

MINUTES OF PROCEEDINGS AT MEETING OF LIMERICK CITY AND COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, DOORADOYLE, LIMERICK, ON MONDAY, 28TH MAY, 2018, AT 3.00P.M.

PRESENT IN THE CHAIR:

Councillor S. Keary, Mayor.

MEMBERS PRESENT:

Councillors Browne, Butler, Collins (J), Collins (M), Costelloe, Crowley, Daly, Donegan, Foley, Galvin, Gleeson, Hogan, 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.

OFFICIALS IN ATTENDANCE:

Chief Executive (Mr. C. Murray), Deputy Chief Executive and Director, Economic Development (Mr. P. Daly), Director, Service Operations (Mr. G. Daly), Director, Physical Development (Mr. K. Lehane), Director, Support Services – Finance, Corporate, Human Resources and ICT (Mr. S. Coughlan), A/Director, Social Development (Mr. S. Hanrahan), A/Director, Regional and Cultural Services (Ms. P. King), Senior Executive Officer, Design and Delivery Services (Mr. J. Delaney), Administrative Officer, Social Development (Ms. A. Rizzo), Financial Accountant (Mr. P. Murnane), Administrative Officer, Finance Department (Ms. I. Griffin), Culture and Arts Officer (Ms. S. Deegan), Meetings Administrator (Mr. J. Clune), Staff Officer, Corporate Services (Ms. C. Sheehy).

At the outset of the Meeting, the Members were complimentary at the viewing of the Nationwide programme on Newcastle West. The Matt Kelly's Pallaskenry-based production highlighted the development plans for the town and the Community involvement by various groups.

1. Adoption of Minutes

Circulated, copies of draft Minutes of the following Meetings:

- (a) Ordinary Meeting of the Council held on 26th March, 2018.
- (b) Special Meeting of the Council held on 10th April, 2018.

Proposed by Councillor Sheahan (J);

Seconded by Councillor Collins (M);

And Resolved:

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

2. Disposal of Land

- (a) Circulated, copy of Statutory Notice dated 24th April, 2018, concerning disposal of land at Dromdarrig, Mungret, Co. Limerick.

Proposed by Councillor O'Hanlon;
Seconded by Councillor Daly;
And Resolved:

"That, the approval of the Council be and is hereby given to the disposal of 0.0314 hectares of land situate at Dromdarrig, Mungret, Co. Limerick, to Patrick and Aine Glackin, for the sum of €3,000.00, subject to a wayleave being retained in favour of Limerick City and County Council in relation to potential future access to the foul sewer that traverses the land, particulars of which were contained in Statutory Notice dated 24th April, 2018.

- (b) Circulated, copy of Statutory Notice dated 24th April, 2018, concerning disposal of land at Dromdarrig, Mungret, Co. Limerick.

Proposed by Councillor O'Hanlon;
Seconded by Councillor Daly;
And Resolved:

"That, the approval of the Council be and is hereby given to the disposal of 0.1015 hectares of land situate at Dromdarrig, Mungret, Co. Limerick, to Karina Healy, for the sum of €9,000.00, subject to a wayleave being retained in favour of Limerick City and County Council and Patrick and Aine Glackin in relation to potential future access to the foul sewer that traverses the land, particulars of which were contained in Statutory Notice dated 24th April, 2018."

- (c) Circulated, copy of Statutory Notice dated 30th April, 2018, concerning disposal of the freehold interest in property at 18, Woodvale, Foynes, Co. Limerick.

Proposed by Councillor O'Hanlon;
Seconded by Councillor Daly;
And Resolved:

"That, the approval of the Council be and is hereby given to the disposal of the freehold interest in property at 18 Woodvale, Foynes, Co. Limerick (Folio LK5613L), to Paul Mulcair, Michelle Mulcair and Paul Mulcair Limited, for the sum of €125.42, 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 30th April, 2018."

- (d) Circulated, copy of Statutory Notice dated 1st May, 2018, concerning disposal of the freehold interest in property at Thomastown, Kilfinane, Co. Limerick.

Proposed by Councillor O'Hanlon;
Seconded by Councillor Daly;
And Resolved:

"That, the approval of the Council be and is hereby given to the disposal of the freehold interest in property at Thomastown, Kilfinane, Co. Limerick (Folio LK4138L), to Stephen and Michelle Cronin, 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 1st May, 2018."

- (e) Circulated, copy of Statutory Notice dated 4th May, 2018, concerning disposal of the freehold interest in property at 2, Hawthorn Court, Kennedy Park, Limerick.

Proposed by Councillor O'Hanlon;
Seconded by Councillor Daly;
And Resolved:

"That, the approval of the Council be and is hereby given to the disposal of the freehold interest in property at 2, Hawthorn Court, Kennedy Park, Limerick (Folio LK4795L), to Evelyn Fennessy, for the sum of €125.42, 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 4th May, 2018."

- (f) Circulated, copy of Statutory Notice dated 8th May, 2018, concerning disposal of land at 40, Downey Street, Killalee, Limerick.

Proposed by Councillor O'Hanlon;
Seconded by Councillor Daly;
And Resolved:

"That, the approval of the Council be and is hereby given to the disposal of land at 40, Downey Street, Killalee, Limerick (Folio LK998L), to Evan Daly, for the sum of €125.42, 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 8th May, 2018."

- (g) Circulated, copy of Statutory Notice dated 8th May, 2018, concerning disposal of land at 8, Flood Street, Limerick.

Proposed by Councillor O'Hanlon;
Seconded by Councillor Daly;
And Resolved:

"That, the approval of the Council be and is hereby given to the disposal of land at 8, Flood Street, Limerick (Folio LK4051L), to Jinfang Mai, for the sum of €134.45, 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 8th May, 2018."

- (h) Circulated, copy of Statutory Notice dated 8th May, 2018, concerning disposal of land at 6, Meagher Avenue, Prospect, Limerick.

Proposed by Councillor O’Hanlon;
 Seconded by Councillor Daly;
 And Resolved:

“That, the approval of the Council be and is hereby given to the disposal of land at 6, Meagher Avenue, Prospect, Limerick (Folio LK5038L), to Geraldine Notley Jones, personal representative of Ellen Coughlan, for the sum of €125.42, 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 8th May, 2018.”

- (i) Circulated, copy of Statutory Notice dated 8th May, 2018, concerning disposal of land at 24-25 Nicholas Street, Limerick.

Proposed by Councillor O’Hanlon;
 Seconded by Councillor Daly;
 And Resolved:

“That, the approval of the Council be and is hereby given to the disposal of land at 24-25 Nicholas Street, Limerick, to Conradh Brewing Company Limited, trading as Treaty City Brewery, by way of a 20-year lease with rent to be charged as follows: (i) Year 1: €100; (ii) Years 2 to 5: €5,000 per annum; (iii) Years 6 to 20: Base Rent of €5,000 per annum, plus rent increase to be paid based on turnover, this rent to be capped at €30,000 per annum, and the disposal to be subject to the covenants and conditions contained in the lease, particulars of which were contained in Statutory Notice dated 8th May, 2018.”

- (j) Circulated, copy of Statutory Notice dated 8th May, 2018, concerning disposal of land at Mungret Street, Limerick.

Proposed by Councillor O’Hanlon;
 Seconded by Councillor Daly;
 And Resolved:

“That, the approval of the Council be and is hereby given to the disposal of land comprising 0.0247 hectares – Unit 3, Mungret Street Enterprise Centre, Limerick, to The Trustees of St. Francis Boxing Club, by way of a 25-year lease at an annual rent of €1 (if demanded), and subject to the covenants and conditions contained therein, particulars of which were contained in Statutory Notice dated 8th May, 2018.”

- (k) Circulated, copy of Statutory Notice dated 9th May, 2018, concerning disposal of land at Dromdarrig, Mungret, Co. Limerick.

Proposed by Councillor O’Hanlon;
 Seconded by Councillor Daly;
 And Resolved:

“That, the approval of the Council be and is hereby given to the disposal of 0.0116 hectares of land at Dromdarrig, Mungret, Co. Limerick, to John Scanlon, for the sum of €1 (if demanded), particulars of which were contained in Statutory Notice dated 9th May, 2018.”

- (l) Circulated, copy of Statutory Notice dated 11th May, 2018, concerning disposal of land at Carrigeen, Croom Co. Limerick.

Proposed by Councillor O’Hanlon;
 Seconded by Councillor Daly;
 And Resolved:

“That, the approval of the Council be and is hereby given to the disposal of land comprising 126m² (spring well) at Carrigeen, Croom, Co. Limerick, to Bartholomew Reynolds, Racefield, Mungret, Co. Limerick, for the sum of €100.00, particulars of which were contained in Statutory Notice dated 11th May, 2018.”

- (m) Circulated, copy of Statutory Notice dated 15th May, 2018, concerning disposal of land at Carrowkeel, Co. Limerick.

Proposed by Councillor O’Hanlon;
 Seconded by Councillor Daly;
 And Resolved:

“That, the approval of the Council be and is hereby given to the disposal of .013 HA. of land at Carrowkeel, Co. Limerick, to Patrick and Ann Minehan, Carrowkeel, Co. Limerick, subject to Patrick and Ann Minehan meeting the Council’s costs associated with the transaction, particulars of which were contained in Statutory Notice dated 15th May, 2018.”

3. Support Services Directorate

(a) Chief Executive’s Report

Circulated, Chief Executive’s Reports for the months of March and April 2018.

The Chief Executive’s Reports were noted by the Members.

(b) Unaudited Annual Financial Statement 2017 – Limerick City and County Council

Circulated, Unaudited Annual Financial Statement for year ended 31st December, 2017, for Limerick City and County Council, together with report from the Chief Executive dated 8th May, 2018.

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

“That, in accordance with Section 108 of the Local Government Act, 2001 (as amended by the Local Government Reform Act, 2014), the Annual Financial Statement for year ended 31st December, 2017, for Limerick City and County Council, be and is hereby adopted.”

(c) Additional Expenditure 2017

Circulated, report of the Director, Support Services, dated 8th May, 2018, setting out details of additional expenditure incurred in excess of that provided for in the Annual Budget for the year ended 31st December, 2017, including capital transfers.

Proposed by Councillor O’Hanlon;
 Seconded by Councillor Leddin;
 And Resolved:

“That, authorisation is hereby given, in accordance with Section 104 (2) of the Local Government Act, 2001, as amended by the Local Government Reform Act, 2014, to the additional expenditure incurred in excess of that provided for in the Annual Budget for the year ended 31st December, 2017, including Capital transfers, as set out in the report of the Director, Support Services, dated 8th May, 2018.”

(d) Limerick Twenty Thirty Strategic Development DAC Funding

Circulated, report of the Director, Support Services, dated 8th May, 2018, seeking the Council’s approval to the granting of a further loan facility to Limerick Twenty Thirty Strategic Development DAC for €13,767,225 to complete the Gardens International Development to Shell and Core and Category A fit-out for three floors, and additional funding of €47,256 for Troy Studios completion.

Proposed by Councillor O’Hanlon;
 Seconded by Councillor Sheahan (M);
 And Resolved:

“That, the approval of the Council be and is hereby given to the granting of a further loan facility to Limerick Twenty Thirty Strategic Development DAC of €13,767,225 to complete the Gardens International Development to Shell and Core and Category A fit-out for three floors, and additional funding of €47,256 for Troy Studios completion, in accordance with Section 66 of the Local Government Act, 2001, as amended.”

(e) Annual Report

Circulated, report of the A/Senior Executive Officer, Corporate Services, dated 25th May, 2018, together with draft Annual Report 2017.

The Meetings Administrator stated that the draft Annual Report had been prepared in accordance with the requirements of the Local Government Act, 2001, as amended, and set out details of the various activities of the Council for 2017. The final version of the Annual Report would be brought before the July Meeting of the Council for adoption.

The draft Annual Report 2017 was noted by the Members.

(f) Corporate Plan – Annual Progress Report 2017

Circulated, report of the A/Senior Executive Officer, Corporate Services, dated 22nd May, 2018, enclosing copy of the Annual Progress Report 2017 in respect of the Council's Corporate Plan 2015-2019.

The Meetings Administrator stated that Section 134 of the Local Government Act, 2001, as amended, required the Chief Executive to prepare an Annual Progress Report in respect of the Local Authority's Corporate Plan and submit it to the Elected Members.

The Annual Progress Report 2017 was noted by the Members.

(g) Audit Committee Charter

Circulated, report of the A/Senior Executive Officer, Corporate Services, dated 18th May, 2018, together with copy of Charter for Limerick City and County Council Audit Committee.

The report stated that Section 8 of the Local Government (Audit Committee) Regulations, 2014, set out that the Audit Committee *'shall operate in accordance with a written Charter that shall be adopted by the Local Authority, with or without amendment, and that the Charter shall be reviewed annually by the Audit Committee and the Local Authority.'* The Charter was adopted at a Meeting of the Council held on 25th May, 2015, and was reviewed in 2016 and 2017 by both the Audit Committee and the Council. The Charter was further reviewed by the Audit Committee at a meeting held on 17th April, 2018, and no changes were made. The Charter was now being submitted to the Council for review and approval.

The Audit Committee Charter was reviewed and approved by the Members.

(h) Home and Social Development Strategic Policy Committee – Sectoral Nomination

Circulated, report of the A/Senior Executive Officer, Corporate Services, dated 11th May, 2018, seeking the Council's approval of Sectoral Nomination to the Home and Social Development Strategic Policy Committee arising from the resignation of Ms. Caroline Kelleher from the Committee.

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

“That, the approval of the Council be and is hereby given to the appointment of Dr. Gráinne Greehy, Limerick Chamber, to the Home and Social Development Strategic Policy Committee, representing the Business/Commercial Sector, to fill the vacancy consequent on the resignation of Ms. Caroline Kelleher from the Committee.”

(i) Filling of Vacancies on Paul Partnership Limerick CLG

Circulated, correspondence dated 18th April, 2018, from the Company Secretary, PAUL Partnership Limerick CLG.

The nomination of two Members of the Council to the Board of PAUL Partnership Limerick CLG was being sought as Councillors Sheahan (M) and Lynch, two of the Council’s representatives on the Board, were due to retire from the Board. Both Members were eligible for re-election.

On the proposal of Councillor Collins (M), seconded by Councillor Hourigan, Councillors Sheahan (M) and Lynch were re-appointed to the Board of PAUL Partnership Limerick CLG.

(j) Venice Biennale Visit

Circulated, report of the A/Senior Executive Officer, Corporate Services, dated 17th May, 2018, seeking retrospective approval to Visit by Councillor Michael Donegan to Venice, Italy, to attend the Venice Biennale.

Proposed by Councillor O’Hanlon;
 Seconded by Councillor Collins (M);
 And Resolved:

“That, retrospective approval of the Council be and is hereby given to visit by Councillor Michael Donegan to Venice, Italy, under Section 142(5) of the Local Government Act, 2001, as amended.”

(k) Visit to New York and New Brunswick, New Jersey

Circulated, report of the Deputy Chief Executive dated 22nd May, 2018, seeking approval to visit by the Mayor of the City and County of Limerick to New York and New Brunswick, New Jersey.

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

“That, the approval of the Council be and is hereby given to visit by the Mayor of the City and County of Limerick to New York and New Brunswick, New Jersey, under Section 142(5) of the Local Government Act, 2001, as amended.”

(l) Requests for Council Nomination to be a Candidate - Presidential Election

Circulated, requests from Ms. Marie Goretti Moylan and Mr. Kevin Sharkey seeking a nomination from the Council to be a candidate in the forthcoming Presidential Election, in accordance with Section 16 of the Presidential Election Act, 1993.

The Meetings Administrator advised the Members of the provisions of Section 16 of the Presidential Election Act, 1993. As no Presidential Election Order had been made, it was considered that these requests were premature and it was agreed that all candidates would be invited to present to the Council on the same day, if and when a Presidential Election was called.

(m) Strategic Policy Committee Reports

- (i) Circulated, Report of the Chairperson of the Home and Social Development Strategic Policy Committee dated 16th May, 2018, in relation to Meeting of the Committee held on 30th April, 2018.

Councillor O'Donnell, Chairperson of the Home and Social Development Strategic Policy Committee, presented an overview of matters discussed at the Meeting and outlined the following Recommendation which was agreed at the SPC Meeting:

Recommendation

“Where site assessments are to be carried out for potential housing capital projects, the Elected Representatives are to be notified in advance.”

On the proposal of Councillor O'Donnell, seconded by Councillor Sheehy, the Recommendation was agreed.

- (ii) Circulated, Report of the Chairperson of the Travel and Transportation Strategic Policy Committee dated 15th May, 2018, in relation to Meeting of the Committee held on 9th April, 2018.

Councillor Daly, Chairperson of the Travel and Transportation Strategic Policy Committee, presented an overview of matters discussed at the Meeting.

The Report was noted by the Council.

- (iii) Circulated, Report of the Chairperson of the Economic Development, Enterprise and Planning Strategic Policy Committee dated 15th May, 2018, in relation to Meeting of the Committee held on 9th April, 2018.

Councillor Crowley, Chairperson of the Economic Development, Enterprise and Planning Strategic Policy Committee, presented an overview of matters discussed at the Meeting.

The Report was noted by the Council.

- (iv) Circulated, Report of the Chairperson of the Community, Leisure and Emergency Services Strategic Policy Committee dated 19th April, 2018, in relation to Meeting of the Committee held on 16th April, 2018.

Councillor Hurley, Chairperson of the Community, Leisure and Emergency Services Strategic Policy Committee, presented an overview of matters discussed at the Meeting and outlined the following Recommendation which was agreed at the SPC Meeting:

Recommendation

“It is recommended by the SPC Members that Limerick City and County Council adopt the Draft Integration Strategy for Limerick City and County, as presented.” (included for consideration under Item No. 6 on the Agenda).

With the permission of the Mayor, it was agreed to deal with Item No. 6 on the Agenda – *Limerick Integration Plan 2017-2021* - at this time, in conjunction with the Recommendation.

6. Social Development Directorate

Limerick Integration Plan 2017-2021

Circulated, report of the A/Director, Social Development, dated 18th May, 2018, enclosing copy of the Draft Limerick Integration Plan 2017-2021 “Belonging to Limerick: Connecting People and Communities.”

The Administrative Officer, Social Development, gave a PowerPoint presentation on the Draft Limerick Integration Plan 2017-2021. She informed the Members that “Belonging to Limerick” was the third integration plan developed for the City and County. It encapsulated a vision, a strategy and a future for Limerick and beyond. She stated that unofficial figures estimated that there were now more than 100 different ethnic groups living in Limerick City and County.

She outlined to the Members the following key points of the Integration Plan:

- Limerick Integration Working Group.
- Scope of Integration Plan.

- Statistical Profile – Census 2016.
- Review of Policy Content.
- Integration Research.
- Integration Plan – Thematic Areas.

The Members thanked the Administrative Officer for her informative and comprehensive presentation. They welcomed the Integration Plan and acknowledged the work of the Integration Working Group for its contribution to the Limerick Integration Plan 2017-2021.

Proposed by Councillor Sheahan (J);
 Seconded by Councillor O’Hanlon;
 And Resolved:

“That, the Limerick Integration Plan 2017-2021, as circulated, be and is hereby adopted.”

- (v) Circulated, Report of the Chairperson of the Environment Strategic Policy Committee dated 14th May, 2018, in relation to Meeting of the Committee held on 23rd April, 2018.

Councillor Scanlan, Chairperson of the Environment Strategic Policy Committee, presented an overview of matters discussed at the Meeting.

The Report was noted by the Council.

- (vi) Circulated, Report of the Chairperson of the Cultural Strategic Policy Committee dated 18th May, 2018, in relation to Meeting of the Committee held on 14th May, 2018.

Cmhlr. Ó Ceallaigh, Chairperson of the Cultural Strategic Policy Committee, presented an overview of matters discussed at the Meeting and outlined the following Recommendations which were agreed at the SPC Meeting:

Recommendation No. 1

That the Assessment Panel for the Open Call for Festivals and Events Grants Scheme 2018/2019 be comprised of:

- **6 Cross-Party Representatives from the Cultural Strategic Policy Committee.**
- **2 Sectoral Interests from the Cultural Strategic Policy Committee.**
- **1 Independent National Expert from Festivals/Events.**

Recommendation No. 2

That the following Grants/Bursary Awards be recommended to Council for approval:

- **Grants under the Arts Act Scheme 2018.**
- **Limerick Short Film Bursary Awards 2018.**
- **Limerick Theatre Bursary Awards 2018.**

Recommendation No. 3

That, this Council establishes a Cross-Party Committee to organise and deliver Centenary events from 2019-2021.

(3 Recommendations included for consideration under Item Nos. 5 (b) to 5 (f) on the Agenda).

With the permission of the Mayor, it was agreed to deal with Item Nos. 5 (b) to 5 (f) at this point in the Meeting, in conjunction with the three Recommendations as outlined above.

5(b) Assessment Panel for the Open Call for Festivals and Events Grants Scheme 2018/2019

Circulated, report of the Director, Regional and Cultural Services, dated 18th May, 2018, seeking the Council's approval to the Assessment Panel for the Open Call for Festivals and Events Grants Scheme 2018/2019.

Proposed by Cmhlr. Ó Ceallaigh;
Seconded by Councillor Crowley;
And Resolved:

"That, the approval of the Council be and is hereby given to the Assessment Panel for the Open Call for Festivals and Events Grants Scheme 2018/2019, as recommended, and as set out in the report of the Director, Regional and Cultural Services, dated 18th May, 2018."

With the permission of the Mayor, this item was revisited later in the Meeting as Councillor Sheahan (J) pointed out that there was no Cross-Party representation on the Cultural Strategic Policy Committee so the resolution as adopted could not be implemented. Following discussion, a 15-minute adjournment was agreed to allow the Party Leaders to discuss the issues raised.

On resumption, on the proposal of Collins (M), seconded by Sheahan (J), it was agreed that the Cross-Party element of the Panel would comprise the following membership of Members on the Cultural Strategic Policy Committee and that the names would be submitted directly to the Culture and Arts Officer:

- Fine Gael – 2 Members.
- Fianna Fáil – 2 Members.
- Labour – 1 Member.

- Sinn Féin – 1 Member
- Non-Party – 1 Member.

It was noted also, to complete the Assessment Panel, that there would be 2 Sectoral Interests from the Cultural Strategic Policy Committee and 1 Independent National Expert from Festivals/Events on the Panel.

5(c) Grants under the Arts Act

Circulated, report of the Culture and Arts Officer dated 17th May, 2018, seeking the Council's approval to recommended grants, as set out in the report, under the Arts Act, 2003.

Proposed by Cmhlr. Ó Ceallaigh;
Seconded by Councillor Crowley;
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 in the report of the Culture and Arts Officer dated 17th May, 2018."

5(d) Limerick Short Film Bursary Awards 2018

Circulated, report of the Culture and Arts Officer dated 17th May, 2018, seeking the Council's approval to Limerick Short Film Bursaries 2018.

Proposed by Cmhlr. Ó Ceallaigh;
Seconded by Councillor Crowley;
And Resolved:

"That, the approval of the Council be and is hereby given to Limerick Short Film Bursary Awards 2018, as recommended, and as set out in the report of the Culture and Arts Officer dated 17th May, 2018."

5(e) Limerick Theatre Bursary Awards 2018

Circulated, report of the Culture and Arts Officer dated 17th May, 2018, seeking the Council's approval to Limerick Theatre Bursary Awards 2018.

Proposed by Cmhlr. Ó Ceallaigh;
Seconded by Councillor Crowley;
And Resolved:

"That, the approval of the Council be and is hereby given to Limerick Theatre Bursary Awards 2018, as recommended, and as set out in the report of the Culture and Arts Officer dated 17th May, 2018."

5(f) Cross-Party Committee – Centenary Events 2019-2021

Circulated, report of the Culture and Arts Officer dated 18th May, 2018, seeking the Council’s approval to the establishment of a Cross-Party Committee to organise and deliver Centenary events from 2019-2021.

Proposed by Cmhlr. Ó Ceallaigh;
 Seconded by Councillor Crowley;
 And Resolved:

“That, the approval of the Council be and is hereby given to the establishment of a Cross-Party Committee to organise and deliver Centenary events from 2019-2021.”

4. Service Operations

Update - O’Connell Street Limerick Project

The Senior Executive Officer, Design and Delivery, gave a PowerPoint presentation updating the Members on the redevelopment scheme for O’Connell Street, Limerick. He outlined the timeframe involved in the process and the five options following the Council’s second public consultation phase. He informed the Members that the next step was to submit an Environmental Impact Assessment Report to An Bord Pleanála.

The Members welcomed the O’Connell Street project. However, they raised queries in relation to progress to date, the length of time the project would take to complete and the impact this would have on retailers. Members were also disappointed that, as a result of the screening process, the planning decision would now be made by An Bord Pleanála.

In response, the Senior Executive Officer confirmed that following an assessment of the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001, it was considered that the proposal had the potential to cause significant effects in terms of traffic, protected structures and socio-economic impacts such as tourism and trade. This, taken together with the cumulative impact of other developments, meant that it was necessary for an Environmental Impact Assessment Report instead of the Part 8 Planning process.

5. Regional and Cultural Services Directorate

(a) N/M20 Cork to Limerick Road Improvement Scheme - Section 85 Agreement with Cork County Council

Circulated, Chief Executive’s report dated 16th May, 2018, in relation to the making of an Agreement under Section 85 of the Local Government Act, 2001, as amended, and Section 14 of the Roads Act, 1993, with Cork County Council, for the development of the N/M20 Cork to Limerick Road Improvement Scheme.

The Meetings Administrator advised that the Section 85 Agreement was approved by Cork County Council at Meeting held on 14th May, 2018.

In response to queries from the Members, the Chief Executive advised that Limerick City and County Council was the Lead Authority.

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

“That, Limerick City and County Council agrees to the making of an Agreement, as presented to it, under Section 85 of the Local Government Act, 2001, as amended, and Section 14 of the Roads Act, 1993, with Cork County Council, for the carrying out by Limerick City and County Council of the relevant statutory procedures, procuring the necessary design work, acquiring the land and carrying out of the construction works and any other powers, functions and duties necessary for the N/M20 Cork to Limerick Road Improvement Scheme.”

It was noted that Items Nos. 5(b), (c), (d), (e) and (f) had already been dealt with.

6. Social Development Directorate

Limerick Integration Plan 2017-2021

It was noted that this item had also been dealt with earlier in the Meeting.

7. Conferences

(i) Participation by Members at Conferences

Details of the following Conferences had been circulated electronically to the Members: (a) “Sustainable Ireland – National Conference on the Sustainable Development Goals, Human Development and Inequalities” held in Dublin on 17th April, 2018; (b) “The Parliament Qualification of Women Act 1918-2018 – Have Women Qualified?” held in Termonfeckin, Co. Louth, on 5th May, 2018; (c) “Accessibility and Inclusion through Infrastructure” held in Waterville, Co. Kerry, from 11th to 13th May, 2018; (d) “Public Private Partnership! Opportunities or Threat?” to be held in Wexford from 8th to 10th June, 2018; (e) “Inspire Training with Women for Election” to be held in Cork on 23rd June, 2018.

On the proposal of Councillor Hurley, seconded by Councillor Mitchell, the Council approved the attendance of the following Member:

Cork: Councillor Sheehy.

On the proposal of Councillor Hurley, seconded by Councillor Mitchell, the Council approved the attendance of the following Member at a Conference already approved by the Council:

Conference on Cross Border Tourism held in Carlingford, Co. Louth, on 11th April, 2018:
Councillor Lynch.

(ii) 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.

ADJOURNED NOTICE OF MOTION

8. Notice of Motion submitted by Councillor J. Scanlan

I will move at the next Meeting that the Minister for Education and Skills be requested to consider retaining CSPE (Civic, Social and Political Education) as a Junior Certificate examination subject.

In proposing the Motion, Councillor Scanlan highlighted the importance of this subject as a second level subject at Junior Certificate level and the importance of retaining it on the curriculum.

The Motion was seconded by Councillor Sheehy, and agreed.

Suspension of Standing Orders: It was noted that the time was approaching 5.30pm and on the proposal of Councillor Sheahan (J), seconded by Councillor Galvin, Standing Orders were suspended in order to complete the Agenda.

QUESTIONS

Replies to the following Questions on the Agenda were circulated to all Members prior to the Meeting and the Questions were therefore considered as having been dealt with:

9. Question submitted by Cmhlr. S. Ó Ceallaigh

I will ask at the next Meeting for a definitive date when works will begin and are envisaged to be completed on the collapsed wall and footpath next to the playground in Castleconnell.

REPLY: The location of this work alongside the River Shannon is in a Special Area of Conservation and an Appropriate Assessment was required and has just been completed. Limerick City and County Council is inviting tenders for this work

on Monday, 28th May, 2018. The tender period will be 2 weeks approx. The work associated with the building of the wall should commence during July 2018 and the contract period is envisaged to be up to 3 weeks.

10. Question submitted by Cmhlr. S. Ó Ceallaigh

I will ask at the next Meeting for a definitive date when Comhairle Cathrach agus Contae Luimnigh will introduce its Choice-Based Letting Housing System.

REPLY: The implementation of a Choice-based Letting Housing System is currently being examined with a view to activation in Quarter 4, 2018. A Choice-Based Letting Housing System may operate initially on a pilot basis, targeting low demand areas to measure its effectiveness. A Workshop for Elected Members to discuss the objectives and procedures will take place prior to implementation.

NOTICES OF MOTION

11. Notice of Motion submitted by Councillors. K. Sheahan, S. Keary, C. McMahon, E. O'Brien, R. O'Donoghue, A. Teskey

We will move at the next Meeting that the Local Authority of Limerick City and County Council immediately commence the harmonisation of housing rent payable by tenants between City and County.

The Motion was proposed by Councillor Sheahan (K) and seconded by Councillor O'Donoghue.

REPLY: The rent of local authority tenants in Ireland is calculated in accordance with the provisions of what is known as a Differential Rents Scheme. Each Local Authority adopts, by Executive Order, its own such Scheme, but they all share similar characteristics. The rent is calculated as a proportion of the assessable income of the principal earner, together with a contribution from any subsidiary earners in the household. The significant advantage that this confers on Local Authority tenants over their counterparts in the private sector is that the rent is based solely on the income of the household and is not linked to prevailing market forces. The amount payable will vary up or down in line with income changes of the occupants. At the moment, the average rent payable by tenants across the entire administrative area of Limerick City and County Council is just over €50 per week.

While all Differential Rent Schemes are broadly similar in terms of the general principles outlined above, each Local Authority would have customised its Scheme to best suit its circumstances and needs. When the new Local Authority was created for Limerick in June 2014, the Schemes for both Limerick City Council and Limerick County Council were carried forward and continued to apply. It would clearly have been desirable to design and adopt

one uniform Scheme for the entire administrative area. However, it was decided not to proceed with this on the basis that the Department was clearly indicating that the Minister intended to roll out a Scheme which would apply nationally and would replace any existing local Schemes. Despite such indications continuing, there are still no concrete proposals emerging for such a step. Having regard to this and the need to remove any anomalies in the existing Scheme in this Authority, the Social Directorate has established a Single Differential Rents Scheme Working Group to review same. Members will, of course, be consulted accordingly as part of the next budgetary process.

12. Notice of Motion submitted by Councillors M. Collins, F. Foley, J. Scanlan, L. Galvin, J. Sheahan and S. Browne

We will move at the next Meeting that additional funding be sought for road repairs within the Municipal District of Newcastle West due to the damage caused by harsh weather conditions.

Councillor Sheahan (J), in proposing the Motion, expressed extreme concern over the condition of the roads, not just in the Municipal District of Newcastle West, but also throughout the County, due to the recent bad weather.

The Motion was seconded by Councillor Collins (M).

A discussion took place on the deteriorating condition of roads throughout Limerick due to the severe weather events which had been occurring and also the lack of capital investment in the roads infrastructure.

The Director, Physical Development, agreed with the Members that road conditions had deteriorated due to the extreme weather events of the past winter. Every effort was being made to maintain the road network to the best standard having regard to the resources available to the Council.

13. Notice of Motion submitted by Councillor E. Ryan

I will move at the next Meeting that the operational areas would coincide exactly with each electoral area.

The Motion was proposed by Councillor Ryan and seconded by Councillor Collins (M).

The Chief Executive acknowledged the concerns of the Members in relation to the operational areas. He informed the Members that a review of same would be considered, subject to Budget Allocation. He stated that while the Members might not agree with the current structure, services were being delivered efficiently.

14. Notice of Motion submitted by Councillors J. Scanlan and L. Galvin

We will move at the next Meeting that responsibility for management of Housing for the County Town be driven from the Municipal Office locally.

Councillor Scanlan, in proposing the Motion, referred to the benefit of local knowledge in assisting with decisions around housing issues and the benefits of service delivery at Municipal level.

The Motion was seconded by Councillor Galvin.

REPLY: At present, some of the housing services are managed at Municipal Office level. These include housing maintenance works and the management of private grants including, Housing Aid for Older People, Mobility Aid Grants, Housing Adaptation Grants and input into Disabled Person Grants for Council-owned property.

The Newcastle West District Office is also used for pre-tenancy training for new tenants, collection of keys and meetings with tenants on estate management issues. Housing application forms are also available from the Newcastle West Office. However, the current management arrangements which provide that housing assessments and allocations take place centrally is considered the most efficient and effective way of managing this part of the service.

15. Notice of Motion submitted by Cmhlr. S. Ó Ceallaigh

I will move at the next Meeting that Comhairle Cathrach agus Contae Luimnigh hire a full-time Irish Language Officer in order to promote and develop an Ghaeilge in Limerick, and to implement policies relating to an Ghaeilge.

Cmhlr. Ó Ceallaigh, in proposing the Motion, highlighted the need to protect the Irish culture and native Language. He outlined the level of work involved in promoting the Language and the benefit of having an Irish Officer for Limerick City and County Council in encouraging people to be associated with the Irish Language

The Motion was seconded by Councillor Crowley.

REPLY: The Notice of Motion, if passed, is subject to an application to the Department of Housing, Planning and Local Government for sanction to fill what would be considered a newly created post in Limerick City and County Council. Where sanction is received, the position will be considered as part of the annual budgetary review process.

16. Notice of Motion submitted by Councillor R. O'Donoghue (to be referred to Home and Social Development Strategic Policy Committee)

I will move at the next Meeting that an immediate and critical review is carried out of the Tenant Purchase Scheme as long-term tenants of Limerick City and County Council continue to be discriminated against and deemed ineligible to purchase the homes that they have lived in and maintained for many years, and deemed ineligible despite having proof of the means to purchase and maintain the property.

It was agreed to refer this Motion to the Home and Social Development Strategic Policy Committee.

17. Notice of Motion submitted by Councillor C. Prendiville

I will move at the next Meeting that this Council support Limerick City and County becoming free from goods and services produced in Israeli settlements illegally established on stolen Palestinian land and therefore urges Senators to support the Control of Economic Activity (Occupied Territories) Bill, 2018.

The Motion was proposed by Councillor Prendiville and seconded by Cmhlr. Ó Ceallaigh.

Councillor O'Hanlon proposed that the Motion be rejected and this was seconded by Councillor Lynch. Councillor O'Dea proposed that the Motion be withdrawn and this was seconded by Councillor Donegan.

Following discussion, the two amending Motions were withdrawn and it was agreed that a Vote would be taken, in the form of a show of hands, on the Motion as set out on the Agenda, as proposed by Councillor Prendiville and seconded by Cmhlr. Ó Ceallaigh. As the majority of the Members were not in favour of the Motion, the Mayor declared the Motion defeated.

18. Notice of Motion submitted by Councillor J. Collins

I will move at the next Meeting that we, the Councillors of Limerick City and County Council, make a submission to the Environmental Protection Agency in relation to the Licence Application P0029-06 to allow CRH to begin Industrial Incineration in Limerick.

The Motion was proposed by Councillor Collins (J), who outlined the following Submission, and was seconded by Councillor Hogan:

"We, the Councillors of Limerick City and County Council, wish to formally object to the Licence Application P0029-06 to allow CRH/ ICL to begin industrial incineration in Limerick on the following grounds.

The potential adverse impact on public health of incineration of toxic substances in our community cannot be accurately assessed. The detrimental effects of toxic

waste incineration on public health are not, and will not, be measured or monitored. The risk to this generation's health and that of future generations is unknown.

We are concerned that the HSE, by its own admission, does not have the expertise to assess the risk of industrial incineration on public health. It does not have the data or the resources to understand or investigate the clusters of cancer and pulmonary ailments that have been described in the vicinity of the plant over many decades, even using existing raw materials and fuels. If there are significant unknown health risks with the existing process, how can we allow that risk to be radically increased by introducing toxins?

Irish Cement insist that their intended process for incinerating waste is 'safe.' They have repeatedly stated: there are no health risks, even before An Bord Pleanála (ABP) disallowed a significant amount of substances, included in the original application coded list of 117, as hazardous materials. Supporting this position, An Bord Pleanála (ABP) assured the people of Limerick that burning industrial waste 'would not be prejudicial to public health.'

But by what authority can ABP make such an emphatic assurance? How do they know? What process of deduction allows them to give this guarantee? Where is the data supporting such an unfaltering position?

'Safe,' as defined by incineration companies, refers to the 'safe' limits of poisons and pollutants that current regulation allows them to release into the atmosphere. History teaches us that limits are amended over time as new science emerges. And these existing 'safe' limits, as determined by operating standards, are established using exemplary science in perfect laboratory conditions. Specific context, operational histories and a corporation's culture are ignored in establishing such limits. 'Safety' is measured by what is technically achievable with existing technology. The Cement Plant in Mungret is currently before the courts due to poor environmental performance and fugitive dust emissions. This prosecution was due to public pressure, and publicly funded laboratory tests, not through routine enforcement by the EPA.

The recent advent of deeper research into air quality has shown that very small nanoparticles and particulate matter (PM2.5 and lower) can be the most damaging to inhale, and often escapes filtration and monitoring. Research into air quality is entering a new phase, but regulation has yet to catch up. In Ireland, monitoring has yet to catch up.

Poor air quality is now related to infertility, mental health, and increasingly is a factor in determining property values. Good air leads to longevity and well-being. Scientists at the cutting edge of this research recognise that much existing regulation is both wrong and out of date. Harm often results from much lower levels of exposure to pollutants than the so-called 'safe' levels stipulated by current safety standards.

What the Mid-West is faced with in this current standoff between concerned citizens of Limerick versus Irish Cement is a governance gap. In a recent question to the Dáil, Niall Collins T.D. asked *“what action the HSE will take to measure and manage the increased health risks to the population in the vicinity of the planned incinerator.”* A reply was referred by Minister of Health to Dr. Kevin Kelleher, Assistant National Director – Public Health/Childcare, Strategic Planning and Transformation.

Dr. Kelleher’s response, dated 9th May, 2018, set down the shortfalls and insufficiencies of the HSE in protecting the public. In several ways, this position was a climb-down from the emphatic confidence of the HSE Environmental Officers who had rubber-stamped Irish Cement’s Environmental Impact Statement back in June 2016. In their submission report, they admitted that *‘no risk assessment for Tolerable Daily Intake of dioxins, furans and dioxin-like PCBs has been undertaken.’* In other words, they have no idea if our daily dose of dioxins will impact our wellbeing?

Dr Kelleher continued: *“Routine surveillance data is not gathered on acute or chronic disease or risk factors for chronic disease at a local level at a population level.”* (in other words, while some of this information is available on individuals patients notes in hospitals and general practices, the information is not collected in a systematic way or collectable at the moment to a central database. Currently, there is no way of combining this data to review it for a population that lives in a particular District Electoral Division or other geographical area.

If Dr. Kelleher’s statement demonstrated that there has been no assessment of the health hazard to date, it revealed too that the HSE are not obliged to monitor future risk. He stated: *‘There is no environmental or planning legislation which obliges the HSE to assess and undertake the ongoing long-term monitoring of a potential risk to human health from a particular site-specific development following the granting of planning permission.’* By their own admission, the HSE only responds to acute enquiries/concerns about health issues in a community as they arise, e.g. dust blows. Currently in Ireland, routine surveillance of disease is limited to that of infectious disease and on a delayed time scale, Cancer and Suicide.

So, when Irish Cement, ABP or the HSE assure the people of Limerick that there is nothing ‘prejudicial to public health,’ we must be wary. After all, they are not making this claim on a disease registry or context-specific research: there has been no independent collection of data and no one else knows any better. How can we know the effects on public health if there is no specific baseline data to refer back to?

In the US, there is an arm of federal governance called the Agency for Toxic Substances and Disease Registry (ATSDR). This body seeks to protect communities from harmful health effects related to exposure to natural and man-made

hazardous substances. They are a science-based public health agency tasked with four key actions: responding to environmental health emergencies; investigating emerging environmental health threats; conducting research on the health impacts of hazardous waste sites; building capabilities of and providing actionable guidance to state and local health partners.

Nothing like this exists in Ireland. This is the governance gap, which is at present being filled by the work of Limerick Against Pollution (LAP), local politicians and the genuine concerns of the hundreds of people who marched through the city on 13th May, justifiably concerned that their long-term health and that of their children are under threat.

At a time when people are ever-more conscious of the vitality of good air and water to a harmonious life, perhaps it is time that this governance gap was filled.

Even without the threat of incineration, the people of Limerick and the ecosystem of the Shannon valley deserve state-of-the-art air monitoring and the collection and collation of data. Only then can we tackle effectively the health crisis of widespread pulmonary disease and asthma, and the national crisis of both non-compliant industries and ineffective government bodies.”

The Members expressed extreme disappointment with the decision of An Bord Pleanála to grant planning for replacement of fossil fuels use at Irish Cement’s 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, in particular, raised health concerns of local communities and residents.

Following further discussion, the Motion was agreed.

19. Notice of Motion submitted by Councillors N. Gleeson, M. Donegan, G. Mitchell, W. O’Donnell, E. Ryan, L.M. Sheehy and B. Teefy

We will move at the next Meeting that, due to the lack of construction of Local Authority housing in the Municipal District of Cappamore-Kilmallock, we, the Elected Members, request that Limerick City and County Council should review all of its landbanks in the Municipal District with a view to providing the resources to construct Local Authority housing on this land.

The Motion was proposed by Councillor Gleeson and seconded by Councillor Donegan.

REPLY: Limerick City and County Council has secured funding for the construction of Local Authority houses at Hospital and Knocklong in the Municipal District of Cappamore-Kilmallock. The Cappamore Housing Association, an Approved Housing Body, has also secured funding for a scheme in Cappamore.

Limerick City and County Council is reviewing all available Council-owned land suitable for housing in Limerick, including land in the Municipal District of Cappamore-Kilmallock. Funding will be sought from the Department of Housing, Planning and Local Government for the construction of local authority housing on suitable sites. Limerick City and County Council is also engaged with the Housing Agency in relation to sites owned or controlled by this Body. Limerick City and County Council is also actively engaged in acquisitions in this Municipal District.

Councillor Gleeson expressed disappointment with the Reply and stated that he would look for a further update at a future Meeting.

20. Correspondence

The Correspondence circulated with the Agenda was taken as read.

Members supported resolutions from Sligo County Council, Donegal County Council and Carlow County Council and it was agreed that letters of support would be forwarded to the relevant authorities.

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

Dated:
