

**MINUTES OF PROCEEDINGS AT MEETING OF LIMERICK CITY AND COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, DOORADOYLE, LIMERICK, ON MONDAY, 24<sup>TH</sup> SEPTEMBER, 2018, AT 3.00 P.M.**

**PRESENT IN THE CHAIR:**

Councillor J. Collins, Mayor.

**MEMBERS PRESENT:**

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

**OFFICIALS IN ATTENDANCE:**

Chief Executive (Mr. C. Murray), Director, National and Regional Shared Services (Ms. C. Curley), Director, Support Services (Mr. S. Coughlan), Director, Service Operations (Mr. K. Lehane), Director, Social Development (Mr. G. Daly), Director, Physical Development (Mr. B. Kennedy), Director, Housing Development (Ms. A. Duke), A/Director, Capital Investment (Mr. J. Delaney), A/Director, Economic Development (Mr. P. Fitzgerald), Communications Officer (Mr. D. Tierney), Meetings Administrator (Mr. J. Clune), Administrative Officer, Corporate Services (Ms. F. McCormack).

**1. Adoption of Minutes**

Circulated, copies of draft Minutes of the following Meetings:

- (a) Ordinary Meeting of the Council held on 23<sup>rd</sup> July, 2018.
- (b) Special Meeting of the Council held on 18<sup>th</sup> September, 2018.

Proposed by Councillor Collins (M);

Seconded by Councillor Hourigan;

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 5<sup>th</sup> September, 2018, concerning disposal of land to the rear of 13 Michael Hartnett Close, Newcastle West, Co. Limerick.

Proposed by Councillor Sheahan (J);

Seconded by Councillor Collins (M);

And Resolved:

“That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, as amended, and Section 211 of the Planning and Development Act, 2000, as amended, the approval of the Council be and is hereby given to the disposal of 9 metres squared of land to the rear of 13 Michael Hartnett Close, Newcastle West, Co. Limerick, to Anita Lyons, for the sum of €1, particulars of which were contained in Statutory Notice dated 5<sup>th</sup> September, 2018.”

- (b) Circulated, copy of Statutory Notice dated 7<sup>th</sup> September, 2018, concerning disposal of land at Castlevew, Newcastle West, Co. Limerick.

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

“That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, as amended, and Section 211 of the Planning and Development Act, 2000, as amended, the approval of the Council be and is hereby given to the disposal of 0.147 acres of land at Castlevew, Newcastle West, Co. Limerick, to Michael and Katleen O’Brien, for the sum of €12,000, subject to a wayleave being retained in favour of Limerick City and County Council in relation to potential future access to the foul sewer traversing the land, particulars of which were contained in Statutory Notice dated 7<sup>th</sup> September, 2018.”

- (c) Circulated, copy of Statutory Notice dated 12<sup>th</sup> September, 2018, concerning disposal of land at Adare, Co. Limerick, together with report of the A/Director, Capital Investment Directorate, dated 12<sup>th</sup> September, 2018, setting out the background to the proposal.

Councillor Keary proposed the disposal of the land, subject to a special condition. He requested that a sum of money to be ring-fenced from the sale of the land in order to buy lands for a public car park in the village. This was seconded by Councillor Teskey. A general discussion took place regarding the request. The Chief Executive confirmed that it was not possible to attach this condition to a Section 183 Notice.

Councillors Keary and Teskey subsequently withdrew the proposal.

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

“That, in accordance with the provisions of Section 183 of the Local Government Act, 2001, as amended, and Section 211 of the Planning and Development Act, 2000, as amended, the approval of the Council be and is hereby given to the disposal of 6.36 hectares (15.71 acres) in the townland of Adare, Co. Limerick, to Genesis Homes Limited, for the sum of €9.1 million (excluding VAT), subject to the covenants and conditions contained within the contract and the Council retaining wayleave/right-of-way access over the site, particulars of which were contained in Statutory Notice dated 12<sup>th</sup> September, 2018.”

### **3. Support Services Directorate**

#### **(a) Fixing of Date – Statutory Budget Meeting**

Circulated, copy of Circular Fin. 05/2018 dated 23<sup>rd</sup> August, 2018, from the Department of Housing, Planning and Local Government in relation to 2019 Budget Meeting and other Budgetary matters.

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

**Briefing on Budget 2019:** Monday, 12<sup>th</sup> November, 2018, at 3pm.

**Statutory Budget Meeting:** Thursday, 15<sup>th</sup> November, 2018, at 11am.

#### **(b) Local Property Tax**

Circulated, report from the Director, Support Services, dated 19<sup>th</sup> September, 2018, in relation to Local Property Tax – Local Adjustment Factor 2019. A 2-page presentation on the Local Property Tax was also circulated at the Meeting.

At the outset of the discussion, on the proposal of Councillor Collins (M), seconded by Councillor Sheahan (K), it was agreed to take a 10-minute adjournment.

On resumption, the Director, Support Services, outlined the various valuation bands and the percentage of properties which fell into these bands for 2017 and 2018. He outlined the increases to property owners on the various bands for 2019.

It was proposed by Cmhlr. Ó Ceallaigh and seconded by Councillor Prendiville to vary the basic rate of Local Property Tax downwards by 15% for 2019.

Councillor Collins (M) proposed an Amendment that there would be a 7.5% increase on the basic rate of the Local Property Tax for 2019. This was seconded by Councillor Ryan.

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

On resumption, it was proposed by Councillor Sheahan (J) and seconded by Councillor Galvin, to vary the basic rate of Local Property Tax upwards by 10% for 2019.

The Meetings Administrator confirmed that there were three proposals before the Members and clarified that, in accordance with Standing Orders, the Amendment would be voted on first.

Accordingly, the Mayor directed that a Vote be taken on the Amendment proposed by Councillor Collins (M) and seconded by Councillor Ryan that there would be a 7.5% increase on the basic rate of Local Property Tax for 2019.

A Vote was taken which resulted as follows:

**For**

Councillors Collins (J), Collins (M), Crowley, Daly, Donegan, Gilligan, Gleeson, Loftus, Lynch, O’Dea, O’Donoghue, O’Hanlon, Pond, Ryan, Secas, Sheahan (K), Sheehy and Teefy. **(18)**

**Against**

Councillors Browne, Butler, Costelloe, Galvin, Hogan, Hourigan, Hurley, Keary, McCreesh, Mitchell, Cmhlr. Ó Ceallaigh, O’Donnell, Prendiville, Scanlan, Sheahan (J), Sheahan (M) and Teskey. **(17)**

There were no abstentions.

The Mayor declared the Amendment carried and it was agreed that the following resolution be adopted by the same voting.

Proposed by Councillor Collins (M);

Seconded by Councillor Ryan;

And Resolved:

“That, in accordance with Section 20 of the Finance (Local Property Tax) Act, 2012, as amended, Limerick City and County Council hereby determines that the basic rate of Local Property Tax (LPT) should stand varied upwards by 7.5% for the year 2019 in respect of relevant residential properties situated in the administrative area of Limerick City and County Council.”

**(c) Chief Executive’s Report**

Circulated, Chief Executive’s Reports for the months of July and August, 2018.

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

**(d) Civic Receptions**

(i) Proposed by Councillor Secas;

Seconded by Councillor Pond;

And Resolved:

“That, in accordance with Section 74 of the Local Government Act, 2001, as amended the approval of the Council be and is hereby given to the grant of a Civic Reception to honour Ms. Vicky Phelan in recognition of her positive impact on women’s healthcare nationally and her bravery and leadership in highlighting issues with the cervical screening programme.”

The Meetings Administrator confirmed that Ms. Phelan had indicated that the evening of Thursday, 18<sup>th</sup> October, 2018, was suitable.

- (ii) Proposed by Councillor Donegan;  
 Seconded by Councillor Costelloe;  
 And Resolved:

“That, in accordance with Section 74 of the Local Government Act, 2001, as amended, the approval of the Council be and is hereby given to the grant of a Civic Reception to honour the Limerick Senior Hurlers in recognition of their achievement in winning the 2018 All-Ireland Hurling Title.”

- (iii) Proposed by Councillor Teefy;  
 Seconded by Councillor Ryan;  
 And Resolved:

“That, in accordance with Section 74 of the Local Government Act, 2001, as amended, the approval of the Council be and is hereby given to the grant of a Civic Reception to honour the Limerick Ladies Junior Footballers in recognition of their achievement in winning the 2018 All-Ireland Junior Football Title.”

Following queries from the Members in relation to Roisin Upton and Aaron Tier, the Mayor confirmed that civic recognition for these and other sporting achievements in Limerick during the year would be included on the agenda for the next Protocol Committee Meeting.

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

Circulated, report of the A/Senior Executive Officer, Corporate Services, dated 3<sup>rd</sup> September, 2018, seeking the approval of the Council to the appointment of Ms. Dee Ryan, Chief Executive, Limerick Chamber, to the Home and Social Development Strategic Policy Committee as the Sectoral nomination, arising from the resignation of Dr. Gráinne Greehy from the Committee.

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

“That, the approval of the Council be and is hereby given to the appointment of Ms. Dee Ryan, Chief Executive, Limerick Chamber, to the Home and Social Development Strategic Policy Committee as the Sectoral nomination, to fill the vacancy consequent on the resignation of Dr. Gráinne Greehy from the Committee”

**(f) Cultural Strategic Policy Committee**

Circulated, report of the A/Senior Executive Officer, Corporate Services, dated 14<sup>th</sup> September, 2018, in relation to the nomination of a Member to the Cultural Strategic Policy Committee consequent on the resignation of Councillor Scanlan from the Committee.

On the proposal of Councillor Sheahan (J), seconded by Councillor Butler, this item was deferred to the November Meeting.

**(g) Foreign Travel**

- (i) Circulated, report of the A/Senior Executive Officer, Corporate Services, dated 10<sup>th</sup> September, 2018, seeking retrospective approval to visit by the Mayor of the City and County of Limerick to New York.

Proposed by Councillor Crowley;  
Seconded by Councillor Ryan;  
And Resolved:

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

- (ii) Circulated, report of the A/Senior Executive Officer, Corporate Services, dated 3<sup>rd</sup> September, 2018, seeking approval to visit by the Mayor of the City and County of Limerick to Barcelona, Spain.

Proposed by Councillor Crowley;  
Seconded by Councillor Ryan;  
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 Barcelona, Spain, under Section 142(5) of the Local Government Act, 2001, as amended.”

- (iii) Circulated, report of the A/Director, Economic Development, dated 14<sup>th</sup> September, 2018, seeking approval to visit by the Mayor of the City and County of Limerick to Austin, Texas.

Proposed by Councillor Crowley;  
Seconded by Councillor Ryan;  
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 Austin, Texas, under Section 142(5) of the Local Government Act, 2001, as amended.”

- (iv) Circulated, report of the A/Senior Executive Officer, Corporate Services, dated 10<sup>th</sup> September, 2018, seeking approval to visit by the Deputy Mayor of the City and County of Limerick to Paris, France.

Proposed by Councillor Crowley;  
 Seconded by Councillor Ryan;  
 And Resolved:

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

### **(h) Strategic Policy Committee Reports**

Circulated, Report of the Chairperson of the Cultural Strategic Policy Committee dated 13<sup>th</sup> September, 2018, in relation to Meeting of the Committee held on 3<sup>rd</sup> September, 2018.

Councillor O’Hanlon, 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 composition of the Assessment Panel for the Open Call on individual arts bursaries be brought to the next Party Leaders for discussion by the Mayor to appoint Elected Members to the Assessment Panel.”**

The Chairperson of the Cultural Strategic Policy Committee confirmed that Recommendation No. 1 had been considered by the Party Leaders and the Party Leaders had recommended that the Panel should consist of two Independent Assessors and a Member of the Cultural Strategic Policy Committee. A discussion then took place regarding the Assessment Panel, the current method of assessing the applications received and also the distribution of arts bursaries throughout the City and County. Members discussed whether to use the Assessment Panel as agreed at Party Leaders’ Meeting or alternative options, including the Festival and Events Assessment Panel. It was agreed, as an interim solution, to use the Festival and Events Assessment Panel and, following further discussion, the Chairperson of the SPC agreed to defer this item and place back on the agenda of the SPC Meeting.

#### **Recommendation No. 2**

**“That, a Workshop be held to discuss the Framework Agreement document between Limerick City and County Council and the Arts Council.”**

On the Proposal of Councillor O’Hanlon, seconded by Councillor Collins (M), Recommendation No. 2 was agreed.

### **Recommendation No. 3**

**“That, Limerick City and County Council prepare a brief for a Festivals and Events Strategy; that a Workshop be held to discuss the brief to work towards a formal Festival and Events Strategy for Limerick City and County Council.”**

On the Proposal of Councillor O’Hanlon, seconded by Councillor Collins (M), Recommendation No. 2 was agreed.

### **Recommendation No. 4**

**“That, Limerick City and County Council develop an inventory of all Limerick’s historical and artistic assets to ensure their preservation and to exploit their potential as tourist attractions and encourage civic pride.”**

On the Proposal of Councillor O’Hanlon, seconded by Councillor Collins (M), Recommendation No. 2 was agreed.

## **4. Conferences**

### **(i) Participation by Members at Conferences**

Details of the following Conferences had been circulated electronically to the Members: (a) “Roger Casement Summer School, Peace and Neutrality Alliance” held in Dún Laoghaire, Co. Dublin, on 30<sup>th</sup>, 31<sup>st</sup> August and 1<sup>st</sup> September, 2018; (b) “Citizens Leading the Energy and Climate Transition” held in Clonmel, Co. Tipperary, on 12<sup>th</sup> September, 2018; (c) “EU Cohesion Policy 2014 – 2020” to be held in Clonakilty, Co. Cork, on 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> October, 2018; (d) “A Practical Guide to Budget 2019” to be held in Carlingford, Co. Louth on 12<sup>th</sup>, 13<sup>th</sup> and 14<sup>th</sup> October, 2018; (e) “Your Development Plan and Climate Change” to be held in Baltimore, West Cork, on 19<sup>th</sup>, 20<sup>th</sup> and 21<sup>st</sup> October, 2018; (f) “Smart Towns and Villages - An Opportunity to Revitalise Rural Ireland, to be held in Mohill, Co. Leitrim, on 22<sup>nd</sup> October, 2018; (g) “Towards a Hard Brexit and its Consequences” to be held in Clonakilty, Co. Cork, on 26<sup>th</sup>, 27<sup>th</sup> and 28<sup>th</sup> October, 2018; (h) “Let’s Talk Tourism” to be held in Killarney, Co. Kerry, on 9<sup>th</sup> November, 2018; (i) “Social Media and Effective Time Management” to be held in Carlingford, Co. Louth, on 9<sup>th</sup> and 11<sup>th</sup> November, 2018; (j) “Entitlement to Health Services” to be held in Clonakilty, Co. Cork, on 23<sup>rd</sup>, 24<sup>th</sup> and 25<sup>th</sup> November, 2018.

On the proposal of Councillor Crowley, seconded by Councillor Galvin, the Council approved the attendance of the following Members:

**Dún Laoghaire, Co. Dublin:** Councillor O’Dea.

**Clonmel, Co. Tipperary:** Cmhlr. Ó Ceallaigh.

**(ii) Reports on Conference/Seminar/Meeting/Event**

Circulated, reports by Members who had participated at a Conference/Seminar/Meeting/Event.

The reports were noted by the Members.

**NOTICES OF MOTION****5. Notice of Motion submitted by Councillor K. Sheahan (to be referred to Protocol Committee Meeting)**

I will move at the next Meeting that Limerick City and County Council would extend an invitation to President Trump of the United States of America - and roll out the red carpet - to visit Limerick, in the event of President Trump coming to Ireland.

It was agreed to refer the Motion to the next Protocol Committee Meeting.

**6. Notice of Motion submitted by Councillor E. Ryan**

I will move at the next meeting that Limerick City and County Council call on the Minister for Housing, Planning and Local Government, Mr. Eoghan Murphy, TD, to provide adequate support for Rivers Trusts and, in particular, the Mague Rivers Trust, to allow them to reach their full potential in terms of helping Ireland achieve its obligations under the Water Framework Directive and helping to develop sustainable rural communities.

On the proposal of Councillor Ryan, seconded by Councillor Donegan, the Motion was adopted.

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

We will move at the next Meeting that the Budget 2019 provide €5,000 per Municipal District per annum for Civic Receptions.

The Motion was proposed by Councillor Teskey and seconded by Councillor Sheahan (K).

**REPLY:** Specific budgetary provision for Civic Receptions for each Municipal District and Metropolitan District can be considered by Councillors as part of the consideration of the General Municipal Allocation (GMA) (Draft Budgetary Plan) discussions. Specific budgetary provision for Civic Receptions for each District can also be considered as part of the Statutory Budget 2019 process.

**Suspension of Standing Orders:** The Mayor drew attention to the time which was approaching 5.30pm and on the proposal of Councillor Galvin, seconded by Councillor Daly, Standing Orders were suspended in order to complete the Agenda.

**8. Notice of Motion submitted by Councillor R. O'Donoghue (to be referred to the Travel and Transportation Strategic Policy Committee)**

I will move at the next Meeting that the Council install, without delay, traffic calming measures in all towns and villages in County Limerick where there is a lack of Garda presence due to the shortage of Gardaí and the closure of local stations. In the interest of the health and safety of all residents - both young and old - speed indicators, ramps and other traffic calming measures are urgently needed as is clear from the fatalities, near-misses and traffic issues in the towns and villages of County Limerick.

It was agreed to refer the Motion to the Travel and Transportation Strategic Policy Committee.

**9. Notice of Motion submitted by Cmhr. S. Ó Ceallaigh (to be referred to the Economic Development, Enterprise and Planning Strategic Policy Committee)**

I will move at the next Meeting that this Council invite the Minister for Tourism and Fáilte Ireland to the Council Chamber in order to give a briefing as to the reasons for the lack of tourism support and inclusion that Limerick has received in recent years.

It was agreed to refer the Motion to the Economic Development, Enterprise and Planning Strategic Policy Committee.

**10. Correspondence**

The Correspondence circulated with the Agenda was taken as read.

**CHIEF EXECUTIVE'S ORDERS:**

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

**PLANNING AND DEVELOPMENT:**

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

Signed: \_\_\_\_\_  
**Mayor**

Date: \_\_\_\_\_