

MINUTES OF PROCEEDINGS AT MEETING OF THE MUNICIPAL DISTRICT OF NEWCASTLE WEST HELD IN ÁRAS WILLIAM SMITH OBRIEN, NEWCASTLE WEST, CO. LIMERICK, ON WEDNESDAY, 12TH JULY, 2023, AT 10AM.

PRESENT IN THE CHAIR:

Councillor T. Ruddle, Cathaoirleach.

MEMBERS PRESENT:

Councillors Collins, Foley, Galvin, Scanlan and Sheahan.

OFFICIALS IN ATTENDANCE:

A/Director, Economic Development (Ms. E. Coleman), Meetings Administrator, Newcastle West (Mr. M. Curran), Senior Executive Engineer, Newcastle West Municipal District (Mr. J. Sheehan), Executive Engineer, Roads (Mr. P. Vallely), Director, Housing (Ms. C. Curley), Senior Engineer, LA Construction and Maintenance (Mr. B. Kidney), Senior Executive Officer, Strategy and Non LA Housing Construction (Ms. S. Newell), Senior Executive Officer, Housing Support Services (Ms. M. Hayes), A/Head of Unit for Housing Welfare and Traveller Accommodation (Ms. P. Phillips), Senior Executive Engineer, Roads, Traffic and Cleansing (Mr. S. O'Reilly), Executive Engineer, Roads, Traffic and Cleansing (Mr. M. Clarke), Senior Planner, Strategic and Forward Planning (Ms. M. Woods), Graduate Planner, Forward Planning (Mr. C. McMullan), Senior Executive Planner, Environment and Climate Change (Mr. K. Reeves), Clerical Officer, Newcastle West (Ms. A. Lenihan).

APOLOGIES:

Director, Economic Development, Enterprise and Tourism (Mr. G. Daly).

At the outset of the Meeting, Councillor Ruddle welcomed everyone in attendance to the July Meeting of the District.

1. Adoption of Minutes

- (a) Circulated, copy of draft Minutes of Meeting of Municipal District of Newcastle West, held on 22nd June 2023.

Proposed by: Councillor Collins

Seconded by: Councillor Foley

And Resolved:

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

- (b) Circulated, copy of draft Minutes of the Annual General Meeting of Municipal District of Newcastle West, held on 22nd June 2023.

Proposed by: Councillor Collins
Seconded by: Councillor Foley
And Resolved:

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

2. Declaration of Interest.

The Meetings Administrator stated that, in line with Part 15 of the Local Government Act, 2001, as amended, and the Code of Conduct, he was inviting those present to notify the Cathaoirleach of any declaration of interest in any item due for discussion at the Meeting. No such interests were declared.

3. Planning, Environment and Place-Making Directorate

Draft Abbeyfeale Local Area Plan 2023 – 2029

To consider the Draft Abbeyfeale Local Area Plan 2023 – 2029 and the Chief Executives Report dated 14th June 2023 on the submissions received during the public consultation on the Draft Abbeyfeale Local Area Plan 2023 – 2029 and decide whether or not to make or amend the Draft Local Area Plan, in accordance with Section 20 (3) of the Planning and Development Act 2000 (as amended).

Circulated, Report of the Director of Services, Planning, Environment and Place-Making Directorate dated 14th June, 2023 and Report of the Chief Executive, dated 14th June, 2023, in relation to the Draft Abbeyfeale Local Area Plan 2023 – 2029.

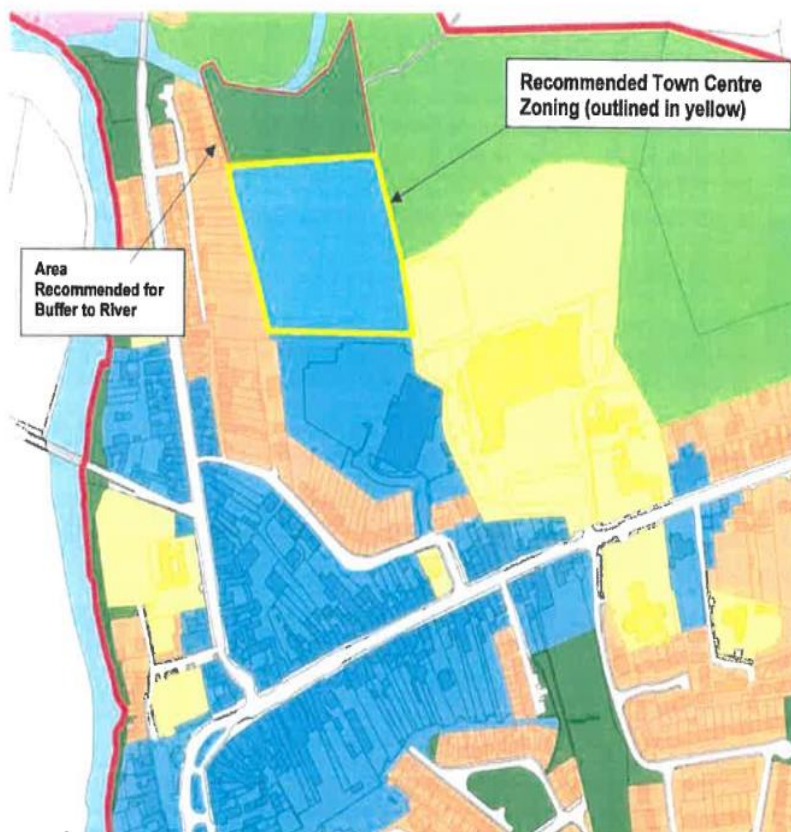
The Cathaoirleach welcomed the Senior Planner to the Meeting. The Senior Planner referred to the briefing which took place with the Members on the proposed Abbeyfeale Local Area Plan 2023 – 2029.

She stated that the proposed Abbeyfeale Local Area Plan 2023 – 2029 was placed on public display from the 15th April, 2023 to 29th May, 2023 and that submissions were received on the Draft Local Area Plan. She stated that the Members of the Municipal District of Newcastle West at the July Meeting were being asked to consider the Chief Executive’s Report and decide whether to make or amend the proposed Draft Abbeyfeale Local Area Plan. The Senior Planner stated that any material alteration made to the Draft Plan would place the Plan on public display for a further four weeks from 26th July, 2023 to 21st August, 2023.

Following discussion, it was proposed by Councillor Galvin, seconded by Councillor Foley and agreed by all the Members that the following material alterations be made to the proposed Draft Local Area Plan for Abbeyfeale.

- (a) “I propose the zoning of lands from Agriculture to Enterprise and Employment (outlined in yellow below) and the remainder outlined in red to remain as Agricultural use, in the Draft Abbeyfeale Local Area Plan 2023 – 2029, as shown on the map below”.

Reason: In order to support Enterprise and Employment uses in the Town Centre, which in turn will enhance the offering in the town centre, increase footfall and contribute to a vibrancy of the town.



- (b) “I propose the rezoning of lands from New Residential to Enterprise and Employment, outlined in yellow and the rezoning of lands outlined in blue from Enterprise and Employment to New Residential in the Draft Abbeyfeale Local Area Plan 2023 – 2029, as shown on the map below”.

Reason:

- In order to facilitate the delivery of residential development on lands located in close proximity to the town centre, by the provision of the necessary access to open u lands for housing, via a land swap.
- To support the Voluntary Housing Association in providing housing for the local community.



The Members welcomed the Draft Local Area Plan for Abbeyfeale and acknowledged the work done in the preparation of the Plan. However the Members reiterated the importance of prioritising a bypass for Abbeyfeale, Newcastle West and Adare.

Reference was also made to the Residential Zoned Land Tax and it was proposed by Councillor Galvin, seconded by Councillor Ruddle and agreed by all the Members that the Meetings Administrator submit the following motion to the next plenary Council meeting on behalf of all Councillors in the Newcastle West Municipal District –

“We will move at the next Meeting that the Minister for Housing is called upon to reconsider the Governments position in relation to the tax placed residentially zoned land”.

4. Housing Development Directorate

To receive Update from the Housing Directorate for the Newcastle West Municipal District.

Circulated, report of Senior Executive Officer, Strategy and Non LA Housing Construction dated 12th June, 2023.

The Senior Executive Officer referred to the report circulated in advance of the Meeting and outlined the key changes since the last quarterly update.

She referred to the Housing for All Plan and gave a summary to the Members on the targets outlined in the Housing Delivery Action Plan. She referred to the target of 198 homes being provided in the Newcastle West District between 2022 and 2026. She stated that there are 135 approved new homes underway which represents 68% of the five year build target of 198 new homes required. She made reference to the Acquisition Delivery of 8 homes with 7 acquisitions to complete in 2023. She referred to the Leasing Delivery of 24 homes in the District.

The Senior Engineer addressed the Meeting and referred to the SHIP Construction of housing units in Broadford, Sycamore Crescent, Newcastle West, Mountcollins, Galeside in Athea and O'Connor Park, Ardagh. He stated that approval from the Department is awaited for the delivery of nineteen housing units in Broadford. He also stated that a design team has been appointed for Sycamore Crescent, Newcastle West and it is anticipated that this development will go to tender before year-end. He referred to the delivery of four housing units in Mountcollins which is at design stage and it is anticipated that this development will be progressed to the Planning stage in September 2023. He stated that site investigations are ongoing and a design team has been appointed for the delivery of ten housing units at O'Connor Park in Ardagh. He referred to the delivery of seven housing units at Nunan's Corner in Broadford and to ten housing units at Cloverfield in Glin which is to be progressed to the Planning stage with an anticipated completion date in 2024.

The Members referred to a number of matters including the progress on the housing units at Nunan's Corner in Broadford and Mountcollins and sought an update on the discussions with Cluid Housing on Cois Na Féile in Abbeyfeale.

5. Transportation and Mobility Directorate

To Receive Update from Central Services on Public Lighting.

The Cathaoirleach welcomed the Senior Executive Engineer, Roads, Traffic and Cleansing, to the Meeting.

The Senior Executive Engineer addressed the Meeting and gave an overview of the current situation with regard to street lights not operational in the Newcastle West Municipal District. He stated that the number of street lights not working represents 1% of the total number of street lights in the District. He acknowledged that there is currently a delay in getting some lights fixed due to a requirement to having a public lighting micro-pillar installed before the lighting maintenance contractor can carry out a repair. He stated that this requires the ESB to be in attendance but however is working with the ESB in dealing with all the street lights that need to have micro-pillars installed. He stated that as a result it appears that the ESB are currently finding it difficult to resource the number of cases currently being escalated by Limerick City and County Council. The Executive Engineer also gave an update to the Members on the current situation with regard to various street lights not working in the District and stated that with the co-operation of the ESB a lot of these street lights should be operational again shortly.

A lengthy discussion took place on a number of matters including the number of street lights not operational in the District which are of concern to the Members, dissatisfaction with the Service Level Agreement, the need to identify where micro-pillars are required and a Plan for same and an update on the Public Lighting Energy Efficiency Project (PLEEP).

Following discussion, the Senior Executive Engineer stated that Limerick City and County Council are endeavouring to work with the maintenance contractor (Enerveo) and the ESB in resolving this matter.

6. Planning, Environment and Place-Making Directorate

To receive Presentation on the Preparation of the Local Authority Climate Action Plan.

The Cathaoirleach welcomed the Senior Executive Planner, Environment and Climate Change, to the Meeting.

