

CORRESPONDENCE

SEPTEMBER 2017 COUNCIL MEETING

- Letter received on 10th August, 2017, from the Office of the Minister for Communications, Climate Action and Environment in reply to resolution adopted by the Council in relation to minimisation of 'one-use' items for the purpose of litter management and waste minimisation and expressing concern at the continued growth of this type of litter; and requesting that the Department explore options to influence the use of this type of 'one-use' item at producer level including, but not limited to, a levy on 'one-use' items along the lines of the successful plastic bag tax or a deposit and return scheme etc.
- Letter received on 14th August, 2017, from the Office of the Minister for Transport, Tourism and Sport in reply to resolution adopted by the Council calling on the Minister to set aside one day in the year for a national campaign called 'Respect for Others on the Road Day.'
- Letter received on 18th August, 2017, from Páraic Ó Dufaigh, Ard Stiúrthóir, Gaelic Athletic Association, in reply to resolution adopted by the Council calling on the GAA to halt the current practice of allowing SKY TV exclusive rights to screen particular Gaelic Games fixtures; instead, RTE, TV3 or TG4 should be allowed to also screen these fixtures.
- Letter received on 24th August, 2017, from the National Transport Authority in reply to resolution adopted by the Council that Bus Éireann and the NTA be contacted in relation to organising a 'Car Free City' day or weekend, where public transportation would be free, in order to encourage more people to use this vital public service in order to tackle pollution and climate change.
- Letter received on 25th August, 2017, from the Office of the Minister for Rural and Community Development in reply to resolution adopted by the Council calling on the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs to ease the criteria at application stage to applicants of LEADER funding, particularly in relation to planning and charitable status, and calling on the Department to simplify the bureaucracy of the application form for applicants.

- Letter received on 30th August, 2017, from Transport Infrastructure Ireland in reply to resolution adopted by the Council calling on TII to attend a Special Meeting of the Council to discuss the recommendations made by their Consultants, RPS, in relation to the Review of Speed Limit Bye-Laws on the National Primary and National Secondary Roads in Limerick.
 - Letter received on 4th September, 2017, from Councillor Eddy Newman, Lord Mayor of Manchester.
 - Letter received on 5th September, 2017, from the Meetings Administrator, Dublin City Council, in reply to resolution adopted by the Council calling on the GAA to halt the current practice of allowing SKY TV exclusive rights to screen particular Gaelic Games fixtures, a copy of the resolution having been circulated to all local authorities for support.
 - Letter received on 11th September, 2017, from the Office of the Minister for Housing, Planning and Local Government in reply to resolution adopted by the Council that the Minister, and the local Oireachtas Members, be contacted urging them to amend the Residential Tenancies Act, 2004, to abolish sale of a property as a grounds for terminating a tenancy.
 - Letter received on 11th September, 2017, from Deputy Tom Neville in reply to resolution adopted by the Council that the Minister for Housing, Planning, Community and Local Government, and the local Oireachtas Members, be contacted urging them to amend the Residential Tenancies Act, 2004, to abolish sale of a property as a grounds for terminating a tenancy.
 - Letter received on 12th September, 2017, from the Mayor of Barcelona.
-



**Roinn Cumarsáide, Gníomhaithe
ar son na hAeráide & Comhshaoil**
Department of Communications,
Climate Action & Environment

Office of the Minister
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Mr. Tom O'Callaghan,
Corporate Services,
Limerick City & County Council,
Corporate Headquarters,
Merchants Quay,
Limerick,
V94 EH90



9th August 2017

Re: Minimisation of 'one-use' items

Dear Mr. O'Callaghan

On behalf of Mr Denis Naughten, TD, Minister for Communications, Climate Action & Environment, I wish to acknowledge receipt of your letter dated 3rd August regarding the above.

I will ensure your letter is brought to Minister Naughten's attention.

Yours sincerely,

Conor Goulding,
Minister Naughten's Office
Department of Communications, Climate Action & Environment
29 – 31 Adelaide Road
Dublin D02 X285
Tel No: 00 353 1 6782000
E-mail: conor.goulding@dcae.gov.ie
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Twitter: @Dept_CCAE

Fáiltítear roimh comhfhreagras i nGaeilge



An Roinn Iompair
Turasóireachta agus Spóirt

Department of Transport,
Tourism and Sport



Oifig an Aire
Lána Chill Mochargán, Baile Átha Cliath 2, Éire

Office of the Minister
Leeson Lane, Dublin 2, Ireland

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Minister@dtas.ie

11 August 2017

Our Ref: SR/17/18535

Mr Tom O'Callaghan
Corporate Services
Limerick City and County Council
Corporate Headquarters
Merchants Quay
Limerick



Dear Mr O'Callaghan

On behalf of the Minister for Transport, Tourism & Sport, Shane Ross, T.D., I wish to thank you for your letter of 3 August 2017, and your suggestion for a "Respect for Others on the Road Day".

Yours sincerely,

Chris Smith
Private Secretary to Minister Ross

*The Minister is a Designated Public Official under the Regulation of Lobbying Act, 2015
(details available on www.lobbying.ie)*

Páraic Ó Dufaigh
Ard-Stiúrthóir GAA

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PD/TR

16th August 2017

Mr/Ms C O'Connor
Senior Executive Officer
Limerick City and County Council
Corporate Headquarters
Merchants Quay
Limerick



Dear Mr/Ms O'Connor

Mr. Peter McKenna has passed on your letter of 4 August 2017 with details of the resolution adopted. I am pleased to respond and would be interested to know if similar discussion has taken place, for example, in relation to the broadcast of all of Munster's European Rugby Cup games on Sky/BT or if the Council is only concerned with GAA media rights policy.

The GAA has always done all in its power to make its games available to its domestic audience, while at the same time needing to protect the special experience of supporters attending games. Currently, over 100 games are broadcast free to air each year, covering all levels of GAA's competitions – senior, minor, under-21, colleges and universities. Over the years, there has been a constant increase in live TV coverage of our games on free to air T.V. There is hardly a single weekend from late January until the end of November that live GAA championship games are not available on free-to-air on terrestrial TV. In fact, the current broadcasting contracts ensure free-to-air live TV coverage of GAA games on at least 44 of the 52 weekends of the year.

If one had followed the debate generated by the allocation of limited broadcast rights to Sky Sports, one might well have had the impression that, previously, *all* senior championship games had been covered live on TV and that an entitlement to see all our championship games free to air had been withdrawn. But it has *never* been the case that all championship games have been broadcast live on domestic TV - far from it. We have always had to find a balance between live TV coverage and our objective of encouraging our supporters to attend matches: the presence of supporters at matches is the lifeblood of our games and is vital to the special atmosphere of GAA matches.

The GAA, from the outset, understood fully that the decision to award a small number of games to Sky would not meet with everyone's approval. It was not a decision taken easily, and was discussed at length by our Management Committee in January 2014 and, more recently at Congress 2016.

Cont/d....

[2]

Tradition led some to feel that we should never offer our games to a subscription channel. This is a respectable position, and one fully respected by the Association. But those in the GAA with whom lies the responsibility of safeguarding the status and position of our games, not just in the present but – even more importantly – in the future, are obliged to consider factors that others can afford to ignore.

Whether we like it or not, commercial and marketing factors are a feature of the world in which the GAA must operate, and the allocation of broadcast rights is vital to the well-being of the Association from a number of perspectives, i.e. the proper promotion of our games, the standard to which the games are promoted on broadcast media, the territories in which our games are broadcast, our ability to negotiate from a position of strength in a very competitive sports-viewing market, and, of course, the revenue generated by the sale of broadcast rights to our games, the latter vital to our ability to fund the development of the Association.

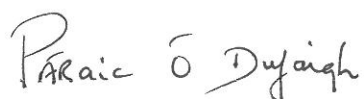
We believe that we have achieved a balance in the allocation of broadcast rights that meets the needs of our supporters at home and abroad, a balance that we will seek to maintain into the future. Our games will continue to be widely available as free-to-air TV broadcasts to Irish audiences and there will be no reduction in the number of live championship games shown free to air.

Finally, it is very important to note that the following motion was debated at Congress, the GAA's policy-making body, in 2016:

"That Congress 2016 enacts a New Rule [1.18]: 'Broadcast Rights – All televised Inter-County Championship games shall be available on free to air T.V.'"

The motion was defeated by 200 votes to 36.

Is mise le meas



Páraic Ó Dúfaigh
Ard Stiúrthóir



Ms Tina Knox
Administrative Officer
Limerick City and County Council
Merchants Quay
Limerick
V94 EH90

23rd August 2017

Dear Ms Knox

I refer to your letter dated 6 July last on behalf of the members of Limerick City and County Council concerning the organisation of a car free event in Limerick.

As you will be aware the National Transport Authority (NTA) has been working in partnership with Limerick City and County Council in the development of sustainable transport modes in Limerick (walking, cycling and public transport) since 2011. This has included the establishment of the public bike scheme and the on-going regeneration of Colbert rail station and environs.

Since 2011 the NTA has provided over €7 million for sustainable transport schemes in Limerick. This does not include expenditure in respect of the public bike scheme and Colbert rail station regeneration.

The NTA is also supporting the development of bus services in Limerick. A major revision of Limerick City bus services was implemented last year following a review of services by the NTA. The revised network provides enhanced frequencies, new routes and improved timetables.

The NTA is committed to continuing its engagement with Limerick City and County Council in support of the development of sustainable transport which has a crucial contribution to play in reducing Ireland's Greenhouse Gas Emissions. In particular we are committed to developing and improving public transport services in Limerick in line with available resources.

Accordingly, the NTA is fully supportive of the proposal to organise a car free event in Limerick. However, it is a matter for Limerick City and County Council to provide the necessary leadership and develop detailed proposals in conjunction with all relevant stakeholders.

In conclusion, the NTA would welcome the opportunity to assist Limerick City and County Council in the development of the public transport element of a car free event. However, it is important to point out that while consideration can be given to options for incentivising people to use public transport as part of a car free event, the provision of free public transport may not be the most practical or appropriate option in that regard.

I trust this clarifies the position for the members of Limerick City and County Council.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Anne Graham".

Anne Graham
Chief Executive



**Department of Rural and
Community Development**



*An Roinn Forbartha
Tuaithe agus Pobail*

Ms. Tina Knox,
Corporate Services,
Limerick City & County Council,
Merchants Quay,
Limerick.



23 August, 2017.

Our Ref: R17/005528

Dear Ms. Knox,

I have been asked by Mr. Michael Ring, T.D., Minister for Rural & Community Development, to refer to your recent correspondence in relation to the resolution that was adopted at a recent meeting of Limerick City & County Council with respect to LEADER funding applications.

The LEADER programme is a key part of the Government's Action Plan for Rural Development and has the capacity to deliver significant outcomes for rural areas.

The Department is committed to implementing the LEADER 2014-2020 programme as effectively and as efficiently as possible. However, it is also aware of concerns regarding some of the administrative procedures related to the programme as well as the pace of approval of projects, and wants to see these issues resolved to the greatest extent possible.

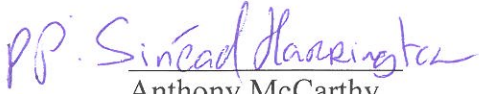
In light of concerns regarding some of the administrative procedures and pace of approval of projects under the current LEADER programme, my predecessor, Minister Heather Humphreys, T.D., hosted a forum on 17th May last with participants from all of the Local Action Groups and the Local Development Companies delivering LEADER, to explore the issues of concern to them and to identify potential solutions aimed at streamlining the current administrative and application procedures under the programme.

On the basis of the suggestions made at the forum, the Department has identified more than 30 practical actions which can be taken to improve the administrative process, while being mindful of the regulatory requirements associated with this EU co-financed programme.

Minister Humphreys has written to all of the Local Action Groups and Local Development Companies outlining the changes to be introduced, many of which have been already implemented, with the remaining being finalised in the near future.

The Minister is committed to implementing the LEADER 2014-2020 programme as effectively and as efficiently as possible. He is confident that progress now being made by the Local Action Groups, along the administrative changes being introduced, will result in a significant increase in project approvals and payments under LEADER over the coming months.

Yours sincerely,

PP: 

Anthony McCarthy

Private Secretary to Michael Ring, T.D.,

Minister for Rural and Community Development.



Mr. Kieran Lehane
Director of Service
Physical Development Directorate
Limerick City and County Council
Corporate Headquarters
Merchants Quay
Co. Limerick
V94 EH90

Dáta | Date

30 August 2017

Ár dTag | Our Ref.

TII17-98845

Bhur dTag | Your Ref.

RE: Speed Limit Review

Dear Mr. Lehane,

Thank you for your letter of 23 August 2017 on behalf of Limerick City and County Council members requesting a meeting with Transport Infrastructure Ireland (TII) and RPS Consultants. The position in relation to your enquiry is as follows.

TII is not in a position to accept invitations to attend Council meetings due to the large number of such meetings which TII would be required to attend if it were to accede to similar requests from all local authorities. On matters such as the National Speed Limit Review, TII liaise directly with the engineering sections of local authorities, who then engage with Elected Members, An Garda Síochána, the public and other interested parties as part of the process.

Please note that TII has arranged to meet the relevant roads engineers in relation to the National Speed Limit Review in Limerick shortly.

I hope that this information is of assistance to you.

Yours sincerely,

Mark Byrne
Regulatory and Administration Unit

C.C. Mr. Vincent Murray, Acting Director of Service

Próiseálann Blé sonraí pearsanta a sholáthraítear dó | gcomhréir lena Fhógra ar Chosaint Sonraí atá ar fáil ag www.tii.ie.
TII processes personal data in accordance with its Data Protection Notice available at www.tii.ie.



Bonneagar Iompair Éireann
Ionad Ghnó Gheata na Páirce
Sráid Gheata na Páirce
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TOWN HALL, MANCHESTER



25 August 2017

Councillor Stephen Keary
Mayor of the City and County of Limerick
Office of the Mayor
Merchants Quay
Limerick
V94 EH90

Dear Mr Mayor

As Lord Mayor of the City of Manchester, I want to thank you, your predecessor, Councillor Kieran O'Hanlon, and the people of Limerick for the condolence book received following the terror attack at Manchester Arena. It truly helped to know that the people of Manchester were in your thoughts during these difficult days and we appreciate your friendship and concern.

These acts of terror seek to divide us by undermining our core values which include respect and tolerance but the people of Manchester have responded with courage, incredible togetherness and resolve. There is no doubt in my mind that Manchester will recover from this terrible tragedy and emerge a more resilient and cohesive city.

Yours sincerely

Councillor Eddy Newman
Lord Mayor



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

Oifig an Phríomhfheidhmeanaigh
Oifig na Cathrach,
An Ché Adhmaid, D08 RF3F

Chief Executive's Office,
Civic Offices,
Wood Quay, D08 RF3F

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Mr O'Connor
Senior Executive Officer
Limerick City & County Council
Corporate Services
Corporate Headquarters
Merchants Quay
Limerick

5th September 2017

Our Ref: DNR/BF/0409

Re: Dublin City Council Monthly Council Meeting 4th September 2017

Dear Mr O'Connor,

I wish to inform you that Dublin City Council at the Monthly Meeting held on 4th September 2017 noted the content of your letter dated 4th August 2017 conveying the terms of a motion adopted at your July meeting calling on Gaelic Athletic Association, as follows:

“That Limerick City and County Council call on the Gaelic Athletic Association to halt the current practice of allowing SKY TV exclusive rights to screen particular Gaelic Games fixtures. Instead, RTE, TV3 or TG4 should be allowed to also screen these fixtures. Denying households who do not subscribe to SKY TV the right to view our National Games is a travesty”.

Yours sincerely,

Deirdre Ní Raghallaigh
Meetings Administrator



An Roinn Tithíochta, Pleanála,
Pobail agus Rialtais Áitiúil
Department of Housing, Planning,
Community and Local Government


Action Plan for Housing and Homelessness



07 Spetember 2017

Tina Knox

Administrative Officer

Corporate Services

Limerick City & County Council

Merchants Quay Limerick



RE: REP1200/SC/17

Dear Ms Knox,

I have been asked by Mr Eoghan Murphy, T.D., Minister for Housing, Planning and Local Government to refer to your to your correspondence dated 16th May 2017, on behalf of Limerick City and County Council regarding the resolution below :

“That , Limerick City and County Council write to the Minister for Housing , Planning, Community and Local Government and the local Oireachtas Members urging them to amend the Residential Tenancies Act, 2004, to abolish sale of a property as a grounds for terminating a tenancy.”

According to the Residential Tenancies Act 2004, where a tenant has been in occupation of a dwelling for a continuous period of 6 months and no notice of termination has been served in respect of that tenancy before the expiry of the period of 6 months, this is referred to as a ‘Part 4’ tenancy. A landlord may only terminate a Part 4 tenancy on clearly defined grounds which are set out in the Table to section 34 of the Act. These grounds include that the landlord intends to sell the dwelling, that the landlord wishes to change the use of the dwelling, and that the landlord requires the dwelling for a family member.

Amendments introduced in the Residential Tenancies (Amendment) Act 2015 strengthen the protections around tenancy terminations by providing for measures that will guard against, for example, landlords falsely declaring that the property is needed for a family member, or that it

is going to be sold. These measures involve, among other things, a landlord having to make a statutory declaration as to their intention to sell a property.

If a landlord serves a notice of termination on the grounds that they intend to sell the property and, subsequent to vacant possession by the tenant, the property is not sold, the tenant may bring a complaint to the RTB, under Section 56 of the Residential Tenancies Act 2004, that they have been unjustly deprived of possession of a dwelling by their landlord.

On the hearing of the complaint the RTB, if it considers it proper to do so, may make a direction that damages are paid to the tenant; that the tenant be permitted to resume possession of the dwelling, or both of the foregoing directions.

Sections 38 to 40 of the Planning and Development (Housing) and Residential Tenancies Act 2016 amend the Residential Tenancies Act 2004 to provide, among other things, that where a landlord proposes to sell 10 or more units within a single development at the same time (i.e. within a 6-month period), the sale will be subject to the existing tenants remaining in situ, other than in exceptional circumstances. These provisions are intended to avoid situations where large numbers of tenants have their tenancies terminated at the same time in the same development.

In drafting the so-called 'Tyrrelstown' amendment, the Department was aware that restricting the use of the ground of sale to terminate a tenancy could be regarded as an interference with constitutionally protected property rights and the number of dwellings was chosen so as to ensure that this interference was both proportionate and justified. Having received legal advice on the issue, the Minister considered that the number of dwellings to which the amendment should apply is 10 or more.

For these reasons, there are currently no plans to extend this provision to landlords who wish to sell a smaller number of properties at the same time.

I hope this clarifies the position.

Yours sincerely,



Niamh Redmond

Private Secretary

From: Tom Neville <Tom.Neville@Oireachtas.ie>
Sent: 11 September 2017 11:45
To: Tina Knox
Subject: Resolution adopted at Meeting of Limerick City and County Council

Dear Tina,

Please find copy of email which I received from Minister Eoghan Murphy TD in reply to my representations on behalf of Limerick City & County Council.

If there are any other issues you wish to raise with me, please do not hesitate to contact me.

Kind Regards,
Tom Neville.

Dear Tom,

I refer to your letter on behalf of Limerick City & County Council requesting that the Residential Tenancies Act 2004 be amended to abolish 'sale of a property' as grounds for terminating a tenancy.

Where a tenant has been in occupation of a dwelling for a continuous period of 6 months and no notice of termination has been served in respect of that tenancy before the expiry of the period of 6 months, the tenancy is established for the remainder of a four year period. This is referred to in the Act as a 'Part 4' tenancy. The Planning and Development (Housing) and Residential Tenancies Act 2016, extended the term of Part 4 tenancies from 4 to 6 years, for tenancies that commence after 24 December 2016.

A landlord may only terminate a Part 4 tenancy on clearly defined grounds which are set out in the Table to section 34 of the Act. These grounds include that the landlord intends to sell the dwelling, that the landlord wishes to change the use of the dwelling, and that the landlord requires the dwelling for a family member.

Amendments introduced in the Residential Tenancies (Amendment) Act 2015 strengthen the protections around tenancy terminations by providing for measures that will guard against, for example, landlords falsely declaring that the property is needed for a family member, or that it is going to be sold. These measures involve, among other things, a landlord having to make a statutory declaration as to their intention to sell a property. In addition, the Act provides for graduated increases in the notice periods that must be given to tenants of the termination of a tenancy so that a landlord must now give a tenant up to a maximum of 224 days' notice for tenancies of 8 years or more.

Sections 38 to 40 of the Planning and Development (Housing) and Residential Tenancies Act 2016 amend the Residential Tenancies Act 2004 to provide, among other things, that where a landlord proposes to sell 10 or more units within a single development at the same time (i.e. within a 6-month period), the sale will be subject to the existing tenants remaining in situ, other than in exceptional circumstances. In drafting this so-called 'Tyrrelstown' amendment, the Department was aware that restricting the use of the ground of sale to terminate a tenancy could be regarded as an interference with constitutionally protected property rights and the number of dwellings was chosen so as to ensure that this interference was both

proportionate and justified. Having received legal advice on the issue, it was considered that the number of dwellings to which the amendment should apply is 10 or more.

Where there is an abuse of the termination procedure, section 56 of the Residential Tenancies Act 2004 provides that a tenant may bring a complaint to the Residential Tenancies Board (RTB) that they have been unjustly deprived of possession of a dwelling by their landlord. On the hearing of the complaint the RTB, if it considers it proper to do so, may make a direction that damages are paid to the tenant; that the tenant be permitted to resume possession of the dwelling, or both.

I hope this clarifies the position.

Yours sincerely,

Eoghan Murphy TD
Minister for Housing, Planning and Local Government



Mayor of Barcelona

4 September 2017

Mr Stephen Keary
Mayor
Limerick



Dear Mayor,

As Mayor of Barcelona, and on behalf of all the people from different backgrounds and beliefs that live and coexist peacefully in our city, I would like to thank you for the message of support and the Book of Condolences you sent us after the attacks we suffered on Thursday 17th August.

Your words of condolences signify an important support for our city in the difficult times we are going through.

I feel very proud of the reaction of the citizenship of Barcelona on facing the tragic events we suffered. The peaceful rejection of violence as a form of expression and the unity that the people have shown in condemning the attack, irrespective of their backgrounds and religious beliefs, should serve us as a guide for coordinating and joining the voices of cities throughout the world, from east to west and north to south, in a unanimous rejection of any type of violence. We will not be intimidated by hate and fear and we will continue to be an open, cosmopolitan, democratic and peaceful city, as well as being a reference in issues of asylum, diversity and coexistence.

After the attack, our efforts are focused on keeping the city safe and accompanying the victims and their relatives as much as we can. It is our priority and obligation to heal the wounds and to make sure that Barcelona continues to be a place to live in peace, with respect and without fear.

Please receive my kindest and warmest regards,

Ada Colau Ballano