

MINUTES OF PROCEEDINGS AT MEETING OF THE MUNICIPAL DISTRICT OF CAPPAMORE-KILMALLOCK HELD IN ÁRAS MAINCHÍN SEOIGHE, MILLMOUNT, KILMALLOCK, CO. LIMERICK, ON THURSDAY, 21st NOVEMBER, 2018, AT 3.30 P.M.

PRESENT IN THE CHAIR:

Councillor E. Ryan, An Cathaoirleach.

MEMBERS PRESENT:

Councillors Donegan, Gleeson, Mitchell, O'Donnell, Sheehy and Teefy.

OFFICIALS IN ATTENDANCE:

Director, Support Services-Finance, Corporate, HR & ICT (Mr. S. Coughlan), Meetings Administrator (Mr. M. Leahy), A/Senior Executive Engineer, Cappamore-Kilmallock (Mr. B. Murphy), Executive Engineer, Cappamore-Kilmallock (Mr. D. Sheehy), Senior Engineer, Operations & Maintenance Services (Mr H. McGrath, Senior Executive Engineer, Operations & Maintenance Services (Mr T. McKechnie), Executive Engineer, Operations & Maintenance Services (Ms C. Power),

1. Adoption of Minutes

- (i) Circulated, copy of draft Minutes of Special Meeting of the Municipal District of Cappamore-Kilmallock held on 26th September, 2018.

Proposed by Councillor Donegan;
Seconded by Councillor O'Donnell;
And Resolved:

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

Under Matters Arising, the Members requested clarification as to whether the design requirements for a fifth leg off the roundabout for an access into a service or business area would be different to that of a fifth leg access being provided onto a regular road. They also requested clarification on what meetings took place between TII staff and the business owner at O'Rourke's Cross.

- (ii) Circulated, copy of draft Minutes of Draft Budgetary Plan Meeting of the Municipal District of Cappamore-Kilmallock held on the 18th October, 2018.

Proposed by Councillor Sheehy;
 Seconded by Councillor Gleeson;
 And Resolved:

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

- (iii) Circulated, copy of draft Minutes of Meeting of the Municipal District of Cappamore-Kilmallock held on the 18th October, 2018.

Proposed by Councillor Sheehy;
 Seconded by Councillor Teefy;
 And Resolved:

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

2. Deputation from Garrienderk Community Council

The Cathaoirleach welcomed a Deputation to the Meeting from Garrienderk Community Council. The Deputation addressed the Meeting and explained that they had major concerns with the speed of traffic passing through Garrienderk and were looking for possible assistance from the Council to fund the provision of a footpath and other improvements, having regard to the ongoing traffic issues being encountered.

The Members commended the Community Council on their presentation and the work that they had carried out to date in their community. They also noted the work done by the Community Council in getting a detailed estimate of the proposed works required.

The Members agreed that increasing traffic levels and the speed of this traffic was an issue not only for Garrienderk, but also for many towns and villages across the Municipal District and that funding was required for many projects for traffic calming measures in order to address this problem. They confirmed that Garrienderk would be included on the list of projects in the District requiring funding and that the Council would look at all possible funding channels in an effort to address requests for funding from across the Municipal District.

3. Munster Vales Presentation

The Meetings Administrator informed the Elected Members that this presentation was not going ahead as the person scheduled to give the presentation was ill, and had sent their

apologies for their inability to attend. He confirmed that this item would be included on the Agenda of a future Meeting.

4. Service Operations Directorate

Draft Special Speed Limit Bye-laws 2018 for National and Non-National Roads

The Senior Executive Engineer, Operations & Maintenance Services briefed the Members on the contents of the Draft Speed Limit Bye-laws 2018 for National and Non-National Roads, which had been circulated with the Agenda. He outlined how the Speed Limit review was first embarked on in 2016 and had included Workshops for Elected Members, engagement with Transport Infrastructure Ireland (TII), as well as Public Consultations. He confirmed that the Council Executive was now seeking approval from the Municipal District Members to approve the Special Speed Limit Bye-Laws.

The Members thanked the Senior Executive Engineer, Operations & Maintenance Services for his presentation and discussed the outcome of the public consultation process in 2018 and the submissions received during the public consultation process.

Proposed by Councillor Gleeson;

Seconded by Councillor Teefy;

And Resolved:

“That, the Draft Speed Limit Bye-laws 2018 for National and Non-National Roads as circulated, be approved.”

Other Matters Raised:

At the conclusion of the Agenda and with the permission of the Cathaoirleach, the following items were raised:

- **Notice of Motion-O'Rourke's Cross**

The Members enquired as to why a Notice of Motion relating to O'Rourke's Cross was not included on the Agenda for the Meeting. The Meetings Administrator explained that this Notice of Motion sought to rescind a decision to approve a Part 8 application for O'Rourke's Cross which was originally made by the Members at the October 2017 Municipal District Meeting. He confirmed that legal advice received from the Councils Legal Advisors had stated as follows:

"The Members do not have the authority in law to re-consider a decision made in 2017 in compliance with the provisions of the Planning & Development Act 2000 as amended. The Members at that time would have been entitled to decide by resolution to vary or modify the proposal. That entitlement has passed." He also referred to legal advice received from Senior Counsel on Part 8's in general, which stated that a Part 8, which has completed the statutory process, could not be amended.

Having regard to the Standing Orders and the legal advice obtained, the Meetings Administrator explained that he was therefore not in a position to include the Notice of Motion on the Agenda for the Municipal District Meeting.

The Members expressed their disappointment at this and the manner in which the original Part 8 application had been dealt with at the October 2017 Municipal District Meeting.

The Cathaoirleach confirmed that, in accordance with his powers as Cathaoirleach under Standing Orders, that he was allowing the Emergency Motion. On the proposal of Councillor Mitchell, seconded by Councillor O'Donnell, the following Motion was unanimously agreed by the Elected Members:

“That the Members of Cappamore-Kilmallock Municipal District call on Limerick City and County Council to rescind the decision made at previous meeting held on October 2017 in relation to a proposed roundabout at O'Rourke's Cross, Bruree, County Limerick on the grounds that at the said meeting of 19th October 2017, the members were given incomplete, inaccurate and inadequate information e.g., the members were not advised of the relevant statutory provisions/ guidelines.”

- **General Municipal Allocation (GMA) 2019**

Proposed by Councillor Gleeson,

Seconded by Councillor Mitchell,

And resolved: To approve the General Municipal Allocation (GMA) 2019 as follows:

Bruff	Church graveyard sub-base and asphalt surface to small area of land.	€15,000
Bruff	Extend footpath on Ballygrennan Road - 160 metres, concrete.	€20,000
Herbertstown	Additional paths near the school, 100 metres.	€15,000
Kilmallock	Re-alignment of Radharc na Cille junction including footpath improvement works, raised pedestrian crossing to Circus Field.	€30,000
Kilmallock Glenfield Junction (Church)	Modification of junction, new kerb alignment, raised crossing.	€25,000
Bruff	Street improvement works for Bruff statue.	€15,000
Galbally	Extension of footpath R662-50 metres.	€25,000
Kilmallock	Footpaths Glenfield.	€5,000

Cappamore village	Footpath repairs on Moore Street and between Technical School and Cahill's Cross.	€35,000
Caherconlish	Construction of footpath linking Templemichael to Lynch's Pub.	€30,000
Angelsboro	Ramps.	€6,000
Murroe	Footpath Improvements from Sports Facility to Glenstal Wood/Ramps.	€24,000
Kilfinane	2 parking bays, additional public lighting, white lining.	€5,000
Hospital	Raised pedestrian crossing near the school and footpath improvements.	€40,000

Total: €290,000

• **Elected Members-Discretionary Spend Funding Proposals-€1,428 per Elected Member**

Proposed by Councillor Ryan,

Seconded by Councillor Teefy,

And resolved: To approve the Discretionary Spend Funding of €1,428 per Elected Member as follows:

1. **Cllr Donegan:** Leahy Brothers Olympians Project, Cregane, Colmanswell;
2. **Cllr Gleeson:** Cappamore Tidy Towns;
3. **Cllr Mitchell:** Hospital Tidy Towns;
4. **Cllr O'Donnell:** Bruff Tidy Towns;
5. **Cllr Ryan:** Anglesborough Tidy Towns;
6. **Cllr Sheehy:** Glenroe/Ballyorgan Community Council projects;
7. **Cllr Teefy:** Ballybricken Defibrillator Project.

• **Vote of Sympathy**

The Members extended a Vote of Sympathy to the family and friends of Theresa (Terrie) O'Donoghue, Glenfield, Kilmallock, Co.Limerick following her recent passing.

This concluded the Meeting.

Signed: _____

Cathaoirleach

Date: _____

