

MINUTES OF PROCEEDINGS AT MEETING OF METROPOLITAN DISTRICT OF LIMERICK HELD IN THE COUNCIL CHAMBER, MERCHANT'S QUAY, LIMERICK, ON MONDAY, 20TH MARCH, 2017 AT 9.45 A.M.

PRESENT IN THE CHAIR: Councillor Michael Hourigan, Mayor.

MEMBERS PRESENT:

Councillors Collins, Costelloe, Crowley, Daly, Gilligan, Hogan, Hurley, Keller, Loftus, Lynch, McCreesh, Ó Ceallaigh, O'Dea, Pond, Prendiville and Secas.

APOLOGIES:

Apologies for their inability to attend had been received from Councillors Butler, Leddin, O'Hanlon and Sheahan.

OFFICIALS IN ATTENDANCE:

Director, Physical Development (Mr. K. Lehane), Meetings Administrator (Mr. C. O'Connor), Conservation Officer (Mr. T. Cassidy), Administrative Officer, Corporate Services (Mr. T. O'Callaghan), Arts and Culture Officer (Ms. S. Deegan), A/Senior Executive Planner (Ms. K. Burke), Executive Planner (Ms. B. Collins), Senior Executive Engineer, Mid West Regional Road Design Office (Mr. C. Hegarty), Graduate Engineer, Mid West Regional Road Design Office (Mr. R. Kennedy) and Mr. Paul Bergen, Kilgallen & Partners Consulting Engineers.

At the outset of the Meeting a silence was observed in memory of Captain Dara Fitzpatrick who was on board Coastguard Rescue Helicopter, Rescue 116, when it came down in the sea off the northwest coast of Mayo. Members extended their condolences to the family of Captain Fitzpatrick and their sympathy to the families of the remaining crew members, not yet located.

1. Adoption of Minutes

Circulated, copy of draft Minutes of Meeting of the Metropolitan District of Limerick held on 20th February, 2017.

Proposed by Councillor Hurley;
Seconded by Councillor Gilligan;
And Resolved:

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

2. Disposal of Land

Circulated, report of the Senior Executive Officer, Community Support Services dated 10th March, 2017 setting out proposals for the disposal of the Freehold Interest in dwellings set out below and the intention to bring the related Section 183 Notice to the full Council for

approval.

- (1) 49, East Singland Road, Garryowen in the City of Limerick,
- (2) 14, Kilmurry Avenue, Garryowen in the City of Limerick,
- (3) 7, Pennywell Road in the City of Limerick.
- (4) 53, St. Lawrences Park, Garryowen in the City of Limerick.

Members noted the report, as circulated.

3. Service Operations Directorate - Planning and Environmental Services

(a) Taking in Charge of Estates – Declaration of Roads to be Public Roads

Circulated, report of the Director of Services, Planning and Environmental Services dated 7th March, 2017 seeking approval to the taking in charge of estates at The Deanery, Ennis Road and Waterville, Ennis Road.

Proposed by Councillor Daly;
Seconded by Councillor Costelloe;
And Resolved:

“That the estates at The Deanery, Ennis Road and Waterville, Ennis Road be taken in charge in accordance with Section 180 of the Planning and Development Act 2000 (as amended) and Section 11 of the Roads Act 1993”.

(b) Proposed Addition to the Record of Protected Structures

Circulated, report of the Senior Manager, Planning and Environmental Services dated 10th March, 2017 attaching report from the Conservation Officer in relation to the former Garda/R.I.C. Barracks for Patrickswell setting out the intention to re-institute the procedures set out in Section 55 of the Planning and Development Act 2000 (as amended) to afford interested parties an opportunity to make written submissions or observations, as set out in the legislation.

Members noted the report, as circulated.

4. Physical Development Directorate

Part 8 Procedure – Walkers Road

Circulated, copy of Director of Services, Physical Development Directorate report dated 16th March, 2017 enclosing the Deputy Chief Executives Report setting out proposals for Walkers Road to be designated one way in the direction of the R445 Limerick to Dublin Road over a length of 55m. The Deputy Chief Executive’s Report had been prepared in accordance with Section 179(3) of the Planning and Development Act 2000 (as amended) and Part VIII of the Planning and Development Regulations 2001 (as amended) and it was proposed to proceed in accordance with Section 5 of the report.

Members welcomed the proposed development as set out in the circulated report.

It was agreed that item 6 on the agenda would be taken next.

6. Economic Development Directorate

Limerick's Proposed Heritage Plan 2017-2030

Circulated, copy of Limerick's Proposed Heritage Plan 2017-2030 dated February 2017. The Mayor welcomed Ms. Bernadette Collins, Executive Planner 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.

In response to issues raised by Members the Executive Planner clarified the following:

- Any reference that might be made in the Plan in relation to the Black Bridge in Plassey would have to be a general statement intended to attract funding, as the plan was not an operational plan.
- Specific proposals in relation to any conservation of wetlands projects would have to be co-ordinated with the Heritage Officer and the Environmental Awareness Officer.
- The draft Plan included a section on the Irish language and any submission in this regard would be considered.

QUESTION

8. Question submitted by Cmhrl. S. Ó Ceallaigh

It was noted that the answer to the question submitted by Cmhrl. Ó Ceallaigh had not been made available before the Meeting and it was agreed that the item be dealt with at the Meeting.

I will ask at the next Meeting what is the expected completion date for the Hyde Road flats.

REPLY: Further to consultation with Cluid Housing, the Approved Housing Body (AHB) developing the Hyde Road Flats, the completion of construction is programmed for October 2017.

NOTICES OF MOTION

9. Notice of Motion submitted by Councillor C. Prendiville

I will move at the next Meeting of Limerick's Metropolitan District that we write to the Minister for Education and Skills urging him to expand the redress scheme for victims of abuse to include those who suffered abuse in Creagh Lane school, Limerick.

It was agreed that consideration of this Motion would be deferred to the next Meeting of the full Council as a similar Motion from the Mayor and Party Leaders would be considered at that Meeting.

10. Notice of Motion submitted by Councillor F. Daly

I will move at the next Meeting that the Council provide an update on progress made under the OPW CFRAMS Study in relation to the provision of new flood embankment and flood walls in the Corbally Area of Limerick City and that the District write to the Minister of State with responsibility for the OPW and Flood Relief to have these works advanced immediately. I will move also that the Council consider the provision of walking and cycling path along the riverside, in conjunction with the flood protection infrastructure, to allow people in the Corbally area to access the City by bike and on foot.

The Motion was proposed by Councillor Daly and seconded by Councillor Gilligan.

In proposing the Motion Councillor Daly acknowledged the work of the Smarter Travel Team but noted that no information was being made available to the residents of Corbally in relation to proposed flood defences.

REPLY:

The Office of Public Works have prepared draft Flood Risk Management Plans for the Shannon Catchment. The draft plans were based on areas that required further assessment and areas where flood protection is being considered. Limerick City is being considered as an overall flood relief scheme and Corbally is included as part of this scheme. It is not known at present when the flood relief scheme for Limerick City can be advanced. The OPW are currently ranking the various schemes arising from the draft Flood Risk Management Plans for the entire country. The OPW are adopting a multi criteria analysis in order to assist in the ranking of the various schemes. The schemes will be ranked in order of priority in order to avail of funding. The OPW have advised that the priority list for funding for all flood relief schemes for the country will be completed in April 2017 at which point the Council will be made aware of the ranking of the Limerick schemes. At this point, the OPW will advise Local Authorities on how they intend to advance the schemes arising from the priority ranked list of schemes.

If funding becomes available for the Limerick schemes, the Council will then be in a position to consider the overall Corbally area and will incorporate appropriate cycling and walking infrastructure, where possible, as part of the flood relief scheme.

Members expressed dissatisfaction with the reply and stressed the extent of flooding that had occurred in the Corbally Area and sought clarity as to who owned the flood defence banks there. Members also noted the extent of traffic congestion in Corbally and stressed the importance of prioritising any Smarter Travel Initiatives that could be put in place to relieve same. The Mayor requested the Director, Physical Development, to revert to the Members in relation to the issues raised.

11. Notice of Motion submitted by Councillor M. Hurley

I will move at the next Meeting that the executive of the relevant Council Strategic Directorate engage with bodies such as Waterways Ireland, University of Limerick, Clare County Council, Fáilte Ireland, Limerick Civic Trust and others to determine how best to progress discussions with regard to the possible re-opening of the Black Bridge at Plassey.

The Motion was proposed by Councillor Hurley and seconded by Cmhlr. Ó Ceallaigh.

In proposing the Motion Councillor Hurley noted the extent of GMA funding that had been allocated to exploring the possibility of reopening the Black Bridge. She pointed out that the bridge had been constructed to facilitate the towing of barges across the Shannon from the adjacent canal and noted its amenity value to walkers and those who fished from it and called for a workshop to be arranged, to be attended by the Members of Limerick City East and the bodies listed in the Motion.

Members supported the Motion and noted the potential of the bridge to open up walking trails into County Clare, the potential of the adjacent canal and the importance of other agencies coming on board in this regard.

The Director noted the extent of financing that would be required to reopen the bridge and undertook to engage with the agencies, as requested, in an effort to lever the funding needed in this case.

12. Notice of Motion submitted by Councillor J. Gilligan

I will move at the next Meeting that this District support the victims of abuse in Creagh Lane school and call on the State to live up to its responsibility to our fellow citizens and we also call that an investigation be carried out into the industrial school at Glin, Co. Limerick.

It was agreed that the part of the Motion relating to Creagh Lane would be considered, in conjunction with a similar Motion, at the next full Meeting of the Council and that the part of the Motion dealing with the industrial school at Glin would be discussed.

The Motion was proposed by Councillor Gilligan and seconded by Councillor Daly.

Members supported the Motion and noted the importance of preserving the records that had been retained in relation to Glin to facilitate any future investigation.

13. Notice of Motion submitted by Councillor J. Gilligan

I will move at the next Meeting that we resite the cannons from the War in Crimea from their location in the docks to a site outside Limerick Civic Trust.

The Motion was proposed by Councillor Gilligan and seconded by Councillor Hourigan.

In proposing the Motion Councillor Gilligan highlighted the importance of preserving historic artefacts, many of which had been lost over the years and noted that these cannons had once been located on Sarsfield Bridge. The Director, Physical Development, informed the Members that he would raise this issue with the Shannon Foynes Port Company.

14. Notice of Motion submitted by Cmhlr. S. Ó Ceallaigh

I will move at the next Meeting that this District calls on the Minister for Transport to ensure that there will be no cuts to public transport in the Metropolitan District of Limerick, including connectivity with areas outside of the district.

The Motion was proposed by Cmhlr. Ó Ceallaigh and seconded by Councillor Daly.

In proposing the Motion Cmhlr. Ó Ceallaigh noted the absence of a bus service on the old Cork Road, the importance of transport connectivity for the economy and the need to maintain a public transport system as a public service.

It was agreed that Item 7 on the agenda would be taken at this point of the Meeting.

7. Customer Services Directorate – Arts & Culture Office

Grant Scheme Festival Funding 2017

Circulated, draft GMA Festivals and Events Grant Scheme 2017, Application Guidelines and associated application forms.

The Mayor welcomed Ms. Sheila Deegan, Arts and Culture Officer to the Meeting. The Arts and Culture Officer made a presentation to the Members that highlighted the proposed grant scheme as a mechanism for allocating GMA funding. She noted the need to build on the legacy of Limerick City of Culture and the need to respond to Fáilte Ireland's criteria for funding and highlighted the difference in funding that had been awarded by Fáilte Ireland to Galway compared to Limerick.

Members raised concerns regarding the Draft Grant Scheme as circulated and made the following points while discussing same;

- The deadlines set out in the draft scheme were too short and were unachievable;
- The amount of €238,000 allocated by the Metropolitan Members from the GMA was intended to support a single or small number of large events;
- The difference in funding granted by Fáilte Ireland to Galway compared to Limerick

should be explored further;

- More emphasis should be put on marketing the facilities, attractions and venues available in Limerick;
- By remaining closed on St. Patrick's Day many of the shops in the City had failed to take advantage of the potential economic benefits available;
- Consideration should be given to having a Wild Geese Festival as a single new event with people coming back from all over the world to trace their Irish ancestors.
- Increased consultation with the Members was needed but Members should continue to submit any ideas or suggestions to the Arts Team, as an ongoing programme of events was required;
- The World Food Festival held in 1997 had been a huge success and there was potential to build on Limerick's positive association with Bacon and Ham.

On the proposal of Councillor Collins, seconded by Councillor Lynch, and following a vote by a show of hands, it was agreed that the draft Grant Scheme for Festival Funding 2017 be re-examined on foot of the issues raised by Members.

15. Notice of Motion submitted by Cmhlr. S. Ó Ceallaigh (to be referred to the Travel and Transportation Strategic Policy Committee)

I will move at the next meeting that the Council prepares feedback and analysis of the 30km/h pilot scheme for all areas concerned in the Metropolitan District of Limerick, for the next Metropolitan Meeting.

The Motion was proposed by Cmhlr. Ó Ceallaigh and seconded by Councillor Crowley.

In proposing the Motion Cmhlr. Ó Ceallaigh noted that the pilot scheme was based primarily on speed limit signage and involved little monitoring or community engagement and would benefit from the involvement of the Gardaí and go safe vans.

It was agreed that Item No. 5 on the Agenda would be taken at this point of the Meeting.

5. Regional Services Directorate (Mid West National Road Design Office)

Proposed N24 Beary's Cross Road Improvement Scheme

Mr. Paul Bergen of Kilgallen & Partners Consulting Engineers and Members of the Mid West Regional Road Design Team presented details of the proposed works at Beary's Cross. It was noted that an approach road to Beary's Cross was in the Metropolitan Area and the remainder of the works related to the Municipal District of Cappamore-Kilmallock and that, as the works involved these two Districts, the related Part VIII would be brought to the full Council.

Members welcomed the proposed works and the fact that an access was being provided from the proposed roundabout to the adjacent GAA facilities.

Mr. Bergen confirmed that consultation with landowners had taken place and anticipated

that additional consultation would take place when the Part VIII was published. He noted that speed limits were a matter for Transport Infrastructure Ireland to decide and confirmed that traffic studies had been carried out, with improvements expected for Caherconlish traffic and some delays at peak times for Limerick to Tipperary traffic, both ways.

16. Notice of Motion submitted by Councillor E. Secas

I will call at the next Meeting on Limerick City and County Council to speed up the process and bring forward to Councillors for discussion as a matter of urgency the draft plans for the road treatment scheme for Dublin Road and for safe access to Gaelscoil Chaladh an Treoigh.

The Motion was proposed by Councillor Secas and seconded by Councillor Costelloe.

In proposing the Motion Councillor Secas noted that she had raised this issue on numerous occasions and stressed the urgent need for safety measures to be put in place at this location.

She noted that she had a petition signed by a large number of citizens in support of her Motion and asked that the petition be accepted with same. This was agreed.

Members supported the Motion and noted the incidents of speeding at this location, the confusion regarding entrance and exit from the petrol station and that access to the school had not been addressed at the planning stage. Members requested that this issue be addressed as a matter of urgency.

REPLY: The Council has appointed consultant engineers Mott McDonald to advance a road improvement scheme on the R445 from the Kilmurray Roundabout eastwards to improve road safety along this busy section of road reducing right turning movements and improving public transport, walking and cycling routes.

The scheme is also seeking to progress proposals to improve access and traffic safety in the area adjacent to the Gaelscoil. Significant engagement and cooperation from local stakeholders and landowners is required to facilitate the scheme or part of. The Council expects to be in a position to revert to Councillors with a draft scheme for discussion purposes in the next month or so with a formal Part 8 planning submission to be lodged in May. In the meantime site investigation works have commenced along the proposed route. It should be noted that, while the Council has funding to progress the project to Part 8 planning stage, no funding has as yet been identified to progress it to tender and construction stage.

Councillor Secas noted that she had been getting a similar reply to this issue for the past two years. The Meetings Administrator emphasised the deadlines outlined in the reply and undertook to bring the concerns of Members to Design and Delivery Services. The Mayor requested that the reply, as read out, be circulated to Members.

17. Notice of Motion submitted by Councillor E. Secas

I will move at the next meeting on behalf of the residents of Cherryfield, Thornfield and Oakfield estates that Limerick City and County Council set a definite time-frame for the outstanding works to be completed in Cherryfield, Thornfield and Oakfield estates in Monaleen as a matter of priority and start the taking in charge process for the three estates.

The Motion was proposed by Councillor Secas and seconded by Councillor Pond.

REPLY: A definite time-frame for the completion of the outstanding works in Cherryfield, Thornfield and Oakfield estates cannot be provided at present. The Council has claimed the bonds lodged for Cherryfield and Thornfield and are currently costing the outstanding works in order to progress this claim. Once the costs are completed they will be issued to the bondholder who will then make a decision on whether to pay the Council the amount requested, or have the costs re-assessed by their own engineer. The bondholder has the option to have their own contractor complete the works if they choose.

In proposing the Motion Councillor Secas stressed the frustration of residents on these estates where no construction had taken place since 2002. She noted that the developer in question was refusing to engage and highlighted the need for a definite timeframe to resolve this issue. Members supported the Motion and discussed the role of the Developer, the Council and the Bond in ensuring that estates were completed to a satisfactory standard. Members also discussed the merits of having staff from the appropriate department at the Meeting to discuss such issues. The Director noted the benefits of discussing such issues at operational briefings and the ongoing requirement to ensure that staff were kept free to work on the priority projects, as agreed with Members.

18. Notice of Motion submitted by Councillor M. McCreesh

I will move at the next Meeting that this District opposes, due to overwhelming public opposition, the incinerating of tires, plastics, solvents and any hazardous waste, both municipal and industrial, at any facility in the District.

The Motion was proposed by Councillor McCreesh and seconded by Councillor Collins.

In proposing the Motion Councillor McCreesh stressed the importance of clean air for those living and working in Limerick and its importance to the future economic development of Limerick and the development of tourism in the region. He highlighted the possible far reaching health consequences that might arise from long term exposure to discharges from this proposed development, the related threat to the food chain and noted that residents' concerns had been ignored.

In seconding the Motion Councillor Collins stressed that he did not support the incineration of toxic waste within the community. He expressed disbelief at the assertions made by Irish Cement and disappointment that Irish Cement should threaten job losses, should the

proposed development not go ahead. He noted that the Environmental Protection Agency (EPA) could not be compared favourably with similar agencies in Europe and queried as to who would effectively monitor discharges and the temperature at which the kiln would operate.

Members supported the Motion and made the following points while discussing same;

- According to the World Health Organisation, a fraction of a gramme of dioxin could potentially increase the risk of developing cancer.
- The proposed development represented a significant threat to future development in the area.
- It was a human right to breathe fresh air and there had been inadequate debate regarding the potential dangers represented by the proposed development and no public consultation.
- The proposed development could have a detrimental effect on the food industry and devalue land in the area.
- The proposed development put the interests of a private company before those of the citizens.
- Those who lived adjacent to the cement factory in Mungret would be familiar with the dust arising from same. It should be remembered, however, the dioxins cannot be seen.

The Director, Physical Development noted the separation of Executive and Reserved functions on this issue and that executive decisions were made in accordance with Council Policy. He noted that the national view of waste was changing with waste seen as a resource and a number of national proposals to convert waste to energy. He acknowledged the concerns that had been raised by the Members and the public and pointed out that the Council was obliged to take planning and environmental law into consideration. With regard to Members queries in relation to a submission that might be made by the Executive to the EPA and the position of the Members regarding lodging an appeal to an Bord Pleanala, he requested that these issues be addressed in the workshop that was to take place immediately after the Metropolitan Meeting.

This concluded the Meeting.

Signed: _____
MAYOR

Dated: _____