



**Minutes of Rathkeale Area Committee Meeting
Held in the Rathkeale House Hotel,
Lower Main Street, Rathkeale,
on Monday 6th November, 2006 – 11.00.a.m.**

Present In the Chair : Councillor D. Naughton.

Members Present : Councillors J. Griffin, T. Neville, J. Sheahan, K. Sheahan.

Officials Present : B. Martin S.E.E., G. Liston, E.E., K. McMahon, E.E., T. Breen, S.O., S. Hayes, A.O., J. Guinane, A.O., G. Sheeran, S.P., D. McGuigan, A.O., M. Griffin, A.O., T. Cassidy, Conservation Officer.

Apologies : P. O'Neill, S.E., J. Kennedy, S.E.E.

Minutes of Special Area Committee Meetings held on Monday 10th July, 2006, and Wednesday, 2nd August, 2006, and Minutes of Area Committee Meeting held on Monday 16th October, 2006 - draft copies to follow.

The Minutes of the Special Area Committee Meetings held on Monday 10th July, 2006, and Wednesday, 2nd August, 2006, and the Minutes of Area Committee Meeting held on Monday 16th October, 2006 were adopted. Proposed by Councillor K. Sheahan, and seconded by Councillor J. Sheahan.

Election of Chairperson, Rathkeale Electoral Area Committee, 2006 – 2007.

Councillor D. Naughton was nominated for the position of Chairperson to the Rathkeale Electoral Area Committee for 2006 – 2007. Proposed by Councillor T. Neville, and seconded by Councillor J. Sheahan.

To consider the proposed Intoxicating Liquor Bye-laws – A.O. Bruff/Castleconnell.

J. Guinane, A.O., informed Members the proposed Intoxicating Liquor Bye-laws had been agreed with the Bruff, Castleconnell, Kilmallock, and Newcastle West Electoral Areas, and their introduction also discussed at Party Leader's Meetings. The bye-laws could be introduced in four of the five Areas with the Rathkeale Area excluded if the Committee agreed this. The Garda Siochana had indicated they were anxious for the bye-laws to be implemented.

Councillor Naughton expressed the view that adequate existing laws were in place for the Gardai to deal with anti-social behavior arising from the consumption of liquor outside of licensed premises or a public place, but would consider agreement to the Rathkeale Electoral Area being excluded from the operation/enforcement of Intoxicating Liquor Bye-laws.

Councillor J. Griffin stated his opposition to dividing the county along Electoral Area lines in the introduction of bye-laws, and recommended the issue be discussed further by Members at a Special Area Committee Meeting. Councillor Griffin accepted the Gardai needed some additional control/powers, but powers available under the bye-laws could be limited to specific defined areas within the county.

Councillor J. Griffin formally proposed that the Intoxicating Bye-laws item, be dealt with as a single item at a Special Rathkeale Electoral Area Committee Meeting in December. Councillor D. Naughton seconded the proposal.

To consider the Draft Rathkeale Town Plan – S.P., Planning.

G. Sheeran, S.P., outlined to Members the requested amendments to the Rathkeale Town Plan.

Councillor J. Griffin questioned why the boundary lines had not been extended to include Danaher's Cross that was serviced by public lighting and would have negligible impact from a Planning Section viewpoint. He also queried why a field in this area had been split with a boundary line, rather than using the existing field boundaries. Councillor Griffin suggested the extension of water and sewerage services and footpaths in a town determined the natural boundaries to that town, and should in all instances be considered for inclusion in the preparation of any Town Plan. Councillor Griffin also made reference to the northern town boundary lines on the main Rathkeale/Askeaton road (R518) and was again serviced by both public lighting and footpaths, and recommended the boundary be extended to include the houses/lands as described. Councillor Griffin took issue with the proposed zoning on the Goodman site stating the lands would never be used in accordance with the zoning proposed, and should be amended.

Councillor T. Neville also expressed the view that the proposed zoning of industrial/mixed use on the Goodman site didn't make sense and should be amended. He also recommended the map boundaries be extended to encompass the houses at Holycross and Kyletaun.

G. Sheeran, S.P., agreed to re-examine the various issues raised, and refer back to Members.

Councillor D. Naughton questioned the rationale in rezoning of the lands to the rear of the Rathkeale House Hotel between the Industrial Estate and Main Street. G. Sheeran, S.P., undertook to examine and refer back to the elected Member.

Councillor J. Griffin queried why the gardens off Main Street/Thomas Street had been re-zoned to mixed use, and why the New Road showed different zoning to Thomas Street. Councillor Griffin stated there was need for uniformity in zoning, and would agree to the proposal if the red section on New Road were changed to blue.

G. Sheeran, S.P., stated there were no major planning implications between the town centre and mixed use. The blue colour coding was used to protect shopping areas in the town centre. He undertook to re-examine and refer back to the Member.

B. Martin, S.E.E., noted the Carnegie Library Building had been included as a proposed protected structure, and questioned if the Town Plan had been amended, as previous maps had shown a new road through the new Rathkeale Headquarters car park.

G. Sheeran, S.P., confirmed the proposed new road had been adjusted, taking a line through the adjacent Golden Vale lands leading to the river. T. Cassidy, Conservation Officer confirmed there to be no protected status issues arising in regard to the new Rathkeale Headquarters Development.

Councillor D. Naughton took issue in relation to the projected/proposed streetscape development and adjoining properties at New Line, Rathkeale, contained in the Town Plan. He stated there had been no consultation with G.V.M. Ltd., and asked if discussions had taken place with the Fennells - owners a section of the adjoining property. Councillor Naughton had no personal difficulties with the design layout as shown, but felt the document should be withdrawn from the public domain.

G. Sheeran, S.P., informed Members the New Line Development as shown, was for indicative purposes only, and was a suggestion as to how the site could be developed. Mr. Sheeran stated the drawings could

be removed from the Draft Town Plan, at the request of Members, and that Planners would be available to meet with G.V.M. Limited.

Councillor J. Griffin suggested Officials meet with the relevant property owners - now that the indicative drawings were in place – and the discussion process should commence immediately.

Update on Proposed Playground for Rathkeale Town – A/S.E.O., Community & Enterprise.

M. Griffin, A.O., informed Members that following meetings with the Rathkeale Playground Committee, it is proposed to locate the new Playground on Council lands in St. Mary's Park. Agreement from the St. Mary's Park Residents Association and Rathkeale Community Council was awaited. It is anticipated the new Playground will be in place for summer of 2007. Mr. Griffin confirmed it may be necessary to go through the Part 8 Planning process for the Playground.

Councillor J. Griffin understood objections to the proposed Playground location may be lodged from some St. Mary's Park residents. Alternative sites had been suggested that included the Council lands opposite Geoghegan's Workshop, and a section of land located inside the footpath boundary wall at the New Road. Councillor Griffin requested that playground layout plans be prepared and circulated to Members.

Councillor T. Neville was of the opinion that the proposed Playground location had been agreed between all groupings in Rathkeale.

M. Griffin, A.O., confirmed the proposed Playground was intended to be a play facility for Rathkeale Town, and there was no intent for the playground to be an integrated part of St. Mary's Park. Drawings/layout plans would be prepared and circulated to Members for either the December or January Area Committee Meeting.

Record of Protected Structures – Updated Listing / Procedure for removal of a Protected Structure from the Listing – Conservation Officer.

T. Cassidy, Conservation Officer, gave a brief outline to Members in relation to the updated Listing and procedure for removal of a Protected Structure from the Listing, and indicated the full report would be brought before the next Meeting of full Council. Mr. Cassidy undertook to meet with Councillors Griffin and Neville to discuss the proposed Listing for Protected Structures contained in the Draft Rathkeale Town Plan. The former Railway Station would be included in the Listing, and former Workhouse assessed.

Councillor D. Naughton queried the number of Protected Structures in Rathkeale Town, including the numbers in the current proposed Listing. Councillor Naughton also questioned if the Goods Shed of the Railway would fall within the curtilage of the Palatine Museum.

T. Cassidy, Conservation Officer, confirmed the Goods Shed would fall within the curtilage of the Palatine Museum listing, and would refer back to the Member on the total number of Protected Structures in Rathkeale as described.

Maintenance of Public Lighting – S.E.E., Rathkeale.

B. Martin, S.E.E., informed Members a new contract agreement was being negotiated between the E.S.B. and Local Authorities, and it was anticipated this agreement should be agreed and signed in coming months. Part of the proposed new agreement required a commitment from the E.S.B. to respond to and fix public lighting within ten working days. It was anticipated the new agreement would contain penalties for

failure to complete repair works within the ten day time frame. The annual cost of public lighting was currently €1.2m.

Councillor J. Griffin spoke of the poor maintenance standards operated by the E.S.B. in relation to public lighting maintenance, with repairs often extending to between four and six months, and suggested the Council consider withholding of payments until such time as all outstanding repairs were completed. Councillor Griffin referred to the special needs of Rathkeale in regard to street cleaning, and the need to put in place additional resources and funding. There were further issues in relation to the removal of poles by Eircom and other bodies, with the resulting damage/holes in the pavement left open. Councillor Griffin requested that Eircom be advised of a dangerous cover near Dinnage's Shop on Main Street, and recommended replacement of the cover with the traditional non-slip type. Councillor Griffin referred to the ongoing drainage problems at Holycross that was installed during the construction of the Rathkeale Bye-pass – he proposed that the necessary funding be put in place to remedy the drainage/flooding problem.

G. Liston, E.E., informed Members a c.c.t.v. survey contractor, and drain cleaning contractor had been engaged to resolve the Holycross drainage problems. The problems identified from the survey included inadequate/shallow fall in the pipe, and continuous blockages from tree roots from the planting overhead. In order to resolve the drainage problems at Holycross, it would be necessary to relay four to five hundred metres of pipe.

Councillor D. Naughton requested the Rathkeale Roads E.E. to furnish the estimated costs associated with the drainage works to Members at the December Area Committee Meeting.

Councillor T. Neville spoke on the substantial funding provided by the Council to the E.S.B. for public lighting maintenance and the substandard service provided, and would be supporting the suggestion that any monies due to the E.S.B. be retained by the Council until the outstanding repairs were completed.

Councillor J. Griffin formally proposed that one third of the annual E.S.B. Maintenance Budget be retained by the Council to the financial year end, pending an improvement to the quality of the Public Lighting Maintenance Service. Councillor T. Neville seconded the proposal.

B. Martin, S.E.E., informed Members a major clean-up to the rear of Roches Road had recently been completed with the assistance of the Environmental Section, and accepted there was a need for improved street cleaning services, due to the special circumstances/requirements of Rathkeale Town. Any upgrading of services would be subject to additional resources becoming available.

Estimated costs associated with Proposed Improvement Works to St. Joseph's Burial Ground, Rathkeale – S.E.E., Rathkeale.

B. Martin, S.E.E., outlined to Members the listing of requested improvement works to St. Joseph's Burial Ground, Rathkeale, with the cosigns for these works estimated at €18,000.

Councillor J. Griffin proposed the works listing and estimate for the improvement works to St. Joseph's Burial Ground be forwarded to the Director of Services, Transport and Infrastructure, Rathkeale being a special case for funding due to a failure to implement the Council's Headstone Policy. Councillor T. Neville seconded the proposal.

S. Hayes, A.O., informed Members the County Manager's Order for Headstone Policy, that included a section of policy specific to St. Joseph's Burial Ground, had been signed the previous Friday.

Extension of Shannon Estuary Water Supply Scheme – Update from S.E.E., Water Services.

S. Hayes, A.O., stated that discussions with a view to reaching an agreement with the local objectors in Pallaskenry/Kildimo, were ongoing.

Askeaton/Athea/Foynes/Glin/Shanagolden Sewerage Scheme – Update from S.E.E., Water Services.

S. Hayes, A.O., circulated to Members the report of the S.E.E., Water Services, detailing progress on the Askeaton/Athea/Foynes/Glin/Shanagolden Sewerage Schemes to date.

Progress Report on Installation of C.C.T.V. and Clean-Up to rear of Roches Road, Rathkeale – S.E., Environment.

B. Martin, S.E.E., informed Members c.c.t.v. cameras had been installed to the rear of Roches Road, with signage to be erected in the immediate future. The roadway had been cleaned the previous week with 150 ton of waste material removed to the Gortadroma Landfill facility.

Gortadroma Landfill – recurring item – S.E. Environment.

Councillor T. Neville stated he had received a number of calls relating to noxious odors emanating from the landfill facility, that necessitated them leave their homes for a time.

Councillor J. Griffin queried the reasoning in relation to the return of property to a landowner whose lands had been acquired under the Compulsory Order process, and questioned why these lands had been C.P.O.'d in the first instance, this conduct bringing the C.P.O. process into disrepute. He requested for Members be briefed on the circumstances and background to this transaction.

Members collectively expressed disappointment that no Environmental Official had attended the Committee Meeting to address the odor issue or update Members on site operations.

To agree a date/s for an Electoral Area Committee Meeting with the National Roads Authority.

Item deferred by Members to the December Committee Meeting.

Question submitted by Councillor K. Sheahan :

I will ask at the next ordinary Meeting of the Rathkeale Electoral Area Committee that a progress report be furnished to Members for the Proposed Playground for Askeaton.

Councillor K. Sheahan stated the funding allocation for the proposed Playground at Askeaton to be inadequate to provide the facilities needed – the monies allotted would cover the costs associated with the base surface only, but no playground equipment. Councillor Sheahan was hopeful additional funding would be provided through the Development Fund. He confirmed the Swimming Pool Project was progressing on target, and that the general consensus in Askeaton, was for the proposed Playground to be located in the Town, Park adjacent to the Pool Project, the Playground thus benefiting from enhanced security and maintenance. The existing tennis court, adjacent to the town bridge, had been mentioned as an alternative site for the playground, but understood the Askeaton Tennis Court Committee would resist such a move.

Councillor J. Griffin questioned if a dedicated Playground Committee was in place in Askeaton, similar to that of Rathkeale Town.

Councillor D. Naughton informed Members a Playground Committee would be put together by both local Councillors, that would be representative of all Askeaton Town Groupings, and would liaise with D. McGuigan, A.O. with a view to obtaining additional playground funding.

M. Griffin, A.O., Community & Enterprise, informed Members the thrust of the first Playground Grants Scheme was to concentrate the main focus for such facilities in one town in each Electoral Area. Further grant funding would become available in towns for playgrounds.

Councillor T. Neville requested that Pallaskenry Village be considered for Playground funding under any further grant allocations. Contact details for the Pallaskenry Committee would be forwarded to the A.O., Community and Enterprise Section.

Notice of Motion submitted by Councillor T. Neville :

I will move at the next ordinary Meeting of the Rathkeale Electoral Area that Limerick County Council provide :-

- (a) Street Lighting between St. Colman's Childcare Services Ltd., and the Primary School in Kilcoleman*
- (b) Speed limits in the village be altered to encompass the St. Colman's Childcare Services*

Councillor T. Neville stated his opposition to a charitable organisation being burdened with the costs associated with the provision of public lighting. Councillor J. Sheahan confirmed his support of the Notice of Motion, and the views expressed by Councillor Neville.

G. Liston, E.E., informed Members the request for a speed limit extension as described would be considered under the next Speed Limit Review. Mr. Liston undertook to commence the process for the proposed speed limit extension and make a submission for the agreement of the Garda Siochana.

Correspondence.

Copy of extract from the Housing (Miscellaneous Provisions) Act, 2002 in relation to trespass.

Councillor J. Griffin expressed his disappointment that the local Garda Superintendent had refused to utilise the powers available to the Garda Siochana under the Housing (Miscellaneous Provisions) Act, 2002, in relation to the trespass by persons on the Council lands at Abbeylands. Councillor Griffin spoke of the upset and anxiety caused to the Abbeycourt residents resulting from the trespass. The trespassing persons had recently moved to private lands at Ballywilliam, Rathkeale and were causing problems and anxiety in this location.

B. Martin, S.E.E., informed Members that Officials had met with the Garda Superintendent in relation to the Garda Siochana using the powers available to them in dealing with trespass at Abbeycourt, under the Housing (Miscellaneous Provisions) Act, 2002. Full impounding services for the trespassing vehicles and caravans had been organised/funded on the part of the Council to assist the Garda Siochana. The Garda Superintendent had sought advice from the D.P.P. in the use of the powers under the Act. Legal written advice received for the Council's legal representatives contradicted the advice of the D.P.P. as stated by the Garda Superintendent. A copy of the Council's legal advice was forwarded to the local Superintendent.

Councillor J. Griffin requested Officials to furnish a detailed report on the Abbeylands trespass to Members, for discussion at the December Electoral Area Committee Meeting. Councillor Griffin opinioned it may be necessary to bring the item before full Council, and if necessary from full Council to the Minister for Justice, Equality and Law Reform, and also the Minister for the Environment, Heritage and Local Government for resolution. Councillors T. Neville, D. Naughton, and J. Sheahan supported Councillor Griffin.

A.O.B.

Councillor T. Neville questioned if Area Officials had been briefed/updated by the Housing Section on the provision of additional car parking spaces at Cluain Mhuire, Pallaskenry, following on from his Notice of Motion that had been agreed by full Council.

Meeting Dates :

Members agreed the following Meeting Dates :

Special Rathkeale Electoral Area Committee Meeting on Monday, 11th December, 2006, in County Hall, at 10.30.a.m., this meeting to be followed by the monthly Rathkeale Electoral Area Committee Meeting.

That concluded the business of the Meeting.

Signed: _____ Chairman.

Dated this 11th day of DECEMBER, 2006.

Secretary.