

MINUTES OF PROCEEDINGS AT MEETING OF METROPOLITAN DISTRICT OF LIMERICK HELD IN THE COUNCIL CHAMBER, MERCHANT'S QUAY, LIMERICK, ON MONDAY, 18TH JANUARY, 2016, AT 9.45 A.M.

PRESENT IN THE CHAIR: Councillor Jerry O'Dea, Mayor

MEMBERS PRESENT:

Councillors Butler, Byrne, Collins, Crowley, Daly, Gilligan, Hourigan, Hurley, Keller, Leddin, Loftus, Lynch, McCreesh, Ó Ceallaigh, O'Hanlon, Prendiville, Quinlivan and Sheahan.

OFFICIALS IN ATTENDANCE:

Director, Transportation and Travel / Environment (Mr. K. Lehane), Meetings Administrator (Mr. C. O'Connor), Senior Executive Officer (Ms. P. Liddy), Chief Fire Officer (Mr. M. Ryan), Senior Assistant Chief Fire Officer (Mr. C. Weaver), Senior Executive Engineer (Mr. F. Keyes), Senior Executive Technician, Economic Development & Planning (Mr. M. O'Brien), Administrative Officer, Economic Development & Planning (Ms. M. Hayes), Administrative Officer, Corporate Services (Mr. T. O'Callaghan).

At the outset of the Meeting, Members observed a silence as a mark of respect for former Mayor, Terry Kelly and former Deputy Mayor, Paddy Reid, both of whom had served on Limerick City Council and passed away recently.

1. Adoption of Minutes

Circulated, copy of draft Minutes of Meeting of the Metropolitan District of Limerick held on 21st December, 2015.

Proposed by Councillor Hourigan;
Seconded by Councillor Collins;
And Resolved:

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

2. Human Resources / Corporate / Finance / ICT

To elect a Deputy Mayor of the Metropolitan District of Limerick to hold office until the next Annual Meeting or until a successor has been elected.

A discussion took place as to whether this item should proceed prior to the filling of the casual vacancy caused by the resignation of Councillor Clifford. The Meetings Administrator informed the Members that, in accordance with Section 38(1) of the Local Government Act 2001 (as amended), where a casual vacancy occurs in the Office of Deputy Mayor of a Municipal District the Members of the Municipal District present at the next Meeting of the District after the occurrence of the vacancy shall elect one of their number to be Deputy Mayor.

Proposed by Councillor Collins;
Seconded by Councillor Hourigan;

“That Councillor Sean Lynch be appointed Deputy Mayor of the Metropolitan District of Limerick to hold office until the next Annual Meeting or until a successor is appointed”.

As there was only one nomination the Mayor declared Councillor Sean Lynch elected as Deputy Mayor of the Metropolitan District of Limerick.

Councillor Lynch informed the Meeting that it was an honour and a privilege to be elected to this post. He wished Councillor Clifford well for the future and noted the unique and valuable contribution he had made to the Council. Members joined in wishing Councillor Clifford well for the future and highlighted his decency and integrity and the commitment he had shown to his constituents. They noted the changing role of the Councillor and the commitment associated with same and called for a working group, comprised of Party Leaders and the Executive, to meet and address this issue.

3. Economic Development and Planning

Taking in Charge of Estates - Declaration of Roads to be Public Roads

Circulated, Report of the Director, Economic Development and Planning dated 8th January, 2016 in relation to the proposed taking in charge of an estate at Rosmor, Old Cork Road. In welcoming this proposal Members made reference to the large number of estates in the District not yet taken in charge and asked to be provided with a list of estates in the District that it was proposed to take in charge in the next 12 months. In relation to any older estates where there were no immediate plans to take in charge, Members asked to be informed why this was the case.

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

“That the estate at Rosmor, Old Cork 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”.

4. Question submitted by Councillor Joe Leddin

I will ask at the next meeting what proposals are in place to prepare suitable plans for the construction of houses on the former Guinness Site on Careys Road.

REPLY: Active discussions are ongoing within the Home and Social Development Directorate as to how various sites within the ownership of Limerick City and County Council can best be progressed from a housing perspective. The Council’s overall housing objective is to reduce the numbers of households who are on the housing waiting list by maximising the supply and availability of suitable and available lands within its ownership. The site at Carey’s Road is owned by Limerick City and County Council (LCCC) and is currently zoned ‘residential’ within the Limerick City Development Plan 2010-2016.

The site will be investigated by LCCC to identify if it is considered suitable in achieving the objective of sustainable mixed communities in accordance with national and local planning policy. Factors to be considered include for e.g.,

planning policy restrictions, contamination, the social balance of existing adjoining neighbourhoods and statutory environmental designations, amongst other criteria. If the site is deemed suitable and available, LCCC will use all housing support options at its disposal to progress the site for approval to the DOECLG.

A Methodology for a Site Assessment for Selecting Sites for Social Housing (SASH) for Limerick City and County is currently being finalised with a view to presenting this study at the February Home & Social Development SPC.

5. Question submitted by Councillor Joe Leddin

I will ask at the next meeting what plans are in place to upgrade and re-let the former apartments on Bourke Avenue which are lying empty for several years now.

REPLY: A detailed project appraisal has been sent to the Department of the Environment on 1st December, 2015 which outlines plans for the renovation of Units 1-12 Bourke Avenue. We are currently awaiting a response from the Department regarding the proposed design and funding approval.

6. Question submitted by Councillor James Collins

I will ask at the next Meeting for the Council to provide maps clearly showing the foul water and storm water infrastructure serving Cill na Cailli, Aos Cluain and Cill Cheide housing estates in Clarina, which have been taken in charge.

REPLY: There were no drawings of the foul and storm infrastructure provided with the taking in charge for the estates in Clarina. The attached map shows the extent of the taking in charge and the roads and services within the red line are in charge.

7. Question submitted by Councillor James Collins

I will ask at the next Meeting if the pumping station in Clarina is in the charge of Limerick City and County Council or Irish Water and, if the pumping station is being maintained by the Council then,

(i) How much does it cost the Council to run and maintain the pumping station per annum?

(ii) When does the Council propose to hand over this facility to Irish Water?

REPLY: The pumping station at Clarina was abandoned by the developer and the Council had to maintain the pumping station and pay the electricity and operating costs. The Council have been maintaining the pumping station since 2010. The pumping station in Clarina was granted under planning permission 06/1733 and is part of the overall development granted under 99/2676. The pumping station was not constructed in accordance with the permission and is required to be upgraded to accommodate further connections.

(i) The cost of operating the pumping station is approximately €6,000 per annum.

(ii) The pumping station will be handed over to Irish Water upon satisfactory upgrade under the taking in charge process.

8. Question submitted by Councillor Malachy McCreesh

I will ask at the next Meeting what action is planned or has been taken following my related motion at the December Metropolitan Meeting to achieve a permanent solution to the ongoing flooding on Hyde Road.

REPLY: Limerick City and County Council have investigated the current problem in Hyde Road in relation to the ongoing flooding on the road during periods of heavy rainfall. A solution has been identified that will involve installing new surface water pipe and gullies in the problem area and piping this to a large mains surface water pipe that runs along the railway line boundary of Caledonian Park. It is anticipated that this infrastructure will be installed during the first half of 2016.

9. Question submitted by Councillor Sean Lynch

I will ask at the next Meeting if Limerick City and County Council would consider taking in charge and declaring Carrigogunnell Road in Ballybrown, Co. Limerick a Public Road according to the Act. This road leads to Carrigogunnell Castle which attracts visitors / tourists on a regular basis.

REPLY: The Carrigogunnell road has recently been inspected by staff. Among the factors to be taken into consideration when assessing a request for the taking of a road into public charge are:

- whether a public right of way currently exists on the road
- whether the road itself is in an acceptable condition or whether improvements might be needed to the road
- the probable costs of such improvements
- whether the road is of general public utility
- the likely financial implications of any process of taking in charge
- existing financial demands on the local authority including in particular on the roads budget.

Having regard to the recent inspection of the road, its current state of repair, the pressures on the Council budget and the other factors mentioned above, it is not recommended that the Council take any action to bring the road into public charge.

10. Notice of Motion submitted by Councillor Joe Leddin

I will move at the next meeting that the Fire Department carry out a comprehensive fire safety audit of all those city centre buildings that include residential units of accommodation, in order to close down or force landlords to carry out improvement works to their properties.

The motion was proposed by Councillor Leddin and seconded by Councillor McCreesh. In proposing the motion, Councillor Leddin highlighted his concerns regarding the health and safety of a number of single elderly tenants in old buildings in the city centre.

REPLY: Limerick City & County Council Fire Authority operates under the Fire Services Act 1981 and 2003.

Section 18 (2) of the Act places a duty on every person having control over premises to take all reasonable measures to guard against the outbreak of fire on such premises and to ensure as far as reasonably practicable the safety of persons on the premises in the event of an outbreak of fire.

Section 18 of the Act also specifies that the Fire Authority's general obligations with regard to fire safety is for premises used for; "any purpose involving the provision of, sleeping accommodation, excluding premises consisting of a dwelling house occupied as a single dwelling".

Fire Service inspections refer to fire safety issues only and do not take account of other deficiencies which may be present in the accommodation.

Limerick City & County Council Housing Authority carries out inspections under the Housing (Standards for Rented Houses) Regulations 2008 and Housing (Standards for Rented Houses) (Amendment) Regulations 2009.

This legislation covers functions relating to RAS, HAP and the Private Rental Accommodation. Fire Safety requirements are included in the legislation for houses and multi unit buildings.

Inspections

Limerick City and County Council Fire Authority carried out 113 inspections in the City Metropolitan area from January to December 2015. These inspections were carried out under the Fire Services Act, Building Control Act and Dangerous Structures legislation.

The majority of these inspections were as a result of complaints from the general public, pre-event inspections and pre court inspections for licensing. The follow up procedure depends on the issues identified as a result of the inspections. The Fire Safety issues can be broken down into three main areas:-

- (i) Active Fire Safety Issues, e.g. fire alarm systems
- (ii) Passive Fire Safety Issues; e.g. structural compartmentation
- (iii) Fire Safety Management Issues; e.g. a legal responsibility on persons having control over premises to take reasonable measures to prevent the occurrence of a fire.

There were 33 inspections carried out in the City Metropolitan area specifically relating to residential type developments in the same period.

The follow up procedure may involve writing to the owner or occupier setting out the fire safety deficiencies and any required remedial works or initiating enforcement action under the Fire Services Act, e.g. Warning Letters, Fire Safety Notices and High Court Order.

Limerick City & County Council Housing Authority carried out 967 inspections in private rented accommodation in the Limerick City & County Council area in 2015. This consisted of initial RAS inspections, re-inspection of RAS properties (to check if work is carried out) and HAP inspections. A total of 647 initial inspections were carried out in 2015 in RAS and HAP properties in the Metropolitan area of Limerick.

In cases where RAS and HAP inspectors have a concern in terms of fire safety in rented accommodation, these are referred to the Fire Department for follow up.

Comment

Given the above, there is a comprehensive programme of inspections in place for residential accommodation in the Limerick City & County Council area and this will continue in 2016.

Members supported the motion and highlighted the need to adopt a proactive approach to ensuring the fire safety of these rental properties and noted the fire dangers posed by derelict properties adjacent to inhabited properties.

In response to queries from Members the Chief Fire Officer clarified the following :-

- A proactive targeted approach is taken to fire inspections with recent emphasis placed on the inspection of creches and nursing homes.
- An ECTI cert of compliance is required in association with any electrical wiring carried out.
- In relation to the follow up of any issues identified during an inspection, the general practice is to issue a warning notice and work with the owner towards the satisfactory completion of the required works. Where the approach fails or where the nature of the required works is significant a Fire Safety Notice is issued.
- Any properties of concern to Members should be brought to the attention of the Fire Department and these will be targeted.

The Senior Executive Officer, Home and Social Development noted that it was proposed to allocate more housing staff in the area of house inspections.

11. Notice of Motion submitted by Councillor Joe Leddin

I will move at the next meeting that the Council establish a committee in partnership with Limerick Chamber and tourism providers to oversee the roll out of a professional series of events, concerts and festivals so that both locals and visitors can support, especially on major bank holiday weekends and important dates such as New Year's Eve.

The motion was proposed by Councillor Leddin and seconded by Councillor Crowley.

In proposing the motion Councillor Leddin noted the absence of fireworks or an event to mark New Year's Eve in 2015. He noted also the financial gains for the city associated with events organised for the May bank holiday and the potential to carry out events, of a similar scale and return, at another time in the year.

Members supported the motion and the following points were made by Members during discussion of this motion :

- The need for all stakeholders to come together to organise and support the holding of a series of events.
- The need to foster the local arts community.
- The need to support local tattoo artists in their efforts to organise an international tattoo festival.
- That efforts should focus on the organisation of one big event per year.
- Where major events / matches take place in the city, the need to organise entertainment / events on the preceding evening.
- That more benefits would accrue from holding fireworks displays in the Summer months when the weather is finer.
- The potential of conference facilities for the city.
- That Fáilte Ireland should be invited to attend at a Meeting of the Metropolitan District to set down their proposal for the region.

- The need to support activities around the Treaty 325 commemoration.

The Director, Transportation and Travel / Environment noted the Council's involvement in organising events of this nature over the years and the potential for greater support from other stakeholders. He indicated that Fáilte Ireland were engaged in marketing Ireland abroad with a focus on major events or festivals. The Administrative Officer, Economic Development and Planning undertook to discuss the issues raised by the Members in her Directorate and the Mayor asked that an update on this matter be provided at the February Meeting of the District.

12. Notice of Motion submitted by Councillor John Gilligan

I will move at the next meeting that this District reject the proposal to pump water from Limerick to Dublin.

The motion was proposed by Councillor Gilligan and seconded by Councillor Quinlivan.

Members supporting the motion made the following points during discussion of the motion:

- There was up to 50% leakage from the water network in Dublin and it would be more logical to fix these leaks than expend considerable resources to pump water from the Shannon into Dublin's leaking network.
- Desalination of water in Dublin was a more cost effective option.
- The greatest use of water in the Dublin area was by the business sector. Emphasis should be placed on encouraging the establishment of businesses on the western side of the country where adequate resources already exist.
- The solution to Dublin's water problems lies in the conservation of water and the reduction of usage and wastage.
- Irish Water now controls where water / waste water infrastructure will be provided thereby controlling where development takes place.

An opposing view was expressed that supported the idea of supplying water to Dublin as fixing the leaks in the Dublin water network would not ensure a sufficient supply to meet Dublin's future needs. It was also noted that the costs associated with desalination were enormous and that the abstraction of water from the Shannon, as proposed, would not result in any significant drop in water levels in the Shannon during Summer months.

13. Notice of Motion submitted by Cmhrl. Séighin Ó Ceallaigh

I will move at the next Meeting that the Council increase the regularity of the emptying of public litter bins in the City.

The motion was proposed by Cmhrl. Ó Ceallaigh and seconded by Councillor McCreesh.

In proposing the motion Cmhrl. Ó Ceallaigh noted bins around the city were often at full capacity as they were being availed of more frequently by the public.

REPLY: At present, the bins in the core City Centre are emptied daily including Saturdays and Sundays. The bins on the periphery of the city are emptied every second day. In total there are in excess of 200 bins in the City, 160 of which get emptied daily.

To increase the regularity of this service we would need to attach additional resources to the task and would require a subsequent increase in funding. As the budget for 2016 has been adopted, it will not be possible to do this in 2016.

Cmhlr. Ó Ceallaigh requested that consideration be given to providing adequate resources in the 2017 budget to empty these bins more frequently.

The Mayor informed the Members that he had to leave the Meeting to attend another appointment and the Deputy Mayor took the Chair.

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

I will move at the next Meeting that Limerick Metropolitan District calls on the Government to abolish water charges and dismantle Irish Water.

The motion was proposed by Cmhlr. Ó Ceallaigh and seconded by Councillor Quinlivan.

In proposing the motion Cmhlr. Ó Ceallaigh noted the ongoing issues in relation to Irish Water who were paying bonuses to staff while many of their customers were struggling financially. Members supported the motion and indicated that it had cost more to collect water charges in 2015 than had been collected from this charge.

15. Notice of Motion submitted by Councillor Maurice Quinlivan

I will move at the next Meeting that Limerick Metropolitan District calls for the Bin Waiver to be extended to those on invalidity pension.

The motion was proposed by Councillor Quinlivan and seconded by Councillor McCreesh.

In proposing the motion Councillor Quinlivan noted that the non application of the bin waiver for those on invalidity pension was a particular issue for older citizens.

In seconding the motion Councillor McCreesh indicated his desire to bring this issue to the full Council.

REPLY: The members of the Council debated at length the eligibility criteria for inclusion in the 2016 Refuse Subsidy Scheme during the course of 2015. The Council had regard to the need to prioritise and deliver services and also the need to maintain the competitive position of the Council as a primary contributor to and facilitator of economic and employment growth.

It was agreed at the outset of these discussions that any proposed Subsidy Scheme must apply equally throughout the administrative area and that priority must be given to continuing the scheme for those in receipt of state old age Contributory and Non-Contributory pensions as their sole source of income.

Discussions in relation to the proposed Subsidy Scheme were undertaken within the context of a most difficult financial position facing the Council in framing its budget for 2016.

Particular regard must be afforded to the fact that the Council's financial resources were exacerbated by the decisions of the Valuation Office on appeals in relation to commercial Rates.

The combination of reduced resources and the continued demands for enhanced services resulted in the Council having to take many difficult decisions as it sought to deliver the highest quality service to the community it serves.

The Budget that was ultimately adopted sought to balance and provide funding and resources to the many competing interests. The Budget adopted for 2016 provided a subsidy scheme to households in receipt of either State Contributory or Non-Contributory Old Age Pensions only or Disability Benefit.

The 2016 funding does not allow for the extension of the Subsidy Scheme to include Households in receipt of Invalidity Pension.

It must be borne in mind that Limerick City and County Council is one of very few, if indeed the only Local Authority, that provides funding for such a subsidy scheme.

Where a household is experiencing financial hardship as a result of this decision it is open to members of household to apply to Community Welfare Officers to receive assistance and I am sure that such requests will be dealt with sympathetically.

I also understand the position to be that the Waste Service Providers are offering very attractive deals to households who previously received waivers.

Members supported the motion and it was suggested that the proposal should be costed and brought to the full Council for consideration.

16. Notice of Motion submitted by Councillor Malachy McCreesh

I will move at the next Meeting that the Council contacts Irish Water for an explanation of the ongoing main water burst along Childers Road, specifically at Sycamore Avenue (Rathbane) and Greenfields (Ballinacurra).

The motion was proposed by Councillor McCreesh and seconded by CmhIr. Ó Ceallaigh.

Members supported the motion and cited many instances of supply interruptions in the area along the Childers Road in the past month to the point where people were stocking up on bottled water. Members noted that issues of this scale had not arisen when the Council had responsibility for the supply of water and called on Irish Water to list the scale of supply interruptions that had occurred along this line in the past 12 months and to bring forward a solution to this problem.

REPLY: The Council will refer Councillor McCreesh's Notice of Motion to Irish Water for their attention if the Notice of Motion is adopted at the meeting of 18 January 2016.

Irish Water has provided a designated telephone number and email address to facilitate elected representatives making direct contact with them. Irish Water contact public representatives to advise of local clinic facilities that are provided to facilitate public representatives meeting with Irish Water staff.

Telephone number : 1890 178178

Email address : localrepsupport@water.ie

At the conclusion of the Meeting, the Meetings Administrator requested that, in relation to discussions proposed to increase the efficiency of meetings, parties should appoint representatives to attend and any other Member interested should come forward.

This concluded the Meeting.

Signed: _____
MAYOR

Dated: _____