

MINUTES OF PROCEEDINGS AT ONLINE MEETING OF THE MUNICIPAL DISTRICT OF ADARE-RATHKEALE HELD ON TUESDAY, 9TH MARCH, 2021 AT 9:30 A.M.

PRESENT IN THE CHAIR: Councillor A. Teskey, An Cathaoirleach.

MEMBERS PRESENT:

Councillors Collins, O'Brien, O'Donoghue and Sheahan.

OFFICIALS IN ATTENDANCE:

Director, National and Regional Shared Services (Ms. C. Curley), Meetings Administrator (Ms. K. Butler), Senior Executive Engineer, Service Operations West Division (Mr. A. Finn), Director, Housing Development (Ms. A. Duke), Executive Engineer, Mid West National Road Design Office (Mr. U. Heffernan), Assistant Engineer, Mid West National Road Design Office (Mr. R. Kennedy), Assistant Engineer, Mid West National Road Design Office (Mr. A. Burke), Clerical Officer (Ms. L. Harnett).

Apologies

Councillor Keary.

1. Adoption of Minutes

Circulated, copy of draft Minutes of Online Meeting of the Municipal District of Adare-Rathkeale held on 9th February, 2021.

Proposed by Councillor O'Brien;
Seconded by Councillor Sheahan;
And Resolved:

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

2. Disposal of Land

(a) Circulated, report of the Head of Property & Community Facilities, dated 4th February, 2021 setting out the position in relation to the disposal of 0.05 acres of land (2,178 sq. ft.) at Loughill, Co. Limerick to Mr. Justin McSweeney and the intention to bring to a Section 183 Notice to Full Council in this regard, for approval.

The report, as circulated, was noted by Members.

(b) Circulated, report of the Senior Staff Officer, Housing Support Services, dated 5th February, 2021 setting out the position in relation the disposal of 0.046 hectares

situate at Loughill West, Co. Limerick to Nora & Bernadette Normile and the intention to bring to a Section 183 Notice to Full Council in this regard, for approval.

The report, as circulated, was noted by Members.

3. Physical Development Directorate

N21 Coolanoran Safety Scheme

The Executive Engineer, Mid West National Road Design Office gave a presentation to Members on the proposed N21 Coolanoran Safety Scheme. He outlined the proposals of the scheme which will address parking issues, slow the N21 through traffic and include for the installation of kerbed islands with bollards and provision of a cycle track to the rear of premises to accommodate cyclists.

Members welcomed the proposals. Councillor Teskey requested the installation of additional lighting be considered in conjunction with a speed limit reduction at the location.

It was agreed Item 4 would be taken at the end of the Agenda.

5. Operations and Maintenance Services

District Engineers Report

Circulated, report of the Senior Executive Engineer, Service Operations West Division dated 9th March, 2021 outlining details of works, projects and future projects planned for the District.

Following discussion the following issues were raised by Members:

- Councillor Teskey expressed concerns the ramp being installed on the Greenway is very steep. The Senior Executive Engineer advised a further layer of tarmac will be installed to lessen the severity of the incline on the ramp.
- Councillor O'Donoghue queried the width of the lanes when the Banogue traffic calming scheme will be completed. The Senior Executive Engineer advised he would discuss the matter with Fionan Kelliher, Mid West National Road Design Office and revert.
- Councillor O'Donoghue also queried if the traffic survey in Fedamore had been completed. The Senior Executive Engineer advised the survey had been completed and agreed to discuss findings with the Roads Technician and revert to Members in due course.

- Councillor O'Brien requested an update on progress to complete the footpath from Kildimo to the Beer Garden, in its entirety, and questioned why the Council was not proceeding with a Compulsory Purchase Order to acquire the land and complete the works. The Senior Executive Engineer advised he has spoken to Kieran O'Gorman, Design and Delivery in relation to this matter who advised there is a verbal agreement with the landowner on the matter and the Council are waiting on the landowners solicitor to engage to progress. The Senior Executive Engineer also agreed to provide an update for the April Meeting.
- Councillor Collins requested if remedial works could be carried out to facilitate the installation of footpaths from the traffic lights in Adare to Murphys Cross (N21). The Senior Executive Engineer advised funding is being sought and would revert in due course.
- Councillor Collins also requested an update in relation to proposed footpath installation from Adare Village to the GAA pitch. The Senior Executive Engineer advised he was unsuccessful in seeking funding under the Active Travel Funding, however, lands will have to be secured to have the works progressed.
- Councillor Collins also requested an update on the extension of the footpath from the Riverwalk in Adare to Popes Quay. The Senior Executive Engineer advised the CFRAM team are aware of this matter and added it is proposed to tender for a Consultant for the scheme and he would have more details when this is complete.
- Councillor Sheahan requested the Senior Executive Engineer look into the following in Askeaton town:
 - 1) Installation of a footpath from the town to the GAA pitch.
 - 2) The slipway at the old entrance to the Lime factory from West Square is in need of cleaning.
 - 3) Traffic calming to be looked at on Gouldings Road as speeding is a big issue at this location.

The Senior Executive Engineer agreed to have these issue examined and revert in due course.

- Councillor Teskey stated a review of all the footpaths in Adare needed to be carried out. The Senior Executive Engineer advised he has applied to the Transport Infrastructure Ireland for funding and will provide an update at the April Meeting.

6. Schedule of Municipal District Works 2021

Circulated, report of the Director of Services, National and Regional Shared Services, dated 9th March, 2021 outlining the Draft Schedule of Municipal District Works (SMDW).

Proposed by Councillor O'Brien;
 Seconded by Councillor Collins;
 And Resolved:

“That, the Draft Schedule of Municipal District Works 2021, as circulated, be adopted”.

7. General Municipal Allocation (GMA)

On the proposal of Councillor Teskey, seconded by Councillor Collins, it was agreed to allocate €5,200 for Church of Ireland, Rathkeale roof repairs.

On the proposal of Councillor Collins, seconded by Councillor Teskey, it was agreed to allocate the following:

- €3,000 for Foynes GAA Club.
- €3,000 for Mount Earl Junction, Adare.
- €4,000 for Abha Bhan Parish Park, Loughill.

On the proposal of Councillor O'Donoghue, seconded by Councillor Teskey, it was agreed to allocate to allocate the following:

- €1,700 for Ballingarry Community Park Group.
- €10,000 for Croom Development Association.

On the proposal of Councillor Sheahan, seconded by Councillor Teskey, it was agreed to allocate the following:

- €1,000 for Reilig Mhuire Burial Ground, Askeaton.
- €3,000 for Spiritual Garden of Remembrance, Clonreask.
- €4,000 for Askeaton/Ballysteen Tennis Club.
- €3,000 for Foynes GAA Club.

Councillor Sheahan proposed a report be provided for the April Meeting on the structural state of the Church building in Nantinan Burial Ground and also what Limerick City and County Council's intentions are for the Burial Ground. This was seconded by Councillor Teksey and agreed.

QUESTION

8. Question submitted by Councillor B. Collins

I will ask at the next Meeting for an update on the roll out of the National Broadband Plan in the Adare-Rathkeale Electoral Area.

Reply: Approximately 21,231 premises have been identified in Limerick by the DECC (Department of Environment, Climate and Communications) as not being serviced with adequate broadband services, and these comprise the National Broadband rollout area in Limerick.

The first stage in this rollout by NBI (National Broadband Ireland) is a surveying of every individual premises covered by the National Broadband Plan, to ensure a detailed delivery plan for each. This involves analysis for the fibre route, design of required infrastructure and detailed assessment of the delivery method to connect each individual premises.

Surveying commenced in the following areas in the Adare/Rathkeale Municipal District in November and December 2020, and is still ongoing:

- Pallaskenry
- Toreen
- Old Kildimo
- Askeaton
- Adare
- Croagh
- Rathkeale
- Kilfinny
- Croom
- Crecora
- Granagh
- Lees Cross

As an alternative while this surveying and the subsequent network build phase is completed, the Limerick Broadband Officer in Digital Services has had 6 BCPs (Broadband Connection Points) approved for delivery in the Adare/Rathkeale Municipal District, specifically in Loughill, Coolcappa, Askeaton, Kildimo, Shanagolden and Rathkeale. The DRCD (Department of Rural and Community Development) and NBI have indicated that they expect to have the majority if not all 6 of these BCPs connected by the end of Q2 2021.

In addition, Digital Services are coordinating the delivery of public WiFi networks in Adare, Askeaton, Croom, Foynes and Rathkeale, under the WiFi4EU initiative. The delivery of these networks has been delayed by the

current Covid Level 5 restrictions, but if public health advice permits we also hope to have these networks in place before the end of Q2 2021.

Finally, TJ Malone, Chief Executive Officer of NBI Deployment, has been added to the draft agenda for the Council meeting on 22nd March, where he will present an update on progress made to date on the rollout of the National Broadband Plan in Limerick.

NOTICE OF MOTION

9. Notice of Motion submitted by Councillor B. Collins

I will move at the next Meeting that (a) Limerick City and County Council uses the powers given to it under the Control of Dogs Act to address the issue of dog fouling on paths and walkways and also the issue of dog attacks on farms and wildlife and (b) that Limerick City and County Council adopts a Green Dog Walker Initiative as part of their response to the above issues.

The motion was proposed by Councillor Collins, seconded by Councillor Sheahan and agreed.

In proposing the motion Councillor Collins highlighted that this is a nationwide issue and would like to see a campaign in conjunction with Limerick City and County Council, Team Limerick Clean Up and An Post. It was further agreed to bring the motion to Full Council to get maximum media exposure and also the support of Limerick City and County Council behind the campaign.

