

LIMERICK CITY COUNCIL

A Monthly Meeting of Limerick City Council was held in the Council Chamber, City Hall, on Monday, 23rd January, 2012 at 4.00 p.m.

The following were in attendance :

IN THE CHAIR : Cllr. J. Long, Mayor

COUNCILLORS : M. Byrne, G. Fahy, J. Gilligan, M. Hourigan, C. Hurley, P. Kennedy, K. Kiely, J. Leddin, K. Leddin, D. McCarthy, G. McLoughlin, O. McLoughlin, K. O'Hanlon, M. Quinlivan, D. Scully and T. Shortt

STAFF : Mr. T. Mackey, City Manager
Mr. K. Lehane, Director of Service
Ms. C. Curley, Director of Service
Mr. P. Dowling, Director of Service
Mr. D. Keane, Acting Director of Service
Mr. P. Murnane, Acting Head of Finance
Mr. K. Reeves, Acting Senior Planner
Ms. E. Creamer, Staff Officer

Prior to the business proper of the meeting, His Worship the Mayor, Cllr. Long referred to the upcoming retirement of Mr. Tom Mackey, City Manager and said that a Special Meeting of the City Council will be held to acknowledge and pay tribute to the very good work which Mr. Mackey has done since he came to Limerick. He took this opportunity to wish Tom and his family every good health and happiness for the future.

Cllr. Gilligan congratulated the Munster Rugby Team for qualifying for the knock out stages of the Heineken Cup and added that, provided Munster are successful against Ulster in the quarter final on the Easter weekend, that the semi final should be held in Limerick and suggested that the His Worship the Mayor, Cllr. Long contact the G.A.A. to ask if they would facilitate this match in the Gaelic Grounds. This would be of huge financial benefit to Limerick city.

Cllrs. O'Hanlon and Byrne agreed with Cllr. Gilligan adding that Thomond Park would not be big enough to accommodate the number of people who will attend the semi final. Cllr. O'Hanlon proposed that a vote of sympathy be extended to the family of the late Colm Tucker. He pointed out that he went to school with Colm and they lived nearby, he was a true Limerick rugby player and supporter.

Cllr. Scully indicated that Tom Mackey will be missed and looked forward to paying him appropriate tributes at the upcoming Special Meeting. He agreed with the previous speakers regarding holding the semi final of the Heineken Cup in Limerick and associated with the vote of sympathy to the family of the late Colm Tucker.

Cllrs. Hourigan and Shortt also associated with the vote of sympathy to the family of the late Colm Tucker adding that Colm was a community man, a true Limerick man and a sporting icon and he reiterated what the previous speakers said regarding the upcoming semi final of the Heineken Cup.

1. MINUTES

On the proposition of Cllr. Kiely, seconded by Cllr. J. Leddin, it was unanimously agreed :

“That the Minutes of Monthly Meeting of Limerick City Council held on 19th December, 2011, copies of which were circulated, be and the same are hereby confirmed”.

2. MINUTES

On the proposition of Cllr. Kiely, seconded by Cllr. J. Leddin, it was unanimously agreed :

“That the Minutes of Annual Budget Meeting of Limerick City Council held on 20th December, 2011, copies of which were circulated, be and the same are hereby confirmed”.

3. CHAIRMAN'S REPORT AND RECOMMENDATIONS, ENVIRONMENTAL STRATEGIC POLICY COMMITTEE MEETING HELD ON 9TH JANUARY, 2012.

The Chairman's Report, Environmental Strategic Policy Committee Meeting held on 9th January, 2012, was noted.

Submitted the following Recommendations from the Environmental Strategic Policy Committee Meeting held on 9th January, 2012, which were adopted unanimously on the proposition of Cllr. Kiely, seconded by Cllr. Quinlivan :

“To adopt Limerick City Council Biodiversity Plan.

That the public consultation process commence on the revision of the Horse Control Bye-Laws”.

The Director of Service (Environment) agreed to look at the long term use for Longpavement landfill site at the request of Cllr. Hourigan.

Cllr. Hourigan expressed concern at the poor condition of the Ennis Road site across from O'Mara Motors. As the Ennis Road is a main artery into the city it is important that the site be cleaned up. The Director of Service (Environment) agreed to examine the site.

Cllr. Hourigan referred to the fact that Shelbourne F.C. put in a car park in the LPYMA grounds and are now seeking planning permission for retention of same. He pointed out that he has no objection to Shelbourne F.C. using the LPYMA grounds, however, Limerick City Council has already refused planning permission for a car park there.

Cllr. J. Leddin asked that all members be circulated with a copy of the presentation made by An Bord Gais at a recent Environment Strategic Policy Committee Meeting. He wished Dr. Matthew Potter well in his new project – A Guide Book to Mount St. Lawrence graveyard. He asked for an update on the Baggot Estate. He referred to the amount of time given to control of horses at Strategic Policy Committee Meetings. A number of Members then raised the issue of agendas for SPC meetings and presentations at meetings.

Cllr. Shortt agreed with Cllr. Hourigan in relation to the LPYMA grounds adding that all recreational spaces in the city are very valuable. He stated that the docklands area is a very prominent area in the city and he would welcome and encourage the development of the Bord Gais site on the Dock Road and also welcomed the restoration of the Garda Barracks further up from this site. He asked if funding could be sourced to maintain the buildings in Patrick Street as they should not be allowed to deteriorate.

Cllr. Kiely pointed out that Shelbourne F.C. have been in contact with Limerick City Council in relation to the LPYMA grounds adding that Ard Scoil Ris are also using the LPYMA grounds. He enquired what the situation is in relation to the playing pitches in Longpavement and asked if they required planning permission.

In reply, the Director of Service (Environment) stated that the contractor finished work on the longpavement site late last year and the City Council is satisfied with the work done there. She agreed to look at plans for the long term use of same. She stated that Senior Officers from Shelbourne F.C. did come into the City Council and discussed their plans for the LPYMA grounds and she advised them to apply for retention of planning permission for the car park.

It was proposed by Cllr. O'Hanlon, seconded by Cllr. J. Leddin and unanimously agreed to hold a Protocol Meeting to discuss the whole issue of Agendas for Strategic Policy Committee meetings and presentations at meetings.

4. CHAIRMAN'S REPORT, ECONOMIC POLICY DEVELOPMENT AND FUTURE PLANNING STRATEGIC POLICY COMMITTEE MEETING HELD ON 16TH JANUARY, 2012

The Chairman's Report, Economic Policy Development and Future Planning Strategic Policy Committee Meeting held on 16th January, 2012, was noted.

Cllr. Scully thanked the University of Limerick for their proposed assistance on the review of the City Centre Strategy.

Cllr. Quinlivan expressed concern at illegal trading taking place in the city particularly around Thomond Park during match days. Entrances and exits are blocked by illegal traders and cars and he asked for an update on the Casual Trading Bye Laws. He asked if there has been any progress in relation to the Nicholas Street area.

Cllr. Shortt stated that a programme of short term works for Nicholas Street needs to be done before the tourist season commences. He agreed with Cllr. Quinlivan regarding casual trading adding that traders around the Milk Market area are moving further and further onto the street leaving very little space between stalls and asked that this be looked at.

Cllr. K. Leddin pointed out that Denmark Street and Ellen Street are not fully utilised by casual traders and suggested that stalls with the bigger items be moved up to these streets.

In reply, the Director of Service (Planning & Environment) stated that the Casual Trading Bye Laws need to be changed to allow Denmark Street and Ellen Street to be used for casual trading. She agreed to deal with the review of the Casual Trading Bye Laws as soon as possible. She stated that the Director of Service (Transportation and Infrastructure) took the lead on Nicholas Street and some elements of progress has been made. She stated that a lot of finance is required for the area, however, Regeneration is also involved in the area. There are also archaeological issues. On behalf of the Director of Service (Transportation and Infrastructure) she agreed to organise for a progress report on Nicholas Street to be circulated to all Members.

AS IT WAS 5.00 P.M. IT WAS AGREED TO RECEIVE PRESENTATION BY DUBLIN CITY COUNCIL ON THE PROPOSAL BY BORD NA MONA TO CONSTRUCT A RESERVOIR AT GARRYNAHINCH, CO. LAOIS AND CO OFFALY AND ABSTRACT WATER TO CATER FOR THE NEEDS OF THE GREATER DUBLIN AREA.

His Worship the Mayor, Cllr. Long welcomed Mr. Gerry Geoghegan, Senior Engineer, Dublin City Council and Ms. Emily Ledwith, Dublin City Council, to City Hall.

Mr. Geoghegan then made presentation to Members.

Cllr. Scully thanked Mr. Geoghegan for his presentation but stated that he was sceptical about the proposal. He pointed out that once metering of water is introduced it will reduce demand all over the country including Dublin city and also stated that if leaks were fixed this would also reduce the demand for water in Dublin. It is important to balance regional development and enquired who would control the release of water from the proposed reservoir at Garrynahinch. He stated that the Shannon River is very important to the mid west region and he would be very reluctant to agree to anything that would interfere with the river.

Cllr. G. McLoughlin complimented Mr. Geoghegan on his comprehensive presentation but also voiced his scepticism at the proposal. He referred to the recent flooding incident in Dublin where keys for the reservoir could not be found for two hours and which resulted in a lot of water being wasted and much damage done to storm drains. He asked for the percentage of water which is continuously being lost in Dublin through leakage. Also, the indications are that the weather is going to change to drier summers and wetter winters which would also affect supply the demand for water. He said his concerns would have to be addressed before he could consider the proposal properly.

Cllr. Gilligan said he would be opposed to this proposal. There is over development in the east coast and under development elsewhere in Ireland and this should be balanced out. Such over development in the east coast has led to water shortages in the greater Dublin area. Water leaks in the Dublin area should be fixed as this is a contributing factor to the water shortage there. Also the proposal by Bord na Mona involves very large costs.

Cllr. Hourigan pointed out that people have a poor opinion of how the ESB manage their water. He appreciated that Dublin is the capital of Ireland, however, 500 m. litres of water is wasted there every day and if the leaks were fixed it would definitely improve the water supply. People have major concerns regarding the proposal by Bord na Mona and he would not like to see the ESB managing the water supply in this region. He also expressed concern that demand for water in this region could increase and extracting water for other areas of the country could leave shortages in this region. In his opinion such proposal would have a negative effect on the area.

Cllr. Quinlivan welcomed Mr. Geoghegan to Limerick and thanked him for his comprehensive presentation. He asked what effect the proposal by Bord na Mona would have on Ardnacrusha and also who would control the release of the water. In his opinion, the water pipes and infrastructure in the greater Dublin area should be fixed. He would be concerned that water levels in this region will drop to unsustainable levels if the proposal goes ahead and he would be opposed to any extraction from the River Shannon.

Cllr. Hurley pointed out that Mr. Geoghegan portrayed everything as positive in his presentation. He could not see how the extraction could not affect the River Shannon. He asked what effect the proposal would have on fishing in the Shannon and also what the reaction is of other groups affected up along the Shannon.

Cllr. Fahy stated that Mr. Geoghegan's presentation was very comprehensive and technical. This is a major project and it would not be possible for Members to make a decision here today on the matter as consultation on the technical aspects would be required. He asked that Dublin City Council look at improving water leakages again. He enquired what effect the proposal would have on the economy, jobs, tourist industry, fishing and cruising on the River Shannon. The river Shannon also has protected areas for wild life and these need to be upheld. The River Shannon is also very important

for the docklands area and for shipping. There are a lot of major issues and unanswered questions in relation to this proposal. In his opinion, professional advice should be sought on behalf of all the areas affected by this proposal before any decision is made.

Cllr. J. Leddin said that nobody doubts the challenges that lay ahead for water shortage in Dublin. The Government needs to seriously address water leakages especially in Dublin as this is contributing to water shortages. He too voiced his concern about the affect the proposal would have on tourism and fishing in this region. There should be balanced sustainable development throughout the whole country.

Cllr. O'Hanlon stated that it would not be possible to make a decision today based on Mr. Geoghegan's short presentation and asked that a copy of the presentation be circulated to all Members. Local authorities should help each other if possible and provided it does not affect their own region. He pointed out that Mr. Geoghegan also made a presentation to Shannon Foynes Port Company. He enquired as to who will make the final decision on this proposal. He asked if Dublin City Council has taken into consideration the upcoming water charges as this will result in less usage of water.

