

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

PRESENT IN THE CHAIR:

Councillor K. Sheahan, Mayor.

MEMBERS PRESENT:

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

Apologies for their inability to attend the Meeting were received from Councillors Clifford and Ryan.

OFFICIALS IN ATTENDANCE:

Chief Executive (Mr. C. Murray), Deputy Chief Executive (Mr. P. Dowling), Director, Community, Leisure and Emergency Services (Ms. J. Cotter Coughlan), Director, Economic Development and Planning (Mr. P. Daly), Director, Environment and Water (Mr. K. Lehane), Director, Home and Social Development (Ms. C. Curley), Director, Travel and Transportation (Mr. P. Crowe), Head of Finance, Motor Tax and ICT (Mr. T. Gilligan), Meetings Administrator (Mr. E. Griffin), Senior Executive Engineer, Environment (Mr. G. Doherty), Administrative Officer, Limerick Enterprise Development Partnership (Mr. M. Cantwell).

PRESENTATION:

At the outset, the Mayor made a presentation to Councillors McMahon and O'Brien to mark Councillor McMahon's recent wedding and Councillor O'Brien's upcoming wedding.

1. Minutes

Circulated, copy of draft Minutes of the following Meetings:

- (a) Special Meeting of the Council held on 26th January, 2015.
- (b) Ordinary Meeting of the Council held on 26th January, 2015.
- (c) Special Meeting of the Council held on 23rd February, 2015.

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

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

2. Fixing of Date

On the proposal of Councillor Collins (M), seconded by Councillor Sheahan (J), the date of the Annual Meeting was re-fixed to Friday, 26th June, 2015, at 3.00pm.

With the Mayor’s permission, it was agreed to take item No. 7 on the Agenda at this time.

7. Environment and Water

Gortadroma Landfill

- (i) Circulated, copy of Statutory Notice dated 12th March, 2015, concerning disposal of lands, by way of lease, at Gortadroma Landfill for a Gasification Plant, together with report of the Director, Environment and Water, dated 18th March, 2015.

Councillor McMahon, in support of the disposal of lands at Gortadroma Landfill, said that the proposal was for the use of approximately 14 hectares of the landfill to site a Gasification Plant for the processing of municipal waste and for the generation of electricity. She advised that in order to better understand the implications of such a proposal, it was agreed that a site visit would be arranged to a Gasification Facility. It was noted that a site visit took place on 11th /12th March to a facility at Morcenx, France, and that 4 District Members, 2 staff of Limerick City and County Council and 2 local residents attended. She stated that she was very impressed by what she saw at the plant and with the information supplied. She stated that there were still matters that needed to be addressed in relation to environmental and traffic pollution but that these would be dealt with as part of the planning and licensing processes.

A number of Members, including the District Members present at the Meeting, voiced their support for the disposal and for the development of the Gasification Plant.

Councillor Prendiville stated that he would like more information on the proposal before making a decision on the disposal. He asked for the matter to be deferred to a future Meeting pending a full presentation and this proposal was seconded by Councillor Loftus.

Further discussion took place on the matter and it was agreed to take a vote, in the form of a show of hands. The majority of the Members were in favour of the disposal and accordingly the Mayor declared the proposal carried.

Proposed by Councillor McMahon;
Seconded by Councillor O'Donoghue;
And Resolved:

"That, the approval of the Council be and is hereby given to the disposal of 14 hectares of land located within Gortadroma Landfill, Ballyhahill, to Cadence Enviropower Limited, 4 The Crescent, Limerick, for a signing fee of €50,000; when planning permission and waste licence are in place, a rent of €4,000,000 per annum is payable; in addition, a contribution to a Local Community Fund of €100,000 per annum; the disposal to be by way of Lease Agreement for a period of 30 years following granting of all authorisations, particulars of which were contained in Statutory Notice dated 12th March, 2015."

- (ii) Circulated, report of the Head of Finance, Motor Tax and ICT dated 18th March, 2015, in relation to Site Visit to Gasification Facility in Morcenx, France, on 11th/12th March, 2015.

The report was noted by the Members.

3. Disposal of Land

- (a) Circulated, copy of Statutory Notice dated 11th March, 2015, concerning disposal of land at Kantoher, Co. Limerick, together with report of the Director of Economic Development and Planning dated 16th March, 2015.

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

"That, the approval of the Council be and is hereby given to the disposal of 10,000 sq. ft. of former Hatchery Building, Kantoher, to Mr. Gerry Phillips, Strand Foods Limited, for the sum of €100,000, the disposal to be by way of Lease Agreement for 999 years at an annual rent of €1 (if demanded) and subject to the conditions and covenants contained within the Lease Agreement, particulars of which were contained in Statutory Notice dated 11th March, 2015."

- (b) Circulated, copy of Statutory Notice dated 11th March, 2015, concerning disposal of land at Rathkeale, together with report of the Director of Economic Development and Planning dated 16th March, 2015.

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

“That, the approval of the Council be and is hereby given to the disposal of 3,000 sq. ft. and one acre of former Andersen Plant, Rathkeale, to Long and Fitzel Veterinary Practice, Rathkeale, for the sum of €100,000, the disposal to be by way of Lease Agreement for 999 years at an annual rent of €1 (if demanded) and subject to the conditions and covenants contained within the Lease Agreement, particulars of which were contained in Statutory Notice dated 11th March, 2015.”

- (c) Circulated, copy of Statutory Notice dated 11th March, 2015, concerning disposal of land at Rathkeale, together with report of the Director of Economic Development and Planning dated 16th March, 2015.

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

“That, the approval of the Council be and is hereby given to the disposal of 25,000 sq. ft. of former Andersen Plant, Rathkeale, to Mr. Paul Collins, Design Pro Limited, for the sum of €250,000, the disposal to be by way of Lease Agreement for 999 years at an annual rent of €1 (if demanded) and subject to the conditions and covenants contained within the Lease Agreement, particulars of which were contained in Statutory Notice dated 11th March, 2015.”

- (d) Circulated, copy of Statutory Notice dated 11th March, 2015, concerning disposal of land at Deer Park, Adare, Co. Limerick.

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

“That, the approval of the Council be and is hereby given to the disposal of land consisting of 0.9946 Hectares (2.457 Acres) situated in Deer Park, Adare, Co. Limerick, to Adare United AFC, the disposal to be by way of Lease Agreement for a period of 30 years at a nominal rent of €400 per annum and subject to the conditions and covenants contained within the Lease Agreement, particulars of which were contained in Statutory Notice dated 11th March, 2015.”

- (e) Circulated, copy of Statutory Notice dated 11th March, 2015, concerning disposal of land at Main Street, Rathkeale, Co. Limerick.

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

“That, the approval of the Council be and is hereby given to the disposal of land consisting of property at Main Street Rathkeale, Co. Limerick – 0.0178 Hectares – the entire plot of property to be disposed of to Triode Newhill Rathkeale Limited, for the sum of €51,000, the disposal to be by way of (a) 0.014 Hectares to be disposed of by way of Lease Agreement for 999 years at an annual rent of €1 (if demanded) and subject to the conditions and covenants contained within the Lease Agreement, and (b) 0.0038 Hectares to be disposed of by way of Deed of Transfer of the Council’s Freehold Interest in the Property, particulars of which were contained in Statutory Notice dated 11th March, 2015.”

- (f) Circulated, copy of Statutory Notice dated 12th March, 2015, concerning disposal of No. 27 St. Munchin’s Street, St. Mary’s Park, Limerick.

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

“That, the approval of the Council be and is hereby given to the disposal of the land and dwelling known as 27, St. Munchin’s Street, St. Mary’s Park, Limerick, to Geraldine Griffin, 128 St. Munchin’s Street, St. Mary’s Park, Limerick – transfer ownership of 128 St. Munchin’s Street, St. Mary’s Park, to Limerick City and County Council – and subject to (i) the disposal to be by way of exchange of the above property to Limerick City and County Council (subject to necessary conveyancing requirements), and (ii) Limerick City and County Council to acquire the property free of any existing mortgage(s) or burden(s) and any existing mortgages or burdens on the property at 128 St. Munchin’s Street, St. Mary’s Park, Limerick, to be transferred to the property at 27, St. Munchin’s Street, St. Mary’s Park, Limerick, particulars of which were contained in Statutory Notice dated 12th March, 2015.”

- (g) Circulated, copy of Statutory Notice dated 12th March, 2015, concerning disposal of No. 2 Wallers Well, Roxboro, Limerick.

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

“That, the approval of the Council be and is hereby given to the disposal of the land and dwelling known as No. 2 Wallers Well, Roxboro, Limerick, to Eileen Hayes, 528 Castle Oaks View, O’Malley Park, Southill, Limerick – transfer ownership of 528 Castle Oaks View, O’Malley Park, Southill, to Limerick City and County Council – and subject to (i) the disposal to be by way of exchange of the above property to Limerick City and County Council (subject to necessary conveyancing requirements), and (ii) Limerick City and County Council to acquire the property free of any existing mortgage(s) or burden(s) and any existing mortgages or burdens on the property at 528 Castle Oaks View, O’Malley Park, Southill, Limerick, to be transferred to the property at No. 2 Wallers Well, Roxboro, Limerick, particulars of which were contained in Statutory Notice dated 12th March, 2015.”

- (h) Circulated, copy of Statutory Notice dated 12th March, 2015, concerning disposal No. 4 Wallers Well, Roxboro, Limerick.

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

“That, the approval of the Council be and is hereby given to the disposal of the land and dwelling known as No. 4 Wallers Well, Roxboro, Limerick, to Martin and Ann Marie O’Connor, 29 Rose Court, Keyes Park, Limerick – transfer ownership of 29 Rose Court, Keyes Park, to Limerick City and County Council – and subject to (i) the disposal to be by way of exchange of the above property to Limerick City and County Council (subject to necessary conveyancing requirements), and (ii) Limerick City and County Council to acquire the property free of any existing mortgage(s) or burden(s) and any existing mortgages or burdens on the property at 29 Rose Court, Keyes Park, Limerick, to be transferred to the property at No. 4 Wallers Well, Roxboro, Limerick, particulars of which were contained in Statutory Notice dated 12th March, 2015.”

- (i) Circulated, copy of Statutory Notice dated 12th March, 2015, concerning disposal of No. 8 Wallers Well, Roxboro, Limerick.

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

“That, the approval of the Council be and is hereby given to the disposal of the land and dwelling known as No. 8 Wallers Well, Roxboro, Limerick, to John and Geraldine Moloney, 8 Beechgrove Avenue, Ballinacurra Weston, Limerick – transfer ownership of 8 Beechgrove Avenue, Ballinacurra Weston, to Limerick City and County Council - and subject to (i) the disposal to be by way of exchange of the above property to Limerick City and County Council (subject to necessary conveyancing requirements), and (ii) Limerick City and County Council to acquire the property free of any existing mortgage(s) or burden(s) and any existing mortgages or burdens on the property at 8 Beechgrove Avenue, Ballinacurra Weston, Limerick, to be transferred to the property at No. 8 Wallers Well, Roxboro, Limerick, particulars of which were contained in Statutory Notice dated 12th March, 2015.”

- (j) Circulated, copy of Statutory Notice dated 12th March, 2015, concerning disposal of No. 9, Wallers Well, Roxboro, Limerick.

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

“That, the approval of the Council be and is hereby given to the disposal of the land and dwelling known as 9 Wallers Well, Roxboro, Limerick, to Anthony O’Donoghue, 354 Roseview Drive, O’Malley Park, Southill, Limerick – transfer of ownership of 354 Roseview Drive, O’Malley Park, Southill, to Limerick City and County Council – and subject to (i) the disposal to be by way of exchange of the above property to Limerick City and County Council (subject to necessary conveyancing requirements), and (ii) Limerick City and County Council to acquire the property free of any existing mortgage(s) or burden(s) and any existing mortgages or burdens on the property at 354 Roseview Drive, O’Malley Park, Southill, Limerick, to be transferred to the property at No. 9 Wallers Well, Roxboro, Limerick, particulars of which were contained in Statutory Notice dated 12th March, 2015.”

- (k) Circulated, copy of Statutory Notice dated 12th March, 2015, concerning disposal of No. 12, Dalgaish Park, Moyross, Limerick.

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

“That, the approval of the Council be and is hereby given to the disposal of No. 12 Dalgaish Park, Moyross, Limerick, to Denis Ryan and Margaret Ryan, 101 Pineview Gardens, Moyross, Limerick – transfer ownership of 101 Pineview Gardens, Moyross, to Limerick City and County Council – and subject to (i) the disposal to be by way of exchange of the above property to Limerick City and County Council (subject to necessary conveyancing requirements), and (ii) Limerick City and County Council to acquire the property free of any existing mortgage(s) or burden(s) and any existing mortgages or burdens on the property at 101 Pineview Gardens, Moyross, Limerick, to be transferred to the property at No. 12 Dalgaish Park, Moyross, Limerick, particulars of which were contained in Statutory Notice dated 12th March, 2015.”

4. Corporate Services

(a) Chief Executive’s Report

Circulated, Chief Executive’s Reports for the months of January and February.

In the course of a discussion on the item, the Chief Executive and the relevant Directors of Service responded to queries raised by the Members in relation to the following:

- Masterplan for the Mungret College Park.
- Ireland 2016.
- Library Service/Caherdavin Branch Library Closure.
- Rent Collection.

The Chief Executive's Reports for the months of January and February were then noted.

(b) Statutory Audit Reports 2013

Circulated, (i) Audit Committee's report dated 18th March, 2015, on the Statutory Audit Reports 2013 for Limerick City Council and Limerick County Council; (ii) Limerick City Council Audited Annual Financial Statement for the Year Ended 31st December, 2013; (iii) Limerick City Council Statutory Audit Report 2013; (iv) Limerick County Council Audited Annual Financial Statement for the Year Ended 31st December, 2013; (v) Limerick County Council Statutory Audit Report 2013.

Mr. John Field, Chairperson of the Audit Committee, who was present for this item, summarised the Report of the Audit Committee on the Statutory Audit Reports for the Year 2013, for the Meeting.

In the course of a discussion on the item, the Chief Executive and the Head of Finance responded to queries raised by the Members.

(c) Strategic Policy Committees

(i) Sectoral Nominations

Circulated, report of the Meetings Administrator dated 2nd March, 2015, seeking the approval of the Council to Sectoral Nominations to Strategic Policy Committees.

The report referred to the Strategic Policy Committee Scheme that was formally adopted by the Council at the November 2014 Meeting. In the intervening period, nominations had been sought from the Farming/Agricultural, Business/Employers and Trade Union Pillars and details of these nominations were set out for approval. Vacancies remained in relation to positions to be filled from the Environment/Conservation, Community/Voluntary and Social Inclusion Sectors to be nominated by the Public Participation Network (PPN). Work was ongoing in establishing the various structures within the PPN and it was anticipated that the PPN Secretariat would be in place by the end of March 2015. As soon as the Secretariat was in place, the requests for nominations to the remaining places on the Strategic Policy Committees would be issued.

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

"That, the approval of the Council be and is hereby given to Sectoral Membership of the 5 Strategic Policy Committees as follows and as set out in the report of the Meetings Administrator dated 2nd March, 2015:

Agriculture / Farming

- **Economic Development, Enterprise and Planning SPC**

John Walsh, Drominleigh, Scart, Ballysimon, Co. Limerick.

- **Environment SPC**

Thomas Blackburn, Ballyshonakin, Effin, Co. Limerick.

Eamonn English, Shanaclough House, Oola, Co. Limerick.

- **Travel and Transportation SPC**

Michael Lenihan, Anglesboro, Kilmallock, Co. Limerick.

- **Community, Leisure and Emergency Services SPC**

Mary Vaughan-Mullane, Grange Lower, Newcastle West, Co. Limerick.

Development / Construction

- **Economic Development Enterprise and Planning SPC**

Mike Ryan, M.A. Ryan & Sons Ltd., 27 Mallow Street, Limerick.

- **Travel and Transportation SPC**

Pat McCarthy, Roadbridge, Ballyclough, Ballysheedy, Co. Limerick.

- **Home and Social Development SPC**

P.J. O'Grady, OG Insulation, 12 Laurel Park, Patrickswell, Co. Limerick.

- **Community, Leisure and Emergency Services SPC**

Mary Fitzgerald, Fitzgeralds Woodlands House Hotel, Adare, Co. Limerick.

Business / Commercial

- **Economic Development, Enterprise and Planning SPC**

Denis Doyle, Vice-President Manufacturing, Analog.

David Jeffreys, M.D. Action Point, Limerick Office (Main Office), Unit 8B, Plassey Enterprise Centre, National Technology Park, Limerick.

- **Environment SPC**

Sinead Ryan, Senior Environmental Engineer, Rusal Aughinish.

Mark McConnell, Owner & MD, ECOS Environmental Consultants.

- **Travel and Transportation SPC**

Michael Tiernan, Chief Executive Officer, Tiernan Properties.

- **Home and Social Development SPC**

Dr. Eileen Humphreys, Institute for the Study of Knowledge in Society, University of Limerick, Plassey, Limerick.

- **Community, Leisure and Emergency Services SPC**

Liam Toland, Owner & MD, Home Instead Senior Care.

Trade Union

- **Travel and Transportation SPC**

Mr. Frank McDonnell, c/o The Mechanics Institute, Hartstonge Street, Limerick.

- **Home and Social Development SPC**

Mr. Mike McNamara, c/o The Mechanics Institute, Hartstonge Street, Limerick.

(ii) Standing Orders for Strategic Policy Committees

Circulated, report of the Meetings Administrator dated 18th March, 2015, attaching Draft Standing Orders for Meetings of Strategic Policy Committees.

The report referred to Guidelines received in relation to the formulation of the Strategic Policy Committees which stated that Standing Orders for SPCs were required to be approved by the Full Council. Also, in accordance with Section 54(2) of the Local Government Act, 2001, the Council was obliged to comply with the Guidelines. The Corporate Policy Group, at its meeting on 16th March, 2015, agreed that the Draft Standing Orders would be placed before the Council for approval. The Standing Orders could then be considered by the Strategic Policy Committees at their next Meeting and suggested amendments, if any, would then be brought back to Full Council for consideration.

A resolution of the Council was now required to adopt the Standing Orders.

On the proposal of Councillor Sheahan (J), seconded by Councillor Collins (M), it was agreed to amend SPC Standing Orders as follows: “that meetings should be held at least two weeks in advance of bi-monthly meetings so as to accommodate Motions moved at full Council level and, as a consequence, SPC Meetings will total six Meetings a year.”

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

“That, Standing Orders for Strategic Policy Committee Meetings, as circulated, be and are hereby adopted, subject to the amendment outlined above.”

(d) Standing Orders – Full Council

Circulated, report of the Meetings Administrator dated 18th March, 2015.

The report referred to Standing Orders for the Full Council adopted at Meeting held on 22nd September, 2014. The Corporate Policy Group was recommending that, in relation to a Chairperson’s Report from a Strategic Policy Committee, the Members of that particular SPC would not be allowed to speak on the Report as they would have had the opportunity at SPC Meetings to speak on the issues contained in the Chairperson’s Report. This recommendation would require the following amendment to Standing Orders:

“Members of an SPC will not be allowed to speak on the Chairman’s Report of the SPC. Where a Recommendation from an SPC is materially amended at the Council Meeting, all Members will be permitted to speak.”

In accordance with Paragraph 16 of Schedule 10 of the Local Government Act, 2001, a resolution of the Council was required to amend Standing Orders.

Following debate on the issue of whether Members would be allowed to speak on the Chairperson’s Report of the SPC at a Council Meeting, it was agreed that the proposed amendment would be altered to include the word ‘ordinarily’ and therefore the amendment would read as follows:

“Members of an SPC will not ordinarily be allowed to speak on the Chairman’s Report of the SPC. Where a Recommendation from an SPC is materially amended at the Council Meeting, all Members will be permitted to speak.”

During further discussion on Standing Orders and, in particular, the issue of Members’ Motions being referred to Strategic Policy Committees, a further amendment to Standing Orders was proposed by Councillor Sheahan (J), seconded by Councillor Keary, and agreed as follows:

“That the proposer of a Motion placed on the Clár be allowed to move said Motion and that the said Motion be allowed to be seconded. The mover of said Motion be allowed to attend the relevant Strategic Policy Committee Meeting that the Motion is referred to if not already a Member.”

(e) Corporate Plan 2015-2019

Circulated, report of the Meetings Administrator dated 18th March, 2015, together with Draft Corporate Plan 2015-2019.

The report stated that the preparation of a Corporate Plan was a requirement under Section 134 of the Local Government Act, 2001, as amended by the Local Government Reform Act, 2014. The Draft Plan circulated incorporated the Vision, Strategy and Values of the Council and it also set out the 7 Aims of the Council for the coming five years, together with the actions designated to achieve those Aims. The progress on achieving the Aims would be monitored and measured on an ongoing basis and an Annual Progress Report would be placed before the Members for consideration. In accordance with Section 134 of the Local Government Act, 2001, a resolution of the Council was required to approve the Corporate Plan.

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

“That, in accordance with Section 134 (5) (a) of the Local Government Act, 2001, the Corporate Plan 2015-2019, as circulated, be and is hereby adopted.”

(f) Twinning

Circulated, report of the Meetings Administrator dated 18th March, 2015.

The report stated that Limerick County Council had a formal twinning relationship with Hohenlohekreis, Germany, since 1989. Since its inception, both Authorities had engaged in a variety of twinning activities, including visits by Members and Officials, School Exchanges, Staff Exchanges and Cultural Events. An invitation had been received from Hohenlohekreis for a small delegation to visit and it was proposed to send a delegation of 6 (1 official and 5 Members) from 7th to 11th April, 2015. It would be necessary, as part of this visit, to evaluate and explore the possibilities of a meaningful relationship with Hohenlohekreis for the future. The approval of the Council was required for this visit in accordance with Section 142(5) of the Local Government Act, 2001.

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

“That, the approval of the Council be and is hereby given to Twinning Visit to Hohenlohekreis, Germany, in accordance with Section 142(5) of the Local Government Act, 2001, and as set out in report of the Meetings Administrator dated 18th March, 2015.”

5. Community, Leisure and Emergency Services

(a) Local Community Development Committee Annual Report 2014

Circulated, report of the Director of Community, Leisure and Emergency Services dated 18th March, 2015, enclosing Annual Report on the operation of the Limerick Local Community Development Committee (LCDC) for year ended 31st December, 2014. The Annual Report had been prepared in accordance with the requirements of Section 128B(1)(i) of the Local Government Act, 2001, as inserted by the Local Government Reform Act, 2014.

The LCDC Annual Report was noted by the Council.

(b) Grants under the Arts Act, 2003

Circulated, report of the Director, Limerick 2020 Bid, dated 13th March, 2015, enclosing schedule setting out the applications recommended for grant assistance under the Arts Act, 2003, and seeking the approval of the Council to the payment of the grants as set out in the Schedule.

Following considerable discussion, it was agreed that the following information would be sent to the Members:

- A complete list of all applications received, both successful and unsuccessful.
- Details of the Assessment Team.
- Criteria/Rationale used in the assessment of the applications and the resultant outcome following assessment.

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

“That, the approval of the Council be and is hereby given to the payment of grants under the Arts Act, 2003, as recommended and as set out on the Schedule attached to the report of the Director, Limerick 2020 Bid, dated 13th March, 2015.”

6. Economic Development and Planning

Limerick City and County Council Business and Retail Incentive Scheme for Vacant Property in Limerick City Centre, Abbeyfeale, Kilmallock, Newcastle West and Rathkeale

Circulated, report of the Director, Economic Development and Planning, dated 13th March, 2015, in relation to the Limerick City and County Council Business and Retail Incentive Scheme for Vacant Property in Limerick City Centre, Abbeyfeale, Kilmallock, Newcastle West and Rathkeale, together with ‘*Application Form and Guidelines for Business & Retail Incentive Scheme for Vacant Properties Grant.*’

The report recommended that the Scheme should remain focussed on the City and large town core areas in order to address the vacancy rate in the core retail areas of Limerick City Centre and the County towns of Kilmallock, Rathkeale, Newcastle West and Abbeyfeale.

The report outlined the grant relief provided under the Scheme. The Economic Development and Planning Directorate had granted 20 applications under the Scheme with a further 20 applications pending. It was estimated that approximately 400 jobs had been created through new retail and business openings that had been supported by the Business & Retail Incentive Scheme with a projected investment of over €4m in Limerick.

The report recommended: (i) the extension of the operational period of the Scheme from 01/01/2015 until 31/12/2016, subject to the finances available; (ii) the approval of proposed mapping amendment to Scheme to provide grant relief for retail occupancy at Arthur's Quay Shopping Centre and at the Tourist Office at Arthur's Quay; and (iii) extension of Scheme to further areas on a case-by-case basis.

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

"That, the approval of the Council be hereby given to (i) the extension of the existing Limerick City and County Council Business & Retail Incentive Scheme for Vacant Property from 01/01/15 until 31/12/2016, (ii) the proposed mapping amendment to Scheme as per Appendix 3.1(a) of application form circulated, and (iii) the extension of the scheme to further areas on a case-by-case basis, subject to the finances available, in accordance with Section 66 of the Local Government Act, 2001, as amended by the Local Government Reform Act, 2014."

8. Finance, Motor Tax and ICT

Schedule of Uncollected Rates

Circulated, report on Schedule of Uncollected Rates for the year ended 31st December, 2014, as required under Section 26 of the Local Government (Financial Procedures and Audit) Regulations, 2014.

The report stated that the percentage collection for Commercial Rates for 2014 was 65%. Closing arrears for 2014 were €24.973 million which showed an improvement of €531K on the opening balance at the start of 2014. The report outlined the write-offs (€7,955,191) and Waivers (€84,197) for the year.

The report was noted by the Council and the Head of Finance, Motor Tax and ICT responded to queries raised. He also advised that the Council was working with some customers in relation to drawing up and agreeing payment plans for outstanding rates.

9. Travel and Transportation

(a) 2015 Non-National Road Grant Allocations

Circulated, (i) correspondence from the Department of Transport, Tourism and Sport dated 3rd February, 2015, notifying 2015 Non-National Road Grant Allocations; and (ii) correspondence from the Department of Transport, Tourism and Sport dated 12th February, 2015, regarding Community Involvement Schemes, together with report of the Director, Travel and Transportation, dated 10th March, 2015.

The correspondence was noted by the Members.

(b) 2015 National Road Grant Allocations

Circulated, correspondence dated 18th December, 2014, from the National Roads Authority notifying 2015 National Road Grant Allocations, together with report of the Director of Travel and Transportation dated 10th March, 2015.

The correspondence was noted by the Members.

Foynes to Limerick Road Improvement Scheme

With the Mayor's permission, a discussion took place in relation to the Foynes to Limerick Road Improvement Scheme. The Director of Travel and Transportation stated that the Public Consultation Process had commenced and that the closing date for submissions had been extended to Friday, 10th April, 2015. He added that a study area had been identified within which a number of route corridor options had been identified. He confirmed that each option would be subject to assessment under the headings of economy, safety, environment, accessibility and integration.

The views of the Members were noted in relation to the Public Consultation Process.

10. Conferences

• Participation by Members at Conferences

Details of the following Conferences had been circulated electronically to the Members: (a) 26th Colmcille Winter School "The Future of Local Government in Ireland under the New System" held in Gartan, Churchill, Letterkenny, Co. Donegal from 26th to 28th February, 2015; (b) Conference "EU Support Programmes for Irish Regions" held in Carlingford, Co. Louth, from 27th February to 1st March, 2015; (c) Seminar "The New Companies Act, 2014" held in Clonakilty, Co. Cork, from 6th to 8th March, 2015; (d) Seminar "The Councillor and Irish Water (Water Service Bill, 2014)"

held in Letterkenny, Co. Donegal, from 6th to 8th March, 2015; (e) Seminar “Domestic Water Charges - Preparation and Practicalities” held in Carlingford, Co Louth, from 20th to 22nd March, 2015; (f) NFLA Forum Spring 2015 “Nuclear Risks and Energy Opportunities - Which Direction should Ireland go?” to be held in Newry, Co. Down, on 27th March, 2015; (g) Seminar “Changing Trends and Approaches to Drug and Alcohol Abuse” to be held in Dublin from 10th to 12th April, 2015; (h) Conference “The Finance Act, 2014” to be held in Clonakilty, Co. Cork, from 10th to 12th April, 2015; (i) Conference “Creating a Brand for your Area – Battlefield Tourism – A Lost Field?” to be held in Dundalk, Co Louth, on 15th April, 2015; (j) Conference “Chambers of Commerce Building Business” to be held in Carlingford, Co. Louth, from 24th to 26th April, 2015.

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

Newry, Co. Down: Councillors Daly, Crowley, O’Hanlon.

Dublin: Councillor Clifford.

Dundalk, Co. Louth: Councillors Gilligan, Hourigan.

- **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.

QUESTION

The 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:

11. Question submitted by Councillor J. Scanlan

I will ask at the next meeting (a) the number of unfinished estates within this Authority, (b) the numbers that have, and do not have, bonds in place, (c) how many of these are backed by the Irish Banking Resolution Company Limited (now in liquidation), (d) how many have planning extensions, (e) what follow-up work has occurred on these developments consequent to granting of any extensions, and (f) in the case of those without bonds, what action is being taken to procure funding required to complete these developments.

REPLY: (a) There are 27 unfinished estates in this local authority area as listed in the Department of Environment, Community and Local Government 2014 Survey; (b) 2 of these estates have no bond in place, 18 have a bond in place and in 7 of these cases the bond has been released as the constructed portion of the development has been completed to a satisfactory standard; (c) 1 of these bonds is held by the IBRC, there is a Receiver in place for this estate; (d) 7 of these estates have been granted an extension of duration on their planning permission; (e) as with all unfinished estates, the Council continues to ensure that the development is completed to a satisfactory standard through enforcement action or claims on bonds; (f) of the two estates where there is no bond in place, we are currently taking legal action against the developer in respect of one estate and the remaining estate is an unoccupied site which has been securely fenced off.

NOTICES OF MOTION

12. Notice of Motion submitted by Councillor C. Prendiville

I will move at the next Meeting that Limerick City and County Council condemn the current system of accommodating asylum seekers in Ireland, known as Direct Provision, and calls on the Minister for Justice and Equality, Frances Fitzgerald, TD, to: (1) immediately close Mount Trenchard Direct Provision Centre in Foynes which has been widely described as the worst in the system and is not fit for purpose; and (2) commit to abolishing the Direct Provision system by the end of 2015.

Councillor Prendiville, in proposing the Motion, stated that his Party was totally opposed to the Direct Provision System which denied people the right to a home or a job. He referred to Mount Trenchard in Foynes and said it was overcrowded with up to 8 adults per room and also that there was a lack of recreational facilities. He said that the residents there felt very isolated as the nearest village was 5 kilometres away. He concluded by calling for the immediate closure of the Mount Trenchard Facility stating that it was not fit for purpose and that the 45 people currently living there could be accommodated in the three other centres in Limerick.

The Motion was seconded by Councillor Quinlivan and unanimously agreed.

With the permission of the Mayor, the following Motion was taken as this time:

17. Notice of Motion submitted by Councillor S. Lynch

I will move at the next Meeting that Limerick City and County Council call on the Government to (i) immediately and adequately resource An Garda Síochána to deal with the issue of prostitution and (ii) enact the Criminal Law (Sexual Offences) Bill, 2014, which will serve to change the law to criminalise the purchase of sex and, as such, target the demand element of this industry.

Councillor Lynch stated that he wished to make an amendment to the wording of the Motion to read as follows:

“I will move at the next Meeting that Limerick City and County Council call on the Government to immediately and adequately support services for victims of prostitution and to provide assistance to help those who wish to exit the industry.”

Councillor Lynch, in proposing the amended Motion, stated that prostitution was a serious crime and that he was calling for the Criminal Law (Sexual Offences) Bill, 2014, to become law. He added that a dedicated Garda Unit was essential to enforce the law and he called for one to be set up in each Garda Division. He concluded by acknowledging the work of Doras Luimní and others in assisting the victims of prostitution and trafficking and stressed the need for additional resources to provide the structure of counselling and services that these victims required.

The Motion, as amended, was seconded by Councillor Collins (M).

During debate on the Motion, Councillor Prendiville proposed the following amendment and this was seconded by Councillor Loftus:

“I will move that the Council would call on the Department of Justice and Equality to ensure that any legal measures to cut across demand for the sex industry are accompanied by corresponding measures to (i) invest in support services for prostitutes/sex workers that offer multi-lingual services such as healthcare, contraception, English language lessons, counselling, access to specially trained Gardai to report violence, sexual violence or theft, and (ii) ensure every woman, man or trans-person who is a prostitute/sex worker who wishes to exit the sex industry is aided to do so by State services that provide housing, jobs or training and to ensure that no woman, man or trans-person working in the sex industry is deported.”

A vote in the form of a show of hands was taken on the amendment proposed by Councillor Prendiville and seconded by Councillor Loftus. The Mayor declared the amendment defeated as there was not a majority in favour.

Accordingly, the Mayor declared the Motion as proposed by Councillor Lynch and seconded by Councillor Collins (M) carried.

The Mayor indicated that he would take Motion No. 15 at this time:

15. Notice of Motion submitted by Councillor K. Sheahan, Mayor

I will move at the next Meeting that this Council would support the call to have the Voluntary Health Insurance (VHI) give its full support to the proposal to have a Private Community Hospital built at the Dock Road, Limerick.

The Mayor, Councillor Sheahan (K), in proposing the Motion, stated that the planning permission was in place for the proposed 92 bed private hospital with six operating theatres for the Dock Road, Limerick. He added that a flood risk assessment had been undertaken, an operator for the facility was in place and that the funding to build the facility was available. He went on to state that in the previous few months, the Voluntary Health Insurance Board (VHI) had stipulated that an existing private bed in the region would have to close for every new one in the new hospital before they would sign up for the proposed new private hospital.

Councillor O'Donoghue seconded the Motion and said that there was a demand for more beds in the Region.

Councillor Joe Leddin stated that the VHI should be given an opportunity to give their side on this issue.

On the proposal of Councillor Leddin, seconded by Councillor Ó Ceallaigh, it was agreed to issue an invitation to the Management/Chief Executive of the VHI to address a future Meeting of Limerick City and County Council in relation to the matter.

As there was disagreement in relation to the Motion, a vote was taken in the form of a show of hands. The majority of the Members were in favour of the Motion and accordingly the Mayor declared the Motion carried

It was also agreed, on the proposal of the Mayor, Councillor Sheahan (K), seconded by Councillor O'Donoghue, to forward a copy of the Motion to Clare County Council and Tipperary County Council for support.

As the Mayor had to leave the Meeting at this point, the Deputy Mayor took the Chair for the remainder of the Meeting.

13. Notice of Motion submitted by Councillor L.M. Sheehy (To be referred to Travel and Transportation Strategic Policy Committee)

I will move at the next Meeting that this Council, recognising the need for safety for children at play in the housing estates in which they live, call on the Minister for Transport to pass the Road Traffic Amendment Bill, 2015, commonly known as 'Jake's Law,' in memory of Jake Brennan, in order to introduce a new mandatory speed limit of 20 km/h specifically for housing estates; and that the Council further commit to writing to the Minister on this issue and circulating this Motion to all other Local Authorities in the state for their consideration.

It was agreed to refer this Motion to the Travel and Transportation Strategic Policy Committee.

14. Notice of Motion from Councillor M. Byrne

I will move at the next Meeting that, in an effort to improve the lives and wellbeing of our deaf and hard of hearing citizens, this Council call on the Government to give official recognition status to Irish Sign Language (ISL).

Councillor Byrne, in proposing the Motion, stated that official recognition would promote greater awareness of Irish Sign Language and assist the right of the deaf community to access essential information and services in Irish Sign Language.

The Motion was seconded by Councillor Butler and agreed.

16. Notice of Motion submitted by Councillor E. Ryan

I will move at the next meeting that Limerick City and County Council call on the Tánaiste and Minister for Social Protection, Joan Burton, TD, to reimburse Limerick City and County Council €540,000 to cover the cost of the bin waver scheme as this is an income supplement and should be paid for by the Department of Social Protection.

In the absence of Councillor Ryan and at his request, the Motion was proposed by Councillor O'Hanlon, seconded by Councillor Donegan, and agreed.

18. Notice of Motion submitted by Councillor L. Galvin (To be referred to Travel and Transportation Strategic Policy Committee)

I will move at the next meeting that a discussion take place and a road programme be put in place for the roads affected by forestry harvesting in the county.

It was agreed to refer this Motion to the Travel and Transportation Strategic Policy Committee.

19. Notice of Motion submitted by Councillor D. Butler (To be referred to Economic Development, Enterprise and Planning Strategic Policy Committee)

I will move at the next Meeting that the Council present to the Members a briefing and opportunity to provide ideas to the Limerick Marketing Plan for 2015, given the expected year-after benefits of a City of Culture event.

It was agreed to refer this Motion to the Economic Development, Enterprise and Planning Strategic Policy Committee.

20. Notice of Motion submitted by Councillor J. Scanlan

I will move at the next Meeting that Limerick City and County Council call on the Ministers for Agriculture and Finance to reinstate the Early Retirement Scheme and Installation Grant for our Farming Communities.

The Motion was proposed by Councillor Scanlan, seconded by Councillor Gleeson, and agreed.

It was also agreed to circulate it to all Local Authorities for support.

21. Notice of Motion submitted by Councillor S. Browne

I will move at the next Meeting that this Council call on the Management of Pallas Foods to engage with SIPTU in order to ensure the retention of the maximum number of jobs for the site and the wider Newcastle West area.

Councillor Browne, in proposing the Motion, stated that there had been a catalogue of job losses in the West Limerick area. He referred to the decision by Pallas Foods to transfer 65 jobs from Newcastle West to Dublin. He said the only options that had been given to employees were voluntary or compulsory redundancy or redeployment to Dublin. He asked for the Council's support for his Motion and stated it was not acceptable in this day and age for the Management of Pallas Foods to refuse to engage with the Union of the workers' choice in order to explore options to retain the jobs in question.

The Motion was seconded by Councillor Quinlivan.

A number of Members objected to the Motion from a legal perspective and referred to the rights of the employer.

In the absence of agreement on the Motion, a vote was taken in the form of a show of hands. The majority of the Members were in favour of the Motion and accordingly the Mayor declared the Motion carried.

22. Notice of Motion submitted by Councillor M. Quinlivan

I will move at the next Meeting that this Council (1) supports the Mandate Trade Union and their members working in Dunnes Stores both here in Limerick and across the State in their struggle against zero hour contracts, (2) calls on the management of Dunnes Stores to respect and implement the Labour Court's recent recommendation in respect of the dispute i.e. to sit down with the Union to discuss all of the issues in dispute including: (i) the implementation of banded hour contracts which would give workers security of hours and earnings; (ii) individual and collective representational rights for Dunnes workers; (iii) a review of Dunnes excessive use of temporary contracts of employment; (iv) fair pay for all workers in Dunnes Stores.

Councillor Quinlivan, in proposing the Motion, stated that the dispute between workers and management at Dunnes Stores was an issue of major relevance to the Council as there were 4 Dunnes Stores shops in the Metropolitan District with hundreds of workers living and working in Limerick. He asked for the Council's support in building better and fairer workplaces in Limerick by endorsing the call on Dunnes Stores to engage with the Mandate Trade Union in order to resolve the issues in a way that would ensure the economic security, respect and fair pay for Dunnes Stores employees.

The Motion was seconded by Councillor Browne.

In the absence of agreement on the Motion, a vote was taken in the form of a show of hands. The majority of the Members were in favour of the Motion and accordingly the Mayor declared the Motion carried.

23. Notice of Motion submitted by Councillor J. Leddin

I will move at the next Meeting that all meetings of the Council, including Strategic Policy Committee and Special Meetings, where feasible and practicable, are held on a Monday, and Tuesday as the alternative optional day, so as to remove the current situation where Members have to attend various meetings that are been convened every day of the week at different times.

Councillor Leddin, in proposing the Motion, asked if Meetings of the Council could be scheduled for a Monday, or Tuesday as the alternative optional day. He added that if Meetings were held on those days, it would enable Members to plan their business with a greater degree of certainty and would also help to facilitate their attendance at Meetings.

The Motion was seconded by Councillor Galvin.

The Meetings Administrator stated that this would be looked at going forward but that the dates of Meetings already set and included in the Meetings Calendar would not change.

24. Notice of Motion submitted by Councillor J. Loftus (To be referred to Environment Strategic Policy Committee)

I will move at the next Meeting that a Committee be established comprising Councillors, community representatives and other interested parties to investigate setting up Social Horse Projects in Limerick along the lines of the Clondalkin Horse Project.

It was agreed to refer this Motion to the Environment Strategic Policy Committee.

25. Correspondence

The Correspondence circulated with the Agenda was taken as read.

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 Acts, 2000-2014, was also available for inspection by the Members.

Signed:

Mayor

Date:
