

**MINUTES OF PROCEEDINGS AT MONTHLY MEETING OF THE MUNICIPAL DISTRICT OF ADARE-RATHKEALE HELD IN ÁRAS SEÁN FINN, NEW LINE ROAD, RATHKEALE, CO. LIMERICK AND ONLINE ON TUESDAY, 3<sup>RD</sup> SEPTEMBER, 2024 AT 9.30 A.M.**

**PRESENT IN THE CHAIR:**

Councillor A. Teskey, An Cathaoirleach.

**MEMBERS PRESENT:**

Councillors Collins, Hartigan, Keary, O'Donoghue and Ward.

**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), Staff Officer, Property Services (Ms. Denise Ruth), Senior Executive Engineer, Central Services (Mr. S. O'Reilly), Senior Executive Technician, Central Services (Mr. P. O'Rourke), N/M20 Project Coordinator, Mid West National Road Design Office (Mr. J. Howard), Senior Engineer, Mid West National Road Design Office (Mr. T. Fitzgerald), Senior Executive Engineer, Mid West National Road Design Office (Mr. G. Carey), Executive Engineer, Mid West National Road Design Office (Mr. D. Boland), Senior Executive Engineer, Mid West National Road Design Office (Mr. D. Leahy), Senior Executive Engineer, Mid West National Road Design Office (Mr. U. Heffernan), Clerical Officer (Ms. L. Lenihan).

**1. Adoption of Minutes**

Circulated, copy of draft Minutes of the Monthly Meeting of the Municipal District of Adare-Rathkeale held on 9<sup>th</sup> July, 2024.

Proposed by Councillor O'Donoghue;

Seconded by Councillor Collins;

And Resolved:

"That the draft Minutes, as circulated, be taken as read, 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, she was inviting those present to notify the Cathaoirleach of any declaration of interest in any item due for discussion at the Meeting.

Councillor Collins and Councillor Teskey both declared they had been contacted by the proposed purchaser of the Shannon House in Foynes due for discussion on the Agenda under Item 3 Disposal of Land.

It was agreed by the Cathaoirleach Item 8 on the Agenda would be taken next.

## **8. 60kph Default Speed Limits**

Members welcomed Seamus O'Reilly, Senior Executive Engineer, Roads Transportation & Mobility to the Meeting who proceeded with his presentation on the proposed 60kph default speed limits due to be introduced throughout urban, rural local roads and national secondary roads in November 2024 explaining these measures aim to improve safety on the road network for all users.

The proposed phased introduction of safer default speed limits as follows:

- (a) National secondary roads will be reduced from 100km/h to 80km/h
- (b) Local roads will be reduced from 80km/h to 60km/h and
- (c) Roads in built-up areas will be reduced from 50km/h to 30km/h.

The 120km/h speed limit on motorways as well as the 100km/h on national roads will remain the same. Phase 1 of the project will see the implementation of the local roads reduction to 60km/h introduced by November with Phase 2 commencing in early 2025.

Members raised concerns around enforcement of the new speed limits.

All members welcomed the introduction of the new speed limits which they hoped would lead to improved safety and a reduction in road fatalities.

## **3. Disposal of Land**

Circulated, report of the Head of Property Management dated 23<sup>rd</sup> August, 2024 setting out proposals for the disposal of Property, acquired under the Derelict Sites Act, 1990 at Shannon House, Ballynacragga North, Foynes Co. Limerick and the intention to bring the Section 183 Notice to Full Council for approval.

Discussion ensued in relation to the derelict sites levy. Councillor O'Donoghue queried if the 7% levy was based on the disposal value or the original valuation of the property. The Staff Officer, Property Services confirmed the levy applies to the original valuation of the property which was €350,000. She further added that if the property is not taken out of dereliction in the timeframe specified, the property would be revalued and the derelict sites levy would apply on the revised valuation which would be undertaken by Limerick City and County Council. Members were concerned that the proposed purchaser was not aware of this and Councillor Teskey proposed the District write to the purchaser to inform him of same. This proposal was seconded by Councillor Keary and agreed. The Meetings Administrator agreed to liaise with the Head of Property Management to establish if this request was necessary and would revert to Members in due course.

The report, as circulated, was proposed by Councillor Collins, seconded by Councillor Teskey and agreed.

Councillor Collins complimented the Executive on the work undertaken throughout the city and county on derelict sites.

#### **4. Mid West National Road Design Office**

##### **N/M20 Cork to Limerick Project**

The Cathaoirleach welcomed Tim Fitzgerald, Senior Engineer, Mid West National Road Design Office and Jari Howard, N/M20 Project Coordinator, Mid West National Road Design Office along with Demitrios Paraskevakis, N/M20 Project Manager and Barry O'Carroll, N/M20 Section Project Manager from WSP Consultant to the Meeting.

The N/M20 Project Coordinator, Mid West National Road Design Office gave Members a presentation to update them on the current status of the N/M20 Cork to Limerick motorway which includes plans for approx. 100km of active travel routes as well as proposed transport hubs and a freight hub to be located close to key junctions. He also advised public meetings had taken place with further community meetings to be convened when dates and times were agreed. A final design for Government approval is proposed to be submitted in 2025.

Following discussion the following issues were raised by Members:

- Councillor O'Donoghue queried if there would be dining facilities at the rest areas. The N/M20 Project Coordinator, Mid West National Road Design Office advised the six Transport Hubs will feature parking facilities for public transport, park & share and active travel routes. They will also include EV charging points. The Freight Hub in Mallow will have parking facilities as well as welfare facilities and EV charging points also. The N/M20 Project Coordinator, Mid West National Road Design Office added dining areas are not currently proposed for the route.
- Councillor O'Donoghue requested the N/M20 Project Team engage with landowners along the active travel route. The N/M20 Project Coordinator, Mid West National Road Design Office advised the project team will be cognisant of all feedback received from Elected Member, the public and landowners affected during the consultation process.
- It was agreed a further update would be provided for the February 2025 Municipal District Meeting.

#### **5. N21 Foynes to Limerick Road (including Adare Bypass) Project**

The Cathaoirleach welcomed Ger Carey, Senior Executive Engineer, Mid West National Road Design Office to the Meeting.

The Senior Executive Engineer, Mid West National Road Design Office gave Members an update on the current status of the N21 Foynes to Limerick Road (including Adare Bypass)

Project. The project is currently at Phase 5, Enabling & Procurement stage. Activities currently underway include tendering for the construction contract with a closing date of the 20<sup>th</sup> September, 2024 and the Council hope to be in a position to award this Contract to the successful tenderer in early 2025. Construction works are also due to commence on the construction of three road over rail bridges this September. It is intended the bypass of Adare to Croagh section will be completed in late June 2027.

Discussion ensued in relation to affected landowners and the Senior Executive Engineer, Mid West National Road Design Office advised all compulsory purchase orders are governed by legislation and are currently in the process of seeking fair settlement agreements.

## **6. Rathkeale to Limerick Greenway**

The Cathaoirleach welcomed David Leahy, Senior Executive Engineer, Mid West National Road Design Office to the Meeting.

The Senior Executive Engineer, Mid West National Road Design Office gave Members a presentation on the current position of the proposed Rathkeale to Limerick Greenway. He advised that the existing railway corridor between Ballingarrane and Limerick cannot accommodate a greenway, within the railway corridor, over its entire length. He also added there is currently no funding in place from the Traffic Infrastructure Ireland to progress the scheme any further at the present time.

Discussion ensued, Councillor Teskey queried total monies spent to date on the proposed project and the Senior Executive Engineer, Mid West National Road Design Office advised €100,000 has been spent to date on the proposed project and added works done will assist the route selection process going forward.

## **7. Policing Issues**

The Cathaoirleach thanked Superintendent Mike Fleming and Inspector Barry Manton from Newcastle West Garda Station for attending the District Meeting to discuss policing issues in the District.

Superintendent Fleming thanked Members for inviting him to the Meeting and advised the key challenge he is facing since he was appointed is the size of the District to be covered and advised he has liaised with the Chief Superintendent with a view to filling current policing vacancies in the District. Members referred to recent burglaries in Adare and also recent public order issues on the Rathkeale Greenway. Superintendent Fleming advised in relation to the incident on the Greenway in Rathkeale the response from An Garda Síochána and the Fire Service was exceptional and added a lot of evidence was secured with an early arrest made in relation to the incident. He further advised under age crime is challenging for An Garda Síochána who are currently working with Tusla on the matter. Councillor Teskey queried if the Road Traffic Act applies on Greenways. The

Superintendent advised as the Greenway is a public place the Road Traffic Act and Public Order Act applies and will be enforced.

Councillor Teskey raised the issue of a derelict building in Rathkeale which is currently been vandalised, the Superintendent advised he would make the Crime Prevention Officer aware of this.

Councillor O'Donoghue requested an update on public order incidents which had taken place in the District in recent times. The Superintendent advised this was currently being dealt with by the crime hub and as this is a live investigation he could not discuss further.

Members requested a further meeting with An Garda Síochána to discuss the Christmas policing plan for the District. Inspector Manton suggested the meeting take place in November, outside of the District Meeting. This was agreed by Members.

## **9. Roads, Traffic and Cleansing**

### **District Engineers Report**

Circulated, report of the Senior Executive Engineer, Roads, Traffic and Cleansing dated 3<sup>rd</sup> September, 2024 outlining details of proposed works, projects and future projects planned for the District.

The report, as circulated, was noted by Members.

## **10. General Municipal Allocation (GMA)**

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

- €1,000 to Shanagolden and District Women's Shed.
- €5,000 to Croagh Community Council.
- €2,000 to Rathkeale AFC.

On the proposal of Councillor O'Donoghue, seconded by Councillor Teskey it was agreed to allocate €750 to Fedamore Community Centre.

On the proposal of Councillor Teskey, seconded by Councillor O'Donoghue it was agreed to allocate €700 to Castlematrix Residents Association.

On the proposal of Councillor Keary, seconded by Teskey it was agreed €2,000 which was nominated to Coolcappa Community Council at the May Adare-Rathkeale Municipal District Meeting be reallocated to St. Senan's National School, Foynes.

## **NOTICES OF MOTION**

### **11. Notice of Motion submitted by Councillor G. Ward**

**I will move at the next Meeting that given the ongoing uncertainty and delay in lifting the Estuary boil water notice that Uisce Éireann immediately provide each household impacted by the boil water notice a grant of €500 towards the cost of installation of a water filtration and purification system. The provision of a new system in each house to include ultraviolet technology would help household costs and improve the drinking water quality.**

**It would also prevent a reoccurrence in the future and people would have peace of mind and reassurance of safe drinking water in 2024.**

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

In proposing the Motion Councillor Ward stated each household affected by the boil water notice will have no confidence in drinking water quality and proposed a grant be provided to assist households to install water filtration and purification systems in their own homes. Councillor O'Donoghue advised this matter was queried previously with Uisce Éireann and Members had been advised that the filtration system would not remove bacteria from their water supply.

### **12. Notice of Motion submitted by Councillor G. Ward**

**I will move at the next Meeting that the Adare-Rathkeale Municipal District calls on the Minister for Further and Higher Education to support the application by the University of Limerick and immediately establish a new Veterinary School in Limerick in order to address the chronic shortage of college places for students wishing to study veterinary and avoid them having to go abroad to study and to ensure that we have enough vets going forward to ensure our food security, animal welfare and support our farmers.**

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

In proposing the Motion Councillor Ward requested the District would forward the Motion to the Minister of Further and Higher Education, Research, Innovation and Science.

### **13. Notice of Motion submitted by Councillor A. Teskey**

**I will move at the next Meeting that this District write to the secretary of the Kilfinny group water scheme to ask for an update in relation to consumers having continuous problems with their supply of water.**

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

In proposing the Motion Councillor Teskey agreed to forward the contact details for the secretary of the group to the Meetings Administrator.

**14. Notice of Motion submitted by Councillor J. O'Donoghue**

**I will move at the next Meeting that a full breakdown of costs borne by Limerick City and County Council from the recent court case in relation the Adare-Rathkeale District following the local elections be provided. This breakdown to include and specify any expenditure to any third party.**

The Motion was proposed by Councillor O'Donoghue, seconded by Councillor Hartigan and agreed.

**Reply:** By way of background an unsuccessful candidate in the Adare – Rathkeale Local Electoral Area obtained a Court Order under Article 93 of the Local Elections Regulations to inspect invalid ballot papers. Following the inspection, I can advise that the Applicant in the proceedings made an application to the Court to withdraw their petition. Limerick City and County Council did not oppose that application. The Applicant made no application for costs and Limerick City and County Council did not seek costs against the applicant. The withdrawal of the application and discontinuation of proceedings is a positive outcome for Limerick City and County Council. A continuation of proceedings and hearing of evidence in the Circuit Court would likely amount to a costly undertaking. The petitioner acknowledged that the Returning Officer dealt with their concerns regarding the integrity of the vote in an open and transparent manner. It was acknowledged by the Judge in this matter that it was important for democracy that Elections be open and transparent and that the system was shown to be open, transparent and robust. In line with standard fees LCCC anticipates paying legal costs of €10,000 plus VAT. No payment has been made at this stage.

**15. Notice of Motion submitted by Councillor J. O'Donoghue**

**I will move at the next Meeting that a plan for verge trimming on a year round basis be implemented by Limerick City and County Council on all roads under the control of the Local Authority.**

The Motion was proposed by Councillor O'Donoghue, seconded by Councillor Hartigan and agreed.

In proposing the Motion Councillor O'Donoghue stated a budget is needed to cover the huge cost implications for maintaining all road verges. He further requested his Motion

be forwarded to Corporate Services with a view to it being forwarded for the Agenda of the next Travel and Transportation Strategic Policy Committee.

**Reply:** Section 70 of the Roads Act 1993 places responsibility for the maintenance of roadside hedges on the owners/occupiers of the adjoining lands.

The responsibility for the maintenance of roadside verges rest with the local authority.

Generally, given the extensive road network and funding issues, it is Council Policy that cutting verges has a low priority compared with other road maintenance elements. Where work is carried out, priority is given to sight-lines at junctions or obstruction to road signs. Drainage works are carried out to verges also as required.

#### **16. Correspondence**

Correspondence was noted and taken as read.

#### **17. A.O.B**

- Prior the Meeting Councillor Hartigan sent the following Motion to the Meetings Administrator:

“I will move at the next Meeting that Uisce Éireann are contacted to seek answers as to the incident at the Castlemahon plant and to what measure will be taken to resolve the damage caused, measures to prevent yet another incident and to ascertain if the water supply will be affect in terms of its suitability for human consumption”.

The Meetings Administrator advised Uisce Éireann had replied that the plant is operating normally and they continue to co-operate fully with Inland Fisheries Ireland, Environmental Protection Agency and the Limerick City and County Council Environmental Department. They also assured the community there has been no impact on the quality of drinking water.

- The Meetings Administrator requested a date for the Civic Reception proposed for former Councillor Emmett O’Brien. The Cathaoirleach advised he would revert with a suitable date in due course. He also wished the former Councillor well on his forthcoming wedding day.

This concluded the Meeting.

Signed: \_\_\_\_\_  
**Cathaoirleach**

Dated: \_\_\_\_\_