Cllr. Shortt said that despite Mr. Geoghegan's positive presentation, he would have serious concerns about the proposal. He saw the negative effects of water extraction in other rivers e.g. River Jordan and also on television documentaries on rivers in England. He stated that the population in this region needs to double in order to sustain Shannon Airport and therefore, the water need would be greater. The River Shannon contributes enormously to this region and there should be a balance in this argument.

Cllr. O. McLoughlin pointed out that €100m was spent on flood barriers in Dublin and she also voiced her concern of the effect this proposal would have on the environment and natural resources.

Mr. Geoghegan stated that it would not be possible to respond to all questions today so said he would circulate written responses to members in due course. He pointed out that the whole process will be ongoing for the next four years and environmental specialists and technical specialists will be asked for their observations. Limerick City Council will have an input and it's observations sought. If it is found that the project is not environmentally sustainable then the project will not go ahead. Water levels would be controlled by the ESB and the proposed extraction by Bord na Mona would not change the water levels in the River Shannon. Water flow is what has the potential to impact on the economy and that is why water storage is being incorporated into the proposal. A limited period can only be planned for. He pointed out that water leakages in Dublin is only 28% compared to 50% nationally. Britain has spent millions of pounds reducing water leakages down to 20%. anything less would not be economically viable. He agreed that there needs to be balanced regional development. He added that the scheme has the potential to provide treated water along the corridor from Limerick to Dublin.

The Acting Director of Service (Transportation and Infrastructure) agreed to circulate a copy of the presentation to each of the Elected Members.

His Worship the Mayor, Cllr. Long thanked Mr. Geoghegan for his very comprehensive presentation.

STANDING ORDERS

Standing Orders were suspended for fifteen minutes on the proposition of Cllr. Scully seconded by Cllr. Fahy.

Cllr. Kiely took the Chair at this stage as His Worship the Mayor, Cllr. Long had to leave the meeting.

5. CORRESPONDENCE

Submitted list of tenders opened in respect of the following :

Printing Contract 2012

Conservation and repair to lamp standards on Sarsfield Bridge

Contracted street cleaning services in the north western suburbs of Limerick city from 1st March, 2012 to 28th February, 2014.

In reply to Cllr. Quinlivan, the Director of Service (Environment and Planning) stated that work on the conservation and repair to lamp standards on Sarsfield Bridge is due to start late March of this year.

Submitted letter of acknowledgement from Mr. Brian O'Connell stating that, whilst he appreciated that the Mayor and Members were disappointed that he was unable to address the City Council Meeting on 28th November, 2011, it was only a short few hours before the start time of the meeting that it became apparent to him that he would not be able to go and was too short notice to arrange a stand in. He indicated that he had presentation/notes prepared for the meeting. He stated that, notwithstanding that he has now completed his two year appointment as Chairman of the Shannon Airport Authority, he would be happy to meet with the Elected Members, if they should so wish.

Notification was received from the Mid West Regional Authority that a public notice was published in the local and national newspapers on 20th January, 2012 giving notice that Limerick City Council, on behalf of Clare County Council, Limerick County Council, North Tipperary County Council and themselves, in conjunction with the Mid West Regional Authority, has prepared a draft Plan which examines the future vision for the Mid West Region, the Mid West Area Strategic Plan (MWASP). The document will be available for public consultation in the four Local Authorities and the Mid West Regional Authority from Friday 20th January and the closing date for submissions on the plan is 4.00 p.m. on Thursday, 8th March, 2012.

Notification was circulated to the Members of Electoral Area Limerick City South that The School of Architecture at the University of Limerick (SAUL) ran a successful seminar/workshop for architectural students and local authority staff on 'Design and Civic Governance' last year. Fingal and Mayo County Councils' Elected Members and staff participated. This seminar/workshop is being held again this year with participation from Limerick City Council and Clare County Council.

A study of an area of the city forms part of the work which is the area around the train station. The process is non statutory, however, it is expected that the outcome of the process will inform other work being conducted by Limerick City Council in this area. Consultation with local Elected Representatives, stakeholders and the local community forms part of the process. Wednesday, 25th January, 2012 is the first of the consultation days. A briefing meeting with the Elected Members for the area will take place between 10.30 a.m. and 11.00 a.m. in the City Gallery of Art in Pery Square. This will be followed by a workshop with community leaders and stakeholders between 11.00 a.m. and 1.00 p.m. Any member wishing to attend should advise Mr. Seamus Hanrahan, Senior Executive Architect, as soon as possible.

6. DISPOSAL OF PROPERTY

Submitted the following Disposal of Property in accordance with Notices already circulated under Section 183 of the Local Government Act, 2001, which were adopted unanimously on the proposition of Cllr. Scully, seconded by Cllr. Hourigan :

- (a) Disposal of Freehold (Ground Rent) under Section 26 of the Landlord and Tenant (Ground Rents) (No. 2) Act, 1978 as per attached Section 183 Notice.

7. PARTICIPATION BY MEMBERS AT CONFERENCES

It was proposed by Cllr. Scully, seconded by Cllr. Hourigan and unanimously agreed to approve participation by Members at the following conferences :

Conference organised by Celtic Conferences 'Understanding EU Funding and Functions'

Held in The Celtic Ross Hotel, Rosscarbery, Co. Cork

27th - 29th January, 2012

Estimated Travel and Subsistence : €424.73

Conference Fee : €100.00

European Commission Representation in Ireland 'European Economic Policy – What's in it for Ireland'

Held in Athlone Institute of Technology, Dublin Road, Athlone, Co. Westmeath

31st January, 2012

Estimated Travel and Subsistence : €254.30

Conference Fee : Nil

Seminar co-hosted by Irish Penal Reform Trust and the Community Platform 'The vicious circle of social exclusion and crime: Ireland's Disproportionate Punishment of the Poor'

Held in The Carmelite Community Centre, 56, Aungier Street, Dublin 2.

2nd February, 2012

Estimated Travel and Subsistence : €340.54

Conference Fee : Nil

UCD Garret Fitzgerald Spring Seminar 'Democracy in the 21st Century'

Held in University College Dublin

10th - 11th February, 2012

Estimated Travel and Subsistence : €340.54

Conference Fee : Nil

Rattoo Heritage Society 21st Annual Kerry Environmental Conference and Training Seminar

Held in The Meadowlands Hotel, Oakpark, Tralee, Co. Kerry

23rd - 26th February, 2012

Estimated Travel and Subsistence : €446.29

Conference Fee : €150.00

The 23rd Colmcille Winter School 'Can the Tourism Industry Lead Economic Recovery in Ireland'

Held in The Colmcille Heritage Centre, Gartan, Church Hill, Letterkenny, Co. Donegal

24th - 26th February, 2012

Estimated Travel and Subsistence : €616.11

Conference Fee : €195.00

Conference organised by TGR Seminars 'Six Strategies to take charge of 2012'

Held in The Maldron Hotel, Portlaoise, Co. Laois

9th - 11th March, 2012

Estimated Travel and Subsistence : €351.48

Conference Fee : €145.00

Dundalk Chamber of Commerce in association with Eures Cross Border Partnership & Louth Local Authorities Conference entitled 'What it takes to succeed in the Tourism Sector'

Held in Ballymascanlon House Hotel, Dundalk, Co. Louth

28th March, 2012

Estimated Travel and Subsistence : €439.78

Conference Fee : Nil

8. REPORT ON CAPITAL PROJECTS 2012 – 2014 IN ACCORDANCE WITH SECTION 135 OF THE LOCAL GOVERNMENT ACT, 2001

It was unanimously agreed to defer this item to the next Monthly City Council Meeting scheduled to take place on Monday, 27th February, 2012.

9. SETTING ASIDE OF MONIES FOR PENSION GRATUITIES TO SPECIFIC RING FENCED RESERVE

It was proposed by Cllr. Scully, seconded by Cllr. Hourigan and unanimously agreed to approve the setting aside of monies for Pension Gratuities to a specific ring fenced reserve in line with the provisions of the Local Authority Accounting in Ireland Code of Practice and Accounting Regulations.

10. NOMINATION OF ONE MEMBER OF THE CITY COUNCIL FOR ADMISSION TO THE MEMBERSHIP OF THE HUNT MUSEUM

It was proposed by Cllr. Gilligan, seconded by Cllr. Quinlivan and unanimously agreed to nominate Cllr. Kathleen Leddin for admission to the membership of the Hunt Museum.

11. PLANNING PROPOSALS AND DECISIONS

The meeting noted the list of Planning Proposals under consideration at 13th January, 2012 and Decisions taken from 12th December, 2011 to 13th January, 2012.

12. NOTICE OF MOTION

Submitted the following Notice of Motion, due notice of which was given :

“That action be taken to re-house those who were forced to leave their homes in Fairview Crescent due to anti social behaviour”.

Signed : Cllr. John Gilligan
Cllr. Maurice Quinlivan

Cllr. Gilligan stated that, in his opinion, this Notice of Motion should be referred to the Social Policy and Housing Strategic Policy Committee and not an Area Meeting so that a policy can be drawn up to deal with anti social behaviour that is experienced throughout the city.

Cllr. Kennedy pointed out that anti social behaviour is a big problem throughout the country and is not just confined to Limerick. The Elected Members need to be updated on the existing policy for dealing with anti social behaviour.

Cllrs. Kiely, G. McLoughlin, Quinlivan and Kiely all supported this Notice of Motion.

The City Manager stated that the staff in the Housing Department of the City Council are doing a very good job in dealing with anti social behaviour within the constraints of the law. He suggested that, in the first instance, this Notice of Motion be referred to a Special Area Meeting with all Elected Members present. The matter can then be discussed frankly and freely without the presence of the media. Then if necessary, any policy changes can go to the Social Policy and Housing Strategic Policy Committee Meeting for consideration. He said the Special Area Meeting could be organised as soon as possible.

It was unanimously agreed to hold a Special Area Meeting to discuss this Notice of Motion and that all Members be invited to attend same. It was agreed that this meeting would take place as soon as possible.

13. NOTICE OF MOTION

Submitted the following Notice of Motion, due notice of which was given, which was referred to the Social Policy and Housing Strategic Policy Committee Meeting :

'That Limerick City Council provide to all elected members a complete analysis of the expenditure planned for 2012 in the following areas, 1. internal housing maintenance budget, 2. home energy efficiency scheme, 3. capital expenditure for upgrading houses purchased, 4. capital expenditure for upgrading existing housing stock, and that a meeting take place to brief members on these various maintenance budgets".
Signed : Cllr. Joe Leddin

14. ANY OTHER BUSINESS

In reply to Cllr. Scully, the Acting Head of Finance stated that specific instructions were given by the Minister for the Environment, Community and Local Government that Local Authorities were to accept cash in relation to the Household Charge and issue a receipt for same. Prior to this ministerial direction, Local Authorities were not to have any role in the collection of this Household Charge monies as a central bureau had been set up for this function.

The Acting Head of Finance further stated that Limerick City Council can accept all other forms of payment, such as cheque, postal order, direct debit or credit card. These payments must be accompanied with a correctly filled registration form for the Household Charge but would not be issuing a receipt for same. Limerick City Council's role in handling these non cash payments and form is as an intermediary and will be forwarding them in the post to the central bureau for receipting and processing. The receipt for all non cash payments of the Household Charge would be issued by the central bureau based in Dublin by post or e mail to each individual and not by Limerick City Council. The Acting Head of Finance suggested to the meeting that individuals can pay on line on www.householdcharge.ie and get an immediate receipt or they can post the non cash payment (i.e. cheque, debit card, credit card or postal order) along with the completed registration form to the central bureau in Dublin and wait for a receipt to be issued by the bureau. Details of the postal address are noted on the registration form.

Cllr. Byrne asked that staff be informed fully in relation to this charge so that they can adequately pass on the information to members of the public.

The City Manager referred to memo circulated to Members indicating that in July 2011, the Minister for the Environment, Community and Local Government announced the establishment of the Limerick Reorganisation Implementation Group to oversee the creation of a new single local authority to replace Limerick City and County Councils. Under one of the Terms of Reference the Group is asked to 'identify measures to maximise the capacity of local government to contribute to the economic development of Limerick and the Mid West Region'. Such measures to be identified in an Economic Development Plan for the Revitalisation of Limerick City Urban Area. It is intended to appoint consultants to prepare this plan. The estimated cost of the work is €250,000 and it is intended that funding will be provided by the two authorities and by the Department of the Environment, Community and Local Government.
Noted.

THE MEETING THEN CONCLUDED

A TRUE RECORD

**T. MACKEY
CITY MANAGER**

CONFIRMED THIS _____ DAY OF _____ 2012.

MAYOR OF LIMERICK

