

LIMERICK CITY COUNCIL

A Monthly Meeting of Limerick City Council was held in the Council Chamber, City Hall, on Monday, 28<sup>th</sup> January, 2013 at 4.00 p.m.

The following were in attendance :

**IN THE CHAIR :** Cllr. G. McLoughlin, Mayor

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

**STAFF :** Mr. C. Murray, City and County Manager  
Ms. C. Curley, Director of Service  
Mr. K. Lehane, Director of Service  
Ms. J. Cotter-Coughlan, Director of Service  
Mr. P. Crowe, Director of Service  
Ms. N. Fahy, Acting Director of Service  
Mr. P. Murnane, Acting Head of Finance  
Mr. G. Sheeran, Senior Planner  
Mr. K. Reeves, Senior Executive Planner  
Mr. E. Griffin, Senior Executive Officer  
Mr. P. Foley, Senior Executive Officer  
Ms. E. Creamer, Staff Officer

**APOLOGIES :** Cllr. Kiely

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His Worship the Mayor, Cllr. G. McLoughlin proposed a vote of sympathy be extended to the wife and family of the late Garda Adrian Donohoe on his tragic death and proposed that a minutes silence be observed as a mark of respect.

The Manager, on his own behalf and on behalf of the staff, wished to be associated with the vote of sympathy.

All stood in silence for a minute as a mark of respect.

It was proposed by Cllr. Hurley, seconded by Cllr. Kennedy and unanimously agreed to open a Book of Condolences for the late Garda Adrian Donohoe in City Hall.

**1. MINUTES**

On the proposition of Cllr. Hourigan, seconded by Cllr. Fahy, it was unanimously agreed :

“That the Minutes of Monthly Meeting of Limerick City Council held on 17<sup>th</sup> December, 2012, copies of which were circulated, be and the same are hereby confirmed”.

## 2. MINUTES

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

“That the Minutes of Annual Budget Meeting of Limerick City Council held on 19<sup>th</sup> December, 2012, copies of which were circulated, be and the same are hereby confirmed”.

## 3. CHAIRMAN'S REPORT AND RECOMMENDATIONS, SOCIAL POLICY AND HOUSING STRATEGIC POLICY COMMITTEE MEETING HELD ON 7TH JANUARY, 2013

The Chairman's Report, Social Policy and Housing Strategic Policy Committee Meeting held on 7<sup>th</sup> January, 2013, was noted.

Submitted the following Recommendations from the Social Policy and Housing Strategic Policy Committee Meeting held on 7<sup>th</sup> January, 2013, which were adopted unanimously on the proposition of Cllr. Hourigan, seconded by Cllr. Shortt :

- (a) “That a Joint Traveller Plan be prepared for adoption by Limerick City and Limerick County Council.
- (b) That a Joint Social Policy and Housing Strategic Policy Committee Meeting take place in 2013”.

Cllr. Long requested that the Council clarify the position in relation to fire insurance of Council owned houses and how the cost of fire damage is recouped.

In reply, the Acting Director of Service (Housing) stated that the Council has a policy of self insurance on housing stock. Works in relation to fire damage are funded from the housing maintenance budget. The Council has an excess cover for claims greater than €127,000 in any one claim. She clarified that the excess policy relates to employers liability and public liability for all Council activities including housing activity. All fire insurance cover is based on self insurance and the cost of repairs is met through the revenue budget.

The City and County Manager stated that an insurance regime is in place here in the City Council since 1993 adding that the issue of insurance is becoming critical and not just in the area of housing. He pointed out that he is meeting with officials of IPB next week in relation to the issue and agreed to report back to members afterwards.

Cllr. O'Hanlon proposed that a letter issue to the Minister for Housing requesting that funding be made available to local authorities to facilitate

- (a) the completion of a programme of energy efficiency works on occupied Council stock and
- (b) to provide funding to facilitate the purchase of larger houses from elderly owner occupiers and therefore, facilitate them to downsize to accommodation that would better meet their needs.

Cllr. Quinlivan seconded Cllr. O'Hanlon's proposal.

Cllr. Hourigan requested that consideration be given to establishing Limerick Institute of Technology as an employment hub. He further requested that a representative from the college be invited to contribute in relation to the development of the programme for the economic and social development in the regeneration area. He requested that the new plan for regeneration would be presented in stages in 2013, 2014 and 2015. He also asked that the Members be advised of the number of houses scheduled for demolition in 2013 and the number scheduled for completion in 2013. He requested that the Traveller Accommodation Plan include reference to the responsibility of travellers to the community.

Cllr. O. McLoughlin requested that the Members be advised of the number of housing stock that is capable of meeting the needs of persons with disabilities.

Cllr. Hurley requested clarification of the position in relation to the link road into Tesco at Clondrinagh. He stated that rumours have been circulating that this road is part of lands now administered through NAMA. He requested that the Members be updated in relation to what action would be taken against the owners of the illegally parked caravans at this location. He further requested that the Council review the situation of the caravan parked on the edge of the road at the Coonagh roundabout.

The Acting Director of Service (Housing) agreed to follow up and revert back to Cllr. Hurley regarding the issues he raised.

#### **4. CHAIRMAN'S REPORT AND RECOMMENDATIONS, ECONOMIC POLICY DEVELOPMENT AND FUTURE PLANNING STRATEGIC POLICY COMMITTEE MEETING HELD ON 14TH JANUARY, 2013.**

The Chairman's Report, Economic Policy Development and Future Planning Strategic Policy Committee Meeting held on 14<sup>th</sup> January, 2013, was noted.

Cllr. Scully stated that the two Notices of Motion should have come forward as two recommendations and requested that the report be amended accordingly.

Submitted the following Recommendations from the Economic Policy Development and Future Planning Strategic Policy Committee Meeting held on 14<sup>th</sup> January, 2013 :

##### Notice of Motion

“That Limerick City Council, in view of the changed structure both with Shannon Airport and Failte Ireland taking responsibility for tourism in the Mid West, establish an events and festival group comprised of elected members, business and statutory organisations and officials, to maximise the economic potential that events can deliver to Limerick on a year long basis”.

Signed Cllr. Joe Leddin

It was proposed by Cllr. Scully, seconded by Cllr. J. Leddin and unanimously agreed to accept the response of the Director of Service.

##### Notice of Motion

“That Limerick City Council provide a report detailing the number of derelict sites, the owners of these sites and what negotiations, if any, are taking place with the City Council to reduce the number of derelict sites in the city”.

Signed : Cllr. Joe Leddin

It was proposed by Cllr. Scully, seconded by Cllr. J. Leddin and unanimously agreed to accept the response of the Director of Service.

In reply to Cllr. Quinlivan, the Senior Executive Officer agreed to review Standing Order No. 24 regarding SPC Members speaking at Council Meetings in relation to SPC Chairman's Report.

Cllr. Quinlivan referred to Fianna Fail Senator Mark McClarry who raised an objection to funding of Shannon Airport and appealed to Cllr. O'Hanlon and other Fianna Fail councillors in Limerick and Clare to ask Sen. McClarry to withdraw his objection.

Cllr. Gilligan welcomed the proposal to develop the Opera Centre site but expressed concern at the slow progress of same. He referred to the former Cahill May Roberts site which will have to be demolished otherwise, it could become another derelict site. He asked if any report has been done on the asbestos in this site. He urged the Council to be proactive about the Limerick Docks and not allow it to fall into dereliction. He again voiced his opposition to the extraction of water from the River Shannon.

Cllr. J. Leddin referred to two presentations which were made at the SPC Meeting and asked that non members be circulated with a copy of same. He asked that, heretofore, any presentations that are made at SPC Meetings be circulated to all members. The Docklands represents huge potential for the future development of the city as it is located on a major artery into the city on the ring road. He welcomed the proposals for the Opera Centre site which is an excellent initiative, however, pointed out that it should be renamed as part of the new plan. He referred to the scaffolding which was erected there a few months ago but which is getting very shabby and the public are now worried that no further work will take place there. He welcomed sixty applications for 'The Gathering' which will promote the city both locally and nationally. He also welcomed the report on derelict sites adding that such sites should be tidied up.

Cllr. Shortt welcomed the relocation of the Economic Development and Planning Department of the Council to the former AIB building on the corner of Patrick Street and Ellen Street but expressed regret that the Museum did not relocate there. He said every effort must be made to stop the cultural decline in the city.

Cllr. K. Leddin referred to a derelict building in Ellen Street which is in a very dangerous condition and asked that it be looked at. She agreed with Cllr. J. Leddin that the Opera Centre Site should be renamed. She pointed out that Patrick Street was a georgian street and every effort should be made to retain and refurbish the buildings as such.

In reply to Cllr. Scully, the Senior Planner stated that the purpose of the Draft Strategic Integrated Framework Plan for the Shannon Estuary is to promote economic growth and for conservation and protection of the natural environment. There are nine strategic sites indicated for the estuary, five of which are in Limerick. The Plan is on public display until 15<sup>th</sup> February and submissions can be submitted up to that date.

The Senior Executive Planner informed Members that Consultants GVA will hold a number of workshops to finalise the Draft Economic and Spatial Plan for Limerick city and councillors will be fully briefed on same when completed. He said the name change for the Opera Centre site can be considered as part of the Plan. He pointed out that the scaffolding in Patrick Street will be facilitating some works in terms of stabilising the buildings and making them safe adding that existing buildings will have to be respected. He agreed to refer the derelict buildings referred to by members, to the Council's Property Department for examination. He stated that the public have presented some ideas regarding the Opera Centre site and the Cahill May Roberts site and the

Elected Members will be briefed about any future plans for the sites in the near future. He informed Cllr. K. Leddin that Enforcement Action has commenced on the derelict property in Ellen Street at the back of the former Instore shop.

## **5. CORRESPONDENCE**

Submitted list of tenders opened in respect of the following :

- Engineering Consultancy Service for City Centre to University Walking and Cycling Route – Limerick Smarter Travel Route 2;
- Pre-Qualification Questionnaire Submission for Building Contractors Framework for Home and Community Department;
- Pre-Qualification Questionnaire Submission for Halting Site Maintenance Contractors Framework for Home and Community Department;
- Provision of Leisure Centre Operation, Maintenance and Management Services at Grove Island;
- Provision of Legal Services to Limerick City Council for the Coonagh to Knockalisheen Distributor Road Scheme;
- Opera Centre Emergency Stabilisation Works;
- Control of Horses Service in Limerick City;

Submitted letter of acknowledgement from the Office of the Minister for Justice and Equality of the City Council's letter dated 19<sup>th</sup> December, 2012 and indicating that it will be brought to the Minister's attention.

Submitted letter from the Office of the Minister for Justice and Equality regarding Limerick City Council's resolution concerning prostitution and trafficking in Ireland. Such letter stated that the Minister published a discussion document on the future direction of legislation on prostitution which was referred to the Joint Oireachtas Committee on Justice, Defence and Equality. The joint committee is conducting the consultation process and has been asked to report back to the Minister on the completion of it's work. In addition, the Department hosted a conference in October to discuss the consultation paper. The Report of the joint committee and the views expressed at the October conference will be fully considered in the framing of any necessary legislative proposals to be submitted to Government in due course. The letter included an appendix setting out the text of the Minister's statement of 22<sup>nd</sup> June last when publishing the discussion document.

## **6 DISPOSAL OF PROPERTY**

It was proposed by Cllr. J. Leddin, seconded by Cllr. Byrne and unanimously agreed to approve Disposal of Property as follows in accordance with Notices already circulated under Section 183 of the Local Government Act, 2001 :

- (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 Notices.

## **7. PARTICIPATION BY MEMBERS AT CONFERENCES**

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

Merriman Winter School 2013

Held in Westport, co. Mayo

1<sup>st</sup> - 3<sup>rd</sup> February, 2013

Estimated Travel and Subsistence : €329.09

Conference Fee : € 60.00

Elected Members Training Seminar organised by Esperanza Enterprises entitled 'The Finance (Local Property Tax) Bill 2012

Held in The Carlton Hotel, Dublin Road, Galway

1<sup>st</sup> - 2<sup>nd</sup> February, 2013

Estimated Travel and Subsistence : €225.95

Conference Fee : €150.00

Elected Members Training Seminar organised by Esperanza Enterprises entitled 'Equal Status (Amendment) Bill 2012

Held in The Manor West Hotel, Killarney Road, Tralee, Co. Kerry

8<sup>th</sup> - 9<sup>th</sup> February, 2013

Estimated Travel and Subsistence : €229.49

Conference Fee : €150.00

Seminar organised by Ace Training entitled 'Tourism Seminar Making the Difference'

Held in The Four Seasons Hotel, Carlingford, Co. Louth

8<sup>th</sup> - 10<sup>th</sup> February, 2013

Estimated Travel and Subsistence : €578.31

Conference Fee : €100.00

An ACCEPT Pluralism/UCD Institute for British Irish Studies Conference entitled 'Tolerance and Diversity in Ireland – North and South'

Held in UCD Research Boardroom, University College Dublin

14<sup>th</sup> February, 2013

Estimated Travel and Subsistence : €340.54

Conference Fee : Nil

Association of Municipal Authorities of Ireland Spring Seminar 2013

Held in The Brandon House Hotel, New Ross, Co. Wexford

15<sup>th</sup> - 16<sup>th</sup> February, 2013

Estimated Travel and Subsistence : €280.29

Conference Fee : €200.00

Elected Members Training Seminar organised by Esperanza Enterprises entitled 'Protection of the Individual Vs Freedom of Expression'

Held in The Carlton Hotel, Dublin Road, Galway

15<sup>th</sup> - 16<sup>th</sup> February, 2013

Estimated Travel and Subsistence : €225.95

Conference Fee : €150.00

Elected Members Training Seminar organised by Esperanza Enterprises entitled 'Health issues pertaining to Local Authority Housing'

Held in The Westport Plaza Hotel, Castlebar Street, Westport, Co. Mayo

22<sup>nd</sup> - 23<sup>rd</sup> February, 2013

Estimated Travel and Subsistence : €318.10

Conference Fee : €150.00

Colmcille Winter School 'Will the Euro – The Single European Currency Survive ?'  
Held in Colmcille Heritage Centre, Gartan, Church Hill, Letterkenny, Co. Donegal  
22<sup>nd</sup> - 24<sup>th</sup> February, 2013

Estimated Travel and Subsistence : €636.20  
Conference Fee : €218.00

Seminar organised by Celtic Conferences entitled 'Public Health Seminar on HSE Tobacco Control Policy'

Held in The Celtic Ross Hotel, Rosscarbery, Co. Cork  
22<sup>nd</sup> - 24<sup>th</sup> February, 2013

Estimated Travel and Subsistence : €425.91  
Conference Fee : €100.00

Mid West Regional Authority 18<sup>th</sup> Annual Conference entitled 'Economic Recovery – Progress in the Regions'

Held in Horse and Jockey, Co. Tipperary  
28<sup>th</sup> February - 1<sup>st</sup> March, 2013

Estimated Travel and Subsistence : €201.14  
Conference Fee : €100.00

Conference organised by TGR Seminars entitled 'Time and Priority Management for Councillors; Achieving maximum productivity and outstanding results'

Held in The Bunratty Castle Hotel, Bunratty, Co. Clare  
8<sup>th</sup> - 10<sup>th</sup> March, 2013

Estimated Travel and Subsistence : €137.64  
Conference Fee : €145.00

Training Seminar organised by Kadenza Consultancies entitled 'Public Relations and the Media'

Held in Castle Leslie, Glaslough, Co. Monaghan  
15<sup>th</sup> - 17<sup>th</sup> March, 2013

Estimated Travel and Subsistence : €525.14  
Conference Fee : €145.00

## **8. REPORT ON LIMERICK CITY COUNCIL PILOT RETAIL INCENTIVE SCHEME FOR VACANT PROPERTIES 2013**

It was proposed by Cllr. J. Leddin, seconded by Cllr. Scully and unanimously agreed to approve Report on Limerick City Council Pilot Retail Incentive Scheme for Vacant Properties 2013.

## **9. PLANNING PROPOSALS AND DECISIONS**

The Meeting noted the list of Planning Proposals under consideration at 18<sup>th</sup> January, 2013 and Decisions taken from 13<sup>th</sup> December, 2012 to 18<sup>th</sup> January, 2013.

Cllr. Quinlivan welcomed the completion of houses in Moyross and commended the people there for their patience and co-operation.

Cllr. Quinlivan, supported by Cllr. Shortt, referred to planning application ref. 12/176 – retain change of use of part of retail unit to off licence at Johnsey's Shop, 47, O'Callaghan Avenue, Kileely and voiced his strong opposition to this application. He pointed out that there was never planning permission obtained for the operation of an off licence at this address adding that there are already

three off licences in the area. A lot of problems are being experienced in the area with street drinking and underage drinking and the residents are frightened and fed up with what is happening there and stated that another off license in the area will only add to the existing problems there.

The Senior Executive Planner noted Cllr. Quinlivan's comments and indicated that the City Council will take into consideration the existing number of off licenses in the area when making a decision on this planning application.

Cllr. Scully voiced his strong opposition to planning application 12-113 – Change of use from Retail to Take Away including all associated site works at Unit 2, Springfield, Old Singland Road adding that there are already a number of takeaways and off licenses in the area which is causing anti social behaviour and the granting of planning permission in this case would further add to the problems being experienced in the area. He added that the residents in the area are also totally opposed to this planning application.

The Senior Executive Planner informed Cllr. Hourigan that additional details have been requested in respect of planning application 12/88 – permission to hold concerts in accordance with requirement of condition no. 5 of the permission granted to Limerick Gaelic Grounds Development Committee, Pairc nGael, Ennis Road. Such details were primarily in relation to traffic, however, same have not been submitted to date.

In reply to Cllrs. Hourigan and K. Leddin, the Senior Executive Planner stated that planning permission has been granted in respect of planning application 12/162 – Replacement of the existing slipways with a permanent floating pontoon located at St. Michael's Rowing Club, O'Callaghan Strand.

Both Cllr. Hourigan and Cllr. K. Leddin referred to an upcoming event where five hundred crew members are coming into O'Brien's Bridge and expressed regret that St. Michael's Rowing Club could not facilitate these crew members and asked that such events be looked into with a view to attracting them into the city.

Cllr. Shortt welcomed the granting of planning permission to St. Michael's Rowing Club adding that there are a lot of young people in the club who are living nearby thereby ensuring that the club managed to stay city based. However, in order to attract events the club needs better access to the river as access at present is very difficult. He appealed to the City Council to work with St. Michael's Rowing Club to make the city slipway bigger thereby improving accessibility.

Cllr. Gilligan welcomed planning application 12/178 – development at Harbour House, Steamboat Quay, James Casey Walk and said every effort should be made to expedite this application.

## **10. DIRECTOR OF SERVICE REPORT DATED 9TH JANUARY, 2013**

It was proposed by Cllr. Byrne, seconded by Cllr. Scully and agreed to approve Director of Service Report dated 9<sup>th</sup> January, 2013 :

“Proposed change of use of a 1.02 hectare site at Mt. St. Lawrence Road so as to facilitate a second extension to Mt. St. Lawrence Cemetery, Ballysimon, Limerick” (C12/3)

Cllr. Gilligan welcomed this proposal adding that it will clean up what is at present a very untidy and dirty corner. He referred to the old cottage on the site which is an eyesore and should be removed. He suggested that a commemorative wall/wall of remembrance for urns replace the existing boundary wall as a lot of people are now getting cremated. He expressed disappointment

that the city undertakers in the city are not providing a crematorium.

Cllr. Scully also welcomed this proposal and agreed with Cllr. Gilligan regarding a commemorative wall/wall of remembrance. He asked the City Council to look at litter, anti social behaviour and bonfires which are taking place in the cemetery with a view to addressing these problems.

Cllr. Quinlivan joined with the previous speakers in welcoming this proposal and supported Cllr. Gilligan's proposal of a commemorative wall/wall of remembrance for urns. He suggested that the old derelict cottage in the graveyard be looked at with a view to seeking funding to put in a crematorium there.

Cllr. Kennedy stated that he was not satisfied with the wording of the Director of Service Report adding that there is no reference in same to Part 8 and suggested that this item be deferred.

The Senior Planner pointed out that the Planning and Development Act 2000 was the original act, however, it was amended many times up to 2010 and by the Environmental Act 2011 so the reference in the Director's Report to the Planning and Development Act 2000 – 2010 is correct.

The Senior Executive Officer (Corporate Services) clarified that the Planning and Development Acts may be cited together as the Planning and Development Acts 2000 – 2010.

The City and County Manager stated that the Director of Service Report was produced in accordance with the statutory Regulations and said the wording of same is correct.

Cllr. Kennedy stated that he wished to be recorded in the Minutes as dissenting from this item.

## **11. NOTICE OF MOTION**

Submitted the following Notice of Motion, due notice of which was given, which was referred to the Joint Policing Committee :

“I call on Limerick City Council to convene a special urgent meeting on the issue of community, safety, anti social behaviour, in the areas of control by the Local Authority. Senior Garda Representatives, Strategy Agencies/Bodies, all Elected Members of Joint Authority (city / county) be invited”.

Signed : Cllr. Jim Long

## **12. NOTICE OF MOTION**

Submitted the following Notice of Motion, due notice of which was given, which was adopted unanimously on the proposition of Cllr. Quinlivan, seconded by Cllr. Gilligan :

“That Limerick City Council endorses the forthcoming ICTU protest in Limerick City on February 9<sup>th</sup> next to demand a restructuring of Ireland's debt burden as a pre requisite for recovery and a necessary condition for the maintenance of social cohesion. We call on all people in Limerick to come out on the day and join thousands of other protesters in Dublin, Galway, Cork and Waterford and Sligo in order to send a clear message to the EU/IMF Troika during the Irish Presidency of the EU that we need a just deal on debt without further delay”.

Signed : Cllr. Maurice Quinlivan  
Cllr. John Gilligan

**13. ANY OTHER BUSINESS**

Cllr. K. Leddin asked that the heating in the Council Chamber remain on until 6.00 p.m. on the day of meetings.

**THE MEETING THEN CONCLUDED**

**A TRUE RECORD**

**CONFIRMED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2013.**

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**MAYOR OF LIMERICK**