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**Appendix: Patrickswell Burial Ground Access Road Taking in Charge Report**

## 1.0 Foreword

Under the 1993 Roads Act, a Road Authority may, by order, declare any road over which a public right of way exists to be a public road. In accordance with the Act where a road authority proposes to declare a road to be a public road it shall:

- Satisfy itself that the road is of general public utility,
- Consider the financial implications for the authority of the proposed declaration,
- Advertise in accordance with regulations that it is proposed to declare the road to be a public road and consider any objections or representations made to it. The consideration of objections or representations and the making of an order are reserved functions.

A report detailing the financial implications of this process is included at Appendix. 1 of this document.

## 2.0 Details of advertisement.

**The intention to declare this roadway as a public road was advertised from the 21st of October to the 18<sup>th</sup> of November 2021. Submissions and objections had to be submitted by 4pm on the 2<sup>nd</sup> of December 2021.**

## 3.0 Submissions with respect to the proposed declaration of a public road.

Submission Ref	Submitted by
1	Patrickswell Burial Ground Committee
2	Cllr Dan McSweeney
3	Patrickswell Community Council

### Submissions:

#### **SUB 1 Patrickswell Burial Ground Committee**

#### **Submission Summary:**

Patrickswell Graveyard Committee welcome Limerick City and County Council plans to take in charge of the approach road to Patrickswell Burial Ground.

They request that Limerick City and County Council take in charge the road the full length of the Burial Ground as this area is used for cars when entering the Burial Grounds pedestrian access gate when the Burial Ground is closed.

#### **Transport and Mobility comments:**

*The additional piece of roadway proposed by the Patrickswell Burial Ground Committee would require a further intention advertisement process. It is recommended that LCCC*

*declare the 222m to the Graveyard Entrance as a public road. Should the members wish, a further intention advertisement process to include the additional 50m requested will be undertaken.*

## **SUB 2 Cllr Dan McSweeney**

### **Submission Summary:**

Full support expressed for the Declaration of a Public Road at Attyflin, Patrickswell, Co. Limerick.

This approach road services St. Mary Burial Ground Patrickswell, which is in need of urgent repairs. Whilst these are not significant repairs the need for them to be carried out as a matter of urgency once the declaration is approved by the members of the Metropolitan District is required.

Hope expressed that once this is declared a public road these repairs will be carried out in a matter of days.

### **Transport and Mobility comments:**

*Should the members declare this roadway a public road, urgent repairs will be carried out as soon as possible.*

## **SUB 3 Patrickswell Community Council**

Patrickswell Community Council Executive Committee wished to acknowledge their support for the following:

Limerick City and County Council's declaration to consider that the road accessing Patrickswell Graveyard become a Public Road.

The Committee welcome this proposal and request that Limerick City and County Council consider extending their proposal to extend the public roadway across the front boundary of the graveyard.

### **Transport and Mobility comments:**

*The additional piece of roadway proposed by the Patrickswell Burial Ground Committee would require a further intention advertisement process. It is recommended that LCCC declare the 222m to the Graveyard Entrance as a public road. Should the members wish, a further intention advertisement process to include the additional 50m requested will be undertaken.*

## **4.0 Conclusion**

This public consultation process has provided 3 submissions all in favour of declaring the access road to the Patrickswell Graveyard a public road. 2 of these submissions requested that the length of road being declared a public road be extended across the front of the graveyard. Should the members request this, a further advertisement process will be undertaken to do this.

The roadway is of public utility as it services the Patrickswell Graveyard.

The Appendix to this report sets out the defects in this roadway and the costs of rectifying same. The estimated costs of these rectification measures is €99,959.45. These works will be scheduled when funding can be secured for same.

There are some urgent works required to the road surface, it is estimated that these urgent works will cost €15,000, these works will be scheduled as soon as possible after the roadway is declared a Public Road.

It is recommended to the Members of Limerick Metropolitan District that the roadway accessing Patrickswell Graveyard, at Attyflin, Patrickswell is declared a Public Road.