



18th September, 2024.

**To: The Mayor, Príomh Chomhairleoir and Each Member of
Limerick City and County Council**

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A Chomhairleoir, a chara,

You are requested to attend Meeting of Limerick City and County Council to be held in the Council Chamber, Dooradoyle, Limerick, and Online, on Monday, 23rd September, 2024, at 3pm.

The business to be transacted is set out on the appended Agenda.

~~Is mise le meas,~~

~~Laura Flannery,
Meetings Administrator.~~

AGENDA

1. Minutes

To adopt Minutes of the following Meetings:

- (a) Ordinary Meeting of the Council held on 8th July, 2024.
- (b) Special Meeting of the Council held on 22nd July, 2024, at 2.00 p.m.
- (c) Special Meeting of the Council held on 22nd July, 2024, at 2.30 p.m.
- (d) Special Meeting of the Council held on 26th August, 2024, at 2.30 p.m.
- (e) Ordinary Meeting of the Council held on 26th August, 2024, at 3.00 p.m.

2. Declaration of Interest

3. Disposal of Land

To consider proposal for the disposal of land, 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), at:

Housing Directorate

- (a) Cloontemple, Ballingarry, Co. Limerick (LK5538L)
- (b) Cloontemple, Ballingarry, Co. Limerick (LK6538L)

Rural, Community and Culture Directorate

General Disposals

- (c) Property at Main Street, Bruff, Co. Limerick.
- (d) 0.0544 acres (0.022 hectares) at Glendarragh, Newcastle West, Co. Limerick.
- (e) Garage at 16, Main Street, Croom, Co. Limerick.
- (f) 2.72 acres (1.1 hectares) of land at Skagh, Croom, Co. Limerick.
- (g) Freehold interest in property at 16, Mayorstone Crescent, Limerick.
- (h) Freehold interest in property at 149, Mayorstone Upper, Mayorstone, Limerick.
- (i) 0.3645 acres (0.1475 hectares) land surrounding St. Nessan's Church, Munget, Co. Limerick.
- (j) 31, McDonagh Avenue, Janesboro, Limerick.
- (k) 2,061 square feet at Floor 3, Crescent House, Hartstonge Street, Limerick.
- (l) 2,061 square feet at Floor 4, Crescent House, Hartstonge Street, Limerick.

Derelict Disposals

- (m) Property at 52, Bothar Bui, Newcastle West, Co. Limerick.
- (n) Property at Tournafulla, Co. Limerick.
- (o) 19, Clare Street, Limerick.
- (p) Foxhall West, Colmanswell, Co. Limerick.
- (q) 4a, 'Shines,' Lower Gerald Griffin Street, Limerick.
- (r) The Village Inn, Feenagh, Co. Limerick.
- (s) Property at Former School House, Feohanagh, Co. Limerick.
- (t) Property at Ballyclough Avenue, Castletroy, Co. Limerick.
- (u) Property at 54, Bothar Bui, Newcastle West, Co. Limerick.
- (v) Shannon House, Ballynacragga North, Foynes, Co. Limerick.

(Statutory Notices dated 16th and 28th August and 9th, 11th and 12th September, 2024, already circulated)

4. Support Services

(a) Executive Report

To consider Director General's Report for the month of June and Executive Report for the months of July and August 2024.

(Reports Enclosed)

(b) Fixing of Date – Statutory Budget Meeting

To fix date for the 2025 Statutory Budget Meeting

(Copy of Department Circular Fin 11/2024 dated 15th July, 2024, Enclosed)

(c) Local Property Tax

To consider whether to pass a resolution to vary the basic rate of Local Property Tax for the years ending 31st December, 2025, to 31st December, 2029 (inclusive), in accordance with Section 20 of the Finance (Local Property Tax) Act, 2012, as amended.

(Report Enclosed)

(d) Overdraft Accommodation

To approve bank overdraft accommodation in the sum of €57 million for the 12-month period to 31st December, 2025, subject to the sanction of the Minister for Housing, Local Government and Heritage and in accordance with Section 106 (2) of the Local Government Act, 2001, as amended.

(e) Draft Strategic Policy Committee Scheme 2024-2029

To note report of working group and approve draft Strategic Policy Committee scheme.

(Report Enclosed)

(f) Audit and Risk Committee

- (a) To consider the nomination of one remaining Member to the Audit and Risk Committee, two Members having been appointed at the Annual Meeting.
- (b) To consider the nomination of three external members to the Audit and Risk Committee.

(Report Enclosed)

(g) Local Traveller Accommodation Consultative Committee

To consider the appointment of the Chairperson of the Local Traveller Accommodation Consultative Committee, together with the appointment of the remaining Committee Members.

(Report Enclosed)

5. Environment, Climate Action and Shared Services

Street Performance and Busker Bye-Laws 2024

To consider the adoption of the Limerick City and County Council Street Performance and Busker Draft Bye-Laws 2024, in accordance with Part 19 of the Local Government Act, 2001, as amended, for the administrative area of Limerick City and County Council.

(Report Enclosed)

6. Rural, Community and Culture Development

Strategic Fund for Culture and Arts Scheme 2024

To consider approving recommended allocations under the Strategic Fund for Culture and Arts Scheme 2024.

(Report Enclosed)

7. Planning and Place-Making

(a) Limerick Development Plan 2022-2028 – Progress Report

To note the Mayor's Two-Year Progress Report on the Limerick Development Plan 2022-2028, a report to the Elected Members on the progress achieved in securing the objectives of the Plan, in accordance with Section 15(2) of the Planning and Development Act 2000 (as amended).

(Report already circulated)

(b) Limerick Development Plan – Approval of Appointment of Legal Advisor

On the 22nd December 2022, Limerick City and County Council received notice that Voyage Property Limited intended to seek to judicially review the Planning and Development (Limerick Development Plan 2022-2028) Direction 2022, issued by the Minister for Housing, Local Government and Heritage and Limerick Development Plan 2022-2028. For the avoidance of doubt, and insofar as is required, in order to comply with section 153 of the Local Government Act, 2001 (as amended), the Director General seeks the express authorisation of the Elected Members to do all such acts, matters, and things as may be considered necessary for the defence of the proceedings entitled Voyage Property Limited v. Limerick City and County Council, the Minister for Housing, Local Government and Heritage, the Minister of State at the Department of Housing, Local Government and Heritage and the Office of the Planning Regulator (High Court Record Number: 2022/1132 JR), which is listed for hearing on 26 - 28 November 2024.

8. Transportation and Mobility

Foreign Travel

To consider approval of foreign travel, in accordance with Section 142 (5) of the Local Government Act, 2001, as amended, in respect of invitation received by Director of Transportation and Mobility as set out below:

Attendance by six Councillors at a Cycling Study Tour in Copenhagen, Denmark.

(Report Enclosed)

9. Conferences

Participation by Members at Conferences

To consider participation by Members at the following Conferences:

- (a) "A Practical Guide to Budget, 2025" to be held in Carlingford, Co. Louth, from 11th to 13th October, 2024.
- (b) "Corporate Governance" to be held in Clonakilty, Co. Cork, from 22nd to 24th November, 2024.

(Details already circulated electronically)

QUESTIONS

10. Question submitted by Councillor T. Ruddle

I will ask at the next Meeting if the Council can provide in tabular form from 2019 to end 2023 the details of schools that have been allocated funding under the Safe Routes to School scheme, the amounts allocated to each school and the date of completion.

11. Question submitted by Councillor L. Galvin

I will ask at the next Meeting (a) how many claims were made by the public as a result of damage to vehicles due to potholes on our rural roads; (b) can I have a breakdown for each of the Districts; (c) how many were successful; (d) how many were not successful; (e) what was the total paid out; and (f) can I ask for a report also on damage/claims as a result of overgrown hedges.

12. Question submitted by Councillor E. Secas (to be referred to Travel and Transportation Strategic Policy Committee together with Motions Nos. 24 and 32)

I will ask at the next Meeting if Limerick City and County Council will introduce in its forthcoming budget a Community Hedge Cutting Grant Scheme to assist communities, groups of local residents and landowners with the cutting of dangerous overhanging hedges/tree branches along public roads, similar to the schemes provided by Clare/Leitrim/Cork County Councils.

13. Question submitted by Councillor S. Hickey-O'Mara

I will ask at the next Meeting of Limerick City and County Council for figures to be provided for the number of people who presented to the Homeless Action Team seeking Supported Temporary Accommodation services over the past 12 months, including those who did not receive a service, so that we may be able to understand the true level of need in the city and county:

- How many people were advised to return home when they presented seeking STA's?
- How many people were considered not entitled to a service?
- How many were not able to access accommodation due to limits in capacity?

14. Question submitted by Councillor M. Donoghue

I will ask at the next Plenary Meeting of Limerick City and County Council if measures are being considered to clearly communicate and help implement the recent new laws forbidding e-scooters from using footpaths.

15. Question submitted by Councillor M. Donoghue

I will ask at the next Plenary Meeting of Limerick City and County Council that in relation to the number of Derelict Site notices issued in the past 5 years, how many sites have been placed on the Derelict Sites Register with levies issued, and what subsequent actions have been taken to encourage suitable occupation of these sites.

16. Question submitted by Councillor E. O'Donovan

I will ask at the next Plenary Meeting of Limerick Council for an update on Council responsibility and plan for the water quality of the River Deel considering the recent fish kill in this river.

17. Question submitted by Councillor S. Benson

I will ask at the next Meeting what is the amount paid and the outstanding balance on each individual entry on the Vacant Site Register, including any of those who have been removed from the Register, by register code.

18. Question submitted by Councillor S. Kiely

I will ask at the next Meeting how much did the project at the Crescent this summer cost and can the cost be outlined in tabulated format.

19. Question submitted by Councillor C. Sheehan

I will ask at the next Meeting for the total amount spent on acquiring properties under the local authority tenant in situ scheme.

20. Question submitted by Councillor C. Sheehan

I will ask at the next Meeting how many planning permissions are inactive or dormant for housing broken down by electoral area for the last five years.

NOTICES OF MOTION

21. Notice of Motion submitted by Councillor S. Hartigan

I will move at the next Meeting that Limerick City and County Council increase enforcement of the Regulations regarding restricted dog breeds.

22. Notice of Motion submitted by the Municipal District of Adare-Rathkeale – Councillors B. Collins (Proposer), S. Keary, T. Hartigan, J. O'Donoghue, A. Teskey, G. Ward

We will move at the next Meeting that Limerick City and County Council write to the Department of the Environment, Climate and Communications to request that NBI (National Broadband Ireland) and Eir work together to share information and resources to ensure that all housing units are supplied with High Speed Broadband as is legislated for in the Gigabit Infrastructure Act which aims to eliminate digital exclusion.

23. Notice of Motion submitted by Councillor L. Galvin

I will move at the next Meeting that this Council scrap the current system of compensation as a result of damage done to vehicles on rural roads, either by potholes or overhanging hedges/trees, and take responsibility for all claims where proof is given.

24. Notice of Motion submitted by Councillor J. Pond (to be referred to Travel and Transportation Strategic Policy Committee)

I will move at the next Meeting that Limerick City and County Council would adopt a policy of cutting Hedges/Trees between the months of September to March that are a danger to all road users, including pedestrians, cyclists and vehicles owners, thus preventing serious accidents from occurring on all our roads.

25. Notice of Motion submitted by Councillor N. Stokes

I will move at the next Meeting that Limerick City and County Council write to the Minister for Social Welfare in relation to fuel allowance grant and an extension of same for Old Age Pensioners. Due to the unusually adverse weather even during the summer months, I feel it is imperative that the fuel allowance be extended for a longer period during the year to care for our aging population needs.

26. Notice of Motion submitted by Councillor C. Slattery

I will move at the next Meeting that Limerick City and County Council write to the SEAI (Sustainable Energy Authority of Ireland) regarding the waiting times as they are extremely long and people really need these works done. The Pre-Works BER - are taking approx. 10 - 12 months from application; A Survey is taking approx. 14 months from application; Works Completed - approx. 24 - 26 months from application; Post works BER/Inspection - approx. 2-3 months after works completed.

27. Notice of Motion submitted by Councillor S. Hickey-O'Mara

I will move at the next Meeting that we, as a Council, write to the Minister for Health to request that the current visitor restrictions in the University Maternity Hospital Limerick be eased so as to be brought in line with other Maternity Hospitals nationally as the current restrictions are causing distress for families in the Midwest.

28. Notice of Motion submitted by Councillors F. Kilcoyne and G. Ward

We will move at the next Meeting that Limerick City and County Council agrees that the present draft design of the proposed M20 be amended to allow for an exit and entry to and from the new motorway immediately after Patrickswell to facilitate traffic for the Crecora and Fanningstown areas.

29. Notice of Motion submitted by Councillor M. Donoghue (to be referred to Home and Social Development Strategic Policy Committee)

I will move at the next Plenary Meeting of Limerick City and County Council that future disposals of vacant residential properties are focused on first-time buyers, owner-occupiers, older persons or households with changes in circumstances.

30. Notice of Motion submitted by Councillor U. Gavan

I will move at the next Meeting that Limerick City and County Council call on Minister Stephen Donnelly to expedite the final report from HIQA on the need for a second A&E in Limerick.

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

I will move at the next Plenary Meeting of Limerick Council that this Council will disregard the half rate Carer's allowance in full and the disability allowance received by children aged between 16 and 18 in full when calculating the rent of Council tenants under the Differential Rent Scheme.

32. Notice of Motion submitted by Councillor S. Kiely (to be referred to Travel and Transportation Strategic Policy Committee)

I will move at the next Meeting that this Local Authority examine the possibility of a Community Hedge Cutting Grant.

33. Notice of Motion submitted by Councillor C. Sheehan

I will move at the next Meeting that this Council opposes the lifting of the passenger cap at Dublin airport and writes to every Oireachtas member in Limerick City and County calling on them to oppose lifting the cap.

34. Correspondence