**SOUTH DUBLIN COUNTY COUNCIL**

 **Minutes of South Dublin County Council Meeting held on 8th February 2016.**

 **PRESENT**

|  |  |  |
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| **Councillors** |  | **Councillors** |
| Bonner, B. |  | Lahart, J. |
| Brophy, C. |  | Lavelle, W. |
| Casserly V. |  | Leech, B. |
| Donovan, P.  |  | Looney, D. |
| Duff, M. |  | McMahon, R. |
| Duffy, F. |  | Mahon, K. |
| Dunne, L. |  | Murphy, M. |
| Egan, K. |  | Nolan, R.  |
| Ferron, B.  |  | O’Brien, D.  |
| Foley, P.  |  | O’Brien, E.  |
| Genockey, M. |  | Ó’Broin, E. |
| Graham, J. |  | O’Connell, G. |
| Higgins, E.  |  | O’Connor, C. |
| Holland, S. |  | O’Donovan, D. |
| Kearns, P. |  | O’Toole, L.  |
| Kenny, G. |  | Richardson, D. |
| King, C. |  | Timmons, F. |
|  |  | Warfield, F. |
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**OFFICIALS PRESENT**

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| Chief Executive | D. McLoughlin. |
| Directors/ Heads of Function | L. Maxwell, E. Taaffe, S. Dunne,F. Nevin, T. Walsh, B. Coman. |
| County Architect | E. Conroy, |
| Senior Executive Officers | H. Hogan, M. Maguire, Y. Dervan,P. Murphy, L. Leonard, Colm Ward.  |
| I. T Research and Development Officer  | R. Herron. |
| Administrative Officers | T. O’Neill, E. Leech. |
|  Staff Officer Clerical Officer  | P. Brennan.M. Dunne. |
| Sord | A. O’Brien. |
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Apologies from Councillors T. Gilligan, Anne-Marie Dermody, Paul Gogarty, Máire Devine and Nicky Coules.

The Mayor, Councillor S. Holland, presided.

**H1/0216** **CONFIRMATION AND RE-AFFIRMATION OF MINUTES**

Minutes of Meeting of South Dublin County Council 11th January 2016 which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor S. Holland seconded by Councillor P. Donovan.

**H2a/0216 REPORTS OF AREA COMMITTEES - RATHFARNHAM/TEMPLEOGUE- TERENURE AREA COMMITTEE HELD 12th January 2016**

*- Dealing with Public Realm, Water & Drainage, Housing, Community, Planning, Transportation, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management*

 It was **NOTED** that there was **NO** Business under this heading

**H2b/0216 REPORTS OF AREA COMMITTEES - CLONDALKIN AREA COMMITTEE HELD 20th January 2016**

*- Dealing with Public Realm, Water & Drainage, Housing, Community, Planning, Transportation, Economic Development, Libraries & Arts,**Corporate Support, Performance & Change Management*

It was **NOTED** that there was **NO** Business under this heading

**H2c/0216 REPORTS OF AREA COMMITTEES- TALLAGHT COMMITTEE HELD 25th January 2016**

*- Dealing with Public Realm, Water & Drainage, Housing, Community, Planning, Transportation, Economic Development, Libraries & Arts,**Corporate Support, Performance & Change Management*

It was **NOTED** that there was **NO** Business under this heading

**H2d/0216 REPORTS OF AREA COMMITTEES - LUCAN AREA COMMITTEE HELD 26TH January 2016**

*- Dealing with Public Realm, Water & Drainage, Housing, Community, Planning, Transportation, Economic Development, Libraries &* ***Arts (1 report - Arts Grant)****, Corporate Support, Performance & Change Management*

The following report by the Chief Executive, which had been circulated, was presented by Mr. F. Nevin, Director of Economic, Enterprise & Tourism Development, and was **CONSIDERED**:

“Application for Arts Grants

An Application for an Arts Grant under Section 6 of the Arts Act 2003, has been received from the organisation listed below. Payment of this grant, in accordance with the conditions of the Scheme and in the amount set out hereunder, is recommended for approval:-

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Ref:  | Name of Group  | Type of Application - Grant  | Date Received   | Amount€  |
| Agf 861  | St Joseph’s College, Presentation Convent, Lucan  | Contribution towards the cost of creating a ceramic mural  | 12th January 2016  | 650  |

It was proposed by Councillor G. O’Connell seconded by Councillor D. O’Brien and **RESOLVED:**

“That this Committee recommends that South Dublin County Council approve payment of the above grant recommended in the foregoing report.”

The report was **NOTED** and it was proposed by Councillor S. Holland, seconded by Councillor D. Richardson and **RESOLVED**:

“That the recommendations contained in the foregoing report of The Lucan Area Committee 26th January 2016 be **ADOPTED** and **APPROVED**.

**H3a/0216 STANDING COMMITTEES - ORGANISATION, PROCEDURE & FINANCE 21st JANUARY 2016 - DRAFT CALENDAR OF MEETING DATES**

The following report by the Chief Executive, which had been circulated, was presented by Ms. L. Maxwell, Director of Corporate Performance and Change Management and was **CONSIDERED**:

“The following Draft Calendar of Meeting dates was **APPROVED** by the Members at the Organisation, Procedure & Finance Committee Meeting held on 21st January 2016.

 **Draft Calendar of Meeting Dates**

 **March – April 2016**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. |  |  |  |  |
| Tue. | 01/03 | **Audit Committee** | 8.00am - 9.30am |  |
| Wed. | 02/03 |  |  |  |
| Thur. | 03/03 |  |  |  |
| Fri. | 04/03 |  |  |  |
|  |
| **DATE** | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 07/03 | **Corporate Policy Group Meeting** | 3.00pm - 4.30pm |  |
| Tue. | 08/03 | **Rathfarnham/Templeogue-Terenure Area Committee***Public Realm, Water & Drainage, Housing, Community, Planning\*, Transportation, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management*. | 3.00pm - 6.00pm | 24/02/2016 |
| Wed. | 09/03 |  |  |  |
| Thur. | 10/03 |  |  |  |
| Fri. | 11/03 |  |  |  |
| *\*Planning file requests to be received by 29/02/2016* |
| **DATE** | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 14/03 | **County Council Meeting** | 3.30pm - 7.00pm | 29/02/2016 |
| Tue. | 15/03 |  |  |  |
| Wed. | 16/03 | **Clondalkin Area Committee***Public Realm, Water & Drainage, Housing, Community, Planning\*, Transportation, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management*. | 3.00pm - 6.00pm | 03/03/2016 |
| Thur. | 17/03 | **St. Patrick’s Day** |  |  |
| Fri. | 18/03 |  |  |  |
| *\*Planning file requests to be received by 08/03/2016* |
| **DATE** | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 21/03 |  |  |  |
| Tue. | 22/03 |  |  |  |
| Wed. | 23/03 | **Deputations** | 2.00pm - 5.00pm |  |
| Thur. | 24/03 | **Traffic Management Meetings -*** Rathfarnham/Templeogue-Terenure
* Clondalkin

**Organisation, Procedure & Finance Committee** (in committee) | 2.00pm - 2.45pm2.45pm - 3.30pm3.30pm - 6.00pm | 09/03/2016 |
| Fri. | 25/03 | **GOOD FRIDAY** |  |  |
|  |
| **DATE** | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 28/03 | **EASTER MONDAY** |  |  |
| Tue.  | 29/03 | **Traffic Management Meeting*** **Tallaght**

**Tallaght Area Committee***Public Realm, Water & Drainage, Housing, Community, Planning\*, Transportation, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management*. | 2.15pm - 3.00pm3.00pm - 6.00pm | 11/03/2016 |
| Wed. | 30/03 | **Traffic Management Meeting*** **Lucan**

**Lucan Area Committee***Public Realm, Water & Drainage, Housing, Community, Planning\*\*, Transportation, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management*. | 2.15pm - 3.00pm3.00pm - 6.00pm | 14/03/2016 |
| Thurs | 31/03 |  |  |  |
| Fri. | 01/04 |  |  |  |
|  |  |  |  |
| **DATE** | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon | 04/04 | **Corporate Policy Group Meeting** | 3.00pm - 4.30pm |  |
| Tue | 05/04 |  |  |  |
| Wed | 06/04 |  |  |  |
| Thurs | 07/04 |  |  |  |
| Fri. | 08/04 |  |  |  |
|  |
| **DATE** | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon | 11/04 | **County Council Meeting** | 3.30pm - 7.00pm | 21/03/2016 |
| Tue  | 12/04 | **Rathfarnham/Templeogue-Terenure Area Committee***Public Realm, Water & Drainage, Housing, Community, Planning\*, Transportation, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management.* | 3.00pm - 6.00pm | 30/03/2016 |
| Wed.  | 13/04 |  |  |  |
| Thur. | 14/04 |  |  |  |
| Fri.  | 15/04 |  |  |  |
| *\*Planning file requests to be received by 04/04/2016* |
| **DATE** | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon.  | 18/04 |  |  |  |
| Tue. | 19/04 |  |  |  |
| Wed.  | 20/04 | **Clondalkin Area Committee***Public Realm, Water & Drainage, Housing, Community, Planning\*, Transportation, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management*. | 3.00pm - 6.00pm | 07/04/2016 |
| Thur. | 21/04 |  |  |  |
| Fri. | 22/04 |  |  |  |

*\*Planning file requests to be received by 12/03/2016*

|  |  |  |  |
| --- | --- | --- | --- |
| **DATE** | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon.  | 25/04 | **Tallaght Area Committee***Public Realm, Water & Drainage, Housing, Community, Planning\*, Transportation, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management*. | 3.00pm - 6.00pm | 12/04/2016 |
| Tues. | 26/04 | **Lucan Area Committee***Public Realm, Water & Drainage, Housing, Community, Planning\*\*, Transportation, Economic Development, Libraries & Arts, Corporate Support, Performance & Change Management*. | 3.00pm - 6.00pm | 13/04/2016 |
| Wed. | 27/04 | **Deputations** | 2.00pm - 5.00pm |  |
| Thur. | 28/04 |  |  |  |
| Fri. | 29/04 |  |  |  |

 \**Planning file requests to be received by 15/04/2016*

 \*\**Planning file requests to be received by 18/04/2016*

 New Dates for the Development Plan meetings;

 February 4th – Development Plan Meeting 4pm – 10pm

 February 5th – Development Plan Meeting 4pm – 10pm

 February 11th – Development Plan Meeting 4pm – 10pm

 February 12th – Development Plan Meeting 4pm – 10pm

The Calendar was **APPROVED** on the proposition of Councillor S. Holland, seconded by Councillor E. Ó’Broin.

**H3b/0216** **STANDING COMMITTEES - ORGANISATION, PROCEDURE & FINANCE 21st January 2016 - REPORT OF CONFERENCES/SEMINARS**

The following report by the Chief Executive, which had been circulated, was presented by Ms. L. Maxwell, Director of Corporate Performance and Change Management and was **CONSIDERED**:

“The following report was **APPROVED** at the Organisation, Procedure and Finance Committee Meeting held on 21st January 2016:

[**Section 142 (5) of Local Government Act 2001**](http://www.irishstatutebook.ie/zza37y2001s142.html) provides for the authorization of Members’ attendance at conferences both home and abroad.

Listed below are conferences which have been notified to South Dublin County Council and whose appropriateness has been vetted by the members’ working group in accordance with Circ. Letter 02/10.

 **Conferences Notified: There are no conferences to be uploaded at this time**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Conference**  | **Host**  | **Venue** | **Date** | **Councillors Attended** | **Fee**  |
| AILG Training  | Association of Irish Local Govt. Dublin & Midland Region | Red Cow Hotel, Dublin | 14th Nov. 2015 | G. O’ Connell | €50 |

As authorisation under this section is a reserved function Members are required to pass the following resolution:

“In accordance with Section 142 (5) of the Local Government Act, 2001 attendance by Members at the Conferences / Seminars outlined in the report is hereby authorized.”

**The report was NOTED**

**H4/0216 STRATEGIC POLICY COMMITTEES**

It was **NOTED** that there was **NO** Business under this Heading

**H5/0216 REPORTS REQUESTED FROM AREA COMMITTEES**

It was **NOTED** that there was **NO** Business under this Heading

 **QUESTIONS**

It was proposed by Councillor S. Holland, seconded by Councillor D. Richardson and **RESOLVED**:

“That pursuant to Standing Order No. 13, Questions numbered Q1 – Q24 be **ADOPTED** and **APPROVED.”**

**Q1/0216 FOOTFALL IN FACILITIES**

 **QUESTION: Councillor P. Foley**

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| It would seem - anecdotally - that people are using the community centres and council leisure facilities more than ever. Are there any annual statistics showing the numbers using these facilities that might prove that? |

**REPLY:**

The Council recognises the effort and commitment that voluntary committees give in operating the vast range of community facilities across the county.  Given the range and size of the community facilities, it is not feasible to capture the actual footfall. However the feedback is very positive from the host of user groups that use the community facilities on an ongoing basis and the trust of the question would appear to be broadly correct. The Council's Community Development Team will continue to work closely with the management committees of each facility to optimise the usage of each centre.

Empirical data on the footfall is collated in the Council's Leisure Centres and an average of 46,000 patron's avail of these facilities on a monthly basis

**Q2/0216 COMPLAINTS**

**QUESTION: Councillor P. Foley**

How many complaints did the council receive - either direct or through an ombudsman - in 2015? Can the details be broken down into council departments and compared with previous years?

**REPLY:**

  Complaints made to the Council through the Ombudsman 2013-2015.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Year  | Total  | Housing and Community  | Planning, Land use and Transportation  | Environment, Water and Climate Change  | Economic, Enterprise and Tourism  | Finance  |
| 2013  | 9  | 3  | 4  | 2  |    |    |
| 2014  | 10  | 6  | 1  | 2  | 1  |    |
| 2015  | 16  | 8  | 3  |    | 1  | 4  |

Formal Complaints to the Customer Care- Centralised Complaints System introduced in 2014\*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Year  | Total  | Housing and Community  | Planning, Land use and Transportation  | Environment, Water and Climate Change  | Economic, Enterprise and Tourism  | Finance  |
|    |    |    |    |    |    |    |
| 2014  | 6  | 4  | 1  | 1  |    |    |
| 2015  | 21  | 7  | 6  | 6  | 1  | 1  |

**Q3/0216 CHILDREN AT PLAY SIGNS**

**QUESTION: Councillor J. Lahart**

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| To ask the Chief Executive to provide an update on the Children-At-Play signs for the county **REPLY:**As agreed with the Area Committees "Children at Play" signs (Traffic Signs Manual reference W 140) were provided at 57 locations throughout the county in 2015.As part of the ongoing countywide speed limit review "Slow Zone" signs will be provided at appropriate locations in conjunction with a new 30 kmph speed limit |
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**Q4/0216 LABOUR ACTIVATION SCHEME**

**QUESTION: Councillor J. Lahart**

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| To ask the Chief Executive to outline the numbers of individuals employed in the county on CE Schemes; on Gateway schemes and as apprentices - and can he outline the range of their duties**REPLY**There are 294 individuals employed in the county on CE and Gateway Schemes.Range of duties - Ce Scheme:* Centre Attendants
* Reception Duties/Office Administration
* Childcare
* Kitchen duties
* Pitch maintenance/cemetery maintenance
* Coffee Shop attendant

Range of duties – Gateway Scheme:* Environmental services – maintenance and development of industrial estates and public open spaces which will include general cleaning, litter picking, weeding, graffiti removal
* Derelict site clean ups
* Village Enhancement Schemes – remediation and restoration works
* Landscaping
* Estate improvements
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**Q5/0216 LITTER FINES**

**QUESTION: Councillor J. Lahart**

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| To ask the Chief Executive to outline the number of Litter Fines which have been issued and paid this year to the County |

**REPLY:**

In 2015, the Litter Warden Service issued a total of 500 Fixed penalty Notices (litter fines), with a value amounting to €75,000.

A total of €39,475 was received, which represents a 53% collection rate.

In cases where payment as demanded in the notice has not been made within the period specified, legal proceedings are initiated against that person. However, it is not always possible to progress the matter to a court hearing for various reasons but primarily due to:

a) Fines sent by registered post being returned as undelivered

b) Evidence deemed to be not sufficiently robust to support prosecution

**Q6/0216 SALE OF COUNCIL LANDS**

**QUESTION: Councillor J. Lahart**

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| To ask the Chief Executive for an update on the sale of council lands at Kingswood Castle and Ballycullen - the process which was approved by the Council some months ago. **REPLY:**Negotiations to agree final terms and conditions for completion of the sale with the identified preferred bidders on the subject sites in accordance with the disposal resolutions as approved by the elected members are ongoing in consultation with the Council Valuer. |
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**Q7/0216 BUILDING CONTROL**

**QUESTION: Councillor W. Lavell**

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| To ask the Chief Executive to provide a response to statistics contained in the 2014 report of the National Oversight and Audit Commission indicating that the percentage of new buildings inspected as a percentage of new buildings notified by SDCC was below the minimum requirement?**REPLY:**The number of buildings inspected as a percentage of new buildings commenced in 2014 was a reduction on the percentage inspected in 2013 in the case of the majority of authorities.  South Dublin had an inspection rate of 11.52% which was slightly lower than the minimum 12-15% requirement specified in February 2014.The Primary reason for this was that SDCC operates a risk based inspection system and in 2014 Multi unit developments and unfinished developments were specifically targeted.  In addition, 100% of all new developments, including extensions, were inspected for compliance with drainage requirements to ensure complete separation of foul and surface water. It should be noted that the preliminary percentage for New Buildings inspected in 2015 is 28%, well above the minimum requirement.  |
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**Q8/0216 PAVEMENT SURFACE**

**QUESTION: Councillor W. Lavelle**

To ask the Chief Executive why SDCC does not take part in the Pavement Surface Condition Index as highlighted in 2014 report of the National Oversight and Audit Commission

**REPLY:**

The Pavement Surface Condition Index (PSCI) Rating System and associated software was rolled out across the Country on a phased basis.

South Dublin County Council did not carry out any pavement conditioning in 2014 as the system had not been rolled out to SDCC at that time.

In the meantime the PSCI rating system has been rolled out to SDCC and rating was carried out in 2015 on Local and Regional roads.

**Q9/0216 TREE MANAGEMENT**

**QUESTION: Councillor W. Lavelle**

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| To ask for details of increased resources allocated to tree management operational functions in 2015 & 2016?**REPLY:**In 2015, in recognition of the increasing requirements for tree maintenance across the county and in an attempt to address the accumulation of tree maintenance commitments from previous years, the Council put in place, for the first time, a team largely dedicated to tree management. This team is charged with co-ordinating the tree maintenance programme and has embarked over the past year on a number of new initiatives to relieve the backlog of commitments and to enable progress towards an improved tree maintenance service and a more strategic approach to tree management.During 2015, two skilled tree maintenance crews were put in place to progress implementation of the tree management programme on a year round basis.  Prior to 2015, tree planting, pruning and removal was undertaken on a seasonal basis over a 4-month period between November and February when staff who were assigned to grass-cutting during the growing season were reassigned to tree works over the winter period.  This in effect means that the Council is now undertaking tree maintenance throughout the year. Since March 2015, additional staff resources have been applied to undertaking tree inspections and a number of staff have been upskilled in tree inspection training.  As well as enabling tree inspections to be undertaken in response to tree maintenance requests received via the Council's customer care system, this has also facilitated the initiation of a countywide baseline survey of all Council owned and managed trees.  This survey will be used to determine the extent of the requirement for tree maintenance on an estate by estate basis across the county and will inform the prioritisation of estates in future programmes of tree maintenance.  A new tree management software system has been purchased to manage the tree survey data and this will be fully operational within the coming weeks.  This system will enable the full history of every tree in the county to be traced including inspections, maintenance and related customer enquiries.  In October 2015, the Council's Tree Management Policy 2015 - 2020 'Living With Trees' was launched.  The Tree Management Policy provides a framework to guide and support decisions made by the Council on the management and development of a sustainable tree population in the county. The Policy acts as a point of reference for the public, Councillors, Council staff and professionally interested people to enable informed discussion and to establish a clearer, consistent and more structured approach to the issues affecting trees.In October 2015, a 'Trees’ web page was established on the Council’s website [**www.sdcc.ie**](http://www.sdcc.ie).  This page is intended to evolve as a key portal for information and education on all matters relating to tree management by South Dublin County Council.  In 2016, this web page will carry regularly updated details of the 2016 Tree Maintenance Programme and the 2016 Tree Planting Programme so that current information is easily accessed by elected members and the general public.  New material will be added to the 'Trees' page over the course of the coming yearThe budget allocated to the Tree & Hedge Management Programme in 2016 is €2,003,600. This represents an increased investment of €200,000 over the budget allocation for tree management in 2015. The additional investment comprises €50,000 for a Tree Planting Programme of approx. 1,000 new trees which will commence implementation in autumn 2016 while an additional €150,000 is being allocated under the heading of Minor Contracts, Plant & Equipment.  In recent years, due to the increasing demand for maintenance to be carried out on the c. 60,000 existing trees across the county, the Council has focussed the application of its available resources primarily on tree pruning and removal activity. This has resulted in very limited implementation of new or replacement tree planting across the county over the past few years.  The additional budget allocation for tree planting in 2016 represents the Council's commitment to re-establishing a countywide, annual programme of tree planting.  |

**Q10/0216 PLANNING PERMISSION**

**QUESTION: Councillor W. Lavelle**

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| To ask for detail of the number of new residential units which where:a) Granted planning permission in 2015 compared to 2013 & 2014?b) Subject to commencement notices lodged in 2015 compared to 2013 & 2014?**REPLY:**(a) The table below illustrates the details in respect of residential units for which planning permission was granted in 2013, 2014 & 2015:

|  |  |  |
| --- | --- | --- |
| Year Final Grant Issued |  Number of Residential Units | Number of Applications Granted  |
|  2013 |  713 |  38 |
|  2014 |  572 |  53 |
|  2015 |  2178 |  87 |
| Total | 3463 | 178 |

 (b) The table below illustrates the number of new residential units for which commencement notices issued during 2013, 2014 & 2015:

|  |  |  |
| --- | --- | --- |
| Year  | Commencement Notices  | Number Of Units  |
| 2013 |                              39 |                    237 |
| 2014 |                              50 |                    518 |
| 2015 |                              52 |                    387 |
| Total |                              141 |                  1,142 |

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**Q11/0216** **POSTERS/PUBLIC ADEVERTISEMENTS**

**QUESTION: Councillor D. Looney**

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| To ask the Chief Executive how many fines have been issued for the illegal erection of posters/public advertisements, month-by-month, in the last 12 months; to ask how many of these have been related to political candidates, meetings and other issues; to ask if he will consider recommending the introduction of restrictions on posters which are clearly promoting candidates rather than public meetings; and to make a statement on the matter.**REPLY:**In general planning permission is required for the erection of posters, unless specifically exempted.Section 19 (1) of the Litter Pollution Act 1997, as amended, regulates / prohibits placing of articles and advertisements on certain structures.Section 19 (7) of the Litter Pollution Act regulates for the erection of posters for elections and public meetings.  Under this section a poster advertising a public meeting is exempted development unless the advertisement / poster has been in position for 7 days or longer after the day specified in the advertisement for the meeting.Election/ referendum posters are required only to be erected for a certain specified time before an election, ***either*** a) 30 days before the poll date OR b) from the date the polling order for the election has been made, whichever is the shorter.Election posters must be removed within 7 days after an election.Electioneering signage can be erected at any time on private property (and not confined to the certain specified election time constraints) if it has the benefit of planning permission, or is exempt development as prescribed in planning regulations. A total of 215 Fixed Penalty Notices issued in 2015 in respect of such offences.  One direct prosecution was initiated.  It is not possible to categorise the Notices. |

**Q12/0216** **SEACHTAIN NA GAEILGE** **2016**

**QUESTION: Councillor D. Looney**

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| Chun ceist a chur ar an príomhfheidhmeannach cad iad na pleananna ar son Seachtain na Gaeilge Átha Cliath Theas 2016, agus an mbeidh deiseanna ann ar rannphartíocht Chomhairleoirí maidir leis na gníomhachtaí atá eagraithe? To ask the Chief Executive what are the plans for Seachtain na Gaeilge in 2016, and what opportunities are there for Participation by the Local Councillors regarding the activities organized?**REPLY:**I rith Sheachtain na Gaeilge (an 1-17 Márta), bíonn an deis againn an Ghaeilge agus an Cultúr Gaelach a cheiliúradh. Gach bliain, eagraíonn Comhairle Contae Átha Cliath Theas agus Leabharlanna Átha Cliath Theas clár atá líon lán de ghníomhaíochtaí do dhaoine fásta agus do leanaí, agus bíonn na gníomhaíochtaí sin go léir dírithe ar an nGaeilge a chur chun cinn.I gComhairle na bliana 2016, táimid tar éis dul i mbun comhoibrithe arís le hÁras Chrónáin chun clár bliantúil a ullmhú. Beidh liosta sa bhróisiúr sin de na himeachtaí go léir agus na deiseanna éagsúla a bheidh ar fáil do phobail Chontae Átha Cliath Theas ionas gur féidir leo ár n-oidhreacht Éireannach a cheiliúradh.In 2016, beidh an téama 'An Teanga Bheo' á cheiliúradh againn freisin, mar aon leis an tábhacht a bhain le hathbheochan na Gaeilge agus le Glúin Réabhlóidithe 1916.Beidh SnaGacht, clár Chontae Átha Cliath Theas do Sheachtain na Gaeilge, á sheoladh ag an Méara Holland i Leabharlann Bhaile Uí Ruáin i Ráth Fearnáin ag a 11.00 r.n. ar an Luan an 22 Feabhra 2016, i gcuideachta Niall de Búrca, atá ar dhuine de na scéalaithe is fearr in Éirinn. Beidh leanaí ó na bunscoileanna áitiúla ag glacadh páirte san ócáid.Beidh imeachtaí lena ndéanfar Seachtain na Gaeilge a cheiliúradh ar siúl ón 1 go dtí an 17 Márta, agus ina measc beidh siad seo a leanas:* Ranganna Gaeilge agus grúpaí comhrá Gaeilge do dhaoine fásta
* Imeachtaí scéalaíochta dátheangacha
* Cuairteanna ó údair
* Ealaíona agus ceardaíocht thraidisiúnta do leanaí agus do dhaoine fásta
* Seisiúin cheoil agus damhsa thraidisiúnta Éireannaigh
* Ceardlanna faoin saol mar a bhíodh sé in 1916
* Tráth na gCeist do Scoileanna
* Kíla i mbun ceolchoirme

Foilseofar an bróisiúr sula i bhfad agus beidh sé ar fáil i ngach ceann de Leabharlanna agus Foirgnimh Chathartha Átha Cliath Theas agus ar shuímh ghréasáin na Leabharlanna agus na Comhairle, [**www.southdublinlibraries.ie**](http://www.southdublinlibraries.ie/) agus [**www.sdcc.ie**](http://www.sdcc.ie/) . Déanfar cóip den bhróisiúr a dháileadh ar gach Comhairleoir. Seachtain na Gaeilge (1-17 March) provides the opportunity for celebrating the Irish language and Culture. South Dublin County Council/ Libraries every year deliver a packed programme of activities for adults and children all aimed at promoting the Irish Language.For 2016, we have again collaborated with Áras Chrónáin to produce an annual programme. The brochure will list all of the events and a variety of opportunities for the communities of South Dublin County to celebrate our Irish heritage.In 2016, we will also celebrate 'An Teanga Beo' and the importance of the revival of the Irish Language and the Revolutionary Generation of 1916.The launch of SnaGacht, South Dublin County’s Seachtain na Gaeilge programme, by the Mayor Holland will take place in Ballyroan Library, Rathfarnham at 11.00am on Monday 22nd February 2016 with Niall de Burca, one of Ireland’s finest storytellers with the participation of children from local primary schools.Events celebrating Seachtain na Gaeilge will run from 1st to 17th March including some of the following:* Irish language classes and conversation groups for adults
* Bi-Lingual storytelling events
* Author visits
* Traditional arts and crafts for children and adults
* Traditional Irish music and dancing sessions
* Life in 1916 workshops
* School Quiz
* Concert with Kíla

The brochure will be published shortly and made available in all South Dublin Libraries/Civic Buildings and on the Library and Council websites [**www.southdublinlibraries.ie**](http://www.southdublinlibraries.ie/) and [**www.sdcc.ie**](http://www.sdcc.ie/) . A copy of the brochure will be circulated to all Councillors. |

**Q13/0216 DUBLIN MOUNTAINS**

**QUESTION: Councillor D. Looney**

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| To ask the Chief Executive for an update on plans for a tourism centre in the Dublin Mountains and at Bohernabreena Reservoirs, and to make a statement on the matter.**REPLY:**As indicated in the reply to Q 8 at the December meeting meetings in regard to the Mountains flagship project are ongoing with Coillte/consultants and it is envisaged that the draft feasibility/master plan will be completed in the next Month. It should be noted that the Bohernabreena Reservoir does not form part of the project area but will be the subject of a separate study. |

**Q14/0216 SCHOOL SAFETY**

**QUESTION: Councillor D. Looney**

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| To ask the Chief Executive if the Council, in order to improve road safety and the experience of those living near to the dozens of schools in our county, will issue a letter/email to the Boards of Management of all local schools asking them to liaise with parents and others dropping off children, in order to address the growing concerns at many schools with illegal and dangerous parking, blocking of residents' driveways, speed outside schools, and other matters raised at Traffic Management Meetings, Area Committees and from other contacts. |

**REPLY:**

The Councils Road Safety Officer is regularly in contact with Schools to discuss particular Road Safety Concerns and Issues as they are brought to the attention of the Traffic Section.

A communication, as outlined above, can be issued to all schools as suggested.

**Q15/0216 FREE PARKING SIGNS**

**QUESTION: Councillor E. Ó Broin**

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| To ask the Chief Executive if signs could be provided to indicate where there is free parking in Council controlled carparks throughout the county and the length of time that people can park for free.**REPLY:**At present, there is 30 minutes free parking in all Pay & Display carparks under the control of SDCC in the county, there are stickers on the machines advising of 30 minutes free grace time. |
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**Q16/0216 ELECTRIC CHARGING POINTS**

**QUESTION: Councillor E. Ó Broin**

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| To ask the manager for a report on electric charging points bin the county detailing; the total number of charging points in the county; the total number of new points installed in the last 12 months; the number of new charging points planned to be installed in 2016; an outline of the system in place for enforcing the parking restrictions on these spaces; and the total number of fines issued for illegal parking in these charging points by non-electric cars in the past 12 months.**REPLY:**1. We do not have the number in private car parks that the public may visit and use2. SDCC did not install any.3. It is our understanding that the ESB do not have any plans to install any points in 2016.4. SDCC have 3 charging points in public locations that we am aware of. The procedure is that we get the permit from the Gardaí and the ESB provide the marking. At that stage fines become applicable.5. None during the last 12 months |

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**Q17/0216** **JUNK COLLECTION**

**QUESTION: Councillor C. O'Connor**

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| To ask the Chief Executive if he is aware of the campaign by SIPTU asking members of the Council to support the re-introduction of the annual Junk Collection which many believed was of great benefit; will he confirm if any discussions have taken place with SIPTU in respect of the issue and will he confirm if any consideration is being given to the matter.**REPLY:**The junk collection was discontinued when the economic downturn happened in 2007/2008, the service was provided early in 2008 and this was the last occasion that it was provided.    The service was provided to approx. 20,000 houses per year at a cost of over €500,000 per year.  The annual cost of €500,000 could not be sustained once the economic crisis happened, therefore the service was discontinued.  The correspondence from SIPTU on the matter which has been seen by the Environment Dept. claims that restoration of the junk service would provide ‘direct labour full time positions’.  This is not the case however.  In the past the Council recruited approximately 15 temporary staff for a period of three months to assist in providing the service, a number of regular staff supplemented these temporary staff with those regular staff for the most part performing driving and supervisory duties.  Staff numbers were agreed in 2015 between management and the staff unions through the workforce planning exercise and these numbers do not include for the recruitment of staff to provide a junk collection service.  It is the intention of Council management to adhere to the workforce plan numbers. There is also an issue of environmental concern with regard to this proposal.  No charge was levied for the junk collection when it was provided previously, and this is in conflict with the producer pays principle.  To reintroduce the service now on a similar basis would be in direct conflict with National and EU waste policy and also the new waste plan for the Eastern Midlands Regions in this regard.The Council therefore has no plans to reinstate the junk collection service. |

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**Q18/0216** **TEMPORARY ACCOMMODATION**

**QUESTION: Councillor C. O'Connor**

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| To ask the Chief Executive to confirm what actions he is taking to ensure that any temporary accommodation being booked by our Council for Homeless families from this County is fit for purpose; will he appreciate the huge concerns be expressed in respect of this issue and will he update the Council in the matter.**REPLY:**The Dublin Regional Homeless Executive ensures compliance with all statutory health and safety standards for homeless service provision and notes there is formal policy for providers of emergency accommodation in terms of standards required.A regional facilities management team is in place to both inspect and enforce standards in emergency accommodation (this includes access to expertise such as Environmental Health and Architectural professionals). Dublin Regional Homeless Executive notes that upon inspection of facilities and where standards fall short, clear instructions are always given in respect of works required. It is further noted, that where there is continuous poor performance or where DRHE are not satisfied in relation to conditions, actions relating to the closure of facilities and / or suspension of funding are taken. |

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**Q19/0216 ILLEGAL POSTERS**

**QUESTION: Councillor C. O'Connor**

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| To ask the Chief Executive, in noting the replies to recent Council questions and motions regarding the scourge of illegal posters throughout our County and the relatively poor reflection of the County as expressed in the IBAL reports, if he would confirm that it is still the policy of this Council to remove such illegal posters and advertising signs.**REPLY:**The [**Litter Pollution Act 1997**](http://www.irishstatutebook.ie/1997/en/act/pub/0012/), as amended, (the Act) was introduced to provide for the prevention and control of litter pollution, defacement of certain places and matters relating thereto.This Act gives the Council extensive powers to deal with litter and litter offenders, and it outlines general prohibitions related to littering, obligations, offences and enforcement provisions. The Council enforces the provisions of Section 19 (i) of the Act specifically with regard to all illegal signage, and a total of **215** fines were issued during 2015 in respect of this section.In the event where those responsible fail to remove signs, the Council arranges for removal.With regard to repeat offenders, it is the policy of the Council to initiate Direct Prosecution against the alleged offender.  However, as also previously advised, difficulty often arises in identifying the owners of businesses which use website addresses or phone numbers only and therefore enforcement action proves problematic in this regard.The Final 2015 IBAL report classified Tallaght as "Moderately Littered" and reported specifically as follows (without reference to illegal signage):**"***Well over half of the sites surveyed in Tallaght got the top litter grade – some of the very good sites included Tallaght Village, the residential areas of Springfield and Oldbawn and Tallaght Square. The Institute of Technology Tallaght, was particularly well presented and maintained. However, there were two litter blackspots which brought down the ranking. The first of these was a site on Cheeverstown Road and the second was the road to Lucan.* It is important to note that, in accordance also with the provisions of the Section 19 Litter Pollution Act 1997 as amended, signage is not illegal if placed on private property with the consent of the property owner. In some high profile areas signage has been erected on private property with the permission of the owner and fines / prosecution cannot be pursued in such instances.Similarly, owners / occupiers can exhibit electioneering signage at any time on private property (and not confined to the certain specified election time constraints) if it has the benefit of planning permission, or is exempt development as prescribed in planning regulations.  |

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**Q20/0216 HOUSING WAITING LIST**

**QUESTION: Councillor C. O'Connor**

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| To ask the Chief Executive if he would set out the numbers on the Housing waiting list at the start of each month in 2015 and also at the start of 2016 and in responding will the Chief Executive also indicate if he is planning for a reduction in the number of persons on the list in 2016. |

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 **REPLY:**

The table below shows the numbers of applications on the Council’s housing waiting list at the start of each month for 2015.

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| JAN  | FEB  | MAR  | APR  | MAY  | JUN  | JUL  | AUG  | SEP  | OCT  | NOV  | DEC  |
| 8564  | 8604  | 8629  | 8675  | 8752  | 8788  | 8782  | 8783  | 8786  | 8815  | 8885  | 8928  |

 Numbers of applications on list at 01/01/2016 was 8944.

The Council is actively supporting the roll-out of HAP in the County and it is planned to being the process of moving housing applicants on rent supplement to HAP (approx. 50% of the housing waiting list). The Council will also provide, in 2016, social housing dwellings through, existing stock, Approved Housing Bodies, Leased/RAS and Part 8 schemes and purchased properties for housing list applicants.

A report has been submitted under Motion 18 which sets out the position in relation to targets as identified under the Social Housing Strategy 2015 - 2017.

**Q21/0216 PEDESTRIAN CROSSINGS**

**QUESTION: Councillor C. O'Connor**

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| To ask the Chief Executive if he would confirm that it is still the policy of the Council to promote greater physical activity and in this regard to give greater priority to pedestrians in the hierarchy of road users and will he therefore set out in as much detail as possible all the steps that he has taken in 2015 to achieve this objective including the number of pedestrian crossings where the priority given to pedestrians has been increased; the number of crossing points where the pedestrian has been given overall priority and in replying will he also detail his programme of actions for 2016. |

 |

 **REPLY:**

It is Council policy to ensure that all pedestrian crossings are responsive to pedestrian demands and that these demands are served in the shortest time consistent with safety requirements and good practice. This has long been Council policy and pedestrian crossings are designed and installed with this end in mind. It is intended to continue this policy and to continue the Councils program of installation of pedestrian crossings as funding allows.

 The 2016 Work programme will shortly be presented to the Area Committees.

**Q22/0216 HOUSING RENTS**

**QUESTION: Councillor F. Timmons**

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| To ask the Chief Executive for a report into rents owed by Council housed occupiers by area and to include value , type of family by area and what efforts are being made to get this outstanding rent ? Also to ask to include details of what kind of agreements are in place re same up to the end of 2015? |

 |

 |

**REPLY:**

**Arrears Profile**

The table below sets out profile of Rent Arrears as at 2 3/01/2016 per electoral area:

|  |  |
| --- | --- |
| **Electoral Area** | **Arrears Total** |
|  Clondalkin | 2,699,634 |
|  Lucan | 352,019 |
|  Rathfarnham | 346,339 |
|  Tallaght Central | 411,230 |
|  Tallaght South | 3,415,425 |
|  Templeogue - Terenure    | 176,995 |
|   | 7,401,642 |

Please note the arrears balance includes rent charged on Saturday 23/01/2016 (i.e. gale day) and does not reflect any rent payments that may be received in respect of that gale day.

**Arrangements to Repay Arrears**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|   |   | In Arrears  |   | % Arrangements  |
| Clondalkin  |   | 2230  |   | 74%  |
| Lucan  |   | 500  |   | 56%  |
| Rathfarnham  |   | 388  |   | 71%  |
| Tallaght Central  |   | 517  |   | 61%  |
| Tallaght South  |   | 2898  |   | 70%  |
| Templeogue  |   | 151  |   | 50%  |
|   |    | 6684  |   | 69%  |

**Profile of Income sources in relation to accounts in arrears:**

|  |  |  |
| --- | --- | --- |
| Source of Income  | No. of Tenancies | % |
|  Employment Income only | 1019 | 10%  |
|  Social Welfare Income only | 6384 | 61% |
|  Employment & Social Welfare Income | 2996 | 29% |
|  Total | 10399 | 100% |

The Council operates its Differential Rent Scheme to ensure that the rent charged is reasonable and does not create hardship/financial difficulties.  The rent is based on 10% approximately of total net household income, with many income sources being disregarded for rent purposes.

Notwithstanding the economic rent of 10% charged under the Differential Rent Scheme, tenants continue to fail meeting their rent obligations.

The Council's Rents Team administers a system of early intervention by way of contact with tenants who are at risk of falling into arrears as early in the process as possible. Tenants who are falling behind with rent payments are encouraged to make contact with the Housing Rents Team for the purpose of reviewing their financial circumstances and negotiating arrangements for payment of their weekly differential rent plus a realistic and tenable amount towards their rent arrears.

Going forward rent arrears management will target resources at those estates with highest levels of rent arrears and prevention through monitoring all new tenancies in an effort to prevent build-up of substantial arrears.

**Q23/0216 HOUSE BUILDING**

**QUESTION: Councillor F. Timmons**

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| To ask for a report into the reasons why no houses have been built 2013 to 2014 and how many in 2015 where built by SDCC and how many are envisaged to be built in 2016 ? |

 |

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**REPLY:**

 The following is a schedule of new build projects which commenced on site in 2015:

|  |  |  |
| --- | --- | --- |
| **Scheme Address** |   | **Estimated Delivery   Date** |
| Suncroft Tallaght | 10 dwellings | 2nd Quarter 2016 |
| St Finians |   2   dwellings | 2nd Quarter 2016 |
| Belgard Road   Tallaght (traveller accommodation) |   3 dwellings | 1st Quarter 2016 |
|  Total | 15 |   |

The Office of Government Procurement is establishing a new framework for Consultants in respect of new build projects within specified financial thresholds; when this framework has been declared active (due to be finalised end January 2016) SDCC propose to go to tender in respect of the following projects, which have been Part V8 approved:

|  |  |
| --- | --- |
| **Scheme Address** |   |
| St.    Marks Green | 11 dwellings |
|  |  |
|   Mayfield        | 18 dwellings |
|   Mac Uilliam | 28 dwellings  |
|   | 57 |

Progress on the rollout of the Part V Programme as reported to March 2015 Co. Co. Meeting is as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| **Scheme Name   (Location Address)** |   | **Approved by Council** | **Current Stage** |
| Dromcarra, Tallaght | 14 | Yes, June 2015 | Full Cost plan submitted to DECLG - awaiting Pre-Tender Approval |
| Letts Field,   Clondalkin | 37 |  Yes,   September 2015 | Full Cost plan submitted to DECLG - awaiting Pre-Tender Approval |
| Owendoher,   Ballyboden | 40  | Yes, October 2015 | Full Cost plan submitted to DECLG - awaiting Pre-Tender Approval |
| Killinarden,   Tallaght | 27 | Yes, November 2015 | Full Cost plan submitted to DECLG - awaiting Pre-Tender Approval |

The Council is unable to confirm estimated completion dates in respect of the above Part 8 projects pending receipt of budget cost approval from the DECLG. The projects listed are in included in the SDCC Housing Strategy 2015-2017 new build programme.

The Part 8 programme will continue to progress on an incremental basis throughout the county. As part of the consultation process the Council is open to engaging with representative resident groups within the area of the proposed development.

The following additional sites identified for Part 8 will be displayed for public consultation over the coming months as follows:

|  |  |
| --- | --- |
| **Address** |  |
| Balgaddy ‘F’ Lucan | 50 |
| St Marks Avenue, Rowlagh | 39 |
| Stocking Lane,   Rathfarnham | 40 |
| Fernwood, Tallaght | 22 |
| Fonthill Road Link   Road, Neilstown | 50 |
| St. Aidans, Brookfield, Tallaght | 50 |
| Maplewood, Tallaght | 18 |
|   | 269 |

The numbers of homes above are indicative and may vary slightly as schemes are designed/amended following on the public consultation process.

**Q24/0216 HOUSING LIST**

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| **QUESTION: Councillor F. Timmons**What plan of action is in place to House the thousands on our Housing list in SDCC? Also to ask for a report on how long people are on the list by area? |

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**REPLY:**

The accommodation needs of persons on South Dublin County Council's Housing Waiting List will continue to be met by various models of social housing provision, including the Council's Housing Construction Programme, Part V111, Part V of the Urban Regeneration and Housing Act 2015, the Rental Accommodation Scheme (RAS), The Social Housing Leasing Initiative (SHLI), the Housing Assistance Payment (HAP) and the Council's Accelerated House Purchase Programme.

In relation to Part V111, the report to the Council Meeting in March 2015, set out proposals for Social Housing units for the period 2015 to 2017 in line with the Housing strategy as set out in the Governments “Social Housing Strategy 2020 – Support, Supply and Reform” published late November 2014. The Programme envisages both new-build housing and a flexible range of supports to the private rental sector and the social housing sector. Nationally the Programme aspires to the construction of 35,000 new houses to address social housing need. The Councils target for 2015 - 2017 is 1,445 including RAS and Leasing of which 350 units will be through capital projects including direct build, CAS projects, acquisitions and Part V.

New Build projects which have commenced on site in 2015 are:

|  |  |  |
| --- | --- | --- |
| **Scheme Address** |   | **Estimated Delivery   Date** |
| Suncroft Tallaght | 10 dwellings | 2nd Quarter 2016 |
|  St. Finians, Lucan |   2   dwellings | 2nd Quarter 2016 |
| Belgard Road   Tallaght (traveller accommodation) |   3 dwellings | 1st Quarter 2016 |
|  Total | 15 |   |

There are three projects which are Part 8 approved which are planned for tender soon. The Office of Government Procurement is establishing a new framework for consultants which South Dublin Co. Co. have applied to use. This framework is expected to be available in January 2016 and it is intended to go to tender with the following three projects once the framework is declared active:

|  |  |
| --- | --- |
|  St. Marks Green, Clondalkin |  11 |
| Mac Uilliam, Tallaght |  28 |
| Mayfield, Clondalkin |  18 |
| Total no. of Units | 57 |

  The rollout of the Part 8 social housing developments are reported as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| **Scheme Name   (Location Address)** |   | **Approved by Council** | **Current Stage** |
| Dromcarra, Tallaght | 14 | Yes, June 2015 | Full Cost plan submitted to DECLG - awaiting Pre-Tender Approval |
| Letts Field,   Clondalkin | 37 |  Yes,   September 2015 | Full Cost plan submitted to DECLG - awaiting Pre-Tender Approval |
| Owendoher,   Ballyboden | 40  | Yes, October 2015 | Full Cost plan submitted to DECLG - awaiting Pre-Tender Approval |
| Killinarden,   Tallaght | 27 | Yes, November 2015 | Full Cost plan submitted to DECLG - awaiting Pre-Tender Approval |

We are unable to confirm completion dates on the above Part 8 projects. As these projects are included in our Housing Strategy 2015-2017 programme the delivery of these housing units will come on stream over the next two to three years.

The Part 8 programme will continue to progress on an incremental basis throughout the county. As part of the consultation process the Council are open to engage with representative resident groups within the area of the proposed development. As presented to Council in March 2015 the further sites identified for Part 8 will display for consultation over the coming months as follows:

|  |  |
| --- | --- |
| **Address** |  |
| Balgaddy ‘F’ Lucan | 50 |
|  St. Marks Avenue Clondalkin | 39 |
| Stocking Lane,   Rathfarnham | 40 |
| Fernwood, Tallaght | 22 |
| Fonthill Road Link   Road, Neilstown | 50 |

The numbers of homes above are indicative and may vary slightly as schemes are designed and consulted in detail.

The Council is also progressing a Social Housing Acquisition Programme with 24 units purchased in 2015 and a further 26 units currently being processed.

There are currently 8,944 applications on the Council’s housing waiting list and the average time on list is 5+ years for both housing areas – North of the Naas Road and South of the Naas Road.

**H6/0216 DECLARATION OF ROADS TO BE MADE PUBLIC ROAD**

It was **NOTED** that there was **NO** Business under this Heading`

**H7a/0216 PROPOSED DISPOSAL OF PROPERTIES AND SITES** - P**ROPOSED ACQUISITION BY PURCHASE OF FEE SIMPLE INTEREST IN 58 PALMER PARK, BALLYBODEN, DUBLIN 16.**

The following report by the Chief Executive which had been circulated, was presented by Mr. Billy Coman Director of Housing, Community and Social Development and was **CONSIDERED:**

“The following have applied, in accordance with the provisions of the Landlord and Tenant (Ground Rent) (No 2) Act, to acquire the fee simple in the property

|  |  |  |
| --- | --- | --- |
| ADDRESS | LESSEE(S) | PURCHASE PRICE |
| 58 Palmer Park, Ballyboden, Dublin 16 | Mr. Peter O’Farrell | €41.61 |

It is proposed, in accordance with the provisions of the landlord and Tenant (Ground Rents) (No 2) Act, 1978 and subject to the provisions of Section 183 of the Local Government Act 2001, to dispose of the fee simple in the site listed above.

**Daniel McLoughlin**

**Chief Executive”**

**H7b/0216 PROPOSED DISPOSAL OF PROPERTIES AND SITES – PROPOSED ACQUISITION BY PURCHASE OF FEE SIMPLE - 24 HOMELAWN ROAD, TALLAGHT, DUBLIN 24**

The following report by the Chief Executive which had been circulated, was presented by Mr. Billy Coman Director of Housing, Community and Social Development and was **CONSIDERED:**

**“**The following have applied, in accordance with the provisions of the Landlord and Tenant (Ground Rent) (No 2) Act, to acquire the fee simple in the property

|  |  |  |
| --- | --- | --- |
| ADDRESS  | LESSEE(S)  | PURCHASE PRICE  |
| 24 Homelawn Road Tallaght Dublin 24  | Daniel and Veronica Sherlock  | €529.48  |

It is proposed, in accordance with the provisions of the landlord and Tenant (Ground Rents) (No 2) Act, 1978 and subject to the provisions of Section 183 of the Local Government Act 2001, to dispose of the fee simple in the site listed above.

**Daniel McLoughlin**

**Chief Executive”**Bottom of Form

**H7c/0216 PROPOSED DISPOSAL OF PROPERTIES AND SITES - PROPOSED DISPOSAL OF 26.96 ACRES AT GRANGE CASTLE BUSINESS PARK, CLONDALKIN, DUBLIN 22 TO VERNE GLOBAL, 10-18 UNION STREET, LONDON, SE1 1SZ**

 The following report by the Chief Executive which had been circulated, was presented by Mr. Frank Nevin, Director of Economic, Enterprise and Tourism Development was **CONSIDERED:**

“An application, has been received from Verne Global, 10-18 Union Street, London SE1 1SZ to acquire 26.96 acres at Grange Castle Business Park to construct a data centre facility.

I recommend that subject to the provisions of Section 183 of the local Government Act 2001 and in accordance with Section 211 of the Planning and Development Act 2000 that the Council dispose of by way of a 999 year lease a site of 26.96 acres or thereabouts as outlined in Red of Drawing no. 02\_028D\_964-A at Grange Castle Business Park, Clondalkin, Dublin 22 to Verne Global, 10-18 Union Street, London SE1 1SZ for the purposes of developing a Data Centre Facility subject to the following terms and conditions which are to be incorporated into the proposed Lease.

1. (a) That the lands being disposed of comprise approximately 26.96 acres or thereabouts. The precise boundaries, particularly the northern boundary have yet to be established. A formal disposal map shall be prepared by the Council for inclusion with the legal documents but in the interim a draft plan for identification purposes drawing no. 02\_028D\_964-A is annexed showing the site outlined in red. The map will show 5 metre wayleave area along the northern, southern and western boundaries and a 10 meter wayleave alone the eastern boundary. These will be required within the perimeter of the lands being disposed of to facilitate the future servicing by the Council of this site, the Business Park and any other lands.
2. That the consideration due to the Council shall be calculated on the basis of the sum of €300,000.00 euro) per acre (the “Purchase Price”), payable, as to the amounts described at (a), (b) and (c) below:-
	1. 10% of the Purchase Price on signing and exchange of a Contract for Sale / an Agreement for Lease in respect of the site. Such amount to be refunded in the event that the development proposed for the site does not receive full planning permission, and/ or in the event of any of the terms and conditions of the disposal not having been satisfied.
	2. 80% of the Purchase Price within 15 business days of date of the Applicant’s entry onto the site for the purpose of commencing construction works on foot of the final grant of planning permission (provided that, for the avoidance of doubt, the Applicant shall be entitled to carry out due diligence and engineering analysis activities (including, but not limited to geotechnical analysis and studies, soils testing, water analysis, site borings, environmental assessments, etc.) prior to the payment of this sum in accordance with any building licence to that effect as described in paragraph 5.
	3. The remaining 10% of the Purchase Price on the grant of the Master Lease which shall occur at the time and in the manner set out at 10 below.

The Council shall be entitled to charge interest at a rate of eight per cent (8%) per annum on any outstanding sums in the event of failure by the Applicant to pay the foregoing sums on the above dates. This interest rate penalty shall be calculated on a daily basis for any period of time deposits are outstanding without cause.

1. That the Applicants must apply for full planning permission (and if requested provide an Environmental Impact Statement) for the entire development on the site not later than 31st August 2016. The applicants shall forward to the Council within six months of the date of final grant of planning permission, and in any event, no later than one month prior to the Applicant commencing works on foot of the final grant of planning permission, a copy of the outline building programme for such works describing the key construction milestones.
2. That: (i) if the construction works (meaning site preparation and shell and core construction) have not commenced within six months of the date of final grant of planning permission for the development, or by 28th February,2017 whichever is the later, or such later date as may be agreed in writing with South Dublin County Council; or (ii) if shell and core construction works are not substantially completed in accordance with the final grant of planning permission within thirty (30) months from the date of commencement of such works then either party may by written notification on the other rescind the agreement for lease / contract for sale. And further that, in the event that the final grant of planning permission is issued containing conditions which the Applicant considers to be onerous, the Applicant may by written notification on the Council rescind the agreement for lease / contract for sale. In event of rescission on any of the foregoing grounds, any monies paid to the date thereof under 2 above shall be repaid to the Applicant without payment of interest. It is acknowledged that construction of the data centre may occur on a staged basis and provided the Applicant have commenced and completed the first phase thereof within the time frames set out in this paragraph it will be deemed to have complied with its obligations herein.
3. That the Council shall enter into an agreement for lease or contract for sale in respect of the sale of the site to the Applicant (by way of grant of the Master Lease), based on and to give effect to these heads of terms, and which agreement / contract shall contain a licence authorising the Applicant to enter onto the site from the date thereof prior to the grant of the Master Lease, to carry out due diligence and site analysis (including, but not limited to geotechnical analysis and studies, soils testing, water analysis, site borings, environmental assessments, etc.) prior to the grant of final planning permission, and after the issue of such permission, to construct the data centre. The agreement / contract shall contain further reasonable obligations upon the Applicant with respect to that construction to ensure the satisfactory completion of the approved development on the site.
4. The Applicant will be responsible for all planning levies and contributions payable in accordance with the Council’s Development Contribution Scheme made under the Planning and Development Act 2000. The Contributions under the Scheme are payable prior to entry on to the site or as otherwise agreed by the Council. The applicants must satisfy themselves as to the capacity of all services to service the proposed development.

[A special Arts contribution fixed at 50 cent per square foot of gross building areas shall also apply payable no earlier than the grant of the Master Lease.]

1. That all site investigations (including archaeological investigations), groundworks, overhead cable diversions, demolitions/site clearance/septic site removal (such works are subject to regulations and to obtaining the relevant statutory licences), services connections, development and associated costs incurred in the delivery of the entire completed development shall be borne by the applicants.
2. That the Applicants shall undertake not to use the site for any purposes other than that of due diligence and site analysis prior to the final grant of planning permission and thereafter for the purpose of carrying out the proposed development, viz a data centre\_ and related facilities and office accommodation which contain its substantial operations and subject to the terms of the “Master Lease” (see 11 below). All buildings shall be occupied by the applicants or their tenants, agents, employees, invitees and/or assigns in accordance with the terms of the Master Lease.
3. That the Applicant shall build nothing (except with the prior written approval of the Council) on the site except the buildings shown on the approved drawings and for which Planning Permission has been granted, as outlined in condition 3. An architect’s certificate of practical completion confirming that the development has been completed in accordance with the approved plans and specification for which planning permission has been granted shall be submitted by the applicant and shall be appended to the Master Lease. A maintenance Plan for the external areas and buildings shall be submitted to the Council.
4. That as soon as building works have reached eaves level (in other words the “topping-out” phase of construction, meaning that all foundations are in place, the structural system is erected and inspected, and the building is weather-tight with roof complete) in accordance with relevant planning permission(s) in the development on the site, and if the works have been carried out to the satisfaction of the County Architect acting reasonably, the Council will grant the Applicant a lease of that site. The lease shall be for a term of 999 years (commencing from a date to be agreed upon, but no earlier than the date of Practical Completion of the buildings thereon) subject to a rent of €500 per annum (exclusive of rates, taxes, and outgoings in respect of the site) which will be reviewed at the end of every 5 years of the term in line with any changes in the Irish Consumer Price Index. The Council’s Solicitors shall draft the lease for approval by the Applicant’s Solicitors. The lease granted shall be known as the Master Lease (“Master Lease”). The Master Lease shall provide that the lessee shall become a member of the management company for the Business Park, and shall pay the annual service charge described in accordance with the provisions of the Master Lease and appendices thereto.
5. That the Agreement to Lease or contract for sale is not to operate as a lease and it shall not be transferable save in the case of a financial institution of good standing which has entered into a mortgage with the Applicant specifically for the purposes of financing the Applicant to undertake the development of the site.
6. That South Dublin County Council reserves the right, only to be exercised by the Council acting reasonably, to re-enter on the site and resume possession thereof should the applicants fail to commence and complete the buildings within the period specified at 4 above or in the event of the dissolution, bankruptcy or insolvency of the applicants save in the case where a Financial Institution which has entered into a mortgage with the applicants for the purposes of financing the development of the site and enforces its security against the site. South Dublin County Council shall provide written notice of any intent to exercise this right and offer a 30 day cure period for rectification of any default on the Applicant’s part, including use of mediation/arbitration, or similar third-party intercession.
7. That during the building period and pending the grant of the Master Lease, the applicant will provide all reasonably required evidence of the ‘all risks’, public liability and employer’s liability insurance cover maintained by the Applicant for the construction period. It is acknowledged that following completion of the construction of the data centre, the building and all insurable risks associated therewith will be included in the Applicant’s self-insurance programme. All insurance will be subject to the approval of the Councils insurance advisors, acting reasonably.

The insurance shall, be in the joint names of the Applicant and the Council, or shall contain an indemnity to principals clause, and will be for such an amount as will provide cover for the full Reinstatement Value of so much of the building as is erected at any time together with a sum for Professional Fees and removal of debris charges

The Applicant shall also indemnify South Dublin County Council against any claim for compensation which might / may be made by any party arising out of building works being carried out on the site, or any working areas or on any access points thereto.

1. That the Council is and shall be carrying out extensive construction projects in the Business Park. Both parties shall use their reasonable endeavours to ensure that any interaction between respective contractors employed to carry out any works including, but not limited to building or road works, is carried out in an open and transparent manner with engineers and liaison officers such as to ensure that no additional contract costs accrue to either party.
2. That no uncovered outdoor storage shall be permitted on the subject lands. All processing, packing, waste disposal or recycling and such like operations shall be carried out within suitable structures or equipment such as compactors located on the premises in accordance with any statutory regulations or requirements in that regard.
3. That all car and commercial vehicle parking areas, loading areas and service areas must be suitably landscaped and screened from public view. In this regard the Applicant shall carry out at the Applicant’s costs such boundary and landscape treatment works as the Council may reasonably require, bearing in mind the nature of the Park and provided that such works are not substantially more than required of any other occupiers of the Park during construction. Such works may, only where reasonable, be in addition to similar works required under a planning permission for development of the subject lands. The Applicant shall submit a copy of its landscaping and security plan to the Council’s Development Department prior to the grant of the Master Lease for approval.
4. That each party shall be responsible for their own professional (ie. legal, engineering, architects, and other required consultants’) fees in this case.
5. That the Applicant shall pay any V.A.T., stamp duty or taxes arising at any stage in this transaction (except where any lawful exemption or relief therefrom applies), including on the creation of a Building Licence (if any), an Agreement to Lease or contract for sale, and a Master Lease.
6. That the Councils Solicitors shall draft the agreements, contracts and leases and may include further reasonable terms and conditions as deemed appropriate to give effect to the heads of terms set out herein, including provision for use of an expert or arbitrator process to settle any disputes arising, as appropriate, in order to achieve a reasonable balance in the protection of the parties’ respective interests in the matter. In the case of disputes concerning final measurement and valuation of the site for the purposes of calculating the Purchase Price, an arbitration clause shall refer to the appointment of a Chartered Valuation Surveyor to act as arbitrator. This person to be appointed by agreement of the parties or in default of agreement to be appointed by the President of the Society of Chartered Surveyors in the Republic of Ireland. The costs of any arbitration to be borne equally by the parties.
7. That the Applicant shall satisfy South Dublin County Council (acting reasonably) prior to exchange of the agreement for lease / contract for sale, that sufficient funds are available for the payment of the sums set out in paragraph 2 above, and prior to commencement of construction on foot of the final grant of planning permission or each phase thereof, to cover the capital costs of such construction or the relevant phase thereof as appropriate.
8. That the above proposal is subject to the necessary approvals and consents being obtained – in order to allow full construction activities.
9. No agreement enforceable at law is created or is intended to be created until an exchange of contracts has taken place.

The lands being disposed of form part of lands acquired from Thomas J Beattie in 1978 and Bernard Murphy in 1980 for residential, industrial, roads and open spaces purposes.

***Daniel McLoughlin,***

***Chief Executive.”***

**H7d/0216 PROPOSED DISPOSAL OF PROPERTIES AND SITES - PROPOSED DISPOSAL OF PLOT OF LAND TO REAR OF 89 HILLCREST DRIVE, LUCAN, CO. DUBLIN TO MR. CHRIS LAWLOR AND MS. EDWINA MCCABE**

The following report by the Chief Executive which had been circulated, was presented by Mr Frank Nevin, Director of Economic, Enterprise and Tourism Development was **CONSIDERED:**

“The recent new owners of the property at 89 Hillcrest Drive, Lucan, Co. Dublin, Mr. Chris Lawlor and Ms. Edwina McCabe, have applied to purchase a plot of Council owned land to the rear of the property.

The matter was referred to the Council’s Valuer for examination and he has recommended the following terms which he considers to be fair and reasonable and which have been accepted by the Applicants.

Accordingly, I now recommend that the Council dispose of the plot of land measuring 36 square metres or thereabouts to the rear of 89 Hillcrest Drive, Lucan, Co. Dublin as shown outlined in red on the attached Drawing No. LA/05/16 to the respective house owners, Mr. Chris Lawlor and Ms. Edwina McCabe , in accordance with Section 211 of the Planning and Development Act, 2000 and subject to the provisions of Section 183 of the Local Government Act, 2001 subject to the following terms and conditions as recommended by the Council’s Valuer:-

1. That the overall plot comprises an area of 36 square metres or thereabouts as outlined in red on Drawing No. LA/05/16.
2. That the Council shall dispose of the subject plot for the consideration of €450 (four hundred and fifty euro) plus VAT (if applicable).
3. That the land is disposed of with full freehold title and vacant possession.
4. That the Applicants shall provide evidence of their legal interest in the property satisfactory to the A/County Law Agent.
5. That the Applicants shall enter into a covenant restricting the use of the land for gardening purposes only and that no building shall be erected thereon.
6. That the Applicants shall incorporate the area and the boundary feature constructed be in accordance with the Planning & Development and the Building Control legislation.
7. That the Applicants shall pay the Council’s legal fees plus VAT and outlay.
8. That the Applicants shall pay the Council’s Valuer’s fees of €250 (two hundred and fifty euro) plus VAT.
9. That the A/Law Agent shall draft the necessary legal agreements and may include further terms and conditions or make such reasonable alterations, additions and modifications thereto as deemed appropriate.
10. That no agreement enforceable at law is created or intended to be created until exchange of contracts has taken place.
11. That the disposal is subject to the necessary approvals and consents being obtained.

The lands to be disposed of form part of lands acquired under the Dublin County Council Compulsory Purchase (Lucan By-Pass) Order 1983 for roads purposes.

**Daniel McLoughlin**

**Chief Executive”**

The proposed disposals were proposed by Councillor S. Holland and seconded by Councillor M. Duff and **AGREED.**

**H8/0216** **MONTHLY MANAGEMENT REPORT**

The following reports by the Chief Executive which had been circulated were presented by the Mr. Daniel Mc Loughlin Chief Executive and were **CONSIDERED**:

**H8a/0216** [Strategies Report](http://intranet/cmas/documents/County%20Council/2016/February/February2016CountyCouncilMeeting/13d39477-4d2b-4f0d-b63a-6acf5d238b04.pdf)

**H8b/0216** Statistics Report

|  |
| --- |
| **Corporate Performance and Change Management** |
|  |  |
| **Statistic Name** | **Jan-16** |
| Customer Contacts processed through CMS | 4787 |
| Average CMS response time | 3.04 |
| Members reps processed | 428 |
| Members reps Av. Response time (days) | 14.37 |
| Telephone calls answered | 10342 |
| Answered within 20 seconds (%) | 85.7 |
| Media queries responded to | 15 |
| Fix your street queries responded to | 332 |
| Web pages opened | 169119 |
| Social media followers | 13020 |
| Staff employed - WTE | 1139 |
| Apprenticeships/graduates | 4 |
| No. of Gateway participants | 203 |
| % of Gateway participants allocated | 94.4 |
| No. of CE participants | 98 |
| % of CE participants allocated | 77 |
| Training programme - No of participants | 241 |
|  |  |
| **Economic, Enterprise and Tourism Development** |
|  |  |
| **Statistic Name** | **Jan-16** |
| LEO - jobs supported | 0 |
| LEO - projects approved | 0 |
| LEO - training participants | 44 |
| LEO - mentoring sessions | 22 |
| Business support grants spend | 373155 |
| Business support grant spend (projects) | 0 |
| Business initiative with Chamber meetings held | 12 |
| Shopfront grants paid | 0 |
| Grange Castle jobs sustained | 1977 |
| Library - visitors actual | 96104 |
| Library - visitors online |   |
| Library - items borrowed | 65206 |
| Library - computer sessions | 12563 |
| Libraries - events hosted | 360 |
| Library wi-fi users | 3995 |
| Arts grants paid | 2 |
| Arts events hosted | 1 |
| Visitors civic theatre | 24097 |
| Visitors Rua Red | 8961 |
| GC Jobs (Construction) | 533 |
|  |  |
| **Environment, Water & Climate Change** |  |
|  |  |
| **Statistic Name** | **Jan-16** |
| Grass cut - Hectares | 0 |
| Trees inspected | 346 |
| Trees pruned | 88 |
| Trees removed | 89 |
| Trees planted | 0 |
| No. of stumps removed | 112 |
| No. of locations of hedge cuts | 2 |
| Hectares of park land maintained | 1750 |
| No of allotments provided | 433 |
| Playing pitches provided/Maintained | 163 |
| Playgrounds provided/maintained | 27 |
| Tonnage of waste collected - street bins | 32.96 |
| Tonnage of waste collected - litter/illegal dumping | 257.78 |
| Tonnage of waste collected - road sweeping/gullies | 395.95 |
| No. of bring banks provided | 74 |
| No. of recycling centres | 2 |
| No. of green flag schools | 100 |
| Km. of roads swept monthly | 930 |
| Derelict site/Dangerous building inspections | 10 |
| No. of sites on derelict sites register | 11 |
| No. of environment inspections | 179 |
| Environment enforcement procedures commenced | 6 |
| Environment enforcement - cases closed | 27 |
| Litter byelaws - fines issued | 24 |
| Litter byelaws - court appearances | 4 |
| Litter Byelaws - cases closed | 1145 |
| Total number of waste permits in force | 39 |
| No. of waste enforcement notices issued | 13 |
| Water Quality (%) | 100 |
| % of unaccounted for water | 21.39 |
| Water maintenance repairs completed | 32 |
| Water pollution incidents dealt with | 1 |
| No. of dogs impounded | 50 |
| Number of dog licences in force | 9371 |
| DFB fire incidents mobilised | 138 |
| DFB Ambulance incidents mobilised | 1157 |
| Number of horses impounded | 10 |
|  |  |
| **Housing, Social & Community Development** |  |
|  |  |
| **Statistic Name** | **Jan-16** |
| Total housing stock | 9016 |
| Construction starts | 0 |
| Construction completions | 0 |
| Total housing needs assessed | 8944 |
| Allocations - Homeless/Other | 23 |
| No. of voids | 45 |
| Time taken to re-let dwellings (weeks) | 7.7 |
| Total RAS units | 1537 |
| Total HAP units | 548 |
| Total units leased | 728 |
| No. of housing grants approved | 9 |
| Housing Maintenance requests received | 1417 |
| Housing Maintenance requests completed | 771 |
| Planned Maintenance - units completed | 0 |
| Total PPN registrations | 0 |
| No. of community grants issued | 0 |
| No. of sports programmes | 88 |
| No. of sports programme participants | 4979 |
| No. of community events | 18 |
| No. of community event participants | 3811 |
| Visitors to leisure facilities | 32358 |
| Visitors to Community halls |   |
| PRTB inspections | 0 |
| PRTB called no access | 0 |
| BER inspections | 0 |
| BER Certs published | 54 |
| Mechanical Inspections | 182 |
| Energy upgrades completed | 174 |
| Electrical inspections completed | 199 |
| No of anti-social incidents reported | 29 |
| No of actions taken in response to reports | 257 |
| JPC and Policing Fora meetings held | 1 |
| No of Local Festivals supported | 3 |
|  |  |
| **Land Use Planning & Transportation** |  |
|  |  |
| **Statistic Name** | **Jan-16** |
| Planning applications received - new housing | 13 |
| Planning applications received - new housing (units) | 260 |
| Planning granted new houses - applications | 8 |
| Planning granted new houses - applications (units) | 147 |
| Planning applications housing - applications | 13 |
| Planning applications housing - applications (units) | 260 |
| Planning Refused - no of houses | 1 |
| Planning applications - other | 54 |
| Planning other - no granted | 42 |
| Planning other - no. refused | 6 |
| Additional information requests - all classes | 7 |
| % decisions upheld by ABP | 75 |
| Pre planning meetings held | 15 |
| Planning enforcements initiated | 6 |
| Enforcement files closed | 5 |
| Building control inspections | 21 |
| Commencement notices received | 13 |
| TIC requests received | 0 |
| TIC completions | 0 |
| Area of footpath repaired in m2 | 1860 |
| Area of road repaired in m2 | 4600 |
| No of public lights in charge | 29269 |
| No of public lights repaired | 615 |
| Traffic lights repaired | 98 |
| % of Dodder Valley Greenway completed (annual) |   |
| Children participating in cycling initiatives (quarterly) |   |
| KM of cycleway completed (quarterly) |   |
| Value of Village improvements (quarterly) |   |

**H8c/0216 Billing and Collection Statement**





**Use of overdraft facility**

Approved overdraft facility = €13,000,000

No of days in Overdraft from 1st January to 31st December = 1

The report was **NOTED.**

**H9/0216 CHIEF EXECUTIVE’S REPORT ON CORPORATE PLAN ACHIEVEMENTS FOR 2015.**

The following report by the Chief Executive which had been circulated were presented by the Mr. Daniel Mc Loughlin Chief Executive and were **CONSIDERED**:

**H9a/0216 Letter to Members**

To / The Mayor and each Member of South Dublin County Council

**Re: Corporate Plan Annual Report 2015 – Sect. 134 of the local Government Act 2001**

Dear Member,

` Please find attached a comprehensive report on the progress made on the objectives and associated strategies of our Corporate Plan during 2015 being the first year of this five year plan period. Notwithstanding ongoing challenges, progress has been positive across all areas of activity.

In the area of Economic Enterprise and Tourism Development we continued and enhanced our support to existing and new business. The €1.2m Business Support Fund which represents 1% of commercial rates, is being targeted effectively at supporting the SME sector. The LEO is effectively positioning itself as a first stop shop for all business. In this context, it supported the creation of 58 jobs and provided training to 500 participants. A new Marketing Strategy was completed for Grange Castle Business Park which welcomed new FDI business during 2015, with the expansion of Microsoft, the opening of Griffols and the sale of lands to Interxion .The strategic future proofing of the Park and its environs was advanced significantly during the year, with the finalisation of design and CPO for the upgrade of the adjacent Adamstown and Nangor roads, the advancement to planning of a substantial energy upgrade and additional land acquisition. The publication of our Tourism Strategy is an important building block in our Economic Growth Strategy. Opportunities to enhance our tourism offer are now being advanced. In particular, the Clondalkin Round Tower Visitor Centre is out to tender and the Dublin Mountain Flagship Project will conclude its feasibility phase in early 2016. Plans for a new library in North Clondalkin have been finalised and will progress to tender in 2016.

The commencement of the review of our County Development Plan thankfully coincides with a much needed upturn in planning activity. The 22% increase in planning applications has included for 2,200 residential units which we urgently need to see progress to commencement. Seventy three road improvement projects and 30,000sqm of footpath repairs represents to major activity areas under the transportation heading, together with a continued emphasis on the progression of cycling and mobility projects, such as those at Palmerstown and Dodder Valley. The Village Enhancement Programme has progressed through all stages of planning, with the Palmerstown scheme completed and Rathcoole on site. The upgrading of 400 public lights to low energy LED represents the commencement of our five year Energy Efficiency Programme in this area.

Housing, both public and private represents the single biggest challenge to the wellbeing and economic prospects of our citizens. In this context it also challenges the fundamentals of our Corporate Plan. The construction sector has been slow to mobilise behind demand, which in turn has placed unsustainable demands on the private rental sector, with resultant rents causing economic homelessness. Increased planning activity and the ambition contained in the Social Housing Strategy provide hope, but significant progress needs to be made in 2016. While 246 housing allocations were made this year, the focus of activity has necessarily been on acquisitions and private rental arrangements, while we plan our construction programme. We concluded planning for 118 units and progressed to tender for a further 57. Our social inclusion and interagency work continue to yield positive community dividends, while our emphasis on health and wellbeing, is I believe exemplary and will increasingly influence our approach on programmes and projects into the future. Our community engagement and development objective was considerably enhanced during the year, with the creation of the PPN and the launch of our Community Grants and Endeavour awards.

Environmental quality and public realm will always influence visual and broader public perception. It is in this context that we finalised our Tree and Litter Management Policies during the year. Additional resources to underpin their implementation, together with initiatives like the Roundabout Sponsorship and N81 improvement, will contribute greatly to the aesthetic appearance of the County, in addition to the ongoing work in areas such as street cleaning, grass cutting, illegal dumping and the tackling of dereliction. Quality of life considerations are central to our continued investment in 1750 acres of parkland including 163 pitches. Our local Play-space Programme is advancing well with 14 completions, while the agreed Pavilions Programme will progress to planning in early 2016. Our regulatory and enforcement role necessitated 3,444 inspections, while the standout performance indicator was our 99.7% water quality compliance figure.

The foregoing achievement must also be viewed in the context of considerable resource constraints. Following seven years of retrenchment, the employment embargo was gradually removed during 2015. The considerable loss of corporate memory and the inevitable delays of a now crowded recruitment landscape has had an impact on capacity in the short term. This has necessitated careful workforce planning and prioritisation while we repopulate the workforce. I expect this situation to have eased by mid-2016 but it has been slow. Financial performance has been strong as we continue our focus on procurement and process improvement to increase efficiency. ICT is a fundamental enabler of change and is being resourced and focused in this regard. Our recently published External Communication Plan will further focus improvements in service to our citizens. In this latter regard we dealt with 166,344 telephone calls, attracted 13,000 social media followers, handled over 80,000 customer service requests and facilitated 508 press queries.

In summary while progress has being somewhat hampered by short term human resource capacity issues, I would conversely suggest that very significant progress has been made in this context. During 2016 we will move from planning to implementation in a number of key areas, none more so than housing which remains our biggest challenge. The general economic outlook continues to improve and while the gains need to be carefully managed at local level the immediate outlook is positive. In this regard I see no reason to alter or scale back the ambition of our Corporate Plan.

Yours sincerely,



Daniel McLoughlin

Chief Executive

**H9b/0216** [Corporate Plan Achievements](http://intranet/cmas/documents/County%20Council/2016/February/February2016CountyCouncilMeeting/bea9c39b-8122-44fe-9c69-03e82a152d7e.docx)

The report was **NOTED.**

**H10/0216** **PART 8 - CORKAGH, OLD BAWN AND GRIFFEEN - PAVILLIONS PROGRAMME**

The Following report by the Chief Executive which had been circulated were presented by Ms. Teresa Walsh, Director of Environment, and Water & Climate Change and Mr. Eddie Conroy County Architect and were **CONSIDERED:**

**[Pavilions Programme](http://intranet/cmas/documents/County%20Council/2016/February/February2016CountyCouncilMeeting/ae74646e-97f9-44d6-804d-575c9e43b9b9.pdf)**

The part 8s for the pavilions in Corkagh, Old Bawn and Griffeen were **APPROVED**

A discussion followed with contributions from Councillors M. Murphy, B. Ferron, W. Lavelle, B. Bonner, M. Genockey, M. Duff, D. O’Brien, G. O’Connell, C. O’Connor, R. McMahon, E. Ó’Broin, K. Mahon, D. Richardson, D. O’Donovan, D. Looney and J. Lahart.

