

MINUTES OF PROCEEDINGS AT ONLINE MEETING OF THE MUNICIPAL DISTRICT OF NEWCASTLE WEST HELD IN ÁRAS WILLIAM SMITH OBRIEN, NEWCASTLE WEST, CO. LIMERICK, ON WEDNESDAY, 2nd June, 2021, AT 10AM.

PRESENT IN THE CHAIR:

Councillor F. Foley, Cathaoirleach.

MEMBERS PRESENT:

Councillors Collins, Galvin, Ruddle, Scanlan and Sheahan.

OFFICIALS IN ATTENDANCE:

Director, Community Development Directorate (Mr. G. Daly), Senior Executive Engineer, West Division (Mr. J. Sheehan), Executive Engineer, Roads (Mr. P. Vallely), Administrative Officer, Planning and Environmental Services (Mr. S. O'Doherty), Acting Executive Engineer, Housing (Mr. D. Toomey), Senior Executive Engineer, Design and Delivery Services (Mr. K. O'Gorman), Technician, Design and Delivery Services (Mr. K. O'Brien), Acting Senior Executive Officer, Planning and Environmental Services (Mr. D. McGuigan), Administrative Officer, Property Services (Ms. T. Knox), Meetings Administrator, Newcastle West (Ms. M. Corbett), Clerical Officer, Newcastle West (Ms. A. Lenihan).

At the outset of the Meeting, Councillor Foley welcomed everyone in attendance to the June Meeting of the District and proceeded with the Meeting by confirming all the Elected Members present.

The Meetings Administrator outlined to the attendees that Standing Orders apply to all Online Meetings and that no recording of the Meetings and its proceedings by any person, including Elected Members and attending members of the public and media are allowed. In addition, she confirmed that the Councillors Code of Conduct applies and that Members are aware of the need to show respect and courtesy to colleagues. She also thanked everyone for their co-operation on these matters.

1. Adoption of Minutes

- (a) Circulated, copy of draft Minutes of Meeting of Municipal District of Newcastle West, held on 5th May, 2021.

Proposed by: Councillor Scanlan

Seconded by: Councillor Galvin

And Resolved:

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

2. Disposal of Land

Circulated, report of Head of Property and Community Facilities, dated 21st May, 2021, concerning proposal to dispose of Property Old School House, Glengort, Tournafulla, Co. Limerick.

Members noted the proposal.

A discussion took place on the issue of dereliction and protected structures within the District. In replying, the Director stated that a very active programme of works is in place to deal with dereliction within the County. He also stated that a review of the Limerick City and County Development Plan is ongoing at present and the Record of Protected Structures can be addressed as part of the review.

3. Capital Investments Directorate

To receive update on the Abbeyfeale Traffic Management Plan.

The Cathaoirleach welcomed the Senior Executive Engineer, Design and Delivery Services, and Technician, Design and Delivery Services, to the Meeting.

The Senior Executive Engineer gave an update to the Members on the progress to date with regard to various works proposed in the Plan. He referred to the working group, which was set up with LCCC, Councillors, Abbeyfeale Community Council and Abbeyfeale Business Community. The group last met in May 2021. He also stated that discussions on the plan are ongoing with Messrs. Malachy Walsh and Partners Consulting Engineers, Messrs. Nic de Jong and Associates Landscape Architects, Road Safety Engineer, Transport Infrastructure Ireland, and Landscape Architect, Transport Infrastructure Ireland.

He also outlined to the Members a Preliminary Cost Estimate for the Design and Construction Stage of the Plan.

He stated the next steps in the process included a Meeting with Transport Infrastructure Ireland with regard to funding and progressing the Plan to Tender and Construction stage.

The Members welcomed the update and acknowledged the excellent work carried out to date on the progression of the scheme and thanked the Working Group for their assistance. The Members referred to a number of matters including funding, car parking, footpaths, derelict buildings in Colbert Street, landscaping, provision of public toilet, start date for the scheme. The SEE stated that he would update the Members following the meeting with TII.

4. Planning and Environmental Services Directorate

To discuss illegal dumping and receive update from the Environment Department.

The Cathaoirleach welcomed the Administrative Officer, Planning and Environmental Services, to the Meeting.

The Administrative Officer outlined to the Members the number of cases of illegal dumping for 2019, 2020 and to date in 2021 and stated that there was an increase in the number of cases of illegal dumping which is consistent with what is occurring nationally.

He also outlined to the Members the number of dog fouling cases for the years 2019, 2020 and to date in 2021 and referred to the increase in dog fouling cases and dog ownership this year. He noted that a number of new initiatives are being undertaken to help combat dog fouling including stencilling on footpaths and roadways, signage, radio messaging campaign along with the distribution of dog fouling bags by the Park Wardens and Environmental Inspectors. Other measures include information leaflets distributed with every dog licence renewal and the Green Dog Walking Initiative which is to be rolled out later this year.

The Administrative Officer also outlined to the Members the number of illegal dumping fines issued and paid since 2019. He referred to the number of dog licences issued and stated that in 2020 there was an increase in dog licences issued which has resulted in extra income.

He referred to the powers the Local Authority has under the Control of Dogs Acts for dealing with dangerous breeds of dogs roaming in public areas. He stated that the Gardaí have powers in this area also. He stated that it is proposed to carry out a targeted operation with the Gardaí in various parks when restrictions are lifted and fines will to be issued where necessary.

The Members thanked the Administrative Officer for the comprehensive update and referred to a number of matters including illegal dumping in rural areas and forestry areas, waste collection permits, illegal waste collectors, a Dog Warden for each District and CCTV.

5. Planning and Environmental Services Directorate

To discuss planning with regard to forestry entrances.

The Cathaoirleach welcomed the Acting Senior Executive Officer, Planning and Environmental Services, to the Meeting.

The Acting Senior Executive Officer outlined to the Members the Planning and Development legislation with regard to forestry lands. He referred to the Planning and Development Regulations 2001 – 2020, Article 8A initial afforestation, Article 8F Development that is licensed or approved under the Forestry Act 2014 and that consists of thinning, felling or replanting of trees, forests or woodlands, Article 8G Development that is licensed or approved under the Forestry Act 2014 and that consists of construction, maintenance or improvement of a road that serves a forest or woodland shall be exempted development. He also noted the Planning Authority is not the consenting body for forestry applications.

He referred to the Forestry Act 2014 (Forest Service) where under Section 22 of the Act the Minister can grant a licence where a person wishes to undertake afforestation, forest road works and to Section 17 where the Minister can grant a licence for the felling or removing of trees. He also gave an overview of the Forestry Regulations 2017 to the Members to include

matters such as Applications for Felling Licence, Afforestation Licence, Forest Road Licence, Referral of applications to consultation bodies, public consultation, site notice, EIA of Forestry Development and Appeals.

He also made reference to Forestry Roads and Section of the Planning and Development Acts 2000 – 2020 (as inserted by the Planning and Development (Amendment) Act 2018 Exempted Development where an application for a forest road that provides access directly on to a national road requires planning permission. He stated that an application in excess of 50 hectares had not been received by the Local Authority in a number of years.

The Members thanked the Acting Senior Executive Officer for the presentation and referred to a number of matters including forestry companies not being able to achieve sightlines when entering and exiting forestry lands, vicinity of private dwellings to forestry lands, request to have forestry lands catered for in the Limerick Development Plan and for ceiling to be put on amount of land being planted.

At the request of the Members, it was agreed that the Meetings Administrator would forward the presentation to the Members.

5. General Municipal Allocation (GMA)

On the proposal of Councillor Ruddle, seconded by Councillor Collins, it was agreed to allocate €500 to Dromcollogher Graveyard Committee.

On the proposal of Councillor Collins, seconded by Councillor Scanlan, it was agreed to allocate €2,000 to Tournafulla Tidy Towns.

On the proposal of Councillor Collins, seconded by Councillor Scanlan, it was agreed to allocate €5,000 to Killeedy GAA and Community Council for lighting and completion of walkway for the community.

On the proposal of Councillor Galvin, seconded by Councillor Foley, it was agreed to allocate €1,000 to Dromcollogher Town park.

On the proposal of Councillor Foley, seconded by Councillor Scanlan, it was agreed to allocate €1,000 to Tournafulla Tidy Towns.

On the proposal of Councillor Foley, seconded by Councillor Scanlan, it was agreed to allocate €1,000 to Dromcollogher Town park.

On the proposal of Councillor Foley, seconded by Councillor Scanlan, it was agreed to allocate €500 to Feohanagh/Castlemahon GAA for Coolyroe GAA Pavillon.

On the proposal of Councillor Foley, seconded by Councillor Scanlan, it was agreed to allocate €150 towards the purchase of equipment for the reading of microchips in dogs. This is a community initiative project in conjunction with An Garda Síochana.

QUESTIONS

6. Question submitted by Councillor T. Ruddle

I will ask at the next Meeting that flashing speed reduction electronic signs be erected at Cullinagh, Newcastle West on the N21 where the speed limit signage starts.

REPLY: This request has been forwarded to the TII for consideration as the location is on the N21 National Primary route. We are currently awaiting a response.

7. Question submitted by Councillor T. Ruddle

I will ask at the next Meeting that this Council consider from a forward planning perspective, cluster type development of houses, near our towns and villages where there is no adequate sewerage capacity in our rural communities. This has been done very successfully in other counties.

REPLY:

The principle of cluster type developments in the open countryside would be contrary to National, Regional and Local policy, all of which aim to develop more sustainable climate resilient compact communities through promoting renewal and revitalisation of our towns and villages. Directing cluster type developments into our towns and villages, where the houses can connect to the public sewer or individual wastewater treatment plants, will improve the vitality and vibrancy of these settlements and should therefore be encouraged.

Private mini wastewater treatment systems (WWTPs) serving multiple users are extremely problematic as it is impossible to ensure on-going operations and maintenance. As Irish Water will not retrospectively take over mini WWTP's, the significant cost of dealing with this issue falls on the Local Authority.

In addition, it is technically very difficult to manage large discharges to ground and discharges to surface waters would not be permitted because none of the surface waters in the county has any assimilative capacity for phosphorus. Therefore allowing discharges to surface waters would be contrary to the Water Framework Directive.

Experience from other Local Authorities who permitted these types of developments in the past is that the housing clusters were abandoned by the developer or Management Company and were not being operated or maintained to necessary performance standards. Due to the legacy of issues with these types of developments, other Local Authorities have a presumption against communal treatment plants.

Councillor Ruddle expressed dissatisfaction at the response received and noted that people are having difficulty sourcing housing and that this proposal could be one solution to the lack of housing availability.

8. Question submitted by Councillor T. Ruddle

I will ask at the next Meeting can a footpath be put in place at O'Connell Cross, Ardagh to Ardvone Cross where the R523 joins the L1333. This is already half complete and there is some kerbing there as well.

REPLY: This work will be carried out as part of the proposed Active Travel works for Ardagh village which are to be completed later this year.

The provision of another footpath from O'Connell's Cross along the Shanagolden road which was raised previously was also discussed.

9. Question submitted by Councillor L. Galvin

I will ask at the next Meeting for an update on (a) the survey for Lee's Cross and the programme of works which was to be prepared (b) the cost of the proposed works along with a detailed plan of the works (c) how much has been spent to date on this junction.

REPLY: A feasibility study on the proposed junction improvement works for Lee's Cross is currently being completed and included in this will be a detailed design along with an estimated cost of the proposed junction improvements.

The existing road surface and road markings were upgraded in 2020 at a cost of €60,000.

Councillor Galvin referred to the survey for Lee's Cross and asked for an update on the Feasibility study to be provided when complete.

10. Question submitted by Councillor L. Galvin

I will ask at the next Meeting what is the remaining capacity of the sewerage treatment plant in Abbeyfeale.

REPLY: Please note below the response received from Irish Water.

Abbeyfeale Wastewater Treatment Plant has 391 PE (population equivalent) capacity remaining: approx 145 no. housing units at this time. The available capacity may change as new Connection Agreements are put in place between Applicants/Developers and Irish Water.

11. Question submitted by Councillor F. Foley

I will ask at the next Meeting for an update on the unfinished houses at Cois na Feile, Abbeyfeale.

REPLY:

The Housing Development Directorate of Limerick City and County Council issued publicly an Expression of Interest on e-tenders (ref: 188993) on the 23rd April 2021 for the acquisition and activation of an unfinished housing estate at: Cois na Feile, Clash, Abbeyfeale.

The Expression of Interest deadline was 4pm on the 10th May 2021.

An Evaluation Panel was convened on the 13th May 2021 to assess the information received against the assessment criteria that was included in the original Expression of Interest briefing document.

Details on members of the Panel are contained within the table below.

Name	Position/Role
Sarah Newell	Acting Senior Executive Planner, Housing Development Directorate, Limerick City and County Council
Suzie Clifford	Administrative Officer, Housing Development Directorate, Limerick City and County Council
Aoife Duke	Aoife Duke, Director of Service, Housing Development Directorate, Limerick City and County Council

The evaluation clearly showed an advantageous submission from which the Evaluation Panel was able to base their recommendation.

Cluid Housing, an Approved Housing Body, was identified as the preferred submission.

Limerick City and County Council will now progress a formal transfer process subject to agreement on valuations and the section 183 process.

12. Question submitted by Councillor J. Scanlan

I will ask at the next Meeting when works incorporating the provision of pedestrian crossings along the R522 at North Road and Liscarroll Road, Dromcolloger will take place.

REPLY:

With respect to Dromcollogher, a number of Pedestrian Crossings are identified as part of the Dromcollogher Draft Public Realm Plan.

The location of these proposed pedestrian crossings is an integral part of the Draft Plan which is likely to go to Public Consultation during 2021.

Construction of Pedestrian Crossings at this stage is premature pending an agreed Public Realm Plan.

In the interim, a source of funding needs to be identified for any proposed justified pedestrian crossings.

In addition, suitable locations needs to be assessed as expenditure is dependent on the amount of associated civil works required.

13. Question submitted by Councillor J. Scanlan

I will ask at the next Meeting as to what progress has been made with regard to the provision of a footpath along the R520 linking the Kerry Co-Op premises towards the speed limit sign at Clooneyscheane.

REPLY:

The provision of a footpath, drainage, public lighting and river embankment protection would involve significant expenditure and would also involve land acquisition at the above location.

An updated cost estimate based on the requirement for a detailed design along with a retaining wall with stone facing could incur expenditure in the region of €300,000 to complete the requested works.

Also this request would be subject to land acquisition and a source of funding needs to be identified for provision of this footpath over a distance of 500m serving 7 houses.

Liaison with Inland Fisheries Ireland and the OPW is also necessary due to the close proximity of the River Arra to the Regional Road R520.

Part 8 Planning is also required due to the extent of the works involved.

Given the above cost and constraints, it would be difficult to justify a footpath at this location.

Councillor Scanlan referred to the cost involved in the provision of a footpath at the above location and asked that contact be made with Kerry Group on this matter. In replying, the Executive Engineer referred to the significant expenditure and constraints involved in the provision of a footpath at this location.

14. Question submitted by Councillor J. Scanlan

I will ask at the next Meeting for updates on (a) the action required in the interest of safety along the R522 at Ardnacrohy and (b) that the installation of a flashing speed indicator at or near the speed limit sign on the Southern side of Feohanagh village.

REPLY:

- (a) This matter was referred to An Garda Síochána for consideration and the Gardai have advised that they have carried out a number of speed checkpoints on the roadway. However they have also advised that there are few if any places to conduct a speed checkpoint safely on the road in question.

Prior to a Garda member establishing a speed CP they need to risk assess the location. This is mandatory, as the safe conduction of speed checks is vital for the safety, not only of the members conducting the speed checks, but also the members of the public using the roads. A number of units have been tasked with speed check duty since the report was originally issued, and they have all reported the same difficulties.

As recently as the 19th May 2021, two speed checkpoints were carried out on this stretch of road, however safely conducting same is extremely difficult. At best, an attempt can be made to clock speeding vehicles at a very short range, and then a traffic stop can only take place following a pursuit of the vehicle. Given the nature of the roadway, this option is considered high risk. Checkpoints cannot be conducted in high risk dangerous areas where their safety and that of the public, is in any way compromised.

It has been queried if the Council had any adjoining land to the route, then a dedicated Garda layby spot would prove useful in enforcing high visibility traffic monitoring (Speed/MIT/Crime). Alternatively, Go-Safe previously conducted checks on this stretch of road, but now have no suitable locations to do so and it has been suggested that possible locations could be further explored with people living along this route.

- (b) The flashing speed limit sign for this area has been ordered and will be erected once delivered.

NOTICES OF MOTION

15. Notice of Motion submitted by Councillor L. Galvin

I will move at the next Meeting that this Council will support the progress of the Abbeyfeale Traffic Management Plan. This plan has passed the Part 8 process and has also been passed by the Working Group.

The Motion was seconded by Councillor Sheahan.

In proposing the Motion, Councillor Galvin acknowledged the excellent work carried out on the project. In replying, the SEE, Design and Delivery will discuss the matter of funding with the TII.

16. Notice of Motion submitted by Councillor L. Galvin

I will move at the next Meeting that this Council LCCC call on the Minister for Justice to transfer full control of Go Safe Vans to An Garda Síochána for use at their discretion, in areas

such as accident blackspots and on sections of road where illegal racing activity has been an issue.

The Motion was seconded by Councillor Foley.

In proposing the Motion, Councillor Galvin requested that requested that Limerick City and County Council call on the Minister for Justice to transfer full control of Go Safe Vans to An Garda Síochána for use locally at their discretion.

The Meetings Administrator advised that as this Notice of Motion was seeking a change to National Policy, it would need to be forwarded to the next Full Council meeting for discussion and approval. It was agreed by the Members that this should occur. The Meetings Administrator also stated that the list of queries on Go Safe vans submitted by Councillor Galvin had been forwarded to the Road Safety Authority for response.

17. Notice of Motion submitted by Councillor F. Foley

I will move at the next Meeting that funding be requested from Transport Infrastructure Ireland for the proposed Traffic Management Plan for Abbeyfeale.

The Motion was seconded by Councillor Sheahan.

In proposing the Motion, Councillor Foley welcomed the Plan and requested that funding be sought from Transport Infrastructure Ireland for the Plan. In replying, the SEE, Design and Delivery will discuss the matter of funding with the TII.

18. Notice of Motion submitted by Councillor F. Foley

I will move at the next Meeting that speed ramps be put in place at St. Ita's Road, Abbeyfeale, in the interest of safety.

The Motion was seconded by Councillor Galvin.

REPLY: The Council has a policy for Traffic Calming in Urban Areas.

The above mentioned request will be assessed with regard to the requirements of this policy.

A speed survey will be carried out within the coming weeks as part of the assessment required.

In proposing the Motion, Councillor Foley welcomed the response received and referred to issues of safety and speeding at this location.

19. Notice of Motion submitted by Councillor J. Scanlan

I will move at the next Meeting that our Housing Directorate write and request the Minister for Housing to immediately provide funding to renew the 30 or so vacant properties our

Authority owns in the Newcastle West District in the interest of relieving the chronic housing crisis evident locally.

The Motion was seconded by Councillor Galvin.

REPLY:

For Newcastle West we have 23 category 3 and 4:

- 8 Buy and Renews with Design Delivery under the Buy and Renew Programme. The Design Delivery Team will be consolidated under a new Housing Directorate from July 1st.
- 5 properties issued on e-tenders on the 24th May for AHB led refurbishment and stock transfer. Deadline for submissions is the 9th June, 2021.
- 10 properties assigned to Cluid AHB stock transfer. Valuations and process to section 183 underway.

In relation to Voids 2021 programme, Circulate 17/2021 was issued by the Department of Housing, Local Government and Heritage on May 21st 2021.

Operations and Maintenance must nominate 110 units across the City and County to be refurbished by year end. Operations & Maintenance have identified approx.. 12 units in the Newcastle West District but this is subject to change based on the projected level of spend required in the selected units. The Voids funding will be used to support the return of Category 1 and 2 houses that are in the system before the deadline listed.

The grant funding available amounts to €1.639m for 99 standard void refurbishments at a maximum of €11,000 per unit as well as 11 non-standard/larger void refurbishments that must average €50,000. Any additional costs must be borne by the Council.

Units that previously received void funding in the period 2014 to 2020 cannot be resubmitted for the 2021 programme.

Submission deadline is June 4th 2021 with approval expected in July.

After approval, a monthly tracking table for delivery of the units subdivided by electoral area will be circulated, similar to previous voids schemes.

20. Notice of Motion submitted by Councillor J. Scanlan

I will move at the next Meeting that vegetation obstructing various footpaths in the periphery of Newcastle West town be removed or maintained.

The Motion was seconded by Councillor Ruddle.

REPLY: The vegetation in question is on private property and the landowner will be contacted with regard to removing this.

In proposing the Motion, Councillor Ruddle requested that contact be made with the relevant landowner. In replying, the Executive agreed to make contact with the landowner.

21. Notice of Motion submitted by Councillor T. Ruddle

I will move at the next Meeting that the road markings outside and in the vicinity of Monagea school be renewed.

The Motion was seconded by Councillor Galvin.

REPLY: Road re-surfacing works are to be carried out from Ballymackessy Newcastle West to Monagea within the coming weeks. Once these works are complete, road markings outside and in the vicinity of Monagea National School will be upgraded.

22. Correspondence

Correspondence as circulated was noted by the Members.

The following items were also raised.

An update was sought on the properties at Cois Na Féile, Abbeyfeale, which are vested in the name of Limerick City and County Council under the Derelict Sites legislation and that a pilot scheme for Affordable Housing be considered for these properties. In replying, the Director referred to the legislation involved in the Compulsory Acquisition process and also stated that an application for compensation can be made within twelve months under this process. He also stated that he would raise the matter of Affordable Housing with the Housing Development Directorate.

An update was sought on the re-location of flashing speed signage between the speed limit at Ballymackessy towards Knockane. In replying, the Executive Engineer stated that permission on a suitable location is required from the landowner and agreed to follow up on this matter.

An update was sought on the possibility of holding face to face Monthly Meetings. In replying, the Meetings Administrator stated that further guidance from Corporate Services is awaited on this matter.

A request was received from Broadford Voluntary Housing to attend a Meeting of the District. A previous request from Meadow Court Residents Association was referred to which was postponed due to Covid19 restrictions. It was agreed that the Meetings Administrator would seek further guidance from the Corporate Services with regard to Deputations attending Meetings during the current level of Covid19 restrictions.

It was agreed to hold the Annual Meeting of the District on Wednesday, 23rd June, 2021, at 10 a.m.

It was agreed to hold the July Meeting of the District on Wednesday, 14th July, 2021, at 10.00 a.m., at Áras William Smith OBrien.

This concluded the Meeting.

Signed:

Cathaoirleach

Dated:
