

LIMERICK COUNTY COUNCIL

Comhairle Contae Luimnigh



CRUINIÚ MHÍ EANÁIR

MONDAY, 23RD JANUARY, 2006,

AT 2.30 P.M.

COUNCIL CHAMBER, COUNTY HALL

AGENDA AND DOCUMENTATION

PRAYER

A Thiarna Dia,

Is uaitse a thagann gach údarás ar talamh. Cuir do bheannacht orainn agus sinn ag plé riachtanais ár gcontae. Go ndéanaimid ár gcinnte de réir d'eagna, agus go gcuirtear i bhfeidhm iad le cneastacht agus cúram. Sin é ár nguí chugat trí Chríost ár dTiarna.

Amen.

O Lord God,

You are the source of all human authority. Bless us in our deliberations on the needs of this our county. May our decisions be guided by your wisdom and put into effect with charity and concern. This we ask through Christ Our Lord.

Amen.

COMHAIRLE CHONTAE LUIMNIGH LIMERICK COUNTY COUNCIL

Oifig an Rúnaí Chontae,
(County Secretary's Office),
Halla an Chontae,
(County Hall),
(Tuar an Daill),
Dooradoyle,
Contae Luimnigh.
(Co. Limerick).

16th Eanáir, 2006.

Don Chathaoirleach agus do gach Ball don Chomhairle

A Chomhairleoir, a chara,

Iarrtar ort a bheith i láthair ag Cruinniú de Chomhairle Chontae Luimnigh a bheidh ar siúl i Seomra na Comhairle, Halla an Chontae, Tuar an Daill, Contae Luimnigh, ar an Luan, an 23^ú Eanáir, 2006, ar a 2.30p.m. Tá an gnó a bheidh le déanamh leagtha amach ar an Agenda breise.

You are requested to attend Meeting of Limerick County Council to be held in the Council Chamber, County Hall, Dooradoyle, Co. Limerick, on **Monday, 23rd January, 2006, at 2.30pm**. The business to be transacted is set out on the appended Agenda.

Is mise le meas,



Anne Haugh,
County Secretary/Meetings Administrator.

C L Á R

1. Miontuairiscí

To adopt Minutes of the following Meetings:

- (a) Budget 2006 Meeting of the Council held on 15th December, 2005.
- (b) Ordinary Meeting of the Council held on 19th December, 2005.

2. Disposal of Land

To consider proposal for the disposal of land at:

- (a) Curraghmore, Ballyhahill.
- (b) Glenwood, Ballyanrahan East, Patrickswell.

(Statutory Notices dated 3rd and 6th January, 2006, already circulated)

3. Finance

Overdraft Accommodation 2006

To approve overdraft accommodation on the Council's General Account amounting to €10 million for year ending 31st December, 2006.

4. Corporate Services

Regional Health Forum West

To consider the appointment of 4 Members from Limerick County Council to the Regional Health Forum West, in accordance with the Health Act 2004 (Regional Health Forums) Regulations, 2005.

(Correspondence already circulated)

5. Civic Receptions - IFA

- (a) To bestow Civic Honours on Mr. John Dillon, outgoing President of the IFA, in recognition of his being the first Limerick man to hold that position.
- (b) To bestow Civic Honours on the IFA on the occasion of its 50th anniversary and in recognition of that organisation's contribution to the farming community.

(This item will be taken at 4.30 p.m.)

6. Conferences

To consider participation by Members at the following Conferences:

- (a) The Local Government Planning Service to be held in Clonea, Co. Waterford, on 3rd/4th February, 2006.
- (b) Northern Tourism Conference to be held in Dunadry, Co. Antrim, on 3rd/4th February, 2006.
- (c) All Island Infrastructure Investment Conference 2006 to be held in Dundalk, Co. Louth, on 10th February, 2006.

- (d) Enterprise Kiltullagh Limited 6th National Conference to be held in Ballinlough, Co. Roscommon, on 16th February, 2006.
- (e) Conference on Irish Neutrality Policy Principle Concept or Myth to be held in Shannon, Co. Clare, on 2nd/3rd March, 2006.
- (f) Clonmel Training Seminar – the Councillor and Community Leadership – to be held in Clonmel, Co. Tipperary, on 3rd/4th March, 2006.
- (g) Westport Experience 2006 to be held in Westport, Co. Mayo, on 18th/19th May, 2006.

(Details already circulated electronically and Report Enclosed)

QUESTIONS

Question submitted by Councillor N. Collins

- 7.** I will ask at the next meeting for a full Statement of Account of the Development Contribution Fund since its adoption in 2003 for the period to 31st December, 2005, to include the following – (a) total amounts of all contributions received to date per year; (b) the actual expenditure from the Fund to date analysed by amount per project description per year; (c) the amounts yet to be expended but committed by amount per project description per year; (d) the balance of uncommitted monies in the Fund as at 31st December, 2005.

Questions submitted by Councillor P. O'Donovan

- 8.** I will ask at the next meeting if an application has been made for funding under EU co-financing or any other heading for works to re-align the bridges at Churchtown and over the Daar on the Newcastle West to Ardagh Road and to realign the Top Cross at Ardagh and, if so, at what stage is the application.
- 9.** I will ask at the next meeting for a status report on the recent study carried out on the N21 and if the NRA has advanced any further the route selection process for the Newcastle West and Abbeyfeale proposed by-passes.

- 10.** I will ask at the next meeting if it was the intention of Limerick County Council, at any stage, while in the process of granting planning permission for the Woodfield development(s) in Newcastle West, to make provision/allow for the possible construction of an inner relief/distributor ring road for the town through the development, or if the developer was instructed by the Council during the planning processes to make provision by way of road widths etc., to facilitate a possible relief/distributor road at some point in the future.

Question submitted by Councillor L. Galvin

- 11.** I will ask at the next meeting if the wire and concrete poles at both sides of Leahy's Cross (Pierse Cross), Athea, can be replaced and the weeds cut back to give road users a clear view of the road. Roads: L7064 joins R524 to L1329.

Question submitted by Councillor E. Wade

- 12.** I will ask at the next meeting when will the Local Area Plan for Caherconlish Village be drawn up.

Question submitted by Councillor L. Galvin

- 13.** I will ask at the next meeting when is the central heating programme to commence in Collins Park, Abbeyfeale.

NOTICES OF MOTION

Notice of Motion submitted by Councillor K. Sheahan

- 14.** I will move at the next meeting that Limerick County Council would treat as a matter of extreme urgency the provision of new sewerage schemes for Askeaton, Shanagolden and Foynes.

Notice of Motion submitted by Councillors J. Scanlan and L. Galvin

- 15.** We will move at the next meeting that the Minister for Transport be called upon to ensure that immediate steps are taken to have the towns of Newcastle West and Abbeyfeale bypassed in the interests of safety and the economic wellbeing of both towns and that of the rural hinterland of the area.

Notice of Motion submitted by Councillor P. O'Donovan

- 16.** I will move at the next meeting that Limerick County Council make provision to support the Mahoonagh Historical Society's publication "From the Boy to the Bishop."

Notice of Motion submitted by Councillor E. Wade

- 17.** I will move at the next meeting that the Council would re-establish the bottle bank for Caherconlish Village.

Notice of Motion submitted by Councillor T. Neville

- 18.** I will move at the next meeting for the immediate erection of a crash barrier at Hegarty's Cross, Kildimo, which was sanctioned over two months ago.

Notice of Motion submitted by Councillors Collins (N) and Griffin

- 19.** We will move at the next meeting that the Development Contribution Scheme be amended to provide for an exemption/waiver from the payment of development levies for people with disabilities.
- 20.** Correspondence.

MINUTES OF PROCEEDINGS AT BUDGET 2006 MEETING OF LIMERICK COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, COUNTY HALL, DOORADOYLE, CO. LIMERICK, ON THURSDAY 15TH DECEMBER 2005 AT 3.00 P.M.

PRESENT IN THE CHAIR: Councillor B. Teefy, An Cathaoirleach.

MEMBERS PRESENT:

Councillors Brennan, Butler, Clifford, Collins (M), Collins (N), Creighton, Enright, Foley, Gallahue, Galvin, Gleeson, Griffin, Harty, Houlihan, Jackman, McAuliffe, Naughton, Neville, Ni Chinnéide, O'Donnell, O'Donovan, Ryan, Scanlan, Sheehan (J), Sheahan (K) and Wade.

OFFICIALS IN ATTENDANCE:

County Manager (Mr. E. Gleeson), Assistant County Manager (Mr. P. O'Connor), Director Community and Enterprise/Human Resources/Corporate Services (Mr. G. Behan), Director Environment and Emergency Service (Mr. T. Enright), Director, Planning and Development (Mr. J. Feane), Director, Transportation and Water Services, (Mr. P. Crowe), Head of Finance, (Mr. O. Killeen), Meetings Administrator, (Mr. E. Griffin), Senior Executive Officer, (Ms. N. Fahey).

At the outset and on the proposal of Councillor Sheehan (K), seconded by Councillor Clifford, it was agreed that following the County Manager's presentation on the budget, there would be a twenty-minute adjournment to allow for consultation with the Head of Finance .

The Cathaoirleach opened the meeting by inviting the County Manager to present an overview of the proposed budget for 2006 to the Council.

It was unanimously agreed that that the Manager's Report on the Draft Budget 2006, as circulated to Members, be read into the minutes of the meeting as follows:

“The Draft Budget for the financial year ending 31st December 2006 has been prepared in accordance with the provisions of the Local Government Act 2001, and has been circulated to the Members within the prescribed statutory period.

The Statutory Budget Meeting has been fixed for Thursday 15th December. This means that the process of adopting a Budget for 2006 must be completed within the prescribed period of twenty-one days commencing on that date. The Budget for 2006 must therefore be adopted by Wednesday, 4th January 2006. This report is presented to the Members in compliance with the provisions of the Local Government Act 2001.

1. Introduction

The continuing strong performance of the National Economy seems set to continue into 2006, with low interest rates, low inflation, low unemployment rate and an economic growth of approximately 5%. On the other hand, there are of course some threats and uncertainties, including global imbalances in the world economy and volatility of oil prices. The strong economic growth highlights the importance of the maintenance and improvement, wherever possible, of our economic infrastructure, such as roads, water, wastewater and waste disposal, if County Limerick is to continue to benefit from overall national growth. This growth also requires our regulatory framework in areas such as planning, environmental pollution and building control, to ensure that proper standards and the quality of the landscape and environment are not sacrificed.

In framing this Draft balanced Budget for 2006, I have carefully assessed all costs and income streams, and also had regard to the submissions made during the

consultation process with the Corporate Policy Group and also the objectives of the Council's Corporate Plan.

2. Expenditure Requirements

The estimated expenditure for 2006 amounts to €105.732 million – an increase of €2.367 million over the adopted figure for 2005.

I propose to finance this level of expenditure from the following sources:-

1. Commercial Rates	€23.846	22.55%
2. Government Grants & Subsidies	€32.702	30.91%
3. Local Government Fund Grant	€24.092	22.79%
4. Goods and Services	€25.092	23.74%
	€105.732	100%

3. Out-Turn 2005

In my report on the Draft Budget to the Members over the last number of years, I drew attention to the cumulative debit balance on the Revenue Account at 31st December 2002 of over €4.5 million and the necessity for action to eliminate same. I am glad to report that, at the end of 2004, this debit balance had been almost eliminated. The provisional out-turn figures for 2005 indicate some deterioration in this position, due mainly to a significant slowdown in intake at the landfill. While every effort has been made to reduce the impact on the Revenue Account, I expect some increase in the debit balance at 31st December 2005.

4. Commercial Valuation / Rates

The total estimated Commercial Valuation for the Draft Budget is €409,650 – an increase of €26,296 (6.86%) over

the 2005 figure. The oil price increases during 2005 impacted severely on all aspects of the Council's operations, but particularly road works and water and wastewater. While general inflation, at around 3% is low, other Indices in the Energy and Construction Materials are significantly higher, averaging about 10%. In drafting the Budget for 2006, I have applied a rate increase of 3.8%. The Limerick County rate for 2005 was the 26th lowest of the thirty-four County and City Authorities (See Appendix 2).

The new proposed rate for 2006 is 58.2122.

5. Local Government Fund

Circular Letter FIN 20/2005 dated 5th December 2005 notifies the Council of an allocation of €24,091,786 from the Local Government Fund for 2006. This is an increase of €1,622,272 over the 2005 allocation.

6. Development Fund

The Members are aware that a sum of €5.00 million was allocated from the Development Fund in 2005 for various projects on roads, water, wastewater and community. At this stage, it is anticipated that a similar sum will be available for allocation in 2006. Proposals for expenditure will be brought to the Members in early 2006.

7. Health and Safety

New regulations, which came into operation during 2005, place additional responsibilities on the Council as an employer. While I am satisfied that significant progress has been made in this area in the recent past, a recent audit conducted by the Health and Safety Authority showed up some further procedural issues that need to be addressed. Every effort must be made to ensure that

all work sites are safe for both employees and the public.

8. Commercial Water Charges

The Government's Water Services Pricing Policy document requires universal metering of all non-domestic users by the end of next year. Work on this project, which will be financed from borrowing, is expected to commence in early 2006. This metering programme will facilitate the application of user service charges to non-domestic users for water and wastewater, with effect from 1st January 2007.

I do not propose to increase the scale of water charges for 2006.

9. Landfill Charges

The Members will be aware of the very significant downturn in intake at the landfill during 2005. For 2006, I anticipate intake of approximately 65,000 tons and I have fixed a charge of €115 per ton. This charge represents a reduction of €35.00 per ton on the charge fixed for 2005.

