

**10<sup>th</sup> June 2021**

**To the Mayor and Each Member of Limerick City and County Council**

**Chairperson's Report of the Climate Action Biodiversity and Environment Strategic Policy  
Committee Meeting of 8<sup>th</sup> June, 2021.**

The Chair, Cllr. Jerome Scanlan opened the meeting.

**Item 1: Adopt Minutes of Climate Action, Biodiversity and Environment Strategic Policy  
Committee of the 13<sup>th</sup> April 2021:**

The minutes were proposed by Cllr. Galvin and seconded by Cllr. Collins (B) and adopted.

**Item 2: Director's Update:**

Mr. Gallagher read the Directors update in Mr. Kennedys absence.

**Recommendation from CABE SPC to May meeting of Limerick City and County Council –  
Annacotty Weir**

At the May 2021 meeting of Limerick City and County Council, the recommendation of the Climate Action, Biodiversity and Environment SPC in relation to Annacotty Weir (*that the Annacotty Weir be removed because of its negative impact on biodiversity and critically endangered species*) was brought before the Council for consideration.

The recommendation from the SPC was considered by the Council and, on the proposal of Councillor Hartigan, seconded by Councillor Secas, the Council agreed to amend the recommendation to read "that the Annacotty Weir be adapted to improve fish migration"

It was also acknowledged at the meeting that, since the April meeting of the Climate Action, Biodiversity and Environment SPC, Eamon Ryan TD, Minister with responsibility for Inland

fisheries has announced that Inland Fisheries Ireland (IFI) will lead an Annacotty weir fish passage improvement project and that IFI will progress this project in collaboration with various state agencies and key stakeholders through the multiple phases involved in improvement of fish passage at the weir.

#### Change in LCCC Organisation Structure/Administration of CABA SPC moves to Planning Environment and Placemaking Directorate

SPC Members should be aware that from 1<sup>st</sup> July 2021, Limerick City and County Council's organisation structure is being amended. The knock-on effect for the CABA SPC is that from 1<sup>st</sup> July 2021 forward, the CABA SPC will be administered by the Planning Environment and Placemaking Directorate.

Ms. Hayes questioned if Limerick City and County Council could amend a recommendation from an SPC meeting. Cllr Sheahan (K) stated that SPCs make recommendations and the Council then decides what to do with those recommendations. Cllr Galvin suggested if a recommendation is amended by the Council it should then be brought back to the SPC for consideration. Cllr Secas replied that if this was the case it would take a number months before anything is decided. Mr. Gallagher stated that the SPC's recommendation was discussed in detail at the Council meeting and given full consideration. Cllr Collins noted that the recommendation may have been rejected outright at the Council meeting if it was not amended.

It was also noted that 'Circular LG 07/2014 - Establishment of New Strategic Policy Committees (SPCs) and Corporate Policy Group – Strategic Policy Committee Guidance' states that "SPCs prepare the groundwork for policies which are then decided on by the local authority" and that Section 48 of the Local Government Act (as amended) states that "strategic policy committees...consider matters connected with the formulation, development, monitoring and review of policy which relate to the functions of the local authority and...advise the authority on those matters."

Ms. Hayes wished to put on record that she did not accept the amendment made by the Council.

#### **Item 3: Update on Blue/Green Infrastructure Strategy (Anne Goggin, Senior Executive Engineer)**

Ms Goggin presented the findings from a stakeholder workshop which took place in May. She defined Blue/Green Infrastructure as a strategically planned network of natural and semi- natural areas with other environmental features designed and managed to deliver a wide range of ecosystem services' in both rural and urban settings. The benefits of same were discussed at the workshop and the access and connectivity issues to Blue/Green infrastructure in Limerick were explored. The SPC members thanked Ms. Goggin for her presentation.

**Item 4: Presentation on The Swift Box Project (Sinead Mc Donnell, Environment Education Officer, Urban & Rural Community Development)**

Ms. McDonnell began her presentation with details about the swift and their declining population. The Limerick city swifts nest boxes are intended to attract young swift i.e. first time nesters. Swift nest box sites are at The Hunt Museum, St. Mary's Cathedral, Limerick City and County Council, Merchant's Quay, King John's Castle Exhibition Centre and The Louvres of St. Michael's Church on Barrington Street. The presentation was received positively by all members.

