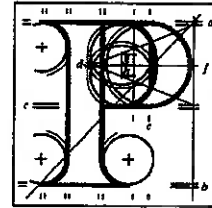


Our Case Number: ABP-310286-21

Your Ref: Councillors of the Cappamore Kilmallock Municipal District



**An
Bord
Pleanála**

Michael Donegan
22 Sycamore Drive
Kilmallock,
Co. Limerick

Date: 21st July 2021

Re: Railway works and all works necessary to eliminate and, where necessary, upgrade seven numbered level crossings and carry out all associated and ancillary works along a 24-kilometre section of the Dublin to Cork Railway Line.
Fantstown, Thomastown, Ballyhay, Newtown, Ballycoskery (Ballyhea Village), Shinanagh and Buttevant, Co. Cork and Co. Limerick.

Dear Sir,

An Bord Pleanála has received your recent submission in relation to the above- mentioned proposed railway order and will take it into consideration in its determination of the matter.

A receipt for the fee lodged is enclosed.

The Board will revert to you in due course with regard to the matter.

Please be advised that copies of all submissions / observations received in relation to the application will be made available for public inspection at the offices of Cork County Council and Limerick City and County Council and at the offices of An Bord Pleanála when they have been processed by the Board.

More detailed information in relation to strategic infrastructure development can be viewed on the Board's website: www.pleanala.ie.

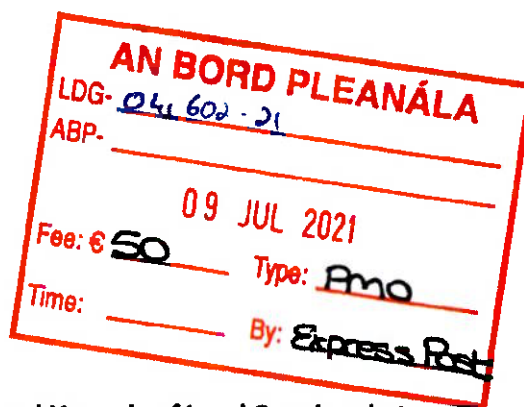
If you have any queries in the meantime, please contact the undersigned officer of the Board.

Tel	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

An Bord Pleanála,
64 Marlborough St,
Dublin 1.
8th July 2021



Railway Order – Dublin to Cork Railway Line (Eliminate and Upgrade of Level Crossings between Limerick Junction and Mallow) Order 2021 (XC201 Thomastown and the XC187 Fantstown)

Dear Sir/Madam,

We the under signed Councillors of the Cappamore Kilmallock Municipal District would like to provide the following unanimously agreed submission at a Special Meeting of the Cappamore Kilmallock Municipal District convened on July 8th, 2021, in relation to the XC201 Thomastown Upgrade and the XC187 Fantstown proposed closure as outlined in the Railway Order.

In January 2020, we invited Irish Rail and Jacobs to attend our Municipal District meeting to discuss the project, in particular, Thomastown and Fantstown Rail Crossings. The minutes of the Municipal District meeting attached (Appendix 1, Item 3) We also passed two motions unanimously during the meeting, which were submitted to Irish Rail as part of the public consultation process (Appendix 2).

(XC187) Fantstown Rail Crossing.

In 2009, the elected members of the Kilmallock Area (Limerick County Council) unanimously rejected the proposed extinguishment of the public right of way due to the concerns of the residents living in the area and how it would affect them. We also highlighted our concerns at the subsequent Oral Hearing that took place regarding the proposed extinguishment of the public right of way.

Following recent meetings with elected members and the residents of the Fantstown area, concerns are still being highlighted to us as elected members:

1. Division of the parish, including rural isolation.
2. Long delays and waiting times at the rail crossing.
3. The imminent closure would result in two cul de sacs.
4. Access for emergency services.

(XC201) Thomastown Rail Crossing.

Following a recent meeting with elected members and residents of the Thomastown community, (Appendix 3), the following points were highlighted to us:

There are safety concerns with the width of the road, which is not wide enough for two vehicles to pass safely and as this is a rural area there are a number of farms in close proximity to the rail crossing with a significant movement of agriculture machinery, including milk trucks, animal feed deliveries, tractors etc. The volume of vehicles and agricultural machinery will also increase on this road especially during school times and harvesting season which further outlines the importance of having a wider two lane road.

The new junction planned for the Charleville - Kilmallock road (R515) needs to be reviewed as it will cause stacking of vehicles when turning off the R515 onto the new road. There has been a number of serious accidents on this road over the last 20 years, including fatalities.

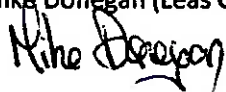
The Effin community has been linked by the railway crossing for a long number of years and the amenities and services are all on the south side of the railway crossing. While the new bridge and access road is very welcome by the community, which was highlighted at our recent meeting with the residents, we, as elected members want to future proof the design of the new route to allow Limerick City & County Council upgrade the road on the south side at a later date.

In your consideration of this Railway Order please have regards for the Limerick County Development Plan that was passed in 2010 with the aim of setting out a framework for proper planning and sustainable development in County Limerick and the Vision Statement as follows:

"Limerick County Council will adopt a positive and sustainable approach to balanced development thereby enhancing the lives of people who live in, work in and visit the County, whilst protecting the natural and built environment."

Signed on behalf of the 7 Councillors

Cllr. Mike Donegan (Leas Cathoirleach) michael.donegan@limerick.ie (086)8735625



Cllr. Martin Ryan (Cathoirleach)

Cllr. Gerald Mitchell

Cllr. John Egan

Cllr. Bridget Teefy

Cllr. PJ Carey

Cllr. John Egan



Appendix 1:

Cappamore Kilmallock Municipal District Meeting Minutes (Jan 2020)

AN BORD PLEANÁLA	
09 JUL 2021	
LTR DATED _____	FROM _____
LDG- _____	
ABP- _____	

MINUTES OF PROCEEDINGS AT MEETING OF THE MUNICIPAL DISTRICT OF CAPPAMORE-KILMALLOCK HELD IN ÁRAS MAINCHÍN SEOIGHE, MILLMOUNT, KILMALLOCK, CO. LIMERICK, ON THURSDAY, 16th JANUARY, 2020, AT 3.00 P.M.

PRESENT IN THE CHAIR:

Councillor Michael Donegan, An Cathaoirleach.

MEMBERS PRESENT:

Councillors Carey, Egan, Mitchell, E. Ryan, M. Ryan and Teeffy.

OFFICIALS IN ATTENDANCE:

Director, Support Services-Finance, Corporate, HR & ICT (Mr. S. Coughlan); Meetings Administrator, (Mr. M. Leahy); Senior Executive Engineer, Cappamore-Kilmallock (Mr. B. Kidney); Executive Engineer, Cappamore-Kilmallock (Mr. D. Sheehy); Clerical Officer, Cappamore-Kilmallock (Ms. H. O'Neill).

Also in attendance: Mr P. Casey & Ms A. Slattery, Ballyhoura Development CLG; Mr. A. Bradley & Ms. F. McDonnell, Jacobs Consultants; Mr. J. Kenny, Irish Rail.

At the start of the Meeting, the Cathaoirleach, on behalf of the Elected Members and staff, expressed his deep condolences to the family and friends of former Cllr Michael Barry, Railway Road, Kilmallock following his recent passing and thanked all of those who attended the Special Meeting called to mark his passing. A minutes silence was observed to mark his passing.

1. Adoption of Minutes

(i) Circulated, copy of draft Minutes of Monthly Meeting of the Municipal District of Cappamore-Kilmallock held on the 12th December, 2019.

Proposed by Councillor Carey,
Seconded by Councillor M. Ryan.
And Resolved:

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

Under Matters Arising, the Elected Members requested that clarification be sought on the 1st preference locations selected by qualified applicants on the Housing Waiting List in the Municipal District.

AN BORD PLEANÁLA

09 JUL 2021

LDG- _____
LDG- _____

(ii) Circulated, copy of draft Minutes of Special Meeting of the Municipal District of Cappamore-Kilmallock held on the 20th December, 2019.

Proposed by Councillor E. Ryan,
Seconded by Councillor Mitchell.
And Resolved:

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

2. Deputation from Bruff Grange Meanus Community Council

The Cathaoirleach welcomed the deputation from Bruff Grange Meanus Community Council. Mark Nagle, on behalf of the deputation, went through the presentation that had been circulated to the Elected Members. He went through the difficulties and issues encountered by their communities in the recent past, and outlined the work carried out to date by all involved in addressing these challenges. He asked the Elected Members and Limerick City and County Council for their continued support in progressing future goals and objectives that they had identified within their respective communities.

The Elected Members thanked the deputation for the presentation and praised the huge amount of voluntary work carried out by the communities. The Members agreed to continue to support the work being done locally by all the groups involved.

3. Cork Line Level Crossings Project

The Cathaoirleach welcomed the representatives from Irish Rail and Jacobs Consultants to the meeting. They gave a presentation to the Elected Members on the Cork Line Level Crossings Project, and in particular on the details relating to the level crossings at Fanstown and Thomastown. They outlined details of the public consultations and public meetings held to date and confirmed that the closing date for receipt of submissions in relation to this current public consultation was the 21st January, 2020.

The Elected Members thanked the representatives for their presentation in relation to the project, and in particular, the information provided in relation to the level crossings at Fanstown and Thomastown. With regard to the Fanstown level crossing, they referred to concerns raised by the local community about the lengthy diversion involved and that the community was being split in two with the suggested closure of this railway crossing. They asked that consideration should be given instead to the provision of an overbridge at this location.

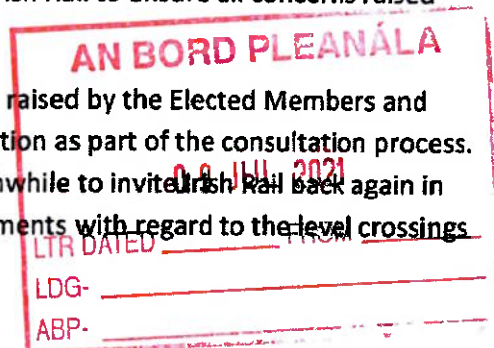


Concerns were also raised in relation to unauthorised parking and dumping on the section of road that would be closed at the level crossing. The Elected Members expressed disappointment that Limerick City and County Council had not formally been involved in the consultation process and agreed that more consultation and engagement should take place with the local community.

The Elected Members also suggested that factors other than the cost of the provision of an overbridge, such as impacts on the local community and increased traffic commute times, should be considered as part of any process and they cited examples elsewhere of overbridges being provided where level crossings were being closed. The Elected Members unanimously agreed that Irish Rail should be asked to review their proposals and instead consider the provision of an overbridge at Fanstown level crossing.

With regard to the Thomastown level crossing, the Elected Members referred to a recent meeting involving the community and some local Councillors where the proposal to provide an overbridge at this location was discussed. It was noted that there was a reasonably positive reaction to the proposal but that some clarifications were being sought. These included the width of the proposed road carriageway, measures to address unauthorised parking and dumping on the section of road that would be closed at the level crossing, possible provision of a footpath on the overbridge and what weight restrictions would be proposed for the overbridge, etc. The Elected Members highlighted the importance of ongoing engagement with the local community by Irish Rail to ensure all concerns raised were addressed.

The representatives from Irish Rail noted the issues raised by the Elected Members and confirmed that these would be taken into consideration as part of the consultation process. The Elected Members agreed that it would be worthwhile to invite Irish Rail back again in the near future to give a further update on developments with regard to the level crossings at Fanstown and Thomastown.



4. Ballyhoura Development CLG

The Cathaoirleach welcomed the representatives from Ballyhoura Development CLG who gave a presentation to the Elected Members on the social economic plans completed by communities across the Municipal District. They outlined the consultation process that they engaged in with local communities and the methodology used in the preparation of the plans for each area.

The Elected Members thanked the representatives from Ballyhoura Development CLG for their presentation and acknowledged the work being done by Ballyhoura Development CLG in local communities. They agreed the importance of continued co-operation between Limerick City and County Council and Ballyhoura Development CLG in supporting local communities with their future progress and development.

Appendix 2:

Cappamore Kilmallock Municipal District Meeting Motions (Jan 2020)

AN BORD PLEANÁLA	
09 JUL 2021	
LTR DATED _____	FROM _____
LDG- _____	
ABP- _____	

Cork Line Level Crossing Project Submission for Fantstown Level Crossing (XC187)

(On behalf of the Councillors of the Cappamore/Kilmallock Municipal District)

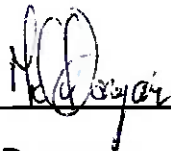
At our January Municipal District meeting, which representatives from Irish Rail and Jacobs attended, I proposed the motion outlined below which was unanimously supported by the other 6 elected members.

"That, we, the elected members of the Cappamore/Kilmallock Municipal District call on Irish Rail to reconsider its decision to close the Fantstown level crossing (XC187) permanently and replace the crossing with a bridge to link the community."

The decision by Irish Rail to apply directly to An Bord Pleanála is a direct attempt to deny Limerick City & County Council the process of considering the extinguishment of a right of way closure of a road.

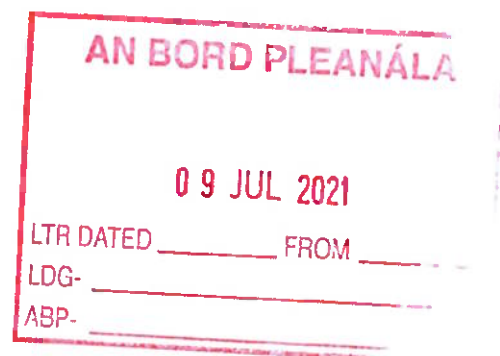
It also denies the elected members of the Cappamore/Kilmallock Municipal District the right to represent the local community. The elected members made their views known in 2009 and now Irish Rail has decided to ignore us and bypass local democracy.

Signed: _____



Cllr. Mike Donegan

Cathoirleach of the Cappamore/Kilmallock Municipal District



Cork Line Level Crossing Project Submission for Thomastown Level Crossing (XC201)

(On behalf of the Councillors of the Cappamore/Kilmallock Municipal District)

At our January Municipal District meeting, which representatives from Irish Rail and Jacobs attended, I proposed the motion outlined below which was unanimously supported by the other 6 elected members.

"That, we, the elected members of the Cappamore/Kilmallock Municipal District call on Irish Rail for the design to include a single carriageway with 2 lanes and a pedestrian footpath on the new bridge proposed for Thomastown."

The decision by Irish Rail to apply directly to An Bord Pleanála is a direct attempt to deny Limerick City & County Council the process of considering the extinguishment of a right of way closure of a road.

It also denies the elected members of the Cappamore/Kilmallock Municipal District the right to represent the local community.

Signed: _____



Cllr. Mike Donegan

Cathairleach of the Cappamore/Kilmallock Municipal District

AN BORD PLEANÁLA	
09 JUL 2021	
LTR DATED _____	FROM _____
LDG- _____	
ABP- _____	

Appendix 3:

Meeting with Thomastown Residents (Jan 2020)

AN BORD PLEANÁLA	
09 JUL 2021	
LTR DATED _____	FROM _____
LDG- _____	
ASP- _____	

Cork Line Level Crossing Project Submission on behalf of Effin Community

At a public meeting held on Wednesday, January 15th, 2020, in Effin Community Hall in relation to the Cork Line Level Crossing Project, the under signed below discussed the proposed new bridge and closure of the existing gates (XC201) at Tomastown, Effin, Co. Limerick.

The following points outlined below were agreed to be included in the submission to Irish Rail:

1. The bridge has to be a two-way carriage road with a pedestrian footpath.
2. Move roadway at north side close to the hedge which will suit the landowner and adjacent dwelling house.
3. Major concern the cul-de-sacs on both sides are secure from illegal camping, dumping and anti-social behaviour.
4. Disused road section to be banked up to prevent illegal camping and dumping.
5. Consult with residents on height of walls close to the existing railway gates
6. Ownership of 3 red areas drawings

Representations on behalf of the Effin Community

Gerard O'Connor [REDACTED]

Joe Clifford [REDACTED]

Ambrose Quilty [REDACTED]

Ber Burchill [REDACTED]

AN BORD PLEANÁLA	
09 JUL 2021	
LTR DATED _____	FROM _____
LDG- _____	
ABP- _____	