Ms. T. Walsh, Director of Environment, Water and Climate Change and Mr. E. Conroy, County Architect responded to the Member’s queries.

The Mayor Councillor S. Holland then called for a **roll call vote** on the Item, the result of which was as follows;

**For: 26 (TWENTY SIX)**

(Councillors B. Bonner, P. Donovan, M. Duff, K. Egan, B. Ferron, P. Foley, M. Genockey, J. Graham, E. Higgins, S. Holland, G. Kenny, C. King, J. Lahart, W. Lavelle, B. Leech, D. Looney, R. McMahon, K. Mahon, R. Nolan, D. O’Brien, E. O’Brien, E. Ó’Broin, G. O’Connell, C. O’Connor, D. Richardson and F. Timmons)

**AGAINST: 1 (ONE)**

(Councillor D. O’Donovan)

**ABSTAINED: 1 (ONE)**

(Councillor M. Murphy)

The part 8s for the pavilions in Corkagh, Old Bawn and Griffeen were **APPROVED.**

**H11/0216 ETHICS REGISTER**

The following report by the Chief Executive which had been circulated was presented by Ms, Lorna Maxwell, Director of Corporate Performance and Change Management and was **CONSIDERED:**

 **a)** [**Code of Conduct for Councillors**](http://intranet/cmas/documents/County%20Council/2016/February/February2016CountyCouncilMeeting/bb0e8c3b-3e45-4071-9413-d4f4be915662.pdf)

 **b)** [**Notes for Members**](http://intranet/cmas/documents/County%20Council/2016/February/February2016CountyCouncilMeeting/a5f939a3-0ccf-4a9a-bf59-f7921884cf3e.pdf)

 **c)** [**Notice for Councillors**](http://intranet/cmas/documents/County%20Council/2016/February/February2016CountyCouncilMeeting/0a544160-a696-4c31-baed-a4793e8d1e36.docx)

 **d)** [**Declaration Form in English**](http://intranet/cmas/documents/County%20Council/2016/February/February2016CountyCouncilMeeting/25d55fe9-ac80-4608-9e64-fa57decb18de.doc)

 **e)** [**Declaration Form in Irish**](http://intranet/cmas/documents/County%20Council/2016/February/February2016CountyCouncilMeeting/b618387a-ee28-44c4-928a-4e89981f047a.doc)

The report was **NOTED**.

**H12/0216** **FILLING OF VACANCY ON THE SOUTH DUBLIN COUNTY COUNCIL AUDIT COMMITTEE FOLLOWING THE RESIGNATION OF COUNCILLOR J. LAHART**

The following report by the Chief Executive which had been circulated was presented by Ms. Lorna Maxwell, Director of Corporate Performance & Change Management and was **CONSIDERED:**

**“**The resignation has been received of Cllr John Lahart from the Audit Committee and his replacement is now sought from among the Elected Members.

Section 4 of the statutory instrument (S.I. No. 244 of 2014) on Local Government Audit Committees sets out the below on the appointment and membership of members. Below is an extraction of the relevant sections.

4(1)      The Audit Committee and its Members are independent in the performance of their functions and shall be accountable to the Local Authority.

4(6)      Nominations for appointment to an Audit Committee shall be made by the Corporate Policy Group to the Local Authority following consultation with the Chief Executive.

4(7)      Appointment of Members of an Audit Committee shall be a reserved function of the Local Authority.

4(8)      The Local Authority shall endeavour to ensure that there is an equitable balance between men and women in the membership of an Audit Committee.

4(13)    Where a vacancy arises it shall be the duty of the Chairperson to request that the Corporate Policy Group commence the process for replacing the Audit Committee Member, as provided for in paragraph (6).

The Members are being informed that the CPG will consider the replacement appointment at its next meeting on February 1st, in advance of the February Council Meeting.”

Following consideration of the Corporate Policy Group Councillor M. Genockey was nominated for the vacancy.

The nomination was proposed by Councillor S. Holland and seconded by Councillor D. Looney and **AGREED.**

**H13/0216 FILLING OF VACANCIES ON THE CLONDALKIN DRUG'S TASK FORCE AND THE LTACC FOLLOWING THE RESIGNATION OF COUNCILLOR J. GRAHAM FROM THE COMMITTEES.**

The following report by the Chief Executive which had been circulated was presented by Ms. Lorna Maxwell, Director of Corporate Performance & Change Management and was **CONSIDERED:**

“A vacancy exists on the Clondalkin Drug’s Task force and the LTACC following Councillor Jonathan Graham’s resignation from these Committees and it is a matter for the Council to nominate a replacement to fill these vacancies.

This is now before the Members for their consideration.

The report was **NOTED** and it was proposed by Councillor C. King, seconded by Councillor O’Brien and **AGREED** that Councillor E. Ó’Broin be nominated to The Clondalkin Drug’s Task Force and the LTACC.”

This is now before the Full Council for approval

The nomination for Councillor E. Ó’Broin was proposed by Councillor S. Holland and seconded by Councillor J. Graham and **AGREED.**

**H14/0216 CLONBURRIS SDZ**

The following report by the Chief Executive which had been circulated was presented by Mr. Eddie Taaffe, Director of Land Use, Planning & Transportation and was **CONSIDERED:**

“The Government Order designating the extension to the Clonburris SDZ lands was signed on the 15th of December 2015. A draft planning scheme is required within 2 years of the date of the order.

Section 4 of the Order states the site is designated ‘as a site for the establishment of a strategic development zone in accordance with the provisions of Part IX of the Act for residential development and the provision of schools and other educational facilities, commercial activities, including employment office, hotel. Leisure and retail facilities, rail infrastructure, emergency services and the provision of community facilities.’

Section 5 of the Order states that the site has been designated ‘for the establishment of a strategic development zone for the development specified in that Article taking into consideration the deficiency in the supply of housing nationally and the Greater Dublin Area particularly, the number and phasing of the housing units which would be delivered by the inclusion of the lands within a strategic development zone, the potential for comprehensive planning and development of the site due to its scale and configuration, the efficient use of public investment in infrastructural facilities, including public transport, water, waste water and roads and that development of the site will help give effect to the policies of the Regional Planning Guidelines for the Greater Dublin Area 2004-2016.’

A Non-Statutory Pre-draft public Consultation process will be commenced later this month with advertisements in Local Press etc.  Views will be sought and collated from stakeholders including the Public, Elected Members, State Agencies and Landowners.  During this period Briefings will be arranged for the Elected Members to discuss the SDZ Process and the Planning Policies relevant to the scheme.”

It is expected to launch the Draft Planning scheme for Statutory Public Consultation during the summer, and prepare a report and recommendation to the Members in the Autumn 2016.

  The Report was **NOTED**

**CORRESPONDANCE**

**Co1/0216 Ministerial**

Letter from the Minister for Education and Skills re Adamstown SDZ

**Co2/0216** Letter from Offaly County Council dated 22nd January 2015, regarding teaching mindfulness and coping Mechanisms in Primary Schools,

**Co3/0216** Letter from Association of Irish Local Government (AILG) regarding Training for Council Members

 The above items of correspondence were **NOTED.**

**MOTIONS FOR DISCUSSION**

**M1/0216 CATTLE GRIDS**

It was proposed by Councillor S. Holland and seconded by Councillor R. McMahon.:

“That this council, having regard to the communities 30 year campaign, the endorsements from far and wide, the consultations with other hillside farming groups and national bodies and the European regulations, now install cattle grids on the 4 sites laid out, in order to preserve the heritage and farming rights of the common grazing grounds in the Dublin Mountains.”

**REPORT:**

South Dublin County Council have not changed or interfered with the hill farming grounds in the Dublin Mountains. It appears that sheep are straying from mountains and grazing on the private gardens further down the valley. The responsibility for fencing in the animals in the first instance lies with the owners/users of the commonage.

The installation of cattle grids is not considered safe for cycling on hilly areas where the cycling are travelling downhill at speed.

Therefore it is not intended to install cattle grids.

A discussion followed with contributions from Councillors S. Holland, M. Duff, D. Richardson, D. O’Donovan, R. McMahon, P. Donovan, C. O’Connor, G. O’Connell, P. Foley, J. Lahart, M. Murphy and B. Ferron.

 Mr. E. Taaffe, Director of Land Use Planning & Transportation responded to the Member’s queries.

A vote was taken by a **show of hands vote** and the result was as follows:

**FOR: 26 (TWENTY SIX)**

**AGAINST: 0 (ZERO)**

**ABSTAINED: 0 (ZERO)**

The Report was **NOTED** and Mr. E. Taaffe, Director of Land Use Planning and Transportation agreed to get an Independent Road Safety Audit undertaken by an expert panel of independent Road Safety Engineers and report back to the Members with their findings.

**M2/0216 CIVIL DEFENCE**

It was proposed by Councillor S. Holland and Councillor E. Higgins and seconded by Councillor D. Looney:

“That this Council recognises the mammoth volunteering efforts of the Civil Defence and the professionalism with which they carry out their civic duties.”

**REPORT:**

If the Motion is agreed, a letter will issue to the Civil Defence Headquarters informing them of the terms of the Motion.

A discussion followed with contributions from Councillors S. Holland, E. Higgins, M. Genockey, C. O’Connor, D. O’Brien, D. Richardson and M. Duff.

A vote was taken by a **show of hands vote** and the result was as follows:

**FOR: 24 (TWENTY FOUR)**

**AGAINST: 0 (ZERO)**

**ABSTAINED: 0 (ZERO)**

The Motion was **PASSED**.

In accordance with Standing Order 74 the Mayor, Councillor S. Holland proposed, and the Members unanimously agreed, to suspend standing orders in order to hear from the family of Ibrahim Halawa.

**SM1/0216 SUSPENSORY MOTION – PAY PER WEIGHT BIN CHARGES.**

The following **Suspensory Motion** in the names of Councillors, D. Looney, D. Richardson, B. Ferron, J. Graham, C. King, E. Ó’Broin, D. O’Donovan, G. Kenny, F. Timmons, K. Egan, J. Lahart, G. O’Connell, P. Foley, D. O’Brien, E. O’Brien, E. Higgins, W. Lavelle, R. McMahon, R. Nolan, P. Donovan, S. Holland and C. O’Connor was proposed by Councillor G. Kenny seconded by Councillor R. Nolan and was **CONSIDERED:**

**“**We the undersigned call on the Department of Environment to reverse the “Pay per Weight” system bin charge to be introduced in July 2016. This new system will see Green Bins measured by weight. This system will deter people from recycling due to added costs.”

A show of hands vote on the suspensory motion followed, the result of which was as follow:

**FOR: 24 (TWENTY FOUR)**

**AGAINST: 1 (ONE)**

**ABSTAIN: 1 (ONE)**

The Motion was **PASSED**.

 **M3/0216 CYCLING OFFICER**

As Councillor C. Brophy was absent from the chamber the following Motion in his name **FELL** in accordance with Standing Order no 20:

“That the Council appoints a dedicated cycling officer to develop policies and programs to support the implementation of the Development plan that contributes to medium and long benefits of increased cycling in our county including:

* 1. Initiatives and incentives that use cycling to combat rising levels of obesity
* 2. Reduced traffic congestion
* 3. Reduced transport emissions
* 4. More vibrant living spaces”

**M4/0216 HOMELESS**

It was proposed by Councillor E. Ó Broin and seconded by Councillor D. Richardson:

“This meeting agrees that in all future presentation of statistics of homeless households the Council included figures for the numbers of young people registered as homeless, in emergency accommodation in the County and classified as imminently homeless”

**REPORT:**

Homelessness is dealt with on a regional basis by the Dublin Regional Homeless Executive with Dublin City Council as the lead Authority. They manage the Central Placement Service on an agency basis and the gathering and collation of data.

The Council does not keep separate details of adults and children in a manner possible to report on without undertaking a large amount of work manually on extraction of the information requested. The Council will discuss further with the DRHE to establish what might be possible from the PASS System.

  Councillor E. Ó’Broin spoke on the Motion.

Mr. B. Coman Director of Housing, Social and Community Development responded to the Member’s queries.

The Report was **NOTED**.

**M5/0216 MOBILE PHONE APP**

It was proposed by Councillor K. Mahon and seconded by Councillor G. O’Connell:

“That the Council design and promote a mobile phone app tied into walks and recreational areas in the County that encourages exercise and physical and mental fitness. For example someone walking in the waterworks in Bohernabreena would know how many calories were being burned during the walk, or what they could gain through a little extra exertion. This could have a positive impact on the use of local amenities and on people's attitudes to outdoor pursuits. This should remain free of charge, operated by the council and the info on the app should be tiered to suit all age and fitness levels.

A discussion followed with contributions from Councillors K. Mahon, S. Holland, C. O’Connor, E. O’Brien, P. Donovan, D. O’Brien, R. McMahon, V. Casserly, G. O’Connell, P. Kearns and C. King.

Mr. B. Coman Director of Housing, Social and Community Development responded to the Member’s queries. The matter would be referred for consideration by the Social and Community SPC and agreed to investigate incorporating changes to the i-walks app.

The Report was **NOTED**.

In accordance with **Standing Order No. 13** it was **AGREED** with the consent of the Members to vary the sequence of business and to take **M11** (of similar subject matter) in tandem with this Motion.

**M6/0216 SCRAMBLERS & QUAD BIKES**

It was proposed by Councillor B. Leech and seconded by Councillor E. Ó’Broin:

“Due to the serious upsurge in the illegal use of our public parks and green spaces by motorbike scramblers and quads, this Council should without delay invoke the law of confiscation with penalties for such illegal activities.”

**REPORT:**

The issue of scramblers and quad bikes being used on parks and open spaces within this County has been raised with the Gardai in the context of South Dublin County Council's Parks and Open Spaces Bye-Laws 2011.

Section 3.1 of the bye-laws states the following - 'Save with the permission of the Council, no person shall bring into a Park any Mechanically Propelled Vehicle which includes for the avoidance of doubt motorcycles, motor-cross / quad bikes or other powered vehicles. Such vehicles may be removed from the park / open space by An Garda Siochana'.  A Park is defined in the bye-laws to include parks, open spaces and recreational playing grounds owned, controlled by or in the charge of South Dublin County Council.

The view expressed by An Garda Siochana Traffic Division on the matter is that they have concerns as to whether the relevant legislation gives the Local Authority the power to make a bye-law such as 3.1 which provides for the removal of certain vehicles from parks and open spaces.  They have also queried the fact that nothing further is said in the bye-laws with regard to what happens the vehicle once it has been removed.  They have suggested that the Council obtain legal advice on these matters.

The Council intends obtaining legal advice as suggested by the Gardai and this may ultimately lead to a need to review the 2011 bye-laws.  The matter will be pursued further with the Gardai to examine what course of action, if any, might be open to them under the Roads Act in relation to this matter.

The Council's Public Realm Section is also examining those areas where the use of scramblers and quad bikes is an ongoing problem to determine if the erection of fencing or walls in certain places, or a combination of both, might assist in curtailing the problem.  Such measures have been implemented in a number of locations in the past and have successfully dealt with this problem in those areas.  The process of identifying all areas affected by the use of scramblers and quads bikes is underway, each location will be examined to determine if a practical and affordable solution is available there.

**M11/0216**  **SCRAMBLERS AND QUAD BIKES**

It was proposed by **Councillor G. Kenny and seconded by Councillor E. Ó’Broin:**

“That this council calls for stricter regulation on the sale and use of scramblers and quad bikes. The reckless use of these types of motorised vehicles is not only a serious hazard to the user but the community as a whole. We also support that responsible users of motocross vehicles have a designated space to use these types of vehicles in a safe and responsible manner”

**REPORT:**

The issue of scramblers and quad bikes being used on parks and open spaces within this County has been raised with the Gardai in the context of South Dublin County Council's Parks and Open Spaces Bye-Laws 2011.

Section 3.1 of the bye-laws states the following - 'Save with the permission of the Council, no person shall bring into a Park any Mechanically Propelled Vehicle which includes for the avoidance of doubt motorcycles, motor-cross / quad bikes or other powered vehicles. Such vehicles may be removed from the park / open space by An Garda Siochana'.  A Park is defined in the bye-laws to include parks, open spaces and recreational playing grounds owned, controlled by or in the charge of South Dublin County Council.

The view expressed by An Garda Siochana Traffic Division on the matter is that they have concerns as to whether the relevant legislation gives the Local Authority the power to make a bye-law such as 3.1 which provides for the removal of certain vehicles from parks and open spaces.  They have also queried the fact that nothing further is said in the bye-laws with regard to what happens the vehicle once it has been removed.  They have suggested that the Council obtain legal advice on these matters.

The Council intends obtaining legal advice as suggested by the Gardaí and this may ultimately lead to a need to review the 2011 bye-laws.  The matter will be pursued further with the Gardaí to examine what course of action, if any, might be open to them under the Roads Act in relation to this matter.

The Council's Public Realm Section is also examining those areas where the use of scramblers and quad bikes is an ongoing problem to determine if the erection of fencing or walls in certain places, or a combination of both, might assist in curtailing the problem.  Such measures have been implemented in a number of locations in the past and have successfully dealt with this problem in those areas.  The process of identifying all areas affected by the use of scramblers and quads bikes is underway, each location will be examined to determine if a practical and affordable solution is available there.

A discussion followed with contributions from Councillors B. Leech, G. Kenny, E. Ó’Broin, C. King, L. Dunne, C. O’Connor, D. O’Donovan, D. O’Brien, P. Foley, G. O’Connell, D. Richardson, J. Graham, F. Timmons and P. Donovan.

Ms. T Walsh Director of Environment, Water and Climate Change responded to the Member’s queries. Ms. T. Walsh will update the Area Committee when she has spoken to Dublin City Council.

The Report was **NOTED.**

**M7/0216 CONSTITUTIONAL CONVENTION**

It was proposed by **Councillor F. Timmons and seconded by Councillor G. O’Connell**:

“Following the [**Constitutional Convention**](http://scanmail.trustwave.com/?c=6600&d=3-ar1gLBfuesWl3pEgFoXR88YX7gnpc3niGkNQB9DQ&s=344&u=https%3a%2f%2fwww%2econstitution%2eie%2fConvention%2easpx) calls for enhanced constitutional protection for economic, social and cultural rights In May 2014, SDCC Calls for the Government to enact same. In particular, the Convention called for explicit recognition in the Constitution of the right to housing; the right to social security; the right to essential healthcare; the rights of people with disabilities; linguistic and cultural rights; and rights covered in the [**International Covenant on Economic, Social and Cultural Rights**](http://scanmail.trustwave.com/?c=6600&d=3-ar1gLBfuesWl3pEgFoXR88YX7gnpc3nnajYgQrXQ&s=344&u=http%3a%2f%2fwww%2eohchr%2eorg%2fEN%2fProfessionalInterest%2fPages%2fCESCR%2easpx). We agree to write to An Taoiseach asking for the Government to enact same.”

**REPORT:**

If the Motion is passed a letter will issue to An Taoiseach, and when a reply is received it will be circulated to the Members**.**

A discussion followed with contributions from Councillors F. Timmons, E. Ó’Broin and G. O’Connell,

A vote was taken by a **show of hands vote** and the result was as follows:

**FOR: 20 (TWENTY)**

**AGAINST: 0 (ZERO)**

**ABSTAINED: 0 (ZERO)**

The Motion was **PASSED**.

**M8/0216 TAKING IN CHARGE**

It was proposed by **Councillor C. O'Connor and seconded by Councillor F. Timmons:**

“That the Chief Executive confirms that developments undertaken by this Council under its planning powers do not require to be taken in charge by resolution of this Council and that the responsibility for the maintenance and upkeep of the public areas within these developments is always and remains the responsibility of this Council and in replying will he confirm that there are no difficulties that he is aware of in any of these developments with the carrying out of the normal routine maintenance works by Council personnel and will he also confirm that all departments and sections of the Council are fully aware of their responsibilities in this regard and will he ensure that recent media reports which cast some doubt on this position are clarified for the benefit of all the residents of the County who live in such developments.”

**REPORT:**

When a development is undertaken by the Council directly, or on behalf of the Council (e.g. Constructed by a Contractor employed by the Council) then the public areas of the development, e.g. roads/footpaths/green spaces/drainage pipes etc. are automatically deemed to be in charge of the Council under legislation contained in the Roads Act.

This is subject to the normal contractual requirements concerning satisfactory completion of works, defects correction and maintenance periods being fulfilled etc.

Where a development has been constructed or provided in a joint venture or other contractual method, the mechanisms for taking in charge or maintenance of these developments is determined by the Contract Type involved.

Councillor C. O’Connor spoke on his Motion.

The Motion was **AGREED.**

**M9/0216 SEANAD**

It was proposed by **Councillor D. O'Donovan and Cllr D. Richardson and seconded by Councillor J. Graham.**

“That this council writes to all members of the Seanad asking them to desist from wasting taxpayers money by sending any correspondence, other than email communication, especially in the run-up to the Seanad Elections to the members of SDCC.  I am appalled by the money being wasted on promotional materials I have received and I fear it will only get worse in the run-up to the Seanad elections.

We need to send a clear message that such crass canvassing techniques won’t compensate for a proven track record by the candidate in question.

Stop wasting tax payer’s money.”

**REPORT:**

If the Motion is passed a letter will issue to all Members of the Seanad informing them of the terms of the Motion.

A discussion followed with contributions from Councillors D. O’Donovan, C. O’Connor, D. Richardson, J. Graham, D. O’Brien, E. Higgins, C. Brophy, E. Ó’Broin and D. Looney.

A vote was taken by a **show of hands vote** and the result was as follows:

**FOR: 5 (FIVE)**

**AGAINST: 12 (TWELVE)**

**ABSTAINED: 0 (ZERO)**

The Motion **FELL.**

Meeting finished at 6.52pm.

**Motions Not Reached**

**(M10) NTA**

 **Councillor W. Lavelle**

“That this Committee requests the Chief Executive to present a report, for discussion, outlining details of all applications made by SDCC in 2014 & 2015 to the National Transport Authority under the Sustainable Transport Measures Grant scheme, including any applications made for projects to be progressed over the next three years; and to outline the consultations held with the elected members leading to the selection of projects being applied for”

**(M12) RIVER DODDER**

 **Councillor P. Donovan**

“That this Council advocated to establish a single interagency oversight committee for the River Dodder to maximise and enhance the management of this valued amenity from the Mountains to the Sea and harness the Economic, Biodiverse and Social Wellbeing that that this river can and does bring to the Communities of South Dublin.”

**(M13) QUALITY BUS CORRIDORS**

 **Councillor P. Foley**

“This council calls on the chief executive to instigate a review of the utilisation of all bus lanes and quality bus corridors in the county. With traffic levels back to pre-recession levels it is important that our road space is utilised to the maximum. As bus routes sometimes change it could well be that some of the bus lanes and QBCs in our county are underutilised and no longer represent an efficient use of that road space.

**(M14) HOUSING CRISIS**

“That this Council recognises the deepening national housing crisis and immediately calls on Central Government to declare Housing as an emergency status.”

**(M15) SWIMMING POOLS**

**Councillor P. Gogarty**

“That the Chief Executive presents this Council with a report on any applications made on foot of the temporarily reopened swimming pool programme at national level, outlines the likely percentage cost of any overall projects this will cover; and if he will make a statement on the matter.”

**(M16) BIN LOCKING DEVICES**

**Councillor D. Looney**

“That this Council, noting the high levels of litter resultant from green, brown and black bins blowing over in windy conditions, seeks to enforce a requirement for all companies involved in bin collection to provide devices or mechanisms to keep bins closed even in the case of falling, and for such a requirement to be implemented via the Environment SPC.”

**(M17) DOG LITTER**

 **Councillor L. O'Toole**

“That this council introduces an “on the spot” fine for dog walkers that do not have in their possession a dog litter bag. Dog fouling is a scourge in our parks and on our footpaths throughout our county.

Dog waste possess a health risk particularly to young children because it contains dangerous parasite. Dog fouling is one of the most offensive forms of litter.”

**(M18) SOCIAL HOUSING PROGRAMME**

**Councillor C. O'Connor**

“That this Council calls on the CEO to present an update on progress being made in this County in respect of the Council's social and affordable housing projects which form part of the major social housing programme to be delivered as part of our Council's response to the social housing emergency and will he detail the exact progress being made on each of the categories including direct build, direct acquisition, affordable housing and the various rental initiatives in this County since the initiation of the programme and in reporting will he also detail the exact expenditures which have been incurred on each of the facets of the overall programme and will he also provide estimates as to what units will completed/acquired in 2016 and will he also supply full details of the number of staff hours by grade and department which have been assigned to the delivery of this programme in each of its years so that this Council can evaluate whether the current plan and the allocated resources will have an impact on housing waiting lists in the short and medium term.”

**(M19) NEW DUBLIN TECHNOLOGY UNIVERSITY**

**Councillor D. Looney**

“That this Council calls on the Minister for Education and Skills to make provision in the Technological Universities Bill for the nomination of representatives for the South Dublin County Council area to the governing body of the new Dublin Technology University, either through SDCC or Dublin-Dún Laoghaire Education and Training Board, given the importance of the current IT Tallaght within and to our administrative area.”