

MINUTES OF PROCEEDINGS AT MEETING OF LIMERICK CITY AND COUNTY COUNCIL HELD IN THE MILLENNIUM THEATRE, LIMERICK INSTITUTE OF TECHNOLOGY, MOYLISH, LIMERICK, ON MONDAY, 5TH JULY, 2021, AT 3 PM.

PRESENT IN THE CHAIR:

Councillor D. Butler, Mayor.

MEMBERS PRESENT:

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

OFFICIALS IN ATTENDANCE:

Chief Executive (Dr. P. Daly), Deputy Chief Executive and Director, Support Services (Mr. S. Coughlan), Director, National and Regional Shared Services (Mr. K. Lehane), A/Director, Economic Development and Enterprise (Mr. V. Murray), Director, Community, Tourism and Culture (Mr. G. Daly), Director, Housing, and Interim Director, Regeneration (Ms. C. Curley), Director, Transportation and Mobility (Mr. B. Kennedy), Director, Planning, Environment and Place-Making (Ms. N. Gallagher), Meetings Administrator (Ms. L. Flannery), Administrative Officers, Corporate Services and Governance (Mr. M. Leahy and Ms. F. McCormack), Financial Accountant (Mr. P. Murnane), Administrative Officer, Finance Section (Mr. K. Dore), Staff Officer, Property and Community Facilities (Mr. J. Cregan).

1. Adoption of Minutes

Circulated, copies of draft Minutes of the following Meetings:

- (a) Ordinary Meeting of the Council held on 24th May, 2021.
- (b) Special Meeting of the Council held on 24th May, 2021.
- (c) Special Meeting of the Council held on 14th June, 2021.
- (d) Adjourned Special Meeting of the Council held on 16th June, 2021.
- (e) Adjourned Special Meeting of the Council held on 17th June, 2021.

Proposed by Councillor Sheahan (J);

Seconded by Councillor Collins (M);

And Resolved:

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

2. Declaration of Interest

The Meetings Administrator stated that, in line with Part 15 of the Local Government Act, 2001, as amended, and the Code of Conduct, she was inviting those present to notify

the Mayor of any declaration of interest in any item due for discussion at the Meeting. No such interests were declared.

3. Disposal of Land

- (a) Circulated, copy of Statutory Notice dated 11th June, 2021, concerning disposal of land at Rossfinch, Ballinahinch, Co. Tipperary, together with Ordnance Survey Sheet No. 4507-B.

Proposed by Councillor Collins (M);

Seconded by Councillor Leddin;

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 comprising 0.024 Ha. At Rossfinch, Ballinahinch, Co. Tipperary, to Martin Ryan, Ballinahinch, Co. Tipperary, subject to Martin Ryan being responsible for the Council’s reasonable legal costs and Martin Ryan to indemnify Limerick City and County Council against all claims, liabilities of whatever nature in respect of any services on this site, particulars of which were contained in Statutory Notice dated 11th June, 2021.”

- (b) Circulated, copy of Statutory Notice dated 11th June, 2021, concerning disposal of property at Glengort, Tournafulla, Co. Limerick.

Proposed by Councillor Collins (M);

Seconded by Councillor Leddin;

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 (0.22 acres) at Old School House, Glengort, Tournafulla, Co. Limerick, to Thomas Hassett, for the sum of €10,000, the disposal to be subject to the covenants and conditions contained within the contract, particulars of which were contained in Statutory Notice dated 11th June, 2021.”

- (c) Circulated, copy of Statutory Notice dated 22nd June, 2021, concerning disposal of property at 1, Grennan Villas, St. Joseph’s Terrace, Limerick.

Proposed by Councillor Collins (M);

Seconded by Councillor Leddin;

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 (0.010 acres) at 1, Grennan Villas, St. Joseph’s Terrace, Limerick, to Daniel Byrne, for

the sum of €176,000, the disposal to be subject to the covenants and conditions contained within the contract, particulars of which were contained in Statutory Notice dated 22nd June, 2021.”

- (d) Circulated, copy of Statutory Notice dated 24th June, 2021, concerning disposal of property at 35, Thomas Street, Limerick.

Proposed by Councillor Collins (M);
 Seconded by Councillor Leddin;
 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 freehold (ground rent) interest in 35, Thomas Street, Limerick, to Anthony Kiely, for the sum of €35,000, particulars of which were contained in Statutory Notice dated 24th June, 2021.”

- (e) Circulated, copy of Statutory Notice dated 24th June, 2021, concerning disposal of property at 1-4 Parnell Street, Limerick.

Councillor Benson stated that she was objecting to this disposal and asked for it to be noted in the Minutes.

Proposed by Councillor Collins (M);
 Seconded by Councillor Leddin;
 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 0.0168 Hectares at rear of 1-4 Parnell Street, Limerick, to Ballymount Properties Limited, for the sum of €12,500, particulars of which were contained in Statutory Notice dated 24th June, 2021.”

- (f) Circulated, copy of Statutory Notice dated 24th June, 2021, concerning disposal of land located between Main Street and Marian Place, Patrickswell, Co. Limerick.

Proposed by Councillor Collins (M);
 Seconded by Councillor Leddin;
 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 0.0159 hectares of land located between Main Street and Marian Park, Patrickswell, to Una Pigott, with Una Pigott to transfer 0.0034 hectares of land comprising a public footpath to the Council, particulars of which were contained in Statutory Notice dated 24th June, 2021.”

- (g) Circulated, copy of Statutory Notice dated 24th June, 2021, concerning disposal of property at Castletroy, Co. Limerick.

Proposed by Councillor Collins (M);
 Seconded by Councillor Leddin;
 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 0.224 acres at Castletroy, Co. Limerick, to Foras Pátrúnachta na Scoileanna Lán-Ghaeilge Teoranta, for the sum of €20,000, particulars of which were contained in Statutory Notice dated 24th June, 2021.”

- (h) Circulated, copy of Statutory Notice dated 24th June, 2021, concerning disposal of land at 214, O’Malley Park, Southill, Limerick.

Proposed by Councillor Collins (M);
 Seconded by Councillor Leddin;
 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 214, O’Malley Park, Southill, Limerick, to Marion Nolan, Legal Personal Representative (LPR) of John Sheehy, deceased, 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 24th June, 2021.”

4. Local Property Tax

Circulated, report from the Director, Support Services, dated 30th June, 2021, in relation to Local Property Tax – Local Adjustment Factor 2022.

The Director, Support Services explained that the authority to vary the base rate of the Local Property Tax (LPT) is prescribed in the Finance (Local Property Tax) Act, 2012, as amended by the Finance (Local Property Tax) (Amendment) Act 2013. He then proceeded to give a PowerPoint presentation updating Members in relation to the following:

Local Property Tax

- That the Government had recently announced plans to proceed with a revaluation of Local Property Tax later in 2021, to take effect for the 2022 liability year;
- That Heads of a Bill have been published by the Government with the intention that the necessary legislation will be enacted by the Oireachtas before the Dail summer recess;
- The legislation has brought forward the deadline for notifying Revenue of the Local Adjustment Factor (LAF) to the 31st August in a revaluation year;

- The Department had clarified in June 2021 that the yield from LPT for 2022 will be at least the same as the 2021 Baseline which was €17,554,464;
- Valuation bands were being widened for calculating LPT liabilities to ensure that most homeowners will face no increase when properties are revalued on the 1st November, 2021;
- Property valuations to be reviewed every four years;
- New properties will be brought into the system each November and that this would amount to an estimated 3,333 new properties, based on data from the Central Statistics Office (CSO);
- Local authorities to retain 100% of LPT collected in their area;
- Public Consultation-The public consultation process regarding the LPT was advertised both online and in the local media and submissions had to be received by 28th June, 2021. One submission was received requesting no change on 2021.

The 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, 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 €2.4m which was allocated as follows for 2021:

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 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.

Based on preliminary projections for Budget 2022, he confirmed that the Council has additional unfunded demands and the main items contributing to this on the income side are limited Commercial Rates buoyancy, the impact of Covid 19 and Brexit on collections, and continued appeals to the revaluation process. On the expenditure side, he also confirmed the main variances as loan charges, insurance, and Covid 19 Economic and Public Realm Revitalisation.

The Members thanked the Director, Support Services, for the PowerPoint presentation and for the Workshop organised for Members on the Local Property Tax. The Members noted the importance of the funding stream from the Local Property Tax on the delivery of many important services across the local authority, including General Municipal Allocation funded works.

They noted that if the proposed variation of the Local Property Tax did not go ahead, that charges for services elsewhere would have to be increased or else certain services or projects that were planned, may be curtailed or not go ahead.

Councillor Benson stated that there should be no variation of the Local Property Tax and that the current rate of Local Property Tax should apply for 2022, as people already had enough financial difficulties as result of the Covid pandemic.

Councillor J. Sheahan proposed to vary the Local Property Tax basic rate upwards by 15% for 2022. This proposal was seconded by Councillor M. Collins.

Councillor Benson proposed no change in the Local Property Tax basic rate for 2022. 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, in the form of a show of hands, on the Amendment proposed by Councillor Benson and seconded by Councillor Costelloe. As the majority of the Members were in favour of varying the Local Property Tax basic rate upwards by 15% for 2022, the Mayor declared the proposal from Councillor Benson defeated.

The Mayor confirmed the proposal of Councillor J. Sheahan, seconded by Councillor M. Collins, as carried and accordingly the following resolution was adopted:

Proposed by Councillor J. Sheahan;
Seconded by Councillor M. Collins;
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 2022 in respect of relevant residential properties situated in the administrative area of Limerick City and County.”

5. Welcome Address and Update on University Status

Professor Cunnane, President, Limerick Institute of Technology welcomed the Mayor and Elected Members and staff to the Millennium Theatre for their meeting, and he thanked the Members for giving him the opportunity to update the Members on the historic change for Limerick Institute of Technology, which was to take place from the 1st October, 2021.

From that date, there would be a merger of two Institutes of Technology, namely Limerick Institute of Technology and Athlone Institute of Technology, to become the Technological University of the Shannon: Midlands Midwest. The campuses for this new Technological University would be situated in Limerick City, Limerick Moylish, Athlone, Ennis, Thurles and Clonmel. This new Technological University would comprise 14,500 students and 2,000 staff

across the six campuses, with a total economic output of approximately €420 million per annum.

He outlined how the new Technological University will drive regional development and socio-economic progression, will facilitate local and regional higher education access and course choice, with university level qualifications for students in their own areas. This will benefit in attracting enterprise, skills retention and creation and increased direct investment into the regions served by the university.

It will also further expand the capacity of research and training that will not only support indigenous and multi-national companies already in the Midlands and Midwest, but will encourage further investment and development outside of Dublin.

The Technological University will help to meet these needs through developing the skills base and human capital of the Midlands and Midwest regions. Focusing on higher vocational, technical, technology-based and professional skills will be central to this objective. Raising regional productivity in the Midlands and Midwest will be essential for future economic development in these regions, especially in the indigenous enterprise sector.

He also confirmed that a wider and deeper skills base will also make both regions more attractive for inward investment, especially by overseas companies, and will help to grow future jobs and incomes – making for a better balance of spatial development in Ireland.

He acknowledged the close co-operation and support received from Limerick City and County Council and other agencies over the years, and he looked forward to a continuance of this in the years ahead with the establishment of the Technological University. He also noted the work of Limerick 2030 in the development of the City Centre, he referred to the exciting development of the new campus in Coonagh, and referenced LIT's sponsorship of the LIT Gaelic Grounds and the tremendous success enjoyed by Limerick hurling in recent years.

The Members welcomed the update on the new university status and praised the work and contribution that LIT had made, especially on the North side of the City. They agreed that this new Technological University would mean that Limerick would now have two universities, which was an exciting development for Limerick and the Mid-West region.

The Members agreed that this development would also make the region more attractive for inward investment, especially by overseas companies, and will help to grow future jobs and incomes, while also making for a better balance of spatial development in Ireland, which was also to be welcomed.

6. Support Services

(a) Chief Executive's Report

Circulated, Chief Executive's Report for the month of May 2021.

The Report was noted by the Council

(b) Proposed Schedule of Dates for Strategic Policy Committee meetings

Circulated, report of the Senior Executive Officer, Corporate Services, Governance and Customer Services, dated 28th June, 2021, together with Schedule of proposed dates for Strategic Policy Committee Meetings up to May 2022.

The Schedule, as circulated, was proposed by Cllr J. Sheahan, seconded by Cllr M. Collins, noted and agreed.

(c) Limerick Market Trustees

Circulated, report of the Senior Executive Officer, Corporate Services, Governance and Customer Services, dated 24th June, 2021, setting out details of the Council's representation on the Limerick Market Trustees, together with list of current Members.

The report stated 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 Kiely, seconded by Councillor Sheahan (J), the following Members were appointed to the Limerick Market Trustees for the coming year:

Councillor Daniel Butler (Mayor of the City and County of Limerick 2021/2022), Councillor Catherine Slattery (Cathaoirleach of the Metropolitan District of Limerick 2021/2022), Councillors Novak, Kilcoyne, O'Donovan, Daly, Collins (J), Sheahan (K), O'Dea, Talukder, Ryan (M), O'Sullivan, Kiely, McSweeney, Sheahan (M), Murphy, Mitchell, Sheehan (C).

(d) Strategic Policy Committee Reports

- (i) Circulated, Report of the Chairperson of the Economic Development, Enterprise and Planning Strategic Policy Committee dated 25th June, 2021, in relation to Meeting of the Committee held on 21st June, 2021.

The Report was noted by the Council.

- (ii) Circulated, Report of the Chairperson of the Climate Action, Biodiversity and Environment Strategic Policy Committee dated 10th June, 2021, in relation to Meeting of the Committee held on 8th June, 2021.

Recommendation

That, Limerick City and County Council write 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.

On the proposal of Councillor Sheehan (C), seconded by Councillor O’Sullivan, the Recommendation was agreed.

- (iii) **Community, Leisure and Culture Strategic Policy Committee:** Next Meeting scheduled for 8th July, 2021.

The position was noted by the Council.

- (iv) **Travel and Transportation Strategic Policy Committee:** Next Meeting of Committee scheduled for 9th July, 2021.

The position was noted by the Council.

- (v) Circulated, Report of the Chairperson of the Home and Social Development Strategic Policy Committee dated 16th June, 2021, in relation to Meeting of the Committee held on 16th June, 2021.

The Report was noted by the Council.

7. Community Development

Recommendations from the Assessment Panel: ENGINE Short Film Bursaries

Circulated, report of the Arts Officer dated 23rd June, 2021, setting out recommendations from the Assessment Panel, ENGINE Film Bursaries Scheme 2021.

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

“That, the approval of the Council be and is hereby given to the recommended allocations from the Assessment Panel, ENGINE Film Bursaries Scheme 2021, as set out in the report of the Arts Officer dated 23rd June, 2021.”

8. Conferences

(a) Participation by Members at Conferences

Details of the following Conference had been circulated electronically to the Members:

Conference - "Webinar - Velo City Cycle Diversity" held in Lisbon, Portugal, from 6th to 9th September, 2021:

On the proposal of Councillor Sheahan (J), seconded by Councillor Collins (M), the Council approved the attendance of the following Members:

Councillors E. O'Donovan and S. Novak Uí Chonchúir.

(b) Reports on Conference / Seminar / Meeting / Event

Circulated, report by Members who had participated at Conference / Seminar / Meeting / Event.

The report was noted by the Council.

QUESTIONS

Replies to the following Questions on the agenda were circulated to all Members prior to the Meeting and the Replies were therefore taken as read.

9. Question submitted by Councillor E. Secas

I will ask at the next Meeting when the process for the next City and County Speed Limit Review is scheduled to commence.

REPLY: The current Byelaws in respect of Special Speed Limits (general review) in Limerick became effective on 1st November, 2019, following a detailed review. In accordance with national guidelines, a comprehensive review and update should occur at least every five years. The next review should commence no later than November 2022 to allow adequate time for consultation.

10. Question submitted by Councillor S. Keary

I will ask at the next meeting, in relation to the Limerick Regeneration Process: (a) Since Limerick Regeneration began, how much money has been spent on this project; (b) The total number of houses that have been demolished in all of the three areas to date; (c) The number of new houses that have been constructed at the three locations to date; and (d) The proposed no. of houses to be constructed at these locations in the future.

REPLY: The Vision Plans for the regeneration of Southill and Ballinacurra Weston and for Moyross prepared by the Limerick Southside Regeneration Agency and Limerick Northside Regeneration Agency respectively were launched by President Mary McAleese in January 2008. These documents set out the broad objective for the regeneration of these three areas and followed the publication of the Fitzgerald Report in April 2007. The publication of the Limerick Regeneration Masterplan - A vision for Moyross, Southill/Ballinacurra Weston and St. Mary's Park followed in October 2008.

(a) Since Limerick Regeneration began, how much money has been spent on this project:

Expenditure in the first phase of Regeneration from start-up in 2007 to June 2012 is €152,282,611 when Regeneration was managed by the Limerick Regeneration Agencies. The Regeneration Agencies ceased in 2012 and the Regeneration Programme was transferred to Limerick City Council. Expenditure by Limerick City Council and Limerick City and County Council from June 2012 up to 2021 is €244,996,702. The spend relates to specific projects and objectives under the Social, Economic and Physical Framework Plans of the adopted Limerick Regeneration Framework Implementation Plan (LRFIP).

(b) The total number of houses that have been demolished in all of the three areas to date:

The demolition programme in the first period (up to the adoption of the LRFIP in February 2014) followed the objectives set out in the Vision Plans launched in January 2008 and the Regeneration Masterplan launched in October 2008. In line with the ambition of the Limerick Regeneration Masterplan published in 2008 under the Limerick Regeneration Agencies which favoured a 'clean slate' demolition approach and reflecting a sharp population decline in the regeneration areas over a 30-year period, **895 vacant and in some cases derelict or partially-derelict houses were demolished during the Limerick Regeneration Agency's tenure from 2007-2012.** To put this in context, the population of the areas involved declined by between 48 and 70 per cent in the 30 years up to Census 2011. In simple terms, many people had left these areas with a resultant spike in the number of vacant units, which adversely impacted on the quality of life of remaining residents and gave rise to additional problems with anti-social behaviour.

A comprehensive review of the programme was carried out from June 2012 (*following the transfer of responsibility for regeneration from the Limerick Regeneration Agencies to Limerick City Council*) to September 2013, which had regard to all relevant factors including the prevailing and projected economic circumstances. During the consultation process, the principle of large to full-scale demolition was reassessed. In addition, retention and refurbishment options were reviewed and identified, which shifted the focus away from wholesale demolitions. This reviewed approach is now embedded in the Limerick Regeneration Framework Implementation Plan (LRFIP) - a robust, evidence-based, measurable Implementation Plan adopted by elected members in February 2014.

The number of units demolished since the adoption of the Limerick Regeneration Framework Implementation Plan (LRFIP) in February 2014 across the 4 areas is 381 units. This includes demolitions in recent times in St. Mary's Park to deal with anti-social behaviour issues as part of a joint task force approach between An Garda Síochána and Limerick City and County Council.

In accordance with the commitment to review and Monitor the Limerick Regeneration Framework Implementation Plan (LRFIP), the *Demolition and Retention Strategy* for the four regeneration areas was reviewed in 2015 and again in 2018. The outcome of the review in 2015 saw the retention of an additional 44 houses (i.e., reduction in demolition of 44 houses). The review in 2018 saw the retention of an additional 36 houses in total with the two reviews, an additional 80 no. units were retained (i.e., reduction in demolition of 80 houses overall). Given that new housing proposed in the regeneration areas is replacement housing, the overall number of houses required, based on the calculation adopted in the LRFIP in 2014, reduces from 593 to 513 replacement homes.

(c) The number of new houses that have been constructed at the three locations to date;

(and the total number of new houses, apartments built in each area):

269 units have been completed to date across the four areas.

- 30-36 Moylish Road (7 units)
- Cliona Park Phase 1 (34 units)
- Vizes Court Phase 3 (29 units)
- Southill Older Persons Accommodation (35 units)
- Wallers Well Phase 1 (10 units)
- Cliona Park Gap Site (2 units)
- Cliona Park Phase 2 (10 units)
- Lord Edward Street (81 units)
- Churchfield Phase 1 (a), (b) and (c) (42 units)
- St Mary's Park Infill Housing (19 units)

(d) The proposed number of houses to be constructed at these locations in the future:

- Churchfield Phase 2 – 38 units - 18 month programme – site start August 2021 - substantial completion 01/02/2023.

- Cosgrave Park – 30 units – site start July 2021 - substantial completion 01/08/2022.
- Dagmaish Park – 27 units – site start September 2021 - substantial completion 01/12/2022.
- Cliona Park Phase 3 – 18 units – site start July 2021 - substantial completion 01/10/2022.
- Infills Moyross/Southill – 38 units – site start April 2021 – substantial completion 01/04/2022.
- Sheep Street – 8 units – site start September 2021 – substantial completion 01/12/22.
- 45/46 Cliona Park – 2 units – construction commenced – substantial completion 01/07/2021.

The type of properties these are (one, two, three, four etc. bed properties)

Each of the four areas have a different bed-type demand profile (based on the approved housing waiting list) that the new build replacement housing schemes meets.

On average, across the four areas, the profile for bed-types delivered and in progress is as follows:

- 1 bed: 15%
- 2 bed: 43%
- 3 bed: 38%
- 4 bed: 3%
- 5 bed: 1%

11. Question submitted by Councillor C. Sheehan

I will ask at the next Meeting for an update on the Part 8 process for the Limerick Institute of Technology to Mary Immaculate College cycleway.

REPLY:

The Council is currently progressing the designs of the following schemes: (i) Limerick Institute of Technology to City Centre; (ii) Mary Immaculate College to City Centre.

It is proposed to advertise the Part 8 for Limerick Institute of Technology to City Centre in July of this year, with the Part 8 for Mary Immaculate College to City Centre to follow in September/October of this year. Both these schemes converge in the City Centre at O'Callaghan Strand/Clancy Strand and Honan's

Quay respectively. Cycle connectivity between the two schemes is provided along Shannon Bridge.

12. Question submitted by Councillor C. Sheehan

I will ask at the next meeting for an update on the Regeneration plans for Thomond Weir.

REPLY: BHP have completed vertical and horizontal testing of the concrete piers and core results have been provided to Garland Consulting Engineers. Initial assessment would suggest that the piers have capacity for select vehicular movements.

However, a final conclusion cannot be made until such time as the foundation of the individual piers is assessed by Dive and Marine Contractors. Such an assessment has not been undertaken to date due to the high flow rates and water levels in the Shannon.

Dive and Marine are scheduled to inspect flows at Thomond Weir on the week commencing 5th July, 2021, and assess if flows are low enough to allow divers undertake the assessment of the foundations. They are also to discuss same with the ESB to check as to the frequency of any planned discharges.

Assuming river conditions are favourable, Dive and Marine intend to mobilise in the coming weeks. It is envisaged that Dive and Marine will issue a report on the foundations within four weeks of mobilising.

On receipt, Garlands will then finalise their structural assessment and will issue their feasibility report within a further four-week period.

13. Question submitted by Councillor J. Costelloe

I will ask at the next Meeting, as part of the CFRAMS flood prevention measures, have O'Dwyer's Villas, Thomondgate, and New Road, Thomondgate, been included, given their close proximity to the River Shannon and the likelihood of further flooding.

REPLY: O'Dwyer's Villas, Thomondgate, and New Road, Thomondgate, are within the Scheme Area for the Limerick City and Environs Flood Relief Scheme. RPS Consulting Engineers have recently been appointed to progress this scheme.

RPS will be completing a full review of the initial CFRAM Preferred Options at these locations. The Initial Preferred Option in the CFRAM Study included a combination of walls and embankments to protect properties at these locations, details as per attached drawing.

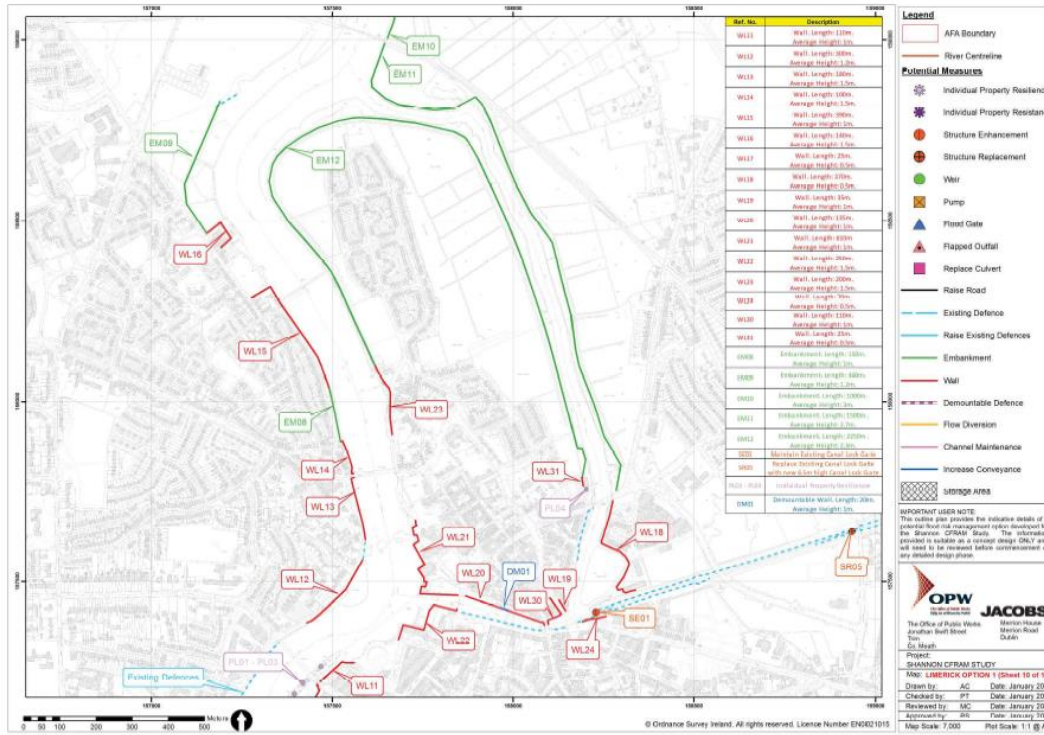


Figure 5.10 – Option LIK_01 (Sheet 10)

14. Question submitted by Councillor J. Costelloe

I will ask at the next Meeting what are the future plans for Sonny’s Corner, which was designated for housing up until recently when work ceased due to the discovery of one of the original Stone Gateways into the ancient City; and will the Council preserve this important piece of local history given its location to the Medieval Quarter.

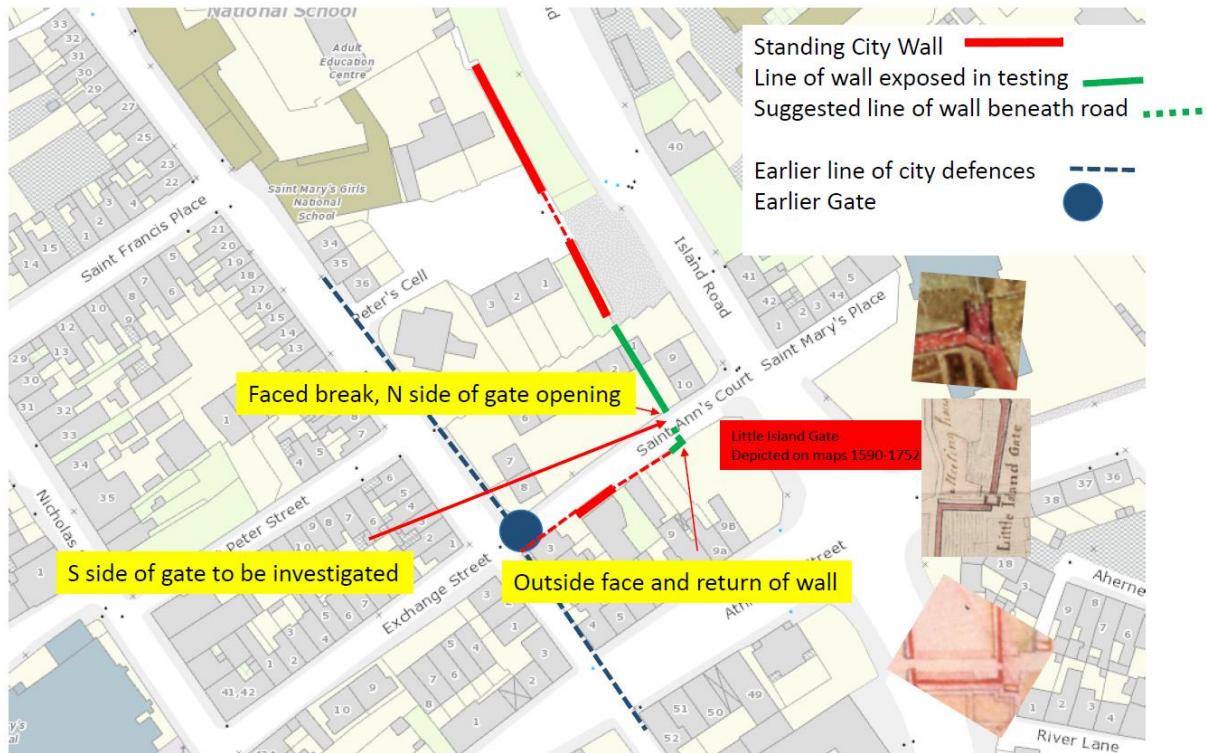
REPLY: The presence of the city defences at or near the site at Sonny’s Corner and traversing the adjacent site at St. Ann’s Court was anticipated. Sections of the city wall are upstanding further along the street towards Exchange Street, and parallel to the Island Road beyond St. Ann’s Court. Historic mapping also showed the outer line of the city defences crossing the former small housing estate at St. Ann’s Court in a NNW/SSE direction, crossing the road incorporating a gate known as Little Island Gate and returning SW/NE along the northern boundary of the site at Sonny’s Corner. In addition, the mapping shows an earlier line of defences extending along the western boundary of St. Ann’s Court in line with Bishop Street. Sonny’s Corner was immediately outside the city wall.

The chronology of the area of St Ann's Court was that it lay immediately outside the earlier city wall. In the last quarter of the 12th century St. Peter's Cell, a nunnery was founded and at the turn of the 13th century, the city defences were expanded to the east to incorporate the precinct of same. By 1540 the nunnery buildings were ruinous and the area had become fallow. By the 17th century, the site had been built on and in the mid-19th century, at least half of the street was occupied by a leather tannery. The most recent development was built in the 20th century.

Prior to acquisition, a preliminary archaeological assessment had flagged these issues. The assessment recommended advance archaeological test trenching and a final design that would bring the line of the wall back into the public realm, with the layout reflecting its location. The most recent test trenching took place when the 20th century houses in St Ann's Court were demolished and the site was secured. The city wall extends SSE across the site just below ground level. It is up to 2m wide and there is a height of at least 2m surviving below ground level. At the rear of the footpath on the northern side of the road a faced break in the wall was identified. This is likely to be the northern side of the opening for Little Island Gate. No testing was carried out in the street. The outer face of the city wall was exposed at Sonny's Corner returning northward in line with the faced break.

There is tremendous potential in any future development to highlight and re-establish the line of the wall and the location of the gate. City defences are considered to be of national importance and are therefore designated as National Monuments and protected under the National Monuments (Amendments) Act 1930-2014. As a member of the Irish Walled Towns Network Limerick City is very aware of the importance of its city defences. Since their destruction in the 18th century they have become fragmented. Redevelopment of this site has the potential to re-unite over 80m of the early 13th century defences.

The Limerick City and County Council team, working on the feasibility for affordable and social homes on the site, will now use this detailed archaeological investigation to inform and dictate the character, sense of place and nature of the planned residential development possible in the area. The exact location of the wall will inform the design process and there is tremendous potential for any future development to highlight and re-establish the line of the wall and the location of the gate in the public realm.



NOTICES OF MOTION

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

I will move at the next Meeting that Limerick City and County Council support the campaign of Epilepsy Ireland to address longstanding issues that continue to impact on people with epilepsy and their families in Limerick today, namely: (i) Access to Free Travel; and (2) Provision of Reasonable Accommodations for State Examinations for students with epilepsy.

The Motion, if agreed, to be then sent to the Minister for Health, Stephen Donnelly TD, Minister for Social Protection, Heather Humphreys TD, Minister for Education, Norma Foley TD, Michael Moynihan TD (Chair, Oireachtas Committee on Disability Matters) and to other Local Authorities for correspondence purposes.

The Motion was proposed by Councillor O'Donovan and seconded by Councillor Secas.

16. Notice of Motion submitted by Councillor S. Hartigan (to be referred to the Joint Policing Committee)

I will move at the next Meeting that Limerick City and County Council write to the President of the University of Limerick requesting that UL establish an off-campus Code of Conduct for its students for the coming academic year.

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

17. Notice of Motion submitted by Councillor S. Keary

I will move at the next Meeting that all resources and spending by the Limerick 2030 Company be equally divided between City and County in the interest of balanced economic sustainability for both areas.

In proposing the Motion, Cllr Keary stated that he was not aware of any projects being developed by Limerick 2030 in the Municipal Districts and that he believed that it was not fair that its efforts were directed primarily in the City Centre, and he believed the County was being neglected as a result. This Motion therefore was an attempt at rebalancing the resources and spending by the Limerick 2030 Company between City and County.

The Meetings Administrator explained that legal advice suggested that this Motion would cause a difficulty for the directors of Limerick Twenty Thirty DAC under the Companies Act 2014.

REPLY: Limerick Twenty Thirty DAC is a separate legal entity to the Council and in relation to the notice of motion under consideration, our legal advice is what is proposed in the motion would cause a difficulty for the directors of Limerick Twenty Thirty DAC under the Companies Act 2014.

Directors of a company have fiduciary duties under Section 228 of the 2014 Act. The duties are stated in general law, rather than specific terms and as they are derived from Common Law they are not intended to be exhaustive. The duties under Section 228 are owed by the directors to the company and the company alone. There are eight fiduciary duties and they include

- To act in accordance with the company's constitution.
- Not to agree to restrict the director's power to exercise an independent judgement, unless this is expressly permitted by the company's constitution.
- Exercise the care, skill and diligence, which would be expected in the same circumstances by a reasonable person.

It is essential that the rights and duties of directors of a separate legal entity to the Council are not modified in such a way as to put them in apposition of a potential breach of fiduciary duty and thus expose them to a potential personal liability.

Therefore, I recommend that notice of motion does not proceed so that the Directors of Limerick Twenty Thirty DAC are not put in a position where they could be liable for a potential breach of fiduciary duty.

While some Members supported the general intent of the Motion, they noted the reply issued to the Notice of Motion and the concerns raised in relation to the legal issue surrounding the Motion.

The Members agreed to request a Briefing from Limerick 2030 Company in September in relation to its activities and developments.

18. Notice of Motion submitted by Councillor C. Sheehan

I will move at the next Meeting, in light of recent protests or vigils at University Maternity Hospital Limerick, that Limerick City and County Council write to the Minister for Health calling on him to urgently bring in legislation to create safe access zones around healthcare centres such as University Maternity Hospital Limerick, in light of the upcoming review of the termination of pregnancy legislation, so that women can access healthcare in privacy, dignity and with respect.

The Motion was proposed by Councillor C. Sheehan and seconded by Councillor Secas.

19. Notice of Motion submitted by Councillor S. Novak Uí Chonchúir

I will move at the next Meeting that Limerick City and County Council make installation of electric vehicle charging points a requirement of all planning applications for homes, schools and workplaces.

With the agreement of the Meeting, this Motion was withdrawn by Councillor Novak.

20. Correspondence

The Correspondence circulated with the agenda was taken as read.

21. Pyrite Issue

With the permission of the Mayor, Councillor Keary referred to the issue of defective concrete block products caused by pyrite, that had affected homes across the country in recent years, leading to major problems for homeowners of these affected homes.

He confirmed that this was also an issue for homeowners in Co. Limerick and he referred to a recent reply to a Dail Question by the Minister for Housing, Local Government and Heritage, which referred to the Dwellings Damaged by the Use of Defective Concrete Blocks in Construction (Remediation) (Financial Assistance) Regulations 2020. The reply also stated that the pyrite remediation scheme was recently extended to include the administrative area of Limerick City and County Council, which will see homeowners of dwellings with significant damage attributable to pyritic heave in Limerick, eligible to apply for remediation works under the Pyrite Remediation Scheme.

The reply also stated that similar to what is happening in other counties seeking admittance to the scheme, that the local authority would lead on the rigorous analysis required in

accordance with the I.S. 465 protocol and on the estimation of quantum and make the appropriate submission to the Department of Housing, Local Government and Heritage.

Proposed by Cllr Keary, seconded by Councillor K. Sheahan.

I will move that this Authority will commence the analysis required in accordance with the IS 465 protocol and make the appropriate submission to the Department of Housing, Local Government and Heritage.

In reply, the Director, Housing, and Interim Director, Regeneration noted the concerns raised by the Members on this issue. She confirmed that it entailed a lot of work and research needed for the IS 465 protocol, and that she would bring a proposal on this to the Chief Executive in relation to this issue.

22. CONGRATULATIONS

Members expressed their congratulations to Mary O’Neill, Ballybricken, and her parents Flann & Noreen O’Neill, on her recent appointment as Irish Ambassador to Tanzania.

23. DIRECTLY ELECTED MAYOR

The Chief Executive advised the Members that the deadline for making any submissions by the Members in relation to the pre-legislative scrutiny of the General Scheme of the Directly Elected Mayor of Limerick Bill was Monday 12th July and that these should be submitted to Laura Flannery, Meetings Administrator. He also confirmed that the Executive had also made a written submission on this.

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:
