

**MINUTES OF PROCEEDINGS AT MEETING OF THE MUNICIPAL DISTRICT OF ADARE-RATHKEALE HELD AT ÁRAS SEÁN FINN, NEW LINE ROAD, RATHKEALE, CO. LIMERICK ON TUESDAY, 14<sup>TH</sup> JULY, 2015, AT 9.00 A.M.**

**PRESENT IN THE CHAIR:**

Councillor R. O'Donoghue, An Cathaoirleach.

**MEMBERS PRESENT:**

Councillors Keary, McMahon, Neville, O'Brien and Sheahan.

**OFFICIALS IN ATTENDANCE:**

Head of Finance, Motor Tax and ICT (Mr. T. Gilligan), Operations Manager, South and West Division (Mr. B. Kennedy), Senior Engineer, Travel and Transportation (Mr. D. Brennan), Senior Executive Planner (Ms. M. Woods), Heritage Officer (Mr. T. O'Neill), Executive Engineer, Travel & Transportation (Ms. A. Mellett), Executive Planner (Ms. B. Quinn), Meetings Administrator (Mr. T. O'Callaghan), Administrative Officer, Community, Leisure and Emergency Services (Mr. D. McGuigan), Staff Officer (Ms. N. O'Connor), Staff Officer (Ms. Karen Butler), Assistant Staff Officers (Ms. N. Hassett, Ms. E. Buckley, Corporate Services).

In reply to Members queries the Head of Finance indicated that Cadence EnviroPower had organised a public Meeting for Thursday, 16<sup>th</sup> July, 2015 in Shanagolden to answer questions on the proposed gasification facility.

Councillor Sheahan requested that Limerick City and County Council take legal advice on the legality of the lease and options available, if any, to terminate the lease. Councillor Sheahan proposed that advice be sought from suitably qualified consultants with experience in gasification who would then meet the Members as a Committee and this was seconded by Councillor O'Donoghue.

**1. Adoption of Minutes**

- (a) Circulated, copy of draft Minutes of Annual Meeting of the Municipal District of Adare-Rathkeale held on 9<sup>th</sup> June, 2015.

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

"That the draft Minutes, as circulated, be taken as read and adopted and signed".

- (b) Circulated, copy of draft Minutes of Meeting of the Municipal District of Adare-Rathkeale held on 9<sup>th</sup> June, 2015.

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

“That the draft Minutes, as circulated, be taken as read and adopted and signed”.

(c) Circulated, copy of draft Minutes of Special Meeting of the Municipal District of Adare-Rathkeale held on 16<sup>th</sup> June, 2015.

Proposed by Councillor McMahon;  
Seconded by Councillor O’Brien;  
And Resolved:

“That the draft Minutes, as circulated, be taken as read and adopted and signed”.

(d) Circulated, copy of draft Minutes of Special Meeting of the Municipal District of Adare-Rathkeale held on 26<sup>th</sup> June, 2015.

Proposed by Councillor O’Brien;  
Seconded by Councillor Neville;  
And Resolved:

“That the draft Minutes, as circulated, be taken as read and adopted and signed”.

## **2. Deputation from Adare Recreation and Community Council**

Councillor O’Donoghue welcomed Representatives from Adare Recreation and Community Council. The Deputation consisted of Elaine Sparling and James Collins.

Mr. Collins gave a presentation on the work which had been completed on Phase 1 of the development of the twenty five acre community owned recreational amenity, known as The Manor Fields in Adare, and the proposals for phase II of the development which included an extension of the car park and the provision of a flood-lit, full-size, synthetic astro-turf pitch to accommodate several sports. He added that the Manor Fields was a community owned project, designed for all members of the community, with an emphasis on providing facilities for people of all ages and abilities. He highlighted the sports tourism potential of this development and sought financial support from Limerick City and County Council for the provision of the car park.

Members pointed out that there was a need for a car park in Adare Village and queried if the car park in the Manor Fields site would accommodate local parking.

Members thanked the delegation for their presentation and commended the Committee on the work they had completed to-date and their inclusive policy for people of all ages and ability. The delegation then withdrew from the Meeting.

It was agreed that Item 8 would be taken next.

## **8. Environment and Water**

### **Bleach Lough Anglers Ltd.**

Circulated, report of the Director of Environment and Water Services dated 25<sup>th</sup> June, 2015 in relation to renewal of Lease for Bleach Lough Anglers Ltd.

The report stated that in 2009 the Council agreed to lease lands at Ballinacarriga, Kildimo (on the shore of Bleach Lough) to Bleach Lough Anglers Ltd. for a period of 6 years for a nominal fee. The Anglers at that time wished to provide changing and mooring facilities for the sport of fishing.

It was further stated that a request had been received from Bleach Lough Anglers Ltd. for the renewal of the lease for a further 6 years.

Mr. & Mrs. Griffin, who were in attendance at the Meeting, declared an interest in this item and following a discussion Members requested that this item be deferred and dealt with at a future District Meeting as the lease did not expire until November 2015.

## **3. Disposal of Land**

Circulated, report from Head of Finance, Motor Tax and ICT dated 12<sup>th</sup> May, 2015.

Members noted and approved the proposed exchange of land between Limerick City and County Council and Limerick Community Games as set out below:-

- Public Car Park, Rathkeale, Co. Limerick.

## **4. Travel and Transportation**

### **Part 8 – Foynes Flood Alleviation Scheme**

Circulated, report of the A/Director of Travel and Transportation dated 2<sup>nd</sup> July, 2015 enclosing copy of the Chief Executive's Report dated 1<sup>st</sup> July, 2015, prepared pursuant to Section 179 3(a) of the Planning and Development Act, 2000 – 2014, and Part 8 of the Planning and Development Regulations, 2001-2013, in relation to Foynes Flood Alleviation Scheme. It was proposed to proceed in accordance with the Chief Executive's Report.

Members welcomed the proposed works and in reply to Members queries, the Senior Engineer, Travel and Transportation, indicated that Limerick City and County Council was seeking funding from the Office of Public Works (OPW) and that the tender process would commence during the week. Members requested that when the contract was awarded a press release would issue at the same time to inform the public.

## **5. Economic Development and Planning**

### **Proposed amendment to the Croom Local Area Plan 2009**

Circulated, report of the Chief Executive dated 29<sup>th</sup> June, 2015 on the proposed amendment to the Croom Local Area Plan to accommodate the development of a post primary school at Skagh, Croom, Co. Limerick and zone the land for education and community use.

The Chief Executive's Report presented the submissions made following publication of the proposed amendment to the Croom Local Area Plan (LAP) 2009-2015 (which was extended for a further 5 years) and set out the Chief Executive's responses to the issues raised. It was noted that the Proposed Amendment was placed on public display from 2<sup>nd</sup> May, 2015 to 15<sup>th</sup> June, 2015 inclusive and that a total of 9 written submissions were received within the statutory timeframe.

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

"That, the Amendment to the Croom Local Area Plan 2009-2015 (which was extended for a further 5 years) be made in accordance with the Chief Executive's recommendations dated 29<sup>th</sup> June, 2015, under Section 20(3)(d) of the Planning and Development Act 2000, (as amended)".

During the course of the discussion Members stressed the need for a new post primary school in Croom and requested that the Minister for Health be written to asking for his assistance in ensuring that the Health Service Executive (HSE) work with the Limerick and Clare Education and Training Board (LCETB) to resolve issues that have arisen in relation to the proposed access to the proposed school site.

## **6. Community, Leisure and Emergency Services & Economic Development and Planning**

### **Limerick Local Economic and Community Plan**

Circulated, Report of the Director, Economic Development and Planning dated 7<sup>th</sup> July, 2015 enclosing a copy of the Draft Socio-Economic Statement and High Level Goals for the Limerick Local Economic and Community Plan.

The Administrative Officer, Community, Leisure and Emergency Services and the Executive Planner, Economic Development and Planning, briefed the Members on the background and purpose of the Local Economic and Community Plan and noted that the Plan was being developed jointly by the Local Community Development Committee and the Economic Development and Planning Strategic Policy Committee and would cover a 6 year period.

Members were advised that the document before them was not the final Plan, but a draft Socio-Economic Statement, including High Level Goals, derived from a Socio-Economic Analysis of Limerick City and County prepared by Dr. Eileen Humphreys (UL) and

Bernadette Quinn on behalf of the Local Community Development Committee. Members were invited to consider the document and make any observations they had in relation to same in writing to Bernadette Quinn before 23<sup>rd</sup> July, 2015.

Members were informed that all submissions and observations would be considered by the Advisory Steering Group and, where relevant, the Socio-Economic Statement and High Level Goals could be amended accordingly.

The Administrative Officer, Community, Leisure and Emergency Services, confirmed that the Local Economic and Community Plan process would revert back to the Municipal Districts on two more occasions in 2015.

Members noted the contents of the report.

## **7. Corporate Services and Change Management**

### **Draft Polling Scheme 2015 – Revised Dáil Constituencies**

Circulated, Report of the Senior Executive Officer, Corporate Services dated 8<sup>th</sup> July, 2015 with attached Draft Polling Scheme and summary list of proposed changes. The Senior Executive Officer's Report noted that it was necessary to prepare a new Polling Scheme as a result of the changes to the Dáil Constituencies and the establishment of Limerick City and County Council, that the Draft Scheme was on public display for five weeks and the closing date for receipt of submissions to the Draft Polling Scheme 2015 was 14<sup>th</sup> August, 2015.

Members noted the contents of the Senior Executive Officer's Report dated 8<sup>th</sup> July, 2015.

## **9. Request to hold Meeting at Kilcornan Community Centre**

On the proposal of Councillor O'Brien, seconded by Councillor Neville, it was agreed to receive a Deputation from the Kilcornan Community Council and Kilcornan Parents Council relating to issues of road safety at Kilcornan at the next District Meeting which would be held in Kilcornan Community Centre.

## **QUESTIONS**

### **10. Question submitted by Councillor E. O'Brien**

*I will ask at the next Meeting for an update on my February Motion pertaining to my call on Limerick City and County Council to install traffic route lighting in the vicinity of the Kilcornan primary school and entrance to the Ger McDonnell all-weather playing facility/Kilcornan Community Centre together with enhanced traffic calming/safety measures at this location.*

Members expressed their concern regarding road safety at Kilcornan and other locations in the district including Anahid Cross, Banogue, Lees Cross and Kilfinny.

**REPLY:**

The Travel and Transport Department wrote to the NRA in March in relation to this matter. No formal response has been received in this regard. However, our Roads Engineer has discussed the matter with the Regional Road Safety Engineer from the NRA who is aware of the situation but has indicated that no works are planned in the short term at this location.

**11. Question submitted by Councillor S. Keary**

*I will ask at the next Meeting for the Executive Director of the Municipal District of Adare-Rathkeale to provide a full and clear definition of the General Municipal Allocation for Elected Members of a Local Authority.*

**REPLY:**

S.I. No. 226 of 2014 Local Government (Financial and Audit Procedures) Regulations 2014 sets out a general interpretation.

“general municipal allocation” — means discretionary funding which is made available to municipal district members for allocation in the draft budgetary plan;

**12. Question submitted by Councillor S. Keary**

*I will ask the Executive Director of the Municipal District of Adare-Rathkeale at the next Meeting if the General Municipal Allocation for 2015 in the sum of €275,000 for this Municipal District has been administered in compliance with the terms and conditions of the 2014 Local Government Amendment.*

**REPLY:**

According to Circular Fin 05/2014 dated 29 May 2014 the definition of GMA is provided in regulations, and is the name given to the discretionary funding which is made available to municipal district members for allocation in the draft budgetary plan. The amount an authority can provide by way of a GMA is dependent on the total level of income available to it, and the non-discretionary costs that must be met as a first call on that income, including at municipal district level.

The Chief Executive must consider the resource needs of the local authority in determining the overall level of the General Municipal Allocation proposed by the local authority; the budget strategy discussion with the CPG, the other decisions made on LPT, and the estimate of the non-discretionary costs of the authority must be taken into account.

## **NOTICES OF MOTION**

### **13. Notice of Motion submitted by Councillor E. O'Brien**

*I will move at the next Meeting that Limerick City and County Council install a pedestrian crossing on Blackabbey Road, Adare and speed ramps at Abbeyview Estate, Adare.*

Following a discussion, the Operations Manager, South and West Division indicated that a review of speed limits in estates was being examined.

#### **REPLY:**

These matters need to be investigated and will require a traffic count, a pedestrian count and a speed count to determine the warranty for the provision of a pedestrian crossing at Blackabbey Road and speed ramps at Abbeyview Estate. Our current work programme does not allow the resources to carry out this investigative work.

### **14. Notice of Motion submitted by Councillor T. Neville**

*I will move at the next Meeting that safety works be carried out at McDonaghs Cross, Kilcornan.*

In proposing the Motion, Councillor Neville indicated that this was a dangerous cross and that the installation of mirrors could be used. The Motion was seconded by Councillor Sheahan.

The Operations Manager, South and West Division indicated that 'STOP' signs were the preferred option for local roads as mirrors could be damaged, however, he indicated that he would discuss the issue with the Roads Section.

#### **REPLY:**

An existing dwelling house severely restricts the visibility at this crossroads junction. Accordingly, setback of property boundaries is not an option. However the safety of the junction may be improved by introducing a mandatory STOP on 3 of the approaches, allowing right of way only for traffic travelling from the South towards the N69 (Killeen

Guesthouse Junction). There is a Statutory process involved in the introduction of this type of signage and we will commence the process shortly.

**15. Notice of Motion submitted by Councillor T. Neville**

*I will move at the next Meeting that speed ramps be erected on the access road to Askeaton soccer grounds as there is already street lighting to facilitate this.*

In proposing the Motion, Councillor Neville indicated that Askeaton soccer grounds are used for sporting events which attract extra traffic from outside the area and that speed ramps should be erected for public safety.

The Motion was seconded by Councillor Sheahan who added that ramps should be of tarmac rather than rubber and Cllr. McMahon added her support to the Motion.

**REPLY:**

This matter needs to be investigated and will require a traffic count and a speed count to determine the warranty for ramp provision. Our current work programme does not allow the resources to carry out this investigative work.

**16. Notice of Motion submitted by Councillor E. O'Brien**

**I will move at the next Meeting that Marine Cove Estate, Foynes be taken in charge.**

In proposing the Motion, Councillor O'Brien indicated that there was no public lighting on the approach into Marine Cove Estate, Foynes and highlighted the challenges being faced by residents living in unfinished estates. The Motion was seconded by Councillor McMahon and Councillor Neville also supported the Motion. Members highlighted the need for other estates in the District to be taken in charge including Doonbeirne Estate and Loughill.

Councillor O'Brien proposed that funding be provided for street lighting for estates not yet taken in charge by the Council. This was seconded by Councillor Neville.

**REPLY:**

This estate has not yet been completed to a satisfactory standard for taking in charge. The Council has claimed the bond lodged for this estate but it will not be sufficient to pay for the outstanding works. It is therefore intended to make an application under the Development Fund Allocation for Unfinished Estates in 2016 in order to secure the balance of funding.

**17. Notice of Motion submitted by Councillor S. Keary**

*I will move at the next Meeting that the two thatched dwelling houses which were recently destroyed by fire in Adare Village be temporarily removed from the list of Protected Structures to allow their full reinstatement at the earliest possible date but in doing so permit the use of modern materials, with the appropriate fire ratings, to satisfy current fire insurance requirements at a reasonable cost to the owners.*

In proposing the Motion, Councillor Keary proposed that new technology be considered for the re-construction of the thatched cottages even if this resulted in their temporary removal from the list of Protected Structures. The Motion was seconded by Councillor O'Brien.

Councillor Sheahan requested that Councillor Keary consider the withdrawal of his Notice of Motion and noted that grant funds could be lost if the properties were not on the list of protected structures.

The Senior Executive Planner indicated that the Economic Development and Planning Department were working with the owners and that modern technology could be considered in the restoration of the buildings.

In view of the response from the Senior Executive Planner, Councillor Keary withdrew his Notice of Motion.

**18. Notice of Motion submitted by Councillor R. O'Donoghue**

*I will move at the next Meeting that the Roads Department employ a hedge-cutting team throughout the year to maintain roadside hedges and grass verges in the District in the interest of public health and safety.*

In proposing the Motion, Councillor O'Donoghue indicated the importance of maintaining roadside hedges throughout the year. Members acknowledged that resources were scarce, complimented the exemplary work carried out by the staff in Rathkeale and requested more staffing resources.

The Operations Manager indicated that a recruitment process would commence in August for General Operatives / Drivers.

**19. Notice of Motion submitted by Councillor R. O'Donoghue**

**I will move at the next Meeting that the budget allocated to the Roads Department be increased by at least 50% to allow the urgent upgrading of the road network around the District which is dangerously unfit for purpose.**

During the course of their discussion Councillor O'Donoghue indicated that there was inadequate funding allocated to roads and it was agreed that this Notice of Motion should go to the full Council.

## **20. Correspondence**

The following items were raised by Members at the completion of the Agenda.

Councillor Sheahan requested that the Minister for Transport, Tourism and Sport be written to calling on him to look at the privatisation of more bus routes. He indicated that the opening of certain bus routes to private competition had facilitated customers to travel from Limerick to Dublin at a cost of €10.00. Customers using the Bus Eireann service to travel 31 km from Limerick to Rathkeale pay €10.10 and this route should be opened up to private competition to facilitate a reduction in fares.

Councillor Neville indicated that there was no bus service from Limerick to Ballingarry and requested that this service be reintroduced.

Members sought an up-date on the works required to relieve flooding at Castlematrix. The Operations Manager indicated that he intended to carry out the works after the Road Works Programme was completed.

Members sought an update on lands acquired, from Coillte, at Grand Gates, Curraghchase to facilitate road improvements works. The Operations Manager, South and West Division indicated he would revert back to Members in relation to same.

Councillor O'Donoghue indicated that there was a raised man-hole cover at the entrance to Ballingarry and sinking of the road near Ballingarry Church.

Councillor O'Donoghue highlighted the increase of rates for some rate payers in the county and indicated that the formula being used was based on Dublin businesses. He suggested that training in this area be provided for Members as they were receiving a lot of representations from constituents in relation to rates and the Commissioner of Valuation should explain how rates were calculated.

The Head of Finance indicated that the Valuation Office was independent and rates were based on the letting value of the property and that the occupier/owner could appeal the rateable valuation to the Valuation Office.

Signed: \_\_\_\_\_  
**Cathaoirleach**

Dated: \_\_\_\_\_