MINUTES OF PROCEEDINGS AT SPECIAL MEETING OF LIMERICK CITY AND COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, DOORADOYLE, LIMERICK, ON FRIDAY, 21ST OCTOBER, 2016, AT 3.00PM

PRESENT IN THE CHAIR: Councillor N. Gleeson, Deputy Mayor.

MEMBERS PRESENT:

Councillors Browne, Butler, Collins (J), Collins (M), Donegan, Foley, Galvin, Gilligan, Hogan, Hourigan, Hurley, Keary, Keller, Leddin, Loftus, McCreesh, McMahon, Mitchell, O’Brien, O’Dea, O’Donnell, O’Donoghue, Pond, Prendiville, Ryan, Scanlan, Sheahan (J), Sheahan (K), Sheahan (M), Sheehy, Teefy, Teskey.

An apology for his inability to attend the Meeting was received from the Mayor, Councillor O’Hanlon, as he was attending the funeral of Anthony Foley, RIP, Munster (Rugby) Head Coach.

OFFICIALS IN ATTENDANCE:

Deputy Chief Executive and Director, Regional Services (Ms. C. Curley), Director, Limerick 2020 Bid Team (Mr. M. Fitzpatrick), Director, Economic Development (Mr. P. Daly), A/Director, Physical Development (Mr. V. Murray), Senior Engineer, Mid-West National Road Design Office (Mr. T. Fitzgerald), Senior Executive Engineers, Mid-West National Road Design Office (Messrs. J. Howard, D. Leahy), Meetings Administrator (Mr. C. O’Connor), Administrative Officer, Corporate Services (Ms. T. Knox).

Also in Attendance:


The Deputy Mayor stated that the Special Meeting had been convened to discuss the Foynes/Limerick Road, and the disposal of land in Rathkeale, following receipt of a Requisition on 11th October, 2016, signed by a number of Members as follows:

“We, the Elected Members of Limerick City and County Council, call on the Mayor of the said Authority, Councillor Kieran O’Hanlon, to convene a Special Meeting on Friday, 21st October, 2016, at 3pm, in accordance with Limerick City and County Council Standing Order Nos. 15 and 16, to discuss the following issues:

1. Notice of Motion of Councillor Stephen Keary

I will move at a Special Meeting of Limerick City and County Council that the Council call on all associated with the Design Process of the Foynes to Limerick Road
Improvement Scheme, namely Transport Infrastructure Ireland (TII), the Department of Transport, Tourism and Sport, Limerick City and County Council, the Mid-West National Road Design Office, Roughan and O'Donovan-AECOM Alliance, to include an essential interchange as part of their design on lands north-west of Croagh Village to facilitate proper connectivity to the communities of Adare, Croagh, Rathkeale and the surrounding rural countryside of this part of West Limerick, in the interest of continued economic rural sustainability.

We request the presence of a representative of all the above-named parties to the design process, to participate at this Meeting.”

2. To consider proposed disposal of land at the Public Car Park, Rathkeale, Co. Limerick, to Limerick Community Games.


1. FOYNES/LIMERICK ROAD

The Meetings Administrator stated that apologies had been received from the Department of Transport, Tourism and Sport and from Transport Infrastructure Ireland. He proceeded to read the apologies received into the record of the Meeting:

Reply from Mr. Paul Moran, Chartered Engineer, Regional Manager, South-West Region, Transport Infrastructure Ireland

“I refer to the invitation to attend a Special Council Meeting being held this Friday. Transport Infrastructure Ireland are not in a position to attend Council Meetings and, as an alternative, we accept a delegation from the Local Authorities once a year, where issues of concern can be discussed.

Limerick City and County Council has already requested same (ref. e-mail from Mr. Ger Dillon, Senior Executive Officer, on 14th October to Transport Infrastructure Ireland) where a number of issues have been identified for discussion. The delegation will be limited to 8 persons, i.e. a representative from each Municipal District and 4 Council officials.

Therefore, I can confirm that I will not be in attendance this Friday, but Transport Infrastructure Ireland will revert to Mr. Dillon to confirm a date for the delegation in our offices in Dublin.”

Reply from Mr. Dominic Mullaney, Principal Adviser, Roads Division, Department of Transport, Tourism and Sport

“Thank you for your e-mail of 13th October, 2016, on behalf of Limerick City and County Council and invitation to attend a Special Meeting of Elected Members on
Friday, 21st October, 2016, to discuss the Foynes to Limerick Road Improvement Scheme.

I wish to advise the Council that the Department has no role in the design of Transport Infrastructure Ireland (TII) projects. TII must go through appropriate procedures when planning for a major new road and ultimately the matter is determined by An Bord Pleanála. In these circumstances, it would not be appropriate for the Department to attend the proposed Special Meeting.”

Councillor Keary addressed the Meeting and began by thanking the Mayor, the Executive and the Councillors who had facilitated the Special Meeting. He welcomed the members of the public to the public gallery and also the Oireachtas Members and Members of the European Parliament who, he stated, were there to observe on this occasion but who he hoped would pick up the baton in support of the Motion before the Meeting. He then read the following Statement:

“The Code of Conduct for Councillors requires a Councillor to declare his interests in matters before the Council. The relevant extract from the Code of Conduct reads as follows:-

**Article 3.7:** The test to be applied by a Councillor is not just what s/he might think – but rather whether a member of the public knowing the facts of the situation would reasonably think that the interest concerned might influence the person in the performance of his or her functions. If so, disclosure should follow and a Councillor should consider whether in the circumstances s/he should withdraw from consideration of the matter. In this context, it is important to ensure that as well as the avoidance of actual impropriety, occasions for suspicion and appearance of improper conduct are also avoided in case of private or personal interests.

I wish to advise this meeting of Limerick City and County Council that as well as being a Councillor for the Adare-Rathkeale Municipal District, I am the owner of Agricultural land in the townlands of Clogh West and Amogan Beg which are located about one and a half miles west of Croagh Village. The overall proposal for the Foynes to Limerick road that is currently available to all members of the public since September 2016 will affect part of my lands.

Lest there be any public perception of conflict of interest and to ensure that any part of this process cannot be called into question, I wish to reiterate that, in my opinion, the motion today for the provision of an interchange for Croagh Village is a separate matter and is one which I have supported since the preferred route (namely the Orange Route) was announced last December.

It is also worth noting that the current proposed route did not include my lands when the route corridor selection was open for submissions under the public consultation process. As part of that consultative process, I made a submission to have an interchange for the village of Croagh provided in the route as it was
proposed at the time and the rationale for this interchange is as valid in this revised route as it was in the original route which did not include my lands.”

Councillor Keary then read the following Notice of Motion to the Meeting –

“I will move at a Special Meeting of Limerick City and County Council that the Council call on all associated with the Design Process of the Foynes to Limerick Road Improvement Scheme namely, Transport Infrastructure Ireland (TII), The Department of Transport, Tourism and Sport, Limerick City and County Council, The Mid West National Road Design Office, Roughan and O’Donovan-AECOM Alliance, to include an essential interchange as part of their design on lands north-west of Croagh Village to facilitate proper connectivity to the communities of Adare, Croagh, Rathkeale and the surrounding rural countryside of this part of West Limerick, in the interest of continued economic rural sustainability.”

Councillor Keary then read the following into the record of the Meeting:

“I want to state that as a landowner and resident of the Parish of Croagh, I will be impacted along with many of my neighbours by the development of this road, however, I wish to put on the record again my support for this project in principle.

I also wish to put on public record that I as an elected representative or any public representatives be it at local, national or European level do not have any role whatsoever in the selection of the route and we do not have any sort of insider information or prior warning on what routes will or will not be selected and I must say, I welcome this in the interest of openness and transparency.

This procedure of ensuring that route selection processes are out of the hands of elected representatives is in stark contrast to the system that previously pertained where routes across the country were drawn up by local representatives with personal agendas leading to bad and, often times, unsafe road designs. The existing N21 shows how the route selection process that was in place 30 years ago when the Croagh by-pass was planned was clearly a product of the process which prevailed at the time.

The unfortunate historical evidence of the many fatalities and serious injuries inflicted on motorists and road users along the stretch of road between Adare and Newcastle West can be heavily weighted against poor planning and poor road design.

The convening of this meeting as a result of the tabling of this motion is the properly constituted forum for this matter to be discussed. While there will be a temptation to raise unrelated matters or raise false hopes I want to be very clear that the purpose of this meeting is to create accessibility from the new road proposal to the existing N21 at Croagh village.
I want to stress that I am not here today to advocate for or against any particular route and I am not here to advocate for any landowner or affected party including myself, lest there be any confusion or attempt to confuse.

I have publicly stated on numerous occasions, the importance of this road and the connectivity it will create. The proposed road will open up the west Limerick and Kerry region, making it more accessible and facilitating large traffic volumes by connecting our communities to the national motorway network. When completed this route will give continuous motorway connectivity between the port of Foynes and Larne in Co. Antrim, making the Shannon Estuary and West Limerick an even more attractive location for inward investment and job creation.

Shannon Foynes Port Company is the second largest port in the country, is the largest bulk port in the country and is the only Tier 1 port of national importance on the west coast handling in excess of 10 million tonnes of cargo per annum. Foynes Port is currently 100% reliant on an unacceptable and dangerous road, namely the N69 from Foynes to Limerick.

The road will also ensure that gridlock in villages like Adare will be removed, it will improve road safety and will improve the quality of life in the village itself and remove the many rat runs to avoid Adare which have developed in the surrounding areas that includes part of the parishes of Patrickswell, Adare, Cappagh, Kilfinny, Granagh, Ballingarry, Croom, Kildimo, Rathkeale, Croagh and others as daily commuters go to and from their place of work.

However, there is no denying that this is possibly the single biggest issue in over a generation to face the community of Croagh. This village which is located on the road between Rathkeale and Adare, the main Limerick to Killarney road ran through Croagh before it was bypassed almost 30 years ago. Croagh village is home to a church, school, music school, garden centre, nursing home, crèche, hairdresser, medical centre, visitor accommodation, restaurant, shop and two pubs to name but a few together with a thriving agriculture sector as well as having state of the art GAA, camogie and community facilities. The proposed route as currently shown is located in the heartland of the best agricultural land in Ireland let alone Co. Limerick.

The current proposal includes interchanges at both Adare and Rathkeale and completely overlooks and ignores Croagh Village as a non-entity.

The inclusion of an interchange at this location will enhance the lives of in excess of 4000 local residents who would have access to the motorway network at this point. The jobs of almost 200 people within the area defined as the settlement of Croagh in the Limerick County development plan are being put in jeopardy by not making provision for this interchange.

In excess of 50% of these people are employed directly in tourism and related services and are completely reliant on passing traffic from the existing N21.
This interchange will not only safeguard but enhance the future growth of the village. It is also worth noting that the village of Croagh has adequate capacity and infrastructural services for future growth and expansion.

This interchange is being requested for one reason and one reason only. Continued Economic Sustainability for our Rural Communities.

Successive Governments have spent massive resources on reports and strategies in identifying methods to provide continued sustainability to rural Ireland. The road proposal in its current format flies in the face of all of these policies.

The proposed route will not just overlook Croagh but it will also completely isolate the surrounding towns and villages of Kilfinny, Cappagh and Rathkeale. It will make accessibility between the N21 and surrounding parishes and visitor attractions virtually impossible to access. This includes the historic Curraghchase Park and Campsite, Knockfierna Hill and many other places of interest.

There is currently one interchange identified at the eastern side of Adare on this proposed route.

Up to 16,000 vehicles pass through Adare each day and this can increase to 30,000 on busy bank holiday weekends. It is worth noting that Adare was voted in the Top Ten of Fáilte Ireland’s Tourism Towns Initiative 2015.

While this level of traffic creates huge delays for people travelling this road or trying to access Adare we do not want a situation whereby the village becomes inaccessible because of this road. While I am here today to advocate for an interchange for Croagh which would also service Adare and Rathkeale it is clear to me and others that the community of Adare has as much to lose if not more than Croagh from the existing proposed design.

One of the many fears that has been expressed to me by business interests in Adare is that if a motorist travelling on the new motorway realises too late that they have passed the village there will be no way of turning back and instead they will continue along the road until they reach the next town.

Adare is identified as a Tier 3 settlement in the County Development Plan, there are hundreds of people employed locally in the tourism, hospitality, retail, fashion and service sectors. It is one of the premier tourist locations in the country and there is no questioning that it should have two possible access points. To not provide the village of Adare with two access points would be a retrograde step.

What I am proposing here today is that another interchange would service Croagh and Adare.

Other comparable locations where such entry points have been accommodated are Bunratty, Ennis and Nenagh. In the case of Nenagh the NRA, the Mid West Road
Design Office and North Tipperary County Council inserted a 3rd access point during the upgrade of the M7 from single carriageway to motorway standard. This was to facilitate improved access to the town of Nenagh and local access to Borrisoleigh to address local fears and concerns.

There is very strong precedent set for including this proposed entry point at Croagh and additional cases of this are evident in Quin, Crusheen and Barefield in Co. Clare on the M18 and also at Cashel and Horse and Jockey in Co Tipperary on the M8.

Ladies and Gentlemen I think it is high time that all parties associated with the design process of this project should sit back for a moment and reflect on the many costly mistakes of the recent past in the whole area around road design and in doing so begin to listen to the people and communities that have most to lose or gain. The most pertinent instances of bad road design around this region are easily identified at Roxboro, Ballysimon and Nenagh to name but a few, all of these projects were designed under the umbrella of the Mid West Road Design Office based in Lissanalta House. These people are not infallible.

When the village of Croagh was initially bypassed the locals worked hard to ensure the community spirit remained and that the people of Croagh retained their identity. Recent measures such as the traffic calming which I worked for along the N21 have reduced speeds and made the village very accessible, attractive and a safe place to live. While the economics of this project can be argued over and over again, at the end of the day there has to be a balance found between infrastructural development and local community.

The proposed Adare-Foynes road in its current form will once again by-pass the village and create another physical division of the community.

The socio-economic implications of this proposed route will sound the death knell for the area. A number of people will immediately be out of work if there is no access point to the village identified. It is clear that compensation will be provided where agricultural land is affected by a route.

Furthermore, I am requesting today that Limerick City & County Council carries out a socio-economic impact assessment of the existing route as it pertains to all of the surrounding areas. I am requesting that a proportion of the 2017 general municipal allocation be set aside to fund this assessment and I am asking my colleagues from the Adare-Rathkeale municipal area to unite with me in supporting this proposal.

Finally, I would ask that the Councillors receive regular updates at each of our monthly meetings in Rathkeale on the progress being made on this motion and that we reserve the right as a municipal area to bring this matter before a full meeting of the Council again. Also I would propose that a progress report on this motion be presented by the executive to the Full Council at the November Meeting of Limerick City and County Council.”
In seconding the Motion, Councillor Galvin stressed the need to promote and support small rural villages such as Croagh which would lose significant business and connectivity if the access were not provided.

Other Members spoke in favour of the Motion, querying the high costs associated with providing the additional access.

Concerns were also expressed by other Members regarding residents in Croagh that may not want a junction in the village and that if an additional exit had to be provided, it could impact on the scheme due to possible delays.

The Deputy Chief Executive responded by stating that the Council was in the middle of an ongoing design process and that she had listened to the concerns as expressed by the Members. She recommended that the public should arrange a meeting with the Project Team in the Mid West National Road Design Office. She also confirmed that she would raise these concerns with Transport Infrastructure Ireland with a view to achieving a satisfactory solution.

On the proposal of Councillor Keary, seconded by Councillor Sheahan (J), it was agreed to take a 10-minute adjournment.

On resumption, Councillor Keary proposed that Limerick City and County Council support the connectivity of Croagh Village to the Limerick/Foynes road upgrade; that all relevant technical, socio-economic, environmental expertise would be engaged by the Council in both the design and implementation of the said interchange; and, furthermore, that a Special Meeting of the Council be held on the same date as the November bi-monthly Meeting, at which he would be requesting an advanced update on the design of the proposed interchange.

The Motion, as outlined by Councillor Keary, was seconded by Councillor Galvin and agreed.

Councillor Keary concluded by stating that he was disappointed with the lack of response from the Executive in relation to the matter under discussion at the Meeting.

2. **Disposal of Land**


The report stated that this matter had previously come before the Adare-Rathkeale Municipal District in July 2015. It had subsequently received the approval of the Council at a Special Meeting on 5th August, 2015, for a land exchange of similar value.
Difficulty arose in the administration of transfer of title to Limerick Community Games. The issues had been rectified and the matter was returned to the Adare-Rathkeale Municipal District Members for consideration and approval on 21st July 2016.

The report explained that the site was located to the rear of the property located on Main Street, Rathkeale, which was in the ownership of Limerick Community Games. The rear of the site formed a boundary with the south-western side of the Public Car Park. Limerick Community Games had made a formal request to acquire a small portion of the existing Public Car Park from the Council, measuring approximately 25.50 square metres. The purpose of the request was to construct a storage shed for their equipment. Limerick Community Games proposed to give Limerick City and County Council a larger area of land that was within its ownership measuring approximately 108 square metres.

A number of conditions would apply to the transaction and these were outlined in the report of the Deputy Chief Executive dated 20th October, 2016.

The Meetings Administrator clarified that there was no consideration payable for this disposal which would involve an exchange of lands of similar value. In addition, a resolution of the Council would be required to rescind previous resolution passed at Special Meeting of the Council held on 5th August, 2015.

Proposed by Councillor Keary;
Seconded by Councillor McMahon;
And Resolved:

“That, the approval of the Council be and is hereby given to the disposal of 25.50 square metres at the Public Car Park, Rathkeale, Co. Limerick, to the following: John Dinnage, Main Street, Rathkeale, Co. Limerick; Anthony Fitzsimons, Shanagolden, Co. Limerick; Padraig Gallagher, Newtown, Castletroy, Co. Limerick; Con Horan, Kyletaun, Rathkeale, Co. Limerick; and Michael O’Brien, Carrigogunnell, Clarina, Co. Limerick, as Trustees of Limerick Community Games, in exchange for the transfer of an area of land measuring approximately 108 square metres, subject to the conditions outlined in the report of the Deputy Chief Executive dated 20th October, 2016, and in accordance with proposal agreed at Meeting of the Municipal District of Adare-Rathkeale held on 21st July, 2016, with all costs associated with the disposal to be borne by Limerick Community Games. This resolution rescinds previous resolution passed at Special Meeting of the Council held on 5th August, 2015.”

This concluded the Meeting.

Signed:

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Mayor

Date: _______________________________