**COMHAIRLE CONTAE ÁTHA CLIATH THEAS
SOUTH DUBLIN COUNTY COUNCIL**

Minutes of Special Meeting of South Dublin County Council to clear Motions held on 2nd May 2017.

**PRESENT**

|  |  |  |
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| **Councillors** |  | **Councillors** |
| Bonner, B.  |  | King, C.  |
| Casserly, V. |  | Lavelle, W.  |
| Coules, N. |  | Lawlor, B. |
| Donovan, P.  |  | Leech, B. |
| Duff, M.  |  | Looney, D. |
| Duffy, F.  |  | Mc Cann, C.  |
| Dunne, L.  |  | McMahon, R. |
| Egan, K. |  | Murphy, E.  |
| Fanning, E.  |  | Nolan, R.  |
| Ferron, B.  |  | O’Brien, D.  |
| Foley, P.  |  | O’Brien, E.  |
| Genockey, M. |  | O’Connell, G. |
| Gilligan, T.  |  | O’Connor, C. |
| Gogarty, P. |  | O’Donovan, D.  |
| Holland, S. |  | O’Toole, L.  |
| Johansson, M. |  | Richardson, D.  |
| Kearns, P. |  | Timmons, F. |
|  |  | Ward, M. |
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**OFFICIALS PRESENT**

|  |  |
| --- | --- |
| Chief Executive | D. McLoughlin. |
| Directors/ Heads of FunctionCounty Architect | B. Coman, L. Maxwell, F. Nevin, T. Walsh, E. Taaffe.E. Conroy. |
| Head of Finance | R. FitzGerald. |
| County LibrarianSenior Executive Officers | B. Fennell.H. Hogan, M. Maguire. |
| Research & Development Officer | R. Herron.  |
| Administrative Officers | C. Murphy.  |
|  Staff Officer Clerical Officer ProgrammerSord  | P. Brennan. M. Dunne.J. Doyle.A. O’Brien. |
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|  |  |

The Mayor G. O’Connell Presided.

Apologies were received from Councillor A-M. Dermody, J. Graham, E. Higgins, K. Mahon and M. Murphy.

### **Motions for Discussion**

**M1/0517S MAYORS BUSINESS - EU SPC**

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

“This Council, being concerned at the possible implications of Brexit and acknowledging the role that the EU exercises in the lives of Irish Citizens, calls on the Chief Executive to initiate the establishment of an EU SPC under section 48 of the Local Government Act 2001, as amended by the Local Government Reform Act 2014 and as per guidelines under section 54(2) of the 2001 Act regarding SPCs. The Act and Guidelines provide the Council with a basis to proceed with the establishment of a specialist committee for European affairs within the scope of the SPC scheme.”

**REPORT:**

The SPC Scheme sets out the structure and number of SPC's in SDCC and was adopted by Council in 2014 following a period of consultation with the elected members, the PPN and other representative bodies as well as the general public. The SPC Scheme was devised following the local elections in 2014 and is for the lifetime of the Council. The Departmental Guidelines issued in 2014 state that SPC's should generally be four in number while accepting that the Dublin local authorities may warrant additional SPC's. Accordingly, SDCC has six SPC's:

* Economic Development, Enterprise & Tourism
* Land use Transportation and Planning
* Social and Community
* Environment, Public Realm & Climate Change
* Housing
* Arts, Culture, Gaeilge, Heritage and Libraries

As set out in the Scheme, each SPC has an agreed membership across the seven recommended sectoral interests. Under Standing Order 16 any SPC may form a sub-committee to examine particular policy issues. Each SPC will be asked to consider the impact of Brexit in their policy area.

A discussion followed with contributions from Councillors G. O’Connell, T. Gilligan, L. O’Toole, D. Looney, C. King, and C. O’Connor.

Mr. D. McLoughlin, Chief Executive responded to the Members queries.

The Report was **NOTED.**

**M2/0517S MAYORS BUSINESS – ROAD NETWORK**

### It was proposed by Councillor G. O’Connell and seconded by Councillor W. Lavelle:

“This Council, concerned at the increased volumes of traffic across this County and conscious as we are that the County provides a crossroad to the Southern, Mid-Western and Western Regions as well as Dublin City and the Northern Region with the consequential traffic to and from these regions, that often does not have any business in this County, requests that the Land Use, Transport and Traffic SPC following consultation with appropriate National bodies e.g. the TII bring forward a strategic plan to be discussed and approved by the elected members for the management of the County road network that minimises “rat running” and congestion on the local road network as distinct from the National Routes (which are not in the control of this County).”

**REPORT:**

The Road Network in South Dublin County Councils Functional Area is broken down into a hierarchy of Roads depending on their role and function. The National Road Network, M50, N4, N7 & N81 primarily serves traffic passing through the County to access either the remainder of the State or access to the wider Dublin Area from its hinterland.

The Next Tier of the Network, the Regional Network, facilitates access around the County and also access to/from the National Road Network, e.g. R136 Outer Ring Road and R113 Belgard/Fonthill Rd.

Beneath the Regional Road Tier is the Local Road Network, which as the description implies, facilitates and provides access to Local Residential, Commercial and Employment Development.

The entire road network has either been specifically designed or evolved over many years to cater for the above tiered level of function and access. In addition, during this period, the Local Authority has been very pro-active in dealing with Local Residents concerns regarding "rat running" and has introduced a large number of measures throughout the County to deter or eliminate this practise. It is considered that these measures have been effective.

It is unrealistic expect a strategic plan to adequately deal with what are primarily local issues which can only be treated and evaluated on a case by case basis.

The Land Use, Planning and Transportation SPC has already spent a considerable amount of time over the last 2 years considering the "N4 / N7 Corridor Study" published by TII which evaluated the Road Network in the Area - the report is available on the TII website.

At the outset of the discussion Councillor W. Lavelle proposed and Councillor P. Donovan seconded an **amendment to the Motion as follows:**

“This Council, concerned at the increased volumes of traffic across this County and conscious as we are that the County provides a crossroad to the Southern, Mid-Western and Western Regions as well as Dublin City and the Northern Region with the consequential traffic to and from these regions, that often does not have any business in this County, requests that the Land Use, Transport and Traffic SPC to prepare a new ‘Integrated County Mobility Plan’, as provided for in the County Development Plan; and which was already the subject of a preliminary presentation to the SPC.”

The Amendment to the Motion was **AGREED.**

A discussion followed with contributions from Councillor G. O’Connell, T. Gilligan and L. O’Toole.

Mr. E. Taaffe, Director of Land use, Planning and Transportation responded to the Members queries.

The Report is **NOTED.**

### **M3/0517S HOSTEL ACCOMMODATION**

### It was proposed by Councillor B. Leech and seconded byCouncillor G. O’Connell:

“That this Council provide proper safety and attention to those who are most vulnerable in society and in particular Homeless Hostels, where a lot of the SDCC homeless are staying in hostels in another Council area.”

**REPORT:**

Homeless hostels throughout the Region are provided by NGO's who are engaged by the Dublin Regional Homeless Executive to provide the service.  All the NGO's are obliged under their Service Level Agreement to provide a professional service well-staffed and to a high standard.  There is also a DRHE complaints procedure in place for the rare occasions the standards are not met.  All complaints are immediately investigated and remedial action taken if warranted

A discussion followed with contributions from Councillors B. Leech and L. Dunne.

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

The Report was **NOTED.**

### **M4/0517S ST. MEALRUAINS**

### It was proposed by Councillor C. King and seconded by CouncillorC. O’Connor:

“That this Council calls on the Chief Executive to explore the positives in selling the site known locally as "Maelruain's Field" which sits adjacent to County Hall and which is one of the most valuable sites in South Dublin County Council. The proceeds of the sale would be earmarked for the building of social housing on other sites where I believe we as a Council could achieve a much better yield of housing for those on our Housing and Homeless lists”.

**REPORT:**

The Council owned site North of County Hall is a strategic site in both financial value and the future development of Tallaght Town Centre. Accordingly, the timing and method of releasing it to the Market will require careful consideration and is under constant review as the development market recovers and activity increases. Some form of Joint Venture arrangement may be the best option for the site and it is envisaged that the roll out of The Grange project over the coming months will give valuable experience in this regard.

In terms of utilisation of proceeds from the sale proceeds from property disposals support the Councils overall capital programme expenditure including the housing capital programme. It should also be noted that 50% of the proceeds from the eventual sale of the site will be due to Dublin City Council in accordance with the requirements of the agreement on transfer of property with DCC following the establishment of SDCC.

A discussion followed with contributions from Councillors C. King and C. O’Connor.

Mr. F. Nevin, Director of Economic, Enterprise and Tourism Development responded to the Members queries.

The Report was **NOTED**.

### **M5/0517S LIBRARIES**

### It was proposed by Councillor D. Looney and seconded byCouncillor R. McMahon:

“That this Council rejects the "My Open Library" initiative and the concept of 'staffless libraries"; this Council instead pledges its support to a fully-funded, fully-staffed public library service, one which continues to expand and innovate in order to serve the people of South Dublin County.”

**REPORT:**

The ‘My Open Library’ service has been operating very successfully for almost two years in Banagher Library, Co Offaly and Tullamore Library, Co. Offaly, and Tubbercurry Community Library, Co. Sligo.  The feedback from members of the public is extremely positive, with users commenting that the library is now much more accessible for commuters, students and families. They are no plans to introduce an ‘Open Library’ facility at present in South Dublin County Council. A presentation was given at the Arts, Culture, Gaeilge, Heritage and Libraries SPC meeting in November.

The role of library staff is recognised as key to the expansion of the library service in local communities. ‘My Open Library’ does not involve any reduction of the existing staffed hours of service. During the regular staffed hours, library staff are available to provide expert and additional services and develop community engagement and programming.

A discussion followed with contributions from Councillors D. Looney, D. O’Donovan, R. McMahon, M. Ward, M. Duff, E. O’Brien, M. Johansson, P. Kearns, B. Bonner, B. Leech and C. O’Connor.

Mr. F. Nevin, Director of Economic, Enterprise and Tourism Development responded to the Members queries.

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

**FOR: 28 (TWENTY EIGHT)**

**AGAINST: 0 (ZERO)**

**ABSTAINED: 1 (ONE)**

The Report was **NOTED.**

### **M6/0517S HOMELESS & SELF ACCOMMODATING**

### It was proposed by Councillor M. Ward and seconded byCouncillor C. King;

“This Council is opposed to the policy of requiring those in need of emergency accommodation to self-accommodate. We call on the Chief Executive to raise this matter with the Dublin Homeless Executive and the Minister for Housing and to introduce a policy whereby emergency accommodation is sources by SDCC staff directly. If additional resources are required then the Chief Executive should apply to the Department for this.”

**REPORT:**

The Council is understanding of the difficulties facing families experiencing homelessness at this time. Due to the continued growth in the numbers of families presenting as homeless this Council does not have the required number of emergency accommodation placements available and those that are available are fully occupied at present.

Therefore, the only option available was to give families presenting as homeless the option to self-accommodate. This enabled families to source their own accommodation in location more suitable to their needs as opposed to be placed in a designated location and also gives families the option to source accommodation outside the County if necessary and should they wish to do so.

Families who present as Homeless are given advice on how the Self Accommodation option operates by staff in the Homeless Unit. This is a practice that is being phased out. The Council does not have the required resources to source emergency accommodation for families who present as homeless in all cases. Current staffing levels are under significant pressure in dealing with presentations and co-ordination of services and case profiling. Sourcing accommodation would be a significant additional resource issue and would have to be funded from within existing budgetary constraints.

 Councillor M. Ward outlined his Motion to the Members.

Mr. B. Coman, Director of Housing, Social and Community Development responded to Councillor Ward’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.**

### **M7/0517S YOUTH WORK CHANGES LIVES**

### It was proposed by Councillor W. Lavelle and seconded by Councillor C. O’Connor and **MOVED** without debate:

“That this Council expresses its support for new ‘Youth Work Changes Lives’ campaign launched by the National Youth Council for Ireland; and calls on the Minister for Children & Youth Affairs to continue to increase funding for youth work services, including for the establishment or extension of projects in our own County, particularly in those communities which will see a significant increase in teenage population over coming years”

**REPORT:**

If the Motion is passed a letter will issue to the appropriate Minister, and when a reply is received it will be issued to the Members.

The Motions was **AGREED.**

### **M8/0517S HOSTEL ACCOMMODATION FOR FEMALES**

### It was proposed by Councillor D. Richardson, Councillor L. Dunne and seconded byCouncillor M. Ward:

“This Council calls on the Chief Executive to ensure that part of the Homeless budget is allocated to beds for single women.  Additionally, calls on the Chief Executive to work with other Local Authorities to work towards finding suitable & risk free accommodation for those that are in recovery or drug & alcohol free.”

**REPORT:**

This Council has access to at least 4 beds on a nightly basis for single women and they are always used by our nominees.  However we are aware that there is additional demand and are in the process of seeking another hostel in the County which will cater for this demand.

Recently the 9 housing units of the former women’s refuge in the Respond facility at Cookstown Road has been reopened for homeless women with children.

We are actively looking for another facility but it is dependent on the right location being available as well as agreement for its staffing and service delivery being made available from the DRHE and HSE/TUSLA.

The provision of a suitable drug free environment for people who have been on treatment programmes and continuing their recovery is an aim for the DRHE and will be pursued in the coming year.

Councillor L. Dunne outlined her Motion to the Members.

Mr. B. Coman, Director of Housing, Social and Community Development responded to Councillor Dunne’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.**

### **M9/0517S ORGAN DONATION**

### It was proposed by Councillor R. McMahon and seconded by Councillor T. Gilligan:

“This Council being very concerned at the low number of organ donations, now calls on the Minister for Health to bring in legislation to