



Comhairle Cathrach
& Contae Luimnigh

Limerick City
& County Council

Stiúrthóireacht Iompair agus Soghluaiseachta
Comhairle Cathrach agus Contae Luimnigh
Halla an Chontae
Tuar an Dail, Luimneach
V94 WV78

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Limerick City and County Council
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COUNCIL MEETING TO BE HELD ON MONDAY 23rd SEPTEMBER, 2024

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.

REPLY:

The Council holds Public Liability Insurance in respect of third-party claims made against it such as pothole claims. Typically, for this type of claim where the Council has not carried out any works, it is not liable because of the legal principle of non-feasance which was established in the Civil Liability Act 1961 and further emphasised in the Roads Act 1993. Irish Public Bodies (IPB) insures all Local Authorities in the state and uses this defense to manage the cost of premiums for all its members. All claims are considered on a case-by-case basis.

**John Gannon,
Senior Engineer,
Roads, Traffic & Cleansing – Central Services.
Date: 19th September 2024.**



**MEETING OF LIMERICK CITY AND COUNTY COUNCIL
TO BE HELD ON MONDAY, 23RD SEPTEMBER 2024**

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.

Reply:

The N/M20 Cork to Limerick Project is being developed by Limerick City and County Council in conjunction with Cork County Council and Cork City Council. The project is currently at Phase 3 Design and Environmental Evaluation. Draft design proposals for the N/M20 Cork to Limerick Project were presented to the Elected Representatives, Property Owners and the wider public with a Project Update on the 24th June 2024 as part of a non-statutory public consultation.

This Notion of Motion will be considered by the project team and evaluated considering the various headings such as safety, engineering standards, environmental and economic. A further project update is scheduled for Q4 2024 which will outline the developing design and project boundaries and will facilitate further public participation. Feedback from the consultation process will be considered and the statutory documents will be prepared and submitted to An Bord Pleanála for their approval.

Jari Howard
N/M20 Project Coordinator
Mid West National Road Design Office
19th September 2024

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Mid West National Road Design Office is a collaboration of
Limerick City & County Council and Tipperary County
Council.

Tionscnamh páirtnéireachta is ea Oifig Dearadh Bóthar Náisiúnta an Mheáin Iarthair
idir Chomhairle Cathrach & Contae Luimnigh agus Chomhairle Contae Thiobraid
Árann.

MEETING OF LIMERICK CITY AND COUNTY COUNCIL to be held on Monday, 23rd September 2024.

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.

REPLY:

In accordance with the Differential Rent Scheme 2020, disability allowance received by children aged between 16 and 18 is not assessed for rent purposes and disability allowance received by young adults aged between 18 and 21 who are in full-time education is not assessed for rent purposes.

Carer's Allowance was introduced by the Government many years ago to compensate people who are caring for a person in need of full-time care because of age, disability or illness. To qualify for carer's allowance, you must be 18 or over. Those deemed eligible for same do not then have to rely on other forms of social welfare support, such as Jobseeker's Allowance etc., which are defined as income in calculating rent liability. The Differential Rent Scheme calculates the total household income and Carer's Allowance is no different to other incomes such as the following non-exhaustive list:-

- Income from employment
- Maintenance Payments
- Job Seekers Benefit/Allowance
- Illness Benefit
- Deserted Wives Benefit

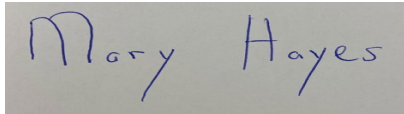
- Invalidity Pension
- Disablement Benefit
- Widows Pension
- Injury Benefit

Rental income from its housing stock (circa 5600 units) is a very important revenue stream for the Council and is projected to amount to in excess of €19m in 2024. Any downward adjustment to the income criteria would have an inevitable impact on the level of services that the Council can provide. In order to quantify the financial impact of same the Housing Directorate would need to analyse the rent accounts of 8961 households in some detail – to include RAS and HAP tenancies, the rents of which are also calculated with reference to the Differential Rents Scheme. This would represent a massive body of work, which would take some time to complete.

Income from Carer's Allowance has been reckonable for rent assessment purposes for many years, both by Limerick County Council and Limerick City Council prior to amalgamation, and the joint new authority subsequently. The adoption of a Differential Rent Scheme is an executive function and the last significant review took place in February 2020, with the aim of introducing a standard calculation method across the board for both city and county tenants.

There have been indications for some time that the Minister was considering the introduction of a standardised National Differential Rents Scheme to be applied across all local authorities. This aim was included in the 2020 Programme for Government and in the housing action plan, Housing for All. It appears that moves are now being made to act on this and, by Circular Letter 17/2024 dated the 23rd May 2024 issued by the Department of Housing, Local Government and Heritage, the Minister has indicated that it is aimed to scope and develop proposals for a national, standardised scheme in Q4 2024 and, to assist in this, has instructed all local authorities to provide up to date data in relation to rents payable by their tenants.

It should also be noted that a similar Notice of Motion was placed on the Agenda of the full Council meeting of the 27th May 2024 and it was agreed by Elected Members to refer the Motion to the Housing Strategic Policy Committee for further consideration. In the light of the foregoing, it is recommended that this motion should also be referred to the Housing SPC for further consideration along with any updates on a national Differential Rents Scheme.

A rectangular image showing a handwritten signature in blue ink on a light grey background. The signature reads "Mary Hayes" in a cursive, slightly slanted script.

Mary Hayes
Senior Executive Officer
Housing Support Services
20th September 2024