

**MINUTES OF PROCEEDINGS AT ONLINE MEETING OF THE METROPOLITAN DISTRICT OF LIMERICK
HELD ON MONDAY, 15TH FEBRUARY, 2021 at 09:45 A.M.**

PRESENT IN THE CHAIR: Councillor Sarah Kiely, Cathaoirleach

MEMBERS IN ATTENDANCE:

Councillors Benson, Butler, Collins, Costelloe, Daly, Hartigan, Kilcoyne, Leddin, McSweeney, Murphy, Novak Uí Chonchúir, O'Dea, O'Donovan, O'Hanlon, O'Sullivan, Secas, Sheahan (M), Sheehan (C), Slattery and Talukder.

OFFICIALS IN ATTENDANCE:

Director, Service Operations (Mr. K. Lehane), Meetings Administrator (Mr. M. Leahy), A/Director, Capital Investment (Mr. S. Hanrahan), A/Senior Executive Officer, Corporate Services, Governance and Customer Services (Mr. J. Clune), Head of Property and Community Facilities (Ms. J. Leahy), Executive Engineer, Design and Delivery (Ms. N. Wilson), Staff Officer, Corporate Services and Governance (Ms. L. Creamer), Assistant Staff Officer, Corporate Services and Governance (Ms. S. Carroll).

At the outset, the Cathaoirleach welcomed Members, Officials, Members of the Press and the Public to the February Online Meeting of the Metropolitan District of Limerick.

The Meetings Administrator confirmed that recording of any parts of the Meeting was only permitted for Minute taking, and in accordance with Standing Orders agreed by the Elected Members.

1. Adoption of Minutes

(a) Circulated, copy of draft Minutes of the Monthly Online Meeting of the Metropolitan District of Limerick held on 18th January, 2021.

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

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

(b) Circulated, copy of draft Minutes of the Adjourned Online Meeting of the Metropolitan District of Limerick held on 27th January, 2021.

Proposed by Councillor O'Sullivan;
Seconded by Councillor Collins;
And Resolved:

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

2. Disposal of Land / Proposed Sub-Lease

(a) (i) Circulated, report of the Senior Staff Officer, Housing Support Services dated 21st January, 2021 setting out proposals to dispose of Freehold Interest of premises consisting of a dwelling house situate at 48 Carey's Road, Limerick and the intention to bring a Section 183 Notice to Full Council in this regard, for approval.

The report, as circulated, was noted by Members.

(ii) Circulated, report of the Head of Property and Community Facilities dated 25th January, 2021 setting out proposals to dispose of Freehold (Ground Rent) at 7, Bawnmore Road, Kennedy Park, Limerick and the intention to bring a Section 183 Notice to Full Council in this regard, for approval.

The report, as circulated, was noted by Members.

(iii) Circulated, report of the Head of Property and Community Facilities dated 4th February, 2021 setting out proposals to dispose of House Nos. 1 and 2 Long's Lane, Limerick and the intention to bring a Section 183 Notice to Full Council in this regard, for approval.

The report, as circulated, was noted by Members.

(b) Circulated, report of the Head of Property and Community Facilities dated 4th February, 2021 setting out proposals for the Sub-Lease of Property at Floors 3 and 4, Crescent House, Hartstonge Street, Limerick and the intention to bring a Section 183 Notice to Full Council in this regard, for approval.

The report, as circulated, was noted by Members.

3. Service Operations Directorate

Planning and Environmental Services

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

Circulated, Report of the A/Senior Planner, Planning and Environmental Services dated 2nd February, 2021 seeking approval to the taking in charge of the following housing estate and road :

Siul na hAbhann, Corbally
Link Road from Dock Road to Courtbrack Avenue

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

"That the estate at Siul na hAbhann, Corbally and the Link Road from Dock Road to Courtbrack Avenue be taken in charge in accordance with Section 180 of the Planning and Development Act 2000 (as amended) and Section 11 of the Roads Act 1993".

4. Capital Investment Directorate

Part 8 Procedure – Upgrade of Atlas Avenue and Courtbrack Avenue Junctions with the Dock Road, Limerick

Circulated, Report of the A/Director of Services, Capital Investment Directorate dated 5th February, 2021 and enclosed Chief Executive's Report dated 5th February, 2021 setting out details in relation to the upgrade of Atlas Avenue and Courtbrack Avenue Junctions with the Dock Road, Limerick. The report had been prepared in accordance with Section 179 3(a) of the Planning and Development Act 2000 (as amended) and Part 8 of the Planning and Development Regulations, 2001 (as amended) and noted that it was proposed to proceed in accordance with Section 5 of the report.

The Elected Members welcomed the proposed development, highlighting the importance of this infrastructure and noted it would allow for the improved operation and future development of the Docklands area.

The report, as circulated, was noted by the Elected Members.

QUESTIONS

5. Question submitted by Councillor J. Leddin

I will ask at the next Meeting of the Metropolitan District of Limerick that Limerick City and County Council provide the Elected Members with a list of all vacant sites, within the Metropolitan area, ownership details and the levy charged for these sites and if each owner has paid.

REPLY: Please find attached an extract from www.limerick.ie listing the sites currently on Limerick City and County Council Vacant Site Register. In accordance with Urban Regeneration and Housing Act 2015 the total amount Vacant Levies charged for 2019 was €506,450. To date LCCC have not received any payments in respect of the Vacant Site Levies owning.

REGISTER NUMBER	ADDRESS OF PROPERTY	FOLIO REF	OWNER	ADDRESS OF OWNER	VALUATION	DATE OF VALUATION	DATE ENTERED ONTO REGISTER	DISTRICT
VS-002-17	Clonmacken, Caherdavin, Limerick.	57425F	Osprey Construction Ltd.	34 William Street, Limerick.	€ 3,325,000.00	October 2019	19.06.2018	Metropolitan District
VS-008-17	Clonmacken, Caherdavin, Limerick.	LK38178F LK52734F LK52731F LK52739F LK9831	Grangechurch Ltd.	C/o PSC Accounting Services Ltd. Ground Floor, Crescent House, Hartstone Street, Limerick.	€ 4,600,000.00	October 2019	19.06.2018	Metropolitan District
VS-021-17	Rivers, Annacotty, Co. Limerick.	LK2207	John Scanlon	Rivers, Annacotty, Co. Limerick	€ 1,160,000.00	October 2019	19.06.2018	Metropolitan District
VS-022-17	Munret Street, off Broad Street, Limerick.	45523F	Cathedral Carpets	The Minister for Finance	€ 150,000.00	October 2019	19.06.2018	Metropolitan District
VS-023-17	Rivers, Annacotty, Co. Limerick.	LK59599F	Joe Ryan & Clair Ryan	Lisnagry, Co. Limerick.	€ 1,550,000.00	October 2019	19.06.2018	Metropolitan District
VS-025-17	Newtown, Castletroy, Co. Limerick.	LK63939F	Paddy Hoare, Building & Civil Engineering Contractors	Unit 20, Groody Neighbourhood Centre, Castletroy, Co. Limerick.	€ 1,100,000.00	October 2019	19.06.2018	Metropolitan District
VS-028-17	Ellen Street & Carr Street, Limerick	Not Registered	Gerard Madden	IM Properties Ltd., Greengate House, Carr Street, Limerick.	€ 700,000.00	October 2019	19.06.2018	Metropolitan District
VS-032-17	34-41 Catherine Street, Limerick.	LK55085F	Thanos Securities Limited c/o E.K.O	Aras Smith O'Brien, Bank Place, Ennis, Clare, V95 X09F	€ 500,000.00	October 2019	19.06.2018	Metropolitan District
VS-036-17	Lower Gerald Griffin Street, Limerick.	LK41562F	Rossa Mc Cosker	The Mall, Ballyshannon, Co. Donegal.	€ 275,000.00	October 2019	19.06.2018	Metropolitan District

6. Question submitted by Councillor C. Slattery

I will ask at the next Meeting of the Metropolitan District of Limerick can Limerick City and County Council confirm when the pylon at the entrance to Aspen Gardens, St. Patricks Road will be removed as it is the only pylon left and 6 pylons have been removed in surrounding areas.

REPLY: The ESB Networks Division have confirmed that the 38kv line has been retired a number of years ago from this area. The works associated with the removal of the pylons was stopped due to Covid 19 pandemic restrictions. The works associated with the removal of the pylons is not deemed to be essential by the ESB. The ESB confirm that when the Covid 19 restrictions are lifted that they would prioritise the removal of the pylon from the entrance to Aspen Gardens.

7. Question submitted by Councillor C. Slattery

I will ask at the next Meeting of the Metropolitan District of Limerick that in relation to some safety measures that were installed at Nelsons Cross, Castleconnell, can you advise when these safety measures will be completed as this is a very dangerous junction.

REPLY: Limerick City and County Council have carried out a number of safety measures at the Nelsons Cross junction over the past 10 years. Along the R525 Regional road, this junction exists along a straight section of road within a 60kmph speed limit zone. There are three properties located at the junction, which limit the scope for the realignment of the junction.

The safety measures carried out to date include signage on all approaches to remind drivers that they are approaching the junction, anti-skid surfacing in buff colour on all approaches. There are road markings on the R525 to warn drivers that they are approaching the junction.

There is a driver feedback sign on the R525 O'Brien bridge approach to the junction and Limerick City and County Council will place a further driver feedback sign on the Daly's cross approach.

There is an ESB pole, which is creating sightline issues as a motorist approaches the junction from the village. This pole is currently under consideration by ESB networks for relocation. This will require extensive changes to the ESB networks in the area with civils ducting and cabling also required. The ESB to date have not committed to a date to complete the works but this work is outstanding for the past 2 years. Note Limerick City and County Council carry out hedge cutting on all approaches to the junction regularly throughout the year.

8. Question submitted by Councillor C. Slattery

I will ask at the next Meeting of the Metropolitan District of Limerick, can Limerick City and County Council engage with Irish Rail regarding the bridge on the Old Cork Road that is retaining water. When it rains there is no proper drainage from the bridge and it is causing a flood under the bridge.

REPLY: Limerick City and County Council were in contact with Irish Rail on 1st December 2020 regarding this issue. Limerick City and County Council advised them of our intention to complete a road-resurfacing scheme under the structure in 2022, and that the water coming off their bridge is damaging our road surface. Limerick City and County Council recently completed road surfacing remedial works under the bridge. Irish Rail said they would consider works to eliminate the problem but could not commit to a definitive timeframe, as they were unsure of budgets in 2021. Limerick City and County Council will follow up on this issue to achieve a satisfactory solution.

9. Question submitted by Councillor E. O'Donovan

I will ask at the next Meeting of the Metropolitan District of Limerick for an update on the motion passed at October 2020 meeting requesting the use of bodycams for traffic wardens in City area. Have bodycams been introduced yet and if not, the reasons for this delay.

REPLY: The use of personal protective equipment (PPE) for local authority staff, including bodycams, etc. is an operational matter that is kept under constant review by Management having regard to Health and Safety requirements and situational assessments.

10. Question submitted by Councillor E. O'Donovan

I will ask at the next Meeting of the Metropolitan District of Limerick, would Limerick City and County Council consider taking Carrigogunnell Castle, Ballybrown Co. Limerick in charge or if they have explored ownership of this Castle, which attracts many visitors.

REPLY: It is acknowledged that Carrigogunnell is an important medieval castle. However, it is a complex building requiring very significant investment and the ownership of the property is not fully established. There are no plans at present for Limerick City and County Council to seek ownership of the building. As the castle is of national importance, Limerick City and County Council will arrange to discuss the matter further with the National Monuments Service and the Office of Public Works (OPW).

11. Question submitted by Councillor C. Sheehan

I will ask at the next Meeting of the Metropolitan District of Limerick for an update on the flood defences for Kings Island and Corbally.

REPLY: King's Island Flood Relief Scheme is currently at Planning / Development Consent Stage. A Significant Further Information submission was made to An Bord Pleanála resulting in a further observation period up to 7th January 2021. The Council is awaiting a response from An Bord Pleanála. Detailed design on the scheme is ongoing and tendering for contractors will commence once planning is confirmed.

Corbally comes within the Study Area for the Limerick City & Environs FRS. Appointment of consultants on this scheme is expected in the coming weeks. A Detailed Programme will be prepared by the Consultants following their appointment.

12. Question submitted by Councillor C. Sheehan

I will ask at the next Meeting of the Metropolitan District of Limerick for an update on any discussions between the Forward Planning Section of the Council and the Diocese in relation to the Bishops Field in Corbally.

REPLY: There has been a number of discussions with the Diocese in relation to the Bishops Field, Corbally. The Council are currently preparing the proposed Limerick Development Plan and it will be a matter for the owners of the land to make a submission to the Draft Plan.

13. Question submitted by Councillor C. Sheehan

I will ask at the next Meeting of the Metropolitan District of Limerick for an update on the amount of calls per week logged to report illegal dumping in the last 12 months.

REPLY: A total of 954 cases were received between February, 2020 and February, 2021 relating to litter / waste in the Limerick Metropolitan District.

An average of 18-20 calls are logged weekly in relation to these matters.

14. Question submitted by Councillor J. Leddin

I will ask at the next Meeting of the Metropolitan District of Limerick what fines or levies have been issued to Dunnes Stores for their empty retail unit on O'Connell Street and if these charges have been paid.

REPLY: This property is currently not on the Derelict Site Register or the Vacant Sites Register and is therefore not liable for any levies.

NOTICES OF MOTION

15. Notice of Motion submitted by Councillor S. Hartigan (to be referred to the Climate Action, Biodiversity and Environment Strategic Policy Committee)

I will move at the next Meeting of the Metropolitan District of Limerick that Limerick City and County Council investigate the possibility of introducing a bye law, requiring any landowners in the Metropolitan area who permits grazing horses on their lands, to apply for a holding licence. Licence holders would be required to keep a record of horse owners using their land and associated microchip numbers. Failure to have a holding licence would permit the Council to enter lands, seize horses and recover the costs from the landowner.

It was agreed to refer this Notice of Motion to the Climate Action, Biodiversity and Environment Strategic Policy Committee.

16. Notice of Motion submitted by Councillor C. Slattery (to be referred to the Local Electoral Area Briefings)

I will move at the next Meeting of the Metropolitan District of Limerick that Limerick City and County Council engage with Bus Eireann and the NTA to identify a turning point for the bus 303 on the Old Cork Road to include Georgian Village up as far as Rosmor.

It was agreed to refer this Notice of Motion to the Local Electoral Area Briefings and that the issue could also be included in any future discussions to take place with Bus Eireann and the National Transport Authority (NTA).

17. Notice of Motion submitted by Councillor C. Slattery (to be referred to the Local Electoral Area Briefings)

I will move at the next Meeting of the Metropolitan District of Limerick that Limerick City and County Council engage with Bus Eireann and the NTA to provide Glasgow Park and Flanker Court with a bus service.

It was proposed by Councillor Slattery, seconded by Councillor Daly and agreed to allow this Notice of Motion to be taken at the meeting.

In proposing the motion, Councillor Slattery highlighted the importance of providing a bus service for Glasgow Park and Flanker Court, particularly as elderly people and residents in the area had to walk a considerable distance to a bus stop. She also highlighted that this issue had been raised on numerous occasions in the past.

The Members referred to issues in relation to areas where bus services were not being provided, and the possible use of smaller buses to support link services for certain areas. The Members also agreed that decisions in relation to Limerick City bus services were being made at a national, rather than local level, and without any engagement, which was also frustrating.

It was proposed by Councillor Sheehan (C), seconded by Councillor O'Sullivan and agreed to amend the Notice of Motion as follows:

I will move at the next Meeting of the Metropolitan District of Limerick that Limerick City and County Council engage with Bus Eireann and the NTA to provide Glasgow Park and Flanker Court

with a bus service and invite a representative of Bus Eireann and the NTA to attend a Meeting with the Members of the Metropolitan District of Limerick to discuss bus issues and bus routes in the Metropolitan District area.

18. Notice of Motion submitted by Councillor E. Secas

I will move at the next meeting of the Metropolitan District of Limerick that this Council commends the Scottish Government in making available period products free of charge in their schools, educational institutions, and public buildings, and that having regard to the Period Products (Free Provision) Bill 2021 currently going through the Oireachtas, that the Metropolitan District asks the Chief Executive to conduct a pilot project to assess how this would work in Limerick City and County Council and report back to the Council by September 2021 on how such a scheme could operate.

The motion was proposed by Councillor Secas, seconded by Councillor O'Donovan and agreed.

In proposing the motion, Councillor Secas highlighted the importance of making period products available in public buildings, schools and in particular for young people.

REPLY: It is noted that the issue of the provision of free sanitary products in public buildings is the subject of the Bill as referenced. The Council will await the adoption of the law and the provisions and implications of same to be notified to Local Authorities in due course and will advise Elected Members accordingly. The Council will proceed with implementing the outcome of this process upon its completion at national level.

19. Notice of Motion submitted by Councillor E. Secas (to be referred to the Climate Action, Biodiversity and Environment Strategic Policy Committee)

I will move at the next Meeting of the Metropolitan District of Limerick that Limerick City and County Council establishes and provides a tree planting grant for community and voluntary groups similar to the Maintenance of Open Spaces Grant.

It was agreed to refer this Notice of Motion to the Climate Action, Biodiversity and Environment Strategic Policy Committee.

20. Notice of Motion submitted by Councillor E. O'Donovan

I will move at the next Meeting of the Metropolitan District of Limerick that Limerick City and County Council extend event casual trading licences during Covid restrictions to facilitate rate paying businesses to operate outdoor trade in specified areas.

The Motion was proposed by Councillor O'Donovan.

REPLY: The Casual Trading legislation was introduced for the control and regulation of casual trading. At its core, it is a regulatory function of local authorities.

Casual Trading is regulated by the Casual Trading Act 1995, as amended, together with Limerick City and County Council's Casual Trading Byelaws. It is an offence under this Act to

trade without a valid casual trading licence. Casual Trading is divided into Designated Area trading and Special Event trading.

A Special Event Licence is granted only for the duration of the event taking place (such as a sports event). A Casual Trading Special Event Licence cannot be extended.

As there are no events taking place currently due to Covid 19 restrictions there are no casual trading special event licences being issued.

Additionally, the proposal to extend casual trading licences to rate paying businesses only, is not provided for in the law, could be both illegal and discriminatory and would likely be subject to challenge under competition law.

The current Covid advice recommends strongly against unnecessary gatherings, which this proposal could inadvertently facilitate.

The Elected Members noted that the current Casual Trading Bye-Laws were in place for a number of years and certain aspects of trading may have changed due to Covid 19 outbreak. They agreed that it was important to safeguard existing ratepayers and businesses.

Councillor O'Donovan then withdrew her Motion.

21. Notice of Motion submitted by Councillor S. Novak Uí Chonchúir (to be referred to the Travel and Transportation Strategic Policy Committee)

I will move at the next Meeting of the Metropolitan District of Limerick that Limerick City and County Council develop and deliver a communication/education campaign about safe and appropriate parking practices, with a focus on the dangers of parking on footpaths, cycle lanes and bus stops.

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

22. Notice of Motion submitted by Councillor C. Sheehan

I will move at the next Meeting of the Metropolitan District of Limerick that Limerick City and County Council launch a public awareness campaign to deal with the issue of increased illegal dumping and littering during the Covid 19 lockdown.

The motion was proposed by Councillor Sheehan (C), seconded by Councillor O'Sullivan and agreed.

In proposing the motion, Councillor Sheehan (C) highlighted the issue of increased littering across the city.

Members supported the motion and referenced the issue of increased litter, particularly around the Three Bridges walk in the City Centre, as this was much busier at the present time. They also noted the increased amount of dog fouling.

The Members also commended the voluntary work being done by some individuals and groups who were going out to pick up litter in their areas. It was agreed that a letter of thanks from the Elected Members would issue to individuals involved in general clean ups and litter picking, to acknowledge their voluntary efforts in trying to keep their areas clean and litter free. Members agreed to submit the details of any individuals to the Meetings Administrator who would arrange to write to them.

The Director, Service Operations noted the request to focus the Litter Wardens attention on the areas referred to and he agreed to re-circulate the report on Litter Management Plan to the Members.

REPLY: In addition to the current anti-litter campaign, it is the intention of Limerick City and County Council to roll out a suite of anti-dumping campaign materials that has been created and tailored specifically for each Local Authority by MyWaste.ie. Materials include press adverts for local press, posters, social media assets, static posts and GIFs, animation, flyer, etc. The Council will also continue with initiatives that encourage good behaviour in relation to litter such as Green Schools Programme, supporting Tidy Towns groups, Team Limerick Clean Up, National Spring Clean and other anti-litter initiatives.

23. Notice of Motion submitted by Councillor C. Sheehan

I will move at the next Meeting of the Metropolitan District of Limerick that Limerick City and County Council rejects the move by the Minister for Housing, Planning and Local Government to strip Councillors of powers to veto the sale of public land through the proposed Land Development Agency Bill.

The motion was proposed by Councillor Sheehan (C), seconded by Councillor Benson and agreed.

It was proposed by Councillor Butler to amend the motion, seconded by Cllr M. Sheahan and agreed.

I will move at the next Meeting of the Metropolitan District of Limerick that Limerick City and County Council rejects the move by the Minister for Housing, Planning and Local Government to strip Councillors of powers to veto the sale of public land through the proposed Land Development Agency Bill and that the Members of the Metropolitan District write to the Minister for Housing, Planning and Local Government advising him of this.

The Members expressed concern at the contents of the Land Development Agency Bill that was currently before the Oireachtas. These concerns related particularly to possible changes to the disposal of public land, which would affect the input of local Elected Members, which was always a reserved function of the Members. While it was noted that this was a draft Bill at the current time and consequently subject to further changes and amendments, the Members agreed it would be a further undermining of the powers of local authorities, which was disappointing.

24. Correspondence

Correspondence was noted and taken as read.

25. Condolences

The Members extended their condolences and sympathy to the family of Emer Williams, daughter of former Cllr Cormac Hurley, Caherdavin who had passed away recently, and they extended their sympathies to her family on her passing.

This concluded the Meeting.

Signed:

CATHAOIRLEACH

Dated:
