

**MINUTES OF PROCEEDINGS AT MONTHLY MEETING OF THE METROPOLITAN DISTRICT OF LIMERICK HELD IN THE COUNCIL CHAMBER, DOORADOYLE AND ONLINE ON MONDAY, 12<sup>TH</sup> DECEMBER, 2022 at 9.45 A.M.**

**PRESENT IN THE CHAIR:** Councillor Olivia O’Sullivan, Cathaoirleach

**MEMBERS IN ATTENDANCE:**

Councillors Benson, Butler, Collopy, Daly, Hartigan, Kiely, Kilcoyne, Leddin, McSweeney, Murphy, Novak Uí Chonchúir, O’Donovan, O’Hanlon, Secas, Sheahan (M), Sheehan (C) and Slattery.

**OFFICIALS IN ATTENDANCE:**

Director, National and Regional SSC (Mr. K. Lehane), Meetings Administrator (Mr. M. Leahy), Senior Staff Officer, Corporate Services, Governance and Customer Services (Ms. A. Foley), Senior Engineer, Roads (Mr. H. McGrath), Senior Executive Officer, Housing Support Services (Ms. M. Hayes), Head of Property and Community Services (Ms. J. Leahy), Administrative Officer, Property and Community Services (Ms. T. Knox), A/Senior Engineer, Active Travel (Mr. S. McGlynn), Senior Executive Planner, Active Travel (Mr. B. Henn), A/Senior Executive Engineer, Active Travel (Ms. S. Kennedy), Executive Engineer, Active Travel (Mr. L. Kennedy), Senior Executive Engineer, Active Travel (Ms. T. Flanagan), Senior Executive Engineer, Roads, Traffic and Cleansing (Mr. M. Richardson), Senior Engineer, Housing Strategy (Mr. B. Kidney), Project Manager, Housing Strategy (Mr. A. Doyle), Senior Executive Planner (Mr. D. O’Donoghue), Senior Executive Engineer, Housing Maintenance (Mr. B. Bourke), Senior Executive Engineer, Recreation (Ms. C. Lynch), Head of Digital Services (Mr. A. Dooley), Assistant Staff Officer, Corporate Services and Governance (Ms. S. Carroll).

Apologies for his inability to attend were received from Councillor Pond.

At the outset, the Cathaoirleach and Members extended their condolences and sympathy to Councillor James Collins on the passing of his father, Michael, former Cathaoirleach of Limerick County Council and T.D. for Limerick West. They remembered him for his contribution to politics in Limerick, and for always putting the best interests of Limerick first.

Members stood in silence as a mark of respect.

The Cathaoirleach stated that due to the recent cold weather an update would be given on the Winter Maintenance Plan.

**Update on Winter Maintenance Plan**

The Senior Engineer, Roads gave an overview of the Winter Maintenance Plan, outlining the process and procedures in place to deliver the service on priority routes around Limerick City and County, to facilitate, where possible, the safe movement of traffic, while minimising delays and accidents directly caused by adverse weather conditions.

Members thanked the Senior Engineer for the update and raised a number of queries in relation to gritting roads, footpaths in particular near schools, and the three bridges walk. Members also highlighted the importance of gritting across the Metropolitan District area where possible and especially including around schools, the O’Connell Street and city centre area. They also queried

whether footpaths could also be gritted to facilitate pedestrians.

In response, the Senior Engineer, Roads, acknowledged the Members concerns, and noted that the Winter Maintenance Plan is geared towards the main road infrastructure for the supply of goods, and that gritting of footpaths is not part of the Winter Maintenance Plan at present due to resourcing issues. He also stressed to the Members that people need to take responsibility and care during adverse weather conditions, and should not solely rely on gritted roads for their safety.

### **1. Adoption of Minutes**

Circulated, copy of draft Minutes of the Monthly Meeting of the Metropolitan District of Limerick held on 21<sup>st</sup> November, 2022.

Proposed by Councillor Leddin;  
Seconded by Councillor McSweeney;  
And Resolved:

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

### **2. Disposal of Land**

- (a) Circulated, report of the Senior Staff Officer, Housing Support Services dated 17<sup>th</sup> November, 2022 setting out proposals for disposal of land comprising 0.0024 hectares situate at 58 Upper 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.

- (b) Circulated, report of the Senior Staff Officer, Housing Support Services dated 25<sup>th</sup> November, 2022 setting out proposals for disposal of Freehold Interest of premises consisting of a dwelling house situate at 8 Quins Cottages, Rosbrien 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.

- (c) Circulated, report of the Head of Property and Community Services dated 1<sup>st</sup> December, 2022 setting out proposals for Exchange of Lands at Curragower, Clancy Strand and Reidy Park, Clancy Strand, 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.

- (d) Circulated, report of the Head of Property and Community Services dated 1<sup>st</sup> December, 2022 setting out proposals for the Disposal of 21-23 Old Clare 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. Planning, Environment and Place-Making Directorate**

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

Circulated, Report of the Senior Planner, Planning, Environment and Place-Making Directorate dated 30<sup>th</sup> November, 2022 seeking approval to the taking in charge of the housing estate at Redgate Close, Caherdavin, Limerick.

Proposed by Councillor Sheehan (C);

Seconded by Councillor O’Sullivan;

And Resolved:

“That the housing estate at Redgate Close, Caherdavin, Limerick 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”.

Members welcomed the taking in charge of Redgate Close, Caherdavin and noted that it is a historical location, and requested that this is acknowledged in the area. In response, the Senior Executive Planner, confirmed he will look into this.

### **4. Housing Directorate**

#### **Part 8 Procedure – 24 No. Housing Units at Barnakyle, Patrickswell, Co. Limerick**

Circulated, Report of the Executive Architect, LA Housing Construction and Maintenance dated 1<sup>st</sup> December, 2022 and enclosed Chief Executive’s Report dated 29<sup>th</sup> November, 2022 setting out details in relation to the provision of 24 No. Housing Units at Barnakyle, Patrickswell, Co. 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 7 of the report.

Members welcomed the proposed development and the provision of housing in the Patrickswell area, which they agreed was badly needed. They referred to the need especially to include for affordable housing in schemes, and that the provision of same needed to be accelerated across the Metropolitan District. They queried if Limerick City and County Council could apply to the Department of Housing to allow for 50% of this development to be designated as affordable funding for this scheme?

In response, the Project Manager, Housing Strategy, confirmed that Limerick City and County Council will be applying to the Department of Housing for approval to designate affordable funding for this scheme, and agreed to keep Members updated on the progress of this application.

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

## **5. Transportation & Mobility Directorate**

### **Part 8 Procedure – TUS Moylish to City Active Travel Scheme**

Circulated, Report of the Director of Service, Transportation and Mobility Directorate dated 30th November, 2022 and enclosed Chief Executive's Report dated 8<sup>th</sup> November, 2022 setting out details in relation to the TUS Moylish to City Active Travel Scheme. 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 6 of the report.

Members welcomed the proposed scheme, and acknowledged the engagement of the Active Travel Team on the project. Some Members raised concerns about the Part 8 process, suggesting that consultation should take place with Members across all Electoral Areas, considering that the Part 8 would have to be considered and approved by all Members of the Metropolitan District. It was agreed that in future, that all Members of the District would receive Briefings on all future proposed Part 8's for the Metropolitan District.

Some Members also expressed the view that some Part 8 reports were not circulated in a timely manner for the Members to give proper consideration to a proposed Part 8 application. In response, the A/Senior Executive Engineer, Active Travel, acknowledged the Members concerns about this, pointing out that the Active Travel Team followed the process used in other Part 8 schemes, but he agreed that they would issue reports sooner going forward, where possible. However, the Senior Executive Planner, Active Travel, noted the application was still within the statutory 6-week period required to adopt this Part 8 Procedure.

Members also raised a number of queries in relation to the type of segregation used between roadway and cycle lanes, how submissions are dealt with during the process and engagement with residents.

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

### **QUESTIONS**

#### **6. Question submitted by Councillor C. Sheehan**

***I will ask at the next meeting of the Metropolitan District of Limerick what stage the Orchard Site development on Kings Island is at in relation to the Department of Housing 5 Stage approval process and the estimated timeline in relation to the commencement of construction.***

**REPLY:** The proposed residential development of the Orchard Site is currently approved to tender stage and tender documentation is being completed for same. In advance of progressing tender and construction processes for the main development, the Local Authority is separately procuring an advance site excavation contract to de-risk and resolve the sites archaeological potential. This advance contract is expected to be ongoing across the first quarter of 2023. Commencement of the main development contract is expected to follow through the ensuing summer months.

### **7. Question submitted by Councillor E. Secas**

***I will ask at the next meeting of the Metropolitan District of Limerick that the Council provide an update on the Dublin Road Bus Corridor.***

**REPLY:** Consultants have been appointed to develop options for a scheme to incorporate dedicated bus facilities between the National Technology Park (NTP) the University of Limerick (UL) to the City Centre. The first phase of this scheme is between the NTP and UL, up to and including the Parkway Roundabout.

An initial draft options report for first phase has been developed and is currently with the National Transport Authority (NTA) for review and comment. Active travel will organise a briefing session with Councillors following review.

It should be noted that the final adaption of all bus routes considered for the metropolitan district, including this route, will be subject to confirmation and approval following full public consultation as part of the Limerick BusConnects process, due to commence in the New Year.

### **8. Question submitted by Councillor E. Secas**

***I will ask at the next meeting of the Metropolitan District of Limerick if a funding application has been submitted as committed earlier this year to the NTA for the Ahane Road Upgrade, where we have a primary school with just under 200 children on the roll and a Catholic church that hosts weekly Masses, as well as weddings, christenings, funerals, and if there are any plans to progress this scheme in 2023.***

**REPLY:** The Metropolitan District has included a project including Additional Safety Measures, Junction and Traffic Calming at Ahane School in its list of proposed projects under the Junction Tightening/ Pedestrian Crossings funding stream for 2023.

Grants for 2023 will be announced in the New Year and the final approved projects will be circulated to members.

### **9. Question submitted by Councillor E. Secas**

***I will ask at the next meeting of the Metropolitan District of Limerick if the continuation of the footpath linking the rest of Peafield Road to Ballysimon Road is included in next year's programme of works as this is the last piece of the jigsaw in completing the safe walking infrastructure on that road.***

**REPLY:** Limerick City and County Council Roads Maintenance and Active Travel Departments have reviewed the possibility of extending the existing footpath from Peafield Road to Morrison's on the Ballysimon Road and both have agreed that a continuous footpath would be extremely challenging to achieve in a short time-frame and would not be a feasible scheme to put forward for 2023.

To install a new footpath along this route, the widening of three existing structures would be required i.e. an existing stone bridge that runs over a live watercourse, an under pass

bridge that runs under the N24 National Road and under pass bridge with supporting walls that runs under the existing Colbert station to Limerick Junction railway line. There is also substantial land take required, significant third party engagement, impacts to a national road, impacts to a main railway line and an extensive Part 8 planning process with screening assessments to consider.

This would not be a scheme that the Council's Roads Operations could consider due to the reservations outlined above. A feasibility and options assessment could be considered by Active Travel to determine if the viability of a significant capital investment scheme could be considered in this area in the future.

#### **10. Question submitted by Councillor C. Slattery**

***I will ask at the next meeting of the Metropolitan District of Limerick if a safety audit can be carried out at the pedestrian crossing on the Bloodmill Road as cars are failing to stop when pedestrians are trying to cross, and the situation is becoming quite dangerous and traffic lights would be more suitable at this location.***

**REPLY:** Limerick City and County Council's Traffic Department are satisfied that this pedestrian crossing on Bloodmill Road meets all regulatory requirements with regards to advanced warning signage and warning signs mounted on the Zebra Pole below the Belisha Beacon and above the Flashing Laps.

Flashing lamps are installed on both approaches, road markings are in place and paths footways are in tolerance for disabled access to Singland Neighbourhood Centre, Castletroy View. A speed traffic survey was also recently carried out in the area by the Roads Maintenance Team in this area and the V85 (the design target 85<sup>th</sup> percentile speed) was found to be under the existing 50kmph speed limit. However the Limerick City and County Council Roads Department will carry out a further survey of this crossing and will consider improvements if required subject to budget availability.

#### **11. Question submitted by Councillor C. Slattery**

***I will ask at the next meeting of the Metropolitan District of Limerick as to when will the Bloodmill Road be opened to link with Castletroy and what are the detailed plans for this road.***

**REPLY:** The Council is awaiting a determination from An Bord Pleanála as to whether the Bloodmill Road Extension Scheme would require the preparation and submission of an Appropriate Assessment Natura Impact Statement (NIS). This determination is required in order to progress the planning of the scheme.

Feedback is expected from An Bord Pleanála shortly and this will determine the planning process for the scheme. If An Bord Pleanála determine that a Natura Impact Statement (NIS) is not required, the Part VIII process can commence at the start of next year. In this instance, the Council would expect to bring the Part VIII scheme to the Metropolitan MD for determination and, subject to approval, proceed to construction of the scheme in summer 2023, with an autumn opening of the link to the Castletroy area. Drawings and particulars of the scheme will be presented during the planning consultation mentioned above.

It should be noted that if An Bord Pleanála determine that an Appropriate Assessment Natura Impact Statement (NIS) is required for the scheme, the planning process and the subsequent construction of the road, is likely to have a longer timeframe.

**12. Question submitted by Councillor C. Slattery**

*I will ask at the next meeting of the Metropolitan District of Limerick whether tabletop speed ramps can be erected on the Bloodmill Road outside Glenbrook, Carn na Ri and the new housing development to stop cars speeding in the area.*

**REPLY:** Limerick City and County Council Roads Department has reviewed the planning application for the new Formation Homes development on the Bloodmill Road. A raised traffic calming table top is planned on the Bloodmill Road at the entrance to this estate. A speed traffic survey was also recently carried out by the Roads Maintenance Team in this area and the V85 (the design target 85th percentile speed) was found to be within the parameters of the existing 50kmph speed limit.

**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 taking in charge of the Meadow's estate in Lower Park given necessary to bring the estate up to taking in charge standard was completed in 2021.*

**REPLY:** The Meadows is on the list of estates for Taking in Charge. Works were carried out in 2021 to a portion of the road. An updated report on roads and services will be requested and a report will be compiled in relation to Water Services in Q1 2023. Subject to funding, taking in charge works will commence thereafter.

**14. Question submitted by Councillor S. Kiely**

*I will ask at the next meeting of the Metropolitan District of Limerick how many hard copies of the bin waiver form have been requested from Customer Service in the last 2 weeks.*

**REPLY:** There have been 1286 requests for applications to be sent out up to Wednesday, 7<sup>th</sup> December, 2022.

**NOTICES OF MOTION**

**15. Notice of Motion submitted by Councillor J. Leddin**

*I will move at the next meeting that Limerick Metropolitan District appoint dedicated caretaker's and or introduce a planned and periodic inspection of all Council owned housing developments to ensure that buildings do not deteriorate into unacceptable states of disrepair.*

The Notice of Motion was proposed by Councillor Leddin, seconded by Councillor Sheehan (C) and agreed.

In proposing the Motion, Councillor Leddin referred to the importance of carrying out maintenance

works, such as clearing footpaths and gutters, in Council owned housing developments and in particular, where elderly people were residing. Members welcomed the Motion, and agreed it was important to carry out periodic inspections of our housing developments to ensure proper management of our schemes.

**REPLY:** LCCC has a system in place to address any maintenance issues through the use of CRM and ensures that the dwellings are maintained in accordance with the Housing (Standards for Rented Houses) Regulations 2019. Houses are inspected when a complaint is received and the deficiency is addressed (if applicable).

LCCC have a scheduled maintenance programme in place for the servicing and maintenance of all lifts, fire detection, alarm systems and emergency systems in apartment blocks which is currently being provided.

With regard to periodic inspection of all council housing properties, provision is not made in the budget 2023 for this, however, in 'Housing for All' there is a commitment to introduce a planned housing maintenance programme for all local authorities. LCCC will participate in this programme subject to funding.

#### **16. Notice of Motion submitted by Councillor J. Leddin**

***I will move at the next meeting that Limerick Metropolitan District consider the introduction of CCTV in the People's Park to assist in preventing and identifying those engaged in various anti-social behaviour activities.***

The Notice of Motion was proposed by Councillor Leddin, seconded by Councillor Sheehan (C) and agreed.

In proposing the Motion, Councillor Leddin stated he had received calls in relation to anti-social behaviour in the People's Park and that consideration should be given to the introduction of CCTV, which could act as a deterrent. Members supported this Motion and agreed there is an increase in incidences of anti-social behaviour in general. They agreed that CCTV would be of great assistance to help protect the citizens of Limerick using our parks. They also agreed that this would be of assistance to Council staff and that body-cams could also play a role in protecting people.

**REPLY:** In order to utilise CCTV in a public space, like the People's Park, it is necessary to have a legal basis to do so. The legal basis for public realm CCTV is based on Section 38 of An Garda Síochána Act 2005 and requires authorisation from the Garda Commissioner. The legislation provides a legal basis for Community CCTV schemes. The installation of Community CCTV involves a very stringent process balancing the right to privacy with the need for safer communities. Each location must have a legal basis and adhere to the principles of data protection. The installation of a camera in a public space requires a direction from An Garda Síochána.

For new Community CCTV schemes (or additions to existing schemes) to be considered:

- An Garda Síochána's analyst team must prepare a crime report detailing the historical levels of crime at each specific potential location of a camera (using GPS coordinates). If crime levels are deemed sufficiently high, this becomes the starting point of the official process.

- A report must be created outlining the case and rationale for CCTV, including all potential locations of cameras (including GPS coordinates) and must be submitted to the CCTV Oversight Board for review.  
The rationale for CCTV must be deemed to be proportional, justified and necessary.
  - The report must include details of all alternative measures taken to address the situation including results achieved/not achieved.
  - The report must also include details of the funding sources for the cameras (including ongoing operational costs).
- A Data Protection Impact Assessment must be prepared and submitted to the Data Protection Officer for review.
- A Community CCTV application must be prepared by the Council for submission to the Garda Commissioner for review. This application must include evidence of public consultation, evidence of historical crime, evidence of approval by the JPC, among many other necessary supporting pieces of documentation.

These are sequential steps that must be taken to ensure all CCTV schemes are necessary, justified, proportionate and legal. I have been in touch with An Garda Síochána and will undertake to seek a historical crime report for the People's Park. I will revert in due course with the outcome of the report. If the outcome of the report suggests that further steps, as outlined above, should be taken, funding for the build and ongoing maintenance of this CCTV scheme will need to be sourced.

**17. Notice of Motion submitted by Councillor S. Kiely (to be referred to the Economic Development, Enterprise and Planning Strategic Policy Committee)**

*I will move at the next meeting of the Metropolitan District of Limerick that the feasibility of a Business Interruption Scheme for the city centre traders / retailers be progressed as a way of compensation when building works impact on revenue.*

It was agreed to refer this Notice of Motion to the Economic Development, Enterprise and Planning Strategic Policy Committee.

**18. Notice of Motion submitted by Councillor C. Sheehan**

*I will move at the next meeting of the Metropolitan District of Limerick that the Council contact the owners of the former Gaelscoil Sairséal (Cray Lane) school at Bridge Street with a view to exploring the purchase of the building using one of our existing DAC Companies so as to redesign for residential or cultural use.*

The Notice of Motion was proposed by Councillor Sheehan (C), seconded by Councillor Novak Uí Chonchúir and agreed.

In proposing the Motion, Councillor Sheehan (C) stated the former Gaelscoil Sairséal School was an historical building, which had huge potential, but had become derelict in recent years and if refurbished could be considered for commercial, civic or residential uses.

**REPLY:** Limerick City and County Council have had some engagement with the owners of the former Gaelscoil Sairséal (Cray Lane) school over the last twelve months with a view to its future use now as it is vacant and the owner is keen to look at potential uses including office.

I will engage with Limerick Twenty Thirty DAC and our Housing Department to examine if an initial feasibility report can be carried out.

**19. Correspondence**

Correspondence was noted and taken as read.

**Any Other Business**

The Cathaoirleach expressed concern about the recent cold spell and its impact in relation to those living in tented accommodation at the Knockalisheen Direct Provision Centre. Members agreed that this was an issue of concern, given the time of year and current weather conditions.

The Director, National and Regional SCC confirmed that while the Knockalisheen Direct Provision Centre was in Co. Clare, that he was aware that the refugees were being moved from the tented accommodation and he would revert with a further update. He wished the Cathaoirleach, Members and Colleagues a happy and safe Christmas.

The Cathaoirleach thanked the Elected Members and Officials for their commitment and hard work over the previous twelve months. She wished everyone a happy, healthy and enjoyable Christmas and New Year.

This concluded the Meeting.

**Signed:** \_\_\_\_\_  
**CATHAOIRLEACH**

**Dated:** \_\_\_\_\_