

MINUTES OF PROCEEDINGS OF MONTHLY MEETING OF THE MUNICIPAL DISTRICT OF CAPPAMORE KILMALLOCK HELD IN COUNCIL CHAMBERS, DOORADOYLE ON THURSDAY 21st April 2022 AT 3.00PM.

PRESENT IN THE CHAIR:

Councillor M Donegan, An Leas Cathaoirleach

MEMBERS PRESENT:

Councillors Carey, Egan, Mitchell, E Ryan, M Ryan and Teefy

OFFICIALS IN ATTENDANCE:

Director of Services Transportation and Mobility (Mr Brian Kennedy), Director of Services Housing (Ms C Curley) Meetings Administrator (Ms D O'Brien), Senior Engineer, LA Housing Construction & Maintenance (Mr C Culloo), Senior Staff Officer (Ms H Creed), Senior Executive Officer, Strategy & Non LA Housing Construction (Ms S Newell), Senior Executive Architect, LA Housing Construction & Maintenance (Mr C O'Boyle), Administrative Officer, Property & Community Facilities (Ms T Knox)

Apologies: Senior Executive Engineer (Mr. T McKechnie), Clerical Officer (Ms. H O'Neill).

1. Adoption of Minutes

- (i) Circulated copy of draft Minutes of Monthly Meeting of the Municipal District of Cappamore-Kilmallock held on 24th March, 2022.

Proposed by: Councillor E Ryan

Seconded by: Councillor Teefy

And Resolved:

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

2. Matters Arising:

Councillor Mitchell requested that clarification be provided on whether

- there are fees associated with bringing an appeal to An Bord Planala on a Compulsory Purchase Order
- there is an appeals process following an An Bord Planala decision on a Compulsory Purchase Order.

A request was made that feedback be received from Minister Peter Burkes office regarding correspondence sent from the Municipal District.

3. Correspondence

Correspondence was received from Gotoon/Ballingaddy residents association and taken as read.

Correspondence was received from the Bulgarian Ambassador outlining a proposal to place a commemorative plaque for James Boucher in either Bruff or Limerick.

The views of all Elected Members present was supportive and recommended that a commemorative plaque be erected in Bruff, and that consultation take place with family members and the community regarding the location. It was also recommended that the structure be of solid construction to avoid vandalism.

The removal of 2 other plaques were noted at the meeting, and it was agreed that the Director of Services for Transportation and Mobility would discuss this with Councillor E Ryan, who raised the issue, in relation to ensuring that the plaques were reinstated.

4. CCTV Cameras

The Elected Members agreed that they wished for a Question regarding CCTV cameras to be submitted to the next Full Meeting of Limerick City and County Council as follows:

“The Elected Members of the Cappamore Kilmallock Municipal District will ask at the next full meeting of Limerick City and County Council for an update regarding monitoring, maintenance and GDPR of CCTV in Limerick City and County by Limerick City and County Council.”

Proposed: Councillor M Ryan

Seconded: Councillor Mitchell

Housing Directorate

5. Part 8 Procedure – Church Glen, Ballylanders, Co Limerick

A Part 8 procedure in Church Glen, Ballylanders, comprising 9 no. Housing Units, was presented to the Elected Members by the Senior Executive Architect, LA Housing Construction and Maintenance. A frank discussion took place including the energy efficient and environmental initiatives to be used in the development.

Proposed: Councillor E Ryan

Seconded: Councillor Mitchell

6. Strategy & Non LA Housing Construction

- A Housing Delivery report for the Cappamore Kilmallock District was presented by the Senior Executive Officer, Strategy and Non LA Housing Construction. The Senior Executive Officer agreed to circulate a detailed summary on how the Housing Delivery Strategy relates to the demand exhibited through the Housing list. Also,
- A guide to the abbreviations used in the presentation.
- Information as to whether there is a landbank in Oola
- A breakdown on the 9 remaining properties in Glengrove estate, Kilmallock
- Feedback on Irish Water plans for waste water facilities that are overcapacity in the Hospital area and impacting on the provision of additional housing.

7. Disposal of Property

The disposal of a property at 3 Wolfe Tone Street, Kilmallock was presented to the Elected Members.