REPLY: Dog fouling is an offence under Section 22 of the Litter Pollution Acts and dog owners have an obligation to remove their pet's waste from public places, footpaths, school/sports ground, the immediate area surrounding another person's home etc. Dog faeces is not only unsightly but can also pose a health risk.

For its part, Limerick City & Council have run a number of "Dog Litter Campaigns" including local radio advertisements on Live 95FM. Bins for the disposal of dog waste have been provided at various locations and dog waste can be placed in any bin. Pooper-scoopers have been distributed to dog walkers during a promotional campaign and "No Dog Fouling" signs have been placed in numerous areas in both the City and County. All Environmental Inspectors have these signs and they can be installed on request. Furthermore, stencils have also been placed on footpaths. Stencils are available to all Area Engineers.

The issuing of fines for dog fouling can be difficult to enforce and the Council requires details in writing from the complainant with details of the owner(s) of the pet etc. or the offense has to be witnessed by our Litter Wardens. The Environmental Inspectors regularly approach walkers of dogs to ask if they are carrying bags for dog litter. If they are not carrying bags, our inspectors give them bags and explain the dangers of leaving dog foul in public areas. This has worked well and people have engaged positively with our inspectors.

It is planned over the Course of this year to leaflet registered dog owners in Limerick in relation to owner's responsibilities relating to dog fouling and dog control. There are approximately 8500 licenced dogs in Limerick.

Dog ownership has increased in recent years. Consequently, more dog fouling incidents have been reported and this trend has continued since the onset of the pandemic in February / March 2020.

Information on Dog Litter including where to purchase bags is available on Limerick.ie and is regularly shared on Social Media including a video on Dog Fouling.

A new campaign on Dog Fouling is being created with a number of other local authorities and this is due to be launched in April/May 2021.

It is also planned that after Level 5 restrictions lift that a number of planned inspections of popular public places would take place involving out Environmental Inspectors, Dog Wardens, Park Supervisors and Community Gardaí to specifically target the issues of Dog Fouling and Dog Control.

In relation to the issue of dog attacks on farms and wildlife the Council received only 6 cases of livestock worrying over the last year.

Under the Dog Control act our Dog wardens have the following powers as set out in Section 16.

Powers of
dog
wardens.

16.—(1) A dog warden may—

- (a) where he has reasonable grounds for believing that a person is committing, or has committed, an offence under this Act or under any regulation or bye-law made thereunder, request of the person his name and address and may request that any information given be verified;

- (b) seize any dog and detain it in order to ascertain whether an offence under this Act is being or has been committed and may enter any premises (other than a dwelling) for the purposes of such seizure and detention;
- (c) enter any premises (other than a dwelling) for the purpose of preventing or ending—
 - (i) an attack by a dog on any person, or
 - (ii) the worrying of livestock;
- (d) enter any premises (other than a dwelling)—
 - (i) which are registered in accordance with regulations made under section 19 of this Act, or
 - (ii) where he has reasonable grounds for believing that more than five dogs which are aged over four months are kept, and therein examine such dogs as he may find there and the kennels or part of the premises in which the dogs are kept;
- (e) request any person who owns, is in charge of, or is in possession of a dog to produce, as the case may be, a dog licence or a general dog licence, within ten days of the date of the request, for examination by the dog warden.

We would like to reiterate how important it is that the public report incidents relating to livestock worrying and would encourage all Councillors and members of the public to report such incidents for investigation by our Dog Wardens.

10. Correspondence

Correspondence was noted and taken as read.

4. Housing Development Directorate

The Director, Housing Development gave Members a brief update in relation to the proposed social housing development in Pallaskenry. The proposal at present is that Limerick City and County Council will retain road front land for Housing and the remaining land would be given to the local community to develop a carpark at the front and an all weather pitch at the back. It was also agreed any proposed social housing development would be deferred until 2026.

Discussion ensued and Members all agreed they would not agree to any further social housing development projects for Pallaskenry in the future. The Director, Housing

Development informed Members their approval would have to be sought if further social housing was required in Pallaskenry in the future.

Councillor O'Brien proposed 35.8 hectares of lands be given to the Community to progress with their plans to develop an all weather playing pitch and associated works.

Councillor Sheahan told the meeting that until such time as suitably qualified people can certify the lands as being suitable for what it was listed for there was no merit in discussing the matter any further. The Director, National and Regional Shared Services, advised Members a professional Architect approved by the Department of the Environment Heritage and Local Government had indicated houses could be built on the proposed site.

Following further discussion Councillor Teskey proposed a Special Meeting be convened with Members of the Pallaskenry Community Development Association to discuss the matter further before any decision was made on the proposed disposal. This was seconded by Councillor Collins and it was agreed to convene the Meeting within two week.

This concluded the Meeting.

Signed: _____
Cathaoirleach

Dated: _____