



STATUTORY INSTRUMENTS.

S.I. No. 275 of 2007



LIMERICK NORTHSIDE REGENERATION AGENCY
(ESTABLISHMENT) ORDER 2007

(Prn. A7/1105)

LIMERICK NORTHSIDE REGENERATION AGENCY
(ESTABLISHMENT) ORDER 2007

The Minister for the Environment, Heritage and Local Government in exercise of the powers conferred on him by section 3 of the Local Government Services (Corporate Bodies) Act 1971 (No. 6 of 1971) (as adapted by the Environment and Local Government (Alteration of Name of Department and Title of Minister) Order 2003 (S.I. No. 223 of 2003) and with the consent of the Minister for Finance hereby orders as follows:—

Citation

1. This Order may be cited as the Limerick Northside Regeneration Agency (Establishment) Order 2007.

Commencement

2. This Order shall come into effect on the 15th day of June, 2007 and shall cease to have effect from the 15th day of June 2012.

Definitions

3. (1) In this Order—

“the Act” means the Local Government Services (Corporate Bodies) Act 1971;

“the Agency” means the body established under article 4 of this Order;

“the Board” means the Board established under article 6 of this Order;

“the Chairperson” means the Chairperson of the Board appointed by the Minister under article 6(1)(a);

“the Minister” means the Minister for the Environment, Heritage and Local Government;

“Northside Area” means the Moyross housing development situate in the functional areas of Limerick City Council and Limerick County Council and lands within, adjacent or proximate thereto or in the general environs thereof;

“specified body” means—

(a) Limerick City Council,

(b) Limerick County Council;

“statutory body” means—

(a) a Minister of the Government,

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 15th June, 2007.*

- (b) the Commissioners of Public Works in Ireland,
- (c) a local authority for the purposes of the Local Government Act 2001,
- (d) a City or County Development Board within the meaning of the Local Government Act 2001,
- (e) a harbour authority within the meaning of the Harbours Act 1946 or a company established pursuant to the section 7 of the Harbours Act 1996,
- (f) the Health Service Executive established pursuant to the Health Act 2004,
- (g) the National Educational Welfare Board established pursuant to the Education (Welfare) Act 2000,
- (h) a vocational educational committee within the meaning of the Vocational Education Acts 1930 to 2001,
- (i) a board or other body established by or under statute,
- (j) a company in which all the shares are held by, or on behalf of, or by directors appointed by, a Minister of the Government, or
- (k) a company in which all the shares are held by a board, company or other body referred to in paragraph (g) or (h) of this definition.

(2) In this Order, any reference to an article which is not otherwise identified is a reference to an article of the Order.

(3) In this Order, any reference to a sub-article or paragraph which is not otherwise identified is a reference to the sub-article or paragraph of the provision in which the reference occurs.

Establishment of the Agency

4. A body known as the Limerick Northside Regeneration Agency is hereby established to provide, for and on behalf of the Minister and the specified bodies, in relation to the Northside Area, the services specified under article 5 for the period up to and including 14th June, 2012.

Functions of the Agency

5. (1) (a) It shall be the general duty of the Agency to secure—
- (i) the social and economic regeneration of the Northside Area, on a sustainable basis; and
 - (ii) improvements in the physical environment of the Northside Area.
- (b) For the purposes of paragraph (a) and without prejudice to the generality of that paragraph, the services to be provided by the Agency, in respect of the Northside Area, shall be—

- (i) to identify the statutory bodies and other relevant bodies and the programmes and other activities of the said bodies that, in the opinion of the Agency, may contribute to the regeneration of that Area;
 - (ii) to prepare, taking into account relevant strategies and programmes of statutory bodies and other relevant bodies operating within the Area, a strategy for the regeneration of that Area and promote implementation of that strategy;
 - (iii) to establish appropriate and co-ordinated arrangements by statutory bodies and other relevant bodies to contribute to social regeneration in that Area;
 - (iv) to promote the co-ordination of investment by statutory bodies and of investment by statutory bodies with private investment in that Area;
 - (v) to promote the co-ordination of the programmes and other activities of statutory bodies and other persons concerned with the regeneration of that Area and promote co-operation between such bodies and persons; and
 - (vi) to undertake, at the request of the Minister, any other task relevant to the regeneration of that Area.
- (c) Without prejudice to the generality of paragraph (a) and paragraph (b), the Agency, in respect of the Northside Area, may—
- (i) prepare detailed proposals and plans for the development, redevelopment, renewal or conservation of land in that Area;
 - (ii) acquire, hold and manage land in that Area for its development, redevelopment, renewal or conservation either by the Agency or by any other person;
 - (iii) develop, redevelop, renew or conserve, or secure the development, redevelopment, renewal or conservation of, any land in that Area or otherwise to secure the best use of any such land;
 - (iv) dispose of land—
 - (I) on completion of its development, redevelopment, renewal or conservation,
 - (II) to secure its development, redevelopment, renewal or conservation, or
 - (III) to secure its best use;

- (v) provide such infrastructure and carry out such works of amenity development or environmental improvement as, in the opinion of the Agency, may be required to encourage people to work, shop or reside in that Area or otherwise to use the facilities provided in that Area;
 - (vi) promote the development of existing and new residential communities in that Area, including the development of a mix of housing for people of different social backgrounds;
 - (vii) provide advisory, technical support and secretarial services for any committees appointed under article 6;
 - (viii) develop a communications strategy tailored to meet the needs of the area involving significant engagement with and involvement by the local community on behalf of the specified bodies.
- (d) For the purposes of paragraphs (b) and (c), the Agency shall consult, as appropriate, with the Limerick City Development Board and the Limerick County Development Board.

(2) Without prejudice to sub-article (1), the Agency may do all such things, including the incurring of expenditure and, with the Minister's consent, the borrowing of money, which appear to it to be requisite, advantageous or incidental to, or which appears to it to facilitate the performance of its functions.

(3) For the purposes of the Agency providing the services specified in this article, a specified body may provide information to the Agency and the Agency shall hold and utilise such information as if all statutory duties and obligations that applied to that specified body in the holding and utilising of that information applied to the Agency.

(4) The Minister may, from time to time, issue to the Agency such guidelines in relation to the performance of its functions as he or she considers appropriate and the Agency shall have regard to such guidelines in the performance of its functions. The Minister may amend or revoke guidelines issued under this article.

Constitution of the Board of Directors

6. (1) The business of the Agency shall be overseen by a Board of Directors appointed by the Minister and comprising the following members—

- (a) a chairperson appointed by the Minister;
- (b) one serving officer from each of the following Departments of State on the nomination of the respective Minister of that Department—
 - (i) the Department of the Environment, Heritage and Local Government,
 - (ii) the Department of Community, Rural and Gaeltacht Affairs,

- (iii) the Department of Education and Science,
 - (iv) the Department of Justice, Equality and Law Reform;
 - (v) the Department of Social and Family Affairs;
 - (c) the Limerick City Manager;
 - (d) the County Manager of the County of Clare;
 - (e) the County Manager of the County of Limerick;
 - (f) one serving officer from each of the following, on the nomination of the Minister—
 - (i) an Garda Síochána,
 - (ii) the Health Service Executive;
 - (g) three persons nominated by the Minister drawn from either or both the community of the Northside Area and the business community; and
 - (h) the Chief Executive Officer of the Agency.
- (2) Members of the Board shall hold office up to and including the 14th June, 2012.
- (3) The Board may act notwithstanding a vacancy among its members.
- (4) The quorum for a meeting of the Board shall be one third of its membership calculated to the nearest whole number.
- (5) A member of the Board may at any time resign his or her membership by letter addressed to the Minister and the resignation shall take effect from the date specified in the letter or upon receipt of the letter by the Minister, whichever is the later.
- (6) A member of the Board, may at any time, be removed from membership of the Board by the Minister if, in the Minister's opinion, the member has become incapable through ill-health of performing his or her functions, or has committed stated misbehaviour, or his or her removal appears to the Minister to be necessary for the effective performance by the Board of its functions.
- (7) A person shall cease to be, and shall be disqualified from being, a member of the Board where he or she—
- (a) is adjudicated bankrupt,
 - (b) makes a composition or arrangement with creditors,

- (c) is sentenced by a court of competent jurisdiction to a term of imprisonment, or
 - (d) is disqualified or restricted from being a director of any company.
- (8) Where a member of the Board or a member of staff of the Agency—
- (a) accepts a nomination as a member of Seanad Eireann,
 - (b) is elected to either House of the Oireachtas or to the European Parliament,
 - (c) is regarded, pursuant to Part XIII of the Second Schedule to the European Parliament Elections Act 1997, as having been elected to that Parliament, or
 - (d) becomes a member of a local authority,
- he or she shall thereupon—
- (i) in the case of a member of the Board, cease to be a member of the Board, or
 - (ii) in the case of a member of the staff of the Agency, stand seconded from employment by the Agency for the period specified in sub-article (9).
- (9) A person who stands seconded under sub-article (8) (ii) shall not be paid by, or be entitled to receive from, the Agency any remuneration in respect of the period commencing on such nomination or election or his or her membership of the local authority or the date on which he or she is so regarded as having been elected, as the case may be, and ending on the date on which he or she ceases to be a member of either such House or such Parliament or such local authority.
- (10) A person who is for the time being entitled under the Standing Orders of either House of the Oireachtas to sit therein or who is a representative in the European Parliament or a member of a local authority shall, while he or she is so entitled or is such a representative or member, be disqualified from becoming a member of the Board or a member of the staff of the Board.
- (11) If a member of the Board dies, resigns, becomes disqualified or is removed from membership, the Minister may appoint a person to be a member of the Board and fill the vacancy so caused.
- (12) (a) The Board shall hold such and so many meetings as may be necessary for the performance of its functions.
- (b) The Chairperson may, at any time, call a meeting of the Board.
 - (c) If the Chairperson refuses to call a meeting of the Board having been presented with a requisition for that purpose, signed by five members of the Board, any six members may forthwith, on that refusal, call a

meeting of the Board and, if the Board Chairperson (without so refusing) does not, within seven days after the presentation of the requisition, call a meeting of the Board, any four members of the Board may, on the expiration of those seven days, call a meeting of the Board.

(13) The Board may from time to time appoint such and so many committees as it thinks proper.

(14) A committee appointed under sub-article (13) shall consist of such number of members as the Board thinks proper and may, at the discretion of the Board, consist of members of the Board, employees of the Agency or other persons with appropriate knowledge or experience.

(15) The members of the Board (including the chairperson) may be paid such remuneration and allowances for expenses as the Minister, with the consent of the Minister for Finance, may determine.

(16) Subject to the provisions of this Order, the Board shall regulate, by standing orders or otherwise, its procedure or business.

Staffing of the Agency

7. (1) The Board may, with the consent of the Minister, appoint a person to be the Chief Executive Officer, to carry on and manage and control generally, subject to the general supervision of the Board, the administration and business of the Agency and to perform such other functions as the Board may determine from time to time.

(2) The Chief Executive Officer shall hold office for such period and upon such terms and conditions (including terms and conditions relating to remuneration and allowances for expenses) as the Minister may, with the consent of the Minister for Finance, determine from time to time.

(3) The Agency may appoint such persons to be employees of the Agency as it may determine subject to the consent of the Minister and the Minister for Finance as to numbers and grading.

(4) An employee of the Agency shall be paid, out of moneys at the disposal of the Agency, such remuneration and allowances for expenses as the Agency, with the consent of the Minister and the Minister for Finance, may determine.

(5) An employee of the Agency shall hold his or her employment on such other terms (including terms specifying the duration of such employment) and conditions as the Agency, with the consent of the Minister and the Minister for Finance, may determine.

(6) For the purpose of enabling the Agency to perform its functions as and from the establishment day, the specified bodies or any local authority may, for such period as they think appropriate, supply to the Agency any services, including services of staff, required by the Agency and the Agency may avail itself of such services for which arrangements are made under this section.

(7) The supply of services under sub-article (6) may include the supply of services of a person to perform the functions of the Chief Executive Officer.

(8) The Agency may make such provision for the superannuation of its staff as may be approved by the Minister with the consent of the Minister for Finance.

Engagement of Consultants

8. The Agency may from time to time engage such consultants, advisers or other persons as it considers necessary for the discharge of its functions.

Seal

9. (1) As soon as may be after its establishment, the Agency shall provide itself with a seal.

(2) The seal of the Agency shall be authenticated by the signature of the chairperson or a member of the Board authorised by the Board to act in that behalf or by the signature of a person employed by the Agency authorised by the Board to act in that behalf.

Reporting

10. (1) The Agency shall furnish to the Minister such information regarding the performance or proposals for the performance of its functions as the Minister may from time to time require.

(2) The Agency shall, in accordance with any direction, which may from time to time be given by the Minister, submit in each year a programme of activities for the following year and an estimate of the expenditure to be incurred on such activities.

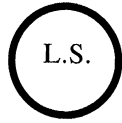
Accounts

11. (1) The Agency shall keep, in such form as may be approved of by the Minister with the consent of the Minister for Finance, all proper and usual accounts of all moneys received or expended by it and, in particular, shall keep in such form as aforesaid all such special accounts as the Minister with the consent of the Minister for Finance may from time to time direct.

(2) Accounts kept under sub-article (1) shall, on or before such date as the Minister shall direct, be submitted annually by the Agency to the Comptroller and Auditor General for audit and immediately after such audit a copy of the accounts and a copy of the auditor's report on the accounts shall be presented to the Minister who shall cause copies of such accounts and report to be laid before each House of the Oireachtas.

Grants to the Agency

12. The Minister may pay grants of such amounts as may be sanctioned by the Minister for Finance, out of monies to be provided by the Oireachtas, towards the expenses of the Agency.

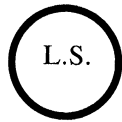


GIVEN under my Official Seal,
6 June 2007

DICK ROCHE

Minister for the Environment, Heritage and Local
Government.

The Minister for Finance hereby consents to the Limerick Northside Regeneration Agency (Establishment) Order, 2007.



GIVEN under my Official Seal,
11 June 2007

BRIAN COWEN

Minister for Finance.

EXPLANATORY NOTE

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

This Order establishes, under the Local Government Services (Corporate Bodies) Act 1971, the Limerick Northside Regeneration Agency, a body to drive economic and infrastructural development in targeted areas of the city and coordinate intensive action to deal with social and educational disadvantage. The Order also provides for procedures, staffing arrangements and other related matters.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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