

MINUTES OF PROCEEDINGS AT MEETING OF THE MUNICIPAL DISTRICT OF ADARE-RATHKEALE HELD IN BALLYHAHILL COMMUNITY HALL, BALLYHAHILL, CO. LIMERICK ON TUESDAY, 14TH MARCH, 2017, AT 9.00 A.M.

PRESENT IN THE CHAIR: Councillor A. Teskey, An Cathaoirleach.

MEMBERS PRESENT:

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

OFFICIALS IN ATTENDANCE:

Director, Regional Services (Ms. C. Curley), A/Senior Executive Engineer, Service Operations West Division (Mr. R. Noonan), Assistant Engineer (Mr. D. Flanagan), Senior Executive Officer, Economic Development (Mr. B. Kennedy), Technician, Economic Development (Mr. J. O'Connor), Heritage Officer (Mr. T. O'Neill), Executive Planner (Ms. Bernadette Collins), Executive Archaeologist (Ms. S. McCutcheon), Meetings Administrator (Mr. T. O'Callaghan), Staff Officer (Ms. K. Butler), Assistant Staff Officer (Ms. E. Buckley).

At the outset Members expressed their sympathy to the families of the Irish Coast Guard Helicopter that had crashed off the County Mayo coast.

Members also expressed sympathy to the family of the late Bishop Casey and noted his connection to the District, having been raised in Adare and uncle to former Councillor John Clifford. Members highlighted the contribution Bishop Casey had made as a defender of the rights of minorities, through his work with Trocaire and the assistance he gave to the Irish in London. Members also noted his compassion, his communication skills and the contribution he had made during the visit of Pope John Paul II and described him as an outstanding ambassador for Ireland. It was agreed that the District should write to former Councillor John Clifford to extend sympathy to John and his family.

1. Adoption of Minutes

- (a) Circulated, copy of draft Minutes of Special Meeting of the Municipal District of Adare-Rathkeale held on 15th February, 2017.

Proposed by Councillor O'Brien;
Seconded by Councillor McMahon;
And Resolved:

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

- (b) Circulated, copy of draft Minutes of Meeting of the Municipal District of Adare-Rathkeale held on 15th February, 2017.

Proposed by Councillor O'Brien;
Seconded by Councillor McMahon;
And Resolved:

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

- (c) Circulated, copy of draft Minutes of Special Meeting of the Municipal District of Adare-Rathkeale held on 6th March, 2017.

Proposed by Councillor O’Brien;
 Seconded by Councillor McMahon;
 And Resolved:

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

2. Deputation from Ballyhahill Development Association

The Cathaoirleach thanked Ballyhahill Development Association for the invitation to hold a District Meeting in Ballyhahill and invited Mr. Tom O’Brien, Chairman of Ballyhahill Development Association to address the Meeting.

Mr. O’Brien highlighted the various projects and works being carried out by the Development Association and outlined the following issues that were of ongoing concern;

- While plans were in place to improve the right hand side of the approach road from Glin the left hand side was also in need of improvement and advice was sought in relation to the filling of an open dyke there;
- There was a five foot drop next to part of the footpath to the Montessori School and there was a need to erect railings or raise the level of the ground adjacent to the path;
- There was a persistent issue of sediment in the water in the village;
- There was concern as to the quality of road reinstatement that would be carried out after the gas pipeline was laid through the village and the Development Association was seeking to establish the appropriate person in the Council to liaise with in this regard;
- Due to the gradient of the roads in the village, safe entry and exit from the village in times of frost was an issue and there was a need to grit, even one of the exit roads from the village;
- The green area at the Shanagolden side of the village, adjacent to the river, was in need of improvement and GMA funding towards same was requested.

Members thanked Mr. O’Brien for his presentation and acknowledged and praised the Development Association for the works it had carried out and the high level of volunteerism in place.

Members discussed the issues raised by Mr. O’Brien and noted the possible need for a scour valve to be installed in the village’s water pipe and stressed the need for the Council to monitor the road reinstatement works, subsequent to the laying of the gas pipeline. Members also discussed the potential to restore the old library building in the village and the need to engage with the Conservation Officer in relation to same and concern was raised at the derelict and dangerous condition of an old public house in the village and the need to make it safe.

It was agreed that item 13 on the agenda would be taken next.

NOTICE OF MOTION

13. Notice of Motion submitted by Councillor C. McMahon

I will move at the next Meeting that we receive a deputation from members of Rathkeale Boxing Club at our April Meeting.

The Motion was proposed by Councillor McMahon and seconded by Councillor Keary.

3. Schedule of Works for the Municipal District

Circulated, Draft Schedule of Municipal District Works 2017, dated 1st March, 2017, for the Municipal District of Adare-Rathkeale that had been prepared in accordance with Section 103A of the Local Government Act 2001 (as amended).

Proposed by Councillor O'Brien;
Seconded by Councillor Keary;
And Resolved:

“That the Schedule of Municipal District Works 2017 for the Municipal District of Adare-Rathkeale be adopted in accordance with Section 103A of the Local Government Act 2001 (as amended)”.

4. Economic Development Directorate

(a) Great Southern Trail

(i) Proposed Enhancement Works to the Existing Great Southern Trail

Circulated, report of the Director, Economic Development dated 21st February, 2017 and attached Chief Executives Report dated 21st February 2017 setting out details of proposed enhancement works on the existing Great Southern Trail from Rathkeale to the Kerry Border, adjacent to Abbeyfeale, Co. Limerick. It was noted that the Chief Executive's Report had been prepared in accordance with the Planning and Development Acts 2000 (as amended) and Part VIII of the Planning and Development Regulations 2001 (as amended) and that it was proposed to proceed in accordance with Section 5 of the report.

The Senior Executive Officer, Economic Development, informed the Members that, as the proposed works spans both the Municipal Districts of Newcastle West and Adare-Rathkeale, the Part VIII report would be brought before the full Council for approval. Members noted the report, as circulated.

(ii) Nomination to the Proposed Consultative Group for the Great Southern Greenway

Circulated, report of the Senior Executive Officer, Economic Development dated 21st February, 2017 attaching terms of reference for the proposed Great Southern Greenway Consultative Group and requesting the District to nominate a Member to same. On the proposal of Councillor Sheahan, seconded by Councillor O'Brien, it was agreed that Councillor O'Donoghue should represent the Municipal District of Adare-Rathkeale on the proposed Consultative Group for the Great Southern Greenway.

(iii) Intention to Lodge Part VIII for the extension of the Great Southern Greenway

Circulated, report of the Senior Executive Officer, Economic Development dated 27th February 2017 setting out details of the Council's intentions to lodge a Part VIII application in connection with proposals to extend the Great Southern Greenway walking and cycling route from Rathkeale to Ballingarrane, Co. Limerick along the former Limerick to Kerry Railway line.

Members noted that the proposed Limerick to Foynes road would impact on this portion of the proposed greenway and requested that this section would be shown clearly on any maps to be provided and that the final route for the Greenway, at this point, should be selected now to ensure that it would not be disrupted by the new road and that finances invested in the Greenway would not be wasted.

The Senior Executive Officer, Economic Development made the following point in response to issues raised by Members;

- Discussions had been held with the Palentine Society in relation to the potential use of a stone building, in their charge, in association with the greenway. While the Palentine Society had no plans in this regard the matter could be considered by the Consultative Committee;
- The Rail Line was the property of Iarnród Éireann and broadband services were running along the length of same. Landowners adjacent to the line had been met with in relation to the proposed greenway and no issues had been raised, to date;
- Road Design had undertaken to design the proposed road in consideration of the greenway and make the greenway available during the road works. It should be noted that 700m of the 3km greenway section would be affected in this regard and any expenditure would be minimised on this 700m section, pending construction of the road.

(b) Proposed Heritage Plan 2017-2030

The Cathaoirleach welcomed Ms. Bernadette Collins, Executive Planner and Mr. T. O'Neill, Heritage Officer to the Meeting. The Executive Planner informed Members that the proposed Heritage Plan was a non statutory plan relating to the built, natural and cultural heritage and was intended primarily to be broad based to facilitate the allocation of funding from the Heritage Council as suitable projects arose. She noted that projects funded to date included Golden Mile, Bouchier's Castle, Digital Atlas, Limerick Lace and a Bird Survey on the estuary, which was required in conjunction with any proposed development on the estuary.

Members noted the draft plan, as circulated.

5. Operations & Maintenance Services

Burial Ground Maintenance

The Cathaoirleach welcomed Ms. S. McCutcheon, Executive Archaeologist, to the Meeting and pointed out that a number of old headstones at Clounagh graveyard were leaning over and a local group were being prevented from carrying out works on same.

The Executive Archaeologist noted that there was a guidance document from the Department in place in relation to the maintenance of such recorded monuments that recommended, where a headstone was leaning over by more than 45 degrees, a concrete base with a slot to accommodate the headstone and a membrane between both should be put in place. She noted that this issue often arose from the earth at the base of the headstone being exposed by maintenance works causing it to erode and the headstone to lean over. She noted that she worked with many groups to give guidance on the appropriate maintenance of burial grounds but had had no contact with any groups in relation to Clounagh Burial Ground.

In reply to issues raised in relation to the protection of a structure at Kilscannell Burial Ground the Executive Archaeologist noted that access to the structure had been prevented on engineering advice. Scaffolding had originally been erected to facilitate the inspection of the structure and the opportunity had been used to reposition pinnacles back into plumb. Lack of funding had prevented any further works to the structure.

In relation to the use of modern adhesives to repair split headstones the Executive Archaeologist noted that the use of an adhesive, stronger than the original stone could be an issue. She also noted that where dowelling was considered in such cases, the condition of the stones had to be taken into consideration.

In relation to access being limited to Lemonfield Burial Ground by an electric gate, in private ownership, the Executive Archaeologist informed the Members that the Council was working through a series of options with the landowner in question in an effort to resolve this issue. Members requested that they be kept informed of developments in this regard.

Members raised concern with regard to the safety of a structure at Bruree Burial Ground and expressed their dissatisfaction at the lack of progress in resolving a range of issues they had identified at Burial Grounds throughout the District. Members acknowledged the limited budget available in this regard and highlighted the need to prioritise spending in the short term and requested that the Executive Archaeologist revert to them in relation to same. Members stressed the need for the Council to engage fully with community groups to maximise their potential to carry out maintenance works and supervise same.

Members noted the apparent lack of progress in repairing one of the two thatched cottages in Adare damaged by fire and requested an update on same.

6. Service Operations Directorate – Planning & Environmental Services

(a) Update on the Taking-In-Charge of Ballyvareen Estate

Circulated, report of the Senior Executive Engineer, Water Services dated 9th March, 2017 giving an update on the taking in charge of Ballyvareen Estate, Kildimo. The report was noted by Members.

(b) Update on the Taking-In-Charge of An Curran Estate, Pallaskenry

Circulated, report of the Staff Officer, Planning and Environmental Services dated 8th March, 2017 giving an update on the taking in charge of An Curran, Pallaskenry. The report was noted by Members.

7. Flooding Issues

Circulated, report of the A/Senior Executive Engineer, West Division Operations, giving an update on proposals to address flooding issues at Foynes, Askeaton and Ballysteen. Members noted the ongoing threat at the time of high tides of flooding at Askeaton Pool and Leisure Centre and the importance of protecting the considerable investment that has been made in same. It was noted that the plant room, in particular, at this location was under threat.

The A/Senior Executive Engineer noted that he had met with a number of consultants in relation to fee proposals for a review of works needed at Ballysteen and undertook to revert to the Members in relation to same. Members requested that this item remain on the agenda.

8. Footpath from Kildimo to the Beer Garden Public House

Circulated, report of the A/Senior Executive Engineer, West Division Operations dated 8th March, 2017 in relation to the completion of the footpath from Kildimo to the Beer Garden. Members noted the report and highlighted the importance of continuing to engage with the landowner in question.

9. County Wide CCTV Project

Circulated, report of the Head of Digital Strategy dated 8th March, 2017 giving an overview of how the proposed County Wide CCTV Project would be progressed. Members noted the report and the Director clarified that the status of Askeaton and Rathkeale in terms of priority was unchanged.

10. CCTV Monitoring at Bottle Banks in Rathkeale

Circulated, report of the Executive Engineer, Operations North dated 28th February, 2017 setting out the Council's policy in relation to individuals who leave litter at Council Bring Banks and giving an update on littering offences carried out at the Bring Bank in Rathkeale during the Christmas period. Members welcomed the report and pointed out the need for CCTV cameras

to be used to monitor unauthorised dumping at Rathkeale Cemetery. The Director noted that while the number of cameras was limited, she would request that Rathkeale Cemetery would be included on the monitoring list.

QUESTIONS

11. Question submitted by Councillor K. Sheahan

I will ask at the next Meeting for the Council to advise the Members of the Municipal District of Adare-Rathkeale what our responsibilities are, if any, now that the travelling community is regarded as an ethnic group.

REPLY: The Oireachtas announced on Wednesday the 1st of March 2017 that the Traveller Community are now an ethnic group. This means that their culture, heritage and identity are recognised by the State.

Limerick City and County Council are awaiting information from the Department of Housing, Planning, Community and Local Government.

12. Question submitted by Councillor S. Keary

I will ask at the next Meeting for an itemised cost breakdown for works recently executed by this Authority at Asgard Cove, Loghill as part of the taking in charge process for this site and for a copy of an Ordnance Survey Map, duly marked and drawn to a minimum scale of 1:2500, showing the boundaries of the Asgard Cove Site being taken in charge by this Authority.

REPLY: Works are currently on-going at Asgard Cove and an itemised cost breakdown is not available at this time.

NOTICES OF MOTION

14. Notice of Motion submitted by Councillor R. O'Donoghue

I will move at the next Meeting that, as a matter of urgency, the derelict/vacant properties in the District be compulsorily acquired by the Council and renovated to both solve the housing crisis and restore the streetscapes of our county towns. In every town in the District there are numerous vacant, crumbling properties.

The Motion was proposed by Councillor O'Donoghue and seconded by Councillor Teskey.

In proposing the Motion Councillor O'Donoghue noted the extent of vacant/derelict properties in Croom and called for incentives to put in place to encourage property owners to renovate such property thereby removing the dereliction and increasing the availability of commercial and domestic property for letting or sale. Members noted that incentives in this regard were

under consideration and requested that the Housing Department attend at the next Meeting to give an update on same.

15. Correspondence

Correspondence was noted.

At the conclusion of the Agenda the following issues were raised by Members with the permission of the Cathaoirleach.

- On the proposal of Councillor Teskey, seconded by Councillor Sheahan, it was agreed that the District should write to the Minister for Transport, the Road Safety Authority and the three local TD's highlighting the Districts opposition to the introduction of NCT type testing for farm tractors.
- On the proposal of Councillor O'Donoghue it was agreed that the May Meeting of the District should be held in Croom to facilitate viewing of a local issue.
- Councillor Sheahan noted the reply he had received in relation to the responsibilities of the Council on foot of the Government declaration of Travellers as an ethnic group. He noted that the definition of a traveller included someone of nomadic practice and noted that many of the Traveller Community no longer travelled. Members sought clarity on what legislation was behind the Government declaration and discussed implications for the Equal Status Act and the responsibilities that the declaration placed on the Travelling Community. Members looked forward to receiving an answer to the issues raised at the next Meeting.
- Councillor O'Donoghue raised concerns regarding the number of public lights not working in Ballingarry, Granagh and Croom and enquired as to whether the Council was paying for a public light survey, which he stated was carried out at frequent intervals, even though there seemed to be no relationship between the survey and the length of time taken to repair lights not working.
- Councillor O'Donoghue sought clarity as to the length of time taken to repair potholes and whether the Council had liability for any damage caused by potholes from the time it became aware of same.
- Councillor O'Donoghue raised the issue of a Council Tenant wishing to purchase their rented property under the Tenant Purchase Scheme but were prohibited from doing so because of their weekly income and in spite of the fact that they had the capital on hand to purchase. The Director noted that elements of the current scheme had been put in place to prevent money laundering and Members noted that a new scheme was being devised.

- Councillor O'Donoghue raised the issue of an outstanding public lighting bill relating to the estate at Cois Sruthain, Croom. The Director noted that the Council would be liable for any such invoices from the time the estate had been taken in charge.

This concluded the Meeting.

Signed: _____
Cathaoirleach

Dated: _____