The Senior Executive Planner gave a presentation to the Members on the Preparation of the Local Authority Climate Action Plan. He stated that each local authority is required to prepare and make a plan relating to a period of five years which will specify the mitigation measures and the adaptation measures to be adopted by the local authority. He stated that the focus of the Plan is on how the Council can reduce its emissions by 51% by 2030 and how it can support other sectors reach their targets.

He referred to the observed impacts of climate change in Ireland which includes an increase in surface air temperature, higher yearly precipitation and a rise in sea level for the seas around Ireland. He also referred to the projected impacts of climate change on Ireland. He made reference to a number of initiatives which have commenced including the Paris Agreement, 2015, European Climate Law, 2021 and the Climate Action and Low Carbon Development (Amendment) Act, 2021. He gave a summary of the Observed Climate Change for Limerick City and County including the longest running continuous drought in June 2018, the highest temperature recorded in July 2022, increase in average annual rainfall for the period 1981 to 2010 and average temperature increase for the period 1981 to 2010. He outlined the impact of current climate risks on Assets, Health and Wellbeing, Environment, Social, Financial, Reputational and Cultural Heritage. He made reference to the total carbon emissions within the Limerick City and County Council area.

The Senior Executive Planner referred to the Community Climate Action Fund of €811,000 to date for the project. He also referred to the Climate Action Summary Report which has been prepared that provides a summary of the evidence that will inform the development of the strategy. This evidence base includes a Climate Change Risk Assessment for County Limerick and a Baseline Emissions Inventory for County Limerick and also for the proposed Decarbonisation Zone. He stated that Limerick City and County Council wish to invite observations on the summary report and suggestions for inclusion in the Draft Limerick Climate Action Plan. These suggestions will be accepted from 7th July, 2023 to 4th August, 2023. He referred to the anticipated timeframes in the delivery of the Plan including the

Drafting of the Plan from June 2023 to September 2023, Public Display period in October/November 2023, Adoption of the Plan in February 2024 and Publish the Plan in March 2024.

The Members thanked the Senior Executive Planner for the comprehensive presentation and a discussion took place on a number of matters including funding for the Plan, Plans to address Climate Action to be longer than the five year timeframe and projects which should address various themes for example Home and Energy, Travel, Food and Waste, Shopping and Recycling and Local climate and Environmental action.

7. General Municipal Allocation (GMA)

On the proposal of Councillor Foley, seconded by Councillor Ruddle, it was agreed to allocate €500 to Mountcollins Musical Event.

QUESTIONS

8. Question submitted by Councillor J. Scanlan

I will ask at the next Meeting when will the recently removed recreational equipment be replaced in the Demense, Newcastle West.

REPLY: The Council removed the pieces of equipment as they had reached their end of life and represented a safety hazard. There is currently no funding in place for their replacement. However, the Council are examining possible sources of funding for replacing the equipment in 2024.

9. Question submitted by Councillor J. Scanlan

I will ask at the next Meeting when will renewal works commence on Numbers 15 Assumpta Park, 8, 20, 52 Sharwood Estate, as well as 4 and 5 Lower Maiden Street, Newcastle West.

REPLY:

- 15 Assumpta Park, works commenced on site. To be completed October 2023
- 7 Sharwood Estate, contractor appointment ongoing. Works to be completed November 2023
- 20 Sharwood Estate, contractor appointment ongoing. Works to be completed November 2023
- 51 Sharwood Estate, design and tender process ongoing, contractor appointment September 2023. Works period 6 months
- 5 Lower Maiden Street, design and tender process ongoing, contractor appointment September 2023. Works period 6 months
- 4 Lower Maiden Street, design and tender process ongoing, contractor appointment September 2023. Works period 6 months.

10. Question submitted by Councillor J. Scanlan

I will ask at the next Meeting when the footpath extension from Kerry Group towards the speed limit at Clooneyskehane is expected to commence.