Proposed: Councillor Donegan

Seconded: Councillor Carey

NOTICES OF MOTION

6. Notice of Motion submitted by Councillor M Ryan

I will move at the next meeting of the Cappamore Kilmallock District to call on Limerick City and County Council to engage with the Dept of Transport for funding as a matter of urgency on safety grounds to carry out repair and improvements on the R513.

Reply:

If the Notice of Motion is agreed, Limerick City and County Council will correspond with the Department of Transport to progress this issue.

Proposed by: Councillor M Ryan

Seconded by: Councillor Teefy

7. Notice of Motion submitted by Councillor Donegan

I will move at the next meeting of the Cappamore/Kilmallock Municipal District calling on Limerick City and County Council to modify the design plans from a zebra pedestrian crossing to a signalled pedestrian crossing currently planned for the Charleville road (R515) at Glen Grove estate, Kilmallock.

Reply:

The Cappamore-Kilmallock MD Roads Engineers will review Cllr.Donegan's request and determine the most appropriate infrastructure to be used at this location.

Proposed by: Councillor Donegan

Seconded by: Councillor Carey

8. Notice of Motion submitted by Councillor Egan

I will move at the next meeting of the Cappamore Kilmallock Municipal District that a solution be found in relation to a footpath from Abbeyowney to the Village of Murroe

Reply:

The Cappamore-Kilmallock MD will review Cllr Egan's request to deliver a footpath between Abbeyowney and Murroe village. The review will outline the most suitable desirable route to link both locations. It should be noted that significant land acquisition would be required to deliver this footpath. A report on the outcome of the Roads Engineer review will be submitted in the coming months.

It was requested that there be an urgency to this review and a report provided to the Municipal District Meeting at the September or October meeting.

Proposed by: Councillor Egan

Seconded by: Councillor M Ryan

9. Notice of Motion submitted by Councillor Teefy

I will move at the next Municipal District meeting that appropriate safety works be carried out on the L5128 Road serving Caherline NS. Parents park at the Church Car Park and children have to cross the road to the school morning and evening. A pedestrian crossing/traffic calming is needed for safe crossing to the school.

Reply:

The Cappamore Kilmallock MD are carrying out surface dressing works on the R5128 at this location in 2022. As part of these works the existing road markings will be reviewed and enhanced if required. All other road markings at the main junction in Caherline will be refreshed. In addition, the Cappamore Kilmallock MD Roads Engineer will review the approaches to the school/church junction and determine what additional safety measures may be required.

Proposed by: Councillor Teefy

Seconded by: Councillor Mitchell

QUESTIONS

10. 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 operative's 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.

11. 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 .

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.

12. 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 gully's 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.

The Questions were taken as read.

Any other Business

Expressions of Sympathy

The Elected Members wished to express their sympathy to

- The family of Con Connery, who passed away on 20th February 2022, and was remembered for his contribution to music and the local community.
- The family of Michael Woods, father of Maria Woods, staff member of Limerick City and County Council. Michael passed away on 2nd April 2022.
- The family of Patrick McCormack, who passed away on 5th April 2022.
- The family of Cora O'Grady, who passed away on 2nd April during the Climb with Charlie walk.

Expressions of Congratulations

The Elected Members wished to congratulate

- Padraig O'Callaghan on winning Limerick Person of the Year
- All tidy towns groups who participated on the TLC event.

Invitations

Councillor E Ryan extended an invitation to the opening of the Monument in Knockcarron on 13th May by the son of May Moloney, who is now 86 years of age. Councillor Ryan will circulate additional information by email.

Acknowledgements

Councillor Carey wished to thank Sarah McCutcheon for her support in securing funding towards the Graveyards highlighted at the February Municipal District Meeting.

Councillor Donegan wished to acknowledge Sarah McCutcheon's support in arranging a non invasive site inspection at the Cil Mocheallog site.

Councillor Teefy wished to complement all of the work undertaken as part of the TLC event and thank Mr Binman for their support in collecting the rubbish bags.

Next Meeting

The date for the next meeting of the Cappamore Kilmallock District was agreed by the Elected Members as Thursday 19th May at 3pm in the Council Chambers, Dooradoyle.

Signed: _____

Date: _____

Cathaoirleach