**Item 5: Question submitted from Ms. Liz Gabbett**

"With reference to the CABE SPC October 2020 meeting, Item 6. Update on Review of Use of Herbicides by LCCC (Anne Goggin, Senior Executive Engineer, LCCC). Ms. Goggin noted the council would look at their contract for weed control and at pre-emergent spraying options. The Climate Action, Biodiversity and Environment Linkage group members are concerned about the continued use of herbicide spray in and around housing estates, public areas and parks. I request an update from LCCC and their contractors on how much herbicide is being applied annually and ask has there been a reduction in use and quantity of application over the past 5 years across the county and city?"

The reply – hereunder - was circulated to all members prior to the meeting.

*The herbicides used by the Council have the active ingredient Glyphosate. Herbicide is used directly by Council staff and also by contractors working on the Council's behalf as outlined below.*

***Grass cutting contractor***

*The grass cutting contractor uses approximately 9,000ltrs of herbicide per year (after mixing to manufacturer's instructions). The contract requires spraying in the following locations:*

- All grass within 300mm of any fence, pole, road side barrier, sign, lamp standard or tree will be trimmed and controlled by the application of a suitable herbicide; the use of any specific herbicide is subject to the approval of Parks & Landscaping Department. Grass growing onto any footpath or kerb must be cut back and controlled by means of a suitable herbicide. It is expected that there will be three no. sprays carried out on the relevant areas identified above during the growing season. It is expected that the first spray of all relevant areas will be completed prior to completion of the second cut. It is expected that the second full spray will be completed prior to completion of the fifth cut or June and finally October of each year.*

*This is the final year of the current contract and this has been identified as an area where reductions in herbicide can be made and this will be a factor in the next grass cutting contract.*

***Weed Control Contractor***

*The weed control contractor uses approximately 280 litres of undiluted product  
Contract includes the following:*

- *The supply and application of herbicide on areas adjoining footpaths, kerns, sign posts, kern channels, gullies and walls in both Limerick City and County Council Housing Estates in county areas and respective estates which have been taken in charge in Raheen, Dooradoyle, Castletroy, East and West Limerick, City Environs.*
  - 125 no County housing estates
  - 50 no Castletroy area housing estates
  - 103 no Dooradoyle-Raheen area housing estates
  - 59 no East and West Limerick housing estates
  - 236 no City Environs housing estates
- *The supply and application of herbicides on all public roads and public approach roads within the Metropolitan Boundary, including all foot ways, kerb channels, gullies and wall bases, currently being maintained by LCCC.*

*Several sections of the Council use herbicide directly:*

### **The Parks Section**

*The below table shows expenditure from the Parks Department to pesticide supplier Nomix Enviro:*

<i>Supplier</i>	<i>Date</i>	<i>Description</i>	<i>Total</i>
<i>Nomix Enviro</i>	<i>24/04/15</i>	<i>Nomix Dual 4 x 5L/batteries/cleaner</i>	<i>€5,700</i>
<i>Nomix Enviro</i>	<i>26/05/15</i>	<i>Nomix Systemic 4 x5L</i>	<i>€957</i>
<i>Nomix Enviro</i>	<i>10/06/15</i>	<i>Nomix Dual 4 x 5L</i>	<i>€1,240</i>
<i>Nomix Enviro</i>	<i>02/07/15</i>	<i>Nomix Dual 4 X 5L</i>	<i>€4,340</i>
<i>Nomix Enviro</i>	<i>27/08/15</i>	<i>Nomix Dual</i>	<i>€1,240</i>
<i>Nomix Enviro</i>	<i>07/03/16</i>	<i>Nomix Dual, Nomix Systemic, cleaner</i>	<i>€13,159</i>
<i>Nomix Enviro</i>	<i>24/05/17</i>	<i>Nomix, Repair to applicators</i>	<i>€992</i>
<i>Nomix Enviro</i>	<i>28/07/17</i>	<i>Nomix, Repair to applicators</i>	<i>€4,756</i>
<i>Nomix Enviro</i>	<i>07/09/17</i>	<i>Nomix Dual</i>	<i>€13,312</i>
<i>Nomix Enviro</i>	<i>13/05/20</i>	<i>Repair to applicators</i>	<i>€369</i>

*In 2021 the decision was taken to cease using herbicide products in the Council's Parks.*

### **Cemeteries**

*Cemeteries ceased using pesticides about two years ago.*

### **Cleansing Department**

*The Cleansing Department have not carried out spraying works in 2 years.*

### **Adare/Rathkeale and Newcastle West Housing Departments**

*Housing maintenance do some small amounts of spraying each year. There is no record of this available for each municipal district. The spraying is done by council staff. They target weeds on*

driveways and car parks of the area office and unoccupied council houses. They have not tried alternative means. Gardens sown for council tenants are sprayed for weeds if requested by tenant after initial grass seeding, if weeds are abundant.

### **Newcastle West Roads Department**

The Newcastle West Roads Department undertook a 3-year spraying programme for Japanese Knotweed, 2020 is year 3 of this programme. Other spraying is targeted at concrete kerbs, streets in towns and villages only. Max spend around €500 per year for all works, using Roundup or Gallup, twice yearly.

### **Adare/Rathkeale Roads Department - spend on herbicide for 2019/2020**

2020

15/5/20	120 lt MIZR	€456
18/5/20	40 lt MIZR	€152
18/5/20	60 lt Round Up	€348
22/6/20	120 lt MIZR	€456

2019

15/2/19	5 lt Round Up	€50
21/2/19	1 lt Garlon Ultra	€65
17/5/19	100 lt MIZR	€425
31/5/19	100 lt MIZR	€425
24/7/19	5 lt Round Up	€48.05
24/7/19	5 lt Clinic Up	€33.99
31/7/19	20 lt Round Up	€192
13/9/19	40 lt MIZR	€170

### **Cappamore/Kilmallock Housing Department**

Cappamore/Kilmallock Housing Department have limited information in relation to the use of pesticide. They use Round Up and estimate maybe 10 litres a year. Herbicide is applied using knapsack sprayers, for killing weeds in patio and stoned areas.

### **Cappamore/Kilmallock Roads Department**

In relation to weed spraying in this area, the only spraying undertaken is part of street cleaning operations, two members of staff have done the required training course.

The below table shows expenditure from the Cappamore/Kilmallock Roads Department area office to Nomix Enviro from 2014 to present and shows a decrease in expenditure and product.

Supplier	Date	Description	Total
Nomix Enviro	17/02/14	Nomix Dual 4 x 5L, Systemic 4 x 5L	€7,044
Nomix Enviro	25/02/15	Nomix Dual 4X 5L and Systemic 4 x 5L	€7,268

Nomix Enviro	14/08/16	Nomix Dual 4x5litres	€3,290
Nomix Enviro	30/06/16	Battery charger parts/service	€243
Nomix Enviro	28/09/18	Weed killer and spraying equipment	€3,728.62
Nomix Enviro	05/04/19	Weed killer	€3,316.57
Nomix Enviro	10/07/20	Weed killer Nomix 4 cartons	€438.37

*There has been some reduction over the past five years, but it is only since the review of usage was carried out that a determined effort to reduce herbicide application is being made. It will no longer be used in Council parks. It's use in green space is being reviewed, however the cost implications of moving to alternative methods of control such as strimming will need to be factored in. At present there is no viable alternative on hard surfaces.*

**Item 6: Notice of Motion submitted by Councillor B. Collins**

“I move at the next meeting that Limerick City and County Council seeks to engage a consultant to calculate the carbon credits that are created by trees and hedgerows throughout Limerick City and County and the findings be included in the LCCC Climate Change Adaption Strategy 2019-2024”.

In proposing the motion, Cllr Collins (B) noted that other rural counties have hedge strategies and asked for support from this SPC for her motion. The motion was seconded by Cllr Sheehan(K). Mr. Gallagher then read the reply.

*“Subject to the adoption of the Climate Action Bill 2020 which will require each Local Authority to develop a Climate action plan covering the areas of mitigation, adaptation and biodiversity, this plan will examine the role of the natural environment including trees and hedgerows in supporting the transition to a low carbon economy and society. As the SPC members may be aware the Council is currently drafting a tree management strategy and this motion can be examined as part of that process. “*

**Item 7: 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 of the Metropolitan District of Limerick that Limerick City and County Council identify suitable locations for additional public toilets within the Metropolitan area.”

In proposing this motion, Cllr Sheehan acknowledged the constructive work Mr. Kieran Lehane has done to support an outdoor summer. He asked that LCCC should source a wheelchair accessible, self-cleaning toilet. Cllr Secas seconded the motion adding her support for more inclusive, safe accessible toilets. Mr. Gallagher then read the reply:

*“Limerick City and County Council have conducted a pilot scheme in providing portable toilets at the following locations – 5 at Merchant’s Quay, 5 at Arthur’s Quay Park and 3 at Robert Byrne Park on*

*Clancy Strand. The success/effectiveness of the pilot is now being evaluated. The toilets of hospitality businesses engaging in outdoor dining are now also open to customers.”*

Cllr Sheehan then asked the Chair if Item 10 could be dealt with at this stage as it was also a motion of his and that he required to leave the meeting early. The Chair agreed.

**Item 10: 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 of the Metropolitan District of Limerick that the Council calls on all restaurants and takeaways with drive through facilities to print car registration numbers on all packaging for food and drinks items that are purchased and to call on the Minister for Transport, Environment and Climate Change to roll out the initiative nationwide”

In proposing the motion, Cllr Sheehan expressed his frustration at the amount of litter around the city and added that in his view 90% of litter around the city is takeaway packaging. Mr. Gallagher then read the reply:

*“LCCC notes the merits of introducing such a scheme but unfortunately we have not found a legislative basis under the Waste Management Act or Litter Pollution Act upon which we could compel vendors to affix vehicle registrations to takeaway bags. In terms of GDPR legislation vehicle registrations would be classed as personal information and it seems the takeaway vendors would have no lawful basis for collecting that information from their customers.*

*In similar advice the Data Protection Commissioner has advised that the collection of such information is disproportionate to the littering offence committed. The Department of the Environment, Climate and Communications currently have no plans to introduce legislation to give a legislative basis for doing this. The Waste Action Plan for a Circular Economy commits to substantially reducing the amount of single use plastic cups and food containers we use. Measures to achieve this include the introduction of levies, similar to the plastic bag levy. Producers have a role to play in cutting down on the amount of these items we use and, under the Single Use Plastics Directive and current Extended Producer Responsibility model, they will be liable for the costs of litter clean up associated with the products they place on the market.*

*Finally, it is noted that Minister Ryan has recently announced the allocation of €5m in additional funding for litter infrastructure and awareness campaigns to encourage people to dispose of their rubbish thoughtfully, in the context of an outdoor summer. The funding will add more recycling and litter facilities to meet increased demand but there is an onus on all of us to make a conscious effort to leave no trace. If the Motion is recommended by the CABE SPC and is subsequently approved by Limerick City and County Council, we will write to the Minister outlining the contents of the proposal.”*

Cllr Sheehan expressed his disappointment with the GDPR issues but understood the reasons contained in the reply. Cllr Secas then asked if Cllr Sheehan would agree to an amendment as follows:

“That Limerick City and County Council writes to the Minister for the Environment to consider the possibility of a system to trace drive through take-away litter offenders and that Limerick City and County Council run an awareness campaign aimed at preventing drive through take-away littering”

Cllr Sheehan agreed to this amendment. It was agreed that the amended motion would be a recommendation for the next Council meeting.

**Item 8: 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 the Metropolitan District of Limerick City and County Council introduce a digital advertising bins pilot program at parks that will remind people to feed the bin not the grass and will display public information messages and ads. Such a program will help the Council to get some revenue in return for the advertising opportunities”.

In proposing the motion Cllr Secas said she would like to see the initiative introduced in Parks first and then extended to bus stations and other locations. She envisages the benefits to be public messaging, a clean environment and a cost benefit advantage. Cllr Collins (B) seconded the motion Mr. Gallagher then read the reply:

*“The Council intends to roll out solar compacting bins in the city centre to address the increased waste being generated in the city. Funding is being made available nationally to Local Authorities for the purchase of these bins. The number and locations of these bins has yet to be determined and will be confined to areas of most need in the city centre. It is not possible to state at this time how many bins will be located in the Parks or whether they can facilitate digital advertising. The Council would need to investigate this as part of the procurement process. It is also worth noting that the CityxChange project is considering external digital signs around the city which is an alternative option to providing messaging on bins. The Council needs to consider the request of messaging and advertising further in order to determine the most appropriate method.”*

Cllr Secas indicated that she was happy with the reply but would need time to digest and understand it.

**Item 9: Notice of Motion submitted by Councillor J. Leddin (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 Metropolitan District Council requires the preservation of existing mature trees where feasible in all housing and commercial developments”.



Cllr Secas proposed the motion on behalf of Cllr Leddin who was unable to attend the meeting. Cllr Hartigan seconded the motion. Mr. Gallagher read the reply.

*“Mature trees are a hugely important asset in Limerick City and County. There are several relevant aims in Goal 4 of the Limerick City and County Corporate Plan 2019-2024 which aim to protect biodiversity and green infrastructure generally and which can be applied to trees. In addition, the Limerick City Development Plan 2010 -2016 (as extended) contains the following statement and policy aimed at preserving mature trees:*

***Trees & Urban Woodlands (Limerick City Development Plan 2010 - 2016)***

*Trees make a valuable contribution to the landscape, local visual amenity and biodiversity of Limerick City. They also have an educational and scientific value. Trees can help to absorb pollutants, filter dust, reduce noise, produce oxygen and reduce carbon dioxide as well as enhancing the aesthetics of the built environment and public realm thus benefiting Limerick City’s environmental and economic wellbeing. The Planning & Development Act 2000-2008 sets out the legal framework and procedures to make a Tree Preservation Order. To date the City Council has not instigated any Tree Preservation Orders, although it may consider additions within the lifetime of this plan, as resources allow.*

***Policy LBR.10 (Limerick City Development Plan 2010 - 2016)***

*It is the policy of Limerick City and County Council:*

- *To protect and maintain existing important individual and groups of trees from development risk, provide additional tree planting of native deciduous trees and other appropriate plantings through planning permissions in order to benefit local biodiversity;*
- *To strengthen the protection of trees in the City and protect tree lined settings;*
- *To preserve, maintain and increase the general tree cover in the City by extending planting at identified locations and identifying new sites suitable for the creation of small woodland areas;*
- *To make use of tree preservation orders to protect important trees or groups of trees which may be at risk;*
- *To protect and maintain existing important wetland habitats from development risk, encroachment of incompatible uses, and proposals for filling to ensure sustainability, enhancement of local biodiversity and retention of flood plain storage areas.*

*Finally, this issue will also be covered by the Limerick Tree Policy which is currently being drafted”.*

Cllr Hartigan asked the Chair if he could put forward a similar motion. The Chair agreed. The motion was clarified to read:

*“I will move at the next Meeting of the Metropolitan District of Limerick that Limerick Metropolitan District Council requires the preservation of existing mature trees where feasible on all lands zoned for commercial and housing development”.*

Cllr Collins (B) seconded this motion. Ms. Goggin commented that Blue Skies tree mapping will map all trees in Limerick city and county that are over 3 metres tall and that this would be helpful in fulfilling both of the above motions; and that the mapping is the first step and assigning a value to each tree then follows. Cllr Hartigan welcomed the reply and thanked Ms. Goggin.

The Chair then introduced Ms Nuala Gallagher, Director of Services, Planning, Environment and Placemaking Directorate given that the Planning, Environment and Placemaking Directorate would be assuming the administration of the Climate Action Biodiversity and Environment SPC from 1<sup>st</sup> July 2021 forward.

On foot of a request from Corporate Services for dates for the February and April 2022 SPC meetings, it was agreed to hold the Climate Action Biodiversity and Environment Strategic Policy Committee meetings on 8<sup>th</sup> February 2022 and 5<sup>th</sup> April 2022.

The meeting then concluded.

**Recommendation:**

That Limerick City and County Council writes to the Minister for the Environment to consider the possibility of a system to trace drive-through take-away litter offenders and that Limerick City and County Council run an awareness campaign aimed at preventing drive through take-away littering.

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**Jerome Scanlan**

**Chairperson of the Climate Action Biodiversity and Environment Strategic Policy Committee**