10. Capital Investment Programme

Section 135 of the Local Government Act 2001 requires the preparation and submission to the Members of a report outlining the Capital Programme for the next three years (2006, 2007 and 2008). This programme is enclosed with the budgetary documentation and is of course dependant on Capital Allocations from the Department.

11. Annual Progress Report on Corporate Plan

Section 134 of the Local Government Act 2001 requires the preparation and submission of an annual progress report on the Corporate Plan to the Elected Members at the same time as the Draft Budget or at such other time as the Elected Council may by Resolution decide. It is suggested that the appropriate time for submission of such a report would be at the end of the first quarter of 2006, to facilitate the integration of year-end information, e.g. Service Indicators etc., into the report.

12. Acknowledgements

I would like to thank the Cathaoirleach and each Member of the Council for their support and co-operation over the last twelve months. Working as a Team, I am confident that the progress achieved in 2005 can be further advanced in 2006. I wish to extend my thanks to the staff at all levels for their continued support in 2005. The task of preparing the Draft Budget fell mainly on the Finance Unit and I thank them for their commitment.

I recommend the Draft Budget 2006 to the Members for adoption.”

The County Manager informed those present, that each of the programme groups had already been discussed in detail at the Briefing Session held on Monday 12th December, 2005. He confirmed to Members that the statutory provisions, e.g. circulation of draft budget, advertising, etc. had been complied with. He referred to the projected expenditure figure of €105.732m and the various sources of income for the coming year. As usual, the demands far exceeded the available resources and he pointed out that he had taken cognisance of the objectives set out in the Corporate Plan, the views expressed by the Corporate Policy Group and the areas that impacted on the economic development of the County in allocating available resources.

The County Manager welcomed the increase of €1.622m in the Local Government Fund Grant, but cautioned that it only accounted for 22.79% of total income. He informed Members that the Study on Local Government Financing, commissioned by the Department of the Environment, Heritage and Local Government, was due to be published by the end of 2005. He welcomed the increase of €26,926 in commercial valuation, which reflected economic activity in the County. He said that the proposed rate increase of 3.8% for 2006 had to be viewed in the context of average inflation of 10%, no increase in commercial water charges and a reduction of €35 per ton on landfill charges.

Reference was made to income received under the Development Fund. He expected that €5m approximately would be collected in 2006 and he would bring proposals for expenditure before the Members in early 2006. He drew attention to the three-year Capital Works Programme, which amounted to €556.4m over the three-year period.

The County Manager stated that he had considered carefully the views expressed by Members with regard to School Flashing Lights. He decided that on road safety grounds that this project would proceed without delay and proposed to bring a fully costed and financed package to the Members at the February 2006 Council Meeting, for the installation of flashing lights at all schools in the County, which currently did not have this safety feature.

He then reviewed each of the Programme Groups:

Programme Group 1 (Housing and Building)

He referred to the increased provision for maintenance and pre-letting repairs of €30,500. He confirmed that the central heating programme would continue in 2006, which would result in heating been installed in 710 houses. There was an increased provision of €120,000 for Essential Repairs and Disabled Persons Grants.

Programme Group 2 (Road Transportation)

The County Manager explained that for non-national roads, he had assumed the same level of grants as 2005. He anticipated that there would be some increase in the 2006 allocation. The road restoration programme, which commenced in 1995, and the E.U. Co-financed scheme of grants would continue in 2006. The impact of these schemes had resulted in significant improvements on County roads. The programme for installation of flashing lights at all schools in the County would also proceed.

Programme Group 3 (Water and Sewerage)

There was an increased provision of over €330,000 for maintenance of water and wastewater schemes. This increase was necessary to meet increased energy costs and demand and quality standards. The universal metering of all non-domestic users of water would continue in 2006 and would facilitate the introduction of user price charges for water and wastewater for 2007. The County Manager did not propose to increase the metered commercial water charge of €5.23 per 1000 gallons in 2006. The Rural Water programme would also continue in 2006.

Programme Group 4 (Development Incentives and Controls)

Planning activity in 2005 continued at a similar level to 2004, with 3,500 applications. He added that preparation of new Local Area plans for Bruff, Hospital, Kilfinane and Caherconlish would commence in 2006 as would the two-year review of the current County Development Plan.

Programme Group 5 (Environmental Protection)

The draft budget had provided for all aspects of waste management, including recycling, civic amenity, environmental awareness, clean up operations and landfill. There was also an increased provision for the fire service. The County Manager also confirmed that the Shannon River Basin Project would continue in 2006.

Programme Group 6 (Recreation and Amenity)

The budget included an increased provision of €234,000, which would allow for extending the Internet Service to a further six branch libraries and for the purchase of extra books. An increased provision of €25,160 was included for the Horticulture Service. The provision for arts activities had also been increased.

Programme Group 7 (Agriculture, Education, Health and Welfare)

The County Manager explained that the major expenditure headings under this programme were Higher Education Grants and V.E.C. pensions, which were almost fully recoupable from the Department of Education and Science.

Programme Group 8 (Miscellaneous Services)

He explained that this programme covered corporate issues, including, office accommodation, financial management, malicious injuries and Members' costs.

He again recommended the proposed budget for adoption and welcomed any additional input from Members and reassured them that officials would be available to discuss any aspect of the proposed budget. He thanked the Cathaoirleach and Members for their co-operation. He also paid tribute to the Head of Finance and all the staff affiliated to the Finance Section.

As agreed earlier, the meeting then adjourned for twenty minutes to allow for further discussion on the proposed budget.

On resumption of the meeting, Councillor Sheahan (K) proposed an extension of the adjournment for a further twenty minutes to allow for further consultation. This was seconded by Councillor O'Donovan and agreed.

When the meeting reconvened, queries were raised about the revised procedure regarding collection of commercial rates on vacant property from 1st January 2006. A recent letter issued to all ratepayers by Limerick County Council stated that rates would be due on a property whether occupied or unoccupied from 1st January 2006. In the case of vacant property, the owner would be liable to pay the rates in full for the year in question. Concerns were expressed that elderly people may not be able to find a suitable tenant and would be very upset at receiving such a letter. Confirmation was sought that Limerick County Council would continue to operate a waiver system for such cases. Queries were also raised in relation to water charges pertaining to Aughinish Alumina.

The County Manager stated that the letter in question covered a wide range of issues pertaining to commercial rates and the Council would continue, as in the past, to treat all ratepayers fairly.

In response to the query on Aughinish Alumina, the Head of Finance explained that there was a legal agreement between Limerick County Council and Aughinish Alumina relating to the provision of water.

The County Manager highlighted that under the original agreement, Aughinish Alumina had made a substantial contribution to water infrastructure. A national review of water pricing was currently underway and he anticipated that it would have implications for all local authorities going forward.

Following further discussion, it was proposed by Councillor Sheehan (K) and seconded by Councillor Creighton that the County Manger's Draft Budget for 2006 be adopted, subject to the following amendments.

	<u>Expenditure</u> €	<u>Income</u> €
<u>Programme Group 1</u>		
1.1 Local Authority Housing (Estate Management)	-20,000	
<u>Programme Group 2</u>		
2.1 Road Upkeep (Non-National Roads -50,000) (New Lights +100,000)	+50,000	
<u>Programme Group 4</u>		
4.3 Other Development and Promotion (Christmas Lighting of Towns)	+25,000	
<u>Programme Group 5</u>		
5.3 Safety of Structures and Places (Water Safety)	- 9,000	
5.1 Waste Disposal (Landfill Gate Fee)		+100,000
<u>Programme Group 6</u>		
6.2 Libraries	-25,000	
6.4 Other Recreational/Amenities (Askeaton Civic Trust +5,000) (Abbeyfeale Leisure Company +5,000)	+10,000	
<u>Table B</u>		
Commercial Rates (New Rate 58.0438/Rate Increase 3.5%)		-69,000
	+31,000	+31,000

In addition to the above, agreement was also sought to the following:

- (1) That the discretionary allocation of €15,000 per Councillor be increased to €30,000 in 2006, if the discretionary element of non-national road grants is increased. This

money would be spent on high labour maintenance costs only.

- (2) That €1,000 be allocated to the Flag Floor Group in Carrickerry to promote the culture and tradition of the area.

On the proposal of Councillor O'Donovan, seconded by Councillor Neville, it was agreed to adjourn the meeting for twenty minutes to allow for discussion on the proposed amendment to the Budget 2006.

On resumption of the meeting, Councillor Butler proposed that the Council suspend the further indexation of the planning levies as provided for under the provisions of the Development Contribution Scheme adopted on 19th December, 2003, until the matter was considered again in the context of a new Scheme. The motion was seconded by Councillor Harty and agreed.

Councillor O'Donovan pointed out that they had limited time to discuss the budget and he proposed the following amendments to the proposal put forward. Councillor Naughton seconded the motion.

	<u>Expenditure</u>	<u>Income</u>
	€	€
<u>Programme Group 1</u>		
1.1 Local Authority Housing (Estate Management)	+20,000	
<u>Programme Group 2</u>		
2.1 Road Upkeep (Non-National Roads)	+50,000	
<u>Programme Group 5</u>		
5.1 Waste Disposal (Gate Fee increase to €119 per ton)		+237,391
5.3 Safety of Structures and Places (Water Safety)	+9,000	

Programme Group 6

6.2 Libraries	+25,000
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Table B

Commercial Rates (New Rate 57.72/Rate Increase 2.92%%)	-133,391
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<u>€104,000</u>	<u>€104,000</u>
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He also stated that he supported the allocations for grants to towns for Christmas lighting and the increased provision for Askeaton Civic Trust and Abbeyfeale Leisure Company.

The County Manager cautioned that any proposed budget had to be balanced. He agreed that the proposed amendments were minor, but was concerned that such changes were to be funded through an increase in landfill charges. He cautioned that much work had gone into fixing the landfill charge at €115 per ton for 2006. He added that Limerick County Council was now competing in the commercial world against other Local Authority landfills. There was a loss of €2m on the landfill in 2005 and he did not accept that the proposed increase in income of €240,000 was sustainable. He accepted that he might be coming back to Members to say that there was surplus income/further deficit in 2006 from the landfill. However, at this point, he was opposed to any change in the proposed fee of €115 per ton.

As a proposal to adopt the County Manager's budget with amendments was now tabled, together with an amendment to that proposal, and neither were withdrawn, a vote was required to be taken.

Firstly, a vote was taken on the amendment to the proposal, as proposed by Councillor O'Donovan and seconded by Councillor Naughton. The result of the voting was as follows:

For the Amendment:

Councillors Butler, Galvin, Harty, Jackman, Naughton, Neville, Ní Chinnéide, O'Donnell, O'Donovan, Scanlan, Sheehan (J) (11)

Against the Amendment:

Cllrs. Brennan, Clifford, Collins (M), Collins (N), Creighton, Foley, Gallahue, Gleeson, Griffin, McAuliffe, Ryan, Sheehan (K), Teefy, Wade (14)

There were no abstentions.

The Cathaoirleach declared the amendment as proposed by Councillor O'Donovan and seconded by Councillor Naughton defeated.

A vote was then taken on Councillor Sheehan's (K) proposal, as seconded by Councillor Creighton. The result of the voting was as follows:

For the Motion:

Cllrs. Brennan, Clifford, Collins (M), Collins (N), Creighton, Foley, Gallahue, Gleeson, Griffin, McAuliffe, Ryan, Sheehan (K), Teefy, Wade (14)

Against the Motion:

Cllrs. Butler, Galvin, Harty, Jackman, Naughton, Neville, Ní Chinnéide, O'Donnell, O'Donovan, Scanlan, Sheehan (J) (11)

There were no abstentions.

The Cathaoirleach declared the Motion as proposed by Councillor Sheehan (K) and seconded by Councillor Creighton carried.

It was then agreed that the resolutions, as set out hereunder, would be adopted by the same voting:

“That the Budget for Limerick County Council for the financial year ended 31st December 2006, in a total sum of €105,763,266 be adopted”

“That Limerick County Council hereby determines the annual rate on valuation to be 58.0438 for 2006”

The Cathaoirleach and Members thanked the County Manager, the Head of Finance and staff for their work in presenting the budget.

This concluded the meeting.

Sínte: _____
An Cathaoirleach

An Rúnaí Contae

Dáta: _____

MINUTES OF PROCEEDINGS AT MEETING OF LIMERICK COUNTY COUNCIL HELD IN THE COUNCIL CHAMBER, COUNTY HALL, DOORADOYLE, CO. LIMERICK, ON MONDAY, 19TH DECEMBER, 2005, AT 2.30 P.M.

PRESENT IN THE CHAIR: Councillor B. Teefy, An Cathaoirleach.

MEMBERS PRESENT:

Councillors Brennan, Butler, Clifford, Collins (M), Collins (N), Creighton, Enright, Foley, Gallahue, Galvin, Gleeson, Griffin, Harty, Houlihan, Hurley, Jackman, McAuliffe, Naughton, Neville, Ní Chinnéide, O'Donnell, O'Donovan, Scanlan, Sheahan (J), Sheahan (K), Wade.

OFFICIALS IN ATTENDANCE:

County Manager (Mr. E. Gleeson), Assistant County Manager (Mr. P. O'Connor), Director, Planning and Development (Mr. J. Feane), Director, Community and Enterprise/Human Resources/Corporate Service (Mr. G. Behan), Director, Environment and Emergency Services (Mr. T. Enright), Director, Transportation and Water Services (Mr. P. Crowe), Head of Finance (Mr. O. Killeen), County Secretary (Ms. A. Haugh), Senior Engineer (Mr. P. O'Neill), Senior Planner (Mr. G. Sheeran), Senior Executive Planner (Mr. D. Troy), Legal Advisor (Mr. W. Leahy).

ADJOURNMENT OF MEETING:

At the outset, sympathy was extended to Councillor McAuliffe and his family on the death of his aunt, Nancy Buckley of Emly. It was unanimously agreed to adjourn the meeting for 15 minutes as a mark of respect.

The County Manager, on his own behalf and that of the staff, associated himself with the vote of sympathy.

Councillor McAuliffe thanked the Council for its expression of sympathy, on his own behalf and that of his family.

Sympathy was also extended to the families of a number of people recently deceased on their bereavements and it was agreed that the Council's condolences would be conveyed to them as requested.

On resumption, the agenda was proceeded with as follows:

1. ADOPTION OF MINUTES:

Circulated, copy of draft Minutes of Ordinary Meeting of the Council held on 28th November, 2005.

Molta ag Councillor Sheahan (K);
Cuidiú ón Councillor O'Donovan;
Agus an Cinneadh:

"That, the draft Minutes, as circulated, be taken as read and adopted and signed."

(a) Caherconlish Sewerage Scheme

Councillor Wade referred to this issue, which he had raised at previous meetings. He was still awaiting confirmation that the twelve houses at Knockatanna would be included in the proposed sewerage scheme. The Director, Transportation and Water Services, explained that the houses at Knockatanna would be able to connect to the scheme, provided they had abided by all the planning conditions attached to their respective houses. The sewerage pipe also needed to be put in place before the connection could proceed. He undertook to discuss the issue further with Councillor Wade.

(b) Budget 2006 Meeting

Councillor O'Donovan referred to the manner in which the Budget Meeting of 15th December 2005 had concluded. He expressed his severe dissatisfaction at the unfair treatment of his party at the meeting and the lack of opportunity to discuss the budget or any proposals. He added that it was a retrograde step for Limerick County Council and demonstrated exclusivity, bad practice and politicisation of the process. He proposed that the Standing Orders be suspended for today's meeting to allow discussion on the budget. Councillor Galvin seconded the motion.

The County Manager assured Members that the budget had been prepared in a proper and legal manner. There followed some discussion on the validity of the proposal before the meeting to suspend Standing Orders for discussion on the Budget 2006. The Council's legal advisor who was present was called upon for his opinion and he confirmed that such a proposal was not in order. The County Manager undertook to bring a report on financial matters before the Council early in 2006 if the Council so desired.

It was pointed out that the Fine Gael group was frustrated at the lack of opportunity to discuss the budget and it was hoped that the issue would not arise in the future.

2. DISPOSAL OF LAND:

Circulated, copy of Statutory Notice dated 6th December, 2005, concerning disposal of land at Ballysimon.

Molta ag Councillor Sheahan (K);
Cuidiú ón Councillor O'Donovan;
Agus an Cinneadh:

“That, the approval of the Council be and is hereby given to the disposal of 1.824 hectares at Ballysimon to Mr. Liam Dilleen, 28 Greenfields Road, Newcastle, Galway, for the sum of €3,650,000, particulars of which were contained in Statutory Notice dated 6th December, 2005.”

3. Corporate Services

Amended Proposal for a City Boundary Extension

Circulated, report of the Director, Community and Enterprise/Human Resources/Corporate Services, dated 13th December, 2005, concerning Amended proposal for a City Boundary Extension.

The Director, Community and Enterprise/Human Resources/Corporate Services, summarised the process to date relating to the proposed boundary extension. He explained that Limerick County Council had received an Amended Proposal from the City Council on 11th November, 2005, which was also forwarded to the Minister for the Environment, Heritage and Local Government. He outlined a number of concerns in relation to the Amended Proposal, including:

- The use of emotive language and strong criticisms levied at the County Council in relation to its response to the original proposal.
- The inclusion of new statements which are factually incorrect, particularly with reference to the approach to waste management in the region.
- The substantial reliance placed on a public opinion survey undertaken by the City Council which was never part of the original submission.

He added that Limerick County Council was never awarded an opportunity to reply to these findings and it was a breach of natural justice.

He recommended that the Council write to Limerick City Council, requesting the Council to withdraw this document and start afresh. He also recommended writing to the Minister for the Environment, Heritage and Local Government to advise him that this was a flawed document and not to make a decision based on same.

Members agreed that the survey undertaken was very poor and rejected the emotive and partisan language used in the revised proposal. It was suggested that a plebiscite should be considered to ascertain the views of the public affected by the proposed boundary extension. Members also called for Members of the Oireachtas to make a public statement as to where they stood on the proposed boundary extension. All Members strongly disagreed with the proposed boundary extension and commended Management for the way the issue had been handled to date.

On the proposal of Councillor Sheahan (K), seconded by Councillor O'Donovan, it was unanimously agreed to write to Limerick City Council requesting it to withdraw its Amended Proposal for a boundary extension and also to write to the Minister for the Environment, Heritage and Local Government informing him of the irregularities in the document and requesting that he take no action on the Amended Proposal submitted to him.

The Director, Community and Enterprise/Human Resources/Corporate Services, undertook to take the views of Members on board and to compile a comprehensive response to Limerick City Council and the Minister for the Environment, Heritage and Local Government on this matter early in the New Year.

4. Transportation and Water Services

N7 Nenagh to Limerick High Quality Dual Carriageway – Section 85 Resolution and Agreement

Circulated, report of the Director, Transportation and Water Services, dated 12th December, 2005, regarding the N7 Nenagh to Limerick High Quality Dual Carriageway – Section 85 Agreement.

Molta ag Councillor Jackman;
Cuidiú ón Councillor Clifford;
Agus an Cinneadh:

"That, the approval of the Council be and is hereby given to the making of a second Agreement under Section 85 of the Local Government Act 2001, and Section 14 of the Roads Act, 1993, with North Tipperary County Council for the carrying out of detailed design and construction for the N7 Nenagh to Limerick High Quality Dual Carriageway".

5. Planning and Development

(a) Proposed Variation to Newcastle West Local Area Plan 2001

Circulated, report of the Director, Planning and Development, dated 2nd December, 2005, regarding proposed variation to the Newcastle West Local

Area Plan 2001 to incorporate a new distributor road on the southern side of the town.

Members explained that his item had already come before the Newcastle Area Committee. They added that there were a lot of issues with traffic congestion due to increased development in the town and that a ring road was definitely needed. Residents, however, had objected to the proposed road passing through Woodfield Park/Green housing estates. They requested that the matter be revisited early in 2006. Queries were also raised about a by-pass of Newcastle West. It was also felt that residents at Woodfield Park/Green were not aware that a public road would be cutting through their estate when they purchased properties.

The Director, Transportation and Water Services, said he was disappointed that the proposed variation was being rejected at this late stage. He added that it was very difficult to find a line for a relief road in the town and that Woodfield Road was designed to allow for a Distributor Road if the need arose in the future. He could not guarantee Members that there would be any success in finding a suitable alternative.

Councillors expressed concern that they had not been informed that Woodfield Road was designed as a Distributor Road. Officials confirmed that it was not originally designed to be part of a ring road but it was now a viable option. It was agreed that the Roads Section would re-examine route options and bring the outcome back to the Area Meeting for further consideration.

(b) Proposed Variation to Rathkeale Local Area Plan 2000

Circulated, report of the Director, Planning and Development, dated 12th December, 2005, concerning proposed variation to the Rathkeale Local Area Plan 2000 to facilitate the rezoning of a portion of land to accommodate the extension and refurbishment of the County Council's Area Office and Library with associated car parking and site works on the New Line Road, Rathkeale.

Members of the Rathkeale Electoral Area acknowledged the level of consultation undertaken during the drafting of the proposed variation. It was recommended that the model in Blanchardstown Library, with regard to movable shelving, be considered. Clarification as to how long the planning and decision-making processes would take was requested. Confirmation as to the timeframe for funding was also requested.

The Director, Environment and Emergency Services, explained that there was some merit in considering the movable shelving. It was already in operation in Abbeyfeale but it wasn't entirely satisfactory. He agreed, however, to look at it again in relation to the Rathkeale design but felt there was not an issue with space as the upstairs area contained quite an amount of space. He anticipated that it would take two months for the Part V111 procedure to be completed following which the project could go to tender.

The design and preparation of tender documents was ongoing. He explained that the planning process had to be completed before funding would be sanctioned.

The Head of Finance also explained that a detailed financial costing would be brought to the Council for approval. Confirmation of funding would depend on the approval of the Minister for the Environment, Heritage and Local Government and how quickly a decision was forthcoming. Members agreed that the funding for the facility should be prioritised at national level.

Molta ag Councillor Griffin;
Cuidiú ón Councillor Neville;
Agus an Cinneadh:

“That, the Proposed Variation to the Rathkeale Local Area Plan be approved.”

6. Conferences

Circulated, details of the following Conferences: (a) Irish Leader Annual Conference 2005 – Rural Development – A time for Transition, held in Dublin on 24th/25th November, 2005; (b) Training Seminar for Councillors – The Local Government Budget – held in Bunclody, Co. Wexford, on 10th December, 2005; (c) Combat Poverty Agency Conference held in Dublin on 6th December, 2005; (d) National Association of Councillors – Tackling Anti-Social Behaviour and Improving Community Safety Conference, to be held in York, United Kingdom, from 13th to 15th January, 2005; (e) UCC Business Conference 2006 to be held in Cork on 19th January, 2006; (f) Association of Municipal Authorities of Ireland Spring Seminar 2006 to be held in Letterkenny, Co. Donegal, on 10th/11th February, 2006; (g) Mid-West Regional Authority 12th Annual Conference to be held in Ennis, Co. Clare, on 16th/17th February, 2006; (h) 17th Colmcille Winter School 2006 to be held in Gartan, Churchill, Letterkenny, Co. Donegal, from 24th to 26th February, 2006.

On the proposal of Councillor Sheahan (K), seconded by Councillor O'Donovan, it was agreed that the following Members would attend:

Dublin (24th/25th November): Councillors Ní Chinnéide and Collins (N).

Bunclody, Co. Wexford: Councillors Jackman, Ní Chinnéide, Scanlan, Sheahan (J) and Griffin.

Dublin (6th December): Councillors Collins (N) and Griffin.

ADJOURNED NOTICES OF MOTION

7. Notice of Motion submitted by Councillor N. Gleeson

I will move at the next meeting that Limerick County Council make a submission on the Rural Development Programme.

The motion was seconded by Councillor Wade.

Councillor Gleeson recommended that Limerick County Council make a submission on the Rural Development Programme, which was due for publication in 2007. He hoped that the Council would be eligible for some funding, considering it did not fare well under the existing CLAR programme.

Members supported the Motion and expressed dissatisfaction that County Limerick had not fared well with funding under the existing CLAR programme.

The Director, Community and Enterprise/Human Resources/Corporate Services, explained that Bilboa was the only D.E.D. in County Limerick that qualified for CLAR funding. The eligibility criteria required an area to have a loss of 50% of population since 1922 and Bilboa was the only area that qualified. He agreed to the making of a submission from Limerick County Council on the Rural Development Programme.

8. Notice of Motion submitted by Councillor J. Scanlan

I will move at the next meeting that representations be made to the ESB to ensure that its public lighting service levels to the Council are improved.

The motion was seconded by Councillor Neville.

Councillor Scanlan expressed dissatisfaction with the level of service being offered by the E.S.B. He added that some public lights were not working for weeks and the waiting time for getting a light installed was frustrating.

Members supported the motion with many expressing serious dissatisfaction with the service. They felt little had changed despite promises to the contrary by ESB staff when they attended a Council Meeting last year. It was stated that the service provided in the Caherdavin area was very satisfactory. It was also pointed out that the ESB was undergoing a rationalisation programme and was coping with unprecedented demand for its service. Recognition for the many years of great service from the ESB should be given as well.

9. Notice of Motion submitted by Councillor T. Neville

I will move at the next meeting that, in light of recent pollution scares, Kilfinny Group Water Scheme be prioritised for upgrading works under the DBO Scheme.

The motion was seconded by Councillor Sheehan (J).

Councillor Neville referred to the recent pollution scares in the Kilfinny Group Water Scheme and to public concerns regarding the safety of drinking water. He added that there were no infections in recent days, which was very positive, but a precautionary notice was still attached to water usage. This was very inconvenient for users, particularly those with elderly or young families. He recommended that the scheme be prioritised for upgrading works.

The Director, Transportation and Water Services, confirmed that steps had already been taken to address the urgent need for improvements to this scheme.

REPLY: A Contractor has been appointed in respect of this project. This contract involves not only the Council and the Contractor, but also a number of individual Group Schemes. Therefore, a decision to prioritise any individual scheme is not a matter solely for the Council but involves a number of other parties. However, the Council has already begun a process (outside of the DBO contract) to carry out certain urgent works on the Kilfinny Scheme.

QUESTIONS

10. Question submitted by Councillor L. Galvin

I will ask at the next meeting (a) what was the amount paid per 1000 gallons of water for the commercial user for 2000, 2001, 2002, 2003, 2004, 2005 and (b) what was the % increase in commercial valuation rates for 2000, 2001, 2002, 2003, 2004, 2005.

REPLY:

Attached is a table outlining scale of charges for water in the period 2000 to 2005 and the relevant % increase.

	WATER CHARGES		% Increase
Year	Per 1000 Gallons	Per 1000 Litres	
2005	€ 5.23	€ 1.15	2.7%
2004	€ 5.08	€ 1.12	6.7%
2003	€ 4.75	€ 1.05	41.9%
2002	€ 3.36	€ 0.74	32.1%
2001	€ 2.54	€ 0.56	
2000	€ 2.54	€ 0.56	

The attached table outlines the increase in commercial valuation in the same period.

RATES		
YEAR	EFFECTIVE VALUATION	% Increase in Valuation
2005	€ 393,722.32	4.8%
2004	€ 375,769.40	4.7%
2003	€ 359,003.73	0.1%
2002	€ 358,502.21	4.9%
EURO	€ 341,635.59	
2001	IR£269,059.89	2.1%
2000	IR£263,548.81	

11. Question submitted by Councillor J. Griffin

I will ask at the next meeting what authority Limerick County Council invoked in involving itself in recent works on the Square, Ballingarry. Reply to include authority for, inter alia, planning permission, source of funds, legal entitlements, local consultation and contractual arrangements.

REPLY: There is a threat of legal proceedings against the Council on this matter. If the matter is publicly debated, it could prejudice the Council's position. In that event, there is a risk that the Council's Insurers would not provide indemnity.

Councillor Griffin sought further confirmation on whether or not this matter was sub-judice. The Assistant County Manager re-affirmed the position as outlined in the reply.

NOTICES OF MOTION

12. Notice of Motion submitted by Councillor M. Jackman

I will move at the next meeting that Limerick County Council calls on the National Roads Authority to consider the option of a River Shannon crossing route serving both Killaloe, Ballina/O'Brien's Bridge, Montpelier areas, in the event of funding not being considered for a second crossing of the Shannon facilitating O'Brien's Bridge/Montpelier area.

Councillor Jackman stated that she had inadvertently stated the National Roads Authority when in fact the motion should read that **“Limerick County Council calls on the Minister for Transport.”** She added that a crossing at both Killaloe and O’Brien’s Bridge was necessary but it appeared from the short-listed routes that only one bridge would be constructed at O’Brien’s Bridge/Montpelier. This would not alleviate traffic congestion or help residents who used this route on a daily basis. She recommended that two bridges be provided, one at O’Brien’s Bridge and another for the Ballina/Killaloe crossing as the funding for both would only equate to the cost of a middle crossing. She also stated that these bridges should be constructed simultaneously.

Councillor Gleeson supported the Motion and requested that a separate proposal for O’Brien’s Bridge be submitted. He added that the existing bridge should have a weight restriction due to the condition of same. He felt that pedestrian access and the safety of road users should be a priority.

The Director, Transportation and Water Services, informed the meeting that it was premature to make decisions on the bridges at present as there was no route selection report yet. He added that consultants were trying to find a solution to two problems and he did not anticipate that a single bridge across the lake would be a viable solution.

Suspension of Standing Orders: In the course of discussion on this motion, the Cathaoirleach drew attention to the time, which was approaching 5pm. On the proposal of Councillor Sheahan (K), seconded by Councillor O’Donovan, Standing Orders were suspended to allow for the completion of the agenda.

REPLY: Clare County Council, acting as lead authority on behalf of North Tipperary County Council and Limerick County Council, appointed RPS Consulting Engineers to prepare a Constraints Study and a Route Selection Report for a crossing of the Shannon to try to resolve the problems at Ballina/Killaloe and O’Brien’s Bridge/Montpelier.

A Route Selection Report is now due and will be available in the coming weeks. The Route Selection Report will address all the options considered for a crossing and will make recommendations as to the requirement for one or two bridges.

When the Route Selection Report is issued, we will then be in a position to consider the report and seek funding for the recommended route(s).

As the approach roads and the crossing are not national roads, the NRA has no involvement. Funding must be sought from the

Department of the Environment, Heritage and Local Government, who have already funded the studies to date.

13. Notice of Motion submitted by Councillor L. Galvin

I will move at the next meeting that the pedestrian road from St. Ita's Road to the Hill Road, Abbeyfeale, be re-opened in the interest of safety.

Councillor Galvin explained that he had brought this issue to the Newcastle Area Meeting in August 2005. He was informed that it would cost €20,000 approximately to open the road and that such funding was not available. He added that a lot of school children could use it as a pedestrian access if it were re-opened.

Councillor O'Donovan seconded the motion, stating that monies had been found at the budget meeting for Christmas lighting and it should be possible to find an additional €20,000 to re-open this pedestrian access.

Councillor Foley informed the meeting that a petition had been handed in by residents and this road was used extensively for pedestrian access for a long number of years, until it fell into disrepair after heavy flooding some years earlier.

The Director, Transportation and Water Services, undertook to re-examine the request in the context of a pedestrian access only.

REPLY: The lane in question, which is some 300 metres long, has been totally overgrown and impassable for over 20 years. Some clearance was effected by the Council in early 2005, when emergency works to alleviate serious flooding were carried out.

While the laneway has not been used for a very long time, there is an existing agricultural gateway from the lane to a field. However, this field is also serviced by an alternative satisfactory access, several hundred metres away. It would be possible to provide a pedestrian access from the Hill Road as far as this existing agricultural gate for approximately €20,000, distance approximately 90 metres. To provide access for agricultural machinery over the same distance would involve substantial piping and trunking, and would cost in the region of €60,000.

Any proposal to re-open the entire length of laneway would be very expensive and would be likely to create a traffic hazard due to the very steep gradient of the laneway which is substantially in excess of recommended road gradients and would, therefore, not be recommended.

14. Notice of Motion submitted by Councillors K. Sheahan, N. Collins and J. Sheahan

We will move at the next meeting that Limerick County Council would encourage the owners of the telephone mast, which is situated adjacent to the National School in Glin, to have it re-located in the interests of the health and safety of the children attending the school.

Councillor Sheehan (J) informed the meeting that he had serious concerns about the location of a telephone mast so close to the primary school in Glin. He recommended that the Council invite a panel of speakers to discuss the possible health risks of phone masts. Service providers should also be invited to this meeting, so that this issue could be debated properly. He also pointed out that only a quarter of 1% of masts are tested annually for emissions. He felt a much higher percentage should be tested and the results made available to the public.

Councillor Collins (N) seconded the motion and suggested that B.E.S.T. be invited to discuss this issue at a full Council meeting.

Members agreed with the motion and pointed out that the mast was probably exempt from the planning process having been located near the school pre 1984. Councillors pointed out that many service providers printed the public notice in national newspapers where it was unlikely to be seen by local residents. Others pointed out that site notices were often in remote areas, again making it difficult for locals to see. It was agreed that Members would discuss with the Meetings Administrator a possible date for a meeting with the service providers as proposed.

15. Notice of Motion submitted by Councillor P. O'Donovan

Having received the advice from the Manager and the Director of Services for Planning at the November Meeting of the Council in respect of Part (d) of the Motion I moved at that meeting, and having regard to legal requirements, I move that the appropriate procedures and mechanisms be activated by Limerick County Council to allow the County Development Plan to be amended to restrict the construction of new telecommunications masts for mobile telephony at new locations within 1 km of domestic dwellings, schools, childcare facilities, places of employment, hospitals, nursing homes, playgrounds and places of community amenity.

The motion was seconded by Councillor Galvin.

Councillor O'Donovan explained that much detail in relation to this motion had been covered at the previous meeting. He wanted to ensure that there would be a clear unambiguous policy going forward and agreed with the

advice of the County Manager and the Director, Planning and Development, in respect of Part (d) of his motion at the November 2005 meeting. He also agreed with other Councillors in having all sides of the argument discussed. He was in favour of consulting with all the regular bodies and discussing in full the ramifications of any proposed change to the County Development Plan. In the course of the debate on the motion, Councillor O'Donovan agreed to amend his motion to "within an agreed distance" instead of "within 1 km."

It was pointed out that the two-year review of the County Development Plan would commence in 2007, aside from any motions put forward at this meeting to amend the existing County Development Plan. Councillors felt, however, that a number of applications pertaining to telecommunications masts could be submitted during 2006 and as such a clear, definitive policy should be in place as soon as possible on this issue. They referred to public health concerns, the unsightly appearance of masts, etc.

The Director, Planning and Development, recommended that Councillors consider all the implications of amending the existing County Development Plan, that they take cognisance of government policy, legal advice and consult widely before reaching any decision. As any changes would be time consuming, he recommended that the Planning Working Group/Planning and Development SPC take ownership and initiate the consultation process.

16. CORRESPONDENCE:

The Correspondence circulated with the agenda, for both the November and December Council Meetings, was taken as read.

Before the meeting concluded, the Cathaoirleach wished a Very Happy Christmas to the Members, Management and staff, both indoor and outdoor, and to the members of the media present in the chamber.

COUNTY MANAGER'S ORDERS:

The Register of Orders made by the County Manager up to the date of the meeting was available for inspection by the Members.

PLANNING AND DEVELOPMENT:

The Register of Decisions on Applications under the Planning and Development Act, 2001, was also available for inspection by the Members.

Sínithe:

An Cathaoirleach

An Rúnaí Contae

Dáta:

LIMERICK COUNTY COUNCIL

County Hall,
Dooradoyle,
Limerick.

Ref : 9067

3rd January 2006

TO: CHAIRMAN AND EACH MEMBER OF THE COUNCIL.

DISPOSAL OF LAND

A Chara,

Notice is hereby given in accordance with the provisions of Section 183 of the Local Government Act, 2001, and Section 211 of the Planning & Development Act 2000, of the intention of the County Council to dispose property described hereunder to Thomas & Miriam Flavin.

Property at: Curraghmore, Ballyhahill, Co. Limerick.
0.531 Acres
(Entry No. 668 of Folio 11800F)

Consideration: €1 plus Legal Expenses

Purchasers: Thomas & Miriam Flavin

Authority for Acquisition: Housing Act, 1966

The Council shall resolve at a Meeting held after the expiration of ten clear days from this date that the disposal -

1. Shall not be carried out, or
2. Be carried out in accordance with the terms specified in the Resolution.

If the Council do not pass a resolution to either effect, the Disposal may be carried out in accordance with the terms of this notice.

Mise le meas,


RUNAI CHONTAE.

Mr. Patrick Hayes (deceased) and his successors in title have occupied an Additional Allotment of 0.531 Acres for which no rent has been charged since the cottage was purchased in 1954. The present owners wish to have the matter regularised. It is proposed to dispose of this Additional Allotment to Thomas & Miriam Flavin for the sum of €1 together with all legal fees.

COMHAIRLE CHONTAE LUIMNIGH

County Hall,
Dooradoyle,
Co. Limerick.

6th January, 2006.

DON CHATHAOIRLEACH AGUS DO GACH BALL DEN CHOMHAIRLE.

**DISPOSAL OF LAND NOT REQUIRED AT
PATRICKSWELL CO. LIMERICK.**

A Chara,

Notice is hereby given in accordance with the provisions of Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000, of the intention of the County Council to dispose of the land described hereunder on the conditions specified:

<u>Land:</u>	0.1 acre approx. at Glenwood, Ballyanrahan East, Patrickswell, Co. Limerick.
<u>Person to whom land is to be disposed:</u>	McCarthy & Woulfe, Building Contractors, 25 Thomas Street, Limerick.
<u>Persons from whom Acquired:</u>	Diocese of Limerick.
<u>Consideration:</u>	€36,000 plus normal legal fees incurred by the Council associated with the disposal

The Council shall resolve at a Meeting held after the expiration of ten clear days from this date that the disposal –

1. Shall not be carried out, or
2. Shall be carried out in accordance with the terms specified in the Resolution.

If the Council does not pass a resolution to either effect, the disposal may be carried out in accordance with the terms of this notice.

Mise, le meas,

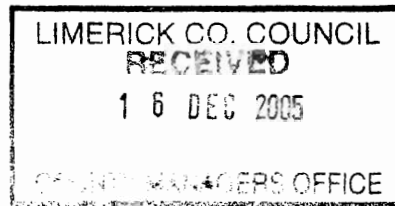

RUNAI CHONTAE.

Note: This plot of ground containing approx 0.1 acre consists of a wide overgrown embankment located adjacent to the pedestrian link between Lisheen Park and Laurel Park. The acquisition of the embankment is required by the Building Contractors to form proper rear gardens for the proposed housing development on the Glenwood Site. It is now proposed to dispose of this plot to McCarthy & Woulfe, Building Contractors, for the sum of €36,000 plus normal legal fees incurred by the Council associated with the disposal.



15 December 2005

Mr. Edmund Gleeson,
County Manager,
Limerick County Council,
Dooradoyle
Co Limerick.



DEPARTMENT
OF HEALTH AND
CHILDREN
AN ROINN
SLÁINTE AGUS LEANAÍ

Quality and Fairness
A Health System for You

Re: Health Act 2004 (Regional Health Forums) Regulations 2005

Dear Manager

I am directed by the Tánaiste and Minister for Health and Children to advise you that she has signed the Health Act 2004 (Regional Health Forums) Regulations 2005, pursuant to section 42 of the Health Act 2004, which provide for the establishment of Regional Health Forums. A copy of section 42 of the Act and a copy of these Regulations are enclosed for your information. The Act and the Regulations should be read together.

Section 42 of the Health Act 2004 provides for the establishment of not more than four Regional Health Forums whose function is to make such representations to the Health Service Executive (HSE) as the Forum considers appropriate on the range and operation of health and personal social services provided within the Forum's functional area. The establishment day for each Forum is 1 January 2006.

The membership is made up of nominees from city and county councils within the functional area of each Forum. Under the Regulations, Limerick County Council is entitled to nominate 4 members to the membership of the Regional Health Forum, West. I am attaching for your information a table showing the composition of each Forum and the number of members to be nominated by each city and county council.

I wish to draw your attention to Regulation 8 which provides that the same system as the 'grouping system' provided for in paragraph 18 of Schedule 10 to the Local Government Act 2001 shall apply in nominating members to the Forum. As you will be aware, the details of this system are set out in Appendix 2 of 'Local Government and the Elected Member' published by the Department of the Environment, Heritage and Local Government in 2004. The procedures for the election of a chairperson and vice-chairperson are set out in the Schedule to the Regulations.

Regulation 14(1) provides that the first annual meeting of each Forum must take place not later than four weeks after the appointment of the final member to that Forum. The Health Service Executive (HSE) will arrange the first meeting of the Forum and will provide on-going administrative support. It will also provide or arrange for the

Hawkins House Dublin 2

Teach Haicín Baile Átha Cliath 2

Telephone (01) 635 4000 VPNI12

Fax (01) 635 4001

Email: info@health.irlgov.ie

Website: <http://www.doh.ie>

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provision of accommodation for the holding of each Forum's meetings. The HSE has been asked to contact you regarding these arrangements.

You may also access the Act and the Regulations on the Department's website at www.dohc.ie.

Further information regarding the management of meetings of the Regional Health Forum, West is available from-

Dr. Sean Conroy
Regional Health Office, West
Health Service Executive
Merlin Park Hospital
Galway
Tel: (091) 751131.

If you require any clarification on the Regulations, please contact the undersigned at (01) 6354121 or by e-mail at David_Smith@health.irlgov.ie.

Yours sincerely



David Smith
Principal Officer
Legislation Unit

Pr.7 S.39

(2) Assistance may be provided under this section in any of the following ways:

- (a) by contributing to the expenses incurred by the person or body;
- (b) by permitting the use by the person or body of premises maintained by the Executive and, where requisite, executing alterations and repairs to and supplying furniture and fittings for such premises;
- (c) by providing premises (with all requisite furniture and fittings) for use by the person or body.

(3) Assistance may be provided to a person under this section whether or not the person is a service provider.

Gifts.

40.—(1) The Executive may accept gifts of money, land or other property on such trusts or conditions (if any) as may be specified by the donor.

(2) The Executive may not accept a gift if the trusts or conditions attaching to it would be inconsistent with the Executive's object or functions or with any obligations imposed on it under any enactment.

PART 8

PUBLIC REPRESENTATION AND USER PARTICIPATION

National Health Consultative Forum.

41.—(1) The Minister may convene, at such time as he or she may determine, a National Health Consultative Forum to advise the Minister on matters relating to the provision of health and personal social services.

(2) The Minister may, by order—

- (a) specify the number of members of the Forum,
- (b) determine the manner in which the members are to be nominated,
- (c) appoint the members, and
- (d) determine the rules and procedures of the Forum.

(3) The expenses of the Forum are payable by the Minister out of moneys provided by the Oireachtas.

Regional health forums.

42.—(1) After consulting the Minister for the Environment, Heritage and Local Government, the Minister shall, by regulation—

- (a) establish such number (not exceeding 4) of regional health forums as the Minister considers appropriate, and
- (b) appoint the establishment day of each regional health forum.

(2) The function of a regional health forum is to make such representations to the Executive as the forum considers appropriate on

the range and operation of health and personal social services provided within its functional area, but it may not consider or make representations concerning any of the following matters: Pt.8 S.42

- (a) a matter relating solely to the exercise of clinical judgment by a person acting on behalf of the Executive or a service provider;
 - (b) a matter relating to an action taken by the Executive or a service provider if the action was taken solely on the advice of a person exercising clinical judgment in the circumstances described in *paragraph (a)*;
 - (c) a matter relating to the recruitment or appointment of employees by the Executive or by a service provider;
 - (d) a matter relating to or affecting the terms or conditions (including those relating to superannuation benefits, disciplinary procedures or grievance procedures) of a contract of employment that the Executive has entered into or proposes to enter into.
- (3) A regional health forum is to be composed of members of each city council and each county council within the functional area of the forum who are to be appointed as members of the forum by that city council or county council as follows:
- (a) in the case of the first appointment of the members of a regional health forum, at the meeting of the city council or county council held next after the establishment of the regional health forum;
 - (b) in any other case, at the meeting of the city council or county council held next after the election of members of the council concerned.
- (4) A person ceases to be a member of a regional health forum on ceasing to be a member of the city council or county council that appointed the person as a member of the forum.
- (5) Regulations under this section shall—
- (a) specify the title of each regional health forum and define its functional area,
 - (b) specify the number of members for each regional health forum and the number of members from each city council and each county council to be nominated to each regional health forum, and
 - (c) specify requirements relating to the manner in which the functions of a regional health forum are to be performed.
- (6) Regulations under this section may, among other things, prescribe requirements concerning the following matters:
- (a) the appointment of members to a regional health forum;
 - (b) the election of a chairperson and vice-chairperson of each regional health forum;
 - (c) the filling of casual vacancies;

- (d) the meetings and procedures of a regional health forum;
- (e) the establishment of committees of a regional health forum and the appointment of their members;
- (f) rules and procedures to ensure the proper administration of each regional health forum.

(7) The Executive shall provide, or arrange for the provision of, such administrative services as may be necessary to enable a regional health forum to perform its function.

(8) The expenses of a regional health forum are payable by the Executive.

(9) A member of a regional health forum or a committee established by such forum may be paid by the Executive travelling and subsistence allowances in accordance with such scales as may, from time to time, be approved by the Minister with the consent of the Minister for Finance.

43.—(1) The Executive may take such steps as it considers appropriate to consult with local communities or other groups about health and personal social services.

(2) Such steps may include the establishment by the Executive of panels to advise the Executive or to enable it to seek the views of—

- (a) persons who are being or have been provided with a health or personal social service or who are seeking or have sought a health or personal social service,
- (b) carers of persons referred to in *paragraph (a)*,
- (c) service providers, and
- (d) such other persons as the Executive considers appropriate.

(3) Subject to *subsection (4)*, the Executive shall determine for each panel established under this section—

- (a) its terms of reference,
- (b) the manner in which its members are to be nominated, and
- (c) the rules governing its meetings and procedures.

(4) A panel may not consider, or provide advice or views to the Executive concerning, a matter that under *paragraphs (a) to (d)* of *section 42(2)* a regional health forum is not authorised to consider.

(5) In providing advice to the Executive, a panel shall have regard to—

- (a) the approved corporate plan in operation at the time,
- (b) the approved service plan in operation at the time, and
- (c) any arrangement under *section 38* with a service provider.

Mechanisms (including advisory panels) to enable Executive to consult with local communities and others.

STATUTORY INSTRUMENT

S.I. No. 797 of 2005

Health Act 2004 (Regional Health Forums) Regulations 2005

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S.I. No. 797 of 2005

Health Act 2004 (Regional Health Forums) Regulations 2005

The Minister for Health and Children, Mary Harney TD, in exercise of the powers conferred on her by sections 42 and 78 of the Health Act 2004 (No. 42 of 2004) and after consultation with the Minister for the Environment, Heritage and Local Government in compliance with section 42(1), hereby makes the following regulations:

PART I – PRELIMINARY AND GENERAL

1. These Regulations may be cited as the Health Act 2004 (Regional Health Forums) Regulations 2005.
2. (1) In these Regulations, except where the context otherwise requires-
 - “Act” means the Health Act 2004 (No. 42 of 2004);
 - “administrative area” has the meaning assigned to it in section 2 of the Local Government Act 2001 (No. 37 of 2001);
 - “Executive” means the Health Service Executive established by the Health Act 2004;
 - “Forum” means a regional health forum established by these Regulations;
 - “local election” has the meaning assigned to it in section 2 of the Local Government Act 2001 (No. 37 of 2001);
 - “Minister” means the Minister for Health and Children.
- (2) In these Regulations-
 - (a) a regulation which is not otherwise identified is a reference to a regulation in these Regulations;

(b) a paragraph or sub-paragraph which is not otherwise identified is a reference to a paragraph or sub-paragraph in the regulation to which the reference occurs.

Function of a Forum

3. A Forum shall carry out the function set out in section 42(2) of the Act.

PART II – CONSTITUTION, APPOINTMENTS, ETC.

Regional Health Forum, Dublin-Mid Leinster

4. (1) There shall stand established a regional health forum entitled Regional Health Forum, Dublin–Mid Leinster on the establishment day.

(2) The 1st day of January 2006 is appointed as the establishment day for the purposes of Regulation 4(1).

(3) The functional area of the Regional Health Forum, Dublin –Mid Leinster shall be (a) that part of the administrative area of Dublin City Council situated south of the River Liffey, and (b) the administrative areas of the county councils of Dun Laoghaire-Rathdown, Kildare, Laois, Longford, Offaly, South Dublin, Westmeath and Wicklow.

(4) There shall be 40 members of the Regional Health Forum, Dublin-Mid Leinster consisting of –

6 members appointed by Dublin City Council representing the electoral areas of Ballyfermot, Crumlin-Kimmage, Pembroke, Rathmines, South-East Inner City and South-West Inner City, 6 members appointed by Dun Laoghaire-Rathdown County Council, 5 members appointed by Kildare County Council, 3 members appointed by Laois County Council, 3 members appointed by Longford County Council, 3 members appointed by Offaly County Council, 7 members appointed by South Dublin County Council, 3 members appointed by Westmeath County Council and 4 members appointed by Wicklow County Council.

Regional Health Forum, Dublin and North East

5. (1) There shall stand established a regional health forum entitled Regional Health Forum, Dublin and North East on the establishment day.
- (2) The 1st day of January 2006 is appointed as the establishment day for the purposes of Regulation 5(1).
- (3) The functional area of the Regional Health Forum, Dublin and North East shall be that part of the administrative area of Dublin City Council situated north of the River Liffey and the administrative areas of the county councils of Cavan, Fingal, Louth, Meath and Monaghan.
- (4) There shall be 29 members of the Regional Health Forum, Dublin and North East consisting of –
3 members appointed by Cavan County Council, 8 members appointed by the Dublin City Council representing electoral areas of Artane, Ballymun-Whitehall, Cabra-Glasnevin, Clontarf, Donaghmede, Finglas and North Inner City, 6 members appointed by Fingal County Council, 4 members appointed by Louth County Council, 5 members appointed by Meath County Council and 3 members appointed by Monaghan County Council.

Regional Health Forum, South

6. (1) There shall stand established a regional health forum entitled Regional Health Forum, South on the establishment day.
- (2) The 1st day of January 2006 is appointed as the establishment day for the purposes of Regulation 6(1).
- (3) The functional area of the Regional Health Forum, South shall be the administrative areas of the city councils of Cork and Waterford and the county councils of Carlow, Cork, Kerry, Kilkenny, South Tipperary, Waterford and Wexford.

(4) There shall be 39 members of the Regional Health Forum, South consisting of –

3 members appointed by Carlow County Council, 4 members appointed by Cork City Council, 9 members appointed by Cork County Council, 5 members appointed by Kerry County Council, 4 members appointed by Kilkenny County Council, 4 members appointed by South Tipperary County Council, 3 members appointed by Waterford City Council, 3 members appointed by Waterford County Council and 4 members appointed by Wexford County Council.

Regional Health Forum, West

7. (1) There shall stand established a regional health forum entitled Regional Health Forum, West on the establishment day.

(2) The 1st day of January 2006 is appointed as the establishment day for the purposes of Regulation 7(1).

(3) The functional area of the Regional Health Forum, West shall be the administrative areas of the city councils of Limerick and Galway and the county councils of Clare, Donegal, Galway, Leitrim, Limerick, Mayo, North Tipperary, Roscommon and Sligo.

(4) There shall be 40 members of the Regional Health Forum, West consisting of –

4 members appointed by Clare County Council, 5 members appointed by Donegal County Council, 3 members appointed by Galway City Council, 5 members appointed by Galway County Council, 3 members appointed by Leitrim County Council, 3 members appointed by Limerick City Council, 4 members appointed by Limerick County Council, 4 members appointed by Mayo County Council, 3 members appointed by North Tipperary County Council, 3 members appointed by Roscommon County Council and 3 members appointed by Sligo County Council.

Appointments

8. (1) Where three or more members are to be appointed by a local authority to a regional health forum, then-
- (a) any group of members who are present at the meeting at the time when the business of making the appointment is reached and comprising the number of members necessary for the purposes of this paragraph may nominate a person to be a member of that body and the person shall be so appointed on that nomination without any vote being taken, and
 - (b) the members of the body then remaining to be appointed shall be appointed successively by the members of the local authority who are not members of any group referred to in paragraph (a) and who were present at the meeting at the time when the business of making the appointments was reached.
- (2) (a) Subject to paragraph (b) the number of members necessary to form a group for the purposes of this Regulation shall be obtained by dividing the total number of members present at the meeting of the Authority at the time when the business of making the relevant appointments is reached by the number of appointments to be so made, or, where the number so obtained is not a whole number, the whole number next above the number so obtained.
- (b) No member of a local authority shall be a member of more than one group for the purposes of this regulation.

Resignation

9. A member of a Forum may resign his or her membership by giving notice in writing signed by him or her to the chairperson of the Forum, or in the case of the chairperson to the vice-chairperson, and the resignation shall take effect from the date of receipt of the notice by the chairperson or the vice-chairperson as the case may be.

Attendance at Meetings

10. (1) Where a member of a Forum has not, for a consecutive period of three meetings, attended a meeting of the Forum, his or her membership of the Forum shall terminate, except where the non-attendance was due to the illness of the member or to a reason approved by the Forum before the expiry of that period.
- (2) Where a meeting of a Forum is abandoned because of a failure to obtain a quorum, the names of the members who attended at the time and place appointed for the holding of the meeting shall be recorded and those members shall be deemed to have attended a meeting of the Forum for the purposes of this regulation.

Casual Vacancies

11. (1) A casual vacancy occurring among the members of a Forum shall, as soon as may be, be filled by the city or county council by whom the member causing the vacancy was nominated in the same manner as nominations are required to be made in accordance with section 42(3) of the Act.
- (2) A person appointed under paragraph (1) holds office for the unexpired portion of his or her predecessor's term of office.
- (3) For the purposes of paragraph (1), a casual vacancy means a vacancy caused in the membership of a Forum by a member of the Forum ceasing to hold office other than so ceasing as a result of the member's successor having been appointed.

Chairperson and Vice-Chairperson

12. (1) Each Forum shall, on an annual basis, in accordance with the procedure set out in the Schedule, elect one of its members to be chairperson of the Forum and another of its members to be vice-chairperson of the Forum.
- (2) A chairperson or vice-chairperson of the Forum shall hold office for the twelve month period from the date of his or her appointment unless-
 - (a) he or she ceases to be, or becomes disqualified from being, a member of the Forum;

- (b) he or she resigns the office of chairperson or vice-chairperson;
- (c) the Forum, by a resolution, for which not less than two-thirds of the members of the Forum voted and of the intention to propose which not less than seven days' notice was given to every person who was a member of that Forum when the notice was given, terminates such person's appointment as chairperson or vice-chairperson.

(3) Notwithstanding the provisions of paragraph (2), the term of office of the first chairperson and first vice-chairperson of a Forum shall be for the period from his or her election at the first annual meeting held in accordance with paragraph (1) of Regulation 14 until the next annual meeting held in accordance with paragraph (2) of Regulation 14.

(4) A chairperson of a Forum may at any time resign his or her office of chairperson by giving notice in writing signed by him or her to the vice-chairperson of the Forum, but the resignation shall not become effective until the commencement of the meeting of the Forum held next after the receipt by the vice-chairperson of the resignation.

(5) A vice-chairperson of a Forum may at any time resign his or her office of vice-chairperson by giving notice in writing signed by him or her to the chairperson of the Forum, but the resignation shall not become effective until the commencement of the meeting of the Forum held next after the receipt by the chairperson of the resignation.

Disclosure of Interest

13. A member of a Forum who has any pecuniary or other beneficial interest in any matter coming before a meeting of a Forum, shall disclose to the meeting the fact of the interest and the nature thereof, and shall take no part in any deliberation or decision of the Forum relating to the said matter, and any such disclosure shall be recorded in the minutes of the proceedings of the relevant meeting of the Forum.

PART III – MEETINGS AND PROCEDURES

Meetings

14. (1) The first annual meeting of each Forum shall take place not later than four weeks after the appointment of the final member of that Forum in accordance with section 42(3) of the Act.
 - (2) Subject to paragraph (3), each annual meeting after the first annual meeting shall take place at the first meeting of the Forum which takes place in or after the month of June.
 - (3) In every year in which a local election is held, the annual meeting of each Forum shall be held not later than four weeks after the appointment of the final member of that Forum in accordance with section 42(3) of the Act.
 - (4) A Forum shall hold not more than 6 meetings (including the annual meeting) in each year.
 - (5) The meetings shall be held at a venue fixed by the Executive.
 - (6) Subject to any conditions, restrictions or requirements specified by a Forum under Regulation 16, representatives of the communications media and members of the public may attend at a meeting of a Forum.
 - (7) Nothing in this regulation shall require a Forum to permit the taking of photographs of any proceedings, or the use of any means to enable persons not present to see or hear any proceedings (whether at the time or later), or the making of any oral report on any proceedings as they take place.
15. Notwithstanding the provisions of section 42(7) of the Act, the Executive shall make arrangements for the –
 - (a) issuing of notices of meetings;
 - (b) keeping of minutes of meetings and any other records necessary for the proper functioning of the Forum or a committee of the Forum; and

(c) submission, on behalf of the Forum, of any representations it makes to the Executive.

Standing Orders

16. Subject to the provisions of these Regulations, a Forum shall regulate, by standing orders or otherwise, its procedure or business and may amend or revoke standing orders.

Quorum

17. The quorum for a meeting of a Forum shall be one quarter of the membership of the Forum or, where one quarter of the membership is not a whole number, the next highest number.

Validity of Meetings

18. The proceedings of a Forum shall not be invalidated by any vacancy or vacancies among its members or by any defect in the appointments to the Forum.

Calling of Meeting

19. (1) Subject to Regulation 14(4), the Chairperson (or in his or her absence, the vice-chairperson of a Forum) shall call a meeting of the Forum.

(2) Subject to Regulation 14(1), the Executive shall arrange the first annual meeting of a Forum.

Notice of Meeting

20. (1) Three clear days at least before any meeting of a Forum, a notice to attend the meeting, specifying the business to be transacted thereat and signed by the Chairman or Vice-Chairman of the Forum, shall be left or delivered by post or by electronic means at the ordinary residence of every member of the Forum, but non-receipt of such notification by a member or some of the members of the Forum shall not affect the validity of a meeting.

- (2) A Forum shall make such arrangements as it considers appropriate to give public notice of each meeting of the Forum, including the time and place of the meeting.

Chairperson at Meeting

21. (1) At a meeting of the Forum-
- (a) the chairperson of the Forum shall chair the meeting,
 - (b) if and so long as the chairperson of the Forum is not present or the office of chairperson is vacant, the vice-chairperson shall, if he or she is present, be chairperson of the meeting,
 - (c) if and so long as the chairperson of the Forum is not present or the office of chairperson is vacant and the vice-chairperson is not present or the office is vacant, the members of the Forum who are present shall choose one of their number to be chairperson of the meeting.
- (2) Notwithstanding the provisions of paragraph (1), the first annual meeting of a Forum shall, for the purposes of the election of the first chairperson be chaired by the Chief Executive Officer of the Executive or by an employee of the Executive designated by the Chief Executive Officer to carry out such function.
- (3) Following the election of the first chairperson, that chairperson shall chair the remainder of the first annual meeting.

Minutes of Meetings

22. (1) Minutes of the proceedings at a meeting of a Forum shall be drawn up and shall be signed by the chairperson of the meeting and retained in the custody of the Executive.
- (2) The names of the members of a Forum present at a meeting of a Forum shall be recorded in the minutes of the proceedings of the meeting.
- (3) The names of the members of a Forum voting on any question arising at a meeting of a Forum shall be recorded in the minutes of the proceedings of the

meeting and the record shall show which members voted for and which voted against the question.

Acting by majority vote

23. All acts of a Forum and all questions coming or arising before a Forum may be done and decided by the majority, save as otherwise provided under these regulations, of such members of a Forum as are present and vote at a meeting of a Forum.

Casting vote of Chairperson

24. In the case of an equality of votes on any question arising at a meeting of a Forum, the chairperson of the meeting shall have a second or casting vote, save as otherwise provided under these regulations.

PART IV - COMMITTEES

Committees

- 25.(1) If a Forum considers it appropriate, it may establish, from among its members, committees to provide assistance and advice to it in relation to the performance of its function and may determine the membership and terms of reference of each committee.
- (2) A Forum may not establish and operate more than 2 committees at any one time.
- (3) A Forum shall specify in writing the purpose and terms of reference of each committee.
- (4) The acts of a committee are subject to confirmation by the Forum, unless the Forum dispenses with the necessity for confirmation.
- (5) A Forum may regulate the procedure of a committee but, subject to any such regulation, a committee may regulate its own procedure.

- (6) Notwithstanding the provisions of paragraph (5), the quorum for a meeting of a committee shall be one quarter of the committee or where such number is not a whole number, the next highest whole number.
- (7) A Forum may at any time dissolve a committee established under this regulation subject to such committee having been in place for not less than 12 months.
- (8) A committee shall hold not more than 4 meetings in each 12 month period following its establishment.
- (9) The meetings of a committee shall be held at a venue fixed by the Executive.
- (10) A member of a Forum may be a member of only one committee at any one time.
- (11) All minutes of meetings held by committees of a Forum and all reports produced by such committees should be forwarded to the Executive for circulation to Forum members and for safekeeping.

SCHEDULE
METHOD OF ELECTION
OF CHAIRPERSON AND VICE-CHAIRPERSON OF A FORUM

The following provisions shall apply and have effect in respect of the election of a chairperson or a vice-chairperson, as the case may be, of a Forum:

- (a) the proceedings shall begin by a member or members of the Forum being proposed and seconded by other members of the Forum for the office of chairperson or vice-chairperson, as the case may be, and every person so proposed and seconded, and no other person shall be a candidate;
- (b) where there is only one candidate for the office of chairperson or vice-chairperson, as the case may be, such candidate shall be deemed to be elected;

- (c) where there are more than two candidates for the office of chairperson or vice-chairperson, as the case may be, a poll shall be taken;
- (d) if at such a poll a majority of the members of the Forum present vote for any particular candidate for the office of chairperson or vice-chairperson, as the case may be, such candidate shall be elected;
- (e) if at such a poll no candidate for the office of chairperson or vice-chairperson, as the case may be, receives the votes of a majority of the members of the Forum present, the candidate receiving the least number of votes shall be excluded from the election for the office of chairperson or vice-chairperson, as the case may be, and, subject to the provisions of paragraph (g), one or more further polls (according as may be necessary) shall be taken;
- (f) paragraphs (d) and (e) shall apply in relation to such further poll or polls;
- (g) where there are only two candidates for the office of chairperson or vice-chairperson, as the case may be, or where, as a result of one or more polls, all the candidates except two have been eliminated, the question as to which of such candidates shall be elected for the office of chairperson or vice-chairperson, as the case may be, shall be put to the members of the Forum present and whichever of such candidates receives the greater number of votes on such question shall be elected;
- (h) if because of an equality of votes given to two or more candidates for the office of chairperson or vice-chairperson, as the case may be, any question arises as to which of such candidates is to be eliminated or as to which of such candidates is to be elected, such question shall be decided by lot in accordance with paragraph (i);
- (i) in deciding any such question by lot, the names of the candidates concerned, for the office of chairperson or vice-chairperson, as the case may be, shall be written on similar slips of paper, the slips shall be folded so as to prevent identification and mixed and drawn at random, and the candidate whose name

is first drawn shall, where the question concerns an elimination, be the candidate who is to be eliminated or, where the question concerns an election, be the candidate who is to be elected to the office of chairperson or vice-chairperson, as the case may be.

Given under the Official Seal of the
Minister for Health and Children
this 12th day of December 2005.



L.S.

Mary Harney T.D.
Minister for Health and Children.

Explanatory Note

This note is not part of the Instrument and does not purport to be a legal interpretation.

These Regulations establish the Regional Health Forum, Dublin-Mid Leinster, the Regional Health Forum, Dublin and North East, the Regional Health Forum, South and the Regional Health Forum, West as provided for in section 42 of the Health Act 2004.

The Regulations also deal with the constitution, membership, meetings and procedures of the Regional Health Forums.

Regional Health Forums

Each city and county council has been allocated a number of representatives based on the range in which the population of its area falls into. The ranges are as follows:

<i>Population</i>	<i>Representatives</i>
Up to 75,000	3
75,000-125,000	4
125,000-175,000	5
175,000-225,000	6
225,000-275,000	7
275,000-325,000	8
325,000+	9

	<i>No. of Council Members</i>
Regional Health Forum, Dublin-Mid Leinster	
Dublin City Council - rep. electoral areas of Ballyfermot, Crumlin-Kimmage, Pembroke, Rathmines, South-East Inner City and South-West Inner City	6
Dun Laoghaire- Rathdown County Council	6
Kildare County Council	5
Laois County Council	3
Longford County Council	3
Offaly County Council	3
South Dublin County Council	7
Westmeath County Council	3
Wicklow County Council	4
Total	40

Regional Health Forum, Dublin and North East	
Cavan County Council	3
Dublin City Council - rep. electoral areas of Artane, Ballymun- Whitehall, Cabra-Glasnevin, Clontarf, Donaghmede, Finglas and North Inner City	8
Fingal County Council	6
Louth County Council	4
Meath County Council	5
Monaghan County Council	3
Total	29

	<i>No. of Council Members</i>
Regional Health Forum, South	
Carlow County Council	3
Cork City Council	4
Cork County Council	9
Kerry County Council	5
Kilkenny County Council	4
South Tipperary County Council	4
Waterford City Council	3
Waterford County Council	3
Wexford County Council	4
Total	39

Regional Health Forum, West	
Clare County Council	4
Donegal County Council	5
Galway City Council	3
Galway County Council	5
Leitrim County Council	3
Limerick City Council	3
Limerick County Council	4
Mayo County Council	4
North Tipperary County Council	3
Roscommon County Council	3
Sligo County Council	3
Total	40

CORRESPONDENCE

JANUARY 2006 COUNCIL MEETING

- Letter Received on 14th December, 2005, from the Department of Communications, Marine and Natural Resources, in reply to resolution adopted by the Council concerning telecommunications masts.

 - E-Mail Received on 14th December, 2005, from Mr. John Daly, "*Save 16 More Street Campaign.*"

 - E-Mail Received on 15th December, 2005, from Mr. Brian Murray, Town Clerk, Balbriggan Town Council.

 - Letter Received on 20th December, 2005, from the Office of the Minister for the Environment, Heritage and Local Government, in reply to resolution adopted by the Council concerning telecommunications masts.

 - E-Mail Received on 5th January, 2006, from Mr. Michael McNamara, Senior Executive Officer, Corporate Services, Clare County Council.

 - Letter Received on 9th January, 2005, from Mr. Frank Lynch, Personal Assistant to the Chief Executive, An Post, in response to resolution adopted by the Council calling on An Post to revert to the system of having mail posted in the Limerick area sorted locally.

 - Letter Received on 11th January, 2006, from the Office of the Tánaiste and Minister for Health and Children.

 - Letter Received on 16th January, 2006, from the Office of the Minister for Transport.

 - E-Mail Received on 16th January, 2006, from Ms. Joanne Southall, Nuclear Policy and Information Unit / Nuclear Free Local Authorities Secretariat, Manchester City Council.

 - Letter Received on 17th January, 2006, from the Office of the Taoiseach, in reply to resolution adopted by the Council calling for the retention of rural post offices.
-



Department of Communications,
Marine and Natural Resources

www.dcmnr.gov.ie
www.marine.gov.ie

Office of the Minister

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Ref:MO-200525

12 December 2005

Mr Eugene Griffin
Limerick County Council
County Hall
Dooradoyle
Co. Limerick

Dear Mr Griffin

I wish to acknowledge receipt of your correspondence of the 8 December 2005.

I am making enquiries into the matter and will respond to you in the near future.

Yours sincerely

Noel Dempsey T.D.
Minister for Communications, Marine and Natural Resources



Shanny Jacinta

From: Griffin Eugene
Sent: 16 December 2005 09:17
To: Shanny Jacinta
Subject: FW: [Possible Spam] Make 16 Moore Street a National Monument

-----Original Message-----

From: Teefy Brigid, M.C.C.
Sent: 15 December 2005 14:14
To: Griffin Eugene
Subject: FW: [Possible Spam] Make 16 Moore Street a National Monument

-----Original Message-----

From: John Daly [mailto:save16moorestreet1916@yahoo.ie]
Sent: 14 December 2005 16:15
To: brigidteefy@limerickcoco.ie
Subject: [Possible Spam] Make 16 Moore Street a National Monument

14 Dec 05

Dear Councillor.

I wish to inform you that at the December monthly meeting of the Dublin City Council the following Notice of Motion was adopted:

Re: The Architectural and Historical Assessment of 16 Moore Street Dublin
Report No. 357/2005 by Shaffrey Associates Architects John Montague, M.A.

That the City Council initiate the statutory procedures under Section 54 of the Planning and Development Act 2000 to add numbers 14/17 Moore Street to the Record of Protected Structures.

We, the Save 16 Moore Street Campaign, are asking you to adopt the following motion at your next council meeting:

"We, the Limerick County Council, call on the Minister for Environment Mr. Dick Roche TD to follow Dublin City Council's lead and declare 14/17 Moore Street a national monument."

We would request, if your Council passes this motion that you would please have your resolution passed on to all the councils in the republic of Ireland.

We would be pleased to hear from you with any proposal you might have as to what would be the best way to honour the memory of the brave men and women of the Easter rising 1916.

The next step, of course, is to carry out a detailed historical analysis of the building which will give us all greater insight into what occurred there during the final hours of the rebellion. This was a pivotal event in our country's history and any knowledge gained from the exploration of this building must be documented, recorded and made public.

We feel that this building should be the corner stone for an historic quarter in Dublin. The G.P.O., Moore St, 16 Moore Street and the surrounding streets all witnessed momentous events during Easter Week 1916. To develop the area into an historic quarter would be a fitting tribute to all those who

16/12/2005

fought and died during the 1916 Rising.

We hope that you share our vision for 16 Moore Street and look forward to your support and input.

Please circulate this E-Mail to your fellow members.

Yours truly,
John Daly.

e-mail: save16moorestreet1916@yahoo.ie

John Daly
Save 16 Moore Street Campaign
7 Berryfield
Finnstown Priory
Lucan
Co. Dublin

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Shanny Jacinta

From: Haugh Anne
Sent: 20 December 2005 10:41
To: Shanny Jacinta
Subject: FW: Motion from Balbriggan Town Council



Local Authorities -
maps wigh ...

-----Original Message-----

From: Balbriggan Town Council [mailto:balbriggantc@eircom.net]
Sent: 15 December 2005 17:02
To: 'Carlow County Council'; 'Cavan County Council'; 'Clare County Council'; 'Cork City Council'; 'Cork County Council'; 'Donegal County Council'; 'Dublin City Council'; 'Dun Loiaighaire-Rathdown County Council'; 'Fingal County Council'; 'Galway City Council'; 'Galway County Council'; 'Kerry County Council'; 'Kildare County Council'; 'Kilkenny County Council'; 'Laois County Council'; 'Letrim County Council'; 'Limerick City Council'; 'Limerick County Council'; 'Longford County Council'; 'Louth County Council'
Subject: Motion from Balbriggan Town Council

A Chara
Please find correspondence for your attention

Brian Murray
Town Clerk

15th December 2005

TO: Each Local Authority

A Chara,

At the statutory meeting of Balbriggan Town Council held on 13th December 2005, the following motion was unanimously adopted and the members requested that it be forwarded to all Local Authorities for support:-

“Balbriggan Town Council call on all Local Authorities to arrange for developers of new residential housing estates to provide maps with house numbers for emergency services ie. An Garda Síochána in the interest of safety.

I would be grateful if you would bring this motion to the attention of the members of your local authority.

Is mise le meas,

Brian Murray
Cleireach an Bhaile

Oifig an Aire
Office of the Minister

Please Quote Ref: REP5690/DR/05
Your Ref:



AN ROINN COMHSHAOIL, OIÐHREACHTA AGUS RIALTAIS AITIÚIL
DEPARTMENT OF THE ENVIRONMENT, HERITAGE
AND LOCAL GOVERNMENT

14 December, 2005.

AN ROINN COMHSHAOIL

OIÐHREACHTA AGUS

RIALTAIS AITIÚIL

DEPARTMENT OF THE

ENVIRONMENT, HERITAGE AND

LOCAL GOVERNMENT

TEACH AN CHUSTAIM

BAILE ÁTHA CLIATH I

CUSTOM HOUSE, DUBLIN I

Tel No: +353 1 888 2000

LoCall No: 1890 20 20 21

Fax No: +353 1 878 8640

Mr. Eugene Griffin,
County Secretary,
Limerick County Council,
County Hall,
Dooradoyle,
County Limerick

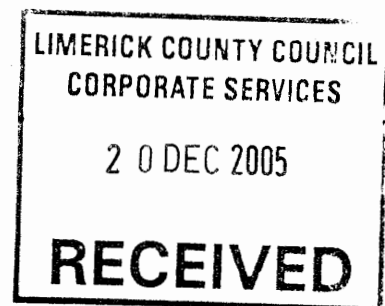
Dear Mr. Griffin,

I have been asked by Mr. Dick Roche, T.D., Minister for the Environment, Heritage and Local Government, to acknowledge receipt of your recent letter in connection with a recent resolution passed regarding planning.

Yours sincerely,

PP *Cathie Bruton*

Cathy Bruton,
Private Secretary



Shanny Jacinta

From: Haugh Anne
Sent: 05 January 2006 16:10
To: Shanny Jacinta
Subject: FW:

-----Original Message-----

From: Margaret O Rourke [mailto:morourke@CLARECOCO.IE]
Sent: 05 January 2006 15:46
To: co-secretaries@lgoi.ie; ctalbot@kildarecoco.ie;
maurice.manning@corkcoco.ie; mmccorma@laoiscoco.ie;
annosull@kerrycoco.ie; ger.griffin@wexfordcoco.ie;
secretar@westmeathcoco.ie; 'genpurp@fingalcoco.ie'
Subject: FW:

> 5th January, 2006.
>
>
> To Each Local Authority.
>
>
> A Chara,
>
>.At a recent meeting of Clare County Council the following resolution was
> adopted by the members present:
>
> "Recognising that Féile Bia is an important programme that emphasises the
> importance of food sourcing in hotels, restaurants, pubs and workplaces
> throughout the country and is organised in conjunction with the
> Restaurants Association of Ireland and the Irish Hotels Federation and has
> the support of the farming community.
> Clare County Council resolves that all events arranged by the Council
> where catering services are required will use only the services of
> restaurants and hotels that support Féile Bia."
>
> I
>
> Mise, le meas,
>
>
>
>
> _____
> Michael McNamara,
> Senior Executive Officer,
> Corporate Services.
>
>
>
>
>

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POST

Ms. Anne Haugh
County Secretary
Limerick County Council
County Hall
Dooradoyle
Co. Limerick

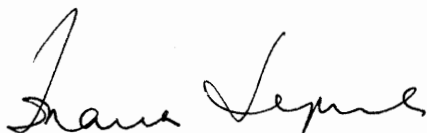
5th January 2006

Dear Ms. Haugh

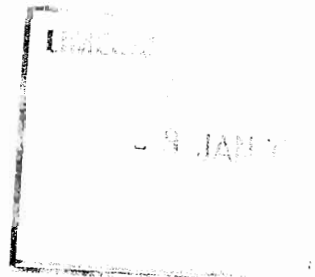
Thank you for your letter to the Chief Executive.

Enquiries are being made into the matters raised by you and we will contact you again as soon as possible.

Yours sincerely



Frank Lynch
Personal Assistant to
Chief Executive





Tánaiste and Office of the Minister

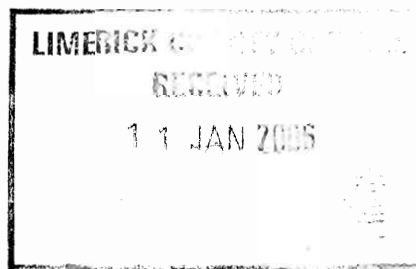


**DEPARTMENT
OF HEALTH AND
CHILDREN**
AN ROINN
SLÁINTE AGUS LEANAÍ

9 January 2006

Ms Anne Haugh
Limerick County Council
County Hall
Dooradoyle
Co.Limerick

Quality and Fairness
A Health System for You



Dear Anne

The Tánaiste and Minister for Health and Children, Mary Harney T.D., has asked me to thank you for your letter concerning the introduction of screening for male cancers and the expansion of the BreastCheck programme.

National population based screening programmes for cancer is only considered where clear evidence exists of benefit to the health of the whole population to be screened. Population based screening programmes for two specific cancers, breast and cervical, have demonstrated their efficacy and have been introduced on a pilot basis in areas throughout the country. However, for a number of other cancers the evidence is less clear cut and is being assessed by the National Cancer Forum (the national advisory body to the Minister on cancer services) as part of the development of the new Cancer Strategy.

In relation to screening for prostate cancer, the National Cancer Forum considers that there is currently insufficient evidence to recommend the introduction of a population based prostate screening programme in this country. Randomised control trials are being conducted internationally and it is expected that the Forum will consider the results of these trials when they become available. This position is consistent with the Recommendations adopted by the European Union which do not provide for specific recommendations in respect of screening for prostate cancer.

Based on current evidence, general population screening for colorectal cancer is not recommended. While faecal occult blood testing has been well evaluated and its benefit demonstrated in randomised controlled trials, this test has limited sensitivity and must be repeated every one to two years. A major deterrent to its use as a screening test is the large number of people who must undergo this test to prevent death. Its efficacy makes it unsuitable as a general population screening tool.

Hawkins House Dublin 2
Teach Haicín Baile Átha Cliath 2
Telephone (01) 635 4000 VPN112
Fax (01) 635 4001
Email: info@health.gov.ie
Website: <http://www.doh.ie>

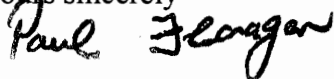
Appropriate treatment for those diagnosed with prostate or colorectal cancer is available at major hospitals throughout the country.

In relation to breast disease, BreastCheck, the National Breast Screening Programme commenced in March 2000 and currently covers the Eastern, Midland, North Eastern and part of the South Eastern regions. Under this programme all women in the 50 to 64 age group have access to breast screening and follow up treatment where appropriate.

The national roll out of the programme to the remaining counties in the country is a major priority in the development of cancer services. This will ensure that a further 130,000 women in the target age group will have access to breast screening and follow up treatment including approximately 13,000 women in county Limerick. Planning for the development of new facilities for the expansion of the programme is underway and capital funding of approximately € 21 million has been made available. The Tánaiste is confident that the target date of 2007 for commencement of the national roll out of the programme will be met.

I trust that this clarifies the matter for you.

Yours sincerely

A handwritten signature in black ink that reads "Paul Flanagan". The signature is written in a cursive style with a large initial "P".

Paul Flanagan
Private Secretary

Office of the Minister

Transport House, Kildare Street, Dublin 2, Ireland.

Oifig an Aire

Teach Iompair, Sráid Chill Dara, Baile Átha Cliath 2, Éire.



Department of Transport

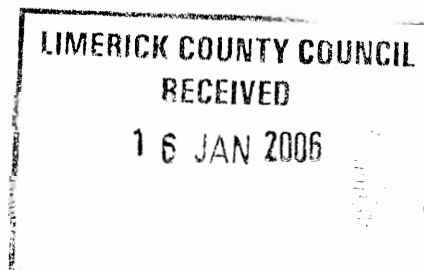
An Roinn Iompair



Tel: +353 1 670 7444 Local: 1890 443311 Fax: +353 1 604 1183 Web: www.transport.ie Email: minister@transport.ie

January 2006

Ms. Anne Haugh
County Secretary
Limerick County Council
County Hall
Dooradoyle
Co. Limerick



Dear Ms. Haugh,

On behalf of the Minister for Transport, Mr. Martin Cullen, T.D., I refer further to your correspondence concerning the resolution regarding Aer Lingus, adopted by the Limerick County Council at a recent meeting.

As you may be aware, the Government considered a range of key aviation issues at its meeting on 18 May last and agreed, inter alia, to the State disposing of a majority shareholding in Aer Lingus and retaining a stake of at least 25% to protect strategic interests provided that both the Minister for Transport and the Minister for Finance are satisfied that this level of disposal is warranted on foot of the analysis prepared by the Departments' advisers for the transaction.

Following a competitive tender process, financial and legal advisers have been appointed to provide advice and assistance to both the Minister for Transport and the Minister for Finance in relation to an Aer Lingus sale/investment transaction.

The decision to dispose of a majority shareholding in Aer Lingus was made following detailed and comprehensive consideration of the issue by the Minister for Transport and his colleagues in Government. In accordance with the terms of Sustaining Progress the Minister had also engaged with the trade unions on the issue prior to the Government finalising its consideration of the matter.

The Minister recognises that Aer Lingus faces many challenges going forward. It is his belief that the Government decision will provide the basis for good long term planning and will shift the focus from crises management to planning for growth to enable it to meet the challenges that lie ahead.

Yours sincerely,

John Conroy
Private Secretary

Shanny Jacinta

From: Haugh Anne
Sent: 17 January 2006 13:56
To: Shanny Jacinta
Subject: FW: Draft council resolution on nuclear energy



Briefing No1
1005.doc



No Nuclear
040106.doc



Irish NFLA
Attachments 090106..

For correspondence

-----Original Message-----

From: Hassett Noreen
Sent: 16 January 2006 13:09
To: Haugh Anne
Subject: FW: Draft council resolution on nuclear energy

-----Original Message-----

From: Joanne Southall [mailto:j.southall@manchester.gov.uk]
Sent: 16 January 2006 12:37
To: aculhane@cllr.dlrcoco.ie; admin@mallow.ie; aferris@oireachtas.ie; anthony.donohue@droghedaboro.ie; athyudc@kildarecoco.ie; bconway@cllr.dlrcoco.ie; bundoranudc@eircom.net; carriesmyth@cllr.dlrcoco.ie; cburrell@eircom.net; cdevlin@cllr.dlrcoco.ie; cfallon@cllr.dlrcoco.ie; clerk@carrickmacrosstc.ie; clerk@clonestc.ie; clerk@monaghantc.ie; cmmurphy@mayococo.ie; cobhudc@eircom.net; coordinate@waterfordcoco.ie; cosec@wicklowcoco.ie; council@sdcc.ie; davidgrant1@eircom.net; deburcad@gofree.indigo.ie; denisoc@cllr.dlrcoco.ie; dmarren@cllr.dlrcoco.ie; dom.wilton@droghedaboro.ie; Dublin City Council; eamon.oboyle@dundalktown.ie; elooby@sdblincoco.ie; enquiries@galwaycity.ie; ereganc@cllr.dlrcoco.ie; fcouch@sligococo.ie; frank.maher@droghedaboro.ie; general@midletonudc.ie; gerald.nash@droghedaboro.ie; geraldine.cassidy@dundalktown.ie; ghorkan@cllr.dlrcoco.ie; gokeeffe@cllr.dlrcoco.ie; greytc@wicklowcoco.ie; gwalsh@southtippcoco.ie; ian.dooley@dundalktown.ie; info@cavancoco.ie; info@donegalcoco.ie; info@dundalktown.ie; info@kilkennycity.ie; info@kilkennycoco.ie; info@longfordcoco.ie; info@louthcoco.ie; info@sligoborough.ie; info@sligococo.ie; info@wexfordcorp.ie; irene.mawe@corkcoco.ie; jbailey@cllr.dlrcoco.ie; jdbyrne@cllr.dlrcoco.ie; jim.darcy@louthcoco.ie; jimmy.mulroy@droghedaboro.ie; joebehan@eircom.net; johnbradysf@eircom.net; johnryan007@eircom.net; joleary@cllr.dlrcoco.ie; Jim.Ryan@louthcoco.ie; kcc@kerrycoco.ie; kellstc@meathcoco.ie; ken.oheiligh@droghedaboro.ie; kilrush@clarecoco.ie; kinsaleudc@eircom.net; kireland@cllr.dlrcoco.ie; Kevin.Meenan@louthcoco.ie; Kildare; lbutler@cllr.dlrcoco.ie; letudc@donegalcoco.ie; lmccarthy@cllr.dlrcoco.ie; longfordtowncouncil@eircom.net; louisecosg@cllr.dlrcoco.ie; malachy.godfrey@droghedaboro.ie; mark.dearey@dundalktown.ie; matthew.coogan@droghedaboro.ie; mbailey@cllr.dlrcoco.ie; mbaker@cllr.dlrcoco.ie; mcorrigan@cllr.dlrcoco.ie; mcrowley@mayococo.ie; mmclaugh@donegalcoco.ie; mmoconnor@cllr.dlrcoco.ie; mudc@eircom.net; Martin.Bellew@louthcoco.ie; Mary.Grehan@louthcoco.ie; navantc@meathcoco.ie; nbhreathna@cllr.dlrcoco.ie; nchilders@cllr.dlrcoco.ie; nhassett@limerickcoco.ie; Noel.Lennon@dundalktown.ie; paul.bell@droghedaboro.ie; phand@cllr.dlrcoco.ie; postmaster@wexfordcoco.ie; reception@ennistowncouncil.ie; rowland@eircom.net; secretar@carlowcoco.ie; secretar@clarecoco.ie; secretar@galwaycoco.ie; secretar@kildarecoco.ie; secretar@mayococo.ie; secretar@monaghancoco.ie; secretar@roscommon.ie; secretar@westmeathcoco.ie; skibbtcc@eircom.net; Seamus.Byrne@dundalktown.ie; South Dublin County Council;

tclerk@arklowudc.ie; tclerk@ballinasloetc.ie; tclerk@braytc.ie;
tclerk@carlowudc.ie; tclerk@droghedaboro.ie; tclerk@naasudc.ie;
tclerk@wicklowudc.ie; tjoyce@cllr.dlrcoco.ie; tkivlehan@cllr.dlrcoco.ie;
tmatthews@cllr.dlrcoco.ie; tommy.byrne@droghedaboro.ie;
tommy.Murphy@droghedaboro.ie; tonyfox@cllr.dlrcoco.ie;
townclerk@cavantc.ie; townclerk@killarneytc.ie; townclerk@newrosstc.ie;
trimtc@meathcoco.ie; weebmaster@leirimcoco.ie; westporttc@mayococo.ie;
yudc@eircom.net
Subject: Draft council resolution on nuclear energy

The attached files are being posted to all local authorities in Ireland.
We would be grateful if you could consider progressing the attached
resolution through your local authority.

If you have any queries please email s.kemp@nuclearpolicy.info

(See attached file: Briefing Nol 1005.doc) (See attached file: No Nuclear
040106.doc) (See attached file: Irish NFLA attachments 090106.doc)

Regards,

Jo Southall
Administrative Support

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Nuclear Policy and Information Unit / Nuclear Free Local Authorities
Secretariat, Room 6005, Manchester City Council, Town Hall, Manchester,
M60 3NY, UK
External: Tel.: +44 (0)161 234 3244 Fax.: +44 (0)161 234 3379
Internal: Tel.: 800 3244 Fax.: 800 3379
Email: j.southall@manchester.gov.uk
Website: <http://www.nuclearpolicy.info>

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Chair: Cllr **Peter Lloyd** JP
Secretary: **Stewart Kemp**

Date: 16 January 2006

To: All Local Authorities in the Republic of Ireland

Dear Colleagues

You may have read the attached *Irish Times* article that reports on the efforts of the newly established All Ireland Nuclear Free Local Authorities Forum to secure an assurance from the Northern Ireland Secretary that no nuclear stations will be built in Northern Ireland. The reason for raising this issue now is because the UK Government intends to review energy policy early in 2006 and new nuclear construction will be considered.

The All Ireland Forum will be submitting its case against new nuclear build to the UK Government energy review. The Forum is seeking support from all local authorities opposed to new nuclear stations and has prepared the resolution text attached for consideration by Irish councils. Please can I ask your council to support this resolution and to convey your support to me at the above address. As soon as we have been notified of a substantial number of resolutions having been carried, then we will also seek to raise the matter with the Irish Government. We hope to win the support of the Irish Government for our efforts to prevent any new nuclear construction in Britain or Northern Ireland.

Whilst writing, can I also draw your attention to **8th Irish & UK Local Authorities Standing Conference on Nuclear Hazards** entitled *Chernobyl 20 Years On: Nuclear Costs & Energy Futures*.

The conference will be held in City Hall, London on 23 March 2006. It is the annual opportunity for local authorities in Ireland and the UK to meet and review joint nuclear free policy work. The 20th anniversary of the world's worst nuclear disaster at Chernobyl in the Ukraine falls on 26 April 2006. The conference will review Chernobyl's continuing impact on the environment and receive a presentation on new research about the health impacts. It will also provide an up date on progress with the UK energy review and progress with the UK radioactive waste management policy review. The conference will offer a unique opportunity to be thoroughly briefed about both these key policy issues, their impact on Ireland, and how to engage with them. Conference places are limited and early registration is recommended. Details can be found at www.nuclearpolicy.info or I can forward information on request.

Finally, we are keen to build support for the All Ireland NFLA Forum. I attach a briefing about the Forum's work and would be pleased if your council could consider joining. If I can assist further with any of the matters raised in this letter then please let me know.

Yours sincerely

Stewart Kemp
Secretary

Forum presses Hain to clarify nuclear plans for North

Elaine Keogh

The Irish Times

30 December 2005

Northern Ireland Secretary Peter Hain has been asked to clarify whether the North is being considered as a location for the construction of nuclear power stations.

The call has come from the All-Ireland Nuclear Free Local Authorities Forum, which includes local authorities from both sides of the Border opposed to nuclear power.

The forum's move follows the energy review, initiated by British prime minister Tony Blair.

In announcing the review it was stated: "The devolved administrations and territorial departments are already involved and will continue to be involved throughout the course of the review."

The forum has written to Mr Hain asking him to give clear confirmation that "on no account will he allow nuclear power stations be built in Northern Ireland".

While Mr Hain is believed to be one of the British cabinet members who oppose nuclear energy, the forum is concerned that the devolved administrations in Northern Ireland, Wales, and Scotland may be forced to build nuclear power stations whether they want to or not.

The chairman of the forum, Michael O'Dowd (Louth County Council), said: "Civil society must make its voice heard now to oppose construction of a nuclear facility anywhere on our island, and we will be calling on local councils in all parts of Ireland to make their views known.

"Northern Ireland is well positioned to generate a large proportion of its energy from renewable sources, particularly wind power, and there is also scope for energy-saving programmes to have a big impact. Mr Hain must tell Tony Blair that there is no need or desire for any nuclear power station to be built in Northern Ireland."

Down district councillor Margaret Ritchie said: "The Strategic Energy Framework for Northern Ireland, which was published in June 2004 following extensive consultation, emphasises the role that renewable energy can play in meeting Northern Ireland's energy needs.

"There is absolutely no good reason why this should change just because Tony Blair has been seduced by the nuclear lobby into calling yet another energy review."

DRAFT RESOLUTION ON NEW NUCLEAR CONSTRUCTION

This Council is deeply concerned that a UK Government commitment to new nuclear generation will perpetuate the risks carried by communities in Ireland as a result of radioactive discharges to the Irish Sea, nuclear transportation through the Irish Sea, and of nuclear accidents or possible terrorist incidents. It could also create the conditions for nuclear development on the island of Ireland with associated direct operational hazards and radioactive waste arisings.

This Council therefore opposes the construction of nuclear power stations throughout Britain and Ireland; urges the development of safe sustainable renewable energy generation and greater investment in decentralised energy generation and efficiency programmes that can create employment, improve living standards, *and* more effectively tackle climate pollution that is accelerating global warming; and formally resolves to support the NFLA campaign and investigate membership of the All Ireland Nuclear Free Local Authorities Forum.

Nuclear Free Local Authorities **briefing**



Date: October 2005

All Ireland Nuclear Free Local Authorities Forum launched

This briefing note updates members and officers of local authorities in Ireland about recent developments in establishing a forum for Irish local authorities to work together to campaign and undertake policy research on nuclear issues that affect Ireland.

All Ireland Forum begins work: Representatives of each NFLA member authority in Ireland met in Dublin on 23 September to discuss arrangements for establishing a forum to allow Irish members to work together. At the meeting it was agreed that a new All Ireland Nuclear Free Local Authorities Forum would be formed to bring together member authorities from both the Republic of Ireland and Northern Ireland.

NFLA's current members in Northern Ireland are Down District Council and Newry and Mourne District Council and the Dublin Regional Authority, South Dublin County Council, and Louth County Council in the Republic of Ireland.

Councillor Michael O'Dowd from Louth County Council agreed to chair the forum on an interim basis, and it was agreed that the forum would meet twice yearly, with an email network to facilitate communication at other times.

NFLA member authorities are asked to nominate a minimum of one member and one officer as contact points to whom communications relating to the forum can be directed.

Terms of reference for the All Ireland Forum: To help guide and focus the new forum's work, the following terms of reference were adopted:

1. To consider and recommend action which can be taken by local authorities to reduce risks to the public from nuclear power and nuclear weapons.
2. To obtain and provide information and take action to help local authorities and the public develop an informed understanding of the risks from nuclear hazards.
3. To consider and recommend action which could be taken by local authorities to support:
 - The safe phase out of nuclear power in the shortest practicable time.
 - Methods which minimise risks to humans and the environment for the long term management of all types of radioactive waste and materials.
 - Efforts to prevent the proliferation of nuclear weapons and related technology.
 - Energy conservation and the use of renewable sources of energy.
 - Alternative employment and sustainable economic opportunities outside the nuclear sector.



THE LOCAL GOVERNMENT VOICE ON NUCLEAR ISSUES



Oifig an Taoisigh
Office of the Taoiseach

13 January 2006

Ms. Anne Haugh
County Secretary
Limerick County Council
County Hall
Dooradoyle
Co. Limerick

Dear Ms. Haugh,

The Taoiseach, Mr. Bertie Ahern T.D., has asked me to refer to your letter of 23 December, 2005 on behalf of the Members of Limerick County Council regarding a resolution adopted at a recent meeting of the Council.

The Taoiseach has noted the resolution. He has forwarded your correspondence to his colleague, Mr. Noel Dempsey T.D., Minister for Communications, Marine and Natural Resources for his attention and consideration. He has asked Minister Dempsey to respond directly to you.

The Taoiseach extends his very best wishes to all the Members of Limerick County Council.

Yours sincerely,

Nick Reddy
Assistant Private Secretary
to the Taoiseach

Telephone: 01-6194020
E-mail: privateoffice@taoiseach.gov.ie