

LIMERICK CITY AND COUNTY COUNCIL
MUNICIPAL DISTRICT OF ADARE-RATHKEALE
MEETING TO BE HELD ON MONDAY,
11TH APRIL, 2016

Question submitted by Councillor Richard O'Donoghue

I will ask at the next Meeting when will the Roads Department insist that all roadside hedgerows in the District are maintained to allow the safe passage of all road-users.

REPLY:

In the West Division the hedges on the Regional road junctions are cut annually. Local roads junctions which are high risk are also cut. The works also provide for cutting around the signs at the junctions. The Contract for this work will be awarded this week and it is intended this work will be carried out over the next 8-10 weeks.

The Roads Act, 1993 obliges landowners and occupiers of land to take all reasonable care to ensure that the trees, ditches, hedges and other vegetation growing on their land are not or could not become a danger to people using or working on a public road. As such, the onus is placed on landowners/occupiers of land to keep their hedges cut.

The Wildlife Act, 1976, prohibits hedge-cutting between 1st March and 31st August each year except in certain circumstances.

The Local Authority can serve a written notice to the owner or occupier requiring action to be taken in order to remove the danger or potential danger. The Local Authority can carry out the works specified in the notice itself in any case where the person on whom the notice is served fails to comply. It is an offence not to comply with the terms of a notice served by the Local Authority. 270 letters were issued in this regard last year. We have issued letters to some landowners on the R518 this week. As there are approx 940km of roads in the Municipal District of Adare-Rathkeale it is not possible to issue letters to all landowners. However, as complaints arise the Council investigates the issues and issue notices if warranted.

Brian Kennedy,
Operations Manager - West and South Division.
April 2016

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Question submitted by Councillor Richard O'Donoghue

I will ask at the next Meeting that adequate funding be provided by the Council to the Adare-Rathkeale District in order that basic road maintenance standards can be achieved in the District, in the interest of public health and safety.

REPLY:

This year the total budget allocation for road maintenance for the Municipal District of Adare-Rathkeale amounts to approx €3.66m of which approx 60% is provided from the Department of Transport, Tourism & Sport (DTTAS) in the form of Grants. The balance is provided by own resources in the adopted budget. This is to be presented as part of the Schedule of Municipal District Works at the April Municipal District Meeting. This funding provides for an allocation of €480,000 for Severe Weather Funding towards repairs caused by the inclement Winter weather. This funding was not available last year. There is no additional funding available to the Operations Services Department from own resources. However we intend to make an application for the 2nd tranche of Severe Weather funding to the DTTAS.

Brian Kennedy,
Operations Manager - West and South Division.
April 2016

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Question submitted by Councillor Kevin Sheahan

I will ask at the next Meeting as to why a small business person, who has and needs a commercial van for their business, is no longer allowed to tax their vehicle at the commercial rate because they are exempt from doing a VAT return.

REPLY:

As per Circular Letter MT4/2010 issued on 10th August 2010:

“ ... a licensing authority must be satisfied that a vehicle is correctly taxed, the applicant,.... should be asked for supporting documentation which can include but is not limited to –

- *evidence of registration for VAT*
- *a Tax Clearance Certificate*
- *a commercial insurance certificate*
- *a copy of their “Notice of Tax Registration Form” ”*

In short it is up to the Authorised officer in motor tax to satisfy themselves that the applicant is entitled to tax their vehicle at the goods rate. Limerick City and County Council requires an applicant to provide documentation from the Revenue office which indicates a person is currently trading commercially. Any **one** of the following will suffice:

A Revenue Notice of Assessment, Income Tax Returns, Tax Clearance Certificate (company name) etc. are some of the items required and not primarily a VAT return. Just one item of documentation from Revenue (within a year from date of issue) is required.

If an applicant is VAT exempt there are other options available to them.

Sean Coughlan
A/Head of Finance

Sent: 07 April 2016 12:06

To: Buckley Eleanor

Subject: Irish Water RE: Query raised by Members of the Municipal District of Adare-Rathkeale - Lack of Water Pressure in Knockroe, Kildimo, Co. Limerick.

Dear Mr O'Callaghan,

Thank you for your email on behalf of the members of the Municipal District of Adare-Rathkeale.

Your query has been forwarded to the relevant department for investigation. A member of our team will investigate as soon as possible and once we receive any updates we will contact you again straight away. The Irish Water Reference number for this query is 20777, which you can keep for your own records.

Thank you for contacting Irish Water, if you have any further queries please do not hesitate to contact us again.

Yours sincerely,

Louise Hegarty

Local Representative Support Desk

Irish Water

W: www.water.ie