

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

PRESENT IN THE CHAIR: Councillor Daniel Butler, Mayor.

MEMBERS PRESENT:

Councillors Collins, Costelloe, Daly, Gilligan, Hogan, Hourigan, Hurley, Keller, Loftus, Lynch, McCreesh, Ó Ceallaigh, O’Hanlon, Pond, Prendiville, Secas and Sheahan.

OFFICIALS IN ATTENDANCE:

Director, Physical Development (Mr. K. Lehane), Meetings Administrator (Mr. G. Dillon), Director, Housing Development (Ms. A. Duke), Senior Architect (Mr. S. Hanrahan), Head of Marketing and Communications (Ms. L. Ryan), Acting Senior Executive Architect (Ms. M. Donoghue), Senior Executive Engineer (Mr. B. Lynch), Executive Planner (Ms. S. Newell), Staff Officer (Ms. S. Hourigan), Staff Officer (Mr. J. Cregan), Assistant Staff Officer, Corporate Services (Ms. S. Carroll).

At the outset, the Mayor and Members extended their congratulations to the Limerick Hurling Management and Team on their exciting All Ireland Senior Hurling quarter final win against Kilkenny.

Congratulations were also extended to Ciara Neville and her team mates on their fantastic achievement in winning a silver medal in the relay final at the World Under 20 Athletics Championships.

A vote of sympathy was extended to the family of Limerick Jockey, Laura Barry. Condolences were extended to the family of Pat O’Connor, Kileely following his tragic death. Condolences were also extended to the family of Niall Gibbons who had passed away unexpectedly in New York. A minute’s silence was observed as a mark of respect.

1. Adoption of Minutes

- (a) Circulated, copy of draft Minutes of Meeting of the Metropolitan District of Limerick held on 18th June, 2018.

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

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

- (b) Circulated, copy of draft Minutes of Annual Meeting of the Metropolitan District of Limerick held on 25th June, 2018.

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

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

2. Disposal of Land

Circulated, report of the Head of Property Services dated 2nd July, 2018 setting out proposals to dispose of 0.0019 hectares of land at Wickham Street (adjacent to 23 Wickham Street) to Gulnawaz Khan, Khalid Khan, Muhammad Yasir and Javed Khuram, t/a The Trustees of the Islamic Cultural Centre and the intention to bring a Section 183 Notice in relation to same before the July Council Meeting.

The report, as circulated, was noted by Members.

3. Capital Investment Directorate

Design and Delivery Services

Part 8 Procedure – Housing Development at DeValera Park, Sexton Street North (2 units) and Quarry Road (3 units), Limerick (deferred from Meeting of the Metropolitan District of Limerick held on 18th June, 2018)

Circulated, Report of Director of Service, Service Operations Directorate dated 13th June, 2018 enclosing the Chief Executives Report setting out details of Housing Development at DeValera Park, Sexton Street North (2 units) and Quarry Road (3 units), Limerick. 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 8 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 Senior Architect presented the background of the scheme to Members and stated the scheme had been approved by the various Directorates. He highlighted the difficulty in identifying suitable sites for housing and the importance of small scale developments. He outlined the close proximity of the site to the city centre, the excellent amenities in the area and the desire to create a sustainable community.

Members expressed concern in relation to the development, highlighting the opposition of residents, its impact on amenities in the area, the size of the site and difficulty with parking. It was argued by some Members that the original design of the estate represented the best design for the estate and that any proposals to vary this design would have negative consequences for the overall estate.

A number of Members supported the development, outlining the demand for housing in the area and the importance of providing good quality housing, particularly in the current housing crisis.

It was proposed by Councillor Hourigan and seconded by Councillor Sheahan to proceed with the Part 8.

It was proposed by Cmhlr. Ó Ceallaigh and seconded by Councillor Daly not to proceed with the Part 8 as it would interfere with the original planning, layout and design of the estate.

“That the Chief Executive’s Report prepared in accordance with Section 179(3)(a) of the Planning and Development Act 2000 (as amended) and Part 8 of the Planning and Development Regulations 2001 (as amended) in relation to Housing Development at DeValera Park, Sexton Street North (2 units) and Quarry Road (3 units), Limerick and the project proceed in accordance with Section 5 of the report”.

A vote was taken in the form of a show of hands with eight Members in favour of the proposal to approve the Part 8 in respect of this development and nine Members expressing their opposition to the Part 8. The Mayor declared that the Part 8 was defeated.

4. Service Operations Directorate

Planning and Environmental Services

Taking in Charge of Estates – Declaration of Roads to be Public Roads

Circulated, Report of the A/Senior Planner, Planning and Environmental Services dated 6th July, 2018 seeking approval to the taking in charge of estate at Caherdavin Meadows, Old Cratloe Road.

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

“That the estate at Caherdavin Meadows, Old Cratloe Road be taken in charge in accordance with Section 180 of the Planning and Development Acts 2000 (as amended) and Section 11 of the Roads Act 1993”.

5. Physical Development Directorate

Draft City and County of Limerick (Segregation, Storage and Presentation of Household and Commercial Waste) Bye-Laws, 2018

Circulated, Report of the Director of Service, Physical Development Directorate dated 6th July, 2018 with attached for the consideration of Members, the Draft City and County of Limerick (Segregation, Storage and Presentation of Household and Commercial Waste) Bye-Laws, 2018 and accompanying report.

The following points were raised by Members during discussion of this item :

- Concern was raised in relation to Paragraph 11a of the Bye-Laws and it was argued that this particular provision could have negative implications for legitimate protest. Other Members pointed out that the proposed removal of this condition could have negative consequences for staff and / or companies undertaking work in relation to refuse collection. It was confirmed to the Members that what was being sought at the Meeting was the consent of the Members to publish the draft Bye-Laws for the public consultation process and that the proposed Bye-Laws would be brought before the Members for approval at a later stage.
- Queried if Bring Banks would continue as authorised facilities.
- Litter was a big concern outside take-aways and night clubs and Litter Wardens needed to be available at night time and weekends.

The Director, Physical Development responded to the queries raised.

The Mayor and Members complimented the Team Limerick Clean Up and Going for Gold Initiatives and acknowledged the great work being carried out by Resident's Associations throughout the city and county. Members also complimented the Parks Department on the excellent flower arrangements around the city. Members also paid tribute to the work carried out by Limerick Civic Trust.

It was proposed by Councillor Prendiville, seconded by Councillor Loftus, that the draft Bye-Laws be amended by the removal of Paragraph 11a prior to publication.

A vote was taken in the form of a show of hands with six Members in favour of this amended proposal and ten against. The Mayor declared that the proposal was defeated.

On the proposal of Councillor O'Hanlon, seconded by Councillor Sheahan, it was agreed to approve the publication of the Draft City and County of Limerick (Segregation, Storage and Presentation of Household and Commercial Waste) Bye-Laws, 2018.

It was agreed that Items 6, 12 and 13 would be taken together.

6. GMA Fund Allocations 2018

The Director, Physical Development indicated that an outstanding amount of €28,000 was available under the General Municipal Allocation 2018, Tourism Development Recreation and Amenity.

A proposal that the following allocations be made under the General Municipal Allocation 2018, Tourism Development Recreation and Amenity was submitted the meeting :

Limerick Milk Market	€10,000
Richard Harris Film Festival	€ 5,000
Bottom Dog Theatre	€ 4,000
Limerick Summer Music Festival	€ 5,000
Busking Events	€ 2,000
Limerick Pride Parade	€ 2,000

It was proposed by Councillor Loftus and seconded by Councillor Gilligan that the allocations be amended with additional funding made available to Bottom Dog Theatre at the expense of the Richard Harris Film Festival and Limerick Summer Music Festival.

As all Members were not in agreement with the proposal, a vote was taken in the form of a show of hands, with the majority of Members opposed to the proposed amended allocations.

It was proposed by Councillor Hourigan, seconded by Councillor Collins, that the allocations as originally proposed, be made under the General Municipal Allocation 2018, Tourism Development Recreation and Amenity :

Limerick Milk Market	€10,000
Richard Harris Film Festival	€ 5,000

Bottom Dog Theatre	€ 4,000
Limerick Summer Music Festival	€ 5,000
Busking Events	€ 2,000
Limerick Pride Parade	€ 2,000

As all Members were not in agreement with the proposal, a vote was taken in the form of a show of hands, with a majority of Members in favour of the proposed allocations as set out above. The Mayor declared the proposal passed.

12. Notice of Motion submitted by Councillor J. Collins

I will move at the next Meeting that €10,000 be allocated to the Milk Market Trustees from D05 under the 2018 GMA Allocations.

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

13. Notice of Motion submitted by Councillors M. Hourigan, V. Crowley, F. Daly, J. Costelloe and J. Gilligan

We will move at the next Limerick Metropolitan Meeting, to agree to nominate the following groups with the below amounts, out of General Municipal Allocation :

<i>St. Patrick's GAA</i>	<i>€10,000</i>
<i>Na Piarsaigh GAA</i>	<i>€10,000</i>
<i>Corbally Community Park Enabling Association</i>	<i>€15,000</i>
<i>Kileely Autism</i>	<i>€7,500</i>
<i>Caherdavin Boys School Autism Unit</i>	<i>€7,500</i>

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

QUESTIONS

7. Question submitted by Councillor J. Leddin

I will ask at the next Meeting that Limerick Metropolitan Council streamline and simplify the burdening administrative process that residents looking for parking permits must endure and provide an online option.

REPLY: The Council endeavours to ensure that only those who demonstrate an eligibility for a residential parking permit receive one.

The process involved therefore in complying with the requirements may sometimes be perceived as a little cumbersome. The on-street parking stock is crucial and critical to the economic wellbeing of the city, and vital to protect the quality of life for people both in the city and suburbs. It is necessary to manage the residential parking permits system so as to ensure that this continues.

The application process for the residential parking permits will be kept under review and plans are advancing for a simplification by offering an online 'renewal' service. It is hoped to introduce this in 2019.

8. Question submitted by Councillor J. Leddin

I will ask at the next Meeting that Limerick Metropolitan Council provide an update as to when Fáilte Ireland will, as previously requested, attend a Meeting of the Council to discuss the regional imbalance in festival grant allocations.

REPLY: A meeting took place in April 2018 between a number of Departments within Limerick City and County Council and Failte Ireland. At the meeting, Failte Ireland outlined their new strategic approach to investment in Festival and Events at local and national level.

Festivals and Events

Failte Ireland have undertaken a review of their support for festivals and events. There are now new teams in the following areas under product development;

- Attractions - (large grant schemes, small grant schemes)
- Festivals - (regional/national and a new scheme under innovation)
- Activities - (water, walking, cycling)

The priorities under Festivals and Events for Failte Ireland will be;

- Festivals and Events that are of international standing that bring international visitors to Ireland, doubling the tourism numbers to 200 million
- Seasonality - this can mean different things to different places but essentially off season
- Regionality - where occupancy is not currently considered to be high
- Unique Events that have their roots in Ireland and whose authenticity cannot be replicated anywhere else
- Investment in festival development around sales, sponsorship and merchandising

Failte Ireland wish to do fewer, bigger, better festivals and will create a larger fund to replace the regional and national fund with a fund for innovation or new festivals (criteria to yet to be determined).

Diaspora and Tourism Fund

Limerick and Donegal have been identified for investment in the Global Irish pilot initiative with local authorities. Failte Ireland will set up a working group that will include representative from the Department of Foreign Affairs, Failte Ireland and Limerick City and County Council for the purposes of this monitoring and developing the project. The aim of this pilot scheme is the activating of the British and North American Markets initially. This project will be managed by the LCCC Tourism Development Department.

Riverfest

It was agreed that the International marketing team in Failte Ireland would support the international marketing of Riverfest in 2018 as well as Tourism Ireland. Laura Ryan, Head of Marketing to liaise with Failte Ireland.

St. Patrick's Festival

Failte Ireland will be developing a promotional and investment product 'St. Patrick's Week in Ireland'. Failte Ireland have invited Limerick through the Culture and Arts Department to the table in relation to discussions around this. There will be cross department cooperation on this project.

Furthermore, a letter will issue from Tourism Development to invite them to the Metropolitan Meeting of 17th September 2018.

9. Question submitted by Cmhlr. S. Ó Ceallaigh

I will ask at the next meeting how many horses were seized by Comhairle Cathrach agus Contae Luimnigh in the Metropolitan District so far in 2018, how many horses were reclaimed, how many horses were rehomed, how many were put down, how many cases were taken against people for the illegal ownership and/or the mistreatment of horses, how much has horse control cost Comhairle Cathrach agus Contae Luimnigh so far this year and how much of this was subsidised by the Department of Agriculture.

REPLY: The following figures are for the period 1 January 2018 to 30 June 2018:

Equine seized in Metropolitan area:	118
Reclaimed by owner	4
Re-Homed:	7
Disposed of by Euthanasia as per bye-laws:	100
Euthanized on Welfare Grounds	7

It is a legal requirement that horses be micro-chipped that the owners have a valid horse passport issued by one of the approved passport-issuing bodies. Of the 118 horses seized, 13 were micro-chipped. It is therefore not possible to identify the owners of the majority of horses.

However, the responsibility for enforcement of these requirements lies with the Department of Agriculture Food and the Marine rather than the Council. Similarly, Limerick City and County Council does not have power to prosecute horse owners for the mistreatment of horses. The powers to do this under the relevant Animal Health and Welfare legislation lie with the Department of Agriculture Food and the Marine, the Irish Society for the Prevention of Cruelty to Animals, and An Garda Síochána.

The total expense to Limerick City and County Council for all horse seizures in all districts to 30 June 2018 was **€91,516.24**.

The partial recoupment of fees from the Department of Agriculture Food and the Marine for that period is projected to be **€46,025.00**.

10. Question submitted by Cmhlr. S. Ó Ceallaigh

I will ask at the next meeting how many people are on Limerick's housing list for the Metropolitan District, how many are on the HAP scheme in the Metropolitan District, how many are on the RAS scheme in the Metropolitan District, and how many local authority owned homes will be built or renovated and re-let by the end of 2019.

REPLY: As requested, the following table demonstrates the breakdown in each category for the Metropolitan District:

Metropolitan District	Figure
Housing Waiting List	2095
HAP	1503
RAS	751

I wish to advise there are 33 properties on the voids list and an additional 11 on the pre-letting list for the Metropolitan District. These figures are correct as of the 13th July 2018. At this point of time further properties may be returned for the remainder of 2018. We do not have visibility for reletting properties to be returned in 2019.

The number of new homes constructed by Limerick City and County Council in Q1 and Q2 2018 in the Metropolitan Area is 52. The projected number to be completed in Q3 and Q4 is 22 bringing the overall for 2018 to 74. The number of Part V new build units delivered in Q1 and Q2 2018 is 3 with 9 further units under construction to be delivered in 2018. Eleven Buy and Renew properties were acquired in Q1 and Q2 2018 with a further 18 at sale agreed status refurbishment will take place on a number of these in 2018. A number of LCCC owned voids and derelicts will be refurbished and completed in 2018.

The number of new build homes projected to be completed in 2019 is 79.

11. Question submitted by Councillor M. McCreesh

I will ask at the next Meeting can Planning and Environmental Services provide a detailed breakdown relating to the monitoring of conditions attached to Planning Applications that were granted with regard to housing developments in respect of the following:

- 1. The number of housing developments that have commenced year to date.**
- 2. The number of these developments that require a bond or cash payment prior to commencement.**
 - List the value of the bond/cash received per development.
 - List the number of developments that are paying on a phased based.
 - List the number of developments that have not paid prior to commencement.
- 3. The number of these developments that require development contributions prior to commencement.**
 - List the value of the contributions received per development.
 - List the number of developments that are paying on a phased based.
 - List the number of developments that have not paid prior to commencement.
- 4. The number of these developments that require the applicant to enter into a written agreement with the Planning Authority in relation to the provision of social and affordable housing prior to commencement.**
 - List the number of developments where this condition is required.
 - List the number of developments that have an exemption from this condition.
 - List the number of units per development that have been agreed for social and affordable housing.

REPLY: This response is based on the number of commencement notices submitted for housing developments for the period 01/01/2018 to 30/06/2018

1. 7 no. housing developments have submitted commencement notices.
2. All 7 no. housing developments required a bond or cash payment to be put in place.
Bonds/Cash Security in the sum of €832,500 has been lodged for 3 developments. These are phased payments.
2 Bonds are currently being drafted.
2 Bonds are currently in discussion.
3. All 7 no. housing developments required development contributions to be paid.
An amount of €261,737 has been received for 3 developments, all phased payments.
3 contributions have an agreement in place for payments, all phased payments.
1 contribution not yet invoice.
4. All of the 7 housing developments require a Part V condition to be inserted into the planning permission followed by a Part V Legal Agreement to be signed and sealed by Limerick City and County Council and the Developer prior to commencement.
Any application for building fewer than 10 houses where zoned residential are required to apply for an exemption certificate. 29 exemption certificates have been approved and issued from 01/01/2018 to 30/06/2018.

A total of 9 units for social housing has been agreed for 2 of the developments.
12 units are agreed in principal for 2 of the developments.
4 units are being negotiated for the remaining 1 development.
2 units to be negotiated for the remaining 1 development.

NOTICES OF MOTION

14. Notice of Motion submitted by Cmhrl. S. Ó Ceallaigh

I will move at the next meeting that the Metropolitan District of Limerick invite Irish Water to this chamber to give a presentation on its plans for water in Limerick, including the introduction of the chemical Orthophosphate to our water supply, the rate of leaks throughout the District, and plans to take water from the River Shannon.

The motion was proposed by Cmhrl. Ó Ceallaigh and seconded by Councillor McCreesh.

In proposing the motion, Cmhrl. Ó Ceallaigh highlighted the issues that required clarification and the need for Irish Water to make a comprehensive presentation to Members.

Members supported the motion and stressed their opposition to Irish Water's proposal to extract water from the River Shannon.

15. Notice of Motion submitted by Councillor K. O’Hanlon

I will call at the next Meeting on the Management of the Bank of Ireland to reconsider their decision to close the ATMs at the Parkway Shopping Centre.

The motion was proposed by Councillor O’Hanlon and seconded by Councillor Lynch.

In proposing the motion, Councillor O’Hanlon highlighted the difficulties caused by the closure of the Bank of Ireland branch and the ATMs in the Parkway Shopping Centre. Many residents in the area had expressed concern at the decision and in particular it was causing great difficulty for elderly people who had to travel a long distance to avail of banking facilities. It was agreed that the Council would write to Bank of Ireland.

16. Correspondence

Correspondence was noted.

This concluded the Meeting.

Signed: _____
MAYOR

Dated: _____