To:  The Chairperson and Each Member,  
Management Team  

Re:  Draft Bye Laws Parks and Playgrounds 2011

Dear Member

- Following meetings of the Community, Cultural and Enterprise S.P.C., and as previously noted at the meeting of 6th December 2010, I hereby recommend the following for adoption by the members at the upcoming meeting of Monday 7th March 2011:

1. **Item No. Draft Park Bye Laws 2011:**

- Draft Bye Laws in respect of the above were noted at the Council Meeting of 6th December 2010 in advance of the commencement of Public Consultation period from Friday 17th December 2011 to Friday 28th January 2011, in accordance with Part 19 of Local Government Act 2011.
- No submissions were received during the Public Consultation period.

2. **Item No. Draft Playground Bye Laws 2011**

- Draft Bye Laws in respect of the above were noted at the Council Meeting of 6th December 2010 in advance of the commencement of Public Consultation period from Friday 17th December 2011 to Friday 28th January 2011, in accordance with Part 19 of Local Government Act 2011.
- No submissions were received during the Public Consultation period.

Signed:

*Joseph Gilhooly*

Director of Service
IN EXERCISE OF ITS POWERS, PURSUANT TO THE PROVISIONS OF PART 19 OF THE LOCAL GOVERNMENT ACT 2001 AND ALL SUCH POWERS, LEITRIM COUNTY COUNCIL HEREBY MAKES THE FOLLOWING BYE-LAWS IN RELATION TO THE USE, OPERATION, REGULATION, PROTECTION AND MANAGEMENT OF DESIGNATED PARKS AND AMENITIES WITHIN ITS FUNCTIONAL AREA.

1. Scope of Bye-laws

A) In these Bye-Laws the term “a park” refers exclusively to all of the following as delineated in the First Schedule to these Byelaws:

- Carrick Towns Park, Carrick on Shannon, County Leitrim.
- River Amenity Park, Carrick on Shannon, County Leitrim
- Star Fort Amenity Park, Manorhamilton, County Leitrim.
- Corry Strand Amenity, Drumkeerin, County Leitrim.
- Acres Lake Amenity, Drumshambo.
- Lough Rynn Caravan Park Amenity Area.
- Glencar Waterfall Amenity.

2. Interpretation

Throughout these Bye-Laws, unless the context otherwise requires, the following words and expressions have the meaning hereafter respectively assigned to them, that is to say

A) “Council” means Leitrim County Council.
B) The terms “Authorised Officer” shall include every foreman, supervisory official, caretaker and/or any other person employed by and duly authorised by the Council.
C) “Controlled drug” means any substance, product or preparation which is specified in the schedule to the Misuse of Drugs Act, 1977 or any amending Act or Regulation
D) “Horse” shall include donkey, mule and ass
E) “Permission of the Council” means the permission in writing of an Authorised Officer
3. Title

These Bye-Laws may be cited as “Leitrim County Council Amenity and Parks Bye-Laws 2011”

4. Bye-law - General

A) No person shall annex, take over, enclose, build on or place equipment, fixtures or fitting within a park, without the prior written permission of the Council and subject to the terms and conditions of such permission.

B) Save with the permission in writing of the Council and subject to the terms and conditions of permission, no person shall sell, offer, or expose for sale in a park any commodity of any kind whatsoever.

C) No person shall, save with the permission in writing of the Council and subject to such conditions as the Council may prescribe, conduct or take part in any musical performance (whether vocal or instrumental), dance, concert or other like entertainment in any part of a park.

5. Bye-law – Prohibited Acts

A) No person shall cycle (except along designated cycling lanes), play ball games or use any skateboard, roller-skates, roller blades, or other vehicle in a park, except on such routes and in such places as may be designated by the Council for this purpose, from time to time.

B) No person shall leave any vehicle, bicycle or tricycle unattended in a park except in such places as may be set aside as standing or parking places.

C) No person other than an Authorised Officer of the Council shall drive or allow to be driven or be a passenger in any mechanically propelled vehicle in a park save with the permission in writing of the Council and then only in such areas as may be designated by the Council.

D) Bye-law 4 (a) and (b) shall not apply to wheelchairs, perambulators or similar vehicles moved, drawn or propelled by hand or mechanically which are used solely for the conveyance of children or disabled persons.
E) No person shall:
   I. Walk upon any flowerbed or through any shrubbery, enclosed plantation or other enclosed land in a park.
   II. Destroy or injure any tree, shrub or plant growing in a park or pluck, cut or remove any flower or plant growing therein.
   III. Climb any tree, shrub, fence, railing or wall in a park.
   IV. Injure, disfigure, write graffiti on or mark any seat, chair, sculpture, structure or notice board located within a park.
   V. No person shall threaten, annoy, (including the use of obscene or profane language) or behave indecently with or towards any other person within the confines or proximity of a park.
   VI. Take or remove any soil, sand, gravel, stone or timber from a park, save with the permission in writing of the Council.
   VII. No person shall bring, deposit, leave or throw in a park any item of litter as defined in the Litter Pollution Act 1997 except in receptacles that may be provided for that purpose.
   VIII. Make any bonfire, fire or barbeque or light any fireworks in a park, save with the prior permission of the Council.
   IX. Resist, obstruct or interfere with an Authorised Officer in their exercise of duty.
   X. The use or possession of alcohol or ‘controlled substances’ is not permitted within the confines or proximity of a park.

6. Bye-law - Animals

A) No Person shall allow any cattle, sheep, horses, or other animals under their control to stray into and / or remain in a park.

B) No person shall lead, walk or ride a horse in a park without the written permission of the Council, and only then on such routes as may be designated by the Council.

C) Every person in charge of a dog shall be responsible for its conduct and prevent it from causing nuisance or annoyance to any other person using a park. The dog shall be removed from a park if so directed by an Authorised Officer or a member of An Garda Síochána.

D) If a dog defecates in a park, the person in charge of the dog shall remove the faeces and deposit it in a litter bin or other receptacle which may be designated for this purpose. Guide dogs for the blind are exempted from this bye-law.

E) A person shall not cause or allow any dangerous dog, as defined in the Control of Dogs (Restriction of certain dogs) Regulations, 1991 or any subsequent amending Regulations or Act, in their charge to enter or remain in a park unless such dog is kept muzzled.
7. Offences

A) It shall be lawful for an Authorised Officer or any member of An Garda Síochána to enforce these bye-laws and to exclude or remove from a park any person committing any breach of the above bye-laws and to take any other such action as may be deemed necessary in the enforcing of these bye-laws.

B) A person who contravenes a provision of these bye-laws shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1,000.

C) If the contravention of a provision of these bye-laws is continued after conviction, the person causing the contravention shall be guilty of a further offence and shall be liable on summary conviction to a fine not exceeding €100 per day.

D) A person who obstructs or impedes or refuses to comply with a request of an Authorised Officer acting to uphold or enforce these Byelaws shall be guilty of an offence.

E) Where an Authorised Officer is of the opinion that a person is committing or has committed an offence to which the bye-laws relate, the Authorised Officer may demand the name and address of such person and if this demand is refused or the person gives a name or address which is false or misleading, the person shall be guilty of an offence.

F) Where a member of the Garda Síochána is of the opinion that a person is committing or has committed an offence to which these bye-laws relate, that member may arrest the person without warrant.

G) An offence under these bye-laws may be prosecuted by Leitrim County Council or An Garda Síochána.

H) Where an Authorised Officer, or a member of An Garda Siochana, is of the opinion that a person has committed or is committing an offence under these Bye-Laws he/she may serve such a person with a Notice specifying that during a period of 21 days beginning on the date of the Notice a fixed payment of €150 accompanied by the Notice may be made to the Council at its offices at Carrick on Shannon, County Leitrim. Notice of the fixed payment shall be in the general form of the notice set out in the Second Schedule to these Byelaws. A prosecution in respect of the alleged contravention will not be instituted during the said 21 days period and if the sum of €150.00 is paid during that period no prosecution will be instituted.

8. Implementation

These Bye-laws shall come into effect on the .................
To: The Chairperson and Each Member,
Management Team

Re: Draft Bye Laws Parks and Playgrounds 2011

Dear Member

- Following meetings of the Community, Cultural and Enterprise S.P.C., and as previously noted at the meeting of 6th December 2010, I hereby recommend the following for adoption by the members at the upcoming meeting of Monday 7th March 2011:

1. **Item No. Draft Park Bye Laws 2011**:

   - Draft Bye Laws in respect of the above were noted at the Council Meeting of 6th December 2010 in advance of the commencement of Public Consultation period from Friday 17th December 2011 to Friday 28th January 2011, in accordance with Part 19 of Local Government Act 2011.
   - No submissions were received during the Public Consultation period.

2. **Item No. Draft Playground Bye Laws 2011**

   - Draft Bye Laws in respect of the above were noted at the Council Meeting of 6th December 2010 in advance of the commencement of Public Consultation period from Friday 17th December 2011 to Friday 28th January 2011, in accordance with Part 19 of Local Government Act 2011.
   - No submissions were received during the Public Consultation period.

Signed:

*Joseph Gilhooly*

*Director of Service*
LEITRIM COUNTY COUNCIL PLAYGROUND BYE-LAWS 2011

IN EXERCISE OF ITS POWERS, PURSUANT TO THE PROVISIONS OF PART 19 OF THE LOCAL GOVERNMENT ACT 2001 AND ALL SUCH POWERS, LEITRIM COUNTY COUNCIL HEREBY MAKES THE FOLLOWING BYE-LAWS IN RELATION TO THE USE, OPERATION, REGULATION, PROTECTION AND MANAGEMENT OF PLAYGROUNDS PROVIDED BY THE COUNCIL IN ITS FUNCTIONAL AREA.

1. Title

These Bye-Laws may be cited as Leitrim County Council Playground Bye-Laws 2011.

2. Interpretation

Throughout these Bye-Laws, unless the context otherwise requires, the following words and expressions have the meaning hereafter respectively assigned to them, that is to say:

A) “Playground” means children’s outdoor equipped play areas whether open or enclosed within the administrative area of Leitrim County Council and in the charge or control of Leitrim County Council, as listed and delineated in the First Schedule to these byelaws.

B) “Playground Equipment” means play and amenity equipment installed in a playground for recreational use by children, surfacing and hard landscaping.

C) “Council” means Leitrim County Council.

D) “Authorised Officer” shall include every foreman, supervisory official, caretaker and/or any other person employed by and duly authorised by the Council.

E) “Hours of Darkness” shall mean the hours between sunset on any day and sunrise on the next day.

F) “Child” shall be defined as all persons aged twelve years and under.

3. Bye-law – General

A) Playgrounds and playground equipment is only for use by children.

B) All children using a playground must be accompanied by a responsible person.

C) With the exception of Authorised Officers and members of An Garda Siochana in the course of their duties, all persons over the age of twelve years entering or being in a playground must be there for the purpose of supervising a child using the playground.


A) No person shall enter or remain in a playground during the hours of darkness without written authorisation from the Council.
ITEM No 3 – Council Meeting 7th March 2011

B) No person shall enter or exit a playground other than through the gateways or other openings provided for that purpose.

C) No person shall refuse to leave a playground on request to do by an Authorised Officer or by a member of An Garda Siochana.

D) Bye-Laws set out in 4(a) and 4(b) above do not apply to Authorised Officers or members of An Garda Siochana in the course of their duty.

E) No person shall bring, deposit or leave/throw in a playground any item of litter as defined in the Litter Pollution Act 1997 except in receptacles provided for that purpose.

F) No person in a playground shall break any glass, or any other substance which might shatter and cause injury.

G) No person shall injure, disfigure, write graffiti or mark any equipment, surface, gate, railing, seat, litter bin, sculpture, structure, sign, notice or notice boards or any other property, fixture or fittings in a playground.

H) No person shall bring or allow an animal into a playground except guide dogs or dogs used by members of An Garda Siochana in the course of their duties.

I) No person shall threaten, annoy, (including the use of obscene or profane language) or behave indecently with or towards any other person within the confines or proximity of a playground.

J) No cycling, skateboarding, ballgames or similar activities are permitted within the playground.

K) No person, unless they are a family member, shall operate or use a camera, camera phone, video or any other video media device in a playground without the authorisation of the Council.

L) The use or possession of alcohol or ‘controlled substances’ is not permitted within the confines or proximity of a playground.

5. Bye-law – Vandalism

A) No person shall remove, displace, deface or cause any damage to property, fixtures or fittings in a playground.
B) No person shall throw a missile of any type within or into a playground which may cause damage to property or strike or interfere with a person in the playground or adjoining property.

C) No person shall remove, destroy or injure any shrub, tree, plant or grass growing in the playground or pluck, cut or remove any flower therein.

D) No person shall climb any tree, shrub, fence, railing, sculpture or building in a playground.

6. Bye-law - Playground Equipment

A) It is the responsibility of each person accompanying children to ensure that each child within their care in a playground is using equipment that is age suitable for that child.

B) Any person that is considered by an Authorised Officer to be using any play equipment inappropriate to their age, shall cease doing so and shall leave the playground if requested by the Authorised Officer.

C) Where C.C.T.V. systems are installed, they will be operated in compliance with best practice on data protection as determined by the Data Protection Commissioner and the requirements contained within the “Code of Practice for CCTV Systems under Section 38(3) (c), Garda Síochána Act 2005”

7. Bye-law – Obstruction

A) No persons shall resist, obstruct or interfere with an Authorised Officer or other person in the exercise of his/her duty.

B) Nothing in these Bye-Laws shall interfere with or affect or prevent the carrying out of any work or duty in connection with the playground by Authorised Officers or by a contractor instructed and authorised by the Council or by an employee of any such contractor.

8. Offences

A) It shall be lawful for an Authorised Officer or any member of An Garda Síochána to enforce these by-laws and to exclude or remove from a playground any person committing any breach of the above bye-laws and to take any other such action as may be deemed necessary in the enforcing of these bye-laws.

B) A person who contravenes a provision of these bye-laws shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1,000.
C) If the contravention of a provision of these bye-laws is continued after conviction, the person causing the contravention shall be guilty of a further offence and shall be liable on summary conviction to a fine not exceeding €100 per day.

D) A person who obstructs or impedes or refuses to comply with a request of an Authorised Officer acting to uphold or enforce these Byelaws shall be guilty of an offence.

E) Where an Authorised Officer is of the opinion that a person is committing or has committed an offence to which the bye-laws relate, the Authorised Officer may demand the name and address of such person and if this demand is refused or the person gives a name or address which is false or misleading, the person shall be guilty of an offence.

F) Where a member of the Garda Síochána is of the opinion that a person is committing or has committed an offence to which these bye-laws relate, that member may arrest the person without warrant.

G) An offence under these bye-laws may be prosecuted by Leitrim County Council or An Garda Síochána.

H) Where an Authorised Officer, or a member of An Garda Síochana, is of the opinion that a person has committed or is committing an offence under these Bye-Laws he/she may serve such a person with a Notice specifying that during a period of 21 days beginning on the date of the Notice a fixed payment of €150 accompanied by the Notice may be made to the Council at its offices at Carrick on Shannon, County Leitrim. Notice of the fixed payment shall be in the general form of the notice set out in the First Schedule to these Byelaws. A prosecution in respect of the alleged contravention will not be instituted during the said 21 days period and if the sum of €150.00 is paid during that period no prosecution will be instituted.

9. Implementation

These Bye-laws shall come into effect on the ……………….
ITEM No 3 – Council Meeting 7th March 2011

**SCHEDULE 1**

Playgrounds for which Leitrim County Council has responsibility and to which this bye-law applies are as follows:

Carrick on Shannon  Aura Leisure Centre
Carrick on Shannon  Breffni Crescent
Manorhamilton Fairgreen
Manorhamilton McDermott Terrace
Fenagh GAA Field
Mohill
Ballinamore
Carrigallen Town
Carrigallen Barley Field Estate
Drumshanbo Acres Lake
Glenfarne
Kiltyclogher
Dromod
Drumkeerin
To: Cathaoirleach and Gach Ball  
Comhairle Chontae Liatroma

Re: Leitrim County Council’s Household Waste Bye Laws 2011

At the December 2010 meeting of Leitrim County Council, the members approved the placing on public display of the Draft Household Waste Bye Laws.

A notice was subsequently placed in the Leitrim Observer stating that copies of the draft Bye Laws would be available for inspection during normal working hours from Friday 17th December 2010 to Friday 28th January 2011 at Aras an Chontae, Carrick on Shannon, Leitrim County Council Area Offices and Local Libraries and that copies of the Draft Bye-Laws would also be available on the Council’s web site www.leitrimcoco.ie. The notice also stated that the Council would consider any submissions made in writing and received by 4pm on Tuesday 8th February 2011. No submissions were received.

As Leitrim County Council has now completed the public consultation process in respect of the draft bye laws, the period prescribed for receipt of submissions has elapsed and no submissions have been received, it is recommended that the Council now proceed to make the Bye Laws.

In accordance with the provisions of the Local Government Act 2001 a bye law made by a local authority shall come into force on such date as shall be specified in the bye law, which is not less than 30 days after its making.

It is therefore recommended that the Leitrim County Council’s Household Waste Bye Laws 2011 (copy of which has been previously circulated) and as approved for public display at the December 2010 Council Meeting be adopted without amendment and shall come into force on 7th April 2011.

Mise le meas

Martin Dolan  
Director of Services  
Environment, Emergency & Cultural Services
**Notice of making of Leitrim County Council Household Waste Bye-Laws 2011**

Notice is hereby given in accordance with Part 19 of the Local Government Act 2001 and Section 35 of the Waste Management Acts 1996 - 2010, that Leitrim County Council has made bye laws to regulate the presentation of Household Waste within its functional area.

There is provision in the Bye-Laws for the imposition of Fixed Payments in respect of a contravention of a Bye-Law as an alternative to a prosecution, as provided for in Section 206 of the Local Government Act 2001.

The Bye Laws come into force on April 2011.

A copy of the Bye-Laws is available free of charge or for inspection at the offices of Leitrim County Council, Áras an Chontae, Carrick on Shannon during normal office hours i.e. between the hours of 9.00am to 1.00pm and 2.00pm to 5.00pm (Monday to Thursday) and 9.00am to 1.00pm and 2.00pm to 4.45pm (Friday). A copy of the Bye Laws will also be available on the Council’s website at [www.leitrimcoco.ie](http://www.leitrimcoco.ie)
Cathaoirleach agus Gach Ball
Comhairle Chontae Liatroma

Item No. 2 – Agenda 7th March 2011

A Chairde

The following Group Water Schemes have been refurbished in recent year under the Rural Water Programme – Take over of Group Water Schemes Grant.

- Leitrim Village Group Water Scheme
- Mullies Brackary Water Scheme
- Ardvoley Killavoggy Group Water Scheme
- Creevelea Killargue Group Water Scheme
- Cornacloy Group Water Scheme
- Killooman Group Water Scheme
- Interconnecting pipeline from Killooman to Ballinagleragh including Ballinagleragh Reservoirs
- Drumkielvy Group Water Scheme
- Gorvagh Drumlowan pump station
- Cleenaghoo Lisnatullagh Group Water Scheme
- Cloonturk Group Water Scheme

I recommend to the Council the acquisition by agreement of the relevant waterworks in accordance with the Water Services Act 2007.

Maps and technical reports are attached for your consideration.

Mise, le meas

John McGuinness

Director of Services
Infrastructure Section
LEITRIM VILLAGE GROUP WATER SCHEME

PROPOSAL

To approve the acquisition of the waterworks known as Leitrim Village Group Water Scheme in line with the provisions of the Water Services Act 2007.

REPORT

Leitrim Village Group Water Scheme is approximately 2.8km in length with a total of 218 no. connections and is supplied by the South Leitrim Regional Water Supply Scheme.

As is required by the Water Services Act 2007 the necessary two thirds of the Group Scheme Members have agreed that Leitrim County Council take in charge the waterworks associated with Leitrim Village Group Water Scheme.

I therefore recommend that Leitrim County Council hereby acquire by agreement, the waterworks associated with Leitrim Village Group Water Scheme. I attach map of relevant waterworks for your information.
MULLIES BRACKARY GROUP WATER SCHEME AND COOLADONNELL RESERVOIR

PROPOSAL

To approve the acquisition of the waterworks known as Mullies Brackary Group Water Scheme and Cooladonnell Reservoir in line with the provisions of the Water Services Act 2007.

REPORT

Mullies Brackary Group Water Scheme is approximately 32km in length with a total of 165 no. connections. It is supplied by North Leitrim Regional Water Supply Scheme via Manorhamilton. The Screeny pumping station pumps to the Brackary Mor reservoir.

Cooladonnell Reservoir is supplied from the North Leitrim Regional Water Supply Scheme via the Mullies Brackary network. It supplies the Cooladonnell GWS which has 30 no. customer connections.

As is required by the Water Services Act 2007 the necessary two thirds of the Group Scheme Members have agreed that Leitrim County Council take in charge the waterworks associated with Mullies Brackary Group Water Scheme.

I therefore recommend that Leitrim County Council hereby acquire by agreement, the waterworks associated with Mullies Brackary Group Water Scheme and Cooladonnell Reservoir. I attach map of relevant waterworks for your information.
ARDVOLEY/KILLAVOGGY GROUP WATER SCHEME

PROPOSAL

To approve the acquisition of the waterworks known as Ardvoley/Killavoggy Group Water Scheme in line with the provisions of the Water Services Act 2007.

REPORT

Ardvoley/Killavoggy Group Water Scheme is approximately 6.3km in length with a total of 77 no. connections. It is supplied by the North Leitrim Regional Water Supply Scheme via the Killargue Crevalea network with 1 no. booster pumping station at Beagh.

As is required by the Water Services Act 2007 the necessary two thirds of the Group Scheme Members have agreed that Leitrim County Council take in charge the waterworks associated with Ardvoley/Killavoggy Group Water Scheme.

I therefore recommend that Leitrim County Council hereby acquire by agreement, the waterworks associated with Ardvoley/Killavoggy Group Water Scheme. I attach map of relevant waterworks for your information.
KILLARQUE CREEVELEA GROUP WATER SCHEME

PROPOSAL

To approve the acquisition of the waterworks known as Killargue Creevelea Group Water Scheme in line with the provisions of the Water Services Act 2007.

REPORT

This Group Water Scheme is approximately 140km in length with a total of 895 no. connections. It is supplied by the North Leitrim Regional Water Supply Scheme via Drumkeerin reservoir. It has 5 no. booster pumping stations, one with a storage reservoir (capacity 125m3) at Greaghnafarna.

As is required by the Water Services Act 2007 the necessary two thirds of the Group Scheme Members have agreed that Leitrim County Council take in charge the waterworks associated with Killargue Creevelea Group Water Scheme.

I therefore recommend that Leitrim County Council hereby acquire by agreement, the waterworks associated with Killargue Creevelea Group Water Scheme. I attach map of relevant waterworks for your information.
Comhairle Chontae Liatroma
Leitrim County Council

THIS MATTER IS BEING DEALT WITH BY ___________________________ TEL. NO. ___________________ EXT. NO. ____________

Date: ____________________________ Our Ref. ____________________________ Your Ref. ____________________________

CORNACLOY GROUP WATER SCHEME

PROPOSAL

To approve the acquisition of the waterworks known as Cornacloy Group Water Scheme in line with the provisions of the Water Services Act 2007.

REPORT

Cornacloy Group Water Scheme is approximately 1km in length with a total of 9 no. connections. It is supplied by the North Leitrim Regional Water Supply Scheme via Drumkeerin village.

As is required by the Water Services Act 2007 the necessary two thirds of the Group Scheme Members have agreed that Leitrim County Council take in charge the waterworks associated with Cornacloy Group Water Scheme.

I therefore recommend that Leitrim County Council hereby acquire by agreement, the waterworks associated with Cornacloy Group Water Scheme. I attach map of relevant waterworks for your information.
KILLOOMAN GROUP WATER SCHEME

PROPOSAL

To approve the acquisition of the waterworks known as Killooman Group Water Scheme in line with the provisions of the Water Services Act 2007.

REPORT

Killooman Group Water Scheme is approximately 25km in length with a total of 194 no. connections. It is supplied by the North Leitrim Regional Water Supply Scheme via Drumkeerin and has 4 no. booster pumping stations. The schemes 100mm mainwater from Drumkeerin supplies Corry reservoir which supplies the Ballinaglera GWS.

As is required by the Water Services Act 2007 the necessary two thirds of the Group Scheme Members have agreed that Leitrim County Council take in charge the waterworks associated with Killooman Group Water Scheme.

I therefore recommend that Leitrim Country Council hereby acquire by agreement, the waterworks associated with Killooman Group Water Scheme. I attach map of relevant waterworks for your information.
Comhairle Chontae Liatroma
Leitrim County Council

This Matter is being dealt with by __________________________ Tel. No. ___________ Ext. No. _____

Date: ___________________________ Our Ref: ___________________________ Your Ref: ___________________________

BALLINAGLERA RESERVOIRS AND INTERCONNECTING PIPES

PROPOSAL

To approve the acquisition of Ballinaglera Reservoirs and Interconnecting Pipes in line with the provisions of the Water Services Act 2007.

REPORT

Ballinaglera Reservoirs supply the Ballinaglera Group Water Scheme. It is supplied from the North Leitrim Regional Water Supply Scheme via the Killoman GWS to Corry reservoir (capacity 287m³). It is then pumped to Cortober reservoir (capacity 287m³), and from here supplies Ballinaglera GWS. It is also pumped to Slievenakilla reservoir (capacity 94m³) which pumps a supply to elevated parts of the Ballinaglera GWS.

Ballinaglera Interconnecting Pipes consists of 15km of interconnecting rising mains between Corry, Cortober and Slievenakilla reservoirs. There are no connections as these are rising mains.

I therefore recommend that Leitrim Country Council hereby acquire by agreement, the Ballinaglera Reservoirs and Interconnecting Pipes. I attach map of relevant waterworks for your information.
Comhairle Chontae Liatroma
Leitrim County Council

THIS MATTER IS BEING DEALT WITH BY ______________________ Tel. No. _____________ Ext. No. ________

Date: _______________ Our Ref: _______________ Your Ref: _______________

DRUMKIELVY GROUP WATER SCHEME

PROPOSAL

To approve the acquisition of the waterworks known as Drumkielvy Group Water Scheme in line with the provisions of the Water Services Act 2007.

REPORT

This Group Water Scheme was refurbished as part of the Rural Water Programme for County Leitrim. This work involved replacement of the existing watermains and fittings throughout the network. The Group Scheme is now supplied by the South Leitrim Regional Water Supply Scheme.

As is required by the Water Services Act 2007 the necessary two thirds of the Group Scheme Members have agreed that Leitrim County Council take in charge the waterworks associated with Drumkielvy Group Water Scheme.

I therefore recommend that Leitrim County Council hereby acquire by agreement, the waterworks associated with Drumkielvy Group Water Scheme. I attach map of relevant waterworks for your information.
Comhairle Chontae Liathroma
Leitrim County Council

THIS MATTER IS BEING DEALT WITH BY ___________________________ TEL. NO. ___________ EXT. NO. _______

Date: ___________________________ Our Ref: ___________________________ Your Ref: ___________________________

GORVAGH DRUMLOWAN PUMP STATION

PROPOSAL

To approve the acquisition of Gorvagh Drumlowan Pump Station in line with the provisions of the Water Services Act 2007.

REPORT

1 no. pump station.

I therefore recommend that Leitrim Country Council hereby acquire by agreement, the Gorvagh Drumlowan Pump Station. I attach map of relevant waterworks for your information.
CLENAGHOO/LISNATULLAGH GROUP WATER SCHEME

PROPOSAL

To approve the acquisition of the waterworks known as Clenaghoo/Lisnatullagh Group Water Scheme in line with the provisions of the Water Services Act 2007.

REPORT

Clenaghoo/Lisnatullagh Group Water Scheme is approximately 5km in length with 41 no. connections and is supplied by the South Leitrim Regional Water Supply Scheme at Ballinamore.

As is required by the Water Services Act 2007 the necessary two thirds of the Group Scheme Members have agreed that Leitrim County Council take in charge the waterworks associated with Clenaghoo/Lisnatullagh Group Water Scheme.

I therefore recommend that Leitrim County Council hereby acquire by agreement, the waterworks associated with Clenaghoo/Lisnatullagh Group Water Scheme. I attach map of relevant waterworks for your information.
Comhairle Chontae Liatroma
Leitrim County Council

Date: ________________  
Tel. No. ____________  
Ext. No. ________

GORVAGH DRUMLOWAN PUMP STATION

PROPOSAL

To approve the acquisition of Gorvagh Drumlowan Pump Station in line with the provisions of the Water Services Act 2007.

REPORT

1 no. pump station.

I therefore recommend that Leitrim County Council hereby acquire by agreement, the Gorvagh Drumlowan Pump Station. I attach map of relevant waterworks for your information.
CLOONTURK GROUP WATER SCHEME

PROPOSAL

To approve the acquisition of the waterworks known as Cloonturk Group Water Scheme in line with the provisions of the Water Services Act 2007.

REPORT

Cloonturk Group Water Scheme is approximately 3.8km in length with a total of 98 no. connections. It is supplied by SLRWSS at Dromod.

As is required by the Water Services Act 2007 the necessary two thirds of the Group Scheme Members have agreed that Leitrim County Council take in charge the waterworks associated with Cloonturk Group Water Scheme.

I therefore recommend that Leitrim Country Council hereby acquire by agreement, the waterworks associated with Cloonturk Group Water Scheme. I attach map of relevant waterworks for your information.
16th February, 2011

Cathaoirlach agus Gach Ball,
Comhairle Chontae Liathroma.

RE: Declaration of Public Roads
(a) Rock Valley in the townland of Dromahaire, Dromahair.
(b) Clooneen Park in the townland of Manorhamilton.

A Chara,

Leitrim County Council, by public notice in the Leitrim Observer dated 31st December, 2010, gave notice of its intention to declare the roads listed hereunder, public roads in accordance with Section 11 of the Roads Act 1993, Article 5 of the Roads Regulations 1994 and Section 180 of the Planning and Development Act, 2000:-

<table>
<thead>
<tr>
<th>Description</th>
<th>Length</th>
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</thead>
<tbody>
<tr>
<td>1 Access road to housing estate known as Rock Valley in the townland of Dromahaire, Dromahair, for its entire length including spurs, a distance of 396 metres.</td>
<td>396m</td>
</tr>
<tr>
<td>2 Access road to housing estate known as Clooneen Park in the townland of Manorhamilton, Manorhamilton for its entire length including spurs, a distance of 952 metres.</td>
<td>952m</td>
</tr>
</tbody>
</table>

A public right of way exists over the roads and the roads are of general public utility.

A map showing the roads described was available for inspection at the Head Offices of Leitrim County Council, Áras on Chontae, Carrick-on-Shannon and at the District Engineers offices in Manorhamilton and Dromahair from Tuesday, 4th January, 2011 to Tuesday, 1st February 2011 (both dates inclusive), excluding public holidays and non-working days between the hours of 9.30 a.m. to 1 p.m. and from 2 p.m. to 5 p.m.

A number of submissions were received during the consultation period in regard to matters pertaining to the finishing of the estate for which a process has been agreed that will deal with them. Comments were also received in regard to parking and other traffic matters which were not relevant to the planning in this regard.

Having complied with the provisions of the Roads Act 1993 and being satisfied that the roads are of general public utility and considering the financial implications of their declaration as public roads, they can, if the Council, by resolution so resolve, be declared public roads.

Mise, le meas

DIRECTOR OF SERVICES, INFRASTRUCTURE
RE: Fixed Term Tenant Purchase Scheme for Long Standing Tenants.

Dear Councillor,

In the 2011 Budget a new Fixed Term Tenant Purchase Scheme for tenants of 10 years standing or longer was announced. The scheme provides for a maximum discount of 45% on market price based on 3 years for each year of tenancy up to 15 years and will be open for applications until the end of 2011 with a requirement that sales are completed by 31 December 2012. The 1995 Tenant Purchase Scheme remains in place, however it is intended that this scheme will cease in 2012 to be replaced by a discount scheme based on the incremental purchase model.

Each authority owning houses is now required to adopt a Purchase Scheme in accordance with the Housing (Miscellaneous Provisions) Act 2009 and the Housing (Sale of houses to long standing tenants) Regulations 2011 before 15th April 2011.

A Draft Purchase Scheme is attached and the matter is listed for consideration at the March monthly meeting.

Yours sincerely,

Mary Quinn,
Director of Service
Corporate Affairs & Housing
THE 2011 PURCHASE SCHEME FOR LONG STANDING TENANTS ADOPTED BY LEITRIM COUNTY COUNCIL (THE HOUSING AUTHORITY) FOR THE SALE OF HOUSES UNDER SECTION 90 OF THE HOUSING ACT 1966 AND IN COMPLIANCE WITH THE HOUSING (SALE OF HOUSES TO LONG-STANDING TENANTS) REGULATIONS 2011, IS AS FOLLOWS :-

Dwellings covered by this Purchase Scheme

1. Subject to paragraph 2, dwellings provided by the housing authority that are owned by them and let to tenants with reckonable tenancy in excess of 10 years shall be offered for sale under this Purchase Scheme in their existing state of repair and condition to those tenants or joint tenants. Reckonable tenancy shall be calculated in accordance with paragraph 5.

Exclusions from this Purchase Scheme

2. There shall not be offered for sale under this scheme:

(a) dwellings that have been specifically designed for occupation by one or more than one elderly person;

(b) separate and self-contained flats in a premises, divided into two or more flats; which would require arrangements for the upkeep and management of common areas, works or services other than by the purchaser;

(c) dwellings specifically designed for occupation by travellers, where more than one such dwelling is provided on the land concerned;

(d) caravans, mobile homes or a structure or a thing (whether on wheels or not) that is capable of being moved from one place to another (whether by towing, transport on a vehicle or trailer, or otherwise);

(e) dwellings that in the opinion of the housing authority ought not to be sold for reasons of proper management of the authority’s stock of housing accommodation or on account of their structural condition

(f) dwellings that ought not to be sold for the time being on account of proposals the authority has to carry out reconstruction or improvement works under section 12 of the Housing Act 1988 or for the regeneration of the area concerned.
Purchase money and definition of market value

3. (1) The purchase money for each dwelling shall be its market value reduced first by the amount of the discount under paragraph 4 and then by any allowance under paragraph 6.

(2) In paragraph (a) “market value” means the amount which, in the opinion of the housing authority that owns it, a dwelling, if sold on the open market in its existing state of repair and condition and not subject to the special conditions referred to in paragraph 10, might reasonably be expected to realise, reduced,

(i) where improvements have been carried out to a dwelling other than by or on behalf of the authority, by the portion (if any) of such amount that, in the opinion of the authority, is attributable to such improvements, and

(ii) where the site of a dwelling was provided to the authority for a nominal sum, by the excess (if any) of the market value of the site over such sum.

Discount

4. The discount to be applied when determining the purchase money under paragraph 3 shall be an amount equal to 3 per cent of the market value in respect of each year of the reckonable period of tenancy determined by the housing authority in accordance with paragraph 5, subject to a maximum of 45 per cent of the market value.

Reckonable tenancy

5. (1) Subject to sub-paragraphs (2) and (3) below, the reckonable period of tenancy shall be the aggregate, on the earlier of the date of the completion of the sale or 31 December 2011, of the following periods to such extent as they are not contemporaneous:

(a) the period of the tenancy of the purchaser or his or her spouse or civil partner of the dwelling being purchased and of any other dwelling let by and not purchased from a housing authority,

(b) the period (if any) during which the purchaser or his or her spouse or civil partner occupied the dwelling as a purchaser under the terms of a previous sale of the dwelling by the housing authority, and

(c) where the purchaser or his or her spouse or civil partner —

   (i) was, for a period of at least one year immediately preceding his or her appointment as tenant of any dwelling by a housing authority, bona fide resident in such dwelling as a member of the
household of the preceding tenant, and

(ii) succeeded to the tenancy of such dwelling,

the period that would be reckonable in respect of such preceding tenant by virtue of this paragraph if such tenant were purchasing the particular dwelling to which the purchaser succeeded him or her as tenant.

(2) In the case of joint tenants of a dwelling, the longest period of a joint tenant in each category referred to in subparagraph (1) shall be included in the reckonable period of tenancy for the purposes of this Scheme.

(3) The reckonable period of tenancy determined in accordance with subparagraphs (1) and (2) shall be rounded up to the next number of complete years where such rounding up would not result in the addition of more than six months to such period.

**Allowance for capital paid**

6. An allowance shall be deducted from the market value, after the discount under paragraph 4 has been allowed, of an amount equal to the amount (if any) of capital paid to the housing authority by the purchaser or his or her spouse or civil partner in accordance with the terms of a previous sale of the dwelling to him or her or to his or her spouse or civil partner by the authority, provided that the authority did not repay such capital to the purchaser or his or her spouse or civil partner.

**Sale in Fee simple**

7. A dwelling shall be sold in fee simple, by prescribed transfer order.

**Payment for the dwelling**

8. (1) The purchase money for a dwelling shall be paid to the housing authority in full on the completion of the sale.

(2) Where any portion of the purchase money is being financed by way of a loan by a housing authority to the purchaser under section 11 of the Housing (Miscellaneous Provisions) Act, 1992, "paid" means, in relation to the said portion, the completion by the purchaser of a mortgage contract in respect of such loan.
State of repair

9. No warranty shall apply or be deemed to be implied as to the state of repair or condition or the fitness for human habitation of a dwelling being sold. All responsibility for the repair and maintenance of the dwelling shall rest with the purchaser.

Special conditions

10. The following special conditions shall apply to a dwelling sold under this purchase scheme for a period of 20 years from the date of the transfer order -

(a) the dwelling shall, unless the housing authority otherwise allow, be occupied as a normal place of residence by the purchaser or the purchaser’s successor in title or by a member of the purchaser’s family or the family of his successor in title,

(b) the dwelling or any part thereof shall not, without the consent of the housing authority, be mortgaged, charged or alienated otherwise than by devise or operation of law.

Period of application of this Purchase Scheme and closing date for receipt of applications

11. (a) This purchase scheme shall apply from the date of its adoption until 31 December 2012.

(b) The period within which the housing authority shall receive an application by a tenant to purchase a dwelling under this purchase scheme shall begin on the date of its adoption and end on 31 December 2011.

ADOPTED BY LEITRIM COUNTY COUNCIL THIS DAY OF 2011