

MINUTES OF PROCEEDINGS OF MONTHLY MEETING OF THE MUNICIPAL DISTRICT OF CAPPAMORE KILMALLOCK HELD ON THURSDAY 17th February 2022 AT 3.00PM in Deebert House Hotel.

PRESENT IN THE CHAIR:

Councillor Martin Ryan, An Cathaoirleach

MEMBERS PRESENT:

Councillors Carey, Donegan, Egan, Mitchell, E Ryan and Teefy.

OFFICIALS IN ATTENDANCE:

Director of Services Transportation and Mobility (Mr Brian Kennedy), Meetings Administrator (Ms D O'Brien), Senior Executive Engineer (Mr. T McKechnie), Clerical Officer (Ms. H O'Neill),

3. Deputation by Maigne River Trust.

It was proposed by Councillor Donegan that the Deputation by Maigne River Trust would be brought forward to the first item on the agenda.

A comprehensive presentation was made by Liz Gabbett and Dr Tom Harrington was also available to answer questions. A proposal was carried to suspend standing orders to allow a discussion with the group following the presentation.

Councillor Donegan suggested that the presentation be brought to the Environment SPC for discussion also, and he agreed that he would make representations on same.

4. Property Services

Disposal of Property at Ardrahin, Galbally, Co Limerick, presented by Tina Knox, Property Services.

Proposed: Councillor E Ryan

Seconded: Councillor M Ryan

A list of derelict properties was also circulated for the attention of the Elected Members.

5. Community Alert – Muintir na Tire

Diarmuid Cronin, Muintir na Tire, delivered a Powerpoint presentation to the Elected Members on the Community Alert Programme. Mr Cronin agreed to deliver a workshop to discuss the Programme further as part of the Joint Policing Committee Meeting in April.

6. Issuing of Bruff Public Realm Plan

Tom Joyce, Executive Architect, Property Support and Placemaking, attended the Municipal District Meeting to formally issue the Bruff Public Realm Plan as developed by REDScape. A suggestion was made that the Plan be officially launched in the near future.

7. Update on Burial Ground and Internment Strategy Workshop

The Elected Members were advised that a date had been set for the Workshop on Burial Grounds as 3rd March at 3pm. Not all Elected Members were available for this time and it was agreed to consult with the relevant staff members to find an alternative time.

1. Adoption of Minutes

- (i) Circulated copy of draft Minutes of Monthly Meeting of the Municipal District of Cappamore-Kilmallock held on 20th January 2022.

Councillor PJ Carey requested that the minutes not be adopted as he was not satisfied with the response received to the Notice of Motion relating to Tankardstown Cemetary. He requested that the Notice of Motion stand. It was suggested by the Director of Services and agreed by the Elected Members that clarification on the response be sought at the workshop organised on Burial Grounds, and the minutes be adjusted if appropriate, and adopted following this workshop.

NOTICES OF MOTION

8. Notice of Motion submitted by Councillor Carey

“I will move at the next meeting of the Cappamore Kilmallock Municipal District that either unsafe stones be removed or the wall to be conserved and that the safety fencing be removed at Ballynoe Castle in the old Bruree Cemetery ASAP, so firstly, people can visit the graves of their loved ones and secondly, the headstones underneath the Castle will not get damaged..”

Proposed: Councillor Carey

Seconded: Councillor Donegan

Reply:

An application is being submitted under the 2022 Community Monuments Funding Scheme (Department of Housing, Local Government & Heritage) for funding to consolidate the structure. The Castle at Ballynoe is protected under the National Monuments Act and is a significant structure in Limerick's heritage.

The closing date for applications is 1 March, 2022. If the application is successful the proposed works should consolidate the building and allow for access to graves at the base of the structure, and must be completed by the end of November, 2022.

9. Notice of Motion submitted by Councillor Mitchell

“I will move at next meeting of the Cappamore/Kilmallock Municipal District that a date for a new Plebiscite in relation to Directly Elected Mayor be held to inform the people of Limerick City and County with full detail and clarity the term and powers of the new role of the elected Mayor. The public were not fully informed on previous plebiscite with scant information. Otherwise postpone this indefinitely.”

Proposed: Councillor Mitchell

Seconded: Councillor E Ryan

Supported by all Elected Members present

It was proposed and agreed to amend the Notice of Motion to correspond with the Department Planning and Local Government and call on Minister Burke regarding the aforementioned Notice of Motion as follows:

“I will move at next meeting of the Cappamore/Kilmallock Municipal District that Minister Burke set a date for a new Plebiscite in relation to Directly Elected Mayor to inform the people of Limerick City and County with full detail and clarity the term and powers of the new role of the elected Mayor. The public were not fully informed on previous plebiscite with scant information. Otherwise postpone this indefinitely.”

Reply:

“On 24 May 2019, a plebiscite was held to consider the Government’s proposal for a Mayor with executive functions for Limerick City and County. The Department of Housing, Local Government and Heritage is responsible for consulting members of the public and drafting the legislation in response to the Plebiscite. The General Scheme of the Local Government (Directly Elected Mayor with Executive Functions in Limerick City and County) Bill 2021 was published in April 2021. The Joint Committee on Housing, Local Government and Heritage published The Report on Pre-Legislative Scrutiny of the General Scheme of the Local Government (Directly Elected Mayor with Executive Functions in Limerick City and County Council) Bill 2021 in November 2021. Minister Burke outlined that he will consider how best to incorporate the recommendations of the Committee’s report into the General Scheme and stated that it was his hope that many of the recommendations will be reflected in the Bill before publication.

The proposed motion, as drafted, to hold a Plebiscite in relation to the Directly Elected Mayor, outlining full detail and clarity on the terms and powers of the new role of the elected Mayor is a matter outside the remit of Limerick City and County Council. The decision to postpone the implementation of the Directly Elected Mayor pending the

adoption of appropriate legislation is a matter more appropriately directed to the Government.”

QUESTIONS

10. Question submitted by Councillor Carey

I will ask at the next Cappamore/Kilmallock municipal district meeting that, if it is the policy of the local authority to “not permit the sale of new burial plots in ancient cemeteries which are on the record of monuments”, where is this policy documented and what is the process to change it?

Reply:

The Limerick City and County Council Burial Ground Strategy, a copy of which can be found at this link: <https://www.limerick.ie/sites/default/files/media/documents/2021-05/05-f-ii-b-draft-burial-ground-and-interment-strategy.pdf> was adopted at the full Council Meeting of May 2021.

The Burial Ground Strategy addresses the objectives of the current Development Plans and the draft City and County Development Plan in relation to the preservation and protection of Archaeological Heritage and Monuments: Objectives EH035 Preservation of the Archaeological Heritage; Objective EH038 Protection of the Setting of Archaeological Monuments in the draft City and County Development Plan.

The following extract from the Burial Ground Strategy outline the situation as it pertains to Archaeological structures:

“Many older burial grounds, which have little or no designated burial spaces available, contain grassed areas that have no obvious indication of burial in the form of headstones or markers. Most of these graveyards have been in use since at least the 13th century (many are much older) and it is likely that burials have taken place throughout the graveyard. These graveyards are protected under the National Monuments Acts 1930-2014 and are registered as Recorded Monuments. [Some are considered nationally important and since they are in Local Authority ownership are therefore National Monuments.] Re-using any of these areas has the potential to damage archaeological material and to detract from the amenity as modern memorials can be incongruous in an older setting.”

It is important to note that none of the older graveyards have been subject to the rigorous environmental testing that is now required to identify suitable areas for new burial grounds in order to preserve water quality. It is likely that if they were many would fail, so it is incumbent on the Council as the Sanitary Authority to protect ground water and to discourage/prevent burial over and above existing family plots.

The policy is based on the principles of good heritage and environmental practice in burial grounds.

11. Question submitted by Councillor Carey

I will ask at the next Cappamore/Kilmallock municipal district meeting for an update on when will the promised safety works on the Church at Kilfinane Cemetery be carried out? These included, that a proper permanent support be erected, the West Wall propped up and the remaining openings of the Church closed off.

Reply:

Temporary works were undertaken by Limerick City and County Council in 2021 to close off the Church to public access.

An application is being submitted under the 2022 Community Monuments Funding Scheme (Department of Housing, Local Government & Heritage) for funding to consolidate the structure. The closing date for applications is 1 March, 2022. If the application is successful the proposed works will consolidate the structure, allow unlimited access to the building and create a heritage amenity within the graveyard, and must be completed by the end of November, 2022.

12. Question submitted by Councillor Egan

I will ask at the next meeting of the Cappamore Kilmallock Municipal District what the cost of purchasing a grave in the Cappamore Kilmallock Municipal District is.

Reply:

The cost of purchasing a grave in Cappamore/Kilmallock Municipal District is €1,500 per grave.

Limerick City and County Council carried out a review of the charges for burial grounds in 2021. These charges had not been reviewed in the past six years. As a result of the review the decision was made as part of the Scale of Charges 2022 in December 2021, to increase the charge to €1,500.

Revenue from the sale of graves is used to support the operation and maintenance of the graveyard service.

13. Question submitted by Councillor Mitchell

I will ask at the next Cappamore/Kilmallock municipal district meeting to have full clarification in relation to derelict sites act, register, levy and modus operandi.

Reply:

A full presentation on the Dereliction & Vacancy Initiative will be provided to the March meeting of Cappamore/Kilmallock Municipal District.

14. Question submitted by Councillor Mitchell

I will ask at the next Cappamore/Kilmallock municipal district meeting for the appropriate engineer to have a look and provide further proper safe parking to accommodate the residents in Sycamore Drive Estate in Bruff as residents are forced to park on green area.

Reply:

“The Cappamore-Kilmallock MD will review Cllr. Mitchells request and will revert with a report to him shortly .”

The Questions were taken as read.

Any other Business

Expressions of Sympathy

The Elected Members wished to express their sympathy to

- The family of Gordon Daly following the passing of his father Peter (Peadar) Daly on 11th February
- The family of Maurice (Mossy) McGrath, Kilmallock, who passed away on 10th February.
- The family of Former Garda Denis Moore, Kilmallock who passed away on 21st January.
- The family of Nancy O’Riordan, Kilmallock, who passed away on 24th January.

Next Meeting

The date for the next meeting of the Cappamore Kilmallock District was agreed by the Elected Members on the 24th March, 2022, and it was agreed that Agenda items be submitted by 1pm on 10th March. Any items received after this time will be forwarded to the agenda for the April meeting.

Signed: _____

Date: _____

Cathaoirleach