

MINUTES OF PROCEEDINGS AT MEETING OF METROPOLITAN DISTRICT OF LIMERICK HELD IN THE COUNCIL CHAMBER, MERCHANT'S QUAY, LIMERICK, ON MONDAY, 16TH APRIL, 2018.

PRESENT IN THE CHAIR: Councillor Seán Lynch, Mayor.

MEMBERS PRESENT:

Councillors Butler, Collins, Costelloe, Gilligan, Hogan, Hourigan, Hurley, Keller, Leddin, Loftus, McCreesh, Ó Ceallaigh, O'Dea, O'Hanlon, Pond, Prendiville, Secas and Sheahan.

OFFICIALS IN ATTENDANCE:

Director, Physical Development (Mr. K. Lehane), Meetings Administrator (Mr. C. O'Connor), Senior Executive Officer, Design and Delivery Services (Mr. J. Delaney), Senior Executive Officer, Economic Development (Mr. B. Kennedy), Administrative Officer, Corporate Services (Mr. J. Clune), Administrative Officer, Mid West Road Design Office (Ms. M. O'Donovan), Senior Engineer, Water Services (Mr. T. Tarpey), Senior Executive Engineer, Planning and Environmental Services (Mr. G. Doherty), Staff Officer, Property Services (Mr. J. Cregan), Mid West Road Design Office (Mr. C. Hegarty).

At the outset the Mayor and Elected Members congratulated Mr. Christy O'Connor, Senior Executive Officer on his promotion and complimented him on his excellent service and the guidance and support he provided to them as Meetings Administrator. The Elected Members referred in particular to his courteous and polite manner, his availability to deal with queries from Councillors at all times and also his professionalism in ensuring that meetings ran efficiently. The Councillors added that Christy would be an enormous loss to the organisation but congratulated him and wished him well on his promotion to the position of Director of Services with Kerry County Council. Kieran Lehane, Director of Service also congratulated Christy on his promotion and thanked him for his excellent work as Meetings Administrator. Mr. Christy O'Connor thanked the Members for their good wishes, remembered his time with Limerick County Council and Limerick City and County Council and wished the Elected Members and Officials every success in the future.

The Elected Members also wished John McCarthy, Veterinary Inspector and Kathleen Sheehy, Clerical Officer well on their retirement and complimented them on their service to Limerick City and County Council.

On the proposal of Mayor Sean Lynch, it was agreed to write to Gareth Landers congratulating him on being part of the Irish team that won the 2018 World Butcher Challenge.

The Elected Members expressed extreme disappointment with the decision of An Bord Pleanala to grant planning for replacement of fossil fuels use at Irish Cements manufacturing facilities at Mungret. In particular the Members expressed disappointment that the views of the local community, as well as expert witnesses, in relation to the burning of hazardous waste in a facility, surrounded by housing, was ignored. The Members commended the work of Limerick Against Pollution on this issue.

Following discussion, the following notice of motion was agreed:

“We, the Elected Members of the Metropolitan District of Limerick unanimously oppose the decision of an Bord Pleanála to grant permission for the incineration of toxic waste at the Irish Cement plant in Mungret. We call on the Environmental Protection Agency to refuse the variation of Irish Cements environmental license”.

1. Adoption of Minutes

Circulated, copy of draft Minutes of Meeting of the Metropolitan District of Limerick held on 20th March, 2018.

Proposed by Councillor Butler;
Seconded by Councillor Gilligan;
And Resolved:

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

2. Disposal of Land

- (a) Circulated, report of the Acting Senior Executive Officer, Community Support Services dated 13th March, 2018 setting out proposals to dispose of the freehold interest in a dwelling house at 40 Downey Street, Killalee, Limerick and to bring a Section 183 Notice to Full Council in this regard, for approval.

The report, as circulated, was noted by Members.

- (b) Circulated, report of the Acting Senior Executive Officer, Community Support Services dated 13th March, 2018 setting out proposals to dispose of the freehold interest in a dwelling house at 8 Flood Street, Limerick and to bring a Section 183 Notice to Full Council in this regard, for approval.

The report, as circulated, was noted by Members.

- (c) Circulated, report of the Acting Senior Executive Officer, Community Support Services dated 5th April, 2018 setting out proposals to dispose of the freehold interest in a dwelling house at 6 Meagher Avenue, Prospect, Limerick and to bring a Section 183 Notice to Full Council in this regard, for approval.

The report, as circulated, was noted by Members.

- (d) Circulated, report of the Head of Property Services dated 5th April, 2018 setting out proposals to dispose of land at Mungret Woods, Dromdarrig, Mungret, Co. Limerick to John Scanlon and the intention to bring a Section 183 Notice in relation to same before the May Meeting of the Council.

The report, as circulated, was noted by Members.

- (e) Circulated, report of the Head of Property Services dated 5th April, 2018 setting out proposals for the disposal of 24-25 Nicholas Street, Limerick to Conradh Brewing Company Ltd t/a Treaty City Brewery and the intention to bring a Section 183 Notice in relation to same before the May Meeting of the Council.

The report, as circulated, was noted by Members.

Members welcomed the proposal for the redevelopment of 24-25 Nicholas Street and stated that the Council should look at other vacant properties on the street and develop the street as a creative quarter. Councillor Butler suggested that there may be an opportunity to honour Dolores O’Riordan when developing this artistic quarter. Following queries in relation to the consideration on the lease of 24-25 Nicholas Street, the Meetings Administrator informed the meeting that this information will be contained in the Section 183 notice which will be circulated 10 days before the full Council meeting.

- (f) Circulated, report of the Senior Engineer, Mid West National Road Design Office dated 15th March, 2018 setting out proposals to dispose of portion of land at Rich Hill, Co. Limerick to Patrick and Ann Minehan and the intention to bring a Section 183 Notice in relation to same before the May Meeting of the Council.

The report, as circulated, was noted by Members.

3. Service Operations Directorate

Planning and Environmental Services

(a) Taking in Charge of Estates – Declaration of Roads to be Public Roads

Circulated, report of the Acting Senior Engineer, Planning and Environmental Services dated 6th April, 2018 seeking the District’s approval to the taking in charge of estate at Ritaville, Old Cork Road and the declaration of roads to be public roads.

The Elected Members noted the report from the Acting Senior Engineer, Planning and Environmental Services and also the submission from Kieran Considine and requested background information as to why the taking in charge of the estate did not include the pumping station at this stage.

The Acting Senior Engineer, Planning and Environmental Services outlined the history of the development and also confirmed that discussions with Irish Water in relation to the pumping station were ongoing. The Senior Engineer, Water Services confirmed that Irish Water have not currently a preferred solution. Following further discussion it was agreed to defer the proposal to take the estate in charge to allow further discussions to take place prior to the next meeting. The Members further requested that at the next meeting options and preferred solutions regarding the pumping station be presented to Members.

(b) Part 8 Procedure – Mary Street, Limerick

Circulated, Report of Director of Service, Service Operations dated 11th April, 2018 enclosing the Chief Executives Report setting out details of conversion of 6 vacant 1 bedroom units into 3 new 2 bedroom units at Chas Flats, Mary Street, Limerick City. The Chief Executive’s Report had been

prepared in accordance with Section 179(3)(a) of the Planning and Development Act 2000 (as amended) and Part VIII of the Planning and Development Regulations 2001 (as amended) and noted that it was proposed to proceed in accordance with Section 5 of the report.

The Elected Members welcomed the proposal. Members raised queries regarding two derelict houses in the area and also requested an update on the transfer of Mary Street Garda Station and the old RIC Barracks, Edward Street from the OPW.

4. Regional Services Directorate – Mid West National Road Design Office

Proposed Road Improvement Works on N69 Mungret and Bolands Cross

PMCE Consulting Engineers, on behalf of Limerick City and County Council, made a presentation to the Councillors on the proposed Road Improvement Design for the N69 at Mungret and Boland's Cross, including the four design options for improvement.

Following queries from the Elected Members, PMCE Consulting Engineers discussed the proposed traffic lights at the junction of the N69 and R859 on approach into Mungret. Members were informed that the proposed design is also to include, realignment of the existing R859 road, no entry from the N69 onto the L1437 into Mungret Village and the provision of cycle lanes and footpaths from Boland's Cross to Mungret Village. PMCE Consulting Engineers further stated that the proposals were expected to assist in resolving speed and collisions issues in the Mungret Village area. The Director, Physical Development thanked Members for their comments and stated that the Part 8 process is scheduled to commence before year end and it is important that local knowledge feed into the process.

QUESTIONS

5. Question submitted by Councillor E. Hogan

I will ask at the next Meeting for an update on the extension of the Boardwalk from Arthur's Quay Park to King John's Castle. The locked gates along the route at present mean that nobody can enjoy the panoramic view of the Shannon River and Limerick City at certain hours.

REPLY: In 2007 the Transport Department of the Council produced The Limerick Riverside Strategy and work commenced on upgrading the riverside walks and parks in the City Centre. Projects completed include:

- Clancy Strand Riverside Upgrades and Robert Byrne Park
- New Clancy Strand Boardwalk
- O'Callaghan Strand Riverside Upgrades
- Condell road Riverside Walkway
- Upgrade of lighting and Standards on Sarsfield bridge
- The City Quays Riverside Upgrade and Boardwalk

At present there remains two important sections of the City Centre Riverside upgrades to be completed and these include:

- The riverside from Sarsfield Bridge to King Johns Castle

- Footpaths on the Three City Centre Bridges

Preliminary Plans for the upgrade of the riverside between Sarsfield Bridge and King John's Castle were prepared in 2013 but there was no funding available to proceed with any works due to the economic downturn. These plans included proposals to open up the Custom House Park at the rear of Sarsfield House and The Hunt Museum with upgraded access routes to the riverside walk at the western end of Sarsfield House, from Rutland Street and from the Milk Market. These plans were largely overtaken in 2014 by proposals by the Council to develop an iconic pedestrian Bridge in this area.

The Office of the Collector General and Sarsfield House operate the locked gates at Sarsfield House. These gates, when locked restrict access to Custom House Park. The Market Trustees (represented by the elected members of the Council under the aegis of the Limerick Chamber of Commerce) operate the locked gates at The Potato Market.

It was envisaged that these restrictions would be removed when the proposed new works were undertaken.

As present, the Council has no short term plans to make any changes in this area. The Council will review proposals to upgrade this riverside area and improving access, security and enjoyment of the riverside.

As this is a riverside location these proposals will also be dependent on CFRAMS proposals to upgrade flood protection and at this time the Council is awaiting approval of the Limerick CFRAMS by the Minister for the OPW.

Works to upgrade the riverside walkways will have to be co-ordinated with the provision of new flood protection measures to minimise disruption. Plans on these matters should be developed over the next year or so.

Subject to funding being made available to the Council there are a number of short term measures that could be considered, in consultation with relevant stakeholders, to open up Custom House Park in advance of major upgrade works and these include:

- Provide new LED Public Lighting and CCTV to Custom House Park
- Subject to agreement with Sarsfield House leave gateway at western end permanently open
- Open up lane way between Rutland Street and Custom House Park in agreement with Hunt Museum.
- Open up access from the Potato market end in agreement with the Market Trustees

The Council will advance the longer-term plans for the upgrade of the riverside public realm in this location and flood protection. It is hoped that this and other worthy civic projects can be funded from the new Urban Regeneration Fund announced by Government in the new National Development Plan 2018 to 2027.

6. Question submitted by Councillor P. Keller

I will ask at the next Meeting if Limerick Fire Service has the appropriate, modern and up-to-date fire fighting and rescue equipment, so as to safely rescue people that may become trapped in a burning high rise buildings such as the 17 storey city hotel and the two 15 storey city centre apartments.

REPLY: The fire strategy including evacuation for high rise buildings is mainly based on robust fire safety design and construction methods. The primary emphasis on high rise building design is to enable occupants to self rescue and firefighters to access the fire floors to extinguish fires internally. High rise building design does not place a dependence on the availability of fire service high reach platforms for firefighting and rescue purposes.

Limerick Fire & Rescue Service has access to three number high reach appliances in its own fleet and can also mobilise high reach appliances from neighbouring brigades. The use of high reach appliances at an incident is weather dependent, e.g. they cannot be used where gale wind speeds exceed 40km/h.

It is proposed that a targeted programme of fire safety inspections of high rise buildings in Limerick City will be carried out before the end of 2018.

7. Question submitted by Councillor J. Leddin

I will ask at the next Meeting that this District considers identifying suitable development sites for the construction of rapid build modular homes to help ease the pressures on our housing lists now that a new manufacturing facility is being established in the City.

REPLY: LCCC have identified a number of sites that are suitable for Rapid Building construction. Five sites with a potential housing delivery of 92 units are currently being progressed. All of these sites have received approval from the Department of Housing, Planning, Community and Local Government.

LCCC welcome the establishment of a company in Limerick City specialising in off-site construction. It is anticipated that this company will be successful and will deliver housing nationally.

8. Question submitted by Councillor C. Prendiville

I will ask at the next Meeting what contractor was appointed to carry out the Smarter Travel works in Rhebogue, was it the same contractor as in Castletroy's Smarter Travel works, and was a snag list done by Council staff before the contract was completed.

REPLY: The Limerick Smarter Travel – Rhebogue Neighbourhood Greenway project involved the construction of table tops at junctions, speed ramps, pavement and footpath improvements, drainage works and additional lighting. The tender was advertised nationally through the e-Tenders website. The Procurement Regulations (and relevant EU Directives) were used to inform the procurement process, including the development of Selection and Award criteria.

Twelve tenders were received and the tender submitted by TBEB Ltd was the most economically advantageous tender. On that basis, TBEB Ltd were appointed as contractor for the Rhebogue project. A snag list was compiled by LCCC for the works and the actions on this were completed by the contractor TBEB Ltd prior to completion of the contract.

Wills Brothers Ltd were the contractors appointed to the Limerick Smarter Travel Route 4 Castletroy and Newtown.

Following the junction improvements, a speed reduction of 23% was recorded on the 85th percentile speed.

9. Question submitted by Councillor C. Prendiville

I will ask at the next Meeting at what stage is the Council at in developing a detailed plan for promoting cycling and providing cycle lanes throughout the city, and can a report on this be circulated to Elected Members.

REPLY:

The Council are currently working with the National Transport Authority to develop a Limerick Transport Strategy, which will be an integrated transport management program for Limerick City and environs and will address current and future transport requirements. This transport strategy will facilitate Limerick with an opportunity to grow both physically and economically, offering better transport choices and creating a public realm to be enjoyed by residents and visitors alike.

In relation to cycling, one of the main objectives in the strategy will be to provide a safe and comfortable environment for cyclists in the city and surrounding area, in turn increasing the number of cyclists and encouraging a greater modal shift. The strategy is intended to maximise the provision of high quality dedicated cycling facilities, make cycling a priority and also extensive promotion of cycling as a transport choice will be carried out to encourage an uptake in cycling both for community and as a leisure activity.

The Limerick Transport Strategy will build on the good work already done by Limerick Smarter Travel through the Limerick Metropolitan Cycle Network Study and the Limerick Metropolitan Movement Framework Study. Funding for the implementation of projects and promotions arising out of the Limerick Transport Strategy is provided for in Project Ireland 2040, National Development Plan 2018-2027 under sustainable mobility. As the development of the strategy progresses I will arrange for presentations to be made to the Metropolitan District Council and Transport SPC and inputs will be sought from elected members on the development of this strategy.

10. Question submitted by Councillor P. Keller

I will ask at the next Meeting for a response to the following enquiry.

(i) Can you confirm that Limerick City and County Council are, or were in discussions, or negotiations with the present owners of the Horizon Mall site, with regards it's future plans and use.

(ii) If the discussions have concluded, and a satisfactory conclusion was not agreed, when are the owners of the site obliged to pay the Derelict Site Levies, now that the March 2018 deadline has expired.

(iii) Are, or were the Derelict Site Levies suspended until the discussions reached a conclusion.

(iv) Is the Horizon Mall site still on the Derelict Site list.

- REPLY:**
- A. Limerick City & County Council is currently having ongoing discussions with the promoter to develop the site.
 - B. A Section 11 notice was issued under the Derelict Site Act in September 2017 requesting the owners to carry out necessary works. If the necessary works are not carried out the next available option open under the Derelict Site Act 1990 is for Limerick City & County Council to issue a Section 8(2) which states that it is our intention to enter the property into the Derelict Sites Register.
 - C. The Derelict Site Levies are not applicable as the Horizon Mall site is not on the Derelict Site Register at present.
 - D. The Horizon Mall site is still being dealt with under the Derelict Sites Legislation but the site has not yet been progressed to the Derelict Site Register.

NOTICES OF MOTION

11. Notice of Motion submitted by Councillor E. Hogan

I will move at the next Meeting that this District calls on Limerick City and County Council to provide funding for artistic vision for the numerous utility and electricity boxes in the city and suburbs in line with past funding for artistic enhancement of the electricity boxes in Upper William Street and other areas around the city.

The motion was proposed by Councillor Hogan and seconded by Councillor Hourigan.

Councillor Hogan outlined the background to this motion in relation to decorating the grey/green boxes around the City.

- REPLY:** This initiative was administered via the Property Department. Consultation with stakeholders took place; the businesses, shops and premises near the relevant utility and electricity boxes. The cost was €200 per box and materials, including an anti-graffiti coating. This initiative would be possible; however, funding would have to be identified, including the resources to manage it.

It was agreed that the Notice of Motion be referred to the next Culture SPC Meeting and referred to the Area Metropolitan Meeting.

12. Notice of Motion submitted by Councillor M. Hurley

I will move at the next meeting that this District ask the ESB what they are doing to improve fish stocks and manage the River Shannon and its tributaries and ask Inland Fisheries what they are doing to prevent erosion of the banks.

The motion was proposed by Councillor Hurley and seconded by Councillor Costelloe.

Councillor Hurley outlined the background to the notice of motion and concerns regarding the decrease in the fish stock and also the erosion of the river bank and the problems this is causing to wildlife. Members expressed frustration at the difficulty in identifying who is in charge of the waterways and the need to support Limerick fishermen. It was agreed that the Council would

write to the ESB and also refer this notice of motion to the Environmental Directorate,

13. Notice of Motion submitted by Councillor C. Prendiville (to be referred to the Home and Social Development Strategic Policy Committee)

I will move at the next meeting that this District write to the Minister for Housing, Planning and Local Government urging him to take urgent action about the sky rocketing rents in the cost of student accommodation.

It was agreed that this Notice of Motion be referred to the Home and Social Development Strategic Policy Committee.

14. Correspondence

Correspondence was noted.

This concluded the Meeting.

Signed: _____
MAYOR

Dated: _____