

**MINUTES OF PROCEEDINGS AT MEETING OF LIMERICK CITY AND COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, DOORADOYLE, LIMERICK, AND ONLINE, ON MONDAY, 17<sup>TH</sup> JULY, 2023, AT 3PM**

**PRESENT IN THE CHAIR:**

Councillor G. Mitchell, Mayor.

**MEMBERS PRESENT:**

Councillors Benson, Butler, Carey, Collins (B), Collins (J), Collins (M), Collopy, Daly, Donegan, Egan, Foley, Galvin, Hartigan, Keary, Kiely, Kilcoyne, Leddin, McSweeney, Murphy, Novak Uí Chonchúir, O'Brien, O'Donoghue, O'Donovan, O'Hanlon, O'Sullivan, Pond, Ruddie, Ryan (E), Ryan (M), Scanlan, Sheahan (J), 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, Housing (Ms. C. Curley), Director, Regeneration, Sports and Recreation (Mr. J. Delaney), Director, Transportation and Mobility (Mr. B. Kennedy), Director, National and Regional Shared Services (Mr. K. Lehane), Director, Planning, Environment and Place-Making (Mr. V. Murray), A/Director, Economic Development, Enterprise and Tourism (Ms. E. Coleman), A/Director, Rural, Community and Culture Development (Mr. S. O'Connor), Head of Digital Strategy (Mr. A. Dooley), 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) Special Meeting of the Council held on 5<sup>th</sup> April, 2023 (2pm).
- (b) Ordinary Meeting of the Council held on 22<sup>nd</sup> May, 2023.
- (c) Special Meeting of the Council held on 26<sup>th</sup> May, 2023
- (d) Special Meeting of the Council held on 29<sup>th</sup> May, 2023.

Proposed by Councillor Ryan (E);  
Seconded by Councillor Teskey;  
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. Councillor Keary made a declaration on one agenda item.

### **3. Disposal of Land**

- (a) Circulated, copy of Statutory Notice dated 25<sup>th</sup> May, 2023, concerning disposal of 9, Rathbane Road, Rathbane, Limerick.

Proposed by Councillor O'Hanlon;  
Seconded by Councillor Sheahan (J);  
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 9 Rathbane Road, Rathbane, Limerick, to Anne Catherine Johnston, 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 25<sup>th</sup> May, 2023."

- (b) Circulated, copy of Statutory Notice dated 26<sup>th</sup> May, 2023, together with map outlining property details, concerning disposal of 11, Desmond Drive, Adare, Co. Limerick.

Proposed by Councillor O'Hanlon;  
Seconded by Councillor Sheahan (J);  
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 11 Desmond Drive, Adare, Co. Limerick, to Mary Roche, Legal Personal Representative (LPR) of Catherine Costello, 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 26<sup>th</sup> May, 2023."

- (c) Circulated, copy of Statutory Notice dated 6<sup>th</sup> July, 2023, concerning disposal of land comprising Area 'A' 0.009 hectares (0.022 acres) at Childers Road, Limerick, and land comprising Area 'B' 0.0052 hectares (0.012 acres) at Childers Road, Limerick.

Proposed by Councillor O'Hanlon;  
Seconded by Councillor Sheahan (J);  
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 Area 'A' 0.009 hectares (0.022 acres) at Childers Road, Limerick, and land

comprising Area 'B' 0.0052 hectares (0.012 acres) at Childers Road, Limerick., to Iarnród Éireann, for the sum of €1, subject to the covenants and conditions contained within the contract and Iarnród Éireann to cover Limerick City and County Council's legal costs, particulars of which were contained in Statutory Notice dated 6<sup>th</sup> July, 2023."

- (d) Circulated, copy of Statutory Notice dated 7<sup>th</sup> July, 2023, concerning disposal of land comprising 0.0265 hectares (265m/sq) at Garraane Beg, Pallasgreen, Co. Limerick - right-of-way marked 'A-B' in favour of Pallas Utd. Soccer Club marked red on Map AG/5138.

Proposed by Councillor O'Hanlon;  
Seconded by Councillor Sheahan (J);  
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 0.0265 hectares (265m/sq) at Garraane Beg, Pallasgreen, Co. Limerick, right-of-way marked 'A-B' in favour of Pallas Utd. Soccer Club marked red on Map AG/5138, to the Health Service Executive, for the sum of €1,456, subject to the covenants and conditions contained within the contract, an area of right-of-way in favour of Pallas Utd. Soccer Club, particulars of which were contained in Statutory Notice dated 7<sup>th</sup> July, 2023."

### **Derelict Disposals**

- (e) Circulated, copy of Statutory Notice dated 7<sup>th</sup> July, 2023, concerning disposal of property at 2 Treaty Terrace, Thomondgate, Limerick.

Proposed by Councillor McSweeney;  
Seconded by Councillor Sheehan (C);  
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 2 Treaty Terrace, Thomondgate, Limerick, to Mike Tuohy, for the sum of €131,000, subject to the covenants and conditions contained within the contract, particulars of which were contained in Statutory Notice dated 7<sup>th</sup> July, 2023."

- (f) Circulated, copy of Statutory Notice dated 7<sup>th</sup> July, 2023, concerning disposal of property at 11 Colbert Terrace, Abbeyfeale, Co. Limerick.

Proposed by Councillor McSweeney;  
Seconded by Councillor Sheehan (C);  
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 11 Colbert Terrace, Abbeyfeale, Co. Limerick, to Dr. Eyad Abushandi, for the sum of €47,000, subject to the covenants and conditions contained within the contract, particulars of which were contained in Statutory Notice dated 7<sup>th</sup> July, 2023.”

- (g) Circulated, copy of Statutory Notice dated 7<sup>th</sup> July, 2023, concerning disposal of property at Elm Park, Clarina, Co. Limerick.

Proposed by Councillor McSweeney;  
Seconded by Councillor Sheehan (C);  
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 Elm Park, Clarina, Co. Limerick, to Vincent Houlihan and Amy Mulqueen, for the sum of €106,000, subject to the covenants and conditions contained within the contract, particulars of which were contained in Statutory Notice dated 7<sup>th</sup> July, 2023.”

#### **4. Support Services**

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

Circulated, Chief Executive's Report for the month of May 2023.

The Report was noted by the Council.

##### **(b) Quarter 2 Financial Update**

Circulated, Quarterly Financial Report for Limerick City and County Council for period ended April - June 2023.

The report was noted by the Council.

##### **(c) PAUL Partnership Limerick CLG**

Circulated, correspondence from PAUL Partnership Limerick CLG, dated 3<sup>rd</sup> October, 2022, seeking the nomination of two Members of Limerick City and County Council to the Board of PAUL Partnership Limerick CLG.

One Member from each of the three Local Electoral Areas in the Metropolitan District of Limerick comprised the Council's representation on the Board.

It was noted that Councillor Sheahan (M) had been appointed at the May Meeting to fill the vacancy caused by the resignation of Councillor Kiely (Limerick City East) from the

Board. One vacancy remained to be filled further to the resignation of Councillor Benson (Limerick City North) from the Board.

On the proposal of Councillor O'Hanlon, seconded by Councillor Ryan (E), Councillor Tom Collopy (Limerick City North), was appointed to the Board of PAUL Partnership Limerick CLG to fill the vacancy consequent on the resignation of Councillor Benson from the Board.

**(d) Sectoral Nomination – Vacancy on Economic Development, Enterprise and Planning Strategic Policy Committee**

Circulated, report of the Senior Executive Officer, Corporate Services, Governance and Customer Services, dated 27<sup>th</sup> June, 2023, seeking the Council's approval of Sectoral nomination to the Economic Development, Enterprise and Planning Strategic Policy Committee.

The report stated that there was a vacancy on the Economic Development, Enterprise and Planning Strategic Policy Committee arising from the resignation of Diarmuid O'Shea from the Committee. Correspondence had been received from the Business and Employers' Pillar nominating Mr. Eoghan Carr, Limerick Chamber, to the Committee, representing the Business/Commercial Sector. The approval of the Council was sought to this appointment.

Proposed by Councillor Sheahan (J);

Seconded by Councillor Collins (B);

And Resolved:

"That, the approval of the Council be and is hereby given to the appointment of Eoghan Carr, Limerick Chamber, to replace Diarmuid O'Shea, on the Economic Development, Enterprise and Planning Strategic Policy Committee, representing the Business/Commercial Sector."

**(e) Public Participation Network (PPN) Nominations – Vacancies on Community, Leisure and Culture and Climate Action, Biodiversity and Environment Strategic Policy Committees**

Circulated, report of the Local Community Development Committee (LCDC) Chief Officer dated 7<sup>th</sup> July, 2023, seeking the Council's approval to the appointment of PPN representatives to fill vacancies on the Community, Leisure and Culture and the Climate Action, Biodiversity and Environment Strategic Policy Committees -

- Colm Breen, Kilmurry Arts and Heritage Centre, was being nominated to the Community, Leisure and Culture Strategic Policy Committee, representing the Community/Voluntary Sector.
- Marian Hurley, Kilmurry Arts and Heritage Centre, was being nominated to the Climate Action, Biodiversity and Environment Strategic Policy Committee, representing the Community/Voluntary Sector.

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

"That, the approval of the Council be and is hereby given to the appointment of the following PPN representatives to the Strategic Policy Committees as set out: (i) Colm Breen, representing the Community/Voluntary Sector, to the Community, Leisure and Culture Strategic Policy Committee, to fill the vacancy consequent on the resignation of Mary Conlon; and (ii) Marian Hurley, representing the Community/Voluntary Sector, to the Climate Action, Biodiversity and Environment Strategic Policy Committee, to fill the vacancy consequent on the resignation of Denis McAuliffe."

**(f) Proposed Schedule of Dates for Strategic Policy Committee Meetings**

Circulated, report of the Senior Executive Officer, Corporate Services, Governance and Customer Services dated 11<sup>th</sup> July, 2023, together with Schedule of proposed dates for Strategic Policy Committee Meetings up to May 2024.

The Schedule, as circulated, was proposed by Councillor Sheahan (J), seconded by Councillor O'Hanlon, noted and agreed.

**(g) Limerick Market Trustees**

Circulated, report of the Senior Executive Officer, Corporate Services, Governance and Customer Services, dated 10<sup>th</sup> July, 2023, 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 Limerick Market Trustees. The Council was required to make these nominations annually.

On the proposal of Councillor Sheahan (J), seconded by Councillor Collins (B), the Mayor of the City and County of Limerick 2023/2024 (Councillor G. Mitchell) and the Cathaoirleach of the Metropolitan District of Limerick 2023/2024 (Councillor A. Talukder) were appointed to the Limerick Market Trustees for the coming year.

On the proposal of Councillor Collins (J), seconded by Councillor Collins (B), the following Members were also appointed to the Limerick Market Trustees for the coming year:

Councillors Novak, Kilcoyne, O'Donovan, Daly, Collins (J), Sheahan (K), Slattery, Ryan (M), Butler, Kiely, McSweeney, Sheahan (M), Murphy, Sheehan (C), O'Sullivan, Pond.

**(h) Foreign Travel**

Circulated, report of the Senior Executive Officer, Corporate Services, Governance and Customer Services, dated 15<sup>th</sup> June, 2023, seeking retrospective approval of the Council to foreign travel in respect of visit by the Mayor of the City and County of Limerick to Spokane, Washington State, USA.

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

“That, in accordance with Section 142 (5) of the Local Government Act, 2001, as amended, retrospective approval of the Council be and is hereby given to foreign travel in respect of visit by the Mayor of the City and County of Limerick to Spokane, Washington State, USA.”

**(i) Strategic Policy Committee Reports**

- (i) Circulated, report of the Chairperson of the Home and Social Development Strategic Policy Committee dated 8<sup>th</sup> June, 2023, in relation to meeting of the Committee held on 8<sup>th</sup> June, 2023.

The report was noted by the Members.

- (ii) Circulated, report of the Chairperson of the Community, Leisure and Culture Strategic Policy Committee dated 4<sup>th</sup> July, 2023, in relation to meeting of the Committee held on 12<sup>th</sup> June, 2023.

The report was noted by the Members.

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

The report was noted by the Council.

- (iv) Circulated, report of the Chairperson of the Travel and Transportation Strategic Policy Committee dated 7<sup>th</sup> July, 2023, in relation to meeting of the Committee held on 20<sup>th</sup> June, 2023.

The report was noted by the Council.

- (v) Economic Development, Enterprise and Planning Strategic Policy Committee Meeting held on 10<sup>th</sup> July, 2023 - it was noted that the Chairperson's report in relation to this meeting would be included on the agenda for the September Council Meeting.

## **5. Transportation and Mobility**

### **(a) Limerick City and County Council Road Traffic (Limerick City Centre 30 km/h Speed Limit) Bye-Laws 2023**

Circulated, report of the Senior Executive Engineer, Roads, Traffic and Cleansing, Transportation and Mobility Directorate, dated 2<sup>nd</sup> July, 2023, enclosing copy of the Draft Limerick City Centre 30 km/h Speed Limit Bye-Laws 2023.

It was the view of some Members that they needed more clarity on the proposed Draft Limerick City Centre 30 km/h speed limit Bye-Laws 2023 before making a decision, and requested to defer the item until the September Plenary Meeting, whilst other Members welcomed the proposed bye-laws and were in favour of making a decision on them at this meeting.

Councillor Hartigan proposed that a decision on the item is taken at this meeting and the proposal was seconded by Councillor Slattery.

Councillor Sheahan (J) proposed that the item be deferred until the September Plenary Meeting in order to hold a workshop for Members and the proposal was seconded by Councillor Galvin.

Following further discussion, the Mayor directed that a vote be taken on the proposal to defer and the result of the voting was as follows:

#### **For Deferral**

Councillors Benson, Butler, Collopy, Egan, Galvin, Keary, Kiely, Kilcoyne, McSweeney, Mitchell, Murphy, O'Brien, O'Donoghue, O'Sullivan, Ruddle, Ryan (E) Scanlan, Sheahan (J), Sheahan (M), Talukder, Teefy (21)

#### **Against Deferral**

Councillors Carey, Collins (B), Collins (J), Collins (M), Foley, Hartigan, Leddin, Novak Uí Chonchúir, O'Donovan, O'Hanlon, Pond, Sheehan (C), Slattery (13)

#### **Abstentions**

There were no abstentions.

The Mayor declared the proposal to defer the decision on the Draft Limerick City Centre 30 km/h Speed Limit Bye-Laws until the September Plenary Meeting as carried, and it was agreed that a Workshop would be arranged.



**(b) Section 85 Agreement – Patrickswell to Charleville Greenway**

Circulated, Chief Executive's report dated 4<sup>th</sup> July, 2023, seeking the Council's approval to the entering into an agreement with Cork County Council under Section 85 of the Local Government Act, 2001, as amended, in relation to the Patrickswell to Charleville Greenway.

Proposed by Councillor McSweeney;

Seconded by Councillor Butler;

And Resolved:

"That, Limerick City and County Council agrees to the entering into an Agreement, as presented to it, under Section 85 of the Local Government Act, 2001, as amended, with Cork County Council, for the carrying out by Limerick City and County Council of all the relevant statutory procedures, procuring the design work, the employment and appointment of all consultants, experts and advisors, acquiring the land by agreement or compulsory purchase order and arranging for the construction works to be carried out, and any other powers, functions and duties necessary for the design, construction and completion of the Patrickswell to Charleville Greenway Scheme."

**6. Economic Development, Enterprise and Tourism**

**(a) Limerick City and County Council Festivals and Events Strategy 2023-2027**

Circulated, report of the Director, Economic Development, Enterprise and Tourism, dated 7<sup>th</sup> July, 2023, enclosing a draft copy of '*Embrace the Experience: Limerick City and County Council Festivals and Events Strategy 2023-2027*,' for the approval of the Council.

Proposed by Councillor O'Sullivan;

Seconded by Councillor O'Donovan;

And Resolved:

"That, '*Embrace the Experience: Limerick City and County Council Festivals and Events Strategy 2023-2027*,' as circulated, be and be and is hereby approved."

**(b) Update on Community CCTV in Limerick**

The Head of Digital Services, with the aid of a PowerPoint presentation, gave an update to the Council on Community CCTV in Limerick following a Data Protection Commission Audit.

He outlined the following to the Members:

- We have 353 Community CCTV Cameras across 4 schemes – (Northside 121, Southside 122, Canal & Riverbank 22, Hinterland 88)
- Traffic cameras remain off as per outcome of DPC inquiry
- Waste management cameras are not available yet but noted waiting for new legislation to be signed to permit use of cameras.

- He reminded Members that funding and governance of CCTV cameras is very important as CCTV processes personal data.
- He outlined to the Members the remediation actions that had to be completed as per final report received from the DPC inquiry, and confirmed that all were completed on time.
- Highlighted the process for applying for new Community CCTV schemes and how it was a long process. He noted that the process must include evidence of public consultation, evidence of historical crime, evidence of approval by the JPC amongst other documentation, and acknowledged that CCTV is an option of last resort.

The Members thanked the Head of Digital Services for his presentation and welcomed the update. They acknowledged the work that has gone into this and commended the council for the swift and professional response. They stressed their concerns over the long process to apply for a new Community CCTV scheme, noting that new areas such as greenways will not have evidence of historical crime. Members requested if details of how to apply could be shared with them. Members queried how the cameras will be maintained and if there is a contract in place.

Members also expressed disappointment that smart features had to be turned off including automatic number plate recognition as they considered this would be of great help in catching those responsible for carrying out crimes. Members agreed that when new legislation comes in allowing waste management cameras be used, it will help significantly to prevent illegal dumping.

Head of Digital Strategy responding to their queries highlighting they did have a maintenance contract in place and that we are obliged to ensure the cameras are working. He agreed to circulate the application process on how to apply for new CCTV Scheme.

**Suspension of Standing Orders:** It was noted that the time was approaching 5.30 p.m., and on the proposal of Councillor Sheahan (J), seconded by Councillor Ryan (E), Standing Orders were suspended in order to complete the agenda.

## **7. Rural, Community and Culture Development**

### **(a) Individual Arts Bursary Awards Scheme 2023**

Circulated, report of the Arts Officer dated 7<sup>th</sup> July, 2023, seeking the Council's approval to recommended allocations from the Assessment Panel under the Individual Arts Bursary Awards Scheme 2023.

Proposed by Councillor O'Sullivan;  
Seconded by Councillor O'Donovan;  
And Resolved:

"That, the approval of the Council be and is hereby given to recommended allocations under the Individual Arts Bursary Awards Scheme 2023, as set out in the report of the Arts Officer dated 7<sup>th</sup> July, 2023."

**(b) Dolores O’Riordan Music Bursary Scheme 2023**

Circulated, report of the Arts Officer dated 7<sup>th</sup> July, 2023, seeking the Council’s approval to recommended allocation from the Assessment Panel under the Dolores O’Riordan Music Bursary Scheme 2023.

Proposed by Councillor O’Sullivan;  
 Seconded by Councillor O’Donovan;  
 And Resolved:

“That, the approval of the Council be and is hereby given to the Dolores O’Riordan Music Bursary Award 2023, as recommended, and as set out in the report of the Arts Officer dated 7<sup>th</sup> July, 2023.”

**(c) Limerick Theatre Bursaries Award Scheme 2023**

Circulated, report of the Arts Officer dated 7<sup>th</sup> July, 2023, seeking the Council’s approval to recommended allocations from the Assessment Panel for Limerick Theatre Bursaries 2023.

Proposed by Councillor O’Sullivan;  
 Seconded by Councillor Collins (M);  
 And Resolved:

“That, the approval of the Council be and is hereby given to the recommended allocations under the Limerick Theatre Bursaries 2023, as set out in the report of the Arts Officer dated 7<sup>th</sup> July, 2023.”

**(d) ENGINE Short Film Bursaries 2023**

Circulated, report of the Arts Officer dated 7<sup>th</sup> July, 2023, seeking the Council’s approval to recommended allocations from the Assessment Panel for the ENGINE Short Film Bursaries Scheme 2023.

Proposed by Councillor O’Sullivan;  
 Seconded by Councillor Collins (M);  
 And Resolved:

“That, the approval of the Council be and is hereby given to the recommended allocations from the Assessment Panel for the ENGINE Short Film Bursaries Scheme 2023, as set out in the report of the Arts Officer dated 7<sup>th</sup> July, 2023.”

**(e) Strategic Fund for Arts and Culture Scheme 2023**

Circulated, report of the Arts Officer dated 7<sup>th</sup> July, 2023, seeking the Council’s approval to recommended allocations under the Strategic Fund for Arts and Culture Scheme 2023.

Proposed by Councillor O’Sullivan;  
 Seconded by Councillor Collins (M);  
 And Resolved:

“That, the approval of the Council be and is hereby given to the recommended allocations under the Strategic Fund for Arts and Culture Scheme 2023, as set out in the report of the Arts Officer dated 7<sup>th</sup> July, 2023.”

## **8. Conferences**

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

Details in relation to the following Conferences had been circulated electronically to the Members: (i) “Accelerate Green Conference – Ireland’s Sustainable Future 2023,” held in Tullamore, Co. Offaly, on 1<sup>st</sup> June, 2023; (ii) “Sean MacDiarmada Summer School 2023,” held in Kiltyclogher, Co. Leitrim, on 9<sup>th</sup>/10<sup>th</sup> June, 2023.

The Conferences were noted by the Council.

### **(a) Reports on Conference / Seminar / Meeting / Event**

Circulated, reports by Members who had 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 taken as having been dealt with:

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

I will ask at the next Meeting (a) how much of the loan approved by our Authority to the Dublin provider, Easy Bikes, and its associate company, Limerick Bike Hire, towards the purchase of 750 Bicycles for use on The Limerick Greenway, is now drawn down; (b) what are the repayment arrangements, how much per month; (c) what is the current indebtedness; (d) how many bikes have been purchased; and (e) where are they maintained.

**REPLY:** (a) The approved loan of €300,000 is fully drawn down. By way of clarity, the loan agreement does not specify the number of bicycles to be purchased. The loan is provided as bridging finance to the borrower to assist in the delivery of Bike Hire and Bus Shuttle service infrastructure on Limerick Greenway.

(b) The repayment arrangements are as follows: 26 payments, commencing September 2022, in the amount of €11,650 per payment. The interest rate is 0.50% with the total repayment amount of €302,901.46. The repayments are due in September 2022, October 2022, April, May, June, July, August, September and October 2023, April, May, June, July, August, September and October 2024, April, May, June, July, August, September and October 2025 and April, May and June 2026 (final payment).

(c) Payments have been received as per the schedule. As per the schedule, the current level of indebtedness is €242,739.

(d) There are 400 bikes available on Limerick Greenway by Limerick Greenway Bike Hire.

(e) The bicycles are maintained at the depots at Rathkeale, Newcastle West and Abbeyfeale.

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

**I will ask at the next Meeting for a full list of Approved Housing Bodies operating within our Authority.**

**REPLY:** Each year, Limerick City and County Council carries out an Annual Occupancy Audit on active Approved Housing Bodies that own, lease, or manage properties in Limerick City and County as of December 31<sup>st</sup> for the previous year. The most recent audit was completed for the year up to 31<sup>st</sup> December, 2022, and the list of Approved Housing Bodies contacted is as follows:

Abha Bhan Voluntary Housing Association	Focus Housing Association
Adapt Domestic Abuse Limited	Galbally Voluntary Housing Association
Adare Sheltered Housing Limited	Glin Homes for the Elderly
Ardagh Voluntary Housing Association	HAIL (Housing Association for Integrated Living)
Associated Charities Trust	Hospital Voluntary Housing Association
Athea Voluntary Housing Association	Icare Housing
Ballyhoura Rural Services	INIS Housing
Ballylanders Housing Association	Kilteely/Dromkeen Housing Association
Bergerie Trust	Knocklong Glenbrohane Elton VHA
Broadford Voluntary Housing Association and Community Childcare Facility	Marillac
Bruff Housing Association	Midwest Simon Community
Bruree Rockhill Community Housing Association	Murroe Community Housing
Cappamore Housing Association	Nash Charity (John)
CareBright	Newgrove Housing
Cheshire Foundation Of Ireland (The)	Novas

Circle VHA	Peter McVerry Trust
Cluid Housing Association	Rathkeale Sheltered Housing
Co-operative Housing Ireland	Respond
Corran-Deel Voluntary Housing Association	Saint Andrews Voluntary Housing Association
Croom Voluntary Housing Association	Simon Communities of Ireland
Cuan Mhuire Teoranta	Sophia Housing Association
Doon Community Housing	St. Ita's Voluntary Housing Association And Day-Care Centre
Drombanna Housing Association	St. Joseph's Foundation
Dromcollogher Community Housing	St. Vincent De Paul Midwest
Dromcollogher Voluntary Family Housing Association	St. Vincent De Paul Newcastle West
Dromin/Athlacca Housing Project	Thomond Housing Association
Embury Close Sheltered Company	Túath Housing Association

**11. Question submitted by Councillor S. Benson**

I will ask at the next Meeting, following the publication of Circular 5/23, which is designed to assist SMEs in Public Procurement, if this Council has applied the new thresholds regarding advertising or if it intends to continue to advertise all contracts on eTenders.

**REPLY:** The uplift in the thresholds, as set out in Circular 05/2023, has been reflected in the Council's Procurement Policy 2021-2023. As specified in this Circular, the use of eTenders should continue, but the Council does allow the use of email for requests for quotations in line with the spend thresholds.

**12. Question submitted by Councillor S. Benson**

I will ask at the next Meeting for an update regarding the feasibility study for a permanent ice facility for Limerick.

**REPLY:** CHL Ltd. were appointed by Limerick City and County Council to prepare and update the feasibility study for a National Winter Sports Centre in Limerick. This report is completed and is being considered by the Council Executive. A further update will be issued in due course.

**13. Question submitted by Councillor E. O'Donovan**

I will ask at the next meeting for the total expenditure paid in 2022 and to date this year by the Local Authority for Occupational Therapist assessment for housing adaptation/older persons' grants in Limerick.

**REPLY:** The total expenditure for 2022 by Limerick City and County Council for Occupational Therapist Assessments for housing adaptation/older person's grants is €20,648.25. The figure to date in 2023 is €9,225.45.

## **NOTICES OF MOTION**

**14. Notice of Motion submitted by the Municipal District of Adare-Rathkeale – Councillors B. Collins (Proposer), E. O'Brien, J. O'Donoghue, K. Sheahan, A. Teskey, S. Keary**

We will move at the next Meeting that Limerick City and County Council provide funding to support the twinning arrangements of towns in the County to allow for the provision of hospitality for visiting delegations and also to provide wayfinding signage at the various towns involved in twinning.

The Motion was proposed by Councillor Collins (B) and seconded by Councillor Keary.

In proposing the Motion, Councillor Collins (B) stated that twinning arrangements are great for towns for many reasons, including financial and educational. Councillor Collins stressed that the funding is currently falling on the generosity of local communities, and asked that we consider including support for twinning arrangements of towns, at budget.

**15. Notice of Motion submitted by Councillor S. Keary**

I will move at the next Meeting that the Forward Planning Section commence a review of the Limerick Development Plan 2022-2028 with a view to amending the terms of **Objective SS 017 – Rural Areas under Strong Urban Influence** to allow residents of Tier 4 Settlements build in the rural countryside without the current constraints.

The Motion was proposed by Councillor Keary and seconded by Councillor Collins (B).

**REPLY:**       **Background:** The Limerick Development Plan was adopted after an extensive period of consultation, which included discussions on the draft rural housing policy over a number of workshops with the Elected Members. Following these workshops, the Draft Limerick Development Plan was adopted at a Special Council Meeting on 14.6.2021 at which stage the Members made additional changes to the rural policy to allow for people who live in a level 4 settlement, where there is no capacity in the treatment plant, to be considered for a dwelling in the rural area. The OPR in its submission to the Draft Plan acknowledged that Limerick has a strong rural-based population but stated that it also needs to support the National Strategic Outcomes (NSO) of compact growth, sustainable mobility, transition to a low carbon and climate resilient society and sustainable management of environmental resources.

**Reason for Objective:** The reason settlements identified in level's 1-4 settlements are excluded from the definition of 'Local rural Area' is to ensure compliance with National and Regional Policy, which requires growth in areas under strong urban influence to be managed to avoid over development. Relevant National and Regional Policies are as follows:

National Policy Objective 19, states *“allows the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, **having regard to the viability of smaller towns and rural settlements**”*, in rural areas under urban influence.

Regional Policy Objective 27, also requires Local Authorities to include policies for the protection of the viability of smaller towns and rural settlements as key priority within Development plans and have regard to the viability of smaller towns and rural settlements in relation to rural policies.

**Alternative provided in the Plan:** To help strengthen and consolidate the settlement structure and reverse the decline in Limerick’s towns and villages, the plan promotes residential serviced sites in settlements. This objective is reinforced in the Government’s Rural Development Policy 2021 – 2025 – Our Rural Future, which sets out a clear ambition to support the regeneration, re-population and development of rural towns and villages, to contribute to local and national economic recovery. It offers a real alternative to the single one-off rural house, enabling those who seek the opportunity to build their own homes to one’s own design, but located in a town or village.

**Conclusion:** Having regard to the above, amending the objective as suggested would be contrary to both the National Planning Framework and the Regional Spatial and Economic Strategy. Therefore, I would not recommend proceeding with this variation as proposed. It would also be contrary to a number of policies and objectives in the Limerick Development Plan (listed below) resulting in the plan being internally inconsistent.

Policy CS P1 Core Strategy Implementation: It is a policy of the Council to implement the Core Strategy for Limerick to ensure consistency with policies at a national and regional level, in particular population targets and distribution.

Policy CS P2 Compact Growth: It is a policy of the Council to support the compact growth of Limerick City Metropolitan Area, towns and villages by prioritising housing and employment development in locations within and contiguous to existing City and town footprints where it can be served by public transport and walking and cycling networks, to ensure that development proceeds sustainably and at an appropriate scale, density and sequence, in line with the Core Strategy Table 2.7.

Policy CGR P1 Compact Growth and Revitalisation: It is a policy of the Council to achieve sustainable intensification and consolidation, in accordance with the Core Strategy, through an emphasis on revitalisation and the delivery of more compact and consolidated growth, integrating land use and transport, with the use of higher densities and mixed use developments at an appropriate



scale on brownfield, infill, backland, state lands and underutilised sites within the existing built footprint of Limerick's City, Towns and Villages.

Objective CGR O3 Urban Lands and Compact Growth: It is an objective of the Council to: a) Deliver 50% of new homes within the existing built-up footprint of Limerick City and Suburbs (in Limerick), Mungret and Annacotty and 30% of new homes within the existing built-up footprint of settlements, in a compact and sustainable manner in accordance with the Core and Housing Strategies of this Plan.

Director, Planning, Environment and Place-Making outlined what was required to change the development plan and referred to and read the following section from the Planning and Development ACT 2000 (as amended)

Section 13 - Variation of development plan.

13.—(1) A planning authority may at any time, for stated reasons, decide to make a variation of a development plan which for the time being is in force.

F121[(1A) (a) The members of a planning authority may at any time, for stated reasons, submit a resolution to the manager of the planning authority requesting him or her to prepare a report on a proposal by them to initiate a process to consider the variation of the development plan which for the time being is in force where three quarters of the members of that authority have approved such a resolution.

(b) The manager of a planning authority shall submit a report further to a request under paragraph (a) to the elected members within four weeks of the adoption of the resolution.]

Following further discussions, it was agreed to hold a workshop in relation to Tier 4 settlements with regard to issue of services and provision of affordable housing in the County. It was further agreed, that a working group would be set up to examine areas under pressure.

#### **16. Notice of Motion submitted by Councillor L. Galvin**

**I will move at the next Meeting that this Council write to the Minister for Housing, Local Government and Heritage and request that responsibility for water / sewerage be returned to the Councils and also that the necessary funding be provided to upgrade those water and sewerage systems in Limerick City and County which are not currently fit for purpose.**

On the proposal of Councillor Galvin, seconded by Councillor Keary, the Motion was adopted.

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

**I will move at the next Meeting that Limerick City and County Council establish a Working Group across Roads, Planning and Active Travel to determine how best we can facilitate those residents looking to bring their cars off the road but who reside on existing or planned Active Travel routes within architectural heritage areas**

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

**18. Notice of Motion submitted by Councillor J. Scanlan**

**I will move at the next Meeting that Service Level Agreements with the various providers of Public Lighting be reviewed as a matter of urgency.**

The Motion was proposed by Councillor Scanlan and seconded by Councillor Benson.

**REPLY:** As of July 2023, Limerick City and County Council manages and maintains 23,525 lights and their associated infrastructure within Limerick city and county. On 7<sup>th</sup> July this year, there were 225 noted faults within this network, which in turn corresponds to 1% of the overall network.

Of that 1% or 225 faults, 102 faults require the attendance of the ESB in order to facilitate the installation of interfaces and to deal with faults on the ESB network. The requirements for ESB presence on site is necessary to comply with safety standards from Safe Electric that must be adhered to.

We have escalated a number of cases to the ESB and we are working closely with their Engineers on the ground, who have committed to facilitating us insofar as they can. We are continuing to proactively manage these issues and are working closely with our maintenance contractor (Enerveo) and the ESB to get these items closed out in a timely manner. It should be noted that ESB is not a contractor/supplier to Limerick City and County Council. They are the owners of the infrastructure that needs the separation interface outlined above.

The remainder of the faults (123 or 0.5% of the Public Lighting stock) continue to be proactively managed and repaired. As with all maintenance contracts, there are, and will continue to be, challenges encountered which will be managed in conjunction with our maintenance provider. In the last number of years, we have switched to actively installing full LED heads as opposed to replacing existing outdated technology (Sons and Sox fittings). This impacts the time required to service lights but will improve energy usage and avoid paying for duplicate retrofits at the same location when considering the upcoming Public Lighting Energy Efficiency Project (PLEEP) contract. It should also be noted that there has been a vast improvement in outstanding faults

since the start of the year, with a reduction from approx. 274 to 123 (excluding ESB interface faults).

Enerveo has actively sought to improve their service and provide additional resources and recently have increased the number of crews to service Limerick.

Notwithstanding the significant constraints outlined above, Limerick City and County Council continues to work closely with Enerveo and other stakeholders to provide a high level of service.

**19. Notice of Motion submitted by Councillor S. Benson**

**I will move at the next Meeting that this Council apply a condition to all tenders going forward, whereby employers must be fully compliant with all national pay agreements.**

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

**REPLY:** All tenderers would be required to be fully compliant with all Statutory Requirements/Agreements and this would form part of the Terms and Conditions of the contract.

Prior to works contract award, the Council confirms of compliance of Sectoral Employment Order 2021 (including the pension/sick pay scheme/rate of pay/etc.) of the tenderer under consideration. This is sent to the Workplace Partnership Facilitator by the person responsible for the contract, and circulated to the Trade Unions.

Also, contractors are required to complete the Rates of Pay and Conditions of Employment Certificate for each payment being processed by the Council.

Following discussions, Members requested that a private workshop be organised in relation to procurement requirements with regard to tendering process and compliance with national pay agreements. It was agreed that a workshop would be arranged for Members.

**20. Notice of Motion submitted by Councillor E. O'Donovan**

**I will move at the next Meeting that this Council support the Limerick retained fire and rescue service personnel and call on the Minister for Local Government and the Minister for Public Expenditure to provide the funding necessary to enhance this vital service.**

On the proposal of Councillor O'Donovan, seconded by Councillor Sheahan (J), the Motion was adopted.

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

**I will move at the next Meeting that the Council call on the Government to extend the Social Intervention Fund beyond the end of 2023 to ensure the continued funding of all Regeneration projects into the future.**

On the proposal of Councillor Sheehan (C), seconded by Councillor O'Donovan, the Motion was adopted.

Members were unanimous in their support that the fund remains in place to support regeneration projects, and it was agreed the Members would be briefed on the contents and recommendations of the draft KPMG before it is submitted.

**22. Notice of Motion submitted by Councillor E. Ryan**

**We will move at the next Meeting that Limerick City and County Council call on Mr. Darragh O'Brien, T.D., Minister for Housing, Local Government and Heritage, to introduce support measures for persons building houses whereby there are charges to group water schemes and for private wells in line with his support measures for waiving Section 48 development contributions and the refunding of Uisce Éireann water and waste water connection charges. This is in the interest of fairness for those persons where Uisce Éireann connections are not available.**

On the proposal of Councillor Ryan (E), seconded by Councillor Keary, the Motion was adopted.

**22A Notice of Motion submitted by Councillors J. Egan and D. McSweeney**

**I will move at the next Meeting that Limerick City and County Council call on Transport Infrastructure Ireland (TII) to fully engage with the Irish Farmers' Association by agreeing a new "Acquisition of Certain Lands for National Roads" agreement between the Irish Farmers' Association representing landowners impacted by the forthcoming Foynes to Adare motorway/dual carriageway. The current agreement has expired and the lack of an ongoing agreement will likely impact timely delivery of new infrastructure.**

On the proposal of Councillor Egan, seconded by Councillor McSweeney, the Motion was adopted by the Council.

Councillor Keary disclosed an interest in this item in accordance with Section 177 of the Local Government Act, 2001 (as amended).

It was agreed that a copy of the Motion would be forwarded to the Minister for Transport, the Minister of State at the Department of Transport with special responsibility for International and Road Transport and Logistics, the Taoiseach and the Tánaiste.

**23. 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: \_\_\_\_\_  
**Mayor**

Date: \_\_\_\_\_