the Planning Authority within such further period or periods of time as it may nominate in writing, the applicant or other person with an interest in the land to which the application relates, shall enter into an agreement in writing with the Planning Authority in relation to the provision of social housing in accordance with the requirements of Section 96 of the

Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for, and been granted, under Section 97 of the Act, as amended.

**Reason: To comply with the requirements of Part V of the Planning and Development Act 2000 (as amended) and in accordance with the proper planning and sustainable development of the area.**

(7) The proposed 60 no. dwelling units shall be of traditional design and construction in accordance with the plans and particulars received on 17/09/2020 and as revised on 25/01/2021. Finished floor levels shall be in accordance with drawings received on 25/01/2021. Roofs shall be covered with slates or tiles which shall be either black, dark grey or blue black. The colour of the ridge tiles shall match the colour of the roofs.

**Reason: In the interest of architectural harmony and in order to integrate the structure into the surrounding area.**

(1) Notwithstanding the provisions of the Planning and Development Regulations 2001 (as amended), no part of the proposed 60 no. dwelling units shall be used for the provision of overnight commercial guest accommodation without prior grant of planning permission.

**Reason: In the interests of orderly development and residential amenity.**

(2) The developer shall engage the services of a qualified archaeologist to monitor all ground disturbance aspects of the proposed development at the time of construction. The developer shall be prepared to facilitate the archaeologist in the recording and recovery of any archaeological material encountered. The archaeologist shall be empowered to halt development work, if necessary, for the purpose of recording and recovering any archaeological material encountered. A report on the archaeological monitoring shall be forwarded to the Planning Authority upon completion.

**Reason: To ensure the continued preservation of places, caves, sites, features or other objects of archaeological interest.**

(3) Boundary treatments and materials shall be in accordance with the Boundary Treatment Drawings and details received on 17/09/2020 and 10/03/2021.

**Reason: In the interest of orderly development and residential amenity.**

(4) (a) All site development works and services shall be carried out in accordance with the Department of the Environment publication 'Recommendations for Site Development Works for Housing

- Areas' 1998 except where modified by condition of this permission.
- (b) All roadworks shall be in accordance with the Design Manual for Urban Roads and Streets (DMURS).
  - (c) All footpaths and pedestrian facilities shall be built in accordance with the Standards and Specifications of Universal Design as set out by the National Disability Councils Centre of Excellence in Universal Design.

**Reason: In the interests of orderly development.**

- (5) (a) **All the Recommendations of Stage 1/2 Safety Audit for the Proposed Development shall be implemented. Prior to the commencement of the proposed development, all documentation generated from this implementation shall be forwarded to the Planning Dept of Kerry County Council for approval.**
- (6) **A Stage 3 Safety Audit shall be carried out at the completion of the proposed development with the recommendations acted upon.**

**Reason: In the interests of traffic safety.**

- (6) (a) Prior to the commencement of the proposed development all works affecting the properties which are in the charge of Kerry County Council shall be agreed in writing with the Killarney Municipal District Office. All works which impact on the public road/footpath shall be completed within 12 months of submission of the Commencement Notice.
- (8) **Works adjacent to the Public Road shall not affect the surface water drainage regime of the public road and no surface water within the development shall be allowed to flow onto the public road.**
- (9) **All works adjacent to or on the public road shall require a road opening licence approved by the Operations Department. The approval of this licence will be subject to the Applicant / contractor possessing the adequate level of insurance which indemnifies Kerry County Council. The Applicant / contractor shall produce a company safety statement along with a site-specific safety plan. The site-specific safety plan shall include a site-specific risk assessment and a traffic management plan.**

**Reason: In the interests of traffic safety and to protect public property.**

- (7) (a) The development shall be connected to the public water and public foul sewerage system to the satisfaction of Irish Water. No development shall commence until such time as the developer has obtained and signed a Connection Agreement with Irish Water for the provision of water and sewerage services necessary to enable the proposed development. The developer shall adhere to the standards and conditions set out in that agreement.
- (b) No surface water shall be permitted to enter the foul public sewer network.
- (c) All stop cocks and water meters shall be located in the common access area of the development.

(d) An adequate number of suitably located fire hydrants shall be provided for the proposed development.

**Reason: In the interests of public health.**

- (15) (a) Stop signs and road markings shall be provided at all internal road junctions.  
(b) Visitor's car parking bays shall be clearly labelled / demarcated, separate from the parking bays for the residential units.

**Reason: In the interests of orderly development.**

- (b) (a) Design of Public Lighting shall be in accordance with ISO EN 13201 and shall be designed and certified by a competent lighting engineer.
- Lamps shall be LED type.
  - All Fittings shall be Irish WEEE Compliant
  - Lamp fittings shall have min. I.P. 67 rating.
  - Lighting Columns shall be Steel Columns to EN 40 standard.
  - All electrical installations shall comply with the National Rules for Electrical Installations "ETCI regulations" and shall be tested, verified and certified by RECI or ECSSA registered contractors.
  - As part of the 'as built' drawing submissions on completion of the development, and prior to the occupation of any dwelling units, the developer shall show and certify compliance with the above. A separate drawing for the Public Lighting element shall be submitted, which shall clearly indicate the locations and numbering sequence of lights, the exact specification of lamps and columns (including wattage and column heights) and locations of all mini-pillars, micro-pillars and meters.
  - Prior to the occupation of any dwelling units, a copy of a recent ESB Bill for public lighting shall be submitted.
  - The Developer shall be responsible for the payment of all public lighting bills until the public lighting has been shown to be in compliance with the foregoing and taken in Charge by the Local Authority.

**Reason: In the interests of orderly development.**

- (c) The site shall be landscaped with native Irish species of Irish provenance in accordance with the Landscape Layout Plan received on 26/01/2021. All landscaping shall be put in place prior to the first occupation of any dwelling. All new trees shall have a minimum height of 1.5 metres when planted.

**Reason: In order to integrate the development into the surrounding area and in the interests of biodiversity.**

- (d) (a) During the construction phase, bunds shall be installed around any temporary oil containment facilities and the developer shall ensure that no oil, grease or other objectionable matter is discharged into any drain, sewer or watercourse.
- No silt/sediment laden water shall be discharged from the development to any watercourse in the vicinity of the site. In this regard, during the development phase of the project, a suitable system for the collection and treatment of any sediment/siltation arising shall be installed on-site and maintained thereafter for the duration of the development works.

**Reason: In order to protect the environment and to prevent pollution.**

- (e) Any damage to the public roadway as a result of the proposed development and related works shall be made good at the developer's expense to the satisfaction of the Area Engineer.

**Reason: In the interests of orderly development and public safety.**

- (f) (a) The Developer shall institute appropriate measures (including a wheel wash facility) to prevent material being drawn from the site onto the public road during the construction phase. No earth, soil or other material from this site shall be drawn or deposited onto the public road.
- (b) All vehicles associated with the construction of the project shall be parked on the site.

**Reason: In the interests of orderly development and public safety.**

- (g) All excavations and building works shall be carried out between the hours of 0800 and 1800 Monday to Friday inclusive, and between the hours of 0800 and 1300 on Saturdays only. No work shall be carried out on Sundays or Bank Holidays.

**Reason: In the interest of residential amenity.**

- (h) Prior to commencement of development, a name and numbering system for the proposed development shall be submitted for the written agreement of the Planning Authority.

**Reason: In the interest of orderly development.**

- (i) Prior to the occupation of each dwelling house, all site development works — stop signs, access road, footpaths, kerbing, gullies, manholes, watermain, sewers, public lighting, water meters, fire hydrants, dished footpaths for pedestrian crossings, parking and boundary fencing shall be substantially completed in accordance with the conditions attaching to this decision in order to ensure an adequate means of access and the provision of all services to facilitate the development.

Prior to the occupation of any dwelling, the developer shall submit a certificate from an approved person stating that all the works carried out to-date on the development are in accordance with:

- The 'Recommendations for Site Development Works for Housing Areas' as issued by the Dept. of the Environment and Local Government in November 1998, as well as the Irish Water Code of Practice Design Manual.
- Any other condition which may have been imposed as a condition of this permission.

**Reason: In the interests of orderly development.**

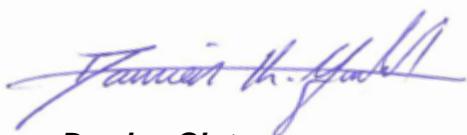
- (j) On completion of the works the developer shall submit 5 copies of as-constructed drawings indicating the on-site position of all structures and services. These drawings and documents shall include:
- (b) The location of all sewers, watermains, ESB and Telecom ducting, stop signs, access road, footpath, kerbing, gullies, manholes, water meters, fire hydrants, dished footpaths and tactile paving for pedestrian crossings and parking. Separate drawing for boundary treatments, green areas and public lighting shall be provided.
- (c) Details of all pipes sizes, inverts, manholes, cover levels, hydrants and stopcock locations as well as records of all pipe tests.
- (d) In additions, the following shall be supplied:
- 2 copies of a certificate of compliance shall be submitted by a suitably qualified person with professional indemnity insurance confirming no defects are present in the surveys; all remedial works have been carried out and all recommendations and conclusions in the report are carried out.
  - 2 copies of a defect free CCTV foul and storm sewer report including maps of the layout of the sewers and manholes.
  - 2 copies of a defect free Water Audit required after all remedial works have been identified and corrected.

**Reason: In the interests of orderly development.**

***We the undersigned:***



**Michael Lynch**  
**Senior Executive Engineer Planning**



**Damien Ginty**  
**A/Senior Planner**

## APPENDIX A

### Appropriate Assessment Screening Report by Biodiversity Officer

The application relates to a proposed housing estate and associated works located in the village of Rathmore. The estate is to be developed in phases. I note that development is to connect to the public WWTP which has capacity to meet the requirements.

The development is located to the south of the existing main street of the village. It is located in lands that I would not deem ecologically sensitive. It mainly consists of one existing domestic structure and several fields of semi-improved grassland with extant hedgerows. Having reviewed the existing structure, I would be satisfied that it is unlikely to be suitable habitat for bat species. I note the structure is boarded up with all openings sealed preventing access in/out of the structure. There is no basement or other suitable space for winter roosts.

The river Blackwater is located to north. It is designated as the River Blackwater (Cork/Waterford) cSAC. I note the proposed development is a considerable distance from the site with the intervening distance buffered by the urban fabric of the village and the main Cork railway line. I have reviewed the proposed plans for the development including drainage plans which proposed to use SuDS for water protection at construction and operational phase of the development as required under the WFD/objectives in the Kerry County Development Plan. I note the lack of any watercourses within the development site that directly connect to the SAC and/or any other sensitive ecological receptors that could act as a source-pathway-receptor.

In conclusion, I would not identify any potential for the development to have a significant effect on the Blackwater River cSAC.

If a grant of permission is considered likely I would request:

- consideration should be given to the landscaping of the proposed development with native Irish species of Irish provenance and in consultation with recommendations from the *All Ireland Pollinator Plan, Pollinator Friendly Planting Code Guidelines*.
- I would also request that the seed mix proposed for the grassed green spaces consider a species mix that is pollinator friendly, in line with recommendations made in the *All Ireland Pollinator Plan*.
- Existing mature hedgerows should be maintained where possible.

## APPENDIX B

### Calculation of development contributions

Other than House Type 7 on site Nos 49 to 54, all of the proposed houses have floor area less than 125sqm.

Houses Nos 1 to 48 and Nos 55 to 60: 54 units in total

Roads and Transport Contribution: 54 units \* €660.00/unit = €35,640.00

Community and Amenity Contribution: 54 units \* €840/unit = €45,360.00

Houses Nos 49 to 54: 6 units with floor area 176sqm  
Roads and Transport Contribution:  $6 * (\text{€}660.00 + (51\text{sqm} * \text{€}8.80/\text{sqm})) = \text{€}6,652.80$   
Community and Amenity Contribution:  $6 * (\text{€}840.00 + (51\text{sqm} * \text{€}11.20/\text{sqm})) = \text{€}8,467.20$

Total Roads and Transport Contribution: €42,292.80  
Total Community and Amenity Contribution: €53,827.20

Total Contribution: €96,120.00

Cllr. D. Grady referred to the green area and enquired if there was adequate open space in the development. Cllr. Grady stated that Members are exempted from all planning decisions but when it suits, the Members are expected to make a decision.

Cllr. M. Healy-Rae welcomed the new development but highlighted a number of questions in relation to the following matters on various pages of the report:

- Page 8 – right of way at rear of Cahill's Bar.
- Page 10 – the reference to “one-off houses” should not be contained in the report. Will this affect people getting planning on their land. Rathmore has suffered because of it.
- Kerry County Council have a role in rejuvenation. There is one derelict house on Main Street and the Council have done nothing about it.
- In relation to social housing, will there be a social / affordable housing element to this development?
- She queried what is an Exemption Certificate and how could developers be exempt.
- Cllr. Healy-Rae referenced the Indicative Master Plan and said this should have been attached to the report and stated that various access points were not clearly laid out.
- She asked does this Material Contravention zone the entire site and if so, is it just for area of 60 houses or for the entire site to facilitate future planning applications.
- In relation to traffic, the Old Road known as the Bog Road is only 3 – 4 metres in width and totally inadequate for more traffic.
- If the access is to the north side of the site, traffic will come out to Shinnagh Cross where 5 roads meet.
- On Page 9, Pat McCarthy, EE, NRDO and John Ahern, SEE Killarney MD made no objections to the proposed development. Cllr. Healy-Rae said the fact that they could not see any danger in these roadways was entirely unacceptable and she stated this part must be removed from the report.

Cathaoirleach B. Cronin noted this was a substantial development. He stated that Rathmore has been described as a village, but it was his understanding that this was a town. The Cathaoirleach said he had been contacted by people a few weeks previous. They raised concerns regarding the capacity in the local school to cater for volume this development would bring. They also highlighted that there was no GP in Rathmore. He asked what is issue with the capacity of the existing sewerage treatment plan and is Irish Water satisfied with its capacity? Cathaoirleach Cronin stated that he has heard Elected Members at Council meetings demanding development to keep rural towns alive.

Mr. Ginty referred to the queries raised as follows:

- In relation to open green space, there are 2 green areas, one in front of houses 12-13 and the second area overlooked by 33 – 48. There was adequate open space provided by the design of the development.
- There is no through-way proposed at rear of Cahill's Bar. Access and egress is proposed by a new junction with the N72 only, which will be provided by the demolition of the derelict house.
- Mr. Ginty referred to the policy in relation to one-off houses and said that policy in relation to this was contained in the County Development Plan. This policy is to be reviewed in the context of the forthcoming review of the Development Plan, however, it must be noted that 87% of houses developed over the past number of years in Killarney MD were outside of any settlements. This is a significant figure. The population of Rathmore has increased marginally by 1.54% and in effect, has remained static. The development of this type of scheme in the village is to be welcomed and will place a resident population back in the village centre.
- In relation to the Derelict Sites Register, Mr. Ginty advised that the number of properties listed in same is increasing. The property referred to in the report is going to be knocked. He confirmed there are a number of properties in Rathmore on the Derelict Sites Register and levies are imposed on these developments.
- In relation to the certificate, this is a planning condition that the developer must comply with Part 5 of the Planning & Development Act so ensure that a percentage of the scheme must provide for social / affordable housing.
- Any future development of this site will be subject to a planning application. Mr. Ginty confirmed that any discussions regarding the future development of the site have yet to take place. Developers have submitted a Master Plan to show the intended phasing of the entire future development site. No proposals have yet been received and there have been no discussions in relation to the future development of the site. This process will be open and transparent.
- Mr. Ginty stated he was not aware of any capacity issues with schools. A mix of houses is proposed to cater for entire range of the population demographic and that not all residents will be of a school-going age.
- Irish Water did make a submission and confirmed that the Waste Water Treatment Plant has adequate capacity for this facility.

Cathaoirleach Cronin stated that he did not see anything that referred to zoning – this proposal is to grant permission.

Mr. Ginty confirmed that this proposal was not to zone lands. Killarney MD Plan was adopted in 2018 and contains the land use strategy and zoning for Rathmore. The proposal is to grant permission on lands zoned "O1 – Strategic Reserve" so permission cannot be granted without a resolution from the Council.

Cllr. Healy-Rae stated it was a change of use and asked for confirmation that this was specifically for the 60 houses and nothing further.

Mr. Ginty confirmed this was correct. The Material Contravention solely relates to the 60 houses.

Mr. J. Ahern, SEE stated that the report was based on the planning application for 60 houses and exit on to the N72 to which he had no objection, based on conditions which he had placed on the planning application and which have been based on the Planning report.

Cllr. M. Moloney asked for further clarity in relation to the roads. She further stated that any development is welcome at these times. She referred to Part 5 in relation to this development and enquired if the Council would insist on houses as opposed to land or another form of contribution. Cllr. Moloney referred to An Bord Pleanála's refusal for permission on part of that site and asked if the Council were going against what they recommended.

Mr. Ginty confirmed that the Part 5 condition specifically states that the developer must enter into an agreement with Kerry County Council prior to the commencement of the development. As part of this, the Council will seek 10% of the residential units to be transferred to the Local Authority for social and affordable housing as opposed to any other form of compensation. The developer must comply with this condition prior to commencement of works.

Mr. Ginty referred to the developer's previous application which was for 315 residential units. It was refused by An Bord Pleanála due to its layout and scale. It was four times the footprint that is before the Members today. The proposal now before the Members is completely different to what was sought back in 2008. This is for 60 units in Rathmore on an infill site and will be a welcome addition to Rathmore. Rathmore's population is relatively static and this development will place a resident population back into the core of the village restoring its vitality and vibrancy.

Cathaoirleach B. Cronin Proposed to grant planning permission to to OLD ROAD PARTNERSHIP (Planning Ref. no. 20/849) for permission to (A) Demolish 1 No. derelict dwelling house (B) Form vehicular and pedestrian access (C) Construct the following dwellings in thermohouse construction system: 6 No. 1 bedroom single storey units, 9 No. 2 bedroom single storey units, 27 No. 3 bedroom 2 storey terraced units, 12 No. 3 bedroom 2 storey semi-detached units, 6 No. 4 bedroom detached units (D) Estate road, footpaths, boundary walls, services and all associated site works at lands South and North of Old Road, Shinnagh, Rathmore, Co. Kerry.

Cllr. M. Gleeson Seconded the Proposal.

Cllr. Healy-Rae said she still had an issue with the line on Page 10 regarding additional accesses on Main Street to the North and South and she requested that it be removed from the proposal if not part of this phase.

Mr. Ginty confirmed that the proposal was for 60 units and not for any future development.

Cllr. Healy-Rae enquired why was it referenced in the report.

Mr. Ginty stated that there is not a second entrance proposed and it was not referenced in the report and any future proposals will be assessed by the Roads Department. He stated

that this report is simply laying out the facts for the Elected Members. This proposal has been assessed by the Roads Department who have no objection.

Mr. P. Corkery, Meetings Administrator stated that in accordance with Section 34(6) of the Planning and Development Act 2000 (as amended), for the Material Contravention to pass, not less than three-quarters of the Members must approve (five Members).

Mr. P. Corkery indicated that a vote would now take place on the Chief Executive's report as follows:

- (a) To consider the Chief Executives report in accordance with Section 34(6) of the Planning and Development Act 2000 (as amended) on a proposal by the Chief Executive to grant permission to OLD ROAD PARTNERSHIP (Planning Ref. no. 20/849) for permission to (A) Demolish 1 No. derelict dwelling house (B) Form vehicular and pedestrian access (C) Construct the following dwellings in thermohouse construction system: 6 No. 1 bedroom single storey units, 9 No. 2 bedroom single storey units, 27 No. 3 bedroom 2 storey terraced units, 12 No. 3 bedroom 2 storey semi-detached units, 6 No. 4 bedroom detached units (D) Estate road, footpaths, boundary walls, services and all associated site works at lands South and North of Old Road, Shinnagh, Rathmore, Co. Kerry, which would, if permitted, contravene materially the Killarney Municipal District Local Area Plan 2018-2024 in respect of the village of Rathmore.
- (b) To grant permission to OLD ROAD PARTNERSHIP (Planning Ref. no. 20/849) for permission to (A) Demolish 1 No. derelict dwelling house (B) Form vehicular and pedestrian access (C) Construct the following dwellings in thermohouse construction system: 6 No. 1 bedroom single storey units, 9 No. 2 bedroom single storey units, 27 No. 3 bedroom 2 storey terraced units, 12 No. 3 bedroom 2 storey semi-detached units, 6 No. 4 bedroom detached units (D) Estate road, footpaths, boundary walls, services and all associated site works at lands South and North of Old Road, Shinnagh, Rathmore, Co. Kerry.

**A vote was taken which resulted as follows:**

**For:** Cathaoirleach B. Cronin Cllr. M. Gleeson, Cllr. D. Grady, Cllr. M. Healy-Rae, Cllr. M. Moloney, Cllr. N. O'Callaghan **(6)**

**Against:** None **(0)**

**Absent:** Cllr. N. Kelleher **(1)**

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

## **21.05.05.02 (a) To note report from Economic and Community Development Directorate**

It was agreed to note the following Report from Mr. M. Scannell, Director Economic and Community Development Directorate which was circulated:

# **Economic and Community Development Report**

## **KILLARNEY Municipal District**

**5<sup>th</sup> May 2021**

**Director of Service: Michael Scannell**

### **1. Local Enterprise Office**

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#### **Kerry Month of Enterprise**

March was the Kerry Month of Enterprise and there was a very extensive programme of events delivered by the LEO during that period. Some of the events included:

- Brand Your Business course
- Sales and Marketing Masterclass
- Food safety supports webinar
- HR & Employment Law webinar
- Growing LEAN webinar
- Starting A food business in Kerry webinar
- Food Starter training programme
- Is your website working for your business webinar

#### **Upcoming Training Events**

Courses scheduled for April 2021 include

1. Start Your Own Business programmes x 2
2. How to run FB & Instagram advertising campaigns
3. Beginners Search Engine Optimisation
4. How to create online marketing videos on a budget
5. Beginners Facebook Marketing
6. Editing Digital Images

#### **Grant Approvals:**

The next meeting of the Grant Evaluation and Approvals Committee takes place at the end of April and there are a number of projects from the Killarney MD up for consideration.

### **Other Activities:**

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

Killarney based businesses have now registered for the LEO LEAN Programme and 4 Killarney MD businesses attended the Creative Kerry assessments. A specific webinar in the Retail Visual marketing has been strongly promoted to Killarney businesses.

## **2. Community & Tourism Development**

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### **Keep Well Campaign:**

Kerry County Council, in collaboration with their partners, are continuing to deliver local resources to promote and support health and wellbeing according to the themes of the national 'Keep Well' campaign.

Kerry County Council website hosts the most comprehensive listing of all Keep Well activities taking place across the county:

<https://kerryevents.tockify.com/kerryevents/pinboard>

### **Community Mental Health Small Grants Scheme**

In line with the Healthy Kerry Framework, the Community Mental Health Small Grants Scheme was publicly advertised recently, and 24 applications were received. Following assessment, a total of 10 groups were selected to pilot the Healthy Kerry Community Wellbeing Initiative from April 2021 to October 2021. Community Mental Health Small Grants Scheme was allocated to groups from Killarney MD as follows:

	<b>Successful Applicant</b>	<b>Funding awarded</b>
6	Kerry Diocesan Youth Service (KDYS)	€2,000
7	East Kerry Mental Health Association	€2,000
<b>Total</b>		<b>€4,000</b>

These projects were selected as they align with the high-level goals of the Healthy Kerry Framework, the mental health theme of the Healthy Ireland Fund and seek to improve community mental health and wellbeing and tackle loneliness and isolation in Kerry. The details of these projects will be made available on the Healthy Kerry and Kerry County Council websites shortly.

### **Kerry Trails Mapping Project**

Kerry County Council are currently progressing a Kerry Trails Mapping Project for which funding was secured under Measure 1 of the Outdoor Recreation Infrastructure Scheme 2020. An increase in the use of walks and trails in recent years, and a further rise in participation levels in outdoor activities following Covid 19 restrictions, has highlighted the need to produce a cohesive platform to promote and inform users. The project will include the development of an online tool that will enable users to access walking trails in Kerry based on a number of filtering options - an online map of Kerry, available to view off-line, showing the county's way-marked

trails, as well as other walks and trails of varying levels of difficulty e.g. family-friendly. Online presence will be accompanied by brochure/s. Kerry County Council are working with NEWKD and SKDP, KTIF and the waymarked trail committees as well as a number of other stakeholders to identify the numerous walks and trails to provide a user-friendly accessible way for both locals and visitors to plan, experience and enjoy the abundance of walks and trails around the county. Several walks and trails in the Killarney area which are suitable for all levels of ability will be included.

### 3. Strategic Sites

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#### Áras Pádraig

The Development Control Plan at the Áras Pádraig site will be completed by the end of Q2 2021.

#### (b) Notices of Motion

**1. Cllr. M. Gleeson:** Has the Council received a valid Taking in Charge application from the residents of the 7 house estate at Black Road, Gortahoonig and if so, what is the time frame for completion of the process?

**Reply:** A valid Taking in Charge application has been received from the majority of the house owners for an estate in Gortahoonig, Muckcross, Killarney on 16<sup>th</sup> March 2021 - TIC/21/06 refers. This Taking in Charge application is currently being progressed in accordance with Kerry County Council's adopted Taking in Charge of Estates Policy and our Memorandum of Understanding with Irish Water. The relevant reports will be prepared and submitted to Irish Water for approval in due course. It is currently not possible to put a timeframe for completion of the process.

**Cllr. M. Gleeson welcomed the reply.**

**2. Cllr. M. Gleeson:** That the Municipal District Council would determine if there is need for an overall policy in relation to the controlling to a reasonable and sustainable level of restaurants and cafes in the Killarney urban area. Long established units, often family run, should have fair and reasonable priority and protection.

**Reply:** It is the policy of the Council under Chapter 6 of the current Town Development Plan to retain the vitality and viability of the town centre. This requires a balanced mix of services and uses to cater for the resident population and the significant tourism economy upon which Killarney depends. The Council will aim to maintain a balance between retail and other allied uses and discourage the domination of any particular use or facility in the Town Centre when assessing the merits of any particular planning application seeking to change the use of a premises.

**Cllr. M. Gleeson stated that a restaurant needs 40 people per night to make a profit. Some businesses open only for the peak tourist season and leave the long-established businesses to carry the can in the off-season. He said there needs to be a proper balance.**

## **Cathaoirleach B. Cronin Seconded the Motion**

**3. Cllr. B. Cronin:** Have the Council given any consideration to providing a designated safely fenced dog park.

**Reply:** This is a very meritorious project and the Council has examined its land bank in the town but has not been able to identify a suitable site in its ownership. A funding source would also have to be identified for the capital investment and the operating costs. The Municipal District will liaise with the National Parks & Wildlife Services in relation to any potential suitable area they may have in their ownership.

**Cathaoirleach B. Cronin said many people have been complaining about dog waste on walkways. A well maintained and fenced off park to let dogs run around would be a worthwhile project.**

**Cllr. N. O'Callaghan Seconded the Motion. He said he had recently witnessed a very sad scene in the National Park where an uncontrolled dog killed a deer. He agreed that a controlled site would be a suitable place to let dogs run around.**

**4. Cllr. N. Kelleher:** When can we expect to have the community CCTV operational in Killarney?

**Reply:** As Members will be aware, applications in respect of three Killarney Community CCTV schemes were made to the Department of Justice & Equality in 2018 under the Community CCTV Grant Scheme. The Department of Justice and Equality have provided a partial grant to fund the scheme in the order of €47,877. The members will be aware that the initial costings of the schemes are in the order of €160,000 and the Department of Justice and Equality have confirmed that the schemes' costings remain the basis of the allocation received

As the funding has been received in advance of the schemes, a number of governance processes are required to be put in place prior to acceptance of the funding. It intended at this stage to procure independent security expertise to review the scheme designs having regard to the changes in legislation and technology and to aid the specification of requirements in the procurement exercise.

As recently advised to Members, the preparation of Data Protection Impact Assessments (DPIAs) is underway for each of the three schemes. There have been significant changes in the requirements of Data Protection elements of such schemes in recent years, following the introduction of the GDPR and the Data Protection Act 2018. In addition, CCTV technology has also developed significantly in the period and it will be beneficial to assess the technological advances to provide for the best specifications for the project. Members should also note that engagement is continuing between the Gardaí nationally and the Local Authority sector on the Data Controller arrangements. Members will be kept updated.

**Cllr. N. Kelleher said it was imperative that all the work that needs to be done regarding the DPIA be undertaken as soon as is practicable. He noted CCTV would be a fantastic resource to An Garda Síochána in policing Killarney's streets. He welcomed the funding received.**

Cllr. M. Moloney noted there was a shortfall in funding regarding what the CCTV costs to what has been granted and enquired where extra funding would come from.

Ms. A. McAllen, MD Manager replied that a great deal of work was involved in preparing a DPIA and 3 such assessments need to be prepared. She confirmed that work was underway on same. Ms. McAllen advised that engagement nationally between the Local Government and the Department of Justice is ongoing. She advised that this matter was being considered Nationally in relation to the Data Controller element. In relation to the funding, Ms. McAllen confirmed that the Council were not in a position currently to spend the grant received, pending clarification of National position regarding Data Controller. However, interim work on DPIAs and independent assessment of works will allow the project to progress.

**21.05.05.03 (a) To note update report from the Water, Environment, Fire and Library Services Directorate**

It was agreed to note the following Report from Mr. J. Breen, Director of Sustainable Communities / Quality of Life which was circulated:

## **Water, Environment, Fire & Library Services Report**

### **Killarney Municipal District**

**DATE: May 5<sup>th</sup> 2021**

**Director of Service: John Breen**

## **Environmental Protection**

Business Unit Manager: Gerard O'Brien SEO

### **Environmental Services Activity Report January – March 2021**

#### **Adopt a Bottle Bank/Adopt a Road**

Approximately 60 community groups participate in regular clean-ups of roadsides and in keeping their community bottle banks litter free and each group receives €500 grant funding for their endeavours. This scheme is 70% funded by the Department of Environment, Climate & Communications, Anti-Litter/Anti-Graffiti Fund and 30% funded by KCC however the 2020 Dept. notification was not circulated until 2021 due to the Covid-19 pandemic. The processing of claims from the community groups commenced in the first quarter of 2021 and payment of the €500 grant is underway.

#### **National Tree Week**

National Tree week commenced on Sunday, March 21<sup>st</sup> and in a safe, socially distant way, tree planting took place all over the country as Coillte, in partnership with the Tree Council of Ireland, donated thousands of native Irish saplings for planting by community groups. KCC received 700 saplings and these were distributed by the Environment Section to volunteers and community groups throughout the county.

#### **Anti-Dumping Initiative 2021**

Kerry County Council has recently been advised that the Department of Environment, Climate and Communications is making funding of €3 million available through the Waste Enforcement Regional Local Authorities (WERLA's) to support the 2021 Anti-Dumping Initiative (ADI)

This initiative has been ongoing since 2017 and has served to ensure that illegal dumping remains high on the agenda for communities across the country and that the appropriate supports and interventions are available to combat the problem.

The 2021 ADI Funding focuses on the following four key areas:

1. Prevention
2. Abatement
3. Education
4. Enforcement

Kerry County Council will be submitting an application for funding under the 2021 ADI Initiative.

## 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
<b>2021</b>	<b>3182</b>	<b>12%</b>	<b>23174</b>	<b>88%</b>	<b>26356</b>

### Recycling – Accumulative Sales for All Stations

2021 Eco sense bags sales = **7445**

### Accumulative Waste and Recycling Tonnage for All Stations

Year	Weighbridge Waste Tonnage (Incl Tkt Weight)	Recycling Tonnage for Eco Sense Bags
<b>2021</b>	<b>848.68</b>	<b>123.02</b>

### Dogs Statistics January – March 2021

<b>Number of Dog Licences Issued</b>	<b>3,487</b>
<b>Number of Dogs Fines issued</b>	<b>18</b>
<b>Number of dogs Rehomed</b>	<b>14</b>

<b>Environmental Enforcement</b>	
<b>Period: January – March 2021</b>	
<b>Litter</b>	<b>2021</b>
No. Litter Complaints	327
No. Fines Issued	24
No. Fines Paid To-date	13
No. Court Prosecutions	1
Total Amount Awarded	€0
<b>Air</b> - No. Complaints Investigated	21
Air - No. Court Prosecutions	0
Air - Total Amount Awarded	€0.00
<b>Waste</b> - No. Complaints Investigated	99
Waste - No. Court Prosecutions	0
Waste -Total Amount Awarded	€0
<b>Water</b> - No. Complaints Investigated	49
Water - No. 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 March 2021 compared to 315 mobilisations for the same period in 2020. This represents a 2% decrease in mobilisations.
- 1 Gorse fires at 87 No. were up from 60 No. for the same period last year. This represents an increase of 45% for the same period in 2020.
  - 2 There were 40 chimney fires attended up to end of March compared to 31 for the same period in 2020. This is a 29% increase.
  - 3 Road Traffic Collisions attended were at 15 which is down from 32 for the same period last year. This represents a 53% decrease.
  - 4 There were 5 calls for flooding/water pumping during the period January to March 2021.

	<b>2020</b>	<b>2021</b>
	<b>Jan-Mar</b>	<b>Jan-Mar</b>
<b><i>FIRE OPERATIONS - DETAILS OF OPERATIONAL WORK</i></b>		
<b><i>Fires Number</i></b>		
Chimney Fires	31	40
Gorse Fires	60	87
Other Fires	36	39
<b>Total</b>	<b>127</b>	<b>166</b>
<b><i>Special Services Number</i></b>		
Entrapment	1	2
Gas/Chemicals	0	1
Hazardous substances in transit not involving fire	0	0
Hazardous Substances non-Transit	5	5
Machinery	1	0
Miscellaneous	38	28
Other rescue	18	19
Rescue/Removal of persons from water	7	0
Road traffic accident	32	15
Water pumping/flooding	0	5

Total	<b>102</b>	<b>75</b>
<b><i>False Alarms Number</i></b>		
Malicious	1	2
Good Intent	47	47
Total	<b>48</b>	<b>49</b>
<b><i>Total Number of Incidents</i></b>	<b>277</b>	<b>290</b>
<b><i>Total Number of Mobilisations</i></b>	<b>315</b>	<b>321</b>

#### Fire Safety and Prevention:

- Due to restrictions caused by the COVID -19 emergency, all non-essential inspections have been suspended. An inspection protocol has been put in place for inspections by Fire Officers for critical inspections and Fire Officers have been 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 March 2021 was 105 valid Commencement Notices, which is a 15% decrease 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 March 2021 a total of 22 No. Disability Access Certificate applications had been received representing a 24% decrease on the same period last year. A total of 30 Fire Safety Certificate applications were received, which is a 25% decrease on the same period last year.

#### Building Control Statistics.

<b><i>BUILDING CONTROL-</i></b>	<b><i>Jan- Mar 2020</i></b>	<b><i>Jan – Mar 2021</i></b>
Fire Safety Certificate Applications Received	40	30
Disability Access Certificate Applications Received	29	22
Commencement Notices Received	123	105

## Library Services

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

- Libraries link with the national Growing it Forward initiative

This April & May Kerry Library is partnering with Libraries Ireland and Grow it Yourself [GIY] to roll out a Grow It Forward campaign [www.giy.ie/growitforward](http://www.giy.ie/growitforward) under the Government Keeping Well Programme.

GIY has sent 800 packs of seed to each of the 30 Library Authority HQs to be made available free of charge on a first come basis through the Library service. Included are 6 packs of seeds, a Growing Guide, details of how to join a library and information on local library services.

In addition, an edited e-book based on Michael Kelly's book *Grow, Cook, Eat* is available online at [www.kerrylibrary.ie](http://www.kerrylibrary.ie).

All enquiries about the Kerry distribution system to [dingle@kerrylibrary.ie](mailto:dingle@kerrylibrary.ie)

This campaign is intended to showcase the wealth of information available in libraries around growing and gardening with the overall aim of helping the people of Kerry to enjoy the wide range of benefits that come from growing food at home.

- Spring into Storytime

The annual Spring Into Storytime national children storytime initiative in public libraries was organised again this April. The entire programme was again delivered online for 2021 by library staff on the website [www.kerrylibrary.ie](http://www.kerrylibrary.ie)

## KILLARNEY MUNICIPAL DISTRICT

### Kerry County Council Water Services Investment Programme Status Summary at 14<sup>th</sup> April 2021

#### Funding Priorities for Capital Projects

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

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

In Wastewater, priority is given to towns (agglomerations) to which ECJ Rulings apply, and to meeting the requirements of the EPA Discharge Licenses.

#### **IRISH WATER CAPITAL INVESTMENT PROGRAMME**

The following information has been provided by Irish Water.

The proposed Schemes in the Killarney Municipal District which are listed in Irish Water's national **Capital Investment Programme (the CIP) 2020-2024** are outlined in the following tables:

<b><u>CIP WASTE-WATER PROJECTS, KILLARNEY MUNICIPAL DISTRICT</u></b>	
<b>Project</b>	<b>Status</b>
<b>Kilcummin Sewerage Scheme - proposed</b>	<b>Land and Wayleave</b> negotiations are ongoing; to <b>Tender for Contractor</b> in late <b>2021</b> ; <b>Construction in 2022</b> .
<b>Killarney Drainage Area Plan</b>	Consulting Engineer <b>Arup</b> has been appointed for the preparation of this <b>Drainage Area Plan</b> , and the Tralee, Listowel and Ballylongford DAPs. The actual survey of the Killarney network has been completed and the DAP is due for completion by August 2021.

#### **IRISH WATER MINOR CAPITAL WORKS**

This is a rolling programme of water mains' **Network Improvements** and **Rationalisation** of existing water treatment plants.

<b><u>MINOR CAPITAL WORKS, KILLARNEY MUNICIPAL DISTRICT</u></b>			
<b>Project</b>	<b>Description</b>	<b>Estimate</b>	<b>Status</b>
Mid Kerry Regional WSS <b>Ballymalis</b>	Replace 1100m of 100mm mains with uPVC pipe	€140,000	Complete
MKRWSS <b>Crohane to Barleymount</b>	Replace 1.6Km of 225MM AC mains with uPVC 200MM pipe	€290,000	Underway
Central Regional WSS <b>Ballyspillane</b> Killarney	Replace 220M of 250MM Asbestos Cement mains with uPVC 200MM pipe	€80,000	Underway
<b>Approximate Total of APPROVED works on hand</b>		<b>€80,000</b>	

## **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 late 2019.

### **Takeover of Group Schemes**

Responsibility for the Takeover of Group Schemes has transferred to **Irish Water** since its inception, **and KCC is no longer legally allowed to take over these schemes.**

Irish Water has developed a protocol to govern the Takeover of Group Schemes.

Work, by contractor **Cóir Infrastructure Ltd**, on the **€1.2M project to connect the existing 50-house INCH-FOILDAUN GROUP WATER SCHEME to the Central Regional WSS at Glenflesk**, by the extension of the public watermain from the village, and the replacement of the 'internal' mains network of the GWSS, is complete. The new domestic and farm connections to replace the old ones are currently being installed by KCC's WSs staff – of the 50 houses on the Scheme, there are now only 5 houses remaining to be connected to the new supply. It is planned that when the works are completed in the coming weeks, KCC will then pursue the **Take-Over by Irish Water** of the Group Scheme. This Group Scheme had been served by its own upland stream source and the only treatment applied was disinfection by chlorination.

**Work has been completed** by Council staff on the replacement of all the watermains on the **DROMADEESIRT GROUP SCHEME** (Kilcummin) and the connection of the Scheme to the public Central Regional Water Supply Scheme, thus discontinuing the use of the private well source. It is planned to pursue the **Take-Over by Irish Water** in 2021. The 50 years old Scheme includes 1Km of 90MM water main and supplies drinking water to eight households.

## **FIND AND FIX PROGRAMME**

This is a specially funded, nationwide, capital project which was set up by Irish Water in 2018 to search for leaks in the public water pipes and repair them.

The project 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 3 van crews from Coffey Northumbrian Limited, the Irish Water appointed contractor whose '**Find**' van crews are helping in building a repository of potential leak locations for follow-on investigation and repair by the **Fix** van crews. The Find and Fix team is currently working on the Mid Kerry Regional WSS, and it is also intended to concentrate on **Killarney** in the coming weeks.

## **FIRST FIX PROGRAMME**

Under this nationwide 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, pre-COVID, been 'knocking on doors' of houses, the meters for which indicate possible leaks.

### **COVID-19 WASTEWATER PLANT SURVEILLANCE**

Irish Water is participating in a project, being run by **UCD** and the **National Virus Reference Laboratory** on behalf of the **HSE**, for monitoring influent to Wastewater Treatment Plants in large urban areas.

This gives a very comprehensive view of COVID-19 case levels in the major population centres across the country. The expectation is that the project may last for a period of at least 18 months. Weekly composite samples are taken and tested from each site.

Tralee and Killarney Wastewater Treatment plants are part of this project.

### **(b) Notices of Motion**

**1. Cllr. M. Gleeson:** Has any assessment been made to seek to determine to what extent, if any, the air quality in the Killarney Town and Valley has improved since the introduction of the ban on the burning of Smokey Coal?

**Reply:** We are in discussions with the EPA with regard to the installation of an ambient air quality monitoring unit in the vicinity of Killarney Town. This will facilitate air quality monitoring.

**Cllr. M. Gleeson welcomed the introduction of the ban on burning smokey coal in the Killarney area. He stated that Killarney was very low lying and was considered a high risk place for people who suffer with asthma so it would be worthwhile to confirm that the standards set nationally have been adhered to and give people reassurance in the interest of their health.**

**Cathaoirleach B. Cronin Seconded the Motion.**

**2. Cllr. B. Cronin:** That Water Services and Irish Water would give a detailed explanation as to why over the weekend of 16<sup>th</sup> – 19<sup>th</sup> April 2021, that Listry, Beaufort and Faha had no water supply on a number of occasions. As this is totally unacceptable, what work does Irish Water have to do to prevent a repeat of this re-occurring?

**Reply: Irish Water has replied as follows:**

*"Irish Water (IW) is aware of the recent unplanned outages in the Beaufort area due to bursts on the trunk-main and wishes to apologise for any inconvenience caused to the customers impacted. It will take significant investment over many years to bring the current water and wastewater assets up to a good standard in many areas of the country, including Kerry.*

*IW has previously invested in this area to replace approximately 1.5km of the problematic watermain over the last number of years. We can confirm that we have given funding approval to commence design and replacement of a further 1.2km priority section of the 300mm trunk-main. IW will work closely with Kerry County*

*Council to deliver these works in 2021. There are currently no timelines available for delivery of the works.”*

Kerry County Council Water Services Office now plans to carry out the work this summer.

**Cathaoirleach B. Cronin acknowledged the reply received from Irish Water and noted that there had been 5 breaks within close proximity on the main supply line. The Cathaoirleach asked if the replacement of 1.2km of trunk main would make a huge difference for this location or is it a tiny part of the overall requirement.**

**Cllr. M. Moloney moved NoM 4 at this stage (reply same as NoM 2).**

**4. Cllr. M. Moloney:** The areas of Faha and Listry are constantly experiencing problems with their water supply. I have raised this issue at meetings with Irish Water and I am asking Kerry County Council to also contact Irish Water to rectify these problems. It may necessitate the replacement of pipes in the Beaufort area which are outdated and not fit for purpose.

**Cllr. M. Moloney advised she had been contacted by people from the area who have been without a water supply for the last 4 weekends. She stated that when the water returns, it is very poor quality and leaves grime in the sink. She said she had raised the matter at the last meeting with Irish Water. She stated that the residents were very frustrated and the matter needs to be dealt with as a matter of extreme urgency.**

**Cllr. N. O’Callaghan supported the Members’ comments and agreed that the water quality was not acceptable. He said that Irish Water need to act on this. People have been without water for 4 weekends in a row and this is not acceptable.**

**Cathaoirleach Cronin stated that there were 2 breaks near Faha National School on a smaller supply line as a result of breaks on the big line.**

**Mr. C. Mangan, SEE Water Services stated that most of the recent water outages are caused by incidents of burst watermains on the Board of Works Road. This pipe serves all the areas mentioned. Most of the recent breaks have been very near each other, so the 1.2km to be replaced is at this location. Following the repair of this length of pipe, between Kissane’s shop and the crossroads to the Gap, a marked improvement in the service can be expected. However, when a section of pipe is replaced, then perhaps another nearby length will become problematic – it then becoming the weakest point in the chain. He confirmed that the work would take place during the summer. Mr. Mangan also acknowledged that some grime in the water is always an issue immediately after such a repair, but this disappears very quickly when people run their taps.**

**Cathaoirleach B. Cronin wished to acknowledge the work carried out by Water Services County Supervisor, Mr. Freddie Bartlett and his crews for their time to juggle the water supply to different areas. He stated that a huge amount of unrecognised work had been undertaken by him.**

**Cllr. D. Grady Seconded Motion No. 4.**

**Cllr. M. Healy-Rae Seconded Motion No. 2 and stated that said the good work Kerry County Council staff are doing on the ground is often overlooked.**

**3. Cllr. M. Healy-Rae:** To ask Kerry County Council and Irish Water to provide an update regarding the Kilcummin Sewerage Scheme.

**Reply: Irish Water has replied as follows:**

*“Irish Water is currently reviewing the status of the scheme and expects a final decision on the project early in May 2021. The delay to this final decision has been due to an increase in the estimated project cost. We have been carrying out further site investigation works in recent weeks in order to aid this decision.*

*We will communicate with Members of Killarney MD in the coming weeks”.*

**Cllr. M. Healy-Rae enquired how significant was the increase in the project cost?**

**Cllr. M. Moloney Seconded the Motion.**

**Mr. C. Mangan replied that Irish Water are meeting with the Members on 12<sup>th</sup> May and clarity can be sought from them at that stage.**

**4. Cllr. M. Moloney – moved in conjunction with NoM 2.**

**5. Cllr. N. Kelleher:** When are plant works due to start in installing the water pump at Brewsterfield / Knockanes?

**Reply:** Quotations for the provision and installation of the pumps have been received. An application for power supply has been made to the ESB. Work has commenced on constructing the concrete base for the kiosk for the pumps. It is planned that the pump station will come into operation in June 2021.

**Cllr. N. Kelleher thanked Mr. C. Mangan for the reply and hoped that the ESB would appreciate the work undertaken by the Council and the people in Knockanes.**

**Cllr. M. Healy-Rae Seconded the Motion and thanked Mr. Mangan.**

## 21.05.05.04 (a) To note update report from the Housing Directorate

It was agreed to note the following Report from Mr. M. O'Donoghue, Director of Housing & Corporate Services which was circulated:

# HOUSING DIRECTORATE REPORT

## KILLARNEY MUNICIPAL DISTRICT

20<sup>TH</sup> APRIL 2021

### Director of Service: Martin O' Donoghue

#### Housing Report – KILLARNEY 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 Killarney as their primary area of choice but applicants in other parts of the County who have indicated that they may be interested in Killarney as not their primary area of choice but as one of their other areas indicated.

	<b>No</b>
Current no. of approved applicants on the housing list who have selected an area within this MD as an area of choice *	1,333
Net Need for Killarney MD (excluding transfers) *	722
No. of applications received this year who have selected an area within this MD as an area of choice *	111

No. of applications approved since the start of this year who have selected an area within this MD as an area of choice *	98
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\*(including from other MDs who have indicated Killarney as any one of their 3 areas of choices)

#### Breakdown by Bed No.

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

1-Bed	640
2-Bed	353
3-Bed	262
4-Bed	68
5-Bed	10
<b>Total</b>	<b>1,333</b>

- **Void Management**

<b>Municipal District breakdown</b>	<b><u>No</u></b>
Current no. of dwellings under repair and unallocated	0
Current no. of dwellings under repair and allocated	1
Current no. of dwellings awaiting repairs	8
Current no. of repaired dwellings awaiting allocation	0
Current no. of repaired dwellings allocated awaiting occupation	0
<b><u>Total No of Vacant dwellings in Municipal District</u></b>	<b>9</b>

- **Social Housing Options**

<b>Social Housing Options in MD</b>	<b>New tenancies since the start of the year</b>	<b>Current No of tenancies</b>
LA Housing	1	515
RAS	3	155
Leasing	7	77
HAP	29	273
<b><u>Total no of Tenancies</u></b>	<b>40</b>	<b>1,020</b>

#### **4 Housing Construction / AHB Programme**

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>
AHB- Cluid, Armagh House, Killarney	6	6no. 1Bed Apt	Oct 2019	Completed Feb 2021
Rathmore	20	8no. 2Bed 12no. 3Bed	Dec 2019	May 2021
Rock Rd, Killarney	10	4no. 1Bed Apt. 6no. 2Bed Apt	Sep 2020	Feb 2022

#### **5 Maintenance/Improvement of Housing Stock**

Since 1<sup>st</sup> January, 2021, 162 requests for repairs have been received for the Killarney Municipal District.

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

Since 1<sup>st</sup> January, 2021, grants have been allocated in the Killarney Municipal District.

**Cllr. N. Kelleher referred to the 20 houses in Rathmore under construction and said that the completion date for same has changed many times. He asked when will these houses be allocated?**

**Mr. T. O'Connor, SSO Housing confirmed that the Council hope to be in a position to allocate by the end of the month.**

**Cllr. Kelleher referred to the 1,333 approved housing applicants and queried if they were all transfers and asked that a breakdown be provided for the next meeting on Council tenants who have been approved for transfers.**

**Mr. T. O'Connor replied the figures were based on housing need and time on the list. People on HAP are not treated any differently.**

**Cllr. Kelleher wished to thank Ms. A. Ronayne, Housing Investigations Officer for her time in the role and wished her well in her new position as Revenue Collector. He stated that she was always very understanding and fair with the Elected Members.**

**Cllr. M. Healy-Rae said she was sorry to see Ms. Ronayne leave her current position as a HIO. She noted that she always returned phone calls and was excellent in her role.**

**Cllr. Healy-Rae referred to the 162 maintenance requests and asked how many of these had been resolved. She asked that this figure be included in the MD Directorate Reports.**

**Mr. O'Connor replied that 25 grants had been allocated.**

**Cathaoirleach B. Cronin also wished to thank Ms. A. Ronayne for her work as a HIO and wished her well.**

**Cllr. D. Grady wished to be associated with the comments regarding Ms. Ronayne and wished her well for the future.**

**Cllr. Grady referred to the 10 apartments in Rock Road and hoped they would be completed by September 2021. He also welcomed the completion of Armagh House which has provided accommodation for 6 homeless people.**

**Cllr. M. Moloney supported the comments in relation to Ms. Ronayne and noted her excellent ability to deal with people and the Elected Members. Cllr. Moloney welcomed Mr. Ray Walsh to this position.**

#### **(b) Notices of Motion**

**1. Cllr. B. Cronin:** To ask the Housing Department what steps are being taken to deal with the rise in anti-social behaviour in the general area of Dóirín Aláinn and Ballydribeen. What is going on is totally unacceptable for residents.

**Reply:** The general area of Dóirín Aláinn and Ballydribeen is a large area with estates in that area, a mixture of Kerry Council Estates privately built estate and the most recent completed AHB estate. In addition, these estates also now have a broad mixed tenure occupancy and even the traditional Council estates are not solely occupied by Kerry County Council tenants.

Issues can and do arise in both public and private households. The last 12 months have also been difficult for communities generally with public health restrictions in place and a lack of educational, sporting and recreational outlets across society generally.

In the first instance many of the issues arising are primarily a matter for An Garda Síochána.

Kerry County Council, in our role as landlord and for our tenancies, specifically aims to ensure that tenants abide by their Tenancy Agreement. The responsibilities of tenants are clearly outlined to all tenants when their Tenancy Agreement is signed and, in particular, in relation to anti-social behaviour.

Complaints of anti-social behaviour against Kerry County Council tenants are managed by our Tenancy Management Team in Housing. It is important to acknowledge that the vast majority of Kerry County Council tenants behave in a very

appropriate manner and respect their tenancies and our properties and estates. There are a very small number of complaints of anti-social behaviour against Council tenants in these estates being dealt with currently by the Tenancy Management Officer - one of which is awaiting the outcome of a court case, another of which required assistance from Social Services.

In cases where anti-social behaviour in Council tenancies arises and following complaints, the Council may exercise its Statutory powers under the Housing Acts 1966-2014. In cases of anti-social behaviour, our Tenancy Management Team work in close partnership with An Garda Síochána. Where all other avenues fail, and the Council seeks to enforce a tenancy condition, the matter is dealt with under a complex legal framework which requires a significant evidential basis, where such action is pursued through the courts. In such cases, the majority of the issues arising are matters in the first instance which will have been dealt with by An Garda Síochána and require convictions before the Court will accept and act on actions being pursued by the Council.

In addition, the Municipal District Office will continue to liaise with the Residents' Association in the area and will facilitate works which may reduce the potential for anti-social behaviour.

**Cathaoirleach B. Cronin stated that this must be looked at in a community focused way by different agencies to make progress. He stated that people were going through a hard time due to the anti-social behaviour taking place there. Youths are walking on top of walls of people's houses and drinking outside their properties. He thanked the Council staff who repainted the wall that had graffiti on it. The Cathaoirleach stressed the importance of providing community facilities that will distract from this anti-social behaviour caused by a minority.**

**Cllr. D. Grady Seconded the Motion. He advised that two houses in Doirinn Alainn had been sub-let and they were the cause of many problems in the estate. He said he would forward details to Mr. T. O'Connor.**

**Mr. T. O'Connor agreed to follow up on this. He noted that the majority of residents were respectful, law-abiding people and it was a minority who were causing the problems. He stated that the Council would do everything in its remit to deal with the anti-social behaviour. He advised that An Garda Síochána were the primary agency to deal with these issues.**

**2. Cllr. M. Moloney:** Quite a number of people are experiencing problems with stoves installed in our Local Authority stock. Could we have an explanation as to why these problems are regularly occurring and will Kerry County Council give a commitment to repairing or replacing all stoves that are giving problems.

**Reply:** At present, due to Covid Level 5 restrictions, emergency and urgent repair requests only are being attended to. The provision of heating falls into this category. Cases that have been brought to the Council's attention since late last year have broadly been dealt with.

The maintenance, repair and servicing of stoves and other heating appliances is the responsibility of the tenant.

Where a heating system is found to be beyond repair and requires replacement, Kerry County Council have a programme in place to carry out such works. There are a number of reasons why the stoves have to be replaced, i.e. end of life / natural lifespan, lack of regular servicing etc.

**Cllr. M. Moloney stated that some stoves have smoking issues and glass is getting cracked. She said there had been an unusual amount of complaints and she stated that she did not understand why it was the responsibility of the tenant to maintain them.**

**Mr. T. O'Connor replied that a Council tenancy was different to a private tenancy. Council tenancies are for life, so more responsibility is placed on the tenant. It is their home and that is why responsibility for tenure is substantially different to the private rental market. Mr. O'Connor advised that some tenants have stoves for 30 or 40 years and the Council never hear from them and then other tenants have more frequent issues. He stated that the Council carry out repairs where possible and stoves will be replaced if they need to be.**

**21.05.05.05 (a) To note update report from the Roads, Transportation & Marine Directorate**

It was agreed to note the following Report from Mr. C. O'Sullivan, Director of Operations, Health & Safety which was circulated as follows:

**Roads, Transportation & Marine**  
**Directorate Report**

**Killarney Municipal District**

**DATE: 5<sup>th</sup> May 2021**

**Director of Service: Charlie O'Sullivan**

- **Road / Transportation**

Measures	Project	Update
<b>Major Schemes</b>	N22 Farranfore to Killarney	<ul style="list-style-type: none"> <li>• The project is currently at Phase 2 – Options Selection and the first Public Consultation is scheduled for May 2021. It will be undertaken using online technology with a six-week period being afforded to the public to meet the Project Team to discuss further.</li> <li>• Members will be briefed further before the Consultation commences.</li> </ul>
<b>Minor Schemes</b>	N72 Stagmount	<ul style="list-style-type: none"> <li>• The works are progressing well on this project. A temporary N72 road closure between May 17<sup>th</sup> and 31<sup>st</sup> will facilitate the early completion of this project which it is hoped will open in mid-Summer ahead of schedule.</li> </ul>
	N72 Forge Cross to Rathmore Pavement Strengthening	<ul style="list-style-type: none"> <li>• Phase 2: Roadstone Limited appointed in December 2020. Contractor will commence in May 2021 and will complete the works in 2021.</li> </ul>
	N72 Killalee	<ul style="list-style-type: none"> <li>• Archaeological testing at Killalee Church has been completed to establish the feasibility of widening at this location to facilitate a pedestrian cycling facility.</li> <li>• The scheme is being developed further with consultation to take place in mid-2021.</li> </ul>
<b>Junction Improvements</b>	N22 Lewis Road	<ul style="list-style-type: none"> <li>• Landowner Consultation is taking place on an alternative underpass with a view to procuring a consultant to detail a suitable sized structure at the crossing point.</li> <li>• A Land Valuer has been appointed to progress the land acquisition and to commence engagement with landowners/ agents.</li> <li>• Archaeological Testing will be carried out in mid-2021.</li> </ul>
	N22 Ballycasheen and Coolcaslough	<ol style="list-style-type: none"> <li>1. Funding for a pavement upgrade between MD O'Shea Roundabout and Coolcaslough Junction is anticipated for 2021.</li> <li>2. In addition to Junction improvements, proposals are also being developed to also introduce Active travel measures over this section. These measures will provide improved facilities for pedestrian and cyclists along this section and will integrate with other Active Travel proposals on the east side of the town.</li> </ol>
<b>HD15 / HD17 Schemes</b>	N22 Cleeney to Madam's Hill	<ul style="list-style-type: none"> <li>• Proposals are being developed to introduce Active travel measures from Cleeney Roundabout to north of Aghadoe Junction. These measures will provide improved facilities for pedestrian and cyclists along this section and will integrate with other Active Travel proposals south of Cleeney.</li> <li>• These proposals will be outlined to the elected members shortly before commencing the public consultation</li> </ul>
	N72 Golden Nugget to Gap Cross Cycle way	<ul style="list-style-type: none"> <li>• Consultation with the Members will take place shortly ahead of the commencement of the Part 8 process in the coming weeks.</li> </ul>
	N22 Poulgorm Bridge	<ul style="list-style-type: none"> <li>• These Safety Improvement works are substantially complete.</li> </ul>

	N71 Muckross Road	<ul style="list-style-type: none"> <li>• Draft Feasibility Report finalised and has received approval in principle from the TII.</li> <li>• The project has progressed to preliminary design stage which is expected to be completed shortly and will then proceed to the Statutory Process in 2021.</li> <li>• Schematic options for Kenmare Place are developing.</li> </ul>
	N72 Ballydowney to Gortroe	<ul style="list-style-type: none"> <li>• An Arborist is undertaking a survey of the trees in the options area. Further surveys are being carried out in the alluvial woodland near the road edge to inform the assessment process.</li> <li>• Further Consultation with property owners will take place in Q2 2021.</li> </ul>
	N22 Glenflesk Road Safety Improvement Scheme	<ul style="list-style-type: none"> <li>• Speed Indicator signs have been installed on either side of the village and have recorded current speed patterns since March without showing speed to drivers. Speeds are now being displayed to motorists with data still being recorded. Both sets of data will be compared to establish the effectiveness of the signs.</li> <li>• Further consultation will take place in Q3 2021 to find the optimum solution which facilitates Car Parking and Business/Church access.</li> </ul>
	Vehicle Restraint Systems	<ul style="list-style-type: none"> <li>• This County Kerry Call Off-2 Safety Barrier Contract is substantially complete.</li> <li>• Additional locations will be complete in the coming month including N22 Madams Hill.</li> </ul>

**Regional and Local Roads**  
**Restoration Improvement Programme**

<b>Road No.</b>	<b>Road Description</b>	<b>Allocation €</b>	<b>Status</b>
R-876	Rock Road, Killarney Town	150,813	Planned for 2021 Programme
L-3018	Kilcummin Village	189,726	Planned for 2021 Programme
L-3010	Upper Park Road	83,581	Planned for 2021 Programme
R-876	Lewis Road, Killarney Town	145,200	Planned for 2021 Programme
R-877	New Street Lower, Killarney	80,370	Planned for 2021 Programme
L-7049	Arteegalvan	45,325	Planned for 2021 Programme
L-11326	Killarney Laneway (Hogan Lane)	25,000	Planned for 2021 Programme
L-7213	Killarney Laneway (Chapels Lane)	25,000	Planned for 2021 Programme
L-7055	Rathbeg - Awnaskirtawn.	100,000	Strengthen Works Completed
L-7058	Church Road, Clonkeen	75,000	Strengthen Works Completed
L-7067	Old Minish Rd	80,063	Drainage Works Completed
L-8001	Boolasallagh	111,184	Planned for 2021 Programme
L-2033	Park Cross to Finnegans Cross	107,250	Drainage Works Completed
L3010	Spa Road	180,000	Drainage Works Completed
L-3016	Abbey Cross Muckcross	220,500	Planned for 2021 Programme
L-11203	Tomies Road	147,000	Planned for 2021 Programme

**Restoration Maintenance Programme**

<b>Road No.</b>	<b>Road Description</b>	<b>Allocation €</b>	<b>Status</b>
L-7055	Rathbeg - Awnaskirtawn.	25,200	Drainage Works Completed
L-7067	Old Minish Rd	22,275	Drainage Works Completed
L-11272	Church Road, Clonkeen	22,275	Drainage Works Completed
L-7058	Church Road, Clonkeen	11,138	Drainage Works Completed
R-563	German Flats to Crohane Fossa	66,423	Planned for 2021 Programme
L-3009	Finnegans Cross to Keane's Cross	44,550	Planned for 2021 Programme
L-11072	Clash Rd, Clash to Minish	21,600	Drainage Works Completed
L-3018	Woodline Cross to Speed limit	30,937	Planned for 2021 Programme

**Supplementary Restoration Maintenance Programme**

Road No.	Road Description	Allocation €	Status
L-7047	Tadgh Ryan Rd, Lissyviggeen to N72 Junction	38,475	Drainage Works Completed
L-3001	Ballymalis Cross to Ballymalis North Cross	30,870	Planned for 2021 Programme
L-7016	Glebe Cross to Dromadeesirt Cross	32,400	Drainage Works Completed
L-3023	Ballybrack Cross to Leamnaguilla Cross	58,050	Planned for 2021 Programme
L-3014	Shronebeg to Lisnagarve Cross	36,000	Planned for 2021 Programme
L-11087	CIS - Retro - Knockinane West	21,600	Planned for 2021 Programme

**Community Involvement Schemes**

Road Number	Road Description	Allocation €	Status
L-11149	Knockysheehan	118,218	Planned for 2021 Programme
L-11156	Doocarrig Beg, Headford	54,400	Planned for 2021 Programme
L-11209	Knocknahoe East	70,380	Planned for 2021 Programme
L-7056	Rathbeg, Rathmore	29,750	Planned for 2021 Programme

**Local Improvement Schemes – (Awaiting Funding Announcement)**

<i>Project</i>	<i>Status</i>

**Drainage Programme**

Road Number	Road Description	Allocation €	Status
L-11005	Lissavane East	10,800	Planned for 2021 Programme
L-11003	Lisheennashingane	10,800	Planned for 2021 Programme
L-7013	Cockhill	8,000	Planned for 2021 Programme
L-7011	Coolick	4,800	Planned for 2021 Programme
L-3014	Drom Headford	8,000	Planned for 2021 Programme
L-3013	Meentoges	8,000	Planned for 2021 Programme
L-7047	Tadgh Ryan Rd, Lissyviggeen to N72 Junction	7,461	Drainage Works Completed
L-7030	Annaghilymore	8,000	Planned for 2021 Programme
L-3004	Lawlors Cross to Rathcommane Cross	8,000	Drainage Works Completed

L-7016	Glebe Cross to Dromadeesirt Cross	6,000	Drainage Works Completed
L-3023	Ballybrack Cross to Leamaguilla Cross	8,000	Planned for 2021 Programme
R-563	Bounds to Listry Br	6,000	Planned for 2021 Programme

### Town and Village Renewal

Project	Allocation €	Status
Kilcummin Village	€125,000	Planned for 2021 Programme
Kilcummin Biodiversity Park	€25,000	Grant awarded
Killarney Town Placemaking	€40,000	Grant awarded

### Outdoor Recreation Infrastructural Scheme

Project	Allocation €	Status
Old Kenmare Road into Torc Carpark – Enhancement Project	€200,000	Planned for 2021 Programme

### Climate Change Adaptation Allocations – (Awaiting Funding Announcement)

Project	Allocation €	Status

### Active Travel Measure Allocations – DTTaS

Project	Allocation €	Status
R876 Rock Road – Improvement and Widening of Pedestrian Facilities at Rock Road	€210,000	Works to Commence in 2021
2020 - Flesk Cycleway – Connecting Muckcross Road to Ross Road	€450,000	At Construction Stage
2020 - Killarney Town – Design of an interconnecting Network of Cycleways within Killarney Town	€150,000	Details Design Drawings and Tender Documents been prepared
2020 - Killarney Town – Provision of Cycle Parking Facilities within the Town	€20,000	Works to Commence in 2021

### Active Travel Measure Allocations – NTA

Project	Allocation €	Status
2021 - Killarney Town – Interconnected Network of Cycleways, Rock Road	€704,835	Details Design Drawings and Tender Documents been prepared
2021 - Killarney Town – Interconnected Network of Cycleways, Deer Park Road/Gael Scoil Junction	€113,500	Details Design Drawings and Tender Documents been prepared
2021 - Killarney Town – Interconnected Network of Cycleways, Gael Scoil Road/ Chestnut Drive	€781,165	Details Design Drawings and Tender Documents been prepared
2021 Flesk Walkway & Cycleway	€550,000	At Construction Stage
2021 - R876 Rock Road – Improvement and Widening of Pedestrian Facilities at Rock Road	€300,000	Planned for 2021 Programme

#### Ongoing Works

1. Councilor Specific Municipal District Operations Fund Works
2. Local Road Maintenance (Drainage, Maintenance and Pothole Repairs)
3. Street Cleaning

#### • Works Update – Traffic Management Killarney Town

**Table 1: Short Term**

Location	Measure	Term	Status
Main Street	Restrict the setting down to the south of the loading bay at the west of the side of Main Street	Short	Closed
Plunkett Street	Plunkett Street’s two-lane approach should be reduced to provide a single lane approach in the short term. Complementary measures should be provided to restrict set-down to the south of the loading bay to the west side of Main Street. This could be in the form of a kerbed ‘build-out’. These measures should be provided in the short term with a medium-term objective to pedestrianise Plunkett Street.	Short	Complete
Plunkett Street	That the option of removing the bollards from the proposed scheme should be considered. The proposed bollards would reduce the capacity of the footways along Plunkett Street, and could result in pedestrians stepping on the carriageway particularly during peak times putting them at risk of vehicular impact.	Short	Closed

High Street	Kerry County Council proposes to upgrade High Street's existing alignment. It is recommended that the proposed works at High Street should be progressed subject to detailed design in the short term. The provision of an enhanced crossing facility for disabled and visually impaired users should be considered.	Short	Forming Part of a Public Realm Plan
High Street junction	The proposed High Street, St Ann's Road, Rock Road Improvement Scheme, recommended that the scheme would be carried out in the short term,	Short	Complete
Signage	Direction signage located at the intersection of Main Street/ High Street and New Street that is potentially misleading to drivers should be amended in the short term. It currently directs people southbound toward Main Street, contrary to the one-way northbound traffic flow. This is presented to drivers approaching the junction from New Street.	Short	Complete
Traffic Management Schemes	New Road One-Way Eastbound	Short	Complete

**Table 2: Medium Term**

<b>Location</b>	<b>Measure</b>	<b>Term</b>	<b>Status</b>
Plunkett Street	Introduction of pedestrianisation in tandem with carriageway reductions and footway enhancements.	Medium	Complete
Main Street	Investigate feasibility of further traffic restrictions along Main Street, with possible extensions to the pedestrianisation periods. These would need to be assessed in terms of traffic impact in conjunction with other town centre improvements, such as the completion of the Bohereen na Gowan Inner Relief Road and traffic improvements around the Hahah/Mission Road intersection as part of upgrades to Muckcross Road.	Medium	To be considered as part of the Public Realm Plan
High Street junction	It recommended that High Street would be the minor approach in the medium term, should the Inner Relief Road be implemented.	Medium	To be reviewed as part of Boithirín na Gabhann development
Hahah	Review the existing layout of the Haha, as part of the wider scheme to upgrade pedestrian/cycle access along the Muckcross Road. The review should take account of all users of this public space and should have regard for wider traffic implications along Main Street, Mission Road, Kenmare Place, East Avenue and Muckcross Road.	Medium	Part of the Muckcross Road Safety Scheme
Port Road/New Road Junction	The existing pedestrian crossing facility across New Road at this junction is wide, with a narrow waiting area. This waiting area is of limited width to facilitate a person pushing a pram, or a wheelchair. It is recommended that the width should be enhanced to a minimum width of 2.0 metres, with reduced corner radii provided.	Medium	Complete
Cathedral Place /Port Road Junction	Delays and queuing would be likely to be reduced, locally, as a result of implementing a two-lane approach to the junction. The existing Cathedral Place approach is wide. However, the flare length is short and consequently does not provide for two-lane queuing. It is likely to be geometrically feasible to amend the approach to provide enhanced queuing lanes.	Medium	Closed
Boithirín na Gabhann/New Street Junction	There are no existing pedestrian facilities along the west side of Boithirín na Gabhann, and the crossing facility across New Street at this junction is substandard. It is recommended that facilities in this junction and area should be upgraded. A complete junction upgrade would be required, should the proposed Inner Relief Road be constructed. It is recommended that a signal-controlled junction with pedestrian crossing facilities should be provided to facilitate the increased demand.	Medium	Being considered as part of the Design
Muckcross Road	The existing alignment of Muckcross Road, and the signal-controlled junctions at Muckcross Road / Ross Road and Muckcross Road / Woodlawn Road were assessed.	Medium	Complete

Muckross Road	The existing alignment of Muckross Road, and the signal-controlled junctions at Muckross Road / Ross Road and Muckross Road / Woodlawn Road were assessed.	Medium	Complete
Muckross Road	Review, in conjunction with the TII. The existing layout of the N71 Muckross Road, as a primary access route to the town centre and its National Park. Develop proposals for enhanced pedestrian and cycle lane facilities to link up with existing cycle tracks and potentially form a link of the wider Lough Leane Loop. Existing junction layouts and available road width along critical "pinch points" of the Muckross Road will also need to be considered as part of any design proposal. The design should also have regard to wider town centre traffic flows through the Hahah and intersecting routes, potential for improvements in public transport, bike parking facilities and the wider interaction between vehicular traffic and non-motorised users of the road.	Medium	Design Substantially Works Complete, Awaiting Approval from TII
N72 Killorglin Road	Review, in conjunction with the TII, the existing layout of the N72 Killorglin Road as a key leg of the Ring of Kerry route and primary access to the Gap of Dunloe. Develop proposals for enhanced pedestrian and cycle lane facilities to link with existing cycle tracks and potentially form a link of the wider Lough Leane Loop. Maximise the potential from existing facilities, such as the public car park adjacent to golf course, existing offline cycle track through the National Park.	Medium	In the Design Process.
Signage	It is recommended that non-essential signage within the road reservation, including footways, should be removed. This would improve road safety and access, both for drivers and vulnerable users	Medium	Regulations under Section 254 of the Planning & Development Act to be reviewed in 2020
Signage	It is recommended that signage, directing visitors to the town centre should be provided. Advance information signage information for drivers should provide guidance to parking areas which would reduce distance, without travelling through the town centre.	Medium	To be procured in 2020
Inner Link Road	Boithirín na Gabhann - The proposed Inner Relief Road (IRR) linking High Street and New Street via Boithirín na Gabhann would significantly reduce peak hour traffic flows on High Street and New Road. This is recommended, subject to satisfactory junction's design including High Street, St. Ann's Road and Boithirín na Gabhann.	Medium	Tender Documents were published in December 2019
Traffic Management Schemes	Main Street Pedestrianisation	Medium	To be considered as Part of the Public Realm Plan
Traffic Management Schemes	Plunkett Street Pedestrianisation	Medium	Complete

Traffic Management Schemes	N22 Killarney Bypass/Upper Lewis Road Banned Right Turn	Medium	Received Part 8 planning approval
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**Table 3: Long Term – All long-term projects are subject to funding**

Location	Measure	Term	Status
Main Street	Improved pedestrian facilities would improve access to the town from the nearby parking areas. The recommended layout would include the provision of bus set-down area and bus shelter, bicycle parking and motorbike parking.	Long	To be considered as part of a Public Realm Plan
High Street/ Monsignor O’Flaherty Road Junction	Recommended the access from St. Ann’s Road would be removed.	Long	To be considered as part of the Boithirín na Gabhann Project
High Street/ Monsignor O’Flaherty Road Junction	Recommended that High Street would be the minor approach in the medium term, should the Inner Relief Road be implemented.	Long	To be considered as part of the Boithirín na Gabhann Project
East Avenue/ Park Road Roundabout Junction	Located in the town centre, is not pedestrian friendly, with limited facilities for vulnerable users. It is recommended that the junction should be upgraded, with enhanced pedestrian facilities, to improve the provision for vulnerable users. Uncontrolled crossings should be provided at the recommended upgraded roundabout.	Long	Junction to be reviewed.
Lewis Road/ College Street Roundabout Junction	Located in the town centre, is not pedestrian friendly, with limited facilities for vulnerable users. There are wide crossings, and the splitter island on the east side was observed to be used as a delivery setdown for large vehicles. It is recommended that the junction should be upgraded, with enhanced pedestrian facilities, to improve the provision for vulnerable users. Uncontrolled crossings	Long	Junction to be reviewed.
Muckcross Road	A mode shift from car-based transport to walking, cycling or public transport could reduce traffic volumes, queuing and delays for inbound and outbound traffic at Muckcross Road.	Long	A safety scheme is being developed at this location
Inner Link Road	Gaelscoil Road - The proposed Gaelscoil Road (Deerpark/N22 Killarney Bypass Link) would reduce peak hour traffic flows locally on Park Road and the Killarney Bypass Road, in the vicinity of Park Road Roundabout. This is recommended.	Long	To be considered after the construction of the Lewis Road Junction

- **Other Operational Matters**

### **3.1 Public Lighting**

*No. of faults reported since last meeting: **94***

*No. of faults repaired within 12 working days: **74***

*No. of faults repaired outside 12 working days: **0***

*Outstanding Repairs not completed within 12 working days listed underneath*

Job Ticket ID	Defect Description	Unit Number	Postal Street Name	Date Reported	Reason
23026	Lamp out	16340	Fossa Halting Site	24/03/2021	Access Issues
22941	Lamp out	16550	Arlington Heights	05/03/2021	Access Issues

This report was generated on 20/04/2021

### 3.2 Hedgecutting

Killarney MD Hedge Cutting Summary.									
No of Observations by Months			No. of Observations Investigated	Additional Inspections by Roads Officer	No. of Landowners contacted in person by Roads Officer.	No of Properties with Issues	No. of Hedge Cutting Advisory Notice Issued	No. of Hedges cut following Advisory notice	No. of Hedges not cut following Advisory notice
	Reps	Public		KCC					
September	8	7	15	34	20	47	47	43	
October	3	8	11		14	21	7	4	
November	1	1	2		2	2	7	15	6
December	2	1	3	6	5	23	31	15	8
January	1	3	4	5	12	7	7	9	4
February	1	3	2	6	2	4	5		
March	0	0	0	0	0	0	0	0	0
April	0	1	6	0	0	0	0	0	0
May	0	1	8	0	0	0	0	0	0
June	6	2	14	1	7	0	0	0	0
July	7	2	9	10	5	3	0	0	0
August	3	2	5	8	2	2	1	1	0
September	20	16	36	11	14	47	29	29	0
October	15	9	18	2	4	20	19	19	0
November	4	6	10	12	6	15	9	7	0
December	1	6	19	12	7	10	2	2	0
January	0	4	20	35	10	31	21	28	3
February	3	3	22	17	11	11	0	3	0
March	0	2	2	5	0	0	0	0	0
April	1	2	3	3	0	0	0	0	0
<b>Totals</b>	<b>76</b>	<b>79</b>	<b>209</b>	<b>167</b>	<b>121</b>	<b>243</b>	<b>185</b>	<b>175</b>	<b>21</b>

- **Capital Infrastructure**

**Killarney Town Centre Public Realm Project** - Tender Submissions currently been assessed

**Lough Leane Project** - The first section of this project is completion of the statutory planning process for section from the proposed Tomies Carpark to Dinish Island. This includes the route selection process, the environmental screening and completing the appropriate planning process. The tender assessment for consultants for this stage of the process has been completed.

**Charlie O'Sullivan**

**Director of Services**

**Cllr. M. Healy-Rae** referred to works at Poulgrom Junction and noted that the crash barrier had not yet been reinstated. She also referred to the slip lane exiting on the R569 and asked that it be extended further up on the Cork side. She said the lane was too short to allow traffic to slow down coming up to that junction. Cllr. Healy-Rae also referred to the Glenflesk Road Safety Improvement Scheme and asked if this was progressing. She asked when it was expected that the Members be presented with a formal proposal. Cllr. Healy-Rae noted that a number of works from the previous year had not yet been completed which had been funded by Councillors' allocations and queried when these works would take place.

**Mr. J. Ahern** replied that he did not have details on the Glenflesk Safety Scheme and agreed to revert on this. In relation to the crash barrier at Poulgrom, Mr. Ahern advised that the barrier that was delivered did not fit properly. This now has to be specially made and will be installed once delivered. Mr. Ahern referred to the Councillors' Allocations. He stated that Mr. S Sheehan, EE was preparing a formal plan for the roll-out timeframe and these works will be factored into the 2021 Roads Programme. He advised that additional outdoor staff were due to commence with the Council next week.

**Cathaoirleach B. Cronin** advised that the construction of proposed pedestrian crossing and footpaths on the Countess Road needs to be completed as soon as possible. The Cathaoirleach request that Kerry County Council would revert to the HSE to request them to ensure that they transfer the 2m strip of land as soon as possible. Cathaoirleach Cronin enquired if the HSE engaged with the Council, as Kerry County Council have forwarded the paperwork to them in 2020.

**(b) Update on Mobility Plan**

***"Update on the Killarney Safe Streets Mobility Plan"***

*The Killarney Municipal District has reviewed of the Killarney Safe and Welcoming Streets Covid-19: Town Centre Mobility Plans for Killarney MD including a review of the Guiding Principles of*

- *Providing for the Safety of the General Public*
- *Support Economic Recovery*
- *Prepare for a phased reopening of society and business as provided for by Government*

*In relation to providing for the safety of the general public, it is noted that the public health advice remains largely unaltered from last year and in particular the requirement to maintain social distancing of 2m remains a key consideration.*

*In terms of both supporting economic recovery and preparing for a reopening of society, it is noted that the Government is placing particular emphasis on outdoor activities for the Summer of 2021 and a number of initiatives (e.g. outdoor dining scheme) are already being rolled out in support of this.*

*The observed footfall in the town during 2020 was in excess of that expected, in particular at weekends during the peak months of July and August. The physical interventions put in place in Killarney town during 2020 as part of the Mobility Plan (footpath widening, set down areas, road closures etc.) remain valid in terms of the guiding principles and it is recommended that they should be retained for 2021.*

*It was also observed that Main Street had a particularly high footfall at weekends on the Eastern side of the street and this combined with queueing outside businesses impacted on pedestrian movements. Taking account of the guiding principles in the Mobility Plan and the observed footfall, the removal of traffic to facilitate the safe movement of pedestrians on Main Street, Killarney is strongly recommended.*

*It is proposed that the Council implement a Road closure between the hours of 11am Saturdays – 8am Mondays over the weekends in July and August 2021.*

*It is noted however that the closure does impact in particular on the weekend of the car park of one hotel, and there has been consultation with the hotelier in this regard, the Council has also taken cognisance of the need to facilitate deliveries to local businesses.*

*In addition it should be noted that the Mobility Plans will be continuously reviewed over the coming weeks and months. The Municipal District is actively working with businesses, cognisant of the Mobility Plan principles and unfolding government public health advice, and have identified, in limited instances, where there may be a need to reallocate a limited amount of road space to assist in the reopening of these businesses in the short term. These are being considered where there is no alternative option for these businesses to reopen in compliance with the current public health restrictions.”*

Ms. McAllen anticipated that a busy summer lay ahead with the staycation market. She said that the closure of Main Street would help locals to enjoy the town centre and this was a temporary measure for July and August only.

Cllr. D. Grady said he was totally against closing Main Street. He noted that there were 15,000 locals living in Killarney, not just businesses and said that the town did not need to be closed down.

Cllr. M. Moloney said that it was her view that anything implemented for the short-term ends up being extended. She stated that the footpath was wide enough in Main

Street to accommodate people. She noted that if the footpaths are widened further, then businesses will place tables and chairs on it and the footpath will remain the same width. Cllr. Moloney referred to the parking bay outside the Medical Practice on Main Street and asked if it would be accessible to the public.

Cllr. M. Healy-Rae said that the footpath on Main Street appeared to be a suitable width already. She said the onus was on businesses owners if there is an issue outside their premises. She said the plans will create a “zig zag” effect along the streets and it would prove very dangerous for vulnerable road users.

Cllr. N. Kelleher noted that the previous summer had been exceptionally busy during July and August. He welcomed that the MD Office had discussed the closure with the hotel owner on Main Street in advance of presenting the plan to the Members and he appreciated that he and his guests would be accommodated elsewhere. Cllr. Kelleher noted the concerns of the Members who were dissenting but stated that this was just for Saturdays and Sundays. Cllr. Kelleher said he was supportive of the 8 weekends and noted that people will be accommodated on Saturday mornings. He said the closure was in the interest of public safety. He noted that people aged in their 60s – 80s have been inside their houses for over a year and did not leave to go anywhere and they will now be able to enjoy the beautiful County of Kerry. Many of this age group did not venture out last summer and this year these people will be in addition to the numbers that visited the town in 2020.

Cathaoirleach B. Cronin said he understood the importance of this season for businesses as it would make or break them. He referred to the TK Maxx store and said that last year, people were stepping out onto the lane of traffic due to the volume of people on the footpaths. He said clarity was needed regarding the parking space outside the pharmacy. The Cathaoirleach complimented the hotel owner for his foresight and courage in relation to accommodating the temporary closure of Main Street at weekends. He noted that a huge volume of bookings for the tourist season were coming through and he stated that the previous year had been beyond people’s expectations. The Cathaoirleach said it was hugely important that everything be done to make the town accessible. He said that when streets are closed, it creates a great atmosphere for families where they can be safe in a focused area. The Cathaoirleach asked for confirmation of the start and finish date for the closure of Main Street.

Cllr. N. O’Callaghan said that when the town is reopened, there will be over 80% of the population vaccinated. He stated that last year, Killarney was the safest town in the country and no breakouts had occurred in the hospitality sector and to this end, he asked why the closure of Main Street was taking place. He stated that the business owners on High Street will not welcome this. He noted that Saturdays were the busiest days for businesses. He stated that the footpaths in some sections of Main Street were well over 2.5m. Cllr. O’Callaghan said that he expected that enforcement would take place as people will take advantage if not dealt with immediately.

Cllr. M. Gleeson noted that Killarney has done superbly well in relation to Covid and he said he was proud of the way people have responded and reacted. Cllr. Gleeson welcomed the proposal for the closure of Main Street at weekends. He said Killarney was about families and strolling through the streets at a leisurely pace. This wonderful image of Killarney must continue to evolve. He thanked all the businesses that are co-operating and have facilitated this closure. Killarney has always been about standards of excellence and it must continue to insist on that standard. Cllr. Gleeson

said he wished everybody who visits Killarney, a wonderful time and asked the MD to ensure that the highest standards prevail and conditions under which businesses can operate are adhered to and not abused. Cllr. Gleeson said this was a wonderful opportunity to advance the town.

Mr. J. Ahern, SEE stated that in the summer of 2020, there was a significant queue on the eastern side of Main Street, mainly in the afternoons and this resulted in people stepping out into the live traffic. He confirmed that the width on the eastern side of Main Street was approximately 2.8m wide. The minimum distance required for social distancing is 2.5m but if a queue forms, there is insufficient space. When queues form, they cross the thresholds of other businesses and this results in not enough space for people to pass each other on the remaining area of the footpath. 2.5m is the absolute minimum when there are medium levels of footfall and makes the place more comfortable for families. Mr. Ahern proposed the closure under S75 of the Road Traffic Act and it will be for specific dates. The closure will commence on Saturday, 3<sup>rd</sup> July – Monday, 30<sup>th</sup> August. Main Street will close to traffic at 11.00am on Saturdays and re-open again on Mondays at 8.00am. Mr Ahern confirmed that these closures would be publicly advertised, and people can make submissions and observations regarding same. Mr. Ahern thanked the owner of the business on Main Street for his co-operation. Mr. Ahern referred to businesses that operated under a licence. He stated that the defined area for tables and chairs is clearly identified in the licence. He advised that the MD Office will clearly identify the area on the ground and mark it. In relation to a comment by Cllr. M. Healy-Rae, Mr. Ahern advised that the Council will do its best to ensure there is a clear pathway to facilitate pedestrians. Mr. Ahern referred to a query in relation to the placing of street furniture on a footpath that is widened. He stated that last year, when the Safe Streets Plan was presented to the Members, low, medium and high footfall areas were identified and areas need to widen footpaths to accommodate this furniture. Where extra width can be achieved, this ground can be used by a business under the terms of their licence. For example, if there was a 2m width footpath and the Council took the parking space of 2.5m then this would give a footpath of 4.5m. 3.5m of this ground would be for pedestrians and remaining 1m could go to a business outside their premises, subject to their licence. Mr. Ahern referred to traffic flow on High Street if the proposal goes ahead. That is why Friday was not considered. People can come into the town before 11am on Saturdays. As part of the S35 process, alternative routes will be advertised. Roads will be signed and advance warning signs will be used. Mr. Ahern said that this proposal was to ensure that there is a comfortable area for locals and visitors to operate in the town.

Ms. A. McAllen advised that Kerry is promoting itself as a safe destination for 2021 and this proposal is for locals and visitors alike. She stated that many locals have been cocooning. This will benefit the whole town in a specific area of the town. This is for a short period of time during a very busy time of year. Ms. McAllen said this will support economic recovery and the Council want to assist businesses to reopen. She advised that she had many discussions with businesses and they need to apply for their S254 licences. The Council will accommodate them where possible. In relation to enforcement, Ms. McAllen advised that ground outside premises will be marked out and it will be obvious to the Enforcement Officer if a business is flouting this. Ms. McAllen confirmed that she would revert to the Members with the results of the public consultation.

## **Update on Farranfore to Killarney Project**

Mr. P. Curry, A/SE advised the Members that public consultation on the above project would commence on 14<sup>th</sup> May. He stated that he would hold an online briefing with the Elected Members on 14<sup>th</sup> May at 11am which will focus on route and road options.

### **(c) Notices of Motion**

**1. Cllr. M. Gleeson:** That the Council would inform if the review by the TII of the most appropriate junction improvements for both the Coolcaslough/Upper Lissivigeen and Woodlawn/Ballycasheen junctions with the N22 has resulted in a definitive plan of action for either or both.

**Reply:** An appraisal has been carried out of both junction locations. In the case of the Ballycasheen Junction, a traffic light solution is being developed further by consultants to ensure that it meets the traffic demands at the location. A project is being developed which will also carry out pavement improvements as well as optimising active travel facilities within the available width along this section of the N22. It is hoped that the project will be completed in 2022. In the case of the Coolcaslough junction, a roundabout solution is being appraised further to ensure that active travel provisions are properly integrated into the solution proposals. The scale of the works at this location are more extensive than at Ballycasheen and may need to be developed in a separate project to the project referred to above however both will be compatible with each other. The scope of both projects is being refined in consultation with the TII. It is likely that Statutory Consent will be required for the proposals and it is hoped to complete the process in 2021.

**Cllr. M. Gleeson stated that if traffic lights are to be provided, they need to be hyper-sensitive to regulate traffic as it can come in waves at particular times and they need to allow maximum movement of traffic. Cllr. Gleeson stated that Coolcaslough was a huge challenge as it is extremely busy. Huge trucks access the quarry and other facilities further up the road. Some of these trucks are the width of the road. Urgent action is required here.**

**Cllr. N. Kelleher Seconded the Motion and noted that traffic at that junction has increased due to increased numbers of people accessing the Transfer Station.**

**2. Cllr. M. Gleeson:** As Covid has so highlighted the importance of outdoor activity and as high summer approaches, is the Council in conjunction with the TII any closer to providing a controlled pedestrian crossing on Mission Road in order to facilitate safe access to the wonderful recreational facility that is Killarney House and Gardens?

**Reply:** As per Kerry County Council previous response to this motion, Kerry County Council has carried out a traffic count at this location, which has determined a need for a pedestrian crossing. Following consultation with the TII, they have informed the Council, the exact location of any proposed pedestrian crossing would be considered by them after the construction of the Muckross Road/Hahah Safety Scheme has been completed. Kerry County Council shortly expect to appoint Consultants to begin the Killarney Town Centre Public Realm Project. It is envisaged that the location of this pedestrian crossing would form part of the Beech Road design.

**Cllr. M. Gleeson** said he was extremely disappointed with the reply. He stated that every time the young and elderly attempt to cross that road, they are putting their lives in danger. Something, even temporary, should be done there due to the inability of the TII to provide some degree of safety.

**Cathaoirleach B. Cronin** Seconded the Motion and concurred with the sentiments expressed and agreed it was a lethally dangerous. He noted that 2 car parks were adjacent to the main entrance to the National Park which is one of the most frequently visited attractions in town, but nothing is in place for the public to cross that road safely. He stated that someone will be hurt or killed if something is not done and the responsibility for that lies with the TII.

**Mr. J. Ahern, SEE** agreed with the Members' comments. He stated that when the TII were approached, this is the reply that was received. He said he would again make contact with the TII but he was not hopeful of receiving a positive response. He stated that tenders for the public realm are currently being assessed and proper links need to be established between the Town and the Park. There is a need to look at Beech Road and identify other issues that need to be addressed and factor them into the public realm project. Mr. Ahern agreed to revert to the Members.

**3. Cllr. M. Gleeson:** That when life returns to reasonable normality the annual Licence Fee paid by owners of Horse Drawn Hackney Car in Killarney Town would be reviewed and that the money collected by Council would be ringfenced for the upkeep and maintenance of the principal horse drawn hackney carriages routes that are an ongoing severe drain on public finances and also are a constant safety challenge for all road users.

**Reply:** The current fee in the Hackney Carriage Bye-Laws for the renewal of licences is €65. This can be considered in consultation with members as part of any future review of the Bye-laws.

**Cllr. M. Gleeson** stated that everyone recognises the importance of the Jarveys to Killarney. He stated that over the past number of years, channels are being created on jarvey streets in Killarney and they are extremely dangerous for pedestrians and cyclists and are costly to maintain. Anything that has been done to repair the channels has been undone. Cllr. Gleeson asked that Kerry County Council, in conjunction with the Members and Jarveys would examine the annual Licence Fee paid and come to a reasonable figure. This finance could be ringfenced for the purpose of maintaining the roads to a safe and high standard and for the animals' welfare also.

**Cllr. N. O'Callaghan** supported the Motion but stated that without the Jarveys, were integral to Killarney. He agreed that there were many roads that need a lot of work. Cllr. O'Callaghan said he was most concerned about the horses pulling people in the channels. He stated that Ross Road still needs work. Cllr. O'Callaghan said this issue needs to be dealt with in the Bye-Laws and Members also need to discuss other issues within the Bye-Laws.

**Cllr. N. Kelleher** stated that the current Licence Fee would only collect €1,950 from all the Jarveys combined. He said this was a huge issue and a solution is needed. He said this was the only solution that has been put forward from

anywhere. The Council cannot spend the money that is being spent on these roads. These roads are only lasting 2 years. He wished to support Cllr. Gleeson's proposal and noted that these roads are not safe for Jarveys, horses or passengers. Cllr. Kelleher said there was a need for all parties to come together to find a solution that will see Killarney into the future and solve for decades rather than years.

**4. Cllr. M. Gleeson:** That the Municipal District Council consult with business owners, from whose business premises drivers when exiting have to drive across an established footpath, with a view to ensuring maximum possible safety for pedestrians. The present situation where the Stop Line, if any exists, is on the road side of the footpath is very unacceptable.

**Reply:** Kerry County Council will actively work with business owners in relation to the Member's concern.

**Cllr. M. Gleeson stated that at some locations, motorists have to cross a recognised legal footpath. Cllr. Gleeson asked that businesses would provide a white stop line before motorists get to the footpath. There is a legal responsibility on businesses to do so and ensure safety of people on the footpath.**

**Cathaoirleach B. Cronin Seconded the Motion.**

**5. Cllr. B. Cronin:** To ask Council Management, following meeting with School Principals at the end of 2020, what has been done to alleviate traffic congestion at school times on New Road, Lower New Street and Port Road.

**Reply:** Following on from the meeting with the School Principals, the Cathaoirleach and An Garda Síochána, Killarney Municipal District Traffic Wardens had an increased presence on the ground in order to improve traffic flow. A survey of the road has been undertaken and preliminary designs have been of short-term measures have been developed and can be implemented subject to further consultation with the School Principals and the Members.

Killarney Municipal District has also applied for and has been successful in receiving funding from the NTA for the development of a Transport Mobility Plan for Killarney Town. The New Road Schools Area will be included in this Plan as priority.

Also, as the members are aware, the NTA have announced a Safe Routes to School Programme and have invited Expressions of Interest from all schools. Kerry County Council has allocated a member of staff to act as an Active Travel Officer to liaise with the schools and An Taisce (who are co-ordinating the Programme) in relation to the Safe Routes to School Programme.

**Cathaoirleach B. Cronin stated that an honest and frank meeting had been held and asked what steps have been taken since that meeting and have commitments that were made followed up? He referred to the Safe Routes to School Programme and asked schools to participate in this. The Cathaoirleach stated that he had 2 main requests. Firstly at top of New Road, exiting on to Rock Road, to make it possible to have a clear cut 2 exit laneway. Secondly, that there will be adequate space there for cars turning right to**

**queue at that junction so that they are not holding up traffic turning left and going up Rock Road.**

**Cllr. M. Moloney moved NoM 15 at this stage.**

**15. Cllr. M. Moloney:** That Kerry County Council make application under the Safe Routes to Schools, for the schools on New Road. There are four schools on this road and while we welcome the funding for cycling lanes, it does not include this area. A meeting that was to take place with Principals of the school has not taken place.

**Reply:** A meeting took place with schools in the area which was attended by Cathaoirleach B. Cronin, Municipal District staff and An Garda Síochána. A number of issues in relation to the New Road were discussed.

The Department of Education and the Department of Transport issued a joint letter to all schools in the country on 18<sup>th</sup> March 2021 advising of the Safe Routes to School (SRTS) Programme requesting them to submit an Expression of Interest form. It is a requirement of the scheme that the individual schools or the schools as a collective make the application directly to An Taisce Green Schools (ATGS).

The Safe Routes to School (SRTS) Programme is open to all schools in Ireland for active travel funding and delivery. The Safe Routes to School Programme will be operated by the An Taisce Green-Schools (ATGS) Programme in partnership with the National Transport Authority (NTA) and is designed to encourage as many pupils and students as possible in primary and post-primary schools to walk and cycle. It has three aims:

1. To accelerate the delivery of walking/scooting and cycling infrastructure on key identified access routes to schools;
2. To provide “front of school” treatments which will emphasise the importance of the school-going children accessing the school; and
3. To expand the amount of bike parking available at schools.

Kerry County Council has appointed an Active Travel Officer who will focus on the delivery of the Safe Routes to Schools and will begin engagement with the individual schools.

**Cllr. M. Moloney stated that no follow-up meeting had been held. She asked for the name of the Active Travel Officer. Cllr. Moloney said that a walkway was to be provided from the Rock Road Car Park to the schools and asked if there was any update in relation to this.**

**Mr. J. Ahern replied that a meeting was held with the schools last year. A survey is being carried out on New Road and junction of New Street and Rock Road. Since Covid, there is a limit on what works can be undertaken. A survey had been taken and New Road has been split into 2 elements. The first short-term measure is to provide drop-off zones including a bus drop-off point and pedestrian crossing within the new section of road. A drawing will be prepared to help alleviate some of the traffic congestion. Mr. Ahern said he wanted to meet the individual Principals to ascertain if they feel it will work. There may be a requirement for a second pedestrian crossing. In relation to**

the junction of New Road and Rock Road, Mr. Ahern advised that the plan is to maximise traffic flow through that junction. He stated that the Council has been allocated money to set back the wall at the Garda Station to improve the cycleway coming down from Rock Road across that junction into the top of High Street. He advised that Part 8 approval had been received for the cycleway. He said he wanted to ensure that a design is prepared that will work for that location and facilitate access from New Road onto Cycle Way. The NTA have announced the Active Travel Scheme and Killarney, Listowel and Tralee have been selected. The County as a whole will have to procure a consultant to formulate Active Travel Plans for these towns and then funding is applied for. Mr. Ahern stated that the New Road school area was core to that plan and would facilitate the construction of the cycleway and walkways to make it a safer area. This process could take 6 – 8 months. He stated that the NTA have also announced a Safe to School Programme. An Taisce are the co-ordinators of this scheme. He stated that all School Principals had been written to asking for an Expression of Interest in relation to this scheme. Kerry County Council have appointed an Active Travel Officer, Ms. Cora Carrigg who will co-ordinate with the schools who have applied for the Expression of Interest. He assumed that all schools had replied to the NTA in relation to this. Mr. Ahern advised that a Traffic Warden is more effective at that location as they more people along which frees up places as quickly as possible.

Cathaoirleach Cronin referred to St. Brigid's Secondary School who tried their best to implement a Cycle to School Scheme but the issue was the congestion outside the Funeral Home and people double parking and as a result, it was unsafe to implement. The Cathaoirleach wanted to ensure that this be examined.

Mr. Ahern replied that the Council were looking to address this as part of the overall project. He agreed that St. Brigid's have been very pro-active.

**Cllr. M. Healy-Rae** Seconded the Motion and acknowledged that there were many long-term plans and asked what was planned for the short-term in order to ease the danger.

Mr. Ahern replied that set-down areas were being provided and stated that he needed to meet individuals to get their feedback. He agreed to revert to the Members at the next appropriate meeting.

**6. Cllr. B. Cronin:** To request the skirting of the Ballydunlea road and to clear gravel and material which is blocking important gullies at the junction with the Ballyhar road adjacent to the Church.

**Reply:** Kerry County Council has completed these works.

**Cathaoirleach B. Cronin** welcomed the reply.

**7. Cllr. B. Cronin:** To request the Roads Engineer to provide a protective verge including delineators at Ballybrack junction. It is very dangerous at the moment.

**Reply:** Kerry County Council has inspected the location. Where possible, we will construct an earth embankment and provide delineators at this location. Kerry County Council will engage with the landowners to explore other potential solutions.

**Cllr. B. Cronin stated this was lethally dangerous. He asked to ensure that the road width would not be lost at the junction and to put in a safety embankment to make sure it can be seen. He asked if delineators could be used because it posed a high risk for people not familiar with the road.**

**8. Cllr. B. Cronin:** In light of the constant danger for the large number of pupils attending Fossa N.S. and who are crossing the busy N72 where there is no pedestrian crossing, when will works begin to upgrade the Fossa road and provide a proper pedestrian crossing at the school?

**Reply:** The final application has been submitted to TII for comment. Following final approval by the TII, a Part 8 process for the N72 Fossa Traffic Calming and Enhanced Cyclist and Pedestrian Facilities Project can commence. This proposal includes a pedestrian crossing at Fossa National School.

**Cathaoirleach B. Cronin said this was a very busy road and needed a pedestrian crossing. He noted the school numbers were increasing. He asked when construction would begin.**

**Cllr. M. Healy-Rae moved Notice of Motion No. 10 at this stage.**

**10. Cllr. M. Healy-Rae:** To ask Kerry County Council what is the update regarding a pedestrian crossing for Fossa National School. Has the final application been submitted to TII?

**Reply:** Same as No. 8.

**Cllr. M. Healy-Rae noted that this had been a long intensive process and welcomed that a pedestrian crossing had been included in the proposal. She asked if a temporary structure could be installed in the interim or provide a Traffic Warden.**

**Mr. J. Ahern replied that the original proposal was very different from the proposal now before the TII. This new proposal has a much higher spec than what was originally proposed. Once final approval is received, an internal consultation will take place lasting 2 weeks and then the Part 8 process will be advertised which will take 8 weeks. A report will then come before the Members. Once approved, the TII are willing to fund this very quickly.**

**Cllr. D. Grady Seconded the Motion.**

**9. Cllr. M. Healy-Rae:** To ask Kerry County Council to investigate erosion on the bank of the river at Foiladuane, Glenflesk at (details with Directorate) and consider appropriate actions to address this issue. A section of this bank was previously strengthened with rock armour and this may need to be extended.

**Reply:** Kerry County Council has previously provided edge protection to a section of the bank of the Flesk River in the Foiladuane. This work was carried out in order to protect the public road. Kerry County Council will investigate the matter and contact the relevant landowner.

**Cllr. M. Healy-Rae stated this erosion had occurred directly behind the property. She said that they appreciated the works done to the front but the threat is now coming from behind the property.**

**Cllr. N. Kelleher Seconded the Motion and noted there was an issue with erosion on both sides of the riverbank and landowners are concerned.**

**Mr. J. Ahern replied that the previous works were carried out to protect the public road, however, this Motion refers to private property. Mr. Ahern agreed to inspect the erosion with a view to protecting the public road.**

**10. Cllr. M. Healy-Rae:** Moved in conjunction with NoM No. 8.

**11. Cllr. M. Healy-Rae:** To ask Kerry County Council and TII when will the section of road on the N22 adjacent to Whitebridge Manor be resurfaced to address the persistent noise issues? Residents have been enduring this living nightmare for years and action has to be taken.

**Reply:** Pavement resurfacing is scheduled to take place at this location as part of an upcoming project which is currently being designed (Ref: NoM No.1). It is hoped that the project will be completed in 2022.

**Cllr. M. Healy-Rae said this issue has not gone away.**

**Mr. J. Ahern replied that the NRDO plan to carry out this work. It was Mr. Ahern's opinion that the surface of the road had deteriorated and by using different material, it will reduce the noise. The NRDO are engaging with the TII to complete the overall road scheme in that area, including the resurfacing works, and to include Active Travel measures.**

**12. Cllr. M. Healy-Rae:** To ask Kerry County Council to address the dangerous issue at Ballycasheen where the footpath does not link up from one section to another. This is a popular route for pedestrians and cyclists and they are in peril anytime they use this route.

**Reply:** Kerry County Council has surveyed the location and are finalising a design. We have also engaged with landowners or their representatives with a view to acquiring land in order to provide infrastructure for pedestrians and cyclists.

**Cllr. M. Healy-Rae said that a large number of people are concerned about this and it is constantly raised at Municipal District meetings.**

**Cathaoirleach B. Cronin Seconded the Motion as pedestrians have to leave the footpath, go on the public road and around a bend before they can access the footpath again. He said this was extremely important from a pedestrian and connectivity point of view.**

**Mr. J. Ahern stated that the Council have looked at providing a footpath and cycle lane from Whitebridge Manor to the junction with N22 and a design is being finalised. Mr. Ahern advised that there is a requirement to acquire land from 3 individual landowners in order to provide such infrastructure.**

**Kerry County Council have had agreement with one of the landowners and have engaged with representatives of the second landowner who were positive towards the proposal. A strip of land is required from the third landowner.**

**13. Cllr. M. Moloney:** Can Kerry County Council at this stage confirm the design for safety improvement works at Finnegan's Cross and advise when the works will commence.

**Reply:** Kerry County Council have completed the survey and design of the proposed Safety Improvement Scheme at Finnegan's Cross. The next step in the process is engagement with any landowners who may be impacted by the proposed Scheme. Following on from this engagement and land agreements, Kerry County Council will begin (if required) the Statutory Process. Kerry County Council expect to make contact with the respective landowners in the coming weeks.

**Cllr. M. Moloney said that the proposals should have been brought to this meeting for review by the Members and engagement with landowners should have taken place at this stage. Cllr. Moloney asked that this be progressed as a matter of urgency.**

**Cathaoirleach B. Cronin Seconded the Motion and asked if the designs could be forwarded to the Members.**

**Cllr. N. Kelleher stated that engagement should have taken place by now.**

**Mr. J. Ahern replied that engagement needs to take place with landowners before the proposals go on public display. He advised that this land needs to be acquired by agreement. Mr. Ahern said that he will engage with all landowners as soon as possible and will present plans to members at that stage.**

**14. Cllr. M. Moloney:** When will safety works be carried out where subsidence has occurred on the Killarney to Barraduff Road and to the road at Coolick.

**Reply:** An incident occurred at this location which resulted in the exposure of the side of the road and the embankment. On inspection, no subsidence has occurred. Kerry County Council has applied for emergency funding to carry out improvement works at this location. In relation to Coolick, an application for funding has been submitted under the Climate Adaptation Grant.

**Cllr. M. Moloney said this occurred as a result of an incident that left it in this dangerous condition and noted that a lot of work was taking place at the location in the past couple of days.**

**Cllr. N. Kelleher said there was some confusion, as following his previous enquiries, he had been informed that funding had been received for this**

section of road and it was going out for contract and that the Council would be meeting with the landowner and that works would commence in the coming months. Cllr. Kelleher stated that the N72 would be closed at the end of the month and this would be an opportune time to carry out this work.

Mr. J. Ahern replied said there must be some confusion because funding has not been allocated for this. He stated that a truck went off the road and it had nothing to do with the condition of road. This is a bog rampart with very little road edge to work with. He stated that there were two options here, (1) land needed to be acquired from landowners or (2) bore underneath the road and pin the barrier under road. Mr. Ahern confirmed that emergency funding has been requested from the TII and they have reverted with a proposal. Mr. Ahern said he would progress this as soon as possible.

**15. Cllr. M. Moloney:** Moved in conjunction with NoM 5.

**16. Cllr. M. Moloney:** When will the school flashing lights adjacent to Coolick School be repaired and be brought back into working order. I reported this on the 2<sup>nd</sup> March and followed up with reminders but as at time of submitting this motion, no work has been carried out to repair same.

**Reply:** Kerry County Council's Electrical Department have inspected the location, identified the problem, and have ordered the necessary electrical equipment to repair the school flashing lights. It is expected to have the lights repaired by Friday, 14<sup>th</sup> May.

**Cllr. M. Moloney welcomed the reply.**

**Cllr. N. Kelleher Seconded the Motion and stated that he was aware of two schools that have new and old lights. He said he would advise the MD Office of the location of these schools so the old lights can be removed.**

**17. Cllr. M. Moloney:** Ballyspillane Residents' Association are awaiting the erection of a fence between the wooded area and the residential houses. Can we have an update on the provision of this fence.

**Reply:** An application for planning permission was made by the adjoining property owner for the erection of a fence at this location. Permission was granted. The Environment Department have engaged with the adjoining property owner and it is understood that works are due to commence shortly.

**Cllr. M. Moloney welcomed the reply.**

**18. Cllr. D. Grady:** That we Killarney Municipal District request that the car park beside the Fire Station / Maple Drive would be upgraded as it is in very poor condition with potholes and weeds.

**Reply:** The Killarney Municipal District will carry out a clean-up of this location by the end of Q2.

**Cllr. D. Grady stated that the car park should be macadamised and said he would contribute to the funding of same.**

**Cathaoirleach B. Cronin Seconded the Motion.**

**19. Cllr. D. Grady:** That the Executive would advise when are the public lights in Ballyspillane being upgraded.

**Reply:** The works are funded by a contribution from all Councillors along with Community Enhancement Grant funding secured by the Residents' Association. Kerry County Council are installing infill lighting in Ballyspillane. These works are due to commence in the coming weeks. These works were delayed as a result of Covid.

**Cllr. D. Grady welcomed the reply.**

**Cllr. M. Healy-Rae Seconded the Motion.**

**20. Cllr. D. Grady:** That double yellow lines would be placed at the exit from each housing estate onto the main road in Killarney. At present cars are parking in these areas which is obstructing the view of the driver exiting onto the main road.

**Reply:** Kerry County Council will survey estates to identify any issues of concern.

**Cllr. D. Grady said this is happening in a few estates and blocking the view of people exiting the estates.**

**Cllr. M. Gleeson Seconded the Motion.**

**21. Cllr. D. Grady:** That we would request the contractor who overlaid the Kilcummin Road to re-do it as it is faulty.

**Reply:** As per a previous response to a Notice of Motion, Kerry County Council has appointed a contractor to carry out repair works to sections of the Kilcummin Road. Given the Covid restrictions at the time, we were not in a position to carry out the works. It is now expected that works will be completed by mid-June. This date must be considered in light of the current Pandemic.

**Cllr. D. Grady stated that the road should be re-laid. He stated that faulty tar had been laid at the Ha Ha and the contractor replaced it. He noted that a lot of water was lodging on most of the road.**

**Cathaoirleach B. Cronin Seconded the Motion and stated that commitments were given that this road would be properly rectified.**

**Cllr. M. Moloney asked if the road would be replaced with black tarmac or replace with what is there at present.**

**Cllr. N. O'Callaghan asked why did this Motion have to be on the Agenda again as Members had been advised in December that the job would be carried out.**

**Cllr. N. Kelleher concurred with Cllr. O'Callaghan's comments.**

**Mr. J. Ahern confirmed that a black-top macadam was going to be overlaid on the section of the road that failed. He advised that only 3 or 4 contractors are available to carry out this work in the Munster region. The contractor has confirmed that he will commence work week commencing 14<sup>th</sup> June.**

**22. Cllr. D. Grady:** I request that the Killarney Engineer look at the patchy streets in Killarney and have them resurfaced as a matter of urgency.

**Reply:** As part of the Killarney Municipal District Schedule of Works 2021, the following streets and laneways are to receive funding - Rock Road, Killarney Town - €150,813; Lewis Road, Killarney Town - €145,200; Killarney Laneways (Hillards & Chapel Lanes) - €50,000; New Street Lower, Killarney - €80,370, Upper Park Road - €83,581. Roads and streets within Killarney Town and those within the District will be considered when preparing the next Multi-Annual Road Programme. This Programme will be brought before the Members for their consideration. Kerry County Council has also been awarded funding under the Urban Regeneration Development Fund which will provide funding for the upgrade of public realm throughout the Town Centre, the tender for which is currently under valuation.

**Cllr. D. Grady noted that Irish Water had carried out work at various locations in Killarney Town and the roads were left patchy and shabby in many places. Cllr. Grady welcomed the reply.**

**Cathaoirleach B. Cronin said he had an issue with the wording of the reply. He stated the reply that Kerry County Council should have been provided is *“That as part of Killarney Municipal District Schedule of Works 2021, as voted by all Members, the following streets and laneways are to receive funding”* etc.**

**Cllr. N. Kelleher said he disagreed with Cllr. Grady saying the streets were “shabby”. He stated that €16m has been allocated for upgrading parts of the town. He said he took offence with statements that the town standards have dropped. He stated that the MD Office work very well to keep the town looking its best and repairs are being carried out. Cllr. Kelleher commended the Executive and Engineers and Councillors who are keeping issues to the forefront. He said the constant narrative that the place is falling apart is bothering.**

**Cllr. Grady stated that prior to 2014, the town was kept very well. He noted that now grass is growing around housing estates. He said revenue from Killarney is supporting other towns in the County.**

**23. Cllr. N. Kelleher:** Knockanes National School need parking and I request Kerry County Council to engage with the school to find a solution.

**Reply:** The provision of a carpark is a matter for the Board of Management of Knockane National School. However, Kerry County Council will engage to provide assistance to the Board.

**Cllr. N. Kelleher said he had provided a good portion of his Councillor allocation to another school with a similar issue and said that the Executive had approached the Members to resolve the same problem in another school. He noted that Clár funding was not available in this area. Cllr. Kelleher**

**Proposed that a deputation from the School's Board of Management be received at a Killarney Municipal District Meeting.**

**Cllr. M. Gleeson Seconded the Proposal.**

**Cllr. M. Healy-Rae stated that the Department of Education do not supply funding for this, and the school is not in a Clár area so there are no options for the school. She said she supported the call for a deputation as schools such as these are falling through the cracks.**

**24. Cllr. N. Kelleher:** Can the lags on the road at Clounts in front of (details with Directorate) be repaired?

**Reply:** The Municipal District is currently examining the lags at Clounts with a view to carry out repairs.

**In response to a query from Cllr. N. Kelleher, Mr. J. Ahern replied that the repairs would take place at the end of May.**

**Cllr. N. Kelleher advised that he would take the following 3 Motions together:**

**25. Cllr. N. Kelleher:** Can the upper road in Gleann Rua be resurfaced?

**Reply:** This will be considered in drafting the next Multi-Annual Programme which is expected to be carried out later this year.

**26. Cllr. N. Kelleher:** Can the lags in Lackabane Village be repaired?

**Reply:** Kerry County Council have inspected the estate and all lags have been repaired.

**27. Cllr. N. Kelleher:** Can the roadway in Pinewood Estate be resurfaced?

**Reply:** A costing for these works is currently being prepared with a view to having it resurfaced.

**Cllr. N. Kelleher stated that there was an issue relating to older Council estates and estates being taken in charge. He said the community here were willing to look at a Community Involvement Scheme with a contribution from Housing but because Kerry County Council cannot give a contribution for a road they are in charge of, it was not a feasible unless the community could come up with the funding. Cllr. Kelleher said that a portion of the Multi-Annual Roads Programme should be set aside for resurfacing roads in estates. He said there was a larger issue of how the Council is going to deal with estates they have built.**

**Cllr. M. Healy-Rae Seconded the Motion. She referred to Gleann Rua and said this was an ongoing saga since Irish Water gave a commitment that surfacing would be carried out but it did not take place. Cllr. Healy-Rae commended the Roads staff. She said there should be some facility for these estates.**

**Cathaoirleach B. Cronin Seconded Motion No. 27 and said there are a number of these long-established estates in Killarney. It is important that this issue is addressed.**

**Mr. J. Ahern stated that when the Multi-Annual Roads Programme is being prepared, then these particular roads can be considered.**

#### **21.05.05.06 Motions / Questions relevant to other Directorates or issues not relevant to Kerry County Council business**

##### **(a) Notices of Motion**

**1. Cllr. M. Gleeson:** That the Council would inform if the NPWS has communicated to Council the result of the legal advice in relation to the possible sale of land to facilitate the development of a much needed vehicle/bicycle parking area adjacent to the Blue Pool Walk on Mangerton Road, Muckcross.

**Reply:** The Killarney Municipal District continues to engage with the National Parks and Wildlife Services in relation to the potential development at this location.

**Cllr. M. Gleeson welcomed the reply.**

**2. Cllr. B. Cronin:** To request the Management of Killarney National Park to (a) urgently remove the fallen trees that are stuck across and underneath the second bridge on the Deenagh river walk in the Demesne and (b) provide adequate dog fouling bins along walking routes in the park.

**Reply:** The trees have been removed from under the bridge by the National Park and Wildlife Services. The Killarney Municipal District Office will contact the National Parks & Wildlife Services in relation to the provision of dog fouling bins.

**Cathaoirleach B. Cronin welcomed that the tree had been removed. In relation to dog fouling, the Cathaoirleach referred to people who throw bags and their contents into ditches as there is no facility available to properly dispose of them. He asked that bins be provided at key locations. This would be a huge benefit to people with buggies and wheelchair users.**

**Cllr. M. Gleeson Seconded the Motion and said the Council should provide bins on the walkway along the Deenagh.**

**Cllr. N. O'Callaghan said the bin at Castle Ross was overflowing. He agreed that bins are required but they should be emptied.**

**Ms. E. O'Donoghue replied that a survey was undertaken in the town identifying high incidence areas and bin receptacles will be provided in these high usage areas. A new signage campaign regarding dog fouling is due to commence across the County.**

**3. Cllr. M. Healy-Rae:** To ask the management of Killarney Municipal District to reconsider and broaden their proposal for the Fáilte Ireland Outdoor Dining Scheme to include other areas around Killarney Town that would have the maximum benefit possible for all.

**Reply:** The Members were updated in relation to this scheme at the meeting held on Friday, 23<sup>rd</sup> April 2021.

**Cllr. M. Healy-Rae asked if there had been any progress with providing infrastructure in other parts of the town.**

**Ms. A. McAllen replied this was being viewed in conjunction with the Outdoor Dining Scheme.**

**4. Cllr. M. Healy-Rae:** To ask Kerry County Council to liaise with the NPWS and request that a section of fencing that is damaged at Tomies be repaired to safeguard the property of landowners in the area from roaming deer. Property has been damaged and it is now impossible for these landowners to have sufficient grass for their animals.

**Reply:** Kerry County Council will write to the NPWS in regard to your request.

**Cllr. M. Healy-Rae said she was aware of one landowner who cannot keep grass for his own animals because of roaming deer entering his property.**

**Cathaoirleach B. Cronin Seconded the Motion and asked that Kerry County Council would write to the NPWS and request fencing. He stated this issue cannot be ignored.**

**5. Cllr. M. Healy-Rae:** To ask Kerry County Council to liaise with the NPWS and ask that they provide land necessary to extend the car park at Torc Waterfall. With over 26,000 acres in the park, I believe this is not an unreasonable request given the serious safety issues posed with people parking along the main road as there is no space in the car park.

**Reply:** This Motion was previously raised by the Member and Kerry County Council did liaise with NPWS. The issue was also raised at a meeting held between the members and the NPWS, where they informed us that given its location within a SAC, there was no potential to increase the size of the carpark.

**Cllr. M. Healy-Rae accepted this was an SAC area and asked what Kerry County Council was going to do about it. She said this was a highly dangerous area with people walking and crossing.**

**Cllr. N. O'Callaghan agreed with Cllr. Healy-Rae's comments.**

**Cathaoirleach B. Cronin asked the Council to engage with the NPWs from a public safety viewpoint.**

**Mr. J. Ahern replied that there is no record of any incident at that location. He stated that responsibility for this lies with the NPWS and confirmed that the carparks and footpaths are under their remit. Mr. Ahern advised that the Council have worked with the NPWS previously and upgraded 5 of their car parks. He said the NPWS have been consulted in relation to the Torc car park and they have replied that it is in an SAC area and they do not want to expand. Mr. Ahern stated that people decide to park on the side of the public road and**

**decide to get out of their car. The onus for safety is on the individual and not on the Local Authority.**

**Cllr. Healy-Rae said there is a concern in relation to safety. She asked that this discussion be relayed to the NPWs and meet with An Garda Síochána.**

**6. Cllr. M. Moloney:** Does Kerry County Council own property at the Reeks Gateway and if so, what is it presently being used for and if it is not being used can it now be used as a working hub for the people who wish to work remotely and do not have sufficient broadband to enable them work from home.

**Reply:** Kerry County Council owns office property at the Reeks, Killarney. Kerry County Council are assessing its current office accommodation requirements in line with Covid restrictions and future staffing / project requirements. Kerry County Council's subsidiary, Killarney Technology Innovation Ltd provides a very effective remote working hub to the town.

**Cllr. M. Moloney stated that the Reeks was empty and has not been used since it was purchased. She asked why there has been a sudden change.**

**Cllr. N. O'Callaghan agreed with the sentiments of the Motion and said that every available space should be used.**

**Ms. A. McAllen advised that the Reeks property has been in the Council's ownership for some time. This is office property but is not furnished and requires some investment. It is the only spare office that exists at present and it is the Council's intention to use it for its staff for future projects. Ms. McAllen advised that KTI have some availability at present.**

**7. Cllr. D. Grady:** That we the Killarney Municipal District would write to appropriate Ministers requesting land for a car park within the National Park, for the users of the Knockreer Playground and people who go walking in Killarney National Park. The Cathedral Carpark does not have the capacity to cater for these people.

**Reply:** This is a matter for resolution by the Members.

**Cllr. D. Grady said he wished to include Minister Norma Foley in this Motion. He stated it would be wonderful if the National Park agreed to this and asked that a letter would issue from Killarney MD.**

**Cathaoirleach B. Cronin Seconded the Motion and asked that a letter issue to the relevant Minister in this regard. He said this area is very busy and well frequented.**

**8. Cllr. D. Grady:** That we Killarney Municipal District would request the ESB to urgently paint all the public lighting poles in Killarney Town which are rusting.

**Reply:** This is a matter for resolution by the Members.

**Cllr. D. Grady asked that a letter issue to the ESB in relation to this matter.**

**Cllr. M. Moloney** Seconded the Motion and asked that the ESB would also be asked to put reflectors along St. Mary's Terrace. She said the area was lethally dangerous, especially at night time.

**9. Cllr. D. Grady:** That we Killarney Municipal District would write to the relevant Minister, requesting that all planning applications received would again appear on the Agenda of Killarney MD Meetings for the information purposes of the Elected Members.

**Reply:** This is a matter for resolution by the members.

**Mr. P. Corkery** said that ahead of the debate, he wished to advise Members as follows:

*"Under Circular Letter Pl. 02/2018, the Council has been advised not to discuss the individual merits of Planning Applications at Municipal District and / or Council meetings.*

*It should be noted prior to considering the resolution that the following information is published each week, on a week by week basis by the Planning Department on the Council's website:*

- *Planning [Applications Granted](#)*
- *Planning [Applications Received](#)*
- *[Appeal Decisions](#) from An Bord Pleanála*
- *[Invalid Planning Applications](#)*
- *[Extension of Duration](#) of Planning Permission*
- *[Further Information Received on Planning Application or Validated Planning Applications](#)*
- *Declarations on [Exempted Development](#) (including decisions and requests for further information)*

*This information is available at: <https://www.kerrycoco.ie/planning/development-management/planning-applications/weekly-lists/>"*

**Cllr. D. Grady** stated that Elected Members should be entitled to know what is going on. He asked that the Circular Letter be posted to him.

**Cllr. M. Healy-Rae** supported Cllr. Grady's Motion in relation to significant planning applications. She said she could not see anything wrong with the discussions that were previously held with Members in relation to planning applications as they were never discussed in-depth.

**10. Cllr. N. Kelleher:** What steps have been taken to secure the site between Celtic and Legion?

**Reply:** It is Kerry County Council's intention to secure the site in Direen.

**Cllr. N. Kelleher asked when would work commence and how long would it take to complete.**

**Mr. J. Ahern advised that the tenders were currently being assessed which would take 1 – 2 weeks and once that has been completed, Corporate Services will proceed to appoint a contractor.**

**Cllr. Kelleher asked that Members be informed of the name of the contractor when selected.**

**(b) Correspondence**

1.	Email dated 12 <sup>th</sup> April 2021 from Alex Costello, Private Secretary to the Minister for Finance in relation to a call for a moratorium on mortgages of people on long-term Pandemic Unemployment Payment
2.	Letter dated 14 <sup>th</sup> April 2021 Ms Niamh Redmond, Private Secretary to Mr Darragh O'Brien, Minister for Housing, Local Government & regarding HAP payments in the Killarney Municipal District

**It was agreed to note the correspondence.**

**(c) Agree dates for the following meetings:**

- (b) Suggested date for the next Killarney Municipal District Meeting - Wednesday, 7<sup>th</sup> July 2021

**On the Proposal of Cllr. M. Gleeson, Seconded by Cathaoirleach B. Cronin it was agreed that the next Killarney Municipal District meeting would be held on 7<sup>th</sup> July 2021.**

- (b) Agree a date for the Killarney Municipal District AGM

**The Members agreed that the Killarney Municipal District AGM would be held on 25<sup>th</sup> June at 1.30pm.**

**(e) Any Other Business**

***Resignation of Cllr. Michael Gleeson***

Cllr. M. Gleeson informed those present that today would be his last Municipal District Meeting as an Elected Member and that the July Full Council Meeting would be his last meeting. He stated that he had served as an Elected Member in Kerry County Council since 1983. He advised that Kerry Independent Alliance would notify the Council of his replacement. He wished everyone well and thanked them for their co-operation and help over the years.

Cathaoirleach B. Cronin said he was shocked to hear Cllr. Gleeson's announcement. He wished Cllr. Gleeson and his wife, (name withheld for data protection purposes. A paper copy of unedited Minutes available on request) the best for the future. He stated that Cllr. Gleeson was a man of tremendous integrity and was honest and forthright. He had served Kerry with honour and distinction. The Cathaoirleach noted that he had served with his late father.

Cllr. N. Kelleher referred to Cllr. Gleeson's departure and said everyone had been taken by surprise. Cllr. Kelleher said that Cllr. Gleeson was always a very eloquent and thoughtful contributor. He has had a long, distinguished career in politics and said he would be sad to see him retire. He noted that Cllr. Gleeson was always at the forefront of representing the community and Killarney Town. He wished Cllr. Gleeson and his wife, (name withheld for data protection purposes. A paper copy of unedited Minutes available on request) all the very best.

Cllr. M. Moloney noted that Cllr. Gleeson was once associated with the Labour Party and then formed his own party, South Kerry Independent Alliance. He had tremendous followers. Cllr. Moloney noted that a person would never tire of hearing one of Cllr. Gleeson's eloquent speeches. She said his use of the English language was second to none.

Cllr. N. O'Callaghan recalled that he served alongside Cllr. Gleeson on Killarney Town Council for 10 years that he always made him feel welcome. He said he had the utmost respect for him, and his honesty and he had set the standard for public life. He had served in the Monastery School and was a phenomenal teacher. He said that when people will look at Cllr. Gleeson's record, they can say that he left Killarney in a better place than how he found it.

Cllr. D. Grady wished Cllr. Gleeson and his wife, (name withheld for data protection purposes. A paper copy of unedited Minutes available on request) health and happiness. He noted that Cllr. Gleeson had served Killarney and Kerry very well.

Cllr. M. Healy-Rae said she was shocked to hear of Cllr. Gleeson's retirement. She wished Cllr. Gleeson and (name withheld for data protection purposes. A paper copy of unedited Minutes available on request) good health. She noted Cllr. Gleeson's years of service which were tremendous and admirable. She stated that Cllr. Gleeson was always fair. There may have been disagreements, but it would never be personal. Cllr. Healy-Rae noted that Cllr. Gleeson was always prepared and meticulous for meetings and his speeches and contributions were a work of art. She wished Cllr. Gleeson and (name withheld for data protection purposes. A paper copy of unedited Minutes available on request) the best for the future.

Ms. A. McAllen, on behalf of the Executive, noted Cllr. Gleeson's eloquence and thoughtfulness in crafting his words and this was testament to his work ethic. She stated that Cllr. Gleeson always had the good of the town at his core. She wished Cllr. Gleeson and his wife, (name withheld for data protection purposes. A paper copy of unedited Minutes available on request) the best for the future.

Mr. P. Corkery noted that Cllr. Gleeson had served with honour and distinction. He thanked Cllr. Gleeson for the respect he had shown to staff and members and wished him well in his retirement.

Cathaoirleach Cronin advised that Members would have another opportunity at the Full Council meeting to mark Cllr. Gleeson's departure.

### ***Bye-Laws***

Cllr. N. O'Callaghan asked when would the Bye-Laws be brought before the Members for consideration.

Ms. A. McAllen stated there are 7 Bye-Laws in total. She said when she referred to them previously, she was referring to the Parking Bye-Laws (2 sets). She said it was her understanding that the Parking Strategy was going to the SPC initially and the Bye-Laws would follow. Ms. McAllen stated that the Car Parking Bye-Laws would be developed separately. She advised this was being reviewed by the County Solicitor's Department and will be reviewed by the Municipal District staff. She advised that the MD Office has prioritised the Outdoor Dining Scheme and Mobility Plan. Ms. McAllen stated that there is a public consultation for the Parking Bye-Laws for 3 months and it is hoped to bring an update to the Members.

Cllr. O'Callaghan stated it had been 21 months since it had been agreed to review the Bye-Laws. Members had been given assurances at the last meeting that it was going to the SPC and then would come before the Killarney Members. He asked when would the Members be in a position to review them?

Ms. McAllen hoped to have an update for the Members at the next MD Meeting. She said that the main focus at present was to prioritise the opening of the town.

Ms. E. O'Donoghue advised that cashless parking in Killarney was being reviewed and this would create a fundamental change to the Bye-Laws and this is what is causing the delay.

Cathaoirleach B. Cronin thanked Members for their co-operation and debate and also thanked Management and staff.

The Meeting concluded at 3.50pm.

***P. Corkery***  

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**P. Corkery**  
**SEO Corporate Services**

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**Cllr. B. Cronin**  
**Cathaoirleach of Killarney MD**