

MINUTES OF PROCEEDINGS OF SPECIAL MEETING (IN COMMITTEE) OF THE LIMERICK JOINT POLICING COMMITTEE HELD IN THE COUNCIL CHAMBER, DOORADOYLE AND ONLINE AT 10.00 A.M., ON FRIDAY, 23RD DECEMBER, 2022

IN THE CHAIR :	Councillor A. Teskey, Chairperson
MEMBERS :	Councillors B. Collins, T. Collopy, S. Keary, S. Kiely, M. Murphy, E. O'Brien, J. O'Donoghue, J. Sheahan, K. Sheahan, Mayor F. Foley, D. McSweeney O. O'Sullivan and D. Butler
OIREACHTAS MEMBERS :	M. Quinlivan, T.D., N. Collins, T.D. and K. O'Donnell, T.D.
GARDA NOMINATIONS :	Chief Superintendent (Mr. D. Smart) and Superintendent (Mr. A. Lacey)
OFFICIALS :	Chief Executive (Mr. P. Daly), Director of Service (Mr. K. Lehane), Director of Service (Ms. C. Curley), Chief Fire Officer (Mr. M. Ryan), Senior Planner (Ms. N. O'Connell), Senior Exec. Officer, Housing Support (Ms. M. Hayes), Administrative Officer, Corporate Services & Gov (Mr. M. Leahy) Senior Exec. Engineer, Roads (Mr. G. O'Connor), Senior Exec. Technician, Planning Enforcement (Mr. S. Moran), Administrative Officer, Roads (Ms. K. Butler), Administrative Officer Housing Support (Mr. S. Hayes), Senior Staff Officer, Corporate Services & Governance (Ms. A. Foley) and Staff Officer, Corporate Services & Governance (Ms. L. Creamer)
APOLOGIES :	Senior Executive Officer, Corporate Services & Governance (Ms. L. Flannery) and Ms. D. Dunne, ADAPT

The Chairperson welcomed Chief Superintendent Derek Smart to the meeting and congratulated him on his recent appointment as Chief Superintendent in Limerick and he said he looked forward to working with him in the future in relation to policing matters in Limerick.

The Chairperson stated that he had called the Special Meeting to discuss recent incidents of serious criminal behavior and anti-social activity in Rathkeale. He explained that, due to the sensitivity of the matter, it was agreed to hold the meeting "In Committee", i.e., without the media or members of the public in attendance. Due to the tight timescale, it had also been agreed to have a blended Meeting, i.e., in person in the Council Chamber and Online, so as to facilitate all to attend either in person or online.

The Chairman stated that the anti-social behaviour that took place recently in Rathkeale was totally unacceptable. He stated that this anti-social behaviour in Rathkeale happens around the same time every year. He indicated that there have also been issues with proposed disposal of lands by the local authority where potentially they could end up in the wrong hands and this needed to be managed sensitively. He welcomed the recent visit of the Minister for Justice to Rathkeale and confirmed that Minister Harris had stated that he is prepared to help with immediate policing response and willing to engage, and that he will provide additional support where needed and that he would give his attention to any suggestions that come from this meeting aimed at tackling the issues arising.

The Chief Superintendent thanked the JPC for their welcoming comments. He confirmed that there was a robust Policing Plan in place, a lot of which has been successful in Rathkeale. However, he agreed that what

had happened on this occasion was very serious. He confirmed that a large Garda presence, including ordinary Gardai, the Roads Policing Unit, the Public Order Unit and the Armed Response Unit were now on the scene in Rathkeale. He confirmed also that everything was being done to bring the situation under control, and that he would also welcome any ideas or proposals from Members.

Niall Collins, T.D., thanked the Chairman for calling the Special Meeting and also thanked the members of An Garda Síochána for their response to the incident in Rathkeale, which had seriously impacted on the town. He also referred to the more recent event in Patrickswell and assured the Gardaí of his full support. He also welcomed Minister Harris's visit to Rathkeale which was very positive.

He suggested that a multi-Agency approach be taken by the Gardaí, Revenue, Limerick City and County Council, Social Welfare and any other relevant state agencies. He said every property folio in the town of Rathkeale should be examined to see how much these properties cost, where the money came from for the purchase of such properties, and if individuals concerned cannot show where the assets came from for the purchase of such properties, then the presumption must be made that the money came from illegal sources. Therefore, the properties should be seized and the individuals concerned prosecuted accordingly. Also, the Road Traffic Act should be applied to any vehicle that is used in the commissioning of a crime in addition to lengthy suspensions from driving.

Councillor O'Donoghue pointed out that Rathkeale is a lovely town with many hard-working people residing there, along with many rate paying businesses. He outlined how there is no trouble there for ten months of the year and then with an influx of people into the town for November and December, huge problems then result with incidents of serious criminal behaviour and anti-social activity as experienced recently. The Traffic Corp should also be involved re checking driving licenses and Limerick City and County Council should stand shoulder to shoulder with the Gardaí by addressing litter, health and safety and illegal parking issues.

The Chairperson stated that a more permanent structure/solution should be identified going forward to address this serious criminal activity. A lot of work has gone into addressing anti-social activity over the years. He suggested that Limerick City and County Council need to tackle dereliction, disposal of land, caravans and the resultant fire hazards and litter. There are presently no full time Litter or Dog Wardens in Rathkeale. He pointed out that the Gardaí are under resourced and even though the Gardai in Rathkeale are doing a great job, they cannot deal with the level of crime, anti-social behaviour and drugs issues being experienced there. He pointed out that there are people driving very expensive vehicles with no visible sign of income and are openly selling drugs and the full rigors of the law should be brought down on these people. He suggested that a full time Enforcement Officer be also appointed in Rathkeale to police the planning laws in relation to caravans.

Councillor Keary supported the sentiments expressed by the previous speakers. He pointed out that some properties conveyed over the years in Rathkeale have no folio numbers and added that it is illegal to sell a property without a folio number from the Land Registry. There should be an obligation on solicitors who sell property to ensure that all properties are registered with the Land Registry. He enquired if stamp duty has been paid on these sales. He stated that the Council need to do an assessment of capacity of Rathkeale town for future development. He pointed out that there are caravans parked everywhere in the town with gas bottles very close by which is very dangerous and is a serious health and safety issue. He added that businesses in the town are also very seriously affected by the large influx of people into the town and added that people needing to shop or do business in the town have to come in before 12 Noon to avoid anti-social and criminal behaviour which can happen on any day of the year and not just for two months of the year. He pointed out that one criminal individual owns a lot of properties in Rathkeale town and has builders employed. This individual should be investigated to see where the money is coming from to purchase such large quantities of property. He referred to two properties which the Council sought Councillors approval to sell and he asked that these two properties be taken off the market, refurbished

and given to worthy tenants. He welcomed Minister Harris's visit to Rathkeale and added that law and order is becoming a serious problem, not just in Rathkeale but nationally. Gardaí need legislation to be amended to support them and to prevent cases being thrown out of court for spurious reasons and Minister Harris needs to commence change immediately.

The Chief Executive said he appreciated the straight talking by the members and said he understood their frustration in relation to the serious criminal behaviour and anti-social activity that is taking place in Rathkeale. He said that the Council, and indeed all statutory bodies, are doing all they can to address such issues. However, all investigations take time and the Council have to abide by the legal processes involved too. He confirmed that the Council have issued summonses and enforcements and is doing its best to address the various issues, and he assured members that the Council will continue to do its best. He added that the Council has plenty of experience in dealing with anti-social activity and criminal behaviour in the Regeneration Areas in the past and will apply the same approach in Rathkeale. He confirmed that officials are frustrated also and have a desire to see the problems tackled and assured members of the full commitment of himself and his team in addressing this very serious problem. He added that such intensification will need inter agency co-operation. He paid tribute to the Council's Enforcement team who are doing a great job in a very difficult situation.

Councillor Keary stated that he did not want any Official's life to be at risk in carrying out their job and added that there should be additional resources put in place to protect Council staff if needed.

The Chairperson complimented Enforcement Staff for their work in dealing with violation of the planning laws and agreed that they need additional manpower to address such violations. He said that there should be better collaboration between the Enforcement Team and the Gardaí. The judiciary also have a big part to play in addressing the problem.

Councillor B. Collins enquired if a private company could be brought in to clamp caravans who are illegally parked. She referred to a pilot programme called 'Community Safe' which is an agency approach, which has been implemented in other jurisdictions. She added that weddings around Christmas are a huge part of the problem and also domestic violence issues, and this needs to be part of the solution also. Cases go to court and are deferred which also needs to be addressed. She pointed out that all residents need to have their human rights protected and appropriate facilities provided for them and this may be part of the solution. The Council should be providing adequate housing and other facilities in Rathkeale.

Councillor Keary pointed out that 70% of visitors coming into Rathkeale at Christmas time have houses in the town locked up so there is no necessity for them to bring in caravans.

Maurice Quinlivan, T.D., stated that this situation cannot go on and he agreed that a multi-agency approach needs to be taken. The recent serious criminal behaviour that took place in Rathkeale was on the news nationally and internationally and Limerick did not need this type of exposure. Laws, rules and regulations need to be enforced, and the staff enforcing same have to be protected. A robust response is required and criminality and the drugs problem have to be tackled. The source of the assets of these people needs to be investigated and then the full rigors of the law need to be applied.

Councillor John Sheahan stated that anti-social activity is not just an issue for Rathkeale, it is affecting all towns and villages. He added that he is a Councillor since 2004 and is having the same conversation about the anti-social activity and problems in Rathkeale since then, and there still is no solution to the issue. He expressed concern that this activity will spill over into adjoining towns.

Councillor Kevin Sheahan pointed out that as the longest serving Councillor on the Council that he has listened to this issue in Rathkeale being discussed every year. He pointed out that there has been no request for meetings from local community representatives in Rathkeale this year. He stated that it is

believed that the trouble is caused by three or four families in the town and not from the influx of people coming into the town for Christmas.

The Chairperson also referred to the large number of English registered cars on the motorway coming in and out of Limerick and asked if a Customs check could be put in place on the N69 at Woodlands Roundabout.

In reply, the Chief Superintendent stated that a Task Force is going to be set up headed by Inspector Lordan. This is a multi-agency problem and requires the same focus as the regeneration areas. The DPP will be coming in early January 2023 to advise on how to deal with assets and mechanisms to bring to court. However, more resources are needed. The number of new recruits joining the force is slowly improving. There is a dedicated Drugs Unit established but information is needed from the public and he appealed to anyone that has information to come forward. Such drugs unit is fully resourced. He pointed out that the Gardaí are subject to GSOC and everything they do must be lawful.

He confirmed that one person was arrested in Rathkeale following the recent incident and is before the Court this morning and a caravan has been seized. Customs is outside the remit of An Garda Síochána but he will bring to the attention of Customs and Excise. He confirmed that a new Policing Plan is presently being put into place which is very robust. He stated that he is meeting Assistant Commissioner Foster in Rathkeale later this morning. He asked Councillor Sheahan to give him any information he has in relation to any suspected violence which could take place on Christmas day. He confirmed that he has gone outside the Limerick Division to get extra resources to police Rathkeale during the Christmas period. He also confirmed that the recent incident in Patrickswell was unconnected with the anti-social activity that took place in Rathkeale and there are two people presently before the Court for this incident. He said he was mindful of keeping Garda resources throughout the city and county and the budget has been increased for the Rathkeale area for the Christmas period without impacting other areas of the district. A task force meeting will be taking place in early January.

The Chairperson also highlighted the continued changes in Garda personnel in the Rathkeale area adding that he is just getting to know the relevant Gardai and then they are transferred elsewhere and he asked for more possible continuity of Gardai if possible. He asked that a specific Garda contact be allocated to Elected Members so that they can give information on a confidential basis. He expressed concern that planning permission is being given to individuals who are not from the town of Rathkeale, yet people are sometimes finding it very hard to get planning permission on their own land in the county and he said the planning laws should be looked at. He also expressed concern that criminals and benefactors of criminality may have been housed by the Council. He referred to a house in Rathkeale which has approximately fourteen caravans squeezed in there with each having gas bottles and asked whose responsibility is it if one of the caravans went up on fire.

The Senior Planner confirmed that the Council is taking enforcement in relation to planning but has to abide by regulations and the law. At present there are 67 cases live in Rathkeale but prosecutions are subject to the judicial process and there are delays with same.

The Director of Service (Housing) confirmed that there are fire safety regulations in relation to official halting sites but individual caravans parking on private sites are not governed by legislation.

The Chief Executive pointed out that planning enforcement can be dealt with at Planning Strategic Policy Committee Meeting.

Councillor Keary, supported by the Chairperson, stated that there should be an element of joined up thinking regarding inspection of caravans parked in private sites. He asked the Chief Superintendent to

contact the owners of the shop on N21 and ask them to consider agreeing close on Christmas day if possible, having regard to possible road safety concerns.

The Chairperson requested that security cameras be installed in Rathkeale Graveyard to prevent anti-social behaviour and damage to headstones. He questioned the source of funding for the huge headstones erected by some people and the expensive caskets used and the horse drawn carriages.

In reply, the Chief Executive stated that this is an issue in all parts of the county and he has spoken with the Chief Superintendent who is addressing the issue.

Councillor Collopy, like everyone else, said he was outraged at what took place in Rathkeale which was all over social media, the national and international media. He said an inter-agency approach is the only answer to dealing with these organized crime gangs and that the full rigors of the law should be unleashed on these individuals who have chosen to live outside the norms of civilized society. The law-abiding citizens of Rathkeale and the country as a whole deserve better and the idea that crime is an acceptable aspect of life needs to be firmly addressed and that the punishments handed out by the judiciary reflect the grave seriousness of the crimes. He said the Council unequivocally support the people of Rathkeale and the Gardaí. He said that the recent events in Rathkeale should be a catalyst for action and real change and that a strong message should go out after leaving the chamber this morning.

Councillor K. Sheahan proposed that any Committee or structure that is put together to discuss the issues raised today, should include an item in relation to Bye Laws and that a legal advisor be present also.

Councillor O'Sullivan pointed out that the residents on the main street in Rathkeale are impacted by the level of criminality that is taking place there also and, in particular, she said it can prevent emergency services getting to individuals living on the main street. She referred specifically to one family living on the Main Street who might need emergency services as there is somebody in the household who is sick.

The Chairperson pointed out that he was contacted by a member of the ambulance service who are very worried that they do not have the necessary resources and that innocent people are at risk who genuinely require emergency services and access.

The Chairperson proposed that the Chief Executive establish a multi-agency forum consisting of representatives from state bodies such as An Garda Síochána, Health Services, Limerick City & County Council, Ambulance and Fire Services, Tusla, Iarnród Éireann, Bus Éireann and any other necessary bodies to address the issue of serious criminal behaviour and anti-social activity in Rathkeale. He stated that Oireachtas Members need to address legislation whereby cases are thrown out of court for minor reasons or are deferred. There is also a need for a reduction in the level of evidence required to expedite dealing with criminals. He said that he is getting constant phone calls regarding the issue in Rathkeale and he, as a local representative, wants to have these matters addressed.

The Director of Service (Housing) stated that it needs to be reiterated that actions are taken on a continuous basis by the Council, Gardaí and other agencies. However, processes are slow and all bodies must operate within the law and adhere to due process. In reply to the Chairperson, the Director also confirmed that there are issues in relation to water throughout the county, and not just in Rathkeale.

In reply to Councillor B. Collins, the Director stated that it was too late this year to introduce a private company to clamp illegal parking of caravans and vehicles and that Bye Laws would need to be introduced first. This needs to be considered and can look to see what can be done for next year. She confirmed that there are regular litter and dog warden inspections carried out in Rathkeale and prosecutions have issued, however, such prosecutions have to be applied equally to all residents. She added that addresses of offenders are required to issue litter fines.

Councillor S. Kiely stated that there are no traveler representatives on any committee and a representative from Pavee Point need to be brought in to engage with the Council and other agencies and that they be engaged with in relation to the responsibilities and actions of travelers. She enquired if they have been contacted in relation to the criminal behaviour in Rathkeale. She pointed out that planning enforcement is a problem throughout the city and county and more resources and protection are required in order to implement this satisfactorily. She stated that Tusla also needs to be involved as some traveler children are exposed to violence and Tusla need to be more proactive also. The way property and land are disposed of by the Council needs to change. She pointed out that there are two dog wardens altogether between the city and county which is not enough and she appealed to the Chief Executive to put more resources into addressing dog litter and planning enforcement. She said ordinary law-abiding citizens in Rathkeale are terrified of the anti-social activity and criminal behaviour that is taking place in Rathkeale and they need to be protected.

The Chairperson stated that the decisions of An Bord Pleanála also need to be addressed. He referred specifically to a house across from the Garda Barracks in Rathkeale which was purchased for €600,000 and which planning permission was sought to erect three houses on the site. The Council refused planning permission, however, when appealed, An Bord Pleanála granted planning permission.

Kieran O'Donnell, T.D. said he would take on board all points raised at this meeting and would do whatever he could to support Members, Gardaí and the people of Rathkeale in addressing the problem.

Superintendent Lacey stated that since a previous incident in Rathkeale in 2018 that a lot of consultation has taken place with Pavee Point who also had an input into the Limerick Divisional Garda Plan. However, he pointed out that Pavee Point have a disconnect with the travelers coming in from England. He confirmed that there are issues with feuding among traveler families too. He said it was important to point out that victim impact and criminality is low outside of the Christmas period.

The Chairperson stated that certain criminal traveler families in Rathkeale are responsible for the serious criminal behaviour and anti-social behaviour there and should be dealt with by the authorities. He asked that a precedent be set that if people are involved in such criminal behaviour that they will be dealt with similarly. If these families were dealt with then the Council could deal with the other issues that are taking place there.

Councillor B. Collins supported the Chairman.

In reply, the Chief Executive stated that it would be difficult to have a legal advisor present at all meetings, however, he can arrange to have one present where appropriate. Regarding the closure of the shop and filling station on the N21, he stated that they can be asked to close, however, the Council cannot make them close.

The Chairperson said reduced speed would help with reducing traffic accidents on the N21. He asked that the Gardaí speak to the priests in Rathkeale regarding the recent happenings in Rathkeale to see if there is anything they can do to help the situation.

The Chairperson thanked Members for attending this meeting and for their frank and honest observations on this difficult matter and he wished all a very happy Christmas and a peaceful new year.

This concluded the business of the Meeting.

Signed: _____
Councillor Adam Teskey, Chairperson

Date: _____