

MINUTES OF PROCEEDINGS AT MEETING OF LIMERICK CITY AND COUNTY COUNCIL HELD AT LIMERICK RACECOURSE, GREENMOUNT PARK, PATRICKSWELL, CO. LIMERICK, ON MONDAY, 28TH SEPTEMBER, 2020, AT 3PM.

PRESENT IN THE CHAIR:

Councillor M. Collins, Mayor.

MEMBERS PRESENT:

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

An apology for her inability to attend the Meeting was received from Councillor O'Donovan.

OFFICIALS IN ATTENDANCE:

Chief Executive (Mr. P. Daly), Deputy Chief Executive and Director, Support Services (Mr. S. Coughlan), Director, Community Development (Mr. G. Daly), Director, Housing Development (Ms. A. Duke), 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), Meetings Administrator (Mr. J. Clune), Staff Officer, Corporate Services and Governance (Ms. C. Sheehy), A/Staff Officer, Corporate Services and Governance (Ms. F. Ryan), Management Accountant, Property Services (Ms. J. Leahy), A/Administrative Officer, Tourism and Events, Community Development (Ms. A. Potter-Cogan).

At the outset, the Meetings Administrator 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 new Guidelines – COVID-19 Local Authority Standard Operating Guidance (SOG) which outlined the following:

- The length of the Meeting to be no longer than 1 hr. 55 minutes.
- Only Proposer and Seconder to speak.
- Standard Operating Guidelines.

1. Adoption of Minutes

Circulated, copies of draft Minutes of the following Meetings:

- (a) Ordinary Meeting of the Council held on 26th June, 2020.

Councillor Galvin requested an update on the resolution adopted at the meeting seeking a meeting with the Minister for Housing, Local Government and Heritage in relation to the National Planning Framework. The Meetings Administrator advised that an acknowledgement had been received and that a reminder would issue.

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

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

(b) Special Meeting of the Council held on 30th June, 2020.

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

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

(c) Annual Meeting of the Council held on 30th June, 2020.

Proposed by Councillor O'Hanlon;
Seconded by Councillor Collins (B);
And Resolved:

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

(d) Adjourned Meeting of the Council held on 3rd July, 2020.

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

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

(e) Special Meeting of the Council held on 3rd July, 2020.

Proposed by Councillor O'Hanlon;
Seconded by Councillor Sheahan (J);
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 16th June, 2020, concerning disposal of property at 31, McDermott Avenue, Janesboro, Limerick.

Proposed by Councillor Sheahan (J);
 Seconded by Councillor O’Hanlon (K);
 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 property at 31, McDermott Avenue, Janesboro, Limerick, to Seamus, Patrick & Eugene Casey, LPR of Ann Casey, for the sum of €299.20, 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 16th June, 2020.”

- (b) Circulated, copy of Statutory Notice dated 16th June, 2020, concerning disposal of property at 29, Marian Avenue, Roxboro Road, Limerick.

Proposed by Councillor Sheahan (J);
 Seconded by Councillor O’Hanlon (K);
 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 property at 29, Marian Avenue, Roxboro Road, Limerick, to Mary & Deirdre Mulrooney, as attorney for Mary Leonard, for the sum of €195.42, 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 16th June, 2020.”

- (c) Circulated, copy of Statutory Notice dated 16th June, 2020, concerning disposal of property at 8, Colbert Terrace, Abbeyfeale, Co. Limerick.

Proposed by Councillor Sheahan (J);
 Seconded by Councillor O’Hanlon (K);
 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 property at 8, Colbert Terrace, Abbeyfeale, Co. Limerick, to Cezary & Elzbieta Jablonski, for the sum of €195.42, 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 16th June, 2020.”

- (d) Circulated, copy of Statutory Notice dated 16th June, 2020, concerning disposal of land at 1, Clarke Avenue, Janesboro, Limerick.

Proposed by Councillor Sheahan (J);
 Seconded by Councillor O’Hanlon (K);
 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 property at 1, Clarke Avenue, Janesboro, Limerick, to Annamarie Bowen, for the sum of €229.20, 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 16th June, 2020.”

- (e) Circulated, copy of Statutory Notice dated 3rd July, 2020, concerning disposal of property at Gibbonstown, Kilmallock, Co. Limerick.

Proposed by Councillor Sheahan (J);
 Seconded by Councillor O’Hanlon (K);
 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 property at Gibbonstown, Kilmallock, Co. Limerick, to Mary Hanley, for the sum of €195.42, 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 3rd July, 2020.”

- (f) Circulated, copy of Statutory Notice dated 27th July, 2020, concerning disposal of property at 82, Keane Street, Limerick.

Proposed by Councillor Sheahan (J);
 Seconded by Councillor O’Hanlon (K);
 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 property at 82, Keane Street, Limerick, to Patricia O’Hanlon, for the sum of €169.45, 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 27th July, 2020.”

- (g) Circulated, copy of Statutory Notice dated 9th September, 2020, concerning disposal of land at Corgrig, Foynes, Co. Limerick.

Proposed by Councillor Sheahan (J);
 Seconded by Councillor O’Hanlon (K);
 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 land (8.0 acres) at Corrig, Foynes, to Argosea Services Limited, for the sum of €185,000, the disposal will be subject to the covenants and conditions contained within the Contract, particulars of which were contained in Statutory Notice dated 9th September, 2020.”

- (h) Circulated, copy of Statutory Notice dated 9th September, 2020, concerning disposal of residential property and land at Knight Street, Ballingarry, Co. Limerick.

Proposed by Councillor Sheahan (J);
 Seconded by Councillor O’Hanlon (K);
 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 residential property and land (0.025 acres) at Knight Street, Ballingarry, Co. Limerick, to Aidan Quaid, for the sum of €30,500, the disposal will be subject to the covenants and conditions contained within the Contract, particulars of which were contained in Statutory Notice dated 9th September, 2020.”

- (i) Circulated, copy of Statutory Notice dated 9th September, 2020, concerning disposal of property at Galvone Industrial Estate, Limerick (Former Fulflex Building).

A query was raised in relation to the community groups in occupation of the Fulflex building. Members were advised that these groups were being permitted to remain in occupation for up to three years. During that time, the Council would be working with them to find an alternative permanent base in the area.

Proposed by Councillor Sheahan (J);
 Seconded by Councillor O’Hanlon (K);
 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 property at Galvone Industrial Estate, Limerick (Former Fulflex Building) to Rigid Containers Limited, for the sum of €200,000 and, in addition, the purchaser to transfer title to the Council of the Rigid Reel Store Building, Galvone Industrial Estate, the disposal will be subject to the covenants and conditions contained within the Contract, particulars of which were contained in Statutory Notice dated 9th September, 2020.”

- (j) Circulated, copy of Statutory Notice dated 9th September, 2020, concerning disposal of residential property and land at West Square, Askeaton, Co. Limerick.

Proposed by Councillor Sheahan (J);
 Seconded by Councillor O’Hanlon (K);
 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 residential property and land (0.054 acres) at West Square, Askeaton, Co. Limerick, to John McMahon, for the sum of €30,000, the disposal will be subject to the covenants and conditions contained within the Contract, particulars of which were contained in Statutory Notice dated 9th September, 2020.”

- (k) Circulated, copy of Statutory Notice dated 9th September, 2020, concerning disposal of land at Shanagolden Demesne, Shanagolden, Co. Limerick.

Proposed by Councillor Sheahan (J);
 Seconded by Councillor O’Hanlon (K);
 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 land (56.51 acres) at Shanagolden Demesne, Shanagolden, Co. Limerick, to James Madigan, for the sum of €310,000, the disposal will be subject to the covenants and conditions contained within the Contract, particulars of which were contained in Statutory Notice dated 9th September, 2020.”

- (l) Circulated, copy of Statutory Notice dated 15th September, 2020, concerning disposal of property at 3, Abbeyview, Askeaton, Co. Limerick.

Proposed by Councillor Sheahan (J);
 Seconded by Councillor O’Hanlon (K);
 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 property at 3, Abbeyview, Askeaton, Co. Limerick, to Phillip McKnight, for the sum of €195.42, the disposal will 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 15th September, 2020.”

3. Support Services Directorate

(a) Fixing of Date – Statutory Budget Meeting

Circulated, copy of Departmental Circular Fin 14-2020 dated 31st August, 2020, in relation to 2021 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 2021: Friday, 20th November, 2020, at 3.00 p.m.
2021 Statutory Budget Meeting: Friday, 27th November, 2020, at 10 a.m.

(b) Financial Update and (c) Local Property Tax

With the permission of the Mayor, Items 2 (b) Financial Update and 2 (c) Local Property Tax - were taken together.

Circulated, report from the Director, Support Services, dated 21st September, 2020, in relation to Local Property Tax – Local Adjustment Factor 2021.

The Director, Support Services, gave a PowerPoint presentation updating the Members in relation to the following:

Financial Update

- Details on the Outturn for 2020 outlining the following:
 - Sources of Income and Expenditure.
 - Supports available to Ratepayers such as Restart Grant, Restart Grant Plus, Six Month Rates Waiver, Local Authority SME Scheme, Tourism Sector Support Scheme, LEO Supports.
- Details on the Restart Grants – Key Statistics.
- Key elements of the Restart Grant Plus Scheme.

Local Property Tax

- The public consultation process regarding the LPT was advertised both online and in the local media.
- Submissions had to be received by 19th August, 2020.
- Three submissions were received:
 - One requesting no change on 2020.
 - Two requesting a reduction by the maximum 15%.

He added that a report had been prepared for the Members, and circulated with the agenda, setting out the matters to which the Members must have regard in making a decision on the LPT, including the financial position of Limerick City and County Council.

His PowerPoint presentation went on to cover Property Valuation Bands, and the standard rate applicable to each Band, and an analysis of % properties within LPT Band in Limerick City and County Council versus Dublin City, and the Impact of Variation of LPT (Income).

He outlined the five-year programme funded by the LPT Rate Variation and stated that the total value per annum was €2.36m which was allocated as follows for 2020:

Local and Regional Roads/Traffic Management/Street Cleaning	€768,000
Other Local Services (Fire/Library etc.)	€442,000
Capital Investment in New Plant to Deliver Efficient Local Services	€400,000
Urban and Rural Regeneration Fund	€550,000
GMA	€200,000

He concluded by outlining proposals for 2021 expenditure as follows:

- Library Services.
- IT Services.
- Fire Services.
- Tourism Development and Promotion.

In the course of discussion, on the proposal of Councillor Scanlan, seconded by Councillor Ryan (E), a resolution was unanimously adopted calling on the Ministers for Housing and Finance to conduct an interim review of the Local Property Tax process in order to include all properties completed and occupied since 2013.

Councillor Sheahan (J) proposed to vary the Local Property Tax basic rate upwards by 15% for 2021. This proposal was seconded by Councillor Daly.

Councillor Benson proposed no change in the Local Property Tax basic rate for 2021. This proposal was seconded by Councillor Costelloe.

Following discussion, the Meetings Administrator confirmed that there were two proposals before the Members and clarified that, in accordance with Standing Orders, the Amendment would be voted on first. Accordingly, the Mayor called a vote on the Amendment proposed by Councillor Benson and seconded by Councillor Costelloe. It was agreed that the vote would take the form of a *show of hands*. As the majority of the Members were in favour of varying the Local Property Tax basic rate upwards by 15% for 2021, the Mayor declared the proposal from Councillor Benson defeated.

The Mayor confirmed the proposal of Councillor Sheahan (J), seconded by Councillor Daly, as carried and accordingly the following resolution was adopted:

Proposed by Councillor Sheahan (J);
 Seconded by Councillor Daly;
 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 fifteen per cent (15%) for the year 2021 in respect of relevant residential properties situated in the administrative area of Limerick City and County.”

(c) Overdraft Accommodation

The Director, Support Services, advised that the approval of the Council was requested to bank overdraft accommodation in the sum of €50m for the 12 month period to 31st December, 2021, subject to the sanction of the Minister for Housing, Local Government and Heritage and in accordance with Section 106 (2) of the Local Government Act, 2001, as amended.

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

“That, the approval of the Council be and is hereby given to bank overdraft accommodation in the sum of €50m for the 12 month period to 31st December, 2021, subject to the sanction of the Minister for Housing, Local Government and Heritage and in accordance with Section 106 (2) of the Local Government Act, 2001, as amended.”

(d) Chief Executive’s Report

Circulated, Chief Executive’s Reports for the months of June, July and August 2020.

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

(e) Limerick Market Trustees (deferred from Meeting of 26.06.2020)

Circulated, report of the A/Senior Executive Officer, Corporate Services, Governance and Customer Services, dated 22nd June, 2020, setting out details of the Council’s representation on the Limerick Market Trustees, together with list of current Members.

The report stated that that the Council was required to consider the nomination of the Mayor of the City and County of Limerick, and the Cathaoirleach of the Metropolitan District of Limerick, together with a further 16 Members of the Council, as members of the Limerick Market Trustees. The Council was required to make these nominations annually.

On the proposal of Councillor O’Hanlon, seconded by Councillor Daly, the following Members were appointed to the Limerick Market Trustees for the coming year:

Councillor Michael Collins (Mayor of the City and County of Limerick 2020/2021), Councillor S. Kiely, Cathaoirleach of the Metropolitan District of Limerick 2020/2021), Councillors Novak, Kilcoyne, O'Donovan, Daly, Collins (J), Sheahan (K), O'Dea, Talukder, Ryan (M), O'Sullivan, Butler, McSweeney, Sheahan (M), Murphy, Mitchell, Sheehan.

(f) Appointment of External Member to Limerick City and County Council Audit Committee

Circulated, report of the A/Senior Executive Officer, Corporate Services, Governance and Customer Services dated 21st September, 2020, seeking the Council's approval to the appointment of an external member to the Council's Audit Committee.

The report stated that one of the four external members of the Audit Committee, Mr. David Costelloe, had resigned from the Committee and consequently a vacancy existed. Following consultation with the Mayor, in accordance with the Guidelines, Mr. Emmett Devereux, Director of Government and Regulatory Affairs EMEA, Cook Medical Europe, was being nominated to fill the vacancy for the remainder of the lifetime of the current Council.

On the proposal of Councillor Sheahan (J), seconded by Councillor O'Hanlon, Mr. Emmett Devereux, Director of Government and Regulatory Affairs EMEA, Cook Medical Europe, was appointed to fill the vacancy on the Limerick City and County Council Audit Committee for the remainder of the lifetime of the current Council.

(g) Proposed Schedule of Dates for Strategic Policy Committee Meetings

Circulated, report of the A/Senior Executive Officer, Corporate Services, Governance and Customer Services dated 22nd September, 2020, together with Schedule of proposed dates for Strategic Policy Committee Meetings up to May 2021.

The Schedule, as circulated, was noted and agreed.

(h) PPN Nominations – Strategic Policy Committees, Joint Policing Committee and Local Community Development Committee

Circulated, report of the Director, Community Development, dated 22nd September, 2020, seeking the Council's approval to the appointment of Sectoral representatives nominated by the Public Participation Network (PPN), as set out in the report, to the following Committees:

- (a) Strategic Policy Committees.
- (b) Joint Policing Committee.
- (c) Local Community Development Committee.

Proposed by Councillor Sheahan (J):

Seconded by Councillor Galvin;

And Resolved:

“That, the approval of the Council be and is hereby given to the appointment of further Sectoral representatives nominated by the PPN, as set out in the report of the Director, Community Development, dated 22nd September, 2020, to Strategic Policy Committees, Joint Policing Committee and Local Community Development Committee as follows:

Committee	PPN Pillar	Nominee’s Name and Nominating Body
Local Community Development Committee (LCDC)	Social Inclusion	Edel Geraghty, Limerick Women’s Network.
	Social Inclusion	Jim Prior, Southill Family Resource Centre.
Joint Policing Committee (JPC)	Social Inclusion	Denise Dunne, ADAPT Domestic Abuse Services.
	Environment	Dr. Breda Hayes, Environmental Trust Ireland.
Travel and Transportation SPC	Community/Voluntary	Ailish Drake, Limerick Chapter of the Irish Georgian Society.
	Community/Voluntary	Bruce Harper, Limerick Cycling Campaign.
	Social Inclusion	Maureen Browne, Step Forward Disability Group.
	Environment	Frank Heffernan, Environmental Trust Ireland.
Home and Social Development SPC	Community	Tracy McElligott, Moyross Residents’ Forum.
	Community	Anne Cronin, Limerick Cycling Campaign.
	Social Inclusion	Una Burns, Novas.
Community, Leisure and Culture SPC	Community/Voluntary	Mary Conlon, Ormston House.
Climate Action, Biodiversity and Environment SPC	Environment	Liz Gabbett, Maigne Rivers Trust.
	Community	Caillum Hedderman, Limerick 46 th Ballybricken Scout Group.
Economic Development, Enterprise and Planning SPC	Environment	Madeleine Lyes, Limerick Pedestrian Network.

(i) Strategic Policy Committee Reports

- (i) Circulated, Reports of the Chairperson of the Community, Leisure and Culture Strategic Policy Committee dated 18th July and 11th September, 2020, in relation to Meetings of the Committee held on 6th July and 7th September, 2020, respectively.

The Meetings Administrator noted the following Recommendation, which was agreed at Meeting of the Committee held on 7th September, 2020:

“That, Limerick City and County Council engage with key agencies on the development of a River Shannon visitor experience, to be located on the banks of the river in Limerick City.”

Councillor Teskey requested that any such visitor experience should consider options for Limerick County also.

On the proposal of Councillor O’Hanlon, seconded by Councillor O’Sullivan, the Recommendation was agreed.

- (ii) Circulated, Report of the Chairperson of the Climate Action, Biodiversity and Environment Strategic Policy Committee in relation to Meeting of the Committee held on 9th July, 2020.

The Meetings Administrator noted the following Recommendation, which was agreed at the Meeting:

Recommendation

“That, Limerick City and County Council consider having a voluntary ‘no burn night’ to raise awareness around the lighting of solid fuel fires for one night in late Spring 2021.”

On the proposal of Councillor Sheehan, seconded by Councillor Kiely, the Recommendation was agreed.

It was pointed out that some households might not have an alternative form of heating and would therefore be relying on solid fuel alone to heat their homes. Accordingly, Members emphasised that this was a ‘voluntary effort.’

- (iii) Circulated, Report of the Chairperson of the Economic Development, Enterprise and Planning Strategic Policy Committee dated 21st September, 2020, in relation to Special Meeting of the Committee held on 3rd July, 2020.

The Report was noted by the Council.

- (iv) Circulated, Report of the Chairperson of the Travel and Transportation Strategic Policy Committee dated 18th September, 2020, in relation to Meeting of the Committee held on 14th September, 2020.

The Report was noted by the Council.

- (v) Circulated, Report of the Chairperson of the Home and Social Development Strategic Policy Committee dated 22nd June, 2020, in relation to Meeting of the Committee held on 22nd June, 2020.

The Report was noted by the Council.

4. Physical Development

(a) N21 Abbeafeale Road Scheme – Section 85 Agreement

Circulated, report of the Chief Executive dated 4th September, 2020, seeking the Council's approval 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 Kerry County Council for the proposed N21 Abbeafeale Road Scheme, and setting out the background to the proposed Agreement.

Proposed by Councillor Galvin;
 Seconded by Councillor Foley;
 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, and Section 14 of the Roads Act, 1993, with Kerry County Council, for the carrying out by Limerick City and County Council of the relevant statutory procedures, procuring the design work, the employment and appointment of all consultants, experts and advisors, acquiring the land and carrying out of the construction works and any other powers, functions and duties necessary for the N21 Abbeafeale Road Scheme.”

(b) N/M20 Cork to Limerick Road Improvement Scheme – Section 85 Agreement

Circulated, report of the Chief Executive dated 4th September, 2020, seeking the Council's approval 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 City Council for the proposed N/M20 Cork to Limerick Road Improvement Scheme, and setting out the background to the proposed Agreement.

Proposed by Councillor Donegan;
 Seconded by Councillor B. Collins;
 And Resolved:

“That, Limerick City and County Council agrees to the making of an Agreement between Limerick City and County Council and Cork City Council, under Section 85 of the Local Government Act, 2001, and Section 14 of the Roads Act, 1993, in the form as presented to them for 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/procuring the construction works and any other powers, functions and duties necessary

for the design, construction and completion of the N/M20 Cork to Limerick Road Improvement Scheme.”

5. Service Operations

Limerick City and County Council Road Traffic (30 Kilometres per hour Special Speed Limit) Bye-Laws, 2020

Circulated, report of the Senior Executive Engineer, Operations and Maintenance Services, in relation to the making of the Limerick City and County Council Road Traffic (30 kilometres per hour Special Speed Limit) Bye-Laws, 2020, in accordance with Section 9 of the Road Traffic Act, 2004.

Proposed by Councillor Slattery;
Seconded by Councillor Secas;
And Resolved:

“That, the Limerick City and County Council Road Traffic (30 kilometres per hour Special Speed Limit) Bye-laws, 2020, as circulated, be and are hereby made, in accordance with Section 9 of the Road Traffic Act, 2004.”

6. Community Development

Festivals and Events Grant Scheme 2020/2021

Circulated, report of the A/Administrative Officer, Tourism and Events, Community Development, dated 17th September, 2020, seeking the Council’s approval to Recommendations from the Evaluation Panel for Limerick City and County Council Festivals and Events Grant Scheme 2020/2021.

In welcoming the Scheme, Members said it was important to note that these groups were voluntary. A number of queries were raised and these were responded to by the Director, Community Development. He also clarified that the Assessment Panel comprised independent national experts based on their relevant experience.

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

“That, the approval of the Council be and is hereby given to the recommended allocations under the Festivals and Events Grant Scheme 2020/2021, as set out in the report of the A/Administrative Officer, Tourism and Events, Community Development, dated 17th September, 2020.”

7. Conferences

Participation by Members at Conferences

Details of the Following online Conference had been circulated electronically to the Members - "Webinar - A Local Authority Support Model for Sustainable Energy Communities" to be held in Kildare on 8th October, 2020.

It was noted that no Members had attended.

QUESTIONS

Replies to the following Questions on the agenda were circulated to all Members at the commencement of the Meeting and the Questions were therefore considered as having been dealt with:

8. Question submitted by Councillor L. Galvin

I will ask at the next Meeting (a) what is the current Council budget 2020 for Protected Structures; (b) what funding comes from the Department to invest in same; (c) how many Protected Structures has this Council; (d) how many fall under the Derelict Sites Act; (e) how many should be added to the Derelict Sites Register; (f) can lists be made available of (i) Protected Structures; (ii) Protected Structures in dereliction; and (iii) Protected Structures to be added to the Dereliction List.

REPLY:

(a) What is the current Council Budget 2020 for Protected Structures

The current available funding for protected structures is as follows:

Built Heritage Investment Scheme	€118,000
Historic Structures Fund	€ 41,000
Architectural Conservation Supports	<u>€ 10,000</u>
Current Total for 2020	€169,000

(b) What Funding comes from the Department to invest in same

Of the above, €159,000 is channeled to Limerick City and County Council from the Department of Culture.

(c) How many Protected Structures has this Council

Currently, the County Record of Protected Structures stands at 1,605 entries, while the City Record of Protected Structures has 438 entries.

(d) How many fall under the Derelict Sites Act

The Derelict Sites Register currently has 181 no. entries. Of these, there are 12 no. which also appear on the Record of Protected Structures.

(e) How many should be added to the Derelict Sites Register

Through regular dereliction and vacancy surveys, and responding to public representations and concerns, lands are inspected within the administrative area of Limerick City and County Council. As required, the particulars of lands which fall under Section 3 of the Derelict Sites Act, 1990 (as amended), are added to the Derelict Sites Register.

(f) Can Lists be made available of:

- **Protected Structures:** A list of the Protected Structures in the City can be found in the Limerick City Development Plan 2010-2016 (Appendix II, Part I) and a list of the Protected Structures in the County can be found in the Limerick County Development Plan 2010-2016 (Volume 3).
- **Protected Structures in Dereliction:** Details as follows:

Ref. No.	Location of Land	Municipal District
DS-001-05	Market House, Kilfinane, Co. Limerick.	Cappamore-Kilmallock
DS-005-04	Dissused Shop and Shed, Kilfinane, Co. Limerick.	Cappamore-Kilmallock
DS-005-05	Glengort Schoolhouse, Tournafulla, Co. Limerick.	Newcastle West
DS-053-19	Fuller's Folly, Bridge Street, Newcastle West, Co. Limerick.	Newcastle West
DS-057-18	Neilan's Public House, Main Street, Bruff, Co. Limerick.	Cappamore-Kilmallock
DS-058-18	Butler's Main Street, Bruff, Co. Limerick.	Cappamore-Kilmallock
DS-059-18	Main Street, Bruff, Co. Limerick.	Cappamore-Kilmallock
DS-007-04	Main Street, Croom, Co. Limerick	Cappamore-Kilmallock
DS-034-16	Harte's Cottage, Church View, Askeaton, Co. Limerick.	Adare-Rathkeale
DS-035-17	The Quay, Askeaton, Co. Limerick.	Adare-Rathkeale
DS-036-17	1, West Square, Askeaton, Co. Limerick.	Adare-Rathkeale
DS-148-18	Bridge Street, Knocklong, Co. Limerick.	Adare-Rathkeale

A full copy of the Derelict Sites Register is available for viewing during office hours at the Property and Community Facilities Department, Limerick City and County Council, Merchant's Quay, Limerick, or may be downloaded from www.limerick.ie/council

- **Protected Structures to be added to the Dereliction List:** Please refer to Part (e) above. The particulars of lands which fall under the definition of derelict site contained in Section 3 of the Derelict Sites Act, 1990 (as amended) are added to the Derelict Sites Register.

9. Question submitted by Councillor C. Slattery

I will ask at the next Meeting how many Council tenant evictions have taken place by Court Order in the last five years due to Anti-Social Behaviour.

REPLY: In addition to providing support to tenants and residents of local authority-provided accommodation, through working with residents' groups and individuals, the Council's Community Sustainment Unit is also responsible for investigating complaints of anti-social behaviour. A new legislative code for seeking repossession of properties was enacted in April 2015 on foot of provisions contained in the Housing (Miscellaneous Provisions) Act 2014.

Securing repossession orders on foot of anti-social behaviour through the courts can be a slow and difficult process in terms of proving the case and the scope for tenants to appeal decisions made at district court level to higher courts. In any event, the Council takes the view that evictions in themselves, in many cases, may not always be the appropriate solution in that innocent parties, particularly children, may suffer unduly for the actions of one or two individuals. This is not to say that the eviction route is not pursued where deemed to be warranted. In the five years since September 2015, six (6) properties were repossessed on foot of court orders. In only one of these cases had the tenants to be formally evicted with the assistance of the Sheriff and An Garda Síochána. In four (4) of the other cases, the tenants vacated of their own volition, and the remaining 1 (one) stands under appeal to the Circuit Court.

Having regard to the foregoing, the Council has been very pro-active in using other legislative tools in trying to curb anti-social behaviour. Section 3 of the Housing (Miscellaneous Provisions) Act 1997 enables Housing Authorities to seek formal court orders (Excluding Orders) against individuals effectively evicting them from their homes and estates for periods of up to three years. These orders have proven to be particularly effective, with sentences of up to twelve months imprisonment being imposed for breaches. Limerick City and County Council has been to the forefront among local authorities in utilising this particular legal mechanism. In the five-year period under question, the Council secured twelve (12) such Orders, the most recent being two weeks ago, with three (3) other applications likely to proceed before the end of the year.

Section 20 of the Act referred to above provides that, where Gardaí have been advised by a Housing Authority that a person is illegally residing in a Council house, and that person is believed to be engaged in anti-social behaviour, then

that person can be directed by An Garda Síochána to leave the house immediately. Failure to comply with such a request is a criminal offence and an offender can be arrested and charged. The Council has availed of this provision in quite a number of instances in the past five years.

In almost all formal enforcement proceedings that the Council initiates, it relies quite heavily on close co-operation with An Garda Síochána, and this partnership approach is vital going forward in trying to curb anti-social behaviour.

10. Question submitted by Councillor C. Slattery

I will ask at the next Meeting for a detailed update on the application by Limerick City and County Council to the NTA for funding for safety measures on Hyde Road and how long it will take to get a decision on this application.

REPLY: A formal application for this scheme has been made to the National Transport Authority (NTA) following detailed discussions with the NTA on the issues particular to this site. The Council has been advised to include the proposal in the next tranche of sustainable transport projects and the scheme has been listed in the NTA short-term plan for action. Once formal approval is issued, the preliminary options/design and planning process will begin without delay. At this stage, it is reasonable to expect construction on site in mid-2021.

11. Question submitted by Councillor L. Galvin

I will ask at the next Meeting if this Council can use its new powers under the Derelict Site Act against the Limerick and Clare Education and Training Board regarding the maintenance of the Convent of Mercy, Abbeyfeale.

REPLY: Limerick City and County Council will arrange to carry out an inspection on the site at the Convent of Mercy, Abbeyfeale, Co. Limerick, and an update will be provided to the Elected Members as soon as possible.

12. Question submitted by Councillor C. Sheehan

I will ask at the next Meeting for the number of voids by Local Electoral Area in the Metropolitan District and the Municipal Districts, the cost involved in refurbishment and the turnaround time for each void to come back into stock.

REPLY: The monthly housing newsletter contains the number of voids completed by electoral area. The latest copy of the Housing Development Newsletter contains the most up-to-date information.

Information in relation to costs per unit is not published due to commercial sensitivity. However, the following information is available via the NOAC (National Oversight and Audit Commission) statistics published annually:

Year	Vacancy Period in Weeks (Average)	Cost per Unit (Average)
2019*	44.17	€ 15,411
2018	28.49	€ 18,664
2017	25.04	€ 16,901
<i>* 2019 Return not yet published by NOAC</i>		

13. Question submitted by Councillor C. Sheehan

I will ask at the next Meeting for an updated list of the number of vacant commercial premises in the Metropolitan District.

REPLY: There are 7,625 premises listed as commercial, of which 981 are estimated as vacant. Therefore, a vacancy rate of 12.8% applies to commercial properties in the Metropolitan District.

14. Question submitted by Councillor E. O'Donovan

I will ask at the next Meeting for an overview of the process by Limerick City and County Council around notifying Elected Representatives of individual housing allocations by email; and to specify the Elected Representatives these emails are sent to and the rationale for this practice.

REPLY: The process around notification of Councillors regarding allocations is something that has been raised previously and is considered a courtesy to the Public Representatives for the area. We are happy to review the process in detail at the next Housing Workshop where all Members can put forward their views and collectively agree a strategy in dealing with this matter going forward.

NOTICES OF MOTION

15. Notice of Motion submitted by Councillor S. Keary (to be referred to Protocol Committee)

I will move at the next Meeting that, by Resolution, Standing Order No. 3 be changed (Meetings of the Council) to read as follows: 'Unless upon any occasion when it is otherwise fixed by Statute or by Resolution of the Council, Ordinary Meetings of the Council shall be held monthly on the fourth Monday of the months of September, October, November, December, January, February, March, April, May, June and July.'

Councillor Keary, in proposing the Motion, referred to the current limit on the duration of Meetings due to the COVID-19 Regulations and the difficulty in getting the business of the Council done within the Meeting timeframe, and queried the recommendation to refer the Motion to the Protocol Committee.

The Meetings Administrator advised that the option to adjourn the Meeting to another date was available to Members should the business of the Meeting not conclude within the 1 hr. 55 minutes timeframe, which had happened at the Meeting of 26th June.

Councillor Keary expressed disappointment that his Motion was not being put to the floor and requested that it be included on the agenda for the next Meeting of the Council.

16. Notice of Motion submitted by Councillor E. O'Brien

I will move at the next Meeting that Limerick City and County Council call on the Minister for Agriculture to confirm that, under the provisions of the Programme for Government entitled 'A Green New Deal,' the status of reclaimed land on the Shannon Estuary, Deel and Mague rivers will remain unchanged and land users will continue to be able to farm their lands.

The Motion was proposed by Councillor O'Brien.

Councillor Egan seconded the Motion but asked if it could be amended to include the Mulcair and Feale rivers. Councillor O'Brien had no objection to this.

The Motion, as amended, was adopted by the Council.

17. Notice of Motion submitted by Councillor L. Galvin (to be referred to Economic Development, Enterprise and Planning Strategic Policy Committee)

I will move at the next Meeting that this Council de-list all Protected Structures that fall in under the Derelict Sites Act for obvious reasons.

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

18. Notice of Motion submitted by Councillors B. Collins and E. Ryan (to be referred to Economic Development, Enterprise and Planning Strategic Policy Committee)

We will move at the next Meeting that Limerick City and County Council immediately set up an SME Task Force to support and plan for the future of all SMEs throughout Limerick City and County and that this Task Force should also feed into the Economic Forum.

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

19. Notice of Motion submitted by Councillor K. Sheahan

I will move at the next Meeting that the Mayor of the City and County of Limerick engage with his opposite numbers in Clare County Council and Tipperary County Council to form an alliance with a view to lobbying the Government to ensure the future prosperity of Shannon Airport.

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

The Members referred to the value of Shannon Airport and its importance to Limerick. The Mayor advised that he was due to meet Members of the two Local Authorities concerned during the following week and he would revert at the next Meeting with an update.

20. Notice of Motion submitted by Councillor A. Talukder (to be referred to Community, Leisure and Culture Strategic Policy Committee)

I will move at the next Meeting that Limerick City and County Council examine the feasibility of a Shannon River Cruise Development Project as this project will be helpful to attract local tourists in the ongoing post COVID-19 period and, in the long term, promote Limerick City's attractiveness to foreign tourists.

It was agreed to refer the Motion to the Community, Leisure and Culture Strategic Policy Committee for consideration.

21. Notice of Motion submitted by Councillor C. Sheehan (to be referred to Protocol Committee)

I will move at the next Meeting that the Council erect a plaque in memory of Captain Thomas Keane at his place of birth at Wolfe Tone Street, Limerick.

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

22. Correspondence

The Correspondence circulated with the agenda was taken as read.

The Meetings Administrator referred to an e-mail in Correspondence dated 1st September, 2020, from Mr. Leo Quinlan (Commandant – retired), former Army Officer, referring to the Battle of Jadotville in the Congo in 1961 and outlining the background to a request that the eight Irish veterans still living should receive their long-awaited medals for bravery in action as soon as possible; also attached were details showing their county of birth, county of service and, in some cases, where they served/lived, with Limerick being included in relation to Lieutenant Noel Carey and Corporal Tadhg Quinn.

Members fully supported the request that the veterans should be honoured and it was agreed that a letter of support would issue to the Minister for Defence in this regard.

CHIEF EXECUTIVE'S ORDERS:

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

Signed:

Mayor

Date:
