

MINUTES OF PROCEEDINGS AT MEETING OF LIMERICK CITY AND COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, DOORADOYLE, LIMERICK, ON MONDAY, 23RD NOVEMBER, 2015, AT 3.00 P.M.

PRESENT IN THE CHAIR:

Councillor L. Galvin, Mayor.

MEMBERS PRESENT:

Councillors Browne, Butler, Byrne, Clifford, Collins (J), Collins (M), Crowley, Daly, Donegan, Foley, Gilligan, Gleeson, Hourigan, Hurley, Keary, Keller, Leddin, Loftus, Lynch, McCreesh, McMahon, Mitchell, Neville, O'Brien, Ó Ceallaigh, O'Dea, O'Donnell, O'Donoghue, Prendiville, Quinlivan, Ryan, Scanlan, Secas, Sheahan (J), Sheahan (K), Sheahan (M), Sheehy, Teefy.

OFFICIALS IN ATTENDANCE:

Chief Executive (Mr. C. Murray), Deputy Chief Executive and Director, Home & Community/Culture/Sport (Mr. P. Dowling), Director, Service Operations/Change Management (Mr. G. Daly), Director, Economic Development and Planning (Mr. P. Daly), Director, Regional Services – Water/Waste Management/Fire & Emergency Services/R.D.O. (Ms. C. Curley), A/Director, Transportation & Travel/ Environment (Mr. G. Dillon), A/Head of Finance/Human Resources/Corporate/ICT (Mr. S. Coughlan), Meetings Administrator (Mr. C. O'Connor), Administrative Officer, Corporate Services (Ms. T. Knox)

1. Adoption of Minutes

Circulated, copy of draft Minutes of Ordinary Meeting of the Council held on 28th September, 2015.

Proposed by Councillor Sheahan (J);
Seconded by Councillor Collins (M);
And Resolved:

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

2. Disposal of Land

- (a) Circulated, copy of Statutory Notice dated 16th September, 2015, together with report of the Director, Environment and Water Services, dated 16th September, 2015, in relation to the disposal of land, by means of lease, at Ballinacarriga, Kildimo.

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

“That, the approval of the Council be and is hereby given to the lease of lands comprising of 2.272 hectares at Ballinacarriga, Kildimo, to Bleach Lough Anglers Limited, for the sum of €5 per annum for 6 years, particulars of which were contained in Statutory Notice dated 16th September, 2015.”

- (b) Circulated, copy of Statutory Notice dated 10th November, 2015, concerning disposal of the leasehold interest in 258, Deer Court, Carew Park, Limerick.

Councillor O'Donnell disclosed an interest in this item and, in accordance with Section 177 of the Local Government Act, 2001, as amended, he withdrew from the Meeting for the duration of the discussion on this item

Proposed by Councillor Gilligan;
 Seconded by Councillor Ó Ceallaigh;
 And Resolved:

“That, the approval of the Council be and is hereby given to the disposal of the leasehold interest in 258, Deer Court, Carew Park, Limerick, to Niall and Sylvia Higgins, for the sum of €95.42, the disposal to be by way of Deed of Conveyance of the interest of Limerick City and County Council in the property, particulars of which were contained in Statutory Notice dated 10th November, 2015.”

- (c) Circulated, copy of Statutory Notice dated 11th November, 2015, .concerning disposal of land at Loughill, Co. Limerick.

Proposed by Councillor Sheahan (J);
 Seconded by Councillor Gilligan;
 And Resolved:

“That, the approval of the Council be and is hereby given to the disposal of 0.04 hectares at Loughill, Co. Limerick, to Mr. Justin McSweeney, Loughill, Co. Limerick, for the sum of €3,000, with all costs associated with the disposal to be borne by Mr. McSweeney, particulars of which were contained in Statutory Notice dated 11th November, 2015.”

3. Transportation and Travel / Environment

Limerick City and County Council Cemeteries Bye-Laws 2015

Circulated, report signed jointly by the Chairperson of the Environment Strategic Policy Committee and the Director of Environment and Water, dated 4th November, 2015, together with Draft Limerick City and County Council (Cemeteries) Bye-Laws, 2015.

The report stated that the Draft Bye-Laws had been prepared and considered by the Environment Strategic Policy Committee at its Meeting held on 22nd June, 2015. The Draft Bye-Laws were then placed on public display and submissions were invited up to 2nd September, 2015. It was noted that a number of submissions had been received and that the statutory consultation period had now concluded.

The report listed the submissions received and the Council's response to each one.

The Draft Bye-Laws, submissions and the Council's response on each submission were considered at the Environment Strategic Policy Committee Meeting held on 28th October, 2015. It was agreed at that Meeting that the Draft Bye-Laws would be submitted to the next Full Council Meeting for consideration. The approval of the Council was now required to the making of the Bye-Laws in accordance with the Local Government Act, 2001, as amended.

Proposed by Councillor Sheehy;
Seconded by Councillor Ryan;
And Resolved:

"That, in accordance with the Local Government Act, 2001, as amended, the Limerick City and County Council (Cemeteries) Bye-Laws, 2015, as circulated, be and are hereby made."

4. Human Resources / Corporate / Finance / ICT

(a) Chief Executive's Report

Circulated, Chief Executive's Reports for the months of September and October.

The Chief Executive's Reports for the months of September and October were noted by the Members.

The A/Head of Finance responded to queries in relation to the financial information contained in both reports

(b) Financial Report

Circulated, report of the A/Head of Finance dated 19th November, 2015, attaching Schedules setting out details of the Revenue and Capital Accounts for the nine month period ended 30th September, 2015.

The report stated that the total expenditure on the Revenue Account for the period under review amounted to €115.2 million which represented 74% of the Adopted Budget. It included accruals of approximately €8 million in respect of nine months charges for loan repayments, bad debt provisions and general accruals.

Income for the same period amounted to €118 million, which represented 76% of the Adopted Budget. The income figure included an apportionment of the Rate Warrant for the nine month period under review.

The Financial Report was noted by the Council.

(c) Civic Reception

On the proposal of Councillor Butler, seconded by Councillor O'Dea, it was agreed to host a Civic Reception for the actor, Myles Breen, in recognition of his contribution to the Arts and Theatre in Limerick, for being a wonderful ambassador for Limerick and to honour his achievement in receiving the honour of Best Actor at Origin's First Irish Theatre Festival in New York.

With the permission of the Mayor, Councillor Butler also proposed the hosting of a Civic Reception for the Bottom Dog Theatre Company, in recognition of their contribution to the Arts in Limerick, for their role as cultural ambassadors for Limerick both at home and abroad and to honour their awards success at the Origin's First Irish Theatre Festival in New York. This proposal was seconded by Councillor O'Dea.

A short discussion took place on this item and the Meetings Administrator confirmed that the holding of the Civic Reception for the actor Myles Breen had been endorsed at a Meeting of the Party Leaders.

Proposed by Councillor Butler;
Seconded by Councillor O'Dea;
And Resolved:

"That, the approval of the Council be and is hereby given to the grant of Civic Receptions to honour (a) the actor, Myles Breen, and (b) the Bottom Dog Theatre Company, in accordance with Section 74 of the Local Government Act, 2001, as amended."

(d) Compassionate Communities Project

In view of time constraints, the scheduled presentation on this item was deferred to the January Meeting.

5. Conferences

(i) Participation by Members at Conferences

Details of the following Conferences were circulated electronically to the Members: (a) A Co-Operative Convergence “Community Ownership, Social Enterprise and Resilience Across the Island of Ireland,” held in Belfast, Dublin, Cork, Tipperary, Kerry, Clare, Limerick and Galway, from 19th to 31st October, 2015; (b) Conference “A Practical Guide to Budget 2016” held in Clonakilty, Co. Cork, from 23rd to 25th October 2015; (c) Conference “Co-Housing Housing Ourselves Co-Operatively,” held in Cloughjordan, Co. Tipperary, on 29th October, 2015; (d) NFLA Seminar “New Nuclear Risks in the Irish Sea – submarines and new nuclear power stations? Issues for Irish Local Authorities,” held in Dundalk, Co. Louth, on 30th October, 2015; (e) The National Sustainability Summit 2015, “Securing Ireland’s Future,” held in Dublin on 3rd November, 2015; (f) Conference “Consumer Rights Bill – Landmark Reform of Consumer Law,” held in Clonakilty, Co.Cork, from 6th to 8th November, 2015; (g) Conference “Planning & Environment Law,” held in Dublin on 7th November, 2015; (h) INOU Forum – Irish Organisation for the Unemployed Discussion Forum, held in Sligo Town on 11th November, 2015; (i) AIR (Association of Irish Regions) Conference “New Regions, New Roles, New Responsibilities,” to be held in Loughrea, Co. Galway, on 20th November, 2015; (j) Seminar “Urban Regeneration and Housing Act 2015,” to be held in Galway, on 20th & 21st November 2015; (k) Seminar “Local Authorities Budgets 2016,” to be held in Wexford from 20th to 22nd November, 2015; (l) 6th Annual Tourism Policy Workshop to be held in Dromoland Castle, Co. Clare, from 20th to 22nd November, 2015; (m) Seminar “Regulation of Lobbying Act 2015,” to be held in Galway on 27th and 28th November, 2015; (n) Conference “A Practical Guide to Budget 2016,” to be held in Clonakilty, Co. Cork, from 4th to 6th December, 2015; (o) Seminar “The Town Renewal Plan,” to be held in Galway on 11th & 12th December, 2015; (p) Conference “EU Cohesion Policy 2014-2020,” to be held in Carlingford, Co. Louth, from 11th to 13th December, 2015; (q) Seminar “Implementing Open Government Data Systems (OGD): A Technical Guide,” to be held in Maastricht, The Netherlands, on 14th/15th December, 2015; (r) Conference “Mobile Marketing of Tourist Destinations,” to be held in Clonakilty, Co.Cork, from 18th to 20th December 2015.

On the proposal of Councillor Sheahan (J), seconded by Councillor Collins (M), it was agreed that the following Members would attend:

Dundalk, Co. Louth: Councillors O’Hanlon, Crowley.

Dublin (3rd November, 2015): Councillor Hourigan.

Dublin (7th November, 2015): Councillor O’Brien.

Sligo: Councillor Gilligan.

(ii) Reports on Conference/Seminar/Meeting/Event

Circulated, reports by Members who had participated at Conference/ Seminar/ Meeting/Event.

The reports were noted by the Members.

ADJOURNED NOTICE OF MOTION**6. Notice of Motion submitted by Councillor J. Sheahan**

I will move at the next Meeting that a Quantitive Risk Assessment be immediately carried out so as to assess the risks or none of the operation of a Gasification Plant at Gortadroma.

This Notice of Motion was deferred to the January Meeting.

QUESTION

A Reply to the following Question on the Agenda was circulated to all Members prior to the Meeting and the Question was therefore considered as having been dealt with:

7. Question submitted by Councillor L. Galvin, Mayor

I will ask at the next meeting: (a) for a detailed breakdown of fire callout costs in 2015 to: (i) private domestic houses; (ii) commercial buildings; (iii) agricultural buildings; (iv) the amount which this Local Authority charges per hour; and (b) (i) what was the cost of the Fire Service to the new amalgamated Local Authority to date; (ii) what revenue has been collected to date; (iii) what is the number of full-time Fire Fighters within the new Local Authority; (iv) what is the number of retained Fire Fighters within the new Local Authority; (v) what is the number of in-house staff within the Fire Service, from the Chief Executive down.

REPLY: (A) There were 630 fire only and 251 non-fire callouts up to 12/11/2015. The charges are set out below.

(i)	Private Domestic Homes	€128,637.50
(ii)	Commercial Buildings	€179,650.00
(iii)	Agricultural Buildings	€ 42,075.00

(iv) The amount which Limerick City and County Council charges per hour varies depending on type of incident as follows:

€ 550 per hour for private domestic, road traffic accidents, refuse skip/refuse bin fires etc.

€ 1,100 per hour for Commercial Buildings.

€ 1,100 per hour for Agricultural Buildings.

- (B)
- (i) The adopted budget for Limerick City and County Fire Service for 2015 is €10,755,869.44.
The cost of the Limerick City and County Fire Service up to 12/11/2015 is €8,773,066.65.
 - (ii) The total revenue collected up to 12/11/2015 for Fire Charges is €429,383.55.
 - (iii) The number of Full-time Fire Fighters is 60.
 - (iv) The number of Retained Fire Fighters is 70.
 - (v) The number of in-house staff in the Fire Service (excluding Munster Regional Control Centre, Building Control and Civil Defence) is 19.3.

NOTICES OF MOTION

8. Notice of Motion submitted by Councillor L. Galvin, Mayor

I will move at the next Meeting that Limerick City and County Council call on the Minister for Transport to review the taxation of commercial vehicles for agricultural use.

Councillor Galvin, in proposing the Motion, stressed the need to review the method of taxation of a vehicle used for agricultural purposes. He added that a farmer should be able to tax a commercial vehicle for agriculture use on production of a legitimate herd number.

The Motion was seconded by Councillor Scanlan and agreed.

9. Notice of Motion submitted by Councillor C. McMahon (to be referred to Home and Social Development Strategic Policy Committee)

I will move at the next Meeting that Limerick City and County Council immediately undertake a full audit of all traveller accommodation within our remit following the recent tragedy in Carrickmines.

It was agreed to refer this Motion to the Home and Social Development Strategic Policy Committee.

10. Notice of Motion submitted by Councillor N. Gleeson

I will move at the next Meeting that Limerick City and County Council call on Irish Water to honour its agreement with landowners by giving water free in lieu of them giving wells free.

Councillor Gleeson, in proposing the Motion, asked for the Council's support in calling on Irish Water to honour agreements which the Council had made with landowners whereby the landowner had given water for free in lieu of them giving wells free.

The Motion was seconded by Councillor Sheahan (K) and agreed.

11. Notice of Motion submitted by Councillor M. Quinlivan

I will move at the next Meeting that Limerick City and County Council call on central government to bridge the financial gap caused by the net reduction in Global Valuations of Commercial Rates on Utilities Companies; and that any future changes be communicated to the Council 3 months in advance of the development of Local Authority budgets.

Councillor Quinlivan, in proposing the Motion, stated that his Motion had been raised and discussed at the Budget Meeting. He referred to the amount of €1,191,546 which was being allocated to the Council on a once-off basis by the Department of the Environment, Community and Local Government to part-meet the deficit resulting from the global valuation of utilities undertaken. He added that his Party was of the view that the full amount of the deficit should be recouped from central government.

Councillor Browne, in seconding the Motion, also highlighted the continuing impact of this loss on the Council's finances into the future. He added that the global utilities were highly profitable and that his Party was against subsidising big businesses.

The Motion was agreed.

12. Correspondence

The Correspondence circulated with the Agenda was taken as read.

MACRA NA FEIRME ANNUAL CONFERENCE:

At the conclusion of the Meeting, the Mayor referred to correspondence which had been received from Macra na Feirme outlining plans for their Annual Conference in 2016 which it was proposed to hold in Limerick. It was noted that there would be circa 3,000 delegates attending the event and, in this regard, consideration would be given to supporting the event.

CHIEF EXECUTIVE'S ORDERS:

The Register of Orders made by the Chief Executive up to the date of the Meeting was available for inspection by the Members.

PLANNING AND DEVELOPMENT:

The Register of Decisions on applications under the Planning and Development Act 2000 (as amended) was also available for inspection by the Members.

Signed:

Mayor

Date:
