



Comhairle Cathrach  
& Contae **Luimnigh**

**Limerick City**  
& County Council

Comhairle Cathrach agus Contae Luimnigh,  
Oifig an Cheantair, Áras Mhainchín Seoighe,  
Cill Mochealóg,  
Co. Luimnigh.

Limerick City and County Council,  
Áras Mainchín Seoighe Area Office,  
Kilmallock,  
Co. Limerick.

**EIRCODE** V35 K497

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**MEETING OF THE MUNICIPAL DISTRICT OF CAPPAMORE-KILMALLOCK TO BE HELD ON  
THURSDAY, 21<sup>st</sup> April, 2022.**

**Question submitted by Councillor M Ryan**

I will ask at the next meeting of the Cappamore Kilmallock Municipal District that Limerick City and County Council employ street cleaning operatives as in Bruff/Kilmallock to service the villages of the municipality e.g. Cappamore/ Doon/ Murroe/ Caherconlish/ Pallasgreen/ Oola/ Killeely etc.

**Reply:**

The Cappamore Kilmallock Road Maintenance team currently carry out a street cleaning function as part of the overall roads duties in all of the towns and villages in the Municipal District. The current adopted budget does not allow for additional dedicated street cleaners.

Trevor McKechnie

Senior Executive Engineer

Cappamore Kilmallock Municipal District

19 April 2022





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**Limerick City**  
& County Council

Áiseanna Réadmhaoine agus Pobail  
Comhairle Cathrach agus Contae Luimnigh  
3ú hUirlár Teach Barrow  
Sráid Mhichíl  
Luimneach  
V94 RF63

Property and Community Facilities  
Limerick City and County Council  
3rd Floor Barrow House  
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Limerick  
V94 RF63

t: 061 556 000

## **MEETING OF THE MUNICIPAL DISTRICT OF CAPPAMORE-KILMALLOCK TO BE HELD ON THURSDAY, 21<sup>st</sup> APRIL, 2022.**

### **Question submitted by Councillor Carey**

I will ask at the next meeting of the Cappamore/Kilmallock Municipal District, if it is within the powers of the local authority to issue a Compulsory Purchase Order on the house of a deceased person, while a legal process or probate, involving the distribution of said deceased person's property, is being contested.

### **REPLY:**

Limerick City and County Council has a focused initiative on bringing derelict and vacant property in its administrative area back into productive use with a particular emphasis on areas of high housing demand in the town and village centres of the county and in the city of Limerick.

This work is guided by key legislation as set out in the Derelict Sites Act 1990, the Housing Act 1966, and the Urban Regeneration and Housing Act 2015, and its implementation is underpinned by robust processes and operating procedures.

The initiative is informed by proactive dereliction and vacancy surveys completed throughout the administrative area, representations received from public representatives, and complaints received from the community. Derelict and vacant properties may also be reported by the public through [www.vacanthomes.ie](http://www.vacanthomes.ie).

The Derelict Sites Act, 1990 (as amended), states it is the duty of every owner and occupier of land to take all reasonable steps to ensure that the land does not become or does not continue to be a derelict site. The Act also states that it shall be the duty of a local authority to take all reasonable steps (including the exercise of any appropriate statutory powers) to ensure that any land situate in their functional area does not become or continue to be a derelict site. Any land with particulars entered on the Derelict Site Register may be considered for compulsory acquisition under the derelict sites legislation whereby section 14 of the Act provides that a local authority may acquire by agreement or compulsorily any derelict site within their functional area. An application is made to An Bord Pleanála for consent to the acquisition, on foot of an objection received from an Owner to a Notice of Intention to Acquire Compulsorily.

Section 76 (and the Third Schedule) of the Housing Act 1966 prescribe the powers of local authorities to compulsorily acquire land/building for social housing. A housing authority acquiring land compulsorily for the purposes of this Act may be authorised to do so by means of a compulsory purchase order made by the authority and submitted to and confirmed by An Bord Pleanála.

Both pieces of legislation define "Owner" as a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the freehold of the land. It also includes any person in possession or reversion and any person holding or entitled to the rents and profits of the land under a lease or agreement where the unexpired term exceeds three years.

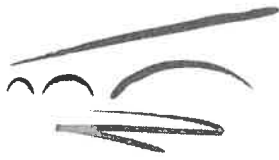
Any statutory notices required to be given or served on a person under The Derelict Sites Act 1990 or the Housing Act 1966 shall be addressed to the owner or the occupier (as the case may be). Where the owner cannot be ascertained by reasonable inquiry, a notice may be addressed to "The Owner" or "The Occupier" (as the case may require) without naming them.

There are active cases whereby the landowner may be identified as "the Legal Personal Representative" or "Executor/Executrix" or "Administrator" of the estate of a deceased person and they also have certain legal powers vested in them to engage with the Council in respect of matters relating to derelict and vacant property in their control.

  
Jayne Leahy

Head of Property & Community Facilities

13 April 2022



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**MEETING OF THE MUNICIPAL DISTRICT OF CAPPAMORE-KILMALLOCK  
TO BE HELD ON THURSDAY, 21<sup>st</sup> April, 2022.**

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**Question submitted by Councillor Teefy**

I will ask at the next meeting of the Cappamore-Kilmallock Municipal District that a programme be put in place to open the gullies and inlets on all the Regional and Local roads in the Area. Great work has been done on the roads and on the various drainage schemes carried out but the ongoing maintenance is needed.

**Reply:**

The Cappamore Kilmallock MD Roads Staff are currently compiling a new drainage maintenance programme for 2022/2023 for cleaning inlets and gullies.

Trevor McKechnie  
Senior Executive Engineer

14<sup>th</sup> April, 2022

