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MINUTES OF THE SPECIAL MEETING OF THE MEMBERS OF THE MUNICIPAL DISTRICT OF KILLARNEY HELD VIA MS TEAMS ON TUESDAY, 18 MAY 2021

MIONTUAIRISCÍ NA CRUINNITHE SPEISIALTA DE CHEANTAR BARDASACH CHILL ÁIRNE ATHIONÓLADH AR LINE TRÍ FHOIRNE MS AR AN MÁIRT, 18 BEALTAINÉ 2021

PRESENT/I LÁTHAIR

Councillors/Comhairleoirí

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

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

Apologies

Cllr. M. Moloney

In attendance/i láthair

Ms. A. McAllen	Killarney MD Manager
Mr. J. Breen	Director of Water, Environment, Fire & Library Services
Mr. P. Neary	SE Water Services
Mr. J. Ahern	SEE Killarney MD
Mr. P. Corkery	Meetings Administrator
Mr. C. Mangan	SEE Water Services
Ms. E. O'Donoghue	Killarney MD Officer
Mr. O. O'Shea	Press & Communications Officer
Ms. M. Galvin	A/ASO Corporate Support

The meeting commenced at 10.30am.

Mr. Corkery advised that this Special Meeting was called by Cathaoirleach B. Cronin to discuss Irish Water's proposals for Kilcummin Sewerage Scheme.

Mr. Corkery referred Elected Members to the Supplementary Standing Orders adopted by Members last December relating to the operation and management of online meetings of Kerry County Council. He asked that all Members mute their microphones and use the "raise hand" function until called on by the Cathaoirleach to speak. He advised that as per the Standing Orders, the recording (visual or audio) of the proceedings was prohibited. He further reminded the Elected Members that they do not have Absolute Privilege.

Cathaoirleach B. Cronin welcomed everyone to the Special Meeting which he had called following a briefing from Irish Water with the Members on 12th May. He advised that Cllr. M. Moloney had sent her apologies as due to work commitments, she was unable to attend.

The Cathaoirleach stated that the Kilcummin Sewerage Scheme was hugely important to the Municipal District and was a critical piece of infrastructure that the Members have been working on for over 20 years. The purpose of the meeting was to discuss Irish Water's announcement that 3 key pieces of roadway, namely Knockataggle Road, Rathanane Road and the road down to Kilcummin GAA Club have been removed from the plans for the Kilcummin Sewerage Scheme. This was in contradiction to the maps displayed by Irish Water when they held an information presentation in the Hall in Kilcummin in 2019. He stated that this has angered the residents. The view of the public is that these 3 roads make up the key network of the village. The Cathaoirleach stated that it did not make sense to omit residential areas and places with potential for residential development. He referred to an area north of the public house where an application had been put on hold subject to the Sewerage Scheme being put in place. Irish Water's reason for excluding the 3 roads was that they had not received any applications from the public for these roads. Cathaoirleach Cronin said that many people were anxious to connect to the scheme but works had not commenced so they had not yet forwarded their applications and at no point had they been advised by Irish Water to submit applications. He said that the Members must now make a stand and send a request to Kerry's senior politicians requesting their support.

Mr. J. Breen, Director of Services stated that following last week's briefing with Irish Water, he had spoken with them outlining the concerns of the Elected Members. He confirmed this was an Irish Water briefing and the staff of Water Services in Kerry County Council have been consistently lobbying Irish Water in relation to this scheme. Mr. Breen confirmed that since Christmas, the Council have asked Irish Water to come before the Council. He advised that he had spoken to Mr. Sean Laffey, Head of Asset Management with Irish Water and stressed the importance that Irish Water would come before the Members. Mr. Breen confirmed that Mr. Laffey has agreed to attend the June Full Meeting of Kerry County Council where he will discuss Kilcummin Sewerage Scheme and the future developments in the County.

Cathaoirleach Cronin stated that the Members had requested a phone number from Irish Water to enable residents make direct contact to discuss their concerns. He advised that the Members did not even receive the courtesy of that and were instead supplied with the number for the Customer Services Desk whose staff would not have knowledge of the scheme.

Cllr. N. O'Callaghan advised that his phone has been ringing non-stop since Irish Water revealed their latest plans which he referred to as "shocking". He wished it noted that the Council's Water Services staff were excellent to deal with. He stated that when the Local Authorities had control of Water Services in this country, it was a better service than what is now provided. Cllr. O'Callaghan said he attended meeting in January 2020 and was convinced that the Kilcummin scheme was going ahead in January only to be told 3 weeks later it was not going to happen. He said he felt he and the Elected Members had been lied to. Cllr. O'Callaghan was of the view that Irish Water should attend a Killarney Municipal District meeting rather than

a Full Council meeting. He said there are many areas in the MD to discuss with them. He stated that when the Council ran Water Services, it was very well managed with very little leakage and excellent service. Funding was received from County Buildings and works were carried out. Now Irish Water say they do not have the finances required. He said their new proposals for Kilcummin do not make sense. The fact that they have not supplied a direct number is embarrassing. He queried how would a person on Irish Water's helpline know about Kilcummin Sewerage Scheme and said it was not good enough.

Cllr. D. Grady said it was unfortunate that Irish Water were treating the people of Kilcummin so badly. He stated this was a major scheme costing €9m and it was time to go further than Irish Water. Cllr. Grady said that the Members should request a meeting with Minister Darragh O'Brien, Minister for Housing, Local Government and Heritage together with Minister Norma Foley to discuss the matter. He stated that each Elected Member had done everything in their power to ensure this scheme was going ahead and it was time to take the matter further.

Cllr. M. Healy-Rae stated this project was critical for the residents and the protection of the River Deenagh. If a proper scheme is not implemented, Kilcummin will not progress as it should. Cllr. Healy-Rae said it was disappointing that no representative from Irish Water was present at today's meeting. She agreed with Cllr. N. O'Callaghan's comments that it will dilute the importance of this project if dealt with at the Full Council meeting and she said she would be supportive of a separate meeting. Cllr. Healy-Rae referred to the meeting held in Kilcummin Community Centre which was a public display and not a formal public consultation. The maps were on display and people did not realise they had to make an application at that time. Irish Water did not hand out application forms to people. She stated that if the people on those 3 routes realised that they had to apply, they would have done so. Cllr. Healy-Rae advised that a recent reply to a Notice of Motion had stated that Irish Water had concerns regarding the escalation of costs. She said that significant sections of the previously advised route had now been cut from the project and it was completely unacceptable. Cllr. Healy-Rae said she was concerned in relation to negotiations with landowners and hoped that meaningful negotiations would take place and not to seek land by CPO. She stated that engagement between Irish Water and the residents is quite poor and there is a need for a series of webinars and proper public consultation. Irish Water also need to provide a direct point of contact. She stated that Covid cannot be used as a reason for the absence of reasonable engagement. Cllr. Healy-Rae said that the material the Elected Members have received from Irish Water is inadequate as it contains a couple of pages on points which the Members are already familiar with. There is no detail of the work they propose to undertake and this is hugely disappointing. The Councillor advised that Deputy Danny Healy-Rae would be raising the issue in Dáil Éireann that day and will make a case that the full scheme that was displayed 2 years ago should go ahead.

Cllr. N. Kelleher noted that Irish Water had advised they will not connect the 3 integral points in the middle of Kilcummin Village because they have received no applications. He stated that nowhere was it prefaced at the announcement of the original scheme that it was to be based on applications received. Cllr. Kelleher said it was a disaster that as of today, there has been no land agreement and that no part of the project had gone out to tender. Cllr. Kelleher agreed with Cllr. O'Callaghan's comments about being lied to as Elected Members in response to the Notices of

Motion that they had no intention of progressing. Cllr. Kelleher welcomed that Deputy Danny Healy-Rae would mention this in the Dáil and he said that the support of all five TDs was required. Cllr. Kelleher said that Kilcummin cannot be developed at present. He said that people are looking for planning and development of the village. People cannot build houses because there is not an adequate water and sewerage infrastructure in place. He stated that Cllr. M. Moloney had stated the previous week that funding was announced for forward infrastructure and that not one place in Killarney received funding. He stated that excellent work was being undertaken by the Council staff and commended those who have brought the matter this far. Cllr. Kelleher supported the request for a meeting with Minister O'Brien and the 5 TDs and that Irish Water should attend a future Killarney MD Meeting. He said it was disrespectful that Irish Water did not have a representative at today's meeting.

Cathaoirleach B. Cronin asked for confirmation that Mr. Laffey would meet the Members at a Killarney MD Meeting.

Mr. J. Breen agreed to convey the request back to Irish Water. He stated that the Water Services Department have constantly reiterated to Irish Water, the absolute need for discussion with the Elected Members.

Cllr. Healy-Rae repeated the need for Irish Water to engage with the public. She also queried if people from the 3 access roads should now submit applications to Irish Water.

Cllr. Grady supported Cllr. Healy-Rae's suggestion.

Mr. J. Breen said it was important to clarify that he was not speaking on behalf of Irish Water. He stated that the Council has been lobbying and engaging with Irish Water. He confirmed that he raised the matter of engagement with Irish Water. He referred to this morning's statement from Irish Water that applications had not been received. He said he concurred with the public's view that a person would need to see a scheme before they apply for it. Mr. Breen confirmed that he was not involved in the design or decisions on the scheme.

Cathaoirleach Cronin acknowledged that it was solely Irish Water engineers and staff that are designing this scheme and setting the ground rules. He said he fully stood by Kerry County Council Water Services staff and staff working on the ground for the work they have done. He agreed that people should now submit their applications and state that they were not made aware they had to apply.

Cllr. Kelleher said he believed that Irish Water plan to build a sewer to Killarney Town and hope other developers will pay for the remainder of the scheme over time. They are putting this back on people in Kilcummin to pay for the scheme. He agreed that people need to submit their applications to Irish Water.

Cllr. Grady agreed that people should submit their applications. He stated that Irish Water had taken over the best maintained water service in Ireland.

Cathaoirleach B. Cronin Proposed the following:

"That we the Elected Members from Killarney Municipal District request the assistance of Minister Norma Foley, and the 4 Kerry TDs to seek support and meet

with Minister Darragh O'Brien online, or whatever way is acceptable to him, in light of the decision by Irish Water and see if we can include the 3 roads as key links in the Kilcummin Sewerage Scheme."

Cllr. N. Kelleher Seconded the Proposal.

Cathaoirleach Cronin asked that the request immediately issue to Minister O'Brien, Minister Foley and the 4 Kerry TDs. He stated it was critical for the future of Kilcummin that the seriousness of the situation be relayed.

Cllr. Kelleher thanked the Cathaoirleach for facilitating the meeting.

The Cathaoirleach thanked everyone for taking the time to attend the meeting.

The meeting concluded at 11.15am.

P. Corkery

P. Corkery
SEO Corporate Services

Cllr. B. Cronin
Cathaoirleach of Killarney MD