

**MINUTES OF PROCEEDINGS OF SPECIAL MEETING OF THE
MUNICIPAL DISTRICT OF CAPPAMORE-KILMALLOCK ON
ATHENACEY GRAVEYARD HELD IN ARAS MAINCHIN SEOIGE ON
THURSDAY 16th May 2024 AT 4.30PM.**

PRESENT IN THE CHAIR:

Councillor M Donegan, An Cathaoirleach

MEMBERS PRESENT:

Councillors Carey, E. Ryan, M. Ryan and Teefy

Apologies: Councillors: Mitchell, Egan.

OFFICIALS IN ATTENDANCE:

Director of Services (Mr B. Kennedy); Senior Executive Engineer (Mr T. McKechnie); Meetings Administrator (Ms D. O'Brien); Clerical Officer (Ms H. O'Neill); Senior Engineer Environment and Climate Action (Mr A. Finn)

1. Declaration of Interests

There was no interest declared. The protocol for blended meetings was read into minutes.

2. Discussion on Athenacey Graveyard

An Cathaoirleach outlined the events to date since the submission of a question in 2021 and Notice of Motion in 2023 regarding access and parking at Athenacey Graveyard.

Clarification on ownership and the right of way at the graveyard was sought by the Cathaoirleach.

The Senior Engineer clarified that the Burial Grounds are vested in Limerick City and County Council and the Local Authority has sought legal advice regarding the right of way.

A discussion took place regarding alternative options for parking and access. The Senior Executive Engineer for roads and Director of Services clarified that there are currently no alternative options for access and parking which would meet roads safety standards for sightlines. It was confirmed that signage at the graveyard could be considered.

The Senior Engineer advised that the most recent developments undertaken at the entrance to the graveyard have been referred to planning enforcement for consideration.

Clarification was provided that any consideration of a Compulsory Purchase Order would require a Part 8 planning process, and the most appropriate option is to consider an agreement between the community and landowners in the first instance.

The Senior Engineer also advised that this situation exists at numerous locations around the country and seeking legal advice on right of way is the most appropriate option.

The Director of Services reiterated that the mediation process undertaken in 2023 between the Community, Landowner and Local Authority was a confidential process and not for discussion at this meeting.

The Senior Engineer advised the meeting that the Local Authority is satisfied to reopening discussions with the landowner, and requested that the representative for the landowner convey this to the landowner.

The Cathaoirleach agreed to engage with the community on the issue and revert back to the Senior Engineer.

The Cathaoirleach thanked everyone in attendance.

Signed: _____

Cathaoirleach

Date: _____