

MINUTES OF PROCEEDINGS AT MEETING OF METROPOLITAN DISTRICT OF LIMERICK HELD IN THE COUNCIL CHAMBER, MERCHANT'S QUAY, LIMERICK, ON MONDAY, 19TH JANUARY, 2015, AT 9.45 A.M.

PRESENT IN THE CHAIR: Councillor Michael Sheahan, Mayor

MEMBERS PRESENT:

Councillors Butler, Byrne, Clifford, Collins, Crowley, Hourigan, Hurley, Keller, Leddin, Loftus, Lynch, McCreesh, Ó Ceallaigh, O'Dea, O'Hanlon, Prendiville, Quinlivan and Secas.

OFFICIALS IN ATTENDANCE:

Deputy Chief Executive (Mr. P. Dowling), Meetings Administrator (Mr. E. Griffin), Senior Executive Officer, Economic Development and Planning (Mr. P. Fitzgerald), Senior Executive Officer, Home and Social Development (Ms. P. Liddy), Senior Engineer (Mr. V. Murray), Senior Executive Planner (Ms. M. Woods), Assistant Planner (Mr. D. O'Donoghue) Administrative Officer, Corporate Services (Mr. T. O'Callaghan).

1. Adoption of Minutes

Circulated, copy of draft Minutes of Meeting of the Metropolitan District of Limerick held on 15th December, 2014.

A query was raised in relation to the inclusion in the minutes under Item 7 of a list of derelict sites in the Metropolitan Area that had not been read out at the meeting. The Meetings Administrator noted that the reply he had read out referred to the list and it had been agreed to bring the list to the attention of Members. The Meetings Administrator also clarified that a presentation on derelict sites was planned for the next meeting of the Metropolitan District and noted the request that an emphasis on the Georgian area of Limerick City be included in the presentation.

Proposed by Councillor Hourigan

Seconded by Councillor Butler

And Resolved:

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

2. Disposal of Land

Circulated, Report of the Director, Home and Social Development dated 8th January, 2015.

Members noted and approved the disposal of land as set out below :

- Dwelling House situate at 38 Hennessy Avenue, Kileely, Limerick City.
- Dwelling House situate at 20 Linden Court, Kennedy Park, Limerick City.

3. Economic Development and Planning

Proposed Patrickswell Local Area Plan 2015 - 2021

Circulated, Report of the Chief Executive dated 6th January, 2015, on the proposed Patrickswell Local Area Plan 2015 – 2021.

In welcoming the proposed Patrickswell Local Area Plan, Members made the following points :

- The need to market the strengths of Patrickswell as an attractive place to live and work, only 3.5 km from the Raheen Industrial Estate, with an active tidy village group and GAA Club and a new cycle path from Raheen under construction.
- The need for the Council to provide financial and other support to the local community in the purchase of land adjacent to the local graveyard, at a reasonable price, to promote community development.
- That Patrickswell has an aging population but an inadequate bus service that needed to be improved.
- That the Plan should be supported by the provision of capital funding to carry out village renewal works in Patrickswell, with Mungret Village as the model.

The Senior Executive Planner thanked the Members for their assistance in developing the proposed plan and indicated that the proposed material alterations as recommended by the Chief Executive to the proposed Local Area Plan would go on display for a further four weeks giving members of the public an opportunity to comment on the proposed material alterations only.

In relation to the issue that had been raised by Members with regard to parking in Patrickswell giving rise to traffic hazards, the Senior Engineer, Travel and Transportation undertook to review same in conjunction with the Planning Department.

Proposed by Councillor Lynch and seconded by Councillor Butler and resolved;

"That the proposed material alterations to the Patrickswell Local Area Plan 2015-2021 as recommended in the Chief Executive's report dated 6th January 2015, be put on public display for the statutory period under section 20(3)(e-h) of the Planning and Development Act 2000 (as amended)."

4. Question submitted by Councillor Sean Lynch

I will ask at the next meeting that the Council investigate the possibility of turning a green area which is close to the Main Street in Patrickswell into parking spaces to facilitate business and customers.

REPLY: The area in question forms part of the open space to serve an existing partially developed housing development, permitted under planning ref. 00/2987 for demolition of existing 2 storey dwelling and retail unit, construction of 6 commercial units, 7 apartments, 11 No. terraced houses.

This area would therefore not be suitable to accommodate a car park.

It should be noted that the proposed Patrickswell Local Area Plan 2015 - 2021 identifies an opportunity site for the development of a car park in close proximity to the Main Street and the town centre. This is set out in Objective T1: Provision of a Car Park and Opportunity Area 2 – Riverside of the Barnakyle.

5. Notice of Motion submitted by Councillor Elena Secas

I will move at the next Meeting that:

- 1) *the Road Project Team will supervise the Route 4 Ballysimon, Castletroy and Newtown Infrastructure Improvement Works when these would happen this year,*
- 2) *information leaflets on dates and times will be distributed in a timely manner to residents living in the immediate area where works will be carried out, and*
- 3) *safety road signage will be put in place until the works are completed for local residents' safety.*

The motion was proposed by Councillor Secas and seconded by Councillor O'Hanlon. In proposing the motion, Councillor Secas noted that she had, in the past, experienced difficulties with the issues raised in her motion.

- REPLY:**
- 1) A Resident Engineer will be appointed for the works and the scheme will be managed by the Limerick Smarter Travel Team.
 - 2) Information leaflets on dates and times of the works will be distributed in a timely manner to residents living in the immediate area where works will be carried out.
 - 3) A Project Supervisor Construction Stage (PSCS) will be appointed for the works and all the necessary safety signage will be put in place.

The Senior Engineer noted that the contractor had obligations in relation to communicating with residents and Members pointed out the benefits of availing of social media in this regard. They cited the example of works carried out in Mungret where this had proved successful and suggested that this be included in future contracts.

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

I will move at the next meeting that the Metropolitan District of Limerick calls on the Minister for Arts, Heritage and Gaeltacht, Heather Humphreys, to recognise and act on her responsibility as Heritage Minister to protect and preserve the historic Moore Street area of Dublin City, including the terrace 10-25 Moore Street which was occupied by the Volunteers at the end of Easter Week 1916 and where the final meeting of the Provisional Government of the Irish Republic took place. This requires the preservation not only of the National Monument 14-17 Moore Street but the protection of the terrace and of the integrity of the surrounding area which has been described as 'the lanes of history' and which has the potential to be sensitively developed as an historic quarter of our capital city, enhancing the living market trading tradition and bringing to life the area's central role in the 1916 Rising.

In proposing the motion, Cmhlr. Ó Ceallaigh indicated the importance of the Metropolitan

District playing its part in saving historic Moore Street as a key tourist location, the history of which should not be sacrificed for a shopping centre.

In seconding the motion, Councillor Quinlivan noted that a flag, linked to the mobilisation in Limerick and currently located in the Imperial War Museum, was to be transferred back here before 2016 and it was hoped that same would be displayed in the Museum in Limerick.

7. Notice of Motion submitted by Councillor Maurice Quinlivan

I will move at the next meeting that the Metropolitan District of Limerick write to the Minister for Jobs, Enterprise and Innovation calling on him to amend the Companies Bill 2012 to include a provision that will prevent unscrupulous directors exploiting company law to withhold outstanding pay and other earned entitlements.

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

In proposing the motion, Councillor Quinlivan gave examples of high profile closures of companies such as Vita Cortex and HMV where the company had ceased trading rather than being wound up and employees, with no P45 and issues accessing social welfare payments, were forced to stage sit ins. He asked that the following statement be included with the motion to clarify the amendment referred to and this was agreed by Members :

"Where a breach of employment law is committed by a body corporate or by a company officer or officers acting on behalf of a body corporate and is determined to have been so committed, with the consent, connivance or approval of, or to have been attributable to any neglect on the part of, a person or persons who, when the breach was committed was a company officer or officers of the body corporate, then that person or persons shall be personally liable for the breach committed."

8. Notice of Motion submitted by Councillor Maurice Quinlivan

I will move at the next meeting that, following work on the replacement of water pipes in the Ballynanty Beg area over elevated lead levels in the water supply, the Metropolitan District of Limerick now calls on Irish Water, in conjunction with the HSE, to immediately issue notices to every house in Ballynanty Beg to confirm if their water is safe to drink or if the advice issued by the HSE in July not to drink the water remains in place and that this Council also carries out an inspection in the Ballynanty Beg area to ensure that footpaths, roads and garden walls etc that have been damaged in the work are repaired and returned to their previous condition.

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

In proposing the motion Councillor Quinlivan noted that works were almost complete but roads and walls had been damaged and not properly repaired and residents still did not know if water was safe to drink. He noted that of four standpipes that had been provided, three were broken and this resulted in elderly residents having to carry water considerable distances and also deal with slippery surfaces around the standpipe during icy weather.

The following points were made by Members during discussion on the motion :

- That Irish Water had inherited the current situation including 40% water leakage in the city and will be better equipped to identify leaks going forward.
- That footpaths can not be left in a dangerous condition because of the insurance ramifications.
- That Irish Water should assure customers that there will be no charge for water until it is drinkable.
- That communications between Irish Water and the HSE should be streamlined.
- That Irish Water was slow in dealing with issues brought to its attention, was not responding to communications and in some cases issues were only dealt with when aired by the media.

REPLY: The contractor has completed the works in the Ballynanty Beg area on the replacement of common looped services under the lead service replacement programme. A programme of testing, agreed by Irish Water and H.S.E. will be completed at the earliest possible date. Limerick City & County Council will liaise with the H.S.E. and Irish Water as soon as the test results are available, with a view to immediately issuing the appropriate notice to water users in the area.

Irish Water appointed a Contractor called Shareridge to carry out improvement works to the watermains services pipes in Ballynanty.

Before commencing work the contractor applied to Limerick City and County Council for a Road Opening Licence for the works. The Contractor has paid the relevant fee for this licence and was allowed to commence works. The Roads Department carry out an inspection of the works and agree areas of reinstatement with the Contractor and any damage caused during the works will be replaced.

A survey of the condition of the roads and footpaths was carried out prior to commencing the works. Once the reinstatements are completed and signed off by the Roads Department as per the Road Opening Licence the Contractor will remain liable for these reinstatements for a further 2 years.

An inspection is carried out after 2 years and if the reinstatements are in order the Contractor's Bond for the works is returned.

As Items 9 and 12 were related, it was agreed that both would be taken together.

9. Notice of Motion submitted by Councillor Malachy McCreesh

I will move at the next meeting that the Metropolitan District of Limerick demands the intervention of both of Limerick's two Government Ministers to ensure that the additional beds at the A&E in the University Hospital in Dooradoyle are opened immediately and requests the Minister of Health to immediately expedite the equipping and staffing of the new Emergency Department at the University Hospital Limerick in order to make the new facility operational.

The new Emergency Department at University Hospital Limerick is scheduled to open in 2016 but some out of the box thinking is needed by management and government to find a solution to the crisis that exists at present in the hospital.

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

12. Notice of Motion submitted by Councillor Paul Keller

I will move at the next meeting of the Metropolitan District of Limerick, that we register our support for the planned nurses industrial action by the INMO in the University Hospital Limerick. Nursing and other staff are forced to take this drastic action in light of the chronic and persistent overcrowding and the failure of the Minister for Health's promise to provide extra beds and staff, which are long over due .

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

In supporting the motions, Members highlighted the issues being faced by staff and patients in the A&E in University Hospital Limerick caused by the downgrading of the A&E in St. Johns Hospital and closure of services in Ennis and Nenagh. Members noted the lack of step down beds available and that 50 beds in the University Hospital Limerick were occupied by elderly patients awaiting fair deal placements in nursing homes.

A view was expressed that this problem had been inherited by the Government and that the Minister for Health had set up a task force to deal with the issue, overflow beds were being put back in other hospitals and a huge investment had been made in the new A&E facilities in University Hospital Limerick.

Members noted that closures of A&E services in Nenagh and Ennis had taken place before the new A&E facilities in Limerick were opened and this, combined with increasing population, had been the primary cause of the problem. Following discussion, it was agreed that the Mayor should invite the Management of the University Hospital Limerick to attend a future meeting of the Metropolitan District to update the Members on the challenges they face in providing A&E services in Limerick and to discuss proposed solutions. It was further agreed that both motions should be circulated to Ministers Noonan and O'Sullivan.

10. Notice of Motion submitted by Councillor Malachy McCreesh

I will move at the next meeting that the Metropolitan District of Limerick calls on the Minister for the Environment, Community and Local Government to move immediately to review rent supplement caps in Limerick. The unrealistic rates are causing a real housing crisis and forcing many people including families into homelessness.

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

In proposing the motion Councillor McCreesh noted the results of a recent survey indicating that the cost of rents in the city had increased by 6%. He stressed that the caps on the rent supplement meant that many people could not afford rented accommodation and had no option but to move back in with their parents.

In supporting the motion Members spoke of the lack of investment in social housing and the reluctance of landlords to engage with HAP and tenants in receipt of rent supplement, all of which was leading to a crisis for those on the housing list seeking accommodation. Members noted that rent supplement had originally been intended as a short term solution that had turned into a long term scheme which it was now intended to replace with HAP.

Members noted the substantial budget allocated to the Housing function and requested that Housing Management attend the next Metropolitan District meeting to discuss the issues they face in providing accommodation for those seeking same.

11. Notice of Motion submitted by Councillor Cian Prendiville

I will move at the next meeting of the Metropolitan District of Limerick that we erect a plaque at or near Hanratty's Hotel, Glentworth Street to commemorate the 50th anniversary of Che Guevara's visit to Limerick on March 13th 1965.

The motion was proposed by Councillor Prendiville and seconded by Councillor Loftus.

In proposing the motion Councillor Prendiville stated that Che Guevara's visit to Limerick marked an element of the hidden radical history of the city. He highlighted Che Guevara's Irish ancestry with connections to the Lynch surname and noted that Kilkee had organised a festival the previous year to mark their links to Che Guevara.

Members supporting the motion noted Che Guevara as an iconic historical figure whose visit to Limerick should be marked.

Other members cited a range of individuals deserving of commemoration and highlighted the need for a protocol committee to deal with this and similar proposals.

Following discussion it was agreed that a vote would be taken on the motion and following a show of hands the Mayor declared the motion defeated.

13. Notice of Motion submitted by Councillor John Loftus

I will move at the next meeting that the Metropolitan District of Limerick calls on Irish Water to cease the installation of meters in properties where it is known that the connection is comprised of lead piping.

In proposing the motion Councillor Loftus highlighted that water meters had been fitted by Irish Water to corroded lead connections in the city giving rise to repeated leaks at the point where the lead pipe was joined to the plastic connection on the meter. He noted that residents stopped further connections.

In seconding the motion Councillor Quinlivan suggested that Irish Water should cease the installation of water meters and focus their resources on fixing the pipe network.

As the finishing time for the meeting was approaching it was agreed, on the proposal of Councillor Hourigan and seconded by Councillor Byrne, that standing orders be suspended for five minutes to allow for the completion of the agenda.

During discussion by Members on the motion it was pointed out that it was established practice in the city for the Council to put meters on lead connection. An alternative motion was put forward but was ruled out of order as it was a new motion rather than an amendment to the existing motion and following a vote by show of hands, the Mayor declared the motion accepted.

This concluded the Meeting.

Signed: _____

MAYOR

Dated : _____