

MINUTES OF PROCEEDINGS AT ADJOURNED MEETING OF LIMERICK CITY AND COUNTY COUNCIL HELD AT LIMERICK RACECOURSE, GREENMOUNT PARK, PATRICKSWELL, CO. LIMERICK, ON FRIDAY, 3RD JULY, 2020, AT 3PM.

PRESENT IN THE CHAIR:

Councillor M. Collins, Mayor.

MEMBERS PRESENT:

Councillors Benson, Butler, Carey, Collins (B), Costelloe, Daly, Donegan, Egan, Foley, Galvin, Hartigan, Keary, Kiely, McSweeney, Mitchell, Murphy, Novak Uí Chonchúir, O'Brien, O'Donoghue, O' Donovan, O'Sullivan, Ruddle, Ryan (E), Scanlan, Secas, Sheahan (J), Sheahan (K), Sheahan (M), Sheehan, Talukder, Teefy, Teskey.

An apology for his inability to attend the Meeting was received from Councillor Leddin.

OFFICIALS IN ATTENDANCE:

Chief Executive (Mr. P. Daly), Deputy Chief Executive and Director, Support Services (Mr. S. Coughlan), Director, National and Regional Shared Services (Ms. C. Curley), Director, Community Development (Mr. G. Daly), A/Director, Capital Investment (Mr. S. Hanrahan), Director, Physical Development (Mr. B. Kennedy), Director, Service Operations (Mr. K. Lehane), A/Director, Economic Development (Mr. V. Murray), A/Senior Executive Officer, Housing Development (Ms. M. Donoghue), A/Arts Officer (Ms. P. Little), Meetings Administrator (Mr. J. Clune), A/Administrative Officer, Corporate Services and Governance (Mr. P. Williams), Staff Officer, Corporate Services and Governance (Ms. C. Sheehy).

At the outset, the Meetings Administrator noted that the Adjourned Meeting was being held to complete the agenda as set out for the Meeting of 26th June, 2020, beginning with Item No. 6. He referred to the COVID-19 Guidelines/Safe Work Practice which had been circulated with the Agenda and the need to adhere to the Guidelines. He referred in particular to the requirement to limit Meetings to two hours.

The Mayor welcomed Members to the Adjourned Meeting, which was his first Statutory Meeting as Mayor of the City and County of Limerick.

Councillor O'Brien, with the permission of the Mayor, asked that the Meeting disassociate itself from any request to boycott businesses in Limerick City.

With the permission of the Mayor and in response to queries raised regarding taking-in-charge of Steamboat Quay, Limerick, the Director, Physical Development, confirmed that he would revert with an update.

With the permission of the Mayor, Councillor Collins (B) referred to Notice of Motion No. 26 on the agenda which had been brought forward and dealt with as an urgent item at the conclusion of the previous Meeting on 26th June. The Motion called for the Council's support of the National Small Business Recovery Plan. The Motion, as set out on the agenda, had been referred to the Economic Development, Enterprise and Planning Strategic Policy Committee for consideration. She advised that a Special Meeting of the Strategic Policy Committee had taken place earlier in the day to consider the Motion and she now wished to propose an amended Motion as follows:

"That, Limerick City and County Council support the National Small Business Recovery Plan in order to protect the thousands of jobs that SMEs provide throughout County Limerick and that Limerick City and County Council write to the Government and, in particular, Mr. Leo Varadkar, TD, the new Minister for Enterprise, Trade and Employment, to fund and immediately implement the findings and recommendations of the National Small Business Recovery Plan; and that Limerick City and County Council circulate this Motion to all other Councils."

The amended Motion was seconded by Councillor Galvin and agreed by the Council.

6. Community Development

(a) Local Community Development Committee (LCDC) Annual Report 2019

Circulated, report of the LCDC Chief Officer, Community Development Directorate, dated 4th March, 2020, enclosing Annual Report on the activities of the Local Community Development Committee for year ending 31st December, 2019.

The LCDC Annual Report was noted by the Members.

(b) Limerick Cultural Strategy 2020

Circulated, report of the Director, Community Development, dated 12th June, 2020, seeking the Council's approval to recommended allocations of strategic investment priorities for the delivery of the Limerick Cultural Strategy in 2020, as set out.

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

"That, the approval of the Council be and is hereby given to the recommended allocations for Strategic Investment of €375,000 for delivery of the Limerick Cultural Strategy in 2020, as set out in the report of the Director, Community Development, dated 12th June, 2020."

(c) International Mobility Award Scheme 2020 – Round 1

Circulated, report of the Director, Community Development, dated 16th June, 2020, seeking the Council's approval to recommended allocation under the International Mobility Award Scheme 2020 – Round 1.

Proposed by Councillor Teefy;
 Seconded by Councillor Donegan;
 And Resolved:

"That, the approval of the Council be and is hereby given to the recommended allocation under the International Mobility Award Scheme 2020 – Round 1, as set out in the report of the Director, Community Development, dated 16th June, 2020."

(d) Grants under the Arts Act

Circulated, report of the A/Arts Officer dated 16th June, 2020, seeking the Council's approval to recommended grants, as set out in the report, under the Arts Act, 2003.

Proposed by Councillor Daly;
 Seconded by Councillor Galvin;
 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 A/Arts Officer dated 16th June, 2020."

(e) Individual Arts Bursary Awards 2020

Circulated, report of the A/Arts Officer, dated 15th June, 2020, seeking the Council's approval to Individual Arts Bursaries 2020.

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

"That, the approval of the Council be and is hereby given to Individual Arts Bursary Awards 2020, as recommended, and as set out in report of the A/Arts Officer dated 15th June, 2020."

(f) Dolores O'Riordan Music Bursary Award 2020

Circulated, report of the A/Arts Officer dated 15th June, 2020, seeking the Council's approval to the Dolores O'Riordan Music Bursary Award 2020.

Proposed by Councillor Teefy;
 Seconded by Councillor Scanlan;
 And Resolved:

“That, the approval of the Council be and is hereby given to the Dolores O’Riordan Music Bursary Award 2020, as recommended, and as set out in report of the A/Arts Officer dated 15th June, 2020.”

Congratulations were extended to the 2020 Dolores O’Riordan Music Bursary recipient, Shane Serrano, ‘Fox Jaw.’ A query was also raised as to whether the second-placed applicant would receive funding if more funding were to become available. The Director, Community Development, stated that if more funding became available, it would be looked upon favourably.

7. Conferences

(i) Participation by Members at Conferences

It was noted that all Conferences were deferred.

(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 Council.

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:

8. Question submitted by Councillor S. Benson

I will ask at the next Meeting how many applications for the Bin Waiver Scheme were awarded across the City and County prior to the closing date for the 2020 Scheme.

REPLY: There were 2,598 approved applications for the 2020 Household Waste Collection Subsidy Scheme up to closing date of January 31st 2020.

9. Question submitted by Councillor D. McSweeney

I will ask at the next Meeting for an update on the progress being made in securing funding to complete Phase Two of Patrickswell Village Renewal Scheme.

REPLY: Extensive works have been undertaken in upgrading the public realm of Patrickswell in recent years utilising a combination of Hinterland Scheme, Town and Village Renewal Scheme, Development Contribution Scheme funding, and the Council's own revenue resources, totalling more than €777,000.

The total allocation received from the Town and Village Renewal Scheme was recouped under Phase 1 of the Scheme, along with all the other sources outlined above.

The Council will continue its efforts to source substantial external funding for Phase 2 of the Scheme, which cannot proceed until such time as the funding is identified and secured.

10. Question submitted by Councillor J. Costelloe

I will ask at the next Meeting what plans has Limerick City and County Council to commemorate the 100th anniversary of the murders of Michael O'Callaghan and George Clancy, Limerick's two murdered Mayors in 1921.

REPLY: The Programme for Centenaries is agreed in association with the Cross-Party Elected Members' Group on an annual basis. The Programme is determined by the historic events pertaining to the given year, the level of demand for events and the budget available. The Programme for 2021 will be considered and agreed before the end of 2020.

11. Question submitted by Councillor S. Keary

I will ask at the next Meeting for the following information in relation to the Great Southern Greenway Upgrade:

- (a) When was the design for this project finalised.
- (b) Why did work proceed to tender stage without consultation with the Elected Members as was agreed at the November Workshop in Newcastle West.
- (c) Who prepared the Tender Documents.
- (d) The names of the Contractors who tendered for the project.
- (e) The value of the tenders submitted by all Contractors - not in relative order.
- (f) The cost associated with the construction of an additional 800 metres of Greenway to divert away from the farm building on the Greenway at Coolybrown, Ardagh, which was granted planning permission by this Authority (1) Land procurement cost, (2) Greenway construction cost.
- (g) Did this farm building receive grant-aid from the Department of Agriculture.
- (h) Was there a requirement to apply for planning permission to construct this 800 metres additional section of trail.
- (i) What design features are included in this project towards accommodating people with special needs who wish to use the Greenway.

REPLY:

(a) When was the design for this project finalised.

19th Nov 2019

(b) Why did work proceed to tender stage without consultation with the Elected Members as was agreed at the November Workshop in Newcastle West.

The purpose of the Workshop of 20th November was to brief the Elected Members on the final design. At the Workshop, the Elected Members were advised that the project was then proceeding to tender stage.

(c) Who prepared the Tender Documents.

Fehily Timoney Consulting Engineers.

(d) The names of the Contractors who tendered for the project.

- John Sisk & Sons (Holdings) Ltd
- Martin Cussen Construction
- MEIC Ltd
- Niaron Ltd
- Noel O' Regan & Sons Plant Hire
- P&D Lydon Plant Hire Ltd
- Roadbridge
- Shareridge Ltd.

(e) The value of the tenders submitted by all Contractors - not in relative order.

- €4,253,795.11
- €4,471,768.78
- €4,670,000
- €4,909,864.96
- €5,054,987.30
- €5,396,918.76

NOTE: Only Six valid tenders. (Figures exclude VAT)

(f) The cost associated with the construction of an additional 800 metres of Greenway to divert away from the farm building on the Greenway at Coolybrown, Ardagh, which was granted planning permission by this Authority (1) Land procurement cost, (2) Greenway construction cost.

1. No cost.
2. Limerick City and County Council is carrying out this work by direct labour. The estimated cost is €120,000.

(g) Did this farm building receive grant-aid from the Department of Agriculture.

Limerick City and County Council does not hold any records in relation to funding of this nature from the Department of Agriculture.

(h) Was there a requirement to apply for planning permission to construct this 800 metres additional section of trail.

The proposed works do not require Part 8 Planning consent.

(i) What design features are included in this project towards accommodating people with special needs who wish to use the Greenway.

A phased approach has been taken to the upgrade work on the Greenway. Phase 1 improvement works will focus on the surfacing, farm crossings, drainage, gates and other ancillary works. Phases 2 and 3 works are currently being designed and will focus on access point upgrades, and cattle underpasses respectively. The following considerations have been incorporated into the Phase 1 improvement works to accommodate users with special needs.

- **Surfacing:** The existing gravel surfacing is in poor condition with local surface irregularities, standing water and low levels of grip in certain locations, it is not suitable for all users. A smooth open-graded asphalt surfacing has been included in the Phase 1 upgrade works for the Greenway. This will provide a smooth level and consistent surface, which can be more easily maintained, will have improved drainage, and will provide a more consistent level of skid resistance. Surface irregularities and unevenness in the existing surfacing will be smoothed out before the new surfacing is applied. The installation of the new surfacing will be to a very high standard and in line with the Transport Infrastructure Ireland guidance on flexible pavement. This type of surface is a major part of the works and was selected with universal accessibility in mind.
- **Greenway Width:** The existing Greenway width varies with some narrow sections with width as low as 1.8m, which is below the passing width recommended for wheelchair users. Under the Phase 1 works, the Greenway will be widened to 3.0m. The 3.0m width is in line with the national guidance on cycleways and is in excess of the minimum clear passing width recommended by the Irish Wheelchair Association. The 3.0m width will increase the space available for all users, and allow sufficient space for all users to pass comfortably.
- **Greenway Gradients:** The overall gradient along the cycle route is an important design consideration. Steep uphill gradients can cause difficulties for many Greenway users, while steep downhill gradients can generate high downhill speeds for cyclists, increasing the potential to conflict with other users who may be struggling to climb the steep gradient in the opposite direction. In areas where the current Greenway exceeds the national standards for gradients, works will be carried out to reduce the gradients, bringing them into line with the applicable standard.

- **Cross Fall:** The cross fall on the new Greenway surface has been designed with a 2% gradient to prevent surface water pooling and improve drainage. Higher cross fall gradients are not recommended for wheelchair users. The 2% gradient has been selected to balance the drainage and universal access requirements.
- **Gates:** Several of the existing gates at public road junctions or private entrance crossings on the Greenway do not allow for universal access. These gates are to be replaced. The proposed chicane gate arrangement is in line with national guidance and will provide for universal access for all users. The gates will have a permanently open section with a minimum clear width of 1.2m. The two leaves of the chicane gates have been spaced 5m apart, these will act as a speed control feature for cyclists while the 5m will still provide sufficient room for special needs users to navigate easily through them.
- **Farm Crossing Points:** A number of the existing farm crossings have cattle grids, gates, or surface deterioration which makes access for users with special needs difficult. These will be upgraded, all Greenway users will be able to traverse the farm crossings unobstructed. A textured concrete surfacing will be installed in some of these locations, where considered appropriate, to provide an additional level of grip, provide a more easily cleaned surface and prevent future surface deterioration from farm vehicles. The interface between the new asphalt surface and the concrete farm crossing will be flush finished so that there is no obstruction for users on the Greenway. Some farm crossing points will receive further upgrade works by the installation of a cattle underpass during later phases.
- **Access Points:** Under the Phase 1 works, the following considerations have been included. At public road junctions, colour contrast surfacing will be provided to demark the approaches to public roads. The approach to public roads junctions, bridge structures, farm crossings and private entrances will be excavated so that the new surfacing can be finished flush with the existing public road or bridge structures to remove obstructions or potential trip hazards which would otherwise be created by the level difference. Gates at road junctions, private entrances and trailheads will be upgraded as described above to improve accessibility of all users. Further upgrades to access points will be incorporated in later phases. One of the key considerations in the purchase of the Ardagh Stationhouse site has been to enable the Council in the near future provide level access to the Greenway from the village of Ardagh.

12. Question submitted by Councillor E. O'Donovan

I will ask at the next Meeting for a detailed breakdown of €175,000 allocated to meet Traveller needs during COVID-19 pandemic; has this money been spent and, if not, what are the plans for the rest of this funding.

REPLY: Limerick City and County Council spent €175,000 during the recent pandemic to support members of the Travelling Community through the purchase of mobile homes, the provision of chemical toilets, the provision of signage in Traveller Specific Accommodation, preparing an area in Rathkeale in conjunction with the HSE to provide an isolation area in Rathkeale, if required,

and the rehousing of families from Traveller Specific Accommodation to generic housing as requested by families.

13. Question submitted by Councillor E. O'Donovan

I will ask at the next Meeting for an update on the Council's allocations for Traveller-specific accommodation; how much of this funding has been spent in 2020 and what are the plans for expenditure for 2020.

REPLY: Limerick City and County Council, to date, has currently spent over €770K in 2020 on Traveller Accommodation Capital Projects. There are currently four Traveller Capital Projects in progress at this time, which will be completed in the coming months. There are also plans for further Traveller Accommodation Capital Projects to commence in the last Quarter of 2020.

14. Question submitted by Councillor B. Collins

I will ask at the next Meeting if Limerick City and County Council will immediately establish a Working Group of all relevant stakeholders to design, deliver and roll out a marketing strategy advertising Limerick City and County as a Safe Destination for visitors.

REPLY: As Ireland starts to open up for domestic travel, we need to make sure that residents of Limerick and the rest of Ireland look at Limerick with new eyes and discover all it has to offer, not just as a weekend visit but as a longer holiday destination. Fáilte Ireland will drive the case for domestic tourism overall, highlighting safety and urging people to leave behind their lockdown mentality. Limerick City and County Council has been briefed and is fully on board with embracing this safety message.

To align with this, the Council will run its own domestic marketing campaign to push the case for Limerick and showcase that the City and County is brimming with things to do to ensure the most memorable of holidays in Ireland. A campaign strategy, creative concept and platform has already been identified and the campaign is set to be launched over the coming weeks.

Limerick City and County Council is a member of Fáilte Ireland's Gateway Steering Group, which is an industry-led forum set up to capitalise on Limerick's position on the Wild Atlantic Way. As part of the campaign, Limerick City and County Council has been engaging with this forum and also local hotels and attractions to profile them as part of the campaign.

NOTICES OF MOTION

15. Notice of Motion submitted by Councillor L. Galvin

I will move at the next Meeting that (a) this Council totally reject the National Planning Framework policy regarding once-off rural housing based on social and economic need; (b) a Meeting be arranged with the Minister responsible to highlight the issues around this policy; and (c) this Motion be circulated to all Local Authorities to discuss and support same.

It was noted that this Motion had been dealt with at the Council Meeting of 26th June, 2020.

16. Notice of Motion submitted by Councillor E. Secas

I will move at the next Meeting that Limerick City and County Council call on the Minister for Housing, Planning and Local Government to introduce comprehensive legislation on the operation of current and future retirement villages, as already exists in many other jurisdictions.

Councillor Secas, having proposed the Motion, went on to say that Castletroy residents had seen much distress and a lot of issues with the Park Village in Castletroy since November 2019, and especially during the COVID-19 pandemic when the situation at the Park Village was making local and national headlines; and that this situation would not have occurred if there were specific legislation in Ireland as per her Motion. She also said that any person moving into a retirement village should have security of tenancy and security of maintenance of services, and asked whether the Programme for Government included any provision that the Government would enact such legislation as existed in other jurisdictions (i.e. the UK and Australia). She went on to say that Ireland needed legislation that would provide a regulatory framework for the operation of the existing and any future retirement villages, that would ensure best practice management standards by the operators, and that would ensure the right balance between the rights and the responsibilities of the residents and the operators of the retirement villages.

The Motion was seconded by Councillor Sheehan and agreed.

17. Notice of Motion submitted by Councillor J. Leddin (to be referred to Home and Social Development Strategic Policy Committee)

I will move at the next Meeting that Limerick City and County Council ensure that the maximum allocation of social and affordable houses is secured from the planned residential development by Limerick 2030 in Mungret and that the Council not accept any alternative options as provided under the relevant housing legislation.

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

18. Notice of Motion submitted by Councillors K. Sheahan, B. Collins, S. Keary, E. O'Brien, J. O'Donoghue, A. Teskey

We will move at the next Meeting that the Council communicate with each of the Party Leaders in the Republic to adopt a policy granting each Credit Union branch the authorisation to become a Building Society.

On the proposal of Councillor Sheahan (K), seconded by Councillor Keary, the Motion was amended to read that the Council would communicate with the Minister for Finance instead of the Party Leaders in the Republic. The amended Motion was agreed.

19. Notice of Motion submitted by Councillors J. O'Donoghue, B. Collins, S. Keary, E. O'Brien, K. Sheahan, A. Teskey

We will move at the next Meeting that the Council communicate with each of the Party Leaders in the Republic to adopt a policy to revise some of the Planning Regulations whereby we could encourage rural people to return to the practice of building country homes (cottages) where the applicant is supplying the site.

On the proposal of Councillor Sheahan (K), seconded by Councillor Keary, the Motion was amended to read that the Council would communicate with the Minister for Housing, Local Government and Heritage instead of the Party Leaders in the Republic.

The amended motion was supported by a majority of Members who expressed their strong support for people living in rural areas to be able to build once-off rural houses if they so wished. An opposing view was also expressed by some Members who supported the National Planning Framework with respect to once-off rural housing. Members also raised difficulties in relation to accommodation in rural areas due to the lack of alternative housing being built in towns and villages.

The amended Motion was adopted by the Council.

20. Notice of Motion submitted by Councillor T. Ruddle (to be referred to Protocol Committee)

I will move at the next Meeting that the Council would initiate plans for a permanent Memorial structure in honour of Sophie Pierce, a pioneering global aviator, to be erected in the town of Newcastle West, in recognition of her leadership in promoting the role of women in society, her contribution to modern aviation and her place as a Limerick woman who secured global recognition over several generations.

It was agreed to refer the Motion to the Protocol Committee for consideration.

21. Notice of Motion submitted by Councillor S. Hartigan

I will move at the next Meeting that Limerick City and County Council engage with Councillors to identify ways to limit the widespread use of election posters, for example, displaying posters at strategic locations in communities as an alternative to widespread poster on poles.

Members agreed to refer to this Motion to the Climate Action, Biodiversity and Environment Strategic Policy Committee for consideration.

22. Notice of Motion submitted by Councillor E. O'Brien (to be referred to the Economic Development, Enterprise and Planning Strategic Policy Committee)

I will move at the next Meeting that the Chief Executive deliver the report and findings of the Riverway Design Enabling Review, commissioned in June 2017 and undertaken by Senior Architect, Rosie Webb.

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

23. Notice of Motion submitted by Councillor E. O'Donovan (to be referred to the Protocol Committee)

I will move at the next Meeting that Limerick City and County Council allow for live streaming of all Council Meetings deemed open to the public; that the Council implement this urgently, considering the impact of public accessibility to Council Meetings due to COVID-19 restrictions.

It was agreed to refer this Motion to the Protocol Committee for consideration.

24. Notice of Motion submitted by Councillor S. Benson

I will move at the next meeting that this Council call on the Government to give a clear commitment to make up the financial shortfall for Local Authorities arising from the loss of commercial rates and other revenues due to the COVID-19 emergency.

It was noted that this Motion had already been dealt with as part of the Financial Item (Item No. 4) at the Council Meeting of 26th June, 2020.

25. Notice of Motion submitted by Councillor C. Sheehan (to be referred to the Climate Action, Biodiversity and Environment Strategic Policy Committee)

I will move at the next Meeting that the Council write to the Minister for Agriculture requesting the establishment of a National Animal Cruelty Register to make it harder for people who are banned from owning animals to obtain new animals; that the Council amend the Control of Horses Bye-Laws to ban horses in housing estates; and that the

Council engage with the relevant authorities on education and outreach programme around the care of horses.

It was agreed to refer the Motion to the Climate Action, Biodiversity and Environment Strategic Policy Committee for consideration.

26. Notice of Motion submitted by Councillor B. Collins (to be referred to the Economic Development, Enterprise and Planning Strategic Policy Committee)

I will move at the next meeting that Limerick City and County Council supports “The National Small Business Recovery Plan” in order to protect the thousands of jobs that SMEs provide throughout County Limerick; and, further, that Limerick City and County Council request the Government to fund and immediately implement the actions of The National Small Business Recovery Plan using EU funding recovery schemes.

It was noted that, in view of its urgency, this Motion had been taken at the Meeting of 26th June and had been referred to the relevant Strategic Policy Committee for consideration. It was further noted that, following a Special Meeting of the Economic Development, Enterprise and Planning SPC held earlier in the day, an amended Motion had subsequently been proposed, seconded and adopted at the commencement of the Adjourned Meeting.

27. Correspondence

The Correspondence circulated with the agenda was taken as read.

Signed:

Mayor

Date:
