

MINUTES OF PROCEEDINGS AT MEETING OF LIMERICK CITY AND COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, DOORADOYLE, LIMERICK, ON MONDAY, 25TH SEPTEMBER, 2017, AT 3.00 P.M.

PRESENT IN THE CHAIR:

Councillor S. Keary, Mayor.

MEMBERS PRESENT:

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

Apologies for their inability to attend the Meeting were received from Councillors Gleeson and Hurley.

OFFICIALS IN ATTENDANCE:

Chief Executive (Mr. C. Murray), Director, Service Operations and Business Improvement (Mr. G. Daly), Director, Regional Development (Ms. C. Curley), Director, Physical Development (Mr. K. Lehane), A/Director, Support Services – Finance, Corporate, Human Resources and ICT (Mr. S. Coughlan), A/Director, Economic Development (Mr. B. Kennedy), A/Director, Social Development (Ms. C. Kirby), Meetings Administrator (Mr. C. O'Connor), Administrative Officer, Corporate Services (Ms. T. Knox).

Adjournment of Meeting

At the outset, on the proposal of Councillor Ryan, seconded by Councillor Sheahan (J), it was agreed to take a 30-minute adjournment.

Votes of Sympathy

On resumption and with the permission of the Mayor, sympathy was expressed to the following on their recent bereavements and a minute's silence was observed as a mark of respect.

- Councillor Noel Gleeson on the death of his niece, Helen Fahy, Dromsally, Cappamore.
- The Finn Family, Corbally, Limerick, on the death of John Finn.

1. Adoption of Minutes

Circulated, copy of draft Minutes of Ordinary Meeting of the Council held on 24th July, 2017.

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

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

With the permission of the Mayor, it was agreed to take Item 4 (a) at this point in the Meeting.

4. Social Development Directorate

(a) Report on Housing Action Plan

The A/Director, Social Development, commenced by stating that there were 3,260 applicants on Limerick City and County Council’s Housing Waiting List as at August 2017. She said that this represented a 22% reduction from figures recorded in November 2015. She highlighted the type and number of units required and highlighted that the majority of current housing demand on the Housing Waiting List was in the Limerick City and Environs area, with significant demands also in the Newcastle West and Castleconnell areas.

The A/Director delivered a PowerPoint presentation under the following headings:

- Homelessness.
- Current Programme.
- Rebuilding Ireland – New Targets.
- Barriers to Delivery.
- Accelerating Delivery.

The salient points noted under each heading were as follows:

- **Homelessness (as at 20th September, 2017)**
 - Number of families in temporary emergency accommodation was 69.
 - Number of people directly impacted by this situation was 213 (93 adults and 120 children)
 - 59 families in Bed and Breakfast/hotel emergency accommodation. It was noted that these families would be accommodated in a combination of permanent accommodation and transitional family hub by November 2017.
 - 132 individuals in temporary emergency hostel accommodation, i.e. McGarry House, St. Patrick’s Hostel, Thomond House, Temporary Emergency Provision.

- Option of providing demountable accommodation was being examined for immediate provision of 20 single units.
- **Current Programme:**
 - The Council had provided for 2,443 additional tenancies since 2015 (507 units – Social Housing Programme; 1,936 – RAS and HAP).
 - Figures noted for new build regeneration, acquisitions, Part V, voids and leasing.
- **Rebuilding Ireland – New Targets**
 - Rebuilding Ireland (January 2018 – end 2021).
 - Target 1,604 General Housing; 316 Regeneration; 125 congregated settings. Total target 2,045 units.
 - 1,496 units underway to meet the target.
 - 41 new-build social housing schemes approved for delivery and underway to provide 645 units.
 - 19 applications in process of preparation for Departmental approval to deliver 221 units.
 - 425 units (Part V) would be delivered by private contractors at Mungret and Greenpark.
 - 80 units from 7 sites currently identified, subject to rezoning.
 - 125 units committed from Part V Acquisitions.
 - Housing Acquisition Programme ongoing.
 - Establishment of new Urban and Village Renewal Department.
- **Barriers to Delivery**
 - Length of time to provide for 20-unit scheme – 3 years and 9 months, i.e. public consultation, design, planning, procurement, oversight and construction.
- **Accelerating Delivery**
 - Time-efficient construction, design and build contract, reduction in approval stages.
 - Potential to activate emergency planning to further shorten timeframes for delivery - Planning and Development Act 2000 (as amended), with agreement of the Council.
 - Re-zoning public land to residential.
 - Strategic Development and Management Plan was being prepared which would set out position on all sites across City and County.
 - Enabling private contractor development.

The A/Director summarised the position in relation to the Housing Delivery Programme as follows:

- 2,045 units required by 2021 under the new Social Housing Programme
 - 41 new-build were approved for delivery and underway to provide 645 units. Potential to accelerate delivery.
 - 19 new schemes were under preparation to seek Departmental approval to proceed to commence the development process, to deliver 221 units. Approval expected in Quarter 4, 2017. Potential to accelerate delivery.
 - 7 sites for re-zoning initially identified in Limerick City to deliver 80 units. Further sites would be investigated. Anticipated Variation date: Quarter 2, 2018.
 - Sites currently identified for public land activation would deliver 425 social housing units (270 Mungret, 155 Greenpark).
 - 125 units committed under Part V.
 - Next steps – identify public land for re-zoning, public land for private contractor development.

In conclusion, the A/Director said the success of the Rebuilding Ireland Programme was dependent on continued support and commitment by the Department of Housing, Planning and Local Government, the Elected Members and the general public. She added that the Council's objective to provide much needed housing accommodation must be balanced with the policy objective to create safe and sustainable communities. This was now achievable but needed continued ongoing commitment.

Some Members were of the view that this important issue required time for discussion and debate and that the remaining items on the agenda should be deferred to another day. Others Members were of the view that the Meeting should proceed with the agenda as set out, particularly as there was a deadline of 30th September for a decision on the Local Property Tax.

Following some further discussion, Councillor O'Hanlon proposed proceeding with the business as set out on the agenda and that a Special Meeting would be convened to discuss the Housing Action Plan. This was seconded by Councillor Crowley. In the absence of agreement, the Mayor directed that a vote be taken on the proposal. The result of the voting was as follows:

For

Councillors Browne, Collins (J), Costelloe, Crowley, Donegan, Leddin, Loftus, Lynch, McCreesh, McMahon, O'Brien, Cmhlr. Ó Ceallaigh, O'Dea, O'Donoghue, O'Hanlon, Pond, Ryan, Secas, Sheahan (K), Sheehy, Teefy. **(21)**

Against

Councillors Butler, Galvin, Gilligan, Hourigan, Hurley, Keary, Keller, Mitchell, O'Donnell, Prendiville, Scanlan, Sheahan (J), Sheahan (M), Teskey. **(14)**

Abstention

Councillor Daly. **(1)**

The Mayor declared the proposal to proceed with the Agenda as carried and it was agreed that a Special Meeting to discuss the Housing Action Plan would be convened on a date to be agreed in consultation with the Mayor.

2. Disposal of Land

- (a) Circulated, copy of Statutory Notice dated 27th June, 2017, concerning disposal of land at 20 Cregan Avenue, Kileely, Limerick.

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

“That, the approval of the Council be and is hereby given to the disposal of property at 20 Cregan Avenue, Kileely, Limerick, to Michelle O’Halloran, for the sum of €95.42, the disposal to be by way of Deed of Conveyance of the interest of Limerick City and County Council in the property, particulars of which were contained in Statutory Notice dated 27th June, 2017.”

- (b) Circulated, copy of Statutory Notice dated 12th September, 2017, concerning disposal of land at Ardyoul, Kilmallock, Co. Limerick.

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

“That, the approval of the Council be and is hereby given to the disposal of land comprising 0.0833 hectares at Ardyoul, Kilmallock, Co. Limerick, to Nivon Healthcare Limited, t/a Zest Healthcare, for the sum of €1,000, plus the Council’s reasonable legal fees, particulars of which were contained in Statutory Notice dated 12th September, 2017.”

- (c) Circulated, copy of Statutory Notice dated 13th September, 2017, concerning disposal of property at Knocklong.

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

“That, the approval of the Council be and is hereby given to the disposal of property comprising 0.7327 hectares – former Knocklong Railway Station and Grounds – to Knocklong Development Association CLG, for the sum of €1,000 per annum, the disposal to be by way of a 35 year sub-lease and subject to the covenants and conditions contained therein, particulars of which were contained in Statutory Notice dated 13th September, 2017.”

- (d) Circulated, copy of Statutory Notice dated 13th September, 2017, concerning disposal of land at Knocknasna, Abbeyfeale, Co. Limerick.

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

“That, the approval of the Council be and is hereby given to the disposal of land comprising 0.16 hectares at Knocknasna, Abbeyfeale, Co. Limerick, to Patrick Kelly, for the sum of €1 (if demanded), particulars of which were contained in Statutory Notice dated 13th September, 2017.”

- (e) Circulated, copy of Statutory Notice dated 13th September, 2017, concerning disposal of land at rear of 1, Hillview Drive, Abbeyfeale, Co. Limerick.

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

“That, the approval of the Council be and is hereby given to the disposal of land comprising 0.0028 hectares at rear of 1, Hillview Drive, Abbeyfeale, Co. Limerick, to Thomas Baker, for the sum of €1 (if demanded), particulars of which were contained in Statutory Notice dated 13th September, 2017.”

3. Support Services Directorate

(a) Fixing of Date – Statutory Budget Meeting

Circulated, copy of Circular Fin 06/2017 dated 8th September, 2017, from the Department of Housing, Planning and Local Government in relation to 2018 Budget Meeting and other Budget matters.

On the proposal of Councillor Sheahan (J), seconded by Councillor Galvin, the following dates were agreed:

Briefing on Budget 2018:	Monday, 13th November, 2017, at 3pm.
Statutory Budget Meeting:	Friday,, 17th November, 2017, at 10am.

(b) Local Property Tax:

Circulated, report from the A/Head of Finance dated 18th September, 2017, in relation to Local Property Tax – Local Adjustment Factor 2018.

At the outset of discussion on this item, on the proposal of Councillor Sheahan (J), seconded by Councillor Galvin, it was agreed to take a 20-minute adjournment.

Suspension of Standing Orders: On resumption, the Mayor drew attention to the time which was approaching 5.30pm and on the proposal of Councillor Sheahan (J), seconded by Councillor O'Donoghue, Standing Orders were suspended in order to complete the Agenda.

The A/Head of Finance advised the Members that a Local Authority could, as a Reserved Function, resolve to vary the basic rate of the Local Property Tax (LPT) within its functional area by a maximum of +/- 15%. He added that any decision to vary the basic rate of LPT must be taken by 30th September each year in order to take effect from 1st November (the liability date) and therefore determine the LPT liability of taxpayers for the following year.

He delivered a PowerPoint presentation to the Members and the following points were noted:

- LPT consultation began on 7th July.
- The public consultation process regarding the LPT was advertised both online and in the local media.
- Submissions had to be received by 18th August, 2017.
- Number of submissions received – Nil.

He added that a report had been prepared for the Members, and circulated with the agenda, setting out the matters to which the Members must have regard in making a decision on whether or not to vary the basic rate of LPT.

His PowerPoint presentation went on to cover Property Valuation Bands and the standard rate applicable to each Band, and an Analysis of % Properties within LPT Bands in Limerick City and County versus Dublin City.

He stated that the total value of 10% LPT increase for 2017 was €1.56m and was allocated as follows:

Own Resources element of Local and Regional Roads	€515,000
Street Cleaning	€220,000
Traffic Management	€200,000
Community	€ 65,000
Litter Management	€ 20,000
Maintenance of Parks, Pitches and Open Spaces	€140,000
Library Service	€110,000
Fire Service	€100,000
Tourism Development and Promotion	€200,000

He concluded by outlining proposals for 2018 expenditure.

Councillor Prendiville proposed that the Council call on the Minister to restore the Local Government Fund. This was seconded by Councillor Keller.

Councillor Browne proposed to vary the basic rate of LPT downwards by 15% for 2018. This proposal was seconded by Councillor Ó Ceallaigh.

Councillor O'Hanlon proposed an Amendment that there would be no variation to the basic rate of LPT for 2018. This was seconded by Councillor Crowley.

Councillor Sheahan (J) proposed an Amendment to vary the basic rate of LPT upwards by 10% for 2018. This was seconded by Councillor Galvin.

Following some discussion as to the order in which the proposals before the Meeting would be dealt with, on the proposal of Councillor Sheahan (J), seconded by Councillor O'Hanlon, it was agreed to take a 10-minute adjournment to clarify the legal position in accordance with relevant legislation and Standing Orders.

On resumption, the Meetings Administrator clarified the position and stated that what was before the Meeting was a Motion and two Amendments. It was agreed that Amendment No. 1, proposed by Councillor O'Hanlon and seconded by Councillor Crowley, would be dealt with first.

Accordingly, the Mayor directed that a Vote be taken on Amendment No. 1 proposed by Councillor O'Hanlon, seconded by Councillor Crowley, that there would be no variation to the basic rate of LPT for 2018.

A vote was taken which resulted as follows:

For

Councillors Collins (J), Crowley, Donegan, Gilligan, Leddin, Lynch, O'Dea, O'Hanlon, Pond, Ryan, Secas, Sheahan (K). **(12)**

Against

Councillors Browne, Butler, Costelloe, Daly, Galvin, Hourigan, Hurley, Keary, Keller, Loftus, McCreesh, McMahon, Mitchell, O'Brien, Councillor Ó Ceallaigh, O'Donnell, O'Donoghue, Prendiville, Scanlan, Sheahan (J), Sheahan (M), Sheehy, Teefy, Teskey. **(24)**

There were no abstentions.

The Mayor declared the Amendment defeated.

The Mayor then directed that a vote be taken on Amendment No. 2, proposed by Councillor Sheahan (J), seconded by Councillor Galvin, to vary the basic rate of LPT upwards by 10% for 2018.

A vote was taken which resulted as follows:

For

Councillors Butler, Daly, Galvin, Hourigan, Hurley, Keary, Mitchell, O'Brien, O'Donnell, O'Donoghue, Scanlan, Sheahan (J), Sheahan (M), Teefy, Teskey. **(15)**

Against

Councillors Browne, Collins (J), Costelloe, Crowley, Donegan, Gilligan, Keller, Leddin, Loftus, Lynch, McCreesh, McMahon, Cmhr. Ó Ceallaigh, O'Dea, O'Hanlon, Pond, Prendiville, Ryan, Secas, Sheahan (K), Sheehy. **(21)**

There were no abstentions.

The Mayor declared the Amendment defeated.

The Mayor then directed that a vote be taken on the Motion, proposed by Councillor Browne, seconded by Cmhr. Ó Ceallaigh, to vary the basic rate of LPT downwards by 15% for 2018.

The result of the voting was as follows:

For

Councillors Browne, Costelloe, Gilligan, Keller, Loftus, McCreesh, McMahon, Cmhr. Ó Ceallaigh, Prendiville, Sheehy. **(10)**

Against

Councillors Butler, Collins (J), Crowley, Daly, Donegan, Galvin, Hourigan, Hurley, Keary, Leddin, Lynch, Mitchell, O'Brien, O'Dea, O'Donnell, O'Donoghue, O'Hanlon, Pond, Ryan, Scanlan, Secas, Sheahan (J), Sheahan (K), Sheahan (M), Teefy, Teskey. **(26)**

There were no abstentions.

The Mayor declared the Motion defeated.

In response to a number of queries, the Chief Executive clarified the position regarding the deadline for the submission of the Council's decision on the matter to the Revenue Commissioners.

On the proposal of Councillor O'Hanlon, seconded by Councillor Sheahan (J), it was agreed to take a further 10-minute adjournment.

On resumption, the Meetings Administrator referred to the item as set out on the agenda and advised the Members that the decision was to consider whether to pass a resolution to vary the basic rate of Local Property Tax.

Councillor O'Brien proposed to vary the basic rate of LPT upwards by 5% for 2018. This proposal was seconded by Councillor Daly.

Following further discussion, on the proposal of Councillor O'Hanlon, seconded by Councillor Sheahan (J), it was agreed to take a further 15-minute adjournment.

On resumption, in the absence of reaching agreement on this item and in view of time constraints, on the proposal of Councillor Sheahan (J), seconded by Councillor O'Hanlon, it was agreed to adjourn the Meeting to Thursday, 28th September, 2017, at 3pm. It was also agreed that the following items would be dealt with before adjourning –

- **Item 4 (b) Community Initiative Scheme 2017.**
- **Item 14 – Notice of Motion submitted by Councillor Prendiville.**

The Meetings Administrator stated that the required 3 days' notice of the Adjourned Meeting would not be possible in the time available and on the proposal of Councillor Sheahan (J), seconded by Councillor O'Hanlon, Standing Orders were suspended to cater for this.

4. Social Development Directorate

(b) Community Initiative Scheme 2017

Circulated, report of the A/Director, Social Development, dated 12th September, 2017, setting out recommendations from the Municipal/Metropolitan Districts for allocations to various Groups and Organisations under the 2017 Community Initiative Scheme.

The report stated that grants were provided by the Council under the Community Initiative Scheme (formerly the Contribution Scheme) which was established to encourage and support a number of community, cultural or heritage initiatives. The scheme was open to community-based organisations which included initiatives, events and activities which promoted cultural and local heritage and generated civic pride. The total budget for the scheme in 2017 was €129,900.00 and it was recommended that €81,900 be allocated at Municipal District level. It was further recommended that €48,000 be reserved for projects that had a regional culture remit. The Members of each Municipal District had been asked to nominate organisations within their District for the scheme for 2017 that met the above criteria.

The report went on to list the projects that were being recommended to the Council for approval. Section 66 of the Local Government Act, 2001, as amended, provided for the approval of such grants.

The Meetings Administrator pointed out that he had been notified that the 'Milford Mayor's Prize' listed under 'Regional' had been withdrawn from the scheme.

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

"That, the approval of the Council be and is hereby given to recommendations from the Municipal/Metropolitan Districts for allocations to various Groups and Organisations under the 2017 Community Initiative Scheme, as set out in report of the A/Director, Social Development, dated 12th September, 2017, subject to the removal of the allocation of €15,000 - Milford Mayor's Prize - as outlined by the Meetings Administrator, in accordance with Section 66 of the Local Government Act, 2001, as amended."

NOTICE OF MOTION

14. Notice of Motion submitted by Councillor C. Prendiville

I will move at the next Meeting that the Council write to the Minister for Education registering its complete opposition to any increase in college fees, or a student loan scheme, and instead call on the Government to implement the proposals in the Cassells Report for fully publicly-funded third-level education, and a living grant for students.

The Mayor acknowledged the presence of representatives from the Union of Students in Ireland in the public gallery.

In proposing the Motion, Councillor Prendiville said that third level education should be fully funded as, in his opinion, it was a basic fundamental right

In seconding the Motion, Cmhlr. Ó Ceallaigh highlighted the importance of investment in the educational system and reiterated that third level education should be affordable for all.

The Motion was agreed.

The Meeting then adjourned to Thursday, 28th September, 2017, at 3pm, as earlier agreed.

CHIEF EXECUTIVE'S ORDERS:

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

PLANNING AND DEVELOPMENT:

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

Signed: _____
Mayor

Date: _____