

**COMHAIRLE CATHRACH AGUS CONTAE LUIMNIGH
LIMERICK CITY AND COUNTY COUNCIL**

Údarás Pleanála,
(Planning Authority),
7-8 Sráid Phádraig,
(7-8 Patrick Street),
Cathair Luimnigh
(Limerick City).

25th November, 2015.

TO: The Mayor and Each Member of the Metropolitan District of Limerick

**RE: Taking in Charge of Estates
Declaration of Roads to be public roads.**

A chara,

It is proposed that the estate listed below be taken in charge by Limerick City and County Council.

Ritaville, Old Cork Road.

In accordance with Section 180 of the Planning and Development Acts 2000-2015 and Section 11 of the Roads Act 1993 public notice was given of the intention of the Council to consider the matter, drawings of the estate were put on public display and submissions were invited from the public on the proposed take-over of the estate and the declaration of the roads to be public roads.

One submission was received from Mr. Kieran Considine of 14 Ritaville objecting to the taking in charge as there are various outstanding problems within the estate.

Response: The Council has claimed the bond lodged for the satisfactory completion of this estate and will complete this estate to a taking in charge standard once funding is available. The Council's preference is for the estate to be serviced by a gravity sewer if this is technically feasible.

Your approval is requested for the taking-in-charge of the above mentioned estate in accordance with Section 180 of the Planning and Development Act 2000-2015 and Section 11 of the Roads Act 1993.

Is mise le meas,

Pat Daly,
Director of Services,
Economic Development and Planning.

Pat Daly, Director of Services, Economic Development
and planning.

To whom it may concern,

My name is Kieran Considine and I live in 14 Ritaville, old cork road, Limerick. I am delighted that Limerick City Council is applying to take charge of Ritaville. However as a resident of the estate since it was built, I have been in constant contact with LCC about the condition of the estate. LCC have been asked questions by myself and Garry Tuite a resident in number 12 over the last 9 years and we have not always been answered truthfully. The issues we have raised over the period are serious as our properties have been rendered unsaleable. The following are a list of reasons as to why our properties are worthless

1. The developer and builder were given planning for a sewage pump and LCC at the time of granting the permission made stipulations that were never adhered to. An annual report of pump maintenance was to be provided. A contract between the developer and a contractor to carry out annual maintenance was to be in place. NEITHER of these were adhered too. LCC also said that the pumping station will never be taken in charge by them. The finished floor levels of our houses that LCC granted retention permission for are lower than the pumping station chamber which means that when the pumps fail the sewage backs into my house. The builder has not been brought to court for non-compliance in eight years on this issue.
2. Driveways on most houses are not DOELG COMPLIANT. Reports are still to be provided to both myself and Garry as promised by LCC regarding our driveways. LCC granted retention permission for finished levels which left our houses non-compliant. The builder has not been brought to court for non-compliance on this issue even though it is an issue for eight years.
3. The boundary walls are not built according to regulation and an engineering company has provided a report to LCC pointing out the necessary works to be carried out to rectify the issues. I must point out that LCC HAVE the reports nearly three years and have not brought the builder to court for non-compliance.
4. The original planning permission was granted for thirty car spaces. This has never been achieved.

The above are reasons why we cannot sell our houses. LCC NOW WANT TO TAKE THE ESTATE IN CHARGE. At a recent meeting with LCC we asked if LCC would consider buying our houses and we were laughed at and told and I quote "if an auctioneer cannot sell your house why would LCC BUY IT". It is remarks such as that that leave me to believe that if I do not object to LCC taking charge of the estate my house will never be able to be sold. I OBJECTED to the retention planning in writing and the planning was passed anyway and due to financial restrictions I could not carry it any further. It is because LCC granted unusual planning that I am in the position I am in.

I am submitting this letter as an objection to LCC taking charge of the estate on the grounds that LCC have failed to take the developers bond and make good the estate. I ALSO STRONGLY OBJECT to the pumping station since gravity feed sewage can be achieved. LCC-IN-MY OPINION have made serious errors regarding planning of this estate.

Regards

Kieran Considine