REPLY: This section of footpath improvement has a 2023 budget of €40,000 to fund the design costs.

The NTA Office in Limerick will have a design in place by end 2023. The budget allocation for the construction of the footpath will be programmed in the next few years.

11. Question submitted by Councillor T. Ruddle

I will ask at the next Meeting if ramps can be installed on Knockane Road to the rear of SMI, this is to slow down speeding traffic and road bowling games being played on this stretch of road. These have a very negative effect on the flow of traffic.

REPLY: The Knockane Road is not suitable for the placement of ramps with its low traffic volumes, narrow width and low traffic speeds. Limerick City and County Council will place traffic counters along this route to confirm the current traffic behaviour.

12. Question submitted by Councillor T. Ruddle

I will ask at the next Meeting for a breakdown of the process for getting a pedestrian crossing for Castlemahon School. I believe a speed survey has been carried out at this location. This area is very dangerous to pedestrians in both the morning and evening.

REPLY: Limerick City and County will place traffic counters near Castlemahon school to confirm the traffic type, volumes and speed in the vicinity of the school.

Funding will be sought to provide this crossing in future year.

13. Question submitted by Councillor L. Galvin

I will ask at the next Meeting for a dangerous junction sign to be erected at the junction turning up to the shop yard on the Kilmorna road as this is located on a dangerous bend.

REPLY: Limerick City and County Council will place appropriate signage on both approaches to this bend to indicate a sharp bend exists.

14. Question submitted by Councillor L. Galvin

I will ask at the next Meeting how many legal proceedings were enacted for non-

compliance of hedge cutting for the year 2022 and if Limerick City and County Council have surveyed their roads for 2023.

REPLY:

Limerick City and County Council have not enacted any legal proceedings for non-compliance of hedge cutting for the year 2022. A Review has been carried out of the hedges in advance of the 2023 notifications to landowners being sent in September.

15. Question submitted by Councillor L. Galvin

I will ask at the next Meeting in connection with Lee's Cross between the R520 and R518:

- (a) An update on the survey that was to be carried out at Lee's Cross***
- (b) A Program of Works to be carried out***
- (c) The cost of these works***
- (d) A detailed plan of works***
- (e) How much has been spent to date on this junction.***

REPLY:

A topographical survey was carried out for Lee's Cross in Q4 of 2021 as part of a joint examination of Lee's Cross and Chawke's Cross. This survey was used to facilitate an outline preliminary scheme plan for both junctions and from this plan a design report was prepared and submitted to the Department for funding in Q3 of 2022.

Based on this design report Lee's Cross was successful in its application for Specific Improvement Grant funding and an allocation of €25,000 was provided in 2023.

Limerick City and County Council have since procured a consultant to develop the outline design and bring to Part VIII in Q3 of this year. This work is currently progressing with the ecological and environmental surveys complete and the civil design ongoing.

Limerick City and County Council have made initial contact with landowners and plan to engage with them with outline plans in July prior to the submission of the Part VIII planning application.

Should the Part VII application be successful Limerick City and County Council will approach the Department for additional funding to bring this scheme to construction stage. Should funding be provided Limerick City and County Council will look to purchase the necessary land and appoint a consultant to prepare and deliver a detailed design of the scheme and the associated contract documents.

The estimated cost of the works will be dependent on a number of factors including the finalised detail design, the procurement of land and economic environment at the time of tender. However it is estimated that the total scheme cost will be in the order of €1 million to €1.5 million.

To date the following is a breakdown of costs associated with this junction:

- Topographical Survey - €4,500 Ex VAT
- Consultants appointed to develop preliminary design - €4,550 Ex VAT
- Consultants appointed to bring to the Part VIII process - €19,980 Ex VAT (Expected Spend 2023).

NOTICES OF MOTION

16. Notice of Motion submitted by Councillor J. Scanlan

I will move at the next Meeting that Focus Ireland provide this Municipality with an up-to-date status report on the 5 properties sold to it under Housing Directorates Recommendations of February 21st 2022.

The Motion was seconded by Councillor Ruddle.

REPLY:

Focus Housing Association received funding approval from the Housing Finance Agency on the 19th June 2023 to refurbish 3 properties in Castlevue Estate, Radharc Na Féile and Feenagh as part of the stock transfer in the Newcastle West District. The legal transfers are underway at present, and it's expected that contracts will be exchanged in July 2023. Following an update from Focus Housing Association on the 4th July 2023, it is anticipated that the Contractor employed on behalf of Focus Housing Association can mobilise to commence works on the three properties three weeks from when contracts are signed. The estimated date of completion for these 3 properties is Q4 2023.

LA Housing and Construction will refurbish 4 Lower Maiden Street, Newcastle West in addition to the adjacent Local Authority dwelling at number 5 Lower Maiden Street, Newcastle West (SHIP Renew). The design and tender process is ongoing for both units, contractor appointment in September 2023 and works period 6 months.

The unit at North Road Dromcollogher which is being assigned to Focus Housing Association is beside a Local Authority Buy and Renew property. For efficiency, both properties will be refurbished together with one builder. LA Housing Construction and Maintenance have concluded the procurement process and a builder has been identified to carry out works to both properties. The estimated completion date is Q4 2023. The Housing Directorate are counting both units for delivery in 2023 and have notified the Department of Housing, Local Government and Heritage of same.

In proposing the Motion, Councillor Scanlan referred to the unsightly condition of the properties referred to above and to the delay in refurbishment of these properties. In replying, the Senior Executive Officer stated that legal transfers are underway at present and that Focus Housing Association has sought funding approval. She also stated that the

Contractor employed on behalf of the Focus Housing Association is ready to commence works on the three properties shortly after the legal documents are in place. The Director, Housing, also reiterated that Focus Housing Association is a registered charitable organisation.

17. Notice of Motion submitted by Councillor J. Scanlan

I will move at the next Meeting that full responsibility for Housing within our Municipality be managed here in Newcastle West.

The Motion was seconded by Councillor Galvin.

REPLY:

All functions carried out by a Local Authority are designated either reserved or executive functions.

Reserved functions are functions carried out by the Plenary (Full) Council or individual districts and are set out in legislation. The Local Government Reform Act 2014 and associated regulations set out a comprehensive listing of reserved functions to be performed exclusively by Municipal District Members or by Municipal District Members or the Plenary Council or by the Plenary Council only. The Motion seeks to contravene the legislation by seeking to have “full responsibility for housing” to be managed in the Newcastle West District and as such should be deemed invalid.

Executive functions are all functions that are not reserved functions are carried out by the Chief Executive. The Chief Executive can delegate a function to other officials while at the same time retaining overall responsibility for it. Housing executive functions include but not limited to the following:

- Housing Assessment
- Housing Allocation
- The Differential Rent Scheme and Debt Management
- Acquisition of land
- Purchase of houses
- Housing Construction
- Private Housing Grants
- Housing Loans
- Tenant Purchase Scheme
- Tenancy Sustainment
- Affordable Housing
- Traveller Accommodation
- HAP/RAS
- Homeless Services
- Housing Maintenance
- Energy Retrofit Programmes
- Defective House Grant Scheme

The Government has assigned a central role to Local Authorities for the delivery of Housing for All. There is a considerable range of options under this programme, some of which are quite complex and this can be most effectively delivered at a central level in the Council.

The proposal to devolve full responsibility for housing services to the Municipal District level would be extremely complex and require significant additional resources, given the wide range and variety of services in housing.

In proposing the Motion, Councillor Scanlan requested that full responsibility for Housing be managed in the Newcastle West District. The Members referred to a number of matters including the availability of the Housing Engineer to attend the Municipal District Meetings, block grants to deliver housing, GDPR Regulations and vacant houses in the District.

18. Notice of Motion submitted by Councillor T. Ruddle

I will move at the next Meeting that the light at the entrance to Daar Lane, Gortboy, Newcastle West will be fixed as soon as possible. This light has not worked in months and the residents in the area are very angry. I am looking for a commitment that this will be fixed within the next three weeks. There is a service level agreement in place which is not being upheld and we must demand a better service.

The Motion was seconded by Councillor Galvin.

REPLY:

Light 36 Cluain Arra, Gortboy, Newcastle West, was identified by the PL maintenance contractor as having an underground cable fault December 2022. Works have been carried out to rectify this fault, however the light is directly fed by an ESB source and an interface needs to be installed before the light can become operational again.

We acknowledge that currently there is a delay in getting some lights fixed. This is primarily due to a requirement to have the ESB present to facilitate the installation of interfaces and to deal with faults on the ESB network. The requirements for ESB presence on site is necessary to comply with safety standards from Safe Electric that must be adhered to.

It does however appear that the ESB are currently finding it difficult to resource the number of cases that are currently being escalated by Limerick City and County Council. We are endeavouring to work with the ESB engineers on the ground who have committed to facilitate us in so far as they can. We are continuing to proactively manage these issues and are working closely with our maintenance contractor (Enerveo) and the ESB to get these items closed out in a timely manner. At present resources allowing from the ESB we hope to have this issue resolved as soon as possible.

In proposing the Motion, Councillor Ruddle requested that the light at the entrance to Daar Lane, Gortboy, be fixed and in replying, the Executive Engineer stated that a micro pillar is to be put in place at this location and the light is to be connected by the E.S.B. shortly.

19. Notice of Motion submitted by Councillor L. Galvin

I will move at the next Meeting that Limerick City and County Council carry out immediate improvement works on the road from Mountmahon to Joy's corner.

The Motion was seconded by Councillor Foley.

REPLY: This section of roadway on N21 is programmed for surfacing during Q3 2023. These works will not clash with the Listowel races in September.

In proposing the Motion, Councillor Galvin requested that works be carried out to the road from Mountmahon to Joy's Corner.

The following items were also raised.

An update was sought on a costing for the provision of a footpath at the western side of the Cemetery to the rear of the Church in Templeglantine and in replying, the Meetings Administrator stated that this matter has been referred to the relevant Directorate.

Reference was made to safety measures at the Glebe in Monagea and in replying, the Senior Executive Engineer stated that traffic calming measures will be installed at this location, ideally before the schools open in September 2023.

A discussion took place on Local Improvement Schemes and also on the provision of a Local Improvement Scheme for the private roadway at the back of Buckley's Terrace, Dromcollogher. Following discussion it was agreed that a Workshop on Local Improvement Schemes would be held for the Members.

An update was sought on the unsightly condition of an unoccupied house at Ballyagran next to the GAA pavilion.

Repairs to the roadway in front of the Church in Abbeyfeale and Killarney Road in Abbeyfeale was raised.

The commencement of works on 15 Assumpta Park, Newcastle West and 20 Sharwood Estate, Newcastle West was acknowledged.

An update was sought on traffic calming measures at Knockaderry village and in replying, the Senior Executive Engineer stated that traffic counters had been installed and the results showed some speed limit violations. Following discussion, it was agreed that a costing would be sought for the installation of traffic calming measures at the village. Requests for traffic calming measures in Feohanagh and Athea was also made.

The holding of a Briefing on the Dromcollogher Public Realm Plan was also raised.

It was agreed that the Meetings Administrator would arrange a date for the next Joint Policing Committee Meeting to be held in September and in advance of Halloween.

It was agreed to hold the September Meeting of the District on Wednesday, 6th September, 2023, at 10.00 a.m., at Áras William Smith OBrien.

This concluded the Meeting.

Signed:

Cathaoirleach

Dated: