

CORRESPONDENCE

MEETING OF THE METROPOLITAN DISTRICT OF LIMERICK

21ST JUNE, 2021

- Email dated 13th May, 2021 from the Office of the Minister for Public Expenditure and Reform in reply to Notice of Motion from Members that Limerick City and County Council write to the Ministers for Justice, Finance and Public Expenditure to make provisions where drug trafficking monies confiscated under the Proceeds of Crime Legislation be redirected from Central Government back into local addiction services, youth and community organisations to combat the effect of addiction on our communities, and that the necessary legislation is changed as a matter of urgency to allow this vital funding support to happen.
- Letter dated 4th June, 2021 from the Office of the Minister for Agriculture, Food and the Marine in reply to Notice of Motion from Members to write to the Minister for Agriculture to impress upon him the urgent need to implement an updated Control of Horses Act to give more effective powers to the Department of Agriculture, Local Authorities and the Gardai to deal with the urban horse control problem and strengthen the powers in relation to animal cruelty.
- Letter dated 4th June, 2021 from the Infrastructure Manager, Irish Rail in reply to the following Resolution from Members :
 - **I will ask at the next Meeting of the Metropolitan District of Limerick can Limerick City and County Council advise what are the plans for the railway line running behind Rathbane and Janesboro. This unused railway line is causing anti social behaviour and rubbish dumping which is leading to rat infestation. Can the Council liaise with Irish Rail to get this problem sorted out.**

From: Minister McGraths Office <per-mmo-correspondence@cloud.gov.ie>
Sent: Thursday, May 13, 2021 3:32 PM
To: Leahy, Mark <mark.leahy@limerick.ie>
Subject: PER-MMO-00072-2021

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Our ref: PER-MMO-00072-2021

Mr Mark Leahy
Corporate Services
Limerick City and County Council
Corporate Headquarters
Merchants Quay
Limerick
V94 EH90

Dear Mr. Leahy,

I refer to your colleague, Mr. Clune's correspondence of 21 December, 2020 relating to the confiscation of monies under the Proceeds of Crime Acts 1996-2016, the proposal to direct this money to local services and to make legislative changes to allow this to occur. I wish to apologise for the delay in responding to your correspondence. My officials and I have been engaging intensively on developing options for consideration in relation to this matter since late last year, and I was not in a position to provide a substantive reply to your query until an outcome to those considerations was reached.

I wrote to my colleague the Minister for Justice last January inviting views as to how funding for local services might benefit from seizures by the Criminal Assets Bureau and An Garda Síochána which are subsequently determined to be the proceeds of crime. I can advise that we had a very constructive discussion in early March about developing proposals in relation to community safety policy, which would be a visible means of showing a link between seizures of the proceeds of crime and the provision of public funding for communities.

As I have stated previously in Parliamentary Questions on this issue, any proposal to ring fence funding allocations would contravene a general principle of public financial management that earmarking revenues for a specific expenditure programme would constrain the Government in the implementation of its overall expenditure policy. There can also be practical difficulties in ring-fencing funds collected by the Criminal Assets Bureau and An Garda Síochána owing to the variable and uncertain nature of the value of the assets seized in any given year. The potential delays caused by legal challenges to court disposal orders would also be problematic in terms of the continuity of provision of funding for community projects from year to year.

Notwithstanding this position, the continued importance of community crime prevention initiatives and the need for the prioritisation of funding for such initiatives is a matter on which both the Minister for Justice and I are fully agreed. I am of the view that as a Government we should clearly demonstrate to communities how success in detecting and combatting crime can be linked in more transparent ways to support for diversion programmes while respecting the principles of public financial management.

In recent months, officials within the Department of Justice and my own Department worked to further develop these proposals which resulted in the Minister of Justice and I jointly announcing our agreement in principle to establish a new fund to support community safety. The announcement which is available at <http://www.justice.ie/en/JELR/Pages/PR21000094> outlines that the new Community Safety Innovation Fund will be included in the Justice Vote as part of the Estimates Process for 2022 and will reflect the significant successes of An Garda Síochána and the Criminal Assets Bureau in disrupting criminal activity and seizing proceeds of crime.

The Community Safety Innovation Fund will support the work of new Community Safety Partnerships in every local authority area by providing prioritised funding to the best community safety proposals. It will also encourage the development of innovative ways in which to improve community safety from people within the community itself, as each Community Safety Partnership will bring together residents, community representatives, business interests, councillors, local authorities and State services such as An Garda Síochána, Tusla and the HSE to devise and implement Local Community Safety Plans. The Plans will detail how best the community wants to prevent crime and will reflect community priorities and local safety issues. The goal is to make communities safer for families, residents and businesses.

Yours sincerely

Michael McGrath TD
Minister for Public Expenditure and Reform.

The Minister is a Designated Public Official under the Regulation of Lobbying Act, 2015 (details available on www.lobbying.ie)

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Tá an fhaisnéis atá sa ríomhphost seo (agus in aon cheangaltáin) faoi rún agus is don fhaighteoir/do na faighteoirí beartaithe é agus é/iad sin amháin. Mura tusa an faighteoir beartaithe, níor cheart duit an teachtaireacht seo ná aon chuid di a úsáid, a noctadh, a chóipeáil, a dháileadh ná a choinneáil. Sa chás gur trí earráid a fuair tú an ríomhphost seo, tabhair fógra dom láithreach faoi sin agus scrios gach cóip den ríomhphost seo ó do ríomhchóra(i)s. Tabhair faoi deara go bhféadfaidh an ríomhphost seo agus aon fhreagra air bheith faoi réir iarraidh ar a eisiúint de bhun an Achta um Shaoráil Faisnéise



4 June 2021

Mr James Clune

Meetings Administrator

Limerick City and County Council
Merchants Quay
Limerick



Limerick City & County Council

10 JUN 2021

Received

Dear Mr Clune,

I refer to your correspondence from members of the Limerick Metropolitan District in relation to the Control of Horses Act. The delay in replying to your letter is very much regretted.

The Minister has asked me to let you know that the Control of Horses Act, 1996 is currently under review within the Department and plans for replacement legislation are well advanced. The aims of the replacement legislation are to simplify and clarify procedures in the Act in terms of seizure and disposal of horses. A further element is to re-examine the requirement to have a horse license, the objective of which may have been superseded by the Identification of Equidae Regulations (SI No 62 of 2016).

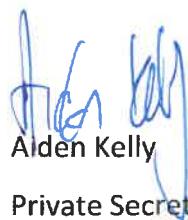
Commission Implementing Regulation (EU) 2015/262, which came into effect on 1st January 2016, lays down the rules governing the identification of equidae. This legislation was transposed into national legislation in Ireland by the European Union (Identification of Equidae) Regulations (SI No 62 of 2016). This sets down the rules regarding the identification of equines for owners/keepers of equines who are responsible for their identification.

Enforcement of equine identification legislation is primarily undertaken by authorised officers throughout the Department's Regional Office network and at slaughter plants. These officers work closely with veterinary colleagues in the Local Authorities and liaise with members of An Garda Síochána and Revenue Commissioners officials as required. Authorised officers from the Department also carry out checks at sales venues including marts and fairs, as well as export points including ports and airports.

The members will wish to be aware that work is continuing within the Department to undertake a national equine census by the end of this year. This will establish the number of equines in the country and the residences at which they habitually reside. Further development of a central database to provide for the easy updating of equine residence data is also planned.

In addition, the Department has initiated and supports a number of other measures to help to improve the equine welfare situation, particularly with a view to developing longer term, sustainable solutions to problems. The Programme for Government includes a commitment to provide for additional urban horse welfare programmes.

Yours sincerely,



Aiden Kelly
Private Secretary



Mr Mark Leahy,
Meetings Administrator,
Corporate Services,
Limerick City and County Council,
Corporate Headquarters,
Merchants Quay,
Limerick.

Limerick City & County Council

11 JUN 2021

Received

04th June 2021

Dear Mark,

I refer to your letter dated 28th April 2021, which was posted to the District Manager, Limerick. This letter was forwarded to the Infrastructure Manager, Limerick Junction.

Please find attached letters within, dated 16th June 2020, which were sent to Manager Housing Section, Limerick CoCo and Environmental Health Services, Health and Safety Executive West.

My Regional Manager, Irish Rail Environmental Executive and Limerick Permanent Way Inspector met with Limerick CoCo Litter Superintendent and the Housing Section on 02nd July 2020 to visit and walk the area in question to determine as to what measures could be put in place to prevent this type of anti-social behaviour. It was noted that at the rear of 6No houses in Raheen Square, adjacent to the railway, that there were no rear boundary walls separating the houses and this area was used for dumping and gaining access to the track for further dumping. We were advised that the Housing Section would investigate this with the view of erecting boundary fences/walls to the rear of these properties in an attempt to prevent further illegal dumping.

We have carried out a number of "litter runs" along this section of land with the last one on 21st - 23rd Dec 2020. The clean-up costs incurred by Iarnród Éireann are extensive as specialist contractors/skip hire/pest control services have to be procured.

We would be grateful if you the Council could approach the residents within this area and carrying out any investigations into unlawful disposal of waste. If access to the railway line is required then please do not hesitate to contact my Regional Manager, Mick Dwyer, on 087-9482643 who will duly assist.

P.J. Regards,

Niall J. Lynch

Infrastructure Manager

Limerick Junction

Stáisiún Uí Chonghaile, Balle Átha Cliath 1, D01 V6V5
Connolly Station, Dublin 1, D01 V6V5
01 703 nnnn 01 703 nnnn info@irishrail.ie www.irishrail.ie

Manager Housing Section,

16.06.2020

Limerick City Council

Limerick City and County Council,

Dooradoyle Road,

Dooradoyle, Limerick,

V94 WV78

A Chara,

Iarnród Éireann Infrastructure wish to advise the Housing section of Limerick City Council that extensive and unlawful disposal of waste is taking place at residences adjoining IE property at Garryglass Avenue, Limerick. Household and general waste is consistently dumped along a section of track located in the Rosbrien/Rathbane area of the city.

Clean up costs incurred by Iarnród Éireann are extensive due to the requirement to procure contractors, hire skips and engage waste disposal and pest control services.

Overleaf is an image taken in early June 2020 of the rubbish being dumped adjacent to the line directly behind residences at Garryglass Avenue.

In some cases, where household litter has been dumped onto trackside embankments, rat infestations can occur, which can lead to health and safety issues for our staff and nearby residents.

We would be very grateful if the council undertook a preventative approach to dealing with these occurrences of illegal dumping and carry out an investigation into unlawful disposal of waste at this location.

Please do not hesitate to contact my Regional Manager, Mick Dwyer, on 087-9482643, if you have further queries.

Yours Sincerely,



Niall Lynch,

Infrastructure Manager

Limerick Junction

County Tipperary



Image above shows unlawful waste disposal along the trackside verge adjacent to Garyglass Avenue



Map of the Rosbrien/Rathbane area.

Stáisiún Úi Chonghaile, Baile Átha Cliath 1, D01 V6V6
Connolly Station, Dublin 1, D01 V6V6
01 703 nnnn • 01 703 nnnn • info@irishrail.ie • www.irishrail.ie

Environmental Health Service,
Health Service Executive West,
Ashbourne Hall,
Ashbourne Business Park,
Dock Road,
Limerick
V94 NPEIO
16.06.2020

RE: Disused Railway Line beside Garryglass Avenue, Ballinacurra, Weston, Limerick.

Dear Mary,

Your letter of the 02.06.2020 was forwarded to me by our Stationmaster, Limerick. We are fully aware of the rodent issues, which are directly caused by chronic and systematic illegal dumping of household waste onto IE owned property and not by the overgrowth in the area.

Illegally dumped material is removed from this area on a periodic basis (see photos attached of the recent clearance exercise carried out by us at Rathbane on the 4th and 5th June 2020). Unfortunately, this problem has been magnified substantially during the Covid 19 pandemic. As a result, we are also planning to put in place suitable pest control/baiting services in the near future.

We have made contact with Limerick Co. Co. on a number of occasions requesting a meeting at this location to examine how we can best address this problem jointly, as IE are not responsible for generating this waste and we have spent vast sums of money erecting security fencing at this and other areas of trespass over a number of years in addition to our periodic clean ups.

Please note that this line is a disused railway line and any extensive vegetation removal within nesting season is not permitted under the Wildlife Amendment Act 2000 during the period March 1st to August 31st each year. It must also be noted that many of the residents we have spoken to in this area do not want the overgrowth removed from the fence line as this would leave them exposed to vandalism and other anti-social behaviour such as stone throwing.

Please do not hesitate to contact my Regional Manager, Mick Dwyer, on 087-9482643, if you have further queries.

Yours Sincerely



Niall Lynch

Infrastructure Manager

Limerick Junction

County Tipperary

Rubbish Removed at Rathbane, Co Limerick 4th + 5th June 2020



