

MINUTES OF PROCEEDINGS AT MONTHLY MEETING OF THE MUNICIPAL DISTRICT OF ADARE-RATHKEALE HELD IN ÁRAS SEÁN FINN, NEW LINE ROAD, RATHKEALE, CO. LIMERICK ON TUESDAY, 13TH FEBRUARY, 2024 AT 9.30 A.M.

PRESENT IN THE CHAIR:

Councillor A. Teskey, An Cathaoirleach.

MEMBERS PRESENT:

Councillors Collins, Keary, O'Brien, O'Donoghue and Sheahan.

OFFICIALS IN ATTENDANCE:

Director, Rural, Community and Culture Development (Mr. S. Duclot), Meetings Administrator (Ms. K. Butler), Senior Executive Engineer, Roads, Traffic and Cleansing (Mr. G. O'Connor), Executive Engineer, Roads, Traffic and Cleansing (Mr. J. O'Keeffe), Executive Planner, Forward Planning, Public Realm & Heritage (Ms. N. O'Connell), Senior Planner, Forward Planning, Public Realm & Heritage (Ms. M. Woods), A/Senior Executive Planner, Forward Planning, Public Realm & Heritage (Ms. C. Brislane), Head of Property Management, Property & Community Facilities (Ms. J. Leahy), Director, Planning, Environment & Place-Making (Mr. V. Murray), Executive Engineer, Planning Enforcement (Mr. S. McGrath), Senior Executive Planner, Planning Development (Mr. B. Henn) Clerical Officer (Ms. L. Lenihan).

With the consent of the Cathaoirleach, Councillor Keary requested a short recess with his fellow Elected Members. The Meeting was adjourned and the Elected Member withdrew.

On resumption of the Meeting Councillor Sheahan requested, with the consent of the Cathaoirleach, the date of the March Municipal District Meeting be brought forward to the 11th March, 2024. This was agreed by all Members.

1. Adoption of Minutes

Circulated, copy of draft Minutes of the Monthly Meeting of the Municipal District of Adare-Rathkeale held on 9th January, 2024. Councillor Teskey stated he was not in a position to adopt the minutes as per draft presented as his observations on the response to his question on the Agenda of that meeting had not been recorded as discussed on the day. Councillor Teskey further queried the procedure for the recording of Municipal District Meeting minutes. The Meetings Administrator advised the draft minutes are circulated to the executive who have items on the Agenda of any particular meeting to review and amend as they see fit.

Councillor Teskey stated he would be submitting a Freedom of Information request in order to view the draft minutes sent to the Executive before any amendments had been made. Councillor Sheahan asked it be recorded that he had never experienced any difficulty with staff on minute recording in the District. All Members concurred with

Councillor Sheahan's sentiments. The Director, Rural, Community and Culture Development advised Members the final draft minutes are circulated prior to the Meeting and these can be amended if Members so wish, however, the amended minutes cannot be amended once adopted.

Following further discussion, Councillor Teskey agreed to forward his own minute details for inclusion in the January minute record.

Councillor Keary added he would also be submitting a Freedom of Information request to view all the documentation pertaining to the judicial review between the three objectors to the Adare to Foynes Motorway who subsequently withdrew their objections. Following discussion, Members requested the Mid West National Road Design Office be in attendance at the March Municipal District Meeting to update Members on progress to date on the Adare to Foynes Motorway.

Proposed by Councillor Teskey;
Seconded by Councillor Collins;
And Resolved:

"That the draft Minutes, as circulated, be taken as read, adopted and signed, subject to an amendment which Councillor Teskey would submit to the Meetings Administrator for inclusion on the record".

Following the adoption of the Minutes the Cathaoirleach and Members extended their sympathy and condolences to Jayne Leahy, Head of Property Management on the passing of her mother, Peggie Power.

A minute's silence was observed as a mark of respect.

2. Declaration of Interest

The Meetings Administrator stated that, in line with Part 15 of the Local Government Act, 2001 and the Code of Conduct she 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.

It was agreed Item 5 on the Agenda would be taken next.

5. Forward Planning, Public Realm and Heritage

Draft Adare Local Area Plan 2024 – 2030

To consider the proposed Material Alteration of the Draft Adare Local Area Plan 2024-2030 and the report of the Chief Executive dated 25th January 2024 on the submissions received on the Material Alterations to the Draft Adare Local Area Plan, and decide

whether the Local Area Plan be made or amended in accordance with Section 20(3)(n) of the Planning and Development Act 2000 (as amended).

Circulated, report of the Chief Executive dated 25th January, 2024 setting out details on submissions/observations received during the Public Consultation on the Material Alterations to the Draft Adare Local Area Plan 2024 – 2030.

Proposed by Councillor Collins;
Seconded by Councillor O'Donoghue;
And resolved:

Having considered the proposed Material Alteration on the Draft Adare Local Area Plan 2024-2030 and the report of the Chief Executive dated the 25th of January on submission received on the Material Alterations to the Draft Local Area Plan, it was decided to make the Local Area Plan in accordance with Section 20 of the Planning and Development Act 2000 (as amended).

Councillor Keary expressed disappointment that one of the proposed sites for zoning had not been accepted by the Office of the Planning Regulator.

3. Disposal of Land

- (a) Circulated, report of the Head of Property Management, Rural, Cultural & Community Directorate dated 2nd February, 2024 setting out proposals for the disposal of 0.0018 acres/7.2m² of land at Adare Heritage Centre Car Park, Main Street, Adare, Co. Limerick and the intention to bring the Section 183 Notice to Full Council for approval.

The report, as circulated, was proposed by Councillor Collins, seconded by Councillor O'Brien and agreed.

- (b) Circulated, report of the Head of Property Management, Rural, Cultural & Community Directorate dated 31st January, 2024 setting out proposals for the disposal of property acquired compulsorily under the Derelict Sites Act, 1990 at William Street, Askeaton, Co. Limerick and the intention to bring the Section 183 Notice to Full Council for approval.

The report, as circulated, was proposed by Councillor Sheahan, seconded by Councillor O'Brien.

- (c) Circulated, report of the Head of Property Management, Rural, Cultural & Community Directorate setting out proposals for the disposal of property acquired compulsorily under the Derelict Sites Act, 1990 at 22 William Street, Askeaton, Co. Limerick and the intention to bring the Section 183 Notice to Full Council for approval.

The report, as circulated, was proposed by Councillor Sheahan, seconded by Councillor O'Brien.

Discussion ensued in relation to the disposal of the Askeaton properties. Councillor Keary was of the opinion these properties should be refurbished and offered to families on the Local Authority housing waiting list and not sold to a developer. The Limerick City and County Council Head of Property Management Department advised both properties were in a derelict condition and as the Housing Department did not have the capability to bring them back into housing stock use statutory notices were served on the owners under the Derelict Sites Act 1990. Funding had been provided from the Rural Limerick Housing Development fund to refurbish the properties and put them for sale on the open market. The proposed purchaser is involved with local approved housing bodies and social tenants will be accommodated in these properties going forward. As Members were divided on whether these properties should be disposed of to a private developer Councillor Teskey proposed a counter vote be cast to decide if the properties should be disposed of or not.

The results of the voting was as follows:

For the proposal:

Councillor Collins, O'Brien, O'Donoghue and Sheahan.

Against the proposal:

Councillor Keary and Teskey.

The voting resulted in 4 for and 2 against the proposal, therefore the proposal to dispose of the properties was carried.

4. Planning, Environment and Place-Making

Taking-in-Charge of Estates – Declaration of Roads to be Public Roads

- (a) Circulated, report of the Senior Planner, Planning, Environment and Place-Making dated 31st January, 2024 seeking approval to the taking in charge of Adamswood Avenue, Croagh.

Proposed by Councillor Collins;
Seconded by Councillor O'Donoghue;
And Resolved:

"That Adamswood Avenue, Croagh be taken in charge in accordance with Section 180 of the Planning and Development Act, 2000 (as amended) and Section 11 of the Roads Act, 1993".

Councillor Keary stated a snag list had been compiled on this estate approximately two years previous and queried what progress had been made on the snagging element since. He also stated the public lighting has not been operational on the estate for some time. The Executive Engineer, Planning Enforcement advised a programme of works has been compiled for the estate which includes the front boundary wall being rebuilt and a new boundary fence to be installed to the rear. He further advised he would request again for Matthew Clarke, Executive Engineer, Roads Department to engage with Enervo in relation to resolving the public lighting issues.

- (b) Circulated, report of the Senior Planner, Planning, Environment and Place-Making dated 31st January, 2024 seeking approval to the taking in charge of Beechwood Drive, Ballingarry.

Proposed by Councillor O'Donoghue;

Seconded by Councillor Collins;

And resolved:

"That Beechwood Drive, Ballingarry be taken in charge in accordance with Section 180 of the Planning and Development Act, 2000 (as amended) and Section 11 of the Roads Act, 1993".

6. Roads, Traffic and Cleansing

District Engineers Report

Circulated, report of the Senior Executive Engineer, Roads, Traffic and Cleansing dated 12th February, 2024 outlining details of proposed works, projects and future projects planned for the District.

Following discussion the following issues were raised by Members:

- Councillor O'Donoghue requested an update on the proposed Lee's Cross upgrade works. The Senior Executive Engineer, Roads, Traffic and Cleansing advised the Part 8 had been passed in December 2023 and subject to funding detailed design and land acquisition could proceed in 2024 with a view to Tender and construction in 2025.
- Councillor O'Donoghue asked if works could be carried out at Banogue GAA field to relieve flooding issues. The Senior Executive Engineer, Roads, Traffic and Cleansing advised funding had been applied for as a priority case for this project under the Climate Action Fund and was hopeful an allocation would be announced in the coming weeks. The Executive Engineer, Roads, Traffic and Cleansing agreed to possible remedial works in the meantime at this location.
- Councillor O'Brien requested the road from the Corner House, Pallaskenry to Milltown be tarred. The Senior Executive Engineer, Roads, Traffic and Cleansing

advised this location would be included in the Draft Schedule of Municipal District Works 2024 for Members approval.

- Councillor Keary proposed a Special Meeting of Limerick City and County Council be held in the Council Chamber, Dooradoyle to discuss Active Travel monies allocation for 2024. This was seconded by Councillor Collins and agreed.

7. General Municipal Allocation (GMA)

On the proposal of Councillor Collins, seconded by Councillor O'Brien it was agreed to allocate the following:

- €1,070 to Ballyneety Men's Shed.
- €1,000 to Abha Bhan Parish Park.
- €1,000 to Ballingarry Community Park.
- €1,000 to Manister Community Alert.
- €1,000 to Adare Saint Patrick's Day Parade.
- €1,000 to Rathkeale Saint Patrick's Day Parade.
- €1,000 to Croom Community Development Association.
- €500 to City of Limerick Pipe Band.
- €1,000 to Manor Fields Adare.
- €1,000 to Manister Community Council.
- €1,000 to Crecora GAA Club.
- €1,750 to Adare GAA Club.
- €1,000 to Captain Tim Madigan Park, Shanagolden.

On the proposal of Councillor Keary, seconded by Councillor Teskey it was agreed to allocate the following:

- €1,000 to Rathkeale Saint Patrick's Day Parade.
- €2,000 to Ballingarry Community Park Group.
- €1,000 to Manister Community Alert.
- €3,000 to Abha Bhan Parish Park.
- €2,000 to Manor Fields Adare.
- €1,000 to Adare Saint Patrick's Day Parade.
- €3,000 to Shanagolden Community Council.
- €2,000 to Adare GAA Club.

On the proposal of Councillor O'Brien, seconded by Councillor Collins it was agreed to allocate the following:

- €5,000 to Kildimo/Pallaskenry GAA.
- €5,000 to Shanagolden National School.
- €2,000 to Kildimo/Pallaskenry Community Games.
- €2,000 to Adare Saint Patrick's Day Parade.
- €3,000 to Dromore United Soccer Club.

- €500 to City of Limerick Pipe Band.
- €3,000 to Pallaskenry Senior Citizens.

On the proposal of Councillor O'Donoghue, seconded by Councillor Collins it was agreed to allocate the following:

- €16,500 to Croom Community Development Association (€14,500 from 2023 allocation and €2,000 from 2024 allocation).
- €4,500 to Fedamore GAA.
- €4,500 to Banogue GAA.
- €1,000 to Croom Mens Shed.
- €1,000 to Rathkeale Saint Patrick's Day Parade.
- €1,000 to Askeaton Saint Patrick's Day Parade.
- €500 to City of Limerick Pipe Band.
- €3,000 to Ballingarry Community Park Group.
- €750 to Manister Community Alert.
- €1,500 to Adare Saint Patrick's Day Parade.
- €5,000 to Manor Fields Adare.

On the proposal of Councillor Sheahan, seconded by Councillor Teskey it was agreed to allocate the following:

- €1,000 to City of Limerick Pipe Band.
- €1,000 to Askeaton Saint Patricks Day Parade.

On the proposal of Councillor Teskey, seconded by Councillor O'Brien it was agreed to allocate the following:

- €500 to St. Kieran's Community Group.
- €1,000 to Rathkeale Saint Patrick's Day Parade.
- €1,000 to Adare Saint Patrick's Day Parade.
- €1,000 to Askeaton Saint Patrick's Day Parade.
- €2,000 to Carol Liston O'Connor Fundraiser.
- €2,000 to St. Anne's Primary School.
- €500 to City of Limerick Pipe Band.

Councillor Collins proposed a Civic Reception be held to honour Councillor Emmett O'Brien's retirement from politics. This was seconded by Councillor O'Donoghue and agreed.

Councillor Teskey proposed a Civic Reception be held to honour Pat O'Donovan for his contribution as Chairperson of Knockfierna Heritage Society and Amy O'Sullivan, Rathkeale for her success in competitive clay pigeon shooting. This was seconded by Councillor O'Brien and agreed.

The Meetings Administrator advised Members the Executive was not in favour of General Municipal Allocation funding being used to fund Civic Receptions, however, it was ultimately a decision for the Elected Members of the District.

QUESTION

8. Question submitted by Councillor E. O'Brien

I will ask at the next Meeting for an update on the Kildimo Community Council Hall project.

Reply: Kildimo Community Council CLG were approved for LEADER Funding for the development of a purpose built multi-functional community resource centre in Kildimo in July 2019.

In October, 2013, Kildimo Community Council were granted planning permission to construct a community centre. In September, 2013 the Council granted an extension to the lifetime of the permission for a 5 year period. The Council recently received a second application to extend the lifetime of the permission for a period up to May, 2025. However, having regard to the extended period already granted for this project, and to the statutory provisions of the Planning Act, the Council was precluded from granting this second application.

NOTICE OF MOTION

9. Notice of Motion submitted by Councillor A. Teskey

I will move at the next Meeting that this District write to the Minister of Environment to ask if there are any current regulations of Wind Turbine noise and Wind Turbine shadow flickers, if not, are there any plans to introduce regulations.

The Motion was proposed by Councillor Teskey, seconded by Councillor Collins and agreed.

In proposing the Motion, Councillor Teskey stated Minister Ryan needed to introduce legislation in the interest of future proofing the building of wind turbines nationally and added families in Coolcappa, Co. Limerick are currently concerned that the proposed six wind turbines due to be constructed near their homes in the future will cause noise pollution as well as shadow flickers.

Reply: The wind energy development guidelines (2006) are the current relevant guidelines in respect of wind farms.

The Minister has published, **Draft Revised Wind Energy Development Guidelines December 2019**. The draft Guidelines were issued for public consultation at the end of 2019 with a focus on addressing a number of key aspects including noise, visual amenity setback, shadow flicker, community consultation obligations, community dividend and grid connections.

We have no update on when the finalised version of the guidelines will be published.

However, if the district members are in agreement on the question to be asked, and pass this motion, corporate services will write on their behalf to the department seeking an update.

10. Correspondence

Correspondence was noted and taken as read.

11. A.O.B

- Councillor Sheahan proposed the District write to Shannon Foynes Port Company to congratulate them on their recent achievements and success. Councillor Sheahan further proposed an invite be extend to the Chief Executive Officer of the company to attend a future Meeting of the Municipal District to brief Members on the ports achievements and plans for the future. This was seconded by Councillor Teskey and agreed.
- Councillor Keary requested the District road sweeper be extended to Croagh Village and also requested the road markings be freshened up in the village.
- Councillor Keary queried if public lighting could be extended on the Old Limerick Road in Croagh. The Senior Executive Engineer, Roads, Traffic and Cleansing advised the only funding available for Public Lighting is for maintenance of existing stock and there is currently no funding available for the installation of new public lights.

This concluded the Meeting.

Signed: _____

Cathaoirleach

Dated: _____