

**MINUTES OF PROCEEDINGS AT MEETING OF LIMERICK CITY AND COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, DOORADOYLE, LIMERICK, AND ONLINE, ON MONDAY, 23<sup>RD</sup> SEPTEMBER, 2024, AT 3.00 P.M.**

**PRESENT IN THE CHAIR:**

Príomh Chomhairleoir, Councillor D. McSweeney.

**MEMBERS PRESENT:**

Mayor Moran;

Councillors Beasley, Benson, Butler, Carey, Collins (B), Collins (M), Conway, Daly, Donoghue, Doyle, Foley, Galvin, Gavan, Hartigan (S), Hartigan (T), Hickey-O'Mara, Keary, Kiely, Kilcoyne, Leddin, O'Donoghue, O'Donovan, O'Hanlon, O'Sullivan (O), O'Sullivan (T), Pond, Ruddle, Ryan (E), Scanlan, Secas, Sheehan (J), Sheehan (C), Slattery, Stokes, Talukder, Teefy, Teskey, Ward.

An apology for his inability to attend the Meeting was received from Councillor Ryan (M).

**OFFICIALS IN ATTENDANCE:**

Director General (Mr. P. Daly), Director General and Director, Economic Development (Mr. G. Daly), A/Director, Support Services (Mr. J. Clune), Director, Housing (Ms. C. Curley), Director, Regeneration, Sports and Recreation (Mr. J. Delaney), Director, Rural, Community and Culture Development (Mr. S. Duclot), Director, Transportation and Mobility (Mr. B. Kennedy), Director, Environment, Climate Action and Shared Services (Mr. K. Lehan), Director, Planning and Place-Making (Mr. V. Murray), Meetings Administrator (Ms. L. Flannery), Senior Staff Officer, Corporate Services and Governance (Ms. A. Foley), Staff Officer, Corporate Services and Governance (Ms. L. Creamer), Financial Accountant (Mr. P. Murnane), Management Accountant (Ms. I. Griffin), Senior Executive Scientist (Mr. C. Brodie), Senior Planner (Ms. M. Woods).

**Minute's Silence**

At the outset, a minute's silence was observed following the tragic and untimely passing of Hannah Frawley, RIP, Caherelly, Grange. Members also remembered all those who had lost their lives tragically on our roads.

**Departure of Laura Flannery, Senior Executive Officer**

The Príomh Chomhairleoir and the Members noted that Laura Flannery, Senior Executive Officer, Corporate Services, was departing Limerick City and County Council and wished her well in her job. The Members complimented her on her professionalism at all times when dealing with them, and also for her friendly and courteous manner and her availability to deal with queries, both during office hours and also frequently at evenings and weekends.

The Director General, on his own behalf and on behalf of the staff, wished Laura Flannery the very best in her new job and thanked her for her assistance during her time in Limerick City and County Council.

In response, Laura thanked the Príomh Chomhairleoir, the Mayor, Members and the Director General for the kind words and their support since she took up this role. Laura thanked her team and noted she enjoyed her time working in Limerick City and County Council.

## **1. Adoption of Minutes**

Circulated, copies of draft Minutes of the following Meetings:

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

Councillor Slattery referred to Page 4 of the Minutes of Ordinary Meeting of the Council held on 8<sup>th</sup> July, 2024, and stated that Mayor Moran had given a verbal presentation on the draft Mayoral Programme. She proposed that the Minutes be amended to reflect this.

Councillor Slattery also referred to the Minutes of Ordinary Meeting held on 26<sup>th</sup> August, 2024 and stated that she had proposed to adjourn the meeting until workshops were held with the Elected Members on the Mayoral Programme, and this was seconded by Councillor B. Collins. She proposed that the minutes be amended to reflect this.

Both amendments were seconded by Councillor B. Collins and agreed.

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

“That, the draft Minutes, as circulated, be taken as read and adopted and signed, subject to amendments to the Minutes of Ordinary Meeting of the Council held on 8<sup>th</sup> July, 2024, and Ordinary Meeting of the Council held on 26<sup>th</sup> August, 2024, as outlined above.”

With the permission of the Príomh Chomhairleoir, an update was sought on the legal advice awaited in respect of outstanding appointments to a number of DAC companies. The Members were informed that a copy of the legal advice would be provided to them.

## **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

Meeting of any declaration of interest in any item due for discussion at the Meeting. No such interests were declared.

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

#### **Housing Directorate**

- (a) Circulated, copy of Statutory Notice dated 9<sup>th</sup> September, 2024, concerning disposal of property at Cloontemple, Ballingarry, Co. Limerick (LK5538L), together with map outlining property details.

Proposed by Councillor Sheahan (J);  
Seconded by Councillor Collins (M);  
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 at Cloontemple, Ballingarry, Co. Limerick (LK5538L) to Rachel Katrina Nealy and Patricia Catherine Hennessy, Legal Personal Representatives (LPR) of Joseph Hennessy, deceased, for the sum of €195.42, the disposal to be by way of Deed of Conveyance of the freehold interest of Limerick City and County Council in the property, particulars of which were contained in Statutory Notice dated 9<sup>th</sup> September, 2024.”

- (b) Circulated, copy of Statutory Notice dated 9<sup>th</sup> September, 2024, concerning disposal of property at Cloontemple, Ballingarry, Co. Limerick (LK6538L), together with map outlining property details.

Proposed by Councillor Sheahan (J);  
Seconded by Councillor Collins (M);  
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 at Cloontemple, Ballingarry, Co. Limerick (LK6538L) to Rachel Katrina Nealy and Patricia Catherine Hennessy, Legal Personal Representatives (LPR) of Joseph Hennessy, deceased, for the sum of €195.42, the disposal to be by way of Deed of Conveyance of the freehold interest of Limerick City and County Council in the property, particulars of which were contained in Statutory Notice dated 9<sup>th</sup> September, 2024.”

#### **Rural, Community and Culture Directorate**

##### **General Disposals**

- (c) Circulated, copy of Statutory Notice dated 16<sup>th</sup> August, 2024, concerning disposal of property at Main Street, Bruff, Co. Limerick.

Proposed by Councillor Sheahan (J);  
 Seconded by Councillor Collins (M);  
 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 Main Street, Bruff, Co. Limerick, to Mark Hayes, for the sum of €140,000, subject to the covenants and conditions contained with the contract, particulars of which were contained in Statutory Notice dated 16<sup>th</sup> August, 2024.”

- (d) Circulated, copy of Statutory Notice dated 16<sup>th</sup> August, 2024, concerning disposal of property comprising 0.0544 acres (0.022 hectares) at Glendarragh, Newcastle West, Co. Limerick.

Proposed by Councillor Sheahan (J);  
 Seconded by Councillor Collins (M);  
 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 0.0544 acres (0.022 hectares) at Glendarragh, Newcastle West, Co. Limerick, to Eileen Breen, for the sum of €1, subject to the covenants and conditions contained within the contract, and Eileen Breen contributing €400 towards Limerick City and County Council’s legal costs incurred for this transaction, particulars of which were contained in Statutory Notice dated 16<sup>th</sup> August, 2024.”

- (e) Circulated, copy of Statutory Notice dated 16<sup>th</sup> August, 2024, concerning disposal of Garage at 16, Main Street, Croom, Co. Limerick.

Proposed by Councillor Sheahan (J);  
 Seconded by Councillor Collins (M);  
 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 Garage at 16, Main Street, Croom, Co. Limerick, to Croom Community Development Association CLG, for the sum of €20,000, subject to the covenants and conditions contained within the contract, particulars of which were contained in Statutory Notice dated 16<sup>th</sup> August, 2024.”

- (f) Circulated, copy of Statutory Notice dated 16<sup>th</sup> August, 2024, concerning disposal of 2.72 acres (1.1 hectares) of land at Skagh, Croom, Co. Limerick.

Proposed by Councillor Sheahan (J);  
 Seconded by Councillor Collins (M);  
 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 2.72 acres (1.1 hectares) of land at Skagh, Croom, Co. Limerick, to the Health Service Executive, for the sum of €85,000, subject to the covenants and conditions contained within the contract, particulars of which were contained in Statutory Notice dated 16<sup>th</sup> August, 2024.”

(g) Circulated, copy of Statutory Notice dated 16<sup>th</sup> August, 2024, concerning disposal of the freehold interest in property at 16, Mayorstone Crescent, Limerick.

Proposed by Councillor Sheahan (J);  
 Seconded by Councillor Collins (M);  
 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 the freehold interest in property at 16, Mayorstone Crescent, Limerick, to A.V.A. International Limited, for the sum of €99.12, particulars of which were contained in Statutory Notice dated 16<sup>th</sup> August, 2024.”

(h) Circulated, copy of Statutory Notice dated 16<sup>th</sup> August, 2024, concerning disposal of the freehold interest in property at 149, Mayorstone Upper, Mayorstone, Limerick.

Proposed by Councillor Sheahan (J);  
 Seconded by Councillor Collins (M);  
 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 the freehold interest in property at 149, Mayorstone Upper, Mayorstone, Limerick, to Ms. Kathleen Cochran, for the sum of €160, particulars of which were contained in Statutory Notice dated 16<sup>th</sup> August, 2024.”

(i) Circulated, copy of Statutory Notice dated 28<sup>th</sup> August, 2024, concerning disposal of 0.3645 acres (0.1475 hectares) of land surrounding St. Nesson’s Church, Mungret, Co. Limerick.

Proposed by Councillor Sheahan (J);  
 Seconded by Councillor Collins (M);  
 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 0.3645 acres (0.1475 hectares) of land surrounding St. Nessen’s Church, Mungret, Co. Limerick, to the Minister for Housing, Local Government and Heritage, for the sum of €1, subject to the covenants and conditions contained within the contract, particulars of which were contained in Statutory Notice dated 28<sup>th</sup> August, 2024.”

- (j) Circulated, copy of Statutory Notice dated 28<sup>th</sup> August, 2024, concerning disposal of property at 31, McDonagh Avenue, Janesboro, Limerick.

Proposed by Councillor Sheahan (J);  
 Seconded by Councillor Collins (M);  
 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 31, McDonagh Avenue, Janesboro, Limerick, to Thomas and Mary Ryan, in consideration of Thomas and Mary Ryan transferring the ownership of their property at 58 St. Munchin’s Street, St. Mary’s Park, Limerick - (1) the disposal to be by way of exchange of the above properties to Limerick City and County Council (subject to necessary conveyancing requirements); (2) Limerick City and County Council to acquire the property free of any existing mortgage(s) or burden(s) and any existing mortgage(s) or burden(s) on the property at 58 St. Munchin’s Street, St. Mary’s Park, Limerick, to be transferred to the property at 31, McDonagh Avenue, Janesboro, Limerick, particulars of which were contained in Statutory Notice dated 28<sup>th</sup> August, 2024.”

- (k) Circulated, copy of Statutory Notice dated 11<sup>th</sup> September, 2024, concerning disposal of 2,061 square feet at Floor 3, Crescent House, Hartstonge Street, Limerick.

Proposed by Councillor Sheahan (J);  
 Seconded by Councillor Collins (M);  
 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 2,061 square feet at Floor 3, Crescent House, Hartstonge Street, Limerick, to Fáilte Ireland, the rent payable to be €17 per square foot, per annum, and the total rent payable per annum to be €35,037, with the disposal to be by way of sub-lease of the Council’s interest until 31<sup>st</sup> May, 2029, with an option to extend the sub-lease period, and the sub-lease to be subject to the covenants and conditions contained therein, particulars of which were contained in Statutory Notice dated 11<sup>th</sup> September, 2024.”

- (l) Circulated, copy of Statutory Notice dated 11<sup>th</sup> September, 2024, concerning disposal of 2,061 square feet at Floor 4, Crescent House, Hartstonge Street, Limerick.

Proposed by Councillor Sheahan (J);  
 Seconded by Councillor Collins (M);  
 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 2,061 square feet at Floor 4, Crescent House, Hartstonge Street, Limerick, to Freelance Providers Limited, t/a Translit, the rent payable to be €17 per square foot, per annum, and the total rent payable per annum to be €35,037, with the disposal to be by way of sub-lease of the Council’s interest until 24<sup>th</sup> May, 2031, and the sub-lease to be subject to the covenants and conditions contained therein, particulars of which were contained in Statutory Notice dated 11<sup>th</sup> September, 2024.”

### **Derelict Disposals**

- (m) Circulated, copy of Statutory Notice dated 16<sup>th</sup> August, 2024, concerning disposal of property at 52, Bothar Bui, Newcastle West, Co. Limerick.

Proposed by Councillor Sheahan (J);  
 Seconded by Councillor Collins (M);  
 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 52, Bothar Bui, Newcastle West, Co. Limerick, to Eleanor O’Sullivan, for the sum of €66,000, subject to the covenants and conditions contained within the contract, particulars of which were contained in Statutory Notice dated 16<sup>th</sup> August, 2024.”

- (n) Circulated, copy of Statutory Notice dated 16<sup>th</sup> August, 2024, concerning disposal of property at Tournafulla, Co. Limerick.

Proposed by Councillor Sheahan (J);  
 Seconded by Councillor Collins (M);  
 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 Tournafulla, Co. Limerick, to Declan Reidy, for the sum of €30,000, subject to the covenants and conditions contained within the contract, particulars of which were contained in Statutory Notice dated 16<sup>th</sup> August, 2024.”

- (o) Circulated, copy of Statutory Notice dated 11<sup>th</sup> September, 2024, concerning disposal of property at 19, Clare Street, Limerick.

Proposed by Councillor Sheahan (J);  
 Seconded by Councillor Collins (M);  
 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 19, Clare Street, Limerick, to Colm Moore, for the sum of €190,000, subject to the covenants and conditions contained within the contract, particulars of which were contained in Statutory Notice dated 11<sup>th</sup> September, 2024.”

- (p) Circulated, copy of Statutory Notice dated 11<sup>th</sup> September, 2024, concerning disposal of property at Foxhall West, Colmanswell, Co. Limerick.

Proposed by Councillor Sheahan (J);  
 Seconded by Councillor Collins (M);  
 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 Foxhall West, Colmanswell, Co. Limerick, to Eamon O’Halloran and Dominika Walerianczyk, for the sum of €40,000, subject to the covenants and conditions contained within the contract, particulars of which were contained in Statutory Notice dated 11<sup>th</sup> September, 2024.”

- (q) Circulated, copy of Statutory Notice dated 11<sup>th</sup> September, 2024, concerning disposal of property at 4a ‘Shines,’ Lower Gerald Griffin Street, Limerick.

Proposed by Councillor Sheahan (J);  
 Seconded by Councillor Collins (M);  
 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 4a ‘Shines,’ Lower Gerald Griffin Street, Limerick, to Damien Enright, for the sum of €45,000, subject to the covenants and conditions contained within the contract, particulars of which were contained in Statutory Notice dated 11<sup>th</sup> September, 2024.”

- (r) Circulated, copy of Statutory Notice dated 11<sup>th</sup> September, 2024, concerning disposal of property at The Village Inn, Feenagh, Co. Limerick.



Proposed by Councillor Sheahan (J);  
 Seconded by Councillor Collins (M);  
 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 The Village Inn, Feenagh, Co. Limerick, to Lisballyhay Trading Company Ltd., for the sum of €75,000, subject to the covenants and conditions contained within the contract, particulars of which were contained in Statutory Notice dated 11<sup>th</sup> September, 2024.”

(s) Circulated, copy of Statutory Notice dated 11<sup>th</sup> September, 2024, concerning disposal of property at the Former School House, Feohanagh, Co. Limerick.

Proposed by Councillor Sheahan (J);  
 Seconded by Councillor Collins (M);  
 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 the Former School House, Feohanagh, Co. Limerick, to Mr. Jack Fitzgibbon and Ms. Joan Lenihan, for the sum of €45,000, subject to the covenants and conditions contained within the contract, particulars of which were contained in Statutory Notice dated 11<sup>th</sup> September, 2024.”

(t) Circulated, copy of Statutory Notice dated 11<sup>th</sup> September, 2024, concerning disposal of property at Ballyclough Avenue, Castletroy, Co. Limerick.

The proposed disposal was proposed by Councillor Sheahan (J) and seconded by Councillor Collins (M).

Councillor Benson proposed deferral of the item and this was seconded by Councillor Gavan.

In the absence of agreement, the Príomh Chomhairleoir called for a vote and the result of the voting was as follows:

### **For Deferral**

Councillors Benson, Carey, Donoghue, Gavan, Hickey-O'Mara, O'Donovan, Ryan (E), Scanlan, Teefy. **(9)**

### **Against Deferral**

Councillors Butler, Collins (B), Collins (M), Conway, Daly, Doyle, Galvin, Hartigan (S), Hartigan (T), Keary, Kiely, Kilcoyne, Leddin, McSweeney, Moran, O'Donoghue, O'Hanlon, O'Sullivan (O), O'Sullivan (T), Pond, Ruddle, Secas, Sheahan (J), Sheehan (C), Slattery, Stokes, Talukder, Teskey, Ward. **(29)**

There were no abstentions.

The Príomh Chomhairleoir declared the proposal to defer this item as defeated and accordingly the following resolution was adopted by the same voting:

Proposed by Councillor Sheahan (J);  
Seconded by Councillor Collins (M);  
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 Ballyclough Avenue, Castletroy, Co. Limerick, to Gericomm Ltd., for the sum of €175,000, subject to the covenants and conditions contained within the contract, particulars of which were contained in Statutory Notice dated 11<sup>th</sup> September, 2024."

(u) Circulated, copy of Statutory Notice dated 12<sup>th</sup> September, 2024, concerning disposal of property at 54, Bothar Bui, Newcastle West, Co. Limerick.

Proposed by Councillor Sheahan (J);  
Seconded by Councillor Collins (M);  
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 54 Bothar Bui, Newcastle West, Co. Limerick, to Peter Markham, for the sum of €145,000, subject to the covenants and conditions contained within the contract, particulars of which were contained in Statutory Notice dated 12<sup>th</sup> September, 2024."

(v) Circulated, copy of Statutory Notice dated 12<sup>th</sup> September, 2024, concerning disposal of property at Shannon House, Ballynacragga North, Foynes, Co. Limerick.

Proposed by Councillor Sheahan (J);  
Seconded by Councillor Collins (M);  
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

Shannon House, Ballynacragga North, Foynes, Co. Limerick, to The Shannon House Foynes Unlimited Company, for the sum of €195,000, subject to the covenants and conditions contained within the contract, particulars of which were contained in Statutory Notice dated 12<sup>th</sup> September, 2024.”

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

##### **(a) Executive Report**

Circulated, Director General’s Report for the month of June and the Executive Report for the months of July and August 2024.

The Reports were noted by the Council.

##### **(b) Fixing of Date – Statutory Budget Meeting**

Circulated, copy of Department Circular Fin 11/2024 dated 15<sup>th</sup> July, 2024, in relation to the Statutory Budget Meeting and other budgetary matters.

On the proposal of Councillor Sheahan (J), seconded by Councillor Collins (M), the following date was agreed:

2025 Statutory Budget Meeting: Friday, 29<sup>th</sup> November, 2024, at 10.00 a.m.

##### **(c) Local Property Tax**

Circulated, report of the Mayor of Limerick dated 17<sup>th</sup> September, 2024, setting out the background to the Local Property Tax – Local Adjustment Factor 2025-2029. The Council was required to consider whether to pass a resolution to vary the basic rate of Local Property Tax for the years ending 31<sup>st</sup> December, 2025, to 31<sup>st</sup> December, 2029 (inclusive).

Councillor Sheahan (J) proposed to vary the basic rate of Local Property Tax upwards by 15% and this was seconded by Councillor Collins (M). Councillor Sheahan (J) further proposed an amendment that this would be for one year only, i.e. for the year ending 31<sup>st</sup> December, 2025, and this was seconded by Councillor Collins (M).

Councillor Benson proposed keeping the Local Property Tax at the basic rate for one year, i.e. for year ending 31<sup>st</sup> December, 2025, and this was seconded by Councillor Gavan.

Following some discussion, the Príomh Chomhairleoir directed that a vote be taken on the Proposal and Amendment which were both proposed by Councillor Sheahan (J), seconded by Councillor Collins (M), to vary the basic rate of Local Property Tax upwards by fifteen per cent (15%) for the year ending 31<sup>st</sup> December, 2025.

The result of the voting was as follows:

**For**

Councillors Butler, Collins (B), Collins (M), Gregory, Daly, Donoghue, Doyle, Foley, Galvin, Hartigan (S), Hartigan (T), Hickey-O'Mara, Keary, Kiely, Kilcoyne Leddin, McSweeney, Moran, O'Donoghue, O'Donovan, O'Hanlon, O'Sullivan (O), O'Sullivan (T), Pond, Ruddie, Ryan (E), Scanlan, Secas, Sheahan (J), Sheehan (C), Slattery, Stokes, Talukder, Teefy, Teskey, Ward. **(36)**

**Against**

Councillors Benson, Carey, Gavan. **(3)**

There were no abstentions.

The Príomh Chomhairleoir declared the Amendment as carried and accordingly the following resolution was adopted by the same voting:

Proposed by Councillor Sheahan (J);

Seconded by Councillor Collins (M);

And Resolved:

"That, in accordance with Section 20 of the Finance (Local Property Tax) Act, 2012, as amended, Limerick City and County Council hereby determines that the basic rate of Local Property Tax (LPT) should stand varied upwards by fifteen per cent (15 %) for the year ending 31<sup>st</sup> December, 2025, in respect of relevant residential properties situated in the administrative area of Limerick City and County."

**(d) Overdraft Accommodation**

The Management Accountant, Finance Department, advised that the approval of the Council was required to bank overdraft accommodation in the sum of €57 million for the 12-month period to 31<sup>st</sup> December, 2025. She added that this overdraft is needed as back up for the operation of the HAP services.

Proposed by Councillor Collins (M);

Seconded by Councillor Sheahan (J);

And Resolved:

"That, the approval of the Council be and is hereby given to bank overdraft accommodation in the sum of €57 million for the 12-month period to 31<sup>st</sup> 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**

Circulated, report of the Senior Executive Officer, Corporate Services, Governance and Customer Services dated 18<sup>th</sup> September, 2024, together with draft Strategic Policy Committee Scheme 2024-2029.

The report of the working group and the background to the draft Scheme, as set out, was noted by the Members.

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

“That, the draft Strategic Policy Committee Scheme 2024-2029, as circulated, be and is hereby adopted and placed on public display for a period of one month to allow for receipt of submissions.”

**(f) Audit and Risk Committee**

**Appointment of Elected Member**

- (a) The Meetings Administrator advised that the Council was required to consider the nomination of the one remaining Member to the Audit and Risk Committee, two Members having been appointed at the Annual Meeting.

Proposed by Councillor Collins (M);  
Seconded by Councillor Collins (B);

“That, Councillor Slattery be appointed to the Audit and Risk Committee.”

As there were no other nominations, the Príomh Chomhairleoir declared Councillor Slattery appointed to the Audit and Risk Committee.

**Appointment of External Members**

- (b) Circulated, report of the Senior Executive Officer, Corporate Services, Governance and Customer Services dated 16<sup>th</sup> September, 2024, setting out the background to the appointment of external members to the Audit and Risk Committee and recommending three appointments.

The Meetings Administrator stated that the Council was being asked to consider the nomination of three external members to the Audit and Risk Committee as set out in the report:

**John Coady**: Independent Consultant – former Vice-President, Administration and Finance Mary Immaculate College, Limerick, with overall responsibility for college finances and all non-academic matters including buildings, insurances, student accommodation. Member of Audit and Risk Committee for the previous term of the Committee, i.e. 5 years.

**Dr. Brid Quinn**: B.Ed. (NUI), MA and PhD (UL) retired Lecturer in Public Administration and specialising in European local governance, multi-level governance (MLG) and EU policies and served as Course Director for the BA Public Administration, BA European Studies, MPA and

MA/GD in Partnership Studies. Co-convenor of the PSAI Specialist Group on Teaching and Learning. Member of the Audit and Risk Committee for over 15 years.

**Emmett Devereux**: Director of Government and Regulatory Affairs, EMEA, at Cook Medical EMEA Group Limited. Functional Leader for Government and Regulatory Affairs in Europe, Middle East and Africa. A member of the Audit and Risk Committee for the last 4 years.

Proposed by Councillor Sheahan (J);  
Seconded by Councillor Collins (M);

“That, the following be appointed as external members of the Audit and Risk Committee – John Coady, Dr. Brid Quinn and Emmett Devereux.”

The Príomh Chomhairleoir declared John Coady, Dr. Brid Quinn and Emmett Devereux appointed as external members of the Audit and Risk Committee.

**(g) Local Traveller Accommodation Consultative Committee - Appointments**

Circulated, report of the Mayor of Limerick dated 18<sup>th</sup> September, 2024, setting out the background to appointments to the Local Traveller Accommodation Consultative Committee. This was a Reserved Function of the Council and the four Elected Members had already been appointed at the July Meeting, namely Councillors F. Daly, C. Slattery, S. Hartigan and T. O’Sullivan.

The Meetings Administrator stated that the Council was now being asked to consider the appointment of the Chairperson of the Committee, which was also a Reserved Function, together with the remaining Committee Members.

The report outlined that the role of the Chairperson was crucial to the success of the Committee and the position could be reviewed at the end of the second year of appointment, if required.

Councillor Hartigan (S) proposed to postpone the appointment of the Chairperson to allow the Local Traveller Accommodation Consultative Committee to appoint a Chairperson from within the full committee. Members agreed it was a reasonable request to postpone the appointment. In response, the Director of Housing, stated there is no issue with postponing but reminded Councillors that it was a reserved function to appoint a Chairperson.

Following discussions, Members agreed to go ahead with the appointment of the Chairperson.

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

“That, Councillor F. Daly be appointed as Chairperson of the Local Traveller Accommodation Consultative Committee.”

As there were no other nominations, the Príomh Chomhairleoir declared Councillor F. Daly appointed as Chairperson of the Local Traveller Accommodation Consultative Committee.

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

“That, the following persons be appointed to the Local Traveller Accommodation Consultative Committee for the next five years.”

**Council Officials:**

- Director of Service, Housing.
- Senior Executive Officer, Traveller Accommodation Unit, Housing.
- Executive Engineer, Traveller Accommodation Unit, Housing.

**Traveller Representatives:**

- Rathkeale Together – Valerie Foley and Amanda Sheridan.
- West Limerick Primary Health Care Project: Margaret Harty and Hannah Hehir.
- Ballyhoura Primary Health Care Project: Bridget McDonagh and Noreen O'Reilly.
- Limerick Traveller Health Programme: Nora O'Neill and Kathleen Ward Benn.
- Limerick Traveller Network: Anita Pannell and Bridget Casey.

As there were no other nominations, the Príomh Chomhairleoir declared the following appointed to the Local Traveller Accommodation Consultative Committee for the next five years.

**Council Officials:**

- Director of Service, Housing.
- Senior Executive Officer, Traveller Accommodation Unit, Housing.
- Executive Engineer, Traveller Accommodation Unit, Housing.

**Traveller Representatives:**

- Rathkeale Together – Valerie Foley and Amanda Sheridan.
- West Limerick Primary Health Care Project: Margaret Harty and Hannah Hehir.
- Ballyhoura Primary Health Care Project: Bridget McDonagh and Noreen O'Reilly.
- Limerick Traveller Health Programme: Nora O'Neill and Kathleen Ward Benn.
- Limerick Traveller Network: Anita Pannell and Bridget Casey.”

## **5. Environment, Climate Action and Shared Services**

### **Street Performance and Busker Bye-Laws 2024**

Circulated, report of the Senior Executive Scientist, Environment and Climate Action, enclosing a copy of the Limerick City and County Council Street Performance and Busker Draft Bye-Laws, 2024.

Members welcomed the bye-laws and highlighted the need for them. However, they expressed their concern that these draft bye-laws were not brought to the Community, Leisure and Cultural SPC to include the arts and tourism element, and stated these bye-laws are a great opportunity to promote Limerick as a vibrant city that welcomed artists and street performances.

Members pointed out they would like to use these bye-laws to encourage more buskers and street performers to come to Limerick City and County. They acknowledge the need for regulation and enforcement but pointed out that both should be considered and included in the bye-laws.

On the proposal of Councillor O’Sullivan, seconded by Councillor Sheahan (J), this item was deferred.

In response, Director of Environment, Climate Action and Shared Service, thanked Members for their input and agreed to take their views on board. He noted these Bye-Laws were intended to regulate street performance but agreed to include the Arts and Tourism Departments inputs.

The Director of Rural, Community and Culture acknowledged the Members comments and outlined that he will seek the views of the Arts and Tourism Departments on street performance and buskers before the draft Bye-Laws are brought back to the Council for approval.

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

### **Strategic Fund for Culture and Arts Scheme 2024**

Circulated, report of the Arts Officer / Creative Ireland Co-Ordinator seeking the Council’s approval to recommended allocations in the total amount €8,700 under the Strategic Fund for Culture and Arts Scheme 2024.

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

“That, the approval of the Council be and is hereby given to recommended allocations in the total amount of €8,700 under the Strategic under the Strategic Fund for Culture and Arts Scheme 2024, as set out in the report of the Arts Officer / Creative Ireland Co-Ordinator circulated with the agenda.”



## **7. Planning and Place-Making**

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

Circulated, report of the Mayor of Limerick dated 18<sup>th</sup> September, 2024, together with Mayor's Two-Year Progress Report dated 17<sup>th</sup> September, 2024, 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).

The Senior Planner, Forward Planning, Public Realm and Heritage, Planning and Place-Making Directorate, gave a PowerPoint presentation on the Mayor's two year progress report on the Limerick Development Plan 2022-2028.

The Senior Planner summarised for the Members the progress on Housing, Planning, Spatial Strategy, Economic Development, Mobility and Transport and Environment, along with updates on the advancement in the delivery of Sustainable Communities and Social Infrastructure and the policies and objectives to address the issues of climate change.

She continued by outlining the deficit in the delivery of housing units, and informed the Members that some of these deficits are due to items out of the Council's control, namely lack of services in towns and villages or land that is not owned by the Council. However, the Senior Planner informed the Members that overall, that significant progress has been made in the implementation of the Development Plan, and highlighted recommendations to continue the progress of the plan, some of which are as follows:

- Invest in revitalisation, infrastructure, community facilities and the environment;
- Seek funding for and activate projects for Local Authority provided dwelling units;
- Work with all stakeholders to promote Limerick as a key choice for economic investment, support enterprise, job creation and ensure sufficient lands are zoned and serviced;
- Protect and enhance Limerick's environmental and heritage assets, while managing appropriate change;
- Invest in community infrastructure and progress the actions contained in the Local Economic and Community Plan.

Members thanked the Senior Planner for the detailed presentation and for the work in progressing the Development Plan. However, Members raised concerns over the deficit in the delivery of housing, some of which are caused by matters outside the control of the Council such as the capacity and quality of water services in towns and villages, private landowners not developing strategic sites and the need for additional funding. In raising these matters, Members highlighted Limerick's strategic location in the Midwest.

Members also asked for an update on the Council's plans to prepare for the Ryder Cup 2027, and requested that a presentation on preparations would be given to the Elected Members, and this was agreed.

The Mayor referred to the progress report and acknowledged the work that has been done to date to advance the Limerick Development Plan 2022-2028. He emphasised the need for more funding to allow Limerick City and County Council to deliver on the policies and objectives set out in the plan. He advised the Members that he would continue to engage with the Taoiseach and the various Ministers to seek more funding to allow the Council to deliver on the objectives in the Development Plan for the betterment of the people of Limerick.

**Suspension of Standing Order No. 4:** The Príomh Chomhairleoir drew attention to the time which was approaching 5.30 p.m. and on the proposal of Councillor Galvin, seconded by Councillor Stokes, Standing Order No. 4 was suspended in order to complete the agenda.

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

The Director of Planning and Place-Making, advised the Council that 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 was required, in order to comply with Section 153 of the Local Government Act, 2001 (as amended), the Director General was seeking 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.

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

“That, having regard to the fact that on 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, and for the avoidance of doubt, and insofar as was required, in order to comply with Section 153 of the Local Government Act, 2001 (as amended), the express authorisation of the Elected Members of Limerick City and County Council be and is hereby given 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), listed for hearing on 26 - 28 November 2024.”

## **8. Transportation and Mobility**

### **Foreign Travel**

Circulated report of the Director of Transportation and Mobility dated 12<sup>th</sup> September, 2024, seeking the approval of the Council to foreign travel - following invitation received by the Director of Transportation and Mobility - in respect of the attendance by six Councillors at a Cycling Study Tour in Copenhagen, Denmark.

Proposed by Councillor Sheahan (J);

Seconded by Councillor Collins (M);

And Resolved:

“That, in accordance with Section 142 (5) of the Local Government Act, 2001, as amended, the approval of the Council be and is hereby given in principal to attendance by six Councillors at a Cycling Study Tour in Copenhagen, Denmark.”

In the course of the discussion on foreign travel, Members queried if the Mayor required approval from the Elected Members to travel outside the country. In response, the Mayor agreed to talk to the Department of Housing, Local Government and Heritage to clarify if approval for the Mayor to travel outside the country was a Reserved Function, and noted he would revert to Members on the matter.

## **9. Conferences**

### **Participation by Members at Conferences**

Details of the following Conferences had been circulated electronically to the Members: (a) “A Practical Guide to Budget, 2025” to be held in Carlingford, Co. Louth, from 11<sup>th</sup> to 13<sup>th</sup> October, 2024; and (b) “Corporate Governance” to be held in Clonakilty, Co. Cork, from 22<sup>nd</sup> to 24<sup>th</sup> November, 2024.

The Conferences 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:

### **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.*

**REPLY: Safe Routes to School Process**

**Step 1:** Schools applied to Department of Education March 2021

**Step 2:** Schools weighted and entered onto a list for safety measures near school

**Step 3:** Round 1 Schools – Announced in October 2021

Round 2 Schools – Announced in December 2022

**Note:**

Limerick City and County Council have been asked for suggestions into Round 3 Schools, however the final list is decided by the NTA and National Safe Routes to School Team. These schools MUST have applied to be included in the Safe Routes to School Programme in March 2021.

**Step 4:** SRtS Program Officer engages with school and parents through discussion and surveys.

**Step 5:** Based on these a Delivery Plan compiled by Program Officer to suggest works that would benefit safety for students in their commute to school

**Step 6:** Active Travel (LCCC) assist, through provision of engineering services, with the delivery plans as works are funded through the NTA

**LCCC STAGES:**

Phase 1. Under Review – awaiting Delivery Plan from SRtS Officer

Phase 2. Options Stage

Phase 3. Consult and Agree with NTA design for progressing

Phase 4 NTA approval to Proceed to Statutory Process

Phase 5. NTA approval to Detail Design and Tender

Phase 6. Tender Process

Phase 7. Construction

\* Note: some stages may happen simultaneously

School	Rounds	Funding allocated	Stage	Notes	Funding Source
Model School	Round 1	€300,000*	Completed - Sept 2022		Safe Routes to School
Gaelscoil Sáirseal (Phase 1)	Round 1		Completed - March 2023		Safe Routes to School
St. Pauls National School	Round 1		Completed – Oct 2022		Safe Routes to School
St. Nessian's R510	Round 1		Completed – August 2024		R510 Scheme

Scoil Íde and St. Munchins, Corbally Road	Round 1		Phase 6	Works being completed as part of Mill Rd Project	Mill Road Scheme
Gaelscoil Sáirseal (Phase 2)	Round 1		Phase 6	Works to be completed as part of TUS to City Centre Project	TUS to City
Laurel Hill Ave. (3 Secondary Schools)	Round 1		Completed – April 2024		SCR Scheme
Limerick School Project	Round 1		Phase 3	Works are to be completed as part of South Circular Road Project	SCR Scheme
Lisnagry	Round 2		Completed – Oct 2022		Combined-Safe Routes to School and Operations
Crescent College Comprehensive	Round 2	€70,000	Phase 4	Currently under Section 38	Safe Routes to School
<del>St. Patrick's Girls and Boys National School</del>	<del>Round 2</del>	€100,000**	<del>Phase 4</del>	School has been withdrawn from SRTS Programme	<del>Safe Routes to School</del>
Caherconlish National School	Round 2	€100,000	Phase 4	Currently under Section 38	Safe Routes to School
Hazelwood College, Dromcollogher	Round 2	€30,000	Phase 4	Currently under Section 38	Safe Routes to School
St Bridget's NS					
Patrickswell National School			Phase 3		
Caherdavin School (Girls & Boys)			Completed		Funded through AT Schemes
Our Lady Queen of Peace			Completed	Works completed as part of Childers Rd Interim Project	Funded through AT Schemes
Our Lady of Lourdes			Completed	Works completed as part of	Funded through AT Schemes

				Childers Rd Interim Project	
--	--	--	--	-----------------------------------	--

37 schools in Limerick City and County Council - 33 are primary schools.

Breakdown of progress to date – 12 schools within that 37 moved to at least to Preliminary Design (Phase 3). Speed of roll out is dependent on the Safe Routes to School Programme nationally and as NTA funding permits.

**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.*

**REPLY:            2023 – 2024 YTD**

	Adare/Rathkeale	Newcastle West	Metropolitan	Kilmallock/Cappamore
No. of Claims	123	49	49	108
Successful	45	0	9	46
Unsuccessful	17	48	28	43
Total Paid	€9,653.03	0	€2,044.64	€6,758.37

- Please note, some claims notified have been passed to Third Parties following investigation.
- Not all claims notified have been investigated to date.
- No claims have been notified to Limerick City & County Council in relation to 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?*

**REPLY:** The following table sets out the no. of presentations to the Homeless Action Team. These presentations include both single and family presentations, in general single presentations constitute a higher proportion of the overall no. of presentations: -

Year	Presentations Placed in Emergency Accommodation	Presentations Not Placed in Emergency Accommodation
12 month up to 31/08/2023	569	689
Last 12 months up to 31/08/2024	643	591

It is important to note that many Homeless presentations take place where families or individuals are at risk of potential homelessness which may or may not materialise over the coming months. There are a number of schemes in place which are of valuable assistance in mitigating this potential risk such as the Tenant in Situ Scheme, the Cost Rental Tenant in Situ Scheme, HAP Place Finder etc. Every effort is made by the Homeless Action Team Office to prevent the Homeless presentation becoming an actual Homeless placement in Supported Temporary Accommodation.

There is a very different profile of reasons for Single and Family presentations and many of the families presenting are on a Notice to Quit sometime into the future and thus won't need a service when they present. In many of these cases the HAT team are able to prevent homelessness with the schemes that have been outlined above.

No one is advised to return home when they present to Homeless Services they are assessed thoroughly to ascertain their eligibility and service need.

Of the 591 presentations not placed in the last 12 months it should be noted that the Homeless Action Team successfully worked on a collaborative basis with all units in Housing to prevent homeless arising in almost 300 cases.

From an overview of the current year data it would appear that there is an overall reduction in the year on year no of people not able to access Supported Temporary Emergency Accommodation.

Many of the people who are unable to avail of the Supported Temporary Accommodation are rough sleepers who have a range of complex needs that

prevent them from accessing services. In order to respond to this issue Limerick City & County Council commenced a new initiative in conjunction with Anna Liffey in early 2024, which endeavours to engage with rough sleepers who cannot access services and encourage them to avail of services provided by all relevant stakeholders. Many rough sleepers are often reluctant to engage with outreach teams and it can take a significant period of time for a trust relationship to be established owing to the many complex issues that may be present in these cases.

The reasons why emergency accommodation or HAP/social housing tenancy was not provided, are varied, but can include as follows: -

- Have presented with a Notice to Quit but the notice may not come into effect for a number of months so no service is required at that time.
- Subsequently secured private rented accommodation.
- Secured RAS/HAP accommodation – HAP accommodation is sourced by the individual and records are not kept where individuals source their own HAP accommodation following an earlier presentation of homelessness.
- Self-accommodated with family/friends.
- Did not qualify for homeless accommodation in accordance with legislative requirements.
- Reasons for homeless presentation resolved, i.e. family breakdown etc.

**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.***

**REPLY:**

The Limerick Road Safety Working Together Group plays a vital role in road safety promotion, together with its statutory obligations under roads and traffic legislation. The Working Together Group is led and chaired by Limerick City and County Council, and has representatives from a number of national and local groups and organisations, including An Garda Síochána.

The next working group meeting is scheduled for October, and it is intended to include the 'Road Traffic (Electric Scooters) Regulations 2024' on the agenda for discussion. At that time, it will be determined how the Working Group can help raise awareness of the implementation of the new e-scooter regulations in Limerick.



Limerick City and County Council has a positive working relationship with An Garda Síochána and will work together to clearly communicate the new e-scooter Regulations.

**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.***

**REPLY:** Since 2019 to end August 2024, Limerick City and County Council has issued 2,672 no. statutory notices pursuant to the Derelict Sites Act, 1990 (as amended).

Limerick City and County Council has entered the particulars of 537 cases on to the Derelict Sites Register since 2019 and the details of 208 cases have been removed in the same period.

Vacant Homes and Derelict Sites come to the attention of the Council in various ways - Council staff proactively survey local areas in our towns, villages and city; reports are made by the public, and complaints on offending properties are received from local residents, community groups, and from elected representatives.

To deal effectively with derelict sites, the Council uses powers available to it under the Derelict Sites Act and will serve owners with statutory notices when, for example, certain remedial works are required, when the site is entered in the Derelict Sites Register, when a market value has been determined, to demand payment of a Derelict Sites Levy, or, to notify the owner of its intention to acquire the derelict site compulsorily, and if a vesting order is ultimately made for the property.

The Council advises engaging owners on the remedial works required and on relevant financial supports available, such as the Vacant Property Refurbishment Grant, heritage and conservation schemes, and social leasing schemes such as Buy and Renew and Repair and Lease.

The Council shall notify the owner when the details of the derelict site are entered in the statutory Derelict Sites Register. The case details shall remain entered in the Register until the site comes out of dereliction, and it no longer detracts from the area, and is ideally put back into more effective use.

In cases where no progress is being made by an owner to solve the dereliction and the site continues to detract from the neighbourhood, and where the owner has already been served with a series of statutory notices, the Council

may consider the compulsory acquisition of the site with the intention to make the property available for more productive and beneficial future uses.

Once a property vests to Limerick City and County Council, it is either allocated to meet LCCC objectives, whether that is housing, community or other. If no viable funded purpose is identified, then the properties are brought to market. All disposals remain on the Derelict Site Register until they are no longer considered derelict.

The Derelict sites team monitor progress on all disposed properties.

**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.*

**REPLY:** Limerick City and County Council was notified of a pollution incident in the River Deel at Castlemahon on 29 August. Upon investigation, the source of the pollution was traced to the local water treatment plant. In response, the Council, along with Inland Fisheries Ireland and the Environmental Protection Agency (EPA), began working closely with Uisce Éireann to confirm the precise cause of the contamination.

This process aims to fully understand the cause and impact of the pollution and ensure that appropriate measures are put in place to prevent a recurrence. Uisce Éireann has been requested to review and strengthen its operational procedures at the plant and to prepare a report on the incident, which we are currently awaiting.

The situation is being monitored closely by all relevant bodies to ensure compliance with environmental regulations and to protect the water quality of the River Deel.

**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.*

**REPLY:** As per GDPR restrictions, Limerick City and County Council is not in a position to release individual account information.

**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.*

**REPLY:**

The Crescent Activation was but one of several August Activations across the city. They saw the streets and some new spaces like the Wickham Way transformed into vibrant hubs of community engagement and cultural celebrations throughout the month of August.

Initially, it was planned to have activities near Nicholas Street, at the Potato Market, The Hunt, and the Crescent as refurbishment was taken place in Arthur's Quay. It became quickly clear that the Milk Market Trustees could not agree terms for the use of the Potato Market so it was deferred for another time.

A key focus in the timing was on providing free activities for residents not able to afford holidays away from Limerick over August and generating business in Limerick at a normally quiet time.

The initiatives, aimed at promoting civic pride and showcasing Limerick's rich cultural heritage, featured a series of events that brought together residents and visitors alike. The closure of the Crescent, as a trial, allowed for a safe and enjoyable environment for all activities, contributing significantly to the overall success of the initiative.

The Mayoral Programme and the Mayor's election promises already required him to "implement the New Town Park greening of the residential quarter of Georgian Limerick " and "finish off the development of O'Connell Street incorporating the New Town Park idea of a significant public plaza at the Crescent".

The Mayoral Programme more generally speaks of a world in which O'Connell Street and Georgian Limerick can be a globally recognised tourist destination boasting sports, shopping, museums and dining. A public realm where everyone enjoys quality and safe spaces and communities flourish.

The pilot changed many minds about the priority use of the public realm at the Crescent. Limerick Civic Trust in particular were supportive. Moreover, by revitalising the Georgian area, Limerick city not only enhances its cultural heritage but also promotes residential occupancy, economic activity and urban vibrancy.

The month long event led to increased community engagement with the space accessed by dance groups, Gaeltacht Groups, wellness activity events, International Rugby Experience, Mid-West Simon, Paul Partnership events and local primary schools and crèches and Sacred Heart Catholic Church making use of the area.

The Crescent also provided a space for cultural promotion with Ukraine Independence Day, groups from Brazil performing their traditional dances, to

Hip Hop and Opera all being showcased during the month of August. Local singers had the opportunity to perform for locals and visitors in the Festival in a Van. At least two community dinners took place along with many lunch meetings.

Businesses reported increased footfall, with local coffee shops and takeaways benefitting from the rise in pedestrian traffic in the area and improved safety for customers and staff working late.

Local resident Lorna Hodgkinson said “I’m a local resident and we have thoroughly enjoyed the Crescent, the month of August was amazing with music and dancing, we had so much fun. The night that blew me away was the Open Night Dinner, with everyone coming together showing a great community effort”,

Local businesswoman, Janet from Angel Times said “I loved going up on my lunchtime to the Crescent, a fantastic little extra for the city bringing extra people into the city which is great from a retailer’s perspective.”

Local businessman Karim Hamadi of Khan Supermarket on Henry Street said, “I would be very happy to see more events in the Crescent, it is good for business and brings customers to the shop. You have my support for any future events.”

Alternative parking arrangements were managed for residents during the event. Residents were given permits to park in nearby streets. Although traffic chaos was predicted by some, the Mayor’s Office closely monitored it throughout the month with An Garda Síochána. On only one occasion was it felt necessary to open it to relieve pressure – namely during a weekend when numerous protests (on other grounds) were taking place in the city.

Local schools advised us they were pleased to use the open space, with many children enjoying their lunches outdoors at the Crescent, further enhancing the communal atmosphere.

Out of pocket costs were managed by

- (i) the reduction of initial quotes for out sourcing of traffic management from €60,000 to below €10,000
- (ii) use of Council Teams as far as possible
- (iii) calls to community groups to participate with modest stipends and
- (iv) activation of local residents to help in the project

The full such costs, averaging €1,500.00 per day, are set out in the table below:

The Crescent Costings		
Traffic Management	Crescent	€8,209.00
Stipends (Support for Community Activation)	Crescent	€11,900.00
Festival in a Van Concerts	Crescent	€18,750.00
Animation and Physical Preparations	Crescent	€6,900.00
Photography	All	€842.55
<b>Total</b>		<b>€46,601.55</b>

**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.*

**REPLY:** Since the Government lifted the Eviction Ban in March 2023, the Tenant In Situ Scheme was introduced for all Local Authorities for acquisitions of properties where a tenant is in receipt of social housing supports and has received a Notice of Termination due to the landlord's intention to sell the property. In addition, Approved Housing Bodies can also apply for the Tenant in Situ Scheme via Local Authorities.

Limerick City and County Council has delegated sanction in relation to these acquisitions, subject to those acquisitions being within Acquisition Cost Guidelines issued by the Department of Housing, Local Government and Heritage which are issued on an annual basis. An independent valuation must also be obtained for each acquisition.

To date, Limerick City and County Council has received budget approval for €31,577,783.49, made up of €25,417,350.00 acquisition costs and €6,160,433.49 refurbishment costs relating to essential works, in accordance with the criteria of the Tenant In Situ Scheme.

This figure is broken down as follows between Council acquisitions and AHB acquisitions:

	No. of Units	Acquisition Cost	Refurbishment Cost	Total
<b>Council Acquisitions</b>	55	€12,264,350.00	€3,065,906.49	€ 15,330,256.49
<b>Approved Housing Body Acquisitions</b>	57	€13,153,000.00	€3,094,527.00	€ 16,247,527.00

**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.*

**REPLY:** The total number of planning permissions relating to residential units that have not commenced since 1<sup>st</sup> January, 2019, to date, is 1,222. These are distributed throughout the Electoral Areas as follows:

Electoral Area	Total Number of Planning Permissions for Housing – Not Commenced
Limerick City West	129
Limerick City East	133
Limerick North	83
Newcastle West	228
Adare-Rathkeale	318
Cappamore-Kilmallock	331

### **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.*

Councillor Hartigan withdrew his Motion, and this was agreed.

**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.*

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

**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.*

The Motion was proposed by Councillor Galvin and seconded by Councillor Kiely, and adopted.

**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 defence to manage the cost of premiums for all its members. All claims are considered on a case-by-case basis.

In response, the Director of Transport and Mobility, outlined that it is the landowners' responsibility to maintain their hedgerows as set out in the Roads Traffic Act 1993, as amended. He agreed that a workshop would be organised through the Travel and Transportation Strategic Policy Committee, when established, to review Limerick City and County Council's procedures on maintenance of hedgerows and to ensure there is consistency across all Districts.

With the permission of the Príomh Chomhairleoir it was agreed to take items 24 and 32 together.

**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.***

It was agreed to refer the Motion to the Travel and Transportation Strategic Policy Committee for consideration.

With the permission of the Príomh Chomhairleoir the Motion was allowed to be discussed. This Motion was proposed by Councillor Pond and seconded by Councillor Kilcoyne. In moving the Motion Councillor Pond outlined the issues for road users and pedestrians and noted the need for a policy on this matter.

**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.***

It was agreed to refer the Motion to the Travel and Transportation Strategic Policy Committee.

With the permission of the Príomh Chomhairleoir the Motion was allowed to be discussed. This Motion was proposed by Councillor Kiely and seconded by Councillor Butler. In moving the motion, Councillor Kiely asked if it could be considered at the upcoming budget

meeting. Members outlined the issue with establishing ownership and this needs to be addressed.

In response to both Motions, the Director of Transport and Mobility, outlined the extensive amount of roadway that the Council maintains and the level of resources required to maintain them. He noted it was an ongoing issue and notices are continuously issued to landowners informing them of their responsibility to maintain the hedgerows on their own land. He agreed to consider the inclusion of a budgetary measure for a community hedge cutting grant, in the upcoming budget.

**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.*

The Motion was proposed by Councillor Stokes, seconded by Councillor Ruddle, and adopted.

**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.*

The Motion was proposed by Councillor Slattery, seconded by Councillor Collins (B) and adopted.

**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.*

In proposing the Motion, Councillor Hickey-O'Mara read testimonials of women who experienced visitor restrictions while in University Maternity Hospital Limerick.

The Motion was seconded by Councillor O'Donovan and adopted.



**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.*

The Motion was proposed by Councillor Kilcoyne and seconded by Councillor Ward.

**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 24<sup>th</sup> June, 2024, as part of a non-statutory public consultation.

This Notice 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 its approval.

Members welcomed the Motion however, expressed concerns about safety issues for the village of Patrickswell and the surrounding areas. In response, the Director of Transport and Mobility, agreed to hold a workshop for the Full Council to address Members' concerns.

The Motion was adopted.

**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.*

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

With the permission of the Príomh Chomhairleoir the Motion was allowed to be discussed. This Motion was proposed by Councillor Donoghue and seconded by Councillor Keary. In moving the Motion Councillor Donoghue highlighted the need to consider ways of supporting those currently locked out of the housing market.

**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.*

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

**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 dis-regard 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.*

The Motion was proposed by Councillor O'Donovan, seconded by Councillor Hickey-O'Mara, and adopted.

**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.

### **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.***

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

### **34. Correspondence**

The Correspondence circulated with the agenda was taken as read.

**MAYOR / DIRECTOR GENERAL ORDERS:**

The Register of Orders made by the Mayor or the Director General 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:

---

**Príomh Chomhairleoir**

Date:

---