

**MINUTES OF PROCEEDINGS AT MEETING OF LIMERICK CITY AND COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, DOORADOYLE, AND ONLINE, ON MONDAY, 23<sup>RD</sup> JANUARY, 2023, AT 3PM.**

**PRESENT IN THE CHAIR:**

Councillor F. Foley, Mayor.

**MEMBERS PRESENT:**

Councillors Benson, Butler, Carey, Collins (B), Collins (J), Collins (M), Collopy, 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, Pond, Ruddle, Ryan (E), Ryan (M), Scanlan, Secas, Sheahan (J), Sheahan (K), Sheahan (M), Sheahan (C), Slattery, Teefy, Teskey.

**OFFICIALS IN ATTENDANCE:**

Chief Executive (Mr. P. Daly), Deputy Chief Executive and Director, Support Services (Mr. S. Coughlan), Director, Housing (Ms. C. Curley), Director, Community, Tourism and Culture (Mr. G. Daly), Director, Planning, Environment and Place-Making (Ms. N. Gallagher), Director, Transportation and Mobility (Mr. B. Kennedy), Director, National and Regional Shared Services (Mr. K. Lehane), A/ Director, Economic Development and Enterprise (Mr. V. Murray), Meetings Administrator (Ms. L. Flannery), Administrative Officer, Corporate Services and Governance (Mr. M. Leahy), Senior Staff Officer, Corporate Services and Governance (Ms. A. Foley).

**1. Adoption of Minutes**

Circulated, copies of draft Minutes of the following Meetings:

- (a) Budget Meeting of the Council held on 25<sup>th</sup> November, 2022.
- (b) Ordinary Meeting of the Council held on 28<sup>th</sup> November, 2022.
- (c) Special Meeting of the Council held on 6<sup>th</sup> December, 2022.

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

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

**Votes of Sympathy**

With the permission of the Mayor, the Council expressed its sympathy to the following:

- The families and colleagues of two recently deceased members of staff on their sudden and untimely passing - the late Andrew Faughnan, Executive Engineer, Environment Section, and the late T.J. Madigan, Ganger, Roads Section, Newcastle West.
- The family of the late Denis Broderick, a former City Councillor and Deputy Mayor who served on Limerick City Council in the 1970s.
- The family of the late John L. Murray, former Chief Justice, Attorney General and member of the Court of Justice of the European Union.

A minute's silence was observed as a mark of respect.

## **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 further Statutory Notice dated 17<sup>th</sup> October, 2022, together with Ordnance Survey Drawing No. AG/5060 concerning transfer of property comprising Folio LK14569F adjoining 55, College Avenue, Moyross, Limerick.

It was noted that, owing to a typographical error, the original Statutory Notice, also dated 17<sup>th</sup> October, 2022, was withdrawn at the November Meeting of the Council.

The Members were advised that this further Statutory Notice was also being withdrawn.

(b) Circulated, copy of Statutory Notice dated 6<sup>th</sup> December, 2022, concerning disposal of property at 16, Hennessy Avenue, Kileely, Limerick.

Proposed by Councillor Sheahan (J);

Seconded by Councillor Kiely;

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 16, Hennessy Avenue, Kileely, Limerick, to Angela Halvey, Legal Personal Representative (LPR) of Angela Vaughan, 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 6<sup>th</sup> December, 2022.”

(c) Circulated, copy of Statutory Notice dated 20<sup>th</sup> December, 2022, concerning disposal of property at 8, Quins Cottages, Rosbrien, Limerick, together with Land Registry Map.

Proposed by Councillor Sheahan (J);

Seconded by Councillor Kiely;

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 8 Quins Cottages, Rosbrien, Limerick, to Cathal Byrne, for the sum of €299.20, 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 20<sup>th</sup> December, 2022.”

(d) Circulated, copy of Statutory Notice dated 20<sup>th</sup> December, 2022, concerning disposal of 0.0024 hectares of land at 58, Upper Carey’s Road, Limerick, together with Land Transfer Map.

Proposed by Councillor Sheahan (J);

Seconded by Councillor Kiely;

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 0.0024 hectares of land at 58, Upper Carey’s Road, Limerick, to the Representatives of Clement O’Shaughnessy, deceased, for the sum of €1, 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 20<sup>th</sup> December, 2022.”

(e) Circulated, copy of Statutory Notice dated 4<sup>th</sup> January, 2023, concerning disposal of property at 17, Ash Hill, Kilmallock, Co. Limerick, together with Land Registry Map.

Proposed by Councillor Sheahan (J);

Seconded by Councillor Kiely;

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 17, Ash Hill, Kilmallock, Co. Limerick, to Esther Byrne and Patrick Manning, 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 4<sup>th</sup> January, 2023.”

(f) Circulated, copy of Statutory Notice dated 11<sup>th</sup> January, 2023, concerning disposal of property at 21, Ballywilliam, Rathkeale, Co. Limerick, together with map outlining property details.

Proposed by Councillor Sheahan (J);

Seconded by Councillor Kiely;

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 21, Ballywilliam, Rathkeale, Co. Limerick, to Julia Quilligan, 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 11<sup>th</sup> January, 2023.”

(g) Circulated, copy of Statutory Notice dated 12<sup>th</sup> January, 2023, concerning disposal of property at 44, O'Donoghue Avenue, Rathbane, Limerick.

Proposed by Councillor Sheahan (J);

Seconded by Councillor Kiely;

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 44, O'Donoghue Avenue, Rathbane, Limerick, to Ms. Elizabeth Roche, in exchange for the acquisition of 121, Mountain View, O'Malley Park, Limerick, subject to the covenants and conditions contained within the Contract, particulars of which were contained in Statutory Notice dated 12<sup>th</sup> January, 2023.”

(h) Circulated, copy of Statutory Notice dated 12<sup>th</sup> January, 2023, concerning disposal of .0133 hectares of land at Reidy Park, Limerick.

Proposed by Councillor Sheahan (J);

Seconded by Councillor Kiely;

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 .0133 hectares of land at Reidy Park, Limerick, to John and Monica Martin, for the following consideration: (1) acquisition of .0081 hectares of land at Clancy Strand, Limerick, from John and Monica Martin in the sum of €20,000; (2) erection of fence, gate and road markings at new boundary to land; (3) payment of reasonable legal fees of the Martins regarding the acquisition and disposal; the disposal being subject to the covenants and conditions contained within the contract, particulars of which were contained in Statutory Notice dated 12<sup>th</sup> January, 2023.”

### **Derelict Disposals**

(i) Circulated, copy of Statutory Notice dated 12<sup>th</sup> January, 2023, concerning disposal of property at 21-23, Old Clare Street, Limerick.

It was noted that this Statutory Notice superseded a previous Statutory Notice applicable to the same property dated 16<sup>th</sup> September, 2022. The Council had passed a resolution at Meeting held on 26<sup>th</sup> September, 2022, disposing of the property and accordingly it would now be necessary to rescind the previous resolution.

Proposed by Councillor Sheahan (J);

Seconded by Councillor Kiely;

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 21-23, Old Clare Street, Limerick, to Sayvale 24 Ltd., for the sum of €170,000, subject to the covenants and conditions contained within the contract, particulars of which were contained in Statutory Notice dated 12<sup>th</sup> January, 2023. This resolution rescinds previous resolution passed at Council Meeting held on 26<sup>th</sup> September, 2022, in accordance with Statutory Notice dated 16<sup>th</sup> September, 2022, relating to the same property.”

(j) Circulated, copy of Statutory Notice dated 12<sup>th</sup> January, 2023, concerning disposal of property at Glebe Road, Kilfinane, Co. Limerick.

Proposed by Councillor Sheahan (J);

Seconded by Councillor Kiely;

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 Glebe Road, Kilfinane, Co. Limerick, to Michael O’Sullivan, for the sum of €70,000, subject to the covenants and conditions contained within the Lease, particulars of which were contained in Statutory Notice dated 12<sup>th</sup> January, 2023.”

(k) Circulated, copy of Statutory Notice dated 12<sup>th</sup> January, 2023, concerning disposal of property at Kilready, Castlemahon, Co. Limerick.

Proposed by Councillor Sheahan (J);

Seconded by Councillor Kiely;

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 Kilready, Castlemahon, Co. Limerick, to Katie Harnett and Killian Hough, for the sum of €168,000, subject to the covenants and conditions contained within the Lease, particulars of which were contained in Statutory Notice dated 12<sup>th</sup> January, 2023."

**4. Support Services**

**(a) Chief Executive's Report**

Circulated, Chief Executive's Report for the months of November and December 2022.

The Reports were noted by the Council.

Members referred to the Chief Executives Report for December 2022 and queried a statement in same that the Adare Public Realm Strategy has now been completed. The Director, Planning, Environment and Place-Making confirmed that this was incorrect and apologised for this error, and she confirmed that a further update on this would be issued to the Members in due course.

**(b) Statutory Audit Report 2021**

Circulated (i) Report of the Audit and Risk Committee dated 14<sup>th</sup> December, 2022, on the Statutory Audit Report for year ended 31<sup>st</sup> December, 2021, for Limerick City and County Council; (ii) Limerick City and County Council Audited Annual Financial Statement for the Year ended 31<sup>st</sup> December, 2021; and (iii) Local Government Audit Service Statutory Audit Report dated 24<sup>th</sup> October, 2022, to the Members of Limerick City and County Council for the Year ended 31<sup>st</sup> December, 2021.

There was a discussion amongst Members in relation to reference in the Audit Report to the level of collection of derelict sites levies. While the Members agreed that this collection rate needed to be improved, it was also agreed that the Council were endeavouring to work with owners in order to get properties out of dereliction and sometimes delays were due to issues with legal title, grant of probate, etc.

The position was noted by the Council.

**(c) Foreign Travel**

(i) Circulated, report of the Director, Planning, Environment and Place-Making, dated 12<sup>th</sup> January, 2023, seeking the approval of the Council to attendance by the Mayor at the European Green Capital Tallinn 2023 Opening Events in Tallinn, Estonia.

Proposed by Councillor Sheahan (J);

Seconded by Councillor O'Brien;

And Resolved:

“That, retrospective approval of the Council be and is hereby given, in accordance with Section 142(5) of the Local Government Act, 2001, as amended, for attendance by the Mayor of the City and County of Limerick at the European Green Capital Tallinn 2023 Opening Events in Tallinn, Estonia.

- (ii) Circulated, report of the A/Director, Economic Development and Enterprise, dated 12<sup>th</sup> January, 2023, seeking the Council’s approval to proposed visit by the Mayor to Birmingham following invitation from the Limerick Association Birmingham.

Proposed by Councillor Sheahan (J);

Seconded by Councillor O’Brien;

And Resolved:

“That, the approval of the Council be and is hereby given, in accordance with Section 142(5) of the Local Government Act, 2001, as amended, to proposed visit by the Mayor of the City and County of Limerick to Birmingham.”

- (iii) Circulated, report of the Senior Executive Officer, Corporate Services, Governance and Customer Services, dated 16<sup>th</sup> January, 2023, seeking the Council’s approval to proposed visit by the Mayor, and a delegation, to New York, USA, for attendance and participation in the Annual St. Patrick’s Day Parade in New York.

Proposed by Councillor Sheahan (J);

Seconded by Councillor O’Brien;

And Resolved:

“That, the approval of the Council be and is hereby given, in accordance with Section 142(5) of the Local Government Act, 2001, as amended, to proposed visit by the Mayor of the City and County of Limerick, and a delegation, to New York, USA.”

- (iv) Circulated, report of the Senior Executive Officer, Corporate Services, Governance and Customer Services, dated 12<sup>th</sup> January, 2023, seeking the Council’s approval to proposed visit by the Mayor, and a delegation, to Rockaway Beach, Queens, New York, USA, for attendance and participation in the Annual Queens County St. Patrick’s Day Parade.

Proposed by Councillor Sheahan (J);

Seconded by Councillor O’Brien;

And Resolved:

“That, the approval of the Council be and is hereby given, in accordance with Section 142(5) of the Local Government Act, 2001, as amended, to proposed visit by the Mayor of the City and County of Limerick, and a delegation, to Rockaway Beach, Queens, New York, USA.”

(v) Circulated, report of the Senior Executive Officer, Corporate Services, Governance and Customer Services, dated 16<sup>th</sup> January, 2023, seeking the Council's approval to proposed visit by the Mayor, and a delegation, to Savannah, Georgia, USA, for attendance and participation in the Annual St. Patrick's Day Parade.

Proposed by Councillor Sheahan (J);  
 Seconded by Councillor O'Brien;  
 And Resolved:

"That, the approval of the Council be and is hereby given, in accordance with Section 142(5) of the Local Government Act, 2001, as amended, to proposed visit by the Mayor of the City and County of Limerick, and a delegation, to Savannah, Georgia, USA."

(vi) Circulated, report of the Senior Executive Officer, Corporate Services, dated 17<sup>th</sup> January, 2023, seeking the Council's approval to proposed visit by the Mayor, and a delegation, to Hohenlohe, Germany.

Proposed by Councillor Sheahan (J);  
 Seconded by Councillor O'Brien;  
 And Resolved:

"That, the approval of the Council be and is hereby given, in accordance with Section 142(5) of the Local Government Act, 2001, as amended, to proposed visit by the Mayor of the City and County of Limerick, and a delegation, to Hohenlohe, Germany."

**(d) Vacancy on Joint Policing Committee**

Circulated, report of the Senior Executive Officer, Corporate Services, Governance and Customer Services, dated 16<sup>th</sup> January, 2023, in relation to the filling of the vacancy on the Joint Policing Committee consequent on the resignation of Councillor Liam Galvin from the Committee.

On the proposal of Councillor Galvin, seconded by Councillor O'Sullivan, it was agreed that Councillor Sheahan (J) would be appointed to fill the vacancy on the Joint Policing Committee.

**(e) Vacancy – Innovate Limerick**

The Meetings Administrator advised that the Council was required to consider filling vacancy on the Board of Innovate Limerick consequent on the resignation of Councillor Ryan (E) from the Board.

Proposed by Councillor Teefy;  
 Seconded by Councillor O'Brien;

"That, Councillor Scanlan be appointed to the Board of Innovate Limerick to fill the vacancy consequent on the resignation of Councillor Ryan (E) from the Board."

Proposed by Councillor O'Hanlon;  
Seconded by Councillor Ryan (M);

"That, the Councillor Collins (M) be appointed to the Board of Innovate Limerick to fill the vacancy consequent on the resignation of Councillor Ryan (E) from the Board."

Proposed by Councillor Sheahan (J);  
Seconded by Councillor Galvin;

"That, Councillor McSweeney be appointed to the Board of Innovate Limerick to fill the vacancy consequent on the resignation of Councillor Ryan (E) from the Board."

The Mayor directed that a Vote be taken and the result of the voting was as follows:

**For Councillor Scanlan**

Councillors Benson, P.J. Carey, Collopy, Daly, O'Brien, O'Donoghue, Ryan (E), Scanlan, Teefy. (9)

**For Councillor Collins (M)**

Councillors Collins (B), Collins (J), Collins (M), Donegan, Foley, O'Hanlon, Pond, Ryan (M), Sheahan (K), Slattery. (10)

**For Councillor McSweeney**

Councillors Butler, Egan, Galvin, Hartigan, Keary, Kiely, Leddin, McSweeney, Mitchell, Murphy, Novak, O'Donovan, O'Sullivan, Ruddle, Secas, Sheahan (J), Sheahan (M), Sheehan (C), Teskey. (19)

**Abstention**

Councillor Kilcoyne.

The Mayor declared Councillor McSweeney appointed to the Board of Innovate Limerick to fill the vacancy consequent on the resignation of Councillor Ryan (E) from the Board.

**(f) LECP (Local Economic and Community Plan) Steering Group**

The Meetings Administrator advised that the Council was required to consider filling vacancy on the LECP (Local Economic and Community Plan) Steering Group consequent on the resignation of Councillor Ryan (E) from the Steering Group.

On the proposal of Councillor Ryan (E), seconded by Councillor Sheahan (J), Councillor Galvin was appointed to the LECP (Local Economic and Community Plan) Steering Group to fill the vacancy consequent on the resignation of Councillor Ryan (E) from the Steering Group.

**(g) Strategic Policy Committee Reports**

- (i) Circulated, report of the Chairperson of the Community, Leisure and Culture Strategic Policy Committee dated 12<sup>th</sup> January, 2023, in relation to meeting of the Committee held on 5<sup>th</sup> December, 2022, together with Draft Culture and Creativity Strategy 2023-2027.

The report was noted by the Council.

**Recommendation**

**That, the Draft Culture and Creativity Strategy 2023-2027 be considered by the Full Council for adoption.**

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

“That, the Culture and Creativity Strategy 2023-2027, as circulated, be and is hereby adopted.”

- (ii) Circulated, report of the Chairperson of the Economic Development, Enterprise and Planning Strategic Policy Committee dated 10<sup>th</sup> January, 2023, in relation to Meeting of the Committee held on 12<sup>th</sup> December, 2022.

The report was noted by the Council.

- (iii) Circulated, report of the Chairperson of the Meeting of Climate Action, Biodiversity and Environment Strategic Policy Committee dated 13<sup>th</sup> January, 2023, in relation to Meeting of the Committee held on 13<sup>th</sup> December, 2022.

The report was noted by the Council.

- (iv) Circulated, report of the Chairperson of the Travel and Transportation Strategic Policy Committee dated 10<sup>th</sup> January, 2023, in relation to Meeting of the Committee held on 20<sup>th</sup> December, 2022.

The report was noted by the Council.

**Recommendation**

**That, Limerick City and County Council contact the Minister for Transport asking that any civil works due on the Limerick/Foynes Rail Line reinstatement will future-proof the line to become a dual line.**

On the proposal of Councillor Ryan (M), seconded by Councillor Collins (M), the Recommendation was agreed.

- (v) Circulated, report of the Chairperson of the Home and Social Development Strategic Policy Committee dated 14<sup>th</sup> December, 2022, in relation to Meeting of the Committee held on 14<sup>th</sup> December, 2022; also circulated, report of the Director, Housing, dated 11<sup>th</sup> January, 2023, enclosing draft Housing One Rep Policy(Rev07 Draft Policy Proposal).

The report was noted by the Council.

**Recommendation**

**That, the draft Housing One-Rep Policy be recommended to Council for adoption.**

Proposed by Councillor Collins (B);

Seconded by Councillor Sheahan (J);

And Resolved:

“That, the Housing One Rep Policy (Rev07 Draft Policy Proposal), as circulated, be and is hereby adopted.”

Members agreed that the Housing One Rep Policy be reviewed after a period of six months to consider its implementation and effectiveness following its introduction. Members also agreed that an electronic form needed to be developed to facilitate this, so as to reduce the amount of paper and workload for Members in dealing with this.

**5. Transportation and Mobility**

**Limerick City and County Council Road Traffic Special Speed Limit Bye-Laws - Speed Limit Appeals 2022**

Circulated, report of the Senior Executive Engineer, Roads Traffic and Cleansing, dated 9<sup>th</sup> January, 2023, in relation to the making of the Limerick City and County Council Road Traffic Special Speed Limit Bye-Laws – Speed Limit Appeals 2022.

The Director, Transportation and Mobility confirmed that this item related to speed limit appeals only and that the next full Speed Limit Review process would be commencing later in 2023.

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

“That, the Limerick City and County Council Road Traffic Special Speed Limit Bye-Laws – Speed Limit Appeals, 2022, be and are hereby made, in accordance with Section 9 of the Road Traffic Act, 2004.”

**6. Conferences**

**(a) Participation by Members at Conferences**

Details of the following Conferences had been circulated electronically to the Members: (i) “The Finance Act, 2022” held in Carlingford, Co. Louth, from 6<sup>th</sup> – 8<sup>th</sup> January, 2023; (ii) “Local Authority Procurement Process” to be held in Clonakilty, Co. Cork, from 20<sup>th</sup> – 22<sup>nd</sup> January, 2023; (iii) “Modular Housing in Ireland” to be held in Carlingford, Co. Louth, from 3<sup>rd</sup> – 5<sup>th</sup> February, 2023; (iv) “Protecting your Mental Health as a Public Representative” to be held in Clonakilty, Co. Cork, from 3<sup>rd</sup> – 5<sup>th</sup> March, 2023.

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

**Carlingford, Co. Louth (6<sup>th</sup> – 8<sup>th</sup> January, 2023):** Councillors Leddin, Kilcoyne, Scanlan.

**Carlingford, Co. Louth (3<sup>rd</sup> – 5<sup>th</sup> February, 2023):** Councillor Teefy.

**(b) Report on Conference / Seminar / Meeting / Event**

Circulated, reports by Members who have participated at Conference / Seminar / Meeting / Event.

The reports were noted by the Council.

**QUESTIONS**

Replies to the following Questions on the Agenda were circulated to all Members prior to the Meeting and the Questions were therefore considered as having been dealt with:

**7. Question submitted by Councillor S. Hartigan**

**I will ask at the next Meeting can Limerick City and County Council please provide a legal opinion on the rights of a person to record a public Council meeting, whether in person or online; and to outline, if there is a legal barrier to recording, what sanctions can Limerick City and County Council impose if a meeting is recorded by an individual.**

**REPLY:** The Standing Orders for Meetings, which are adopted by the Elected Members, state that no cameras of any kind, or sound recording, or communication equipment may be used by any person at Meetings of the Council, without prior approval of the Council.

The Meetings Administrator also begins each Meeting by outlining the requirements of Standing Orders that any recording is prohibited, i.e. that no recording of the Meeting and its proceedings by any person, including Elected Members and attending members of the public and media, shall be allowed.

The Standing Orders also state that any Member of the Council, or any other attendee, who, in the opinion of the Mayor, transgresses any Standing Order or refuses to obey the ruling of the Mayor, may be called to order by the Mayor.

If (s)he persists in her/his refusal to obey the ruling of the Mayor, then the Mayor may suspend her/him for the remainder of the sitting. The Standing Orders also outline that the provisions of Section 57(d) of the Local Government Reform Act 2014 shall apply in relation to disorderly conduct. The legislation provides for sanctions, including, for example, suspension from meetings and a reduction in remuneration.

Separately, the recording of a meeting may not be in compliance with the General Data Protection Regulation (GDPR) and, depending on the circumstances, there may be legal remedies available therein to an attendee at a meeting who believes a recording was possibly made and who wishes to contest same.

#### **8. Question submitted by Councillor J. Scanlan**

**I will ask at the next Meeting (a) how much of the Council-approved loan to Easy Bikes has been drawn down and what the outstanding balance stands at, (b) how many bicycles were purchased, (c) where are these Bikes stored, and (d) what is the connection with the Limerick Bike Hire and how does the name change impact on this Council's Loan Agreement.**

**REPLY:**

- (a) How much of the Council-approved loan to Easy Bikes has been drawn down and what the outstanding balance stands at:** The loan of €300,000 to Lazy Bike Tour Company is fully drawn down. The loan payments made to date are €23,300 in line with the agreed payment schedule.
- (b) How many bicycles were purchased:** To date, Limerick Greenway Bike Hire has purchased approximately 300 bikes.

(c) **Where are these Bikes stored:** All bikes are stored locally, in Co. Limerick.

(d) **What is the connection with the Limerick Bike Hire and how does the name change impact on this Council's Loan Agreement:** The loan agreement with Limerick City and County Council is with The Lazy Bike Tour Company Limited. This loan is personally guaranteed and is registered with the CRO (Companies Registration Office). Limerick Greenway Bike Hire Ltd. is the name of the company they have set up to operate from the Limerick Greenway Hubs. This does not impact on the loan agreement.

**9. Question submitted by Councillor J. Scanlan**

**I will ask at the next Meeting how much money has been spent by our Authority on Consultancy Services in each of the years 2018 through to 2022.**

**REPLY:** The following amounts were paid in the five years 2018 to 2022 on consultancy services:

<u>Year</u>	<u>Amount</u>
2018	€ 640,016
2019	€ 751,932
2020	€ 1,196,028
2021	€ 1,293,094
2022	€ 863,812
<b>Total:</b>	<b>€ 4,744,882</b>

Some of the costs are recoupable/have been recouped. Please note that costs do not include consultancy services in respect of Roads or Housing.

**10. Question submitted by Councillor C. Sheehan**

**I will ask at the next Meeting for a breakdown on the budget allocated to festivals and events for 2017-2022.**

**REPLY:** Outlined below are budget allocations for Limerick Festivals and Events for 2017-2022, including: (1) The Festivals and Events Grant Scheme; and (2) The Civic Festivals.

Limerick City and County Council delivers other Festivals; this data does not include, e.g. Culture Night, Cruinniú na nÓg and Africa Day. Limerick City and County Council also administers the Local LPSS (Live Performance Support Scheme) and Fáilte Ireland funding.

## 1. Festivals and Events Grant Scheme

Year	Festivals and Events Grant Scheme	Grant Allocation
2017	Festivals and Events Grant Scheme	€260,000
2018/2019	Festivals and Events Grant Scheme	€270,000
2019/2020	Festivals and Events Grant Scheme	€270,000
2020/2021	Festivals and Events Grant Scheme	€245,000
2021/2022	Festivals and Events Grant Scheme	€211,000
2022/2023	Festivals and Events Grant Scheme	€205,750

## 2. Civic Festivals

Year	St. Patrick's Day Parade and Irish Band Championships
2017	€146,380.19
2018	€141,510.13
2019	€183,075.19
2020	€129,643.69
2021	€ 49,922.25
2022	€208,841.90

Year	Riverfest
2017	€202,671.65
2018	€175,240.85
2019	€212,397.41
2020	€ 45,887.03
2021	€ 15,754.75
2022	€321,821.62

Year	Christmas in Limerick
2017	€100,045.53
2018	€118,687.64
2019	€123,037.93
2020	€113,224.81
2021	€ 70,760.75
2022	€110,000.00

## **NOTICES OF MOTION**

### 11. **Notice of Motion submitted by Councillor S. Hartigan**

I will move at the next Meeting that all public meetings of Limerick City and County Council are video recorded to provide an accurate record of meetings and that these recordings are publicly available.

The Motion was proposed by Councillor Hartigan and seconded by Councillor Sheehan (C).

**REPLY:** Section 14 of Schedule 10 of the Local Government Act outlines that the Minutes of the proceedings of a Meeting of the Council shall be drawn up by the Meetings Administrator and shall include:

- The date, place and time of the Meeting;
- The names of the Members present at the Meeting;
- The names of the senior employees of the Local Authority present at the Meeting;
- Reference to any report submitted to the Members at the Meeting;
- Where there is a roll call vote, the number and names of Members voting for and against the Motion and those abstaining.
- Particulars of all Resolutions passed at the Meeting and such other matters considered appropriate.

This provision is included in the Standing Orders of the Meeting. The written Minutes of the Meeting form the record, are publicly available and are intended to capture the information as set out in the legislation.

With regard to the video recording of Meetings, this topic is currently being considered by a Working Group of the Corporate Committee of the Local Government Management Agency (LGMA). The Data Protection Officer Network is also considering the options. In light of the processing of personal data involved, there are a number of factors to be considered including the legal basis for the recording, as well as compliance with principles such as data minimisation, transparency, purpose limitation and storage limitation. Processing personal data in this manner would have to demonstrate that the processing is necessary, proportionate and justified. The Committee will take a risk-based approach and arrange for a Data Protection Impact Assessment to be carried out which will be available to each local authority for consideration.

The Meetings Administrator also read the Reply to the earlier Question No. 7 on the agenda, submitted by Councillor Hartigan, in relation to the same matter, a copy of which had been circulated to the Members prior to the Meeting.

The Members discussed the merits and risks of recording Meetings and the remedies available if someone were to record the meeting without permission.

Following further discussion, Councillor Hartigan stated that he was happy to defer the Motion if legal advice were sought on the matter. The Chief Executive agreed to the request to seek formal legal advice on the matter.

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

I will move at the next Meeting that Limerick City and County Council invite Irish Rail to a Council Meeting to update Members on the planned refurbishment of the railway line from Limerick to Foynes and discuss potential of disused Mungrange line.

The Motion was proposed by Councillor Leddin, seconded by Councillor Sheehan (C), and adopted.

**13. Notice of Motion submitted by Councillor J. Scanlan (to be referred to the Home and Social Development Strategic Policy Committee)**

I will move at the next Meeting that a Working Group, inclusive of concerned Councillors, be appointed to resolve the matter of long-term vacant Council-owned properties within County Limerick.

It was agreed to refer the Motion to the Home and Social Development Strategic Policy Committee.

**14. Notice of Motion submitted by Councillor T. Collopy**

I will move at the next Meeting that the Council write to the Road Safety Authority for an explanation as to why there is a backlog of bus drivers awaiting testing by their Association.

The Motion was proposed by Councillor Collopy, seconded by Councillor Benson, and adopted.

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

I will move at the next meeting that the Council write to the Minister for Health asking him to allocate and appoint a full time HIV Consultant at University Hospital Limerick.

The Motion was proposed by Councillor Sheehan (C), seconded by Councillor O'Sullivan, and adopted.

**16. Correspondence**

The Correspondence circulated with the agenda was taken as read.

**CHIEF EXECUTIVE'S ORDERS:**

The Register of Orders made by the Chief Executive up to the date of the Meeting was available on SharePoint 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 for inspection by the Members.

Signed:

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**Mayor**

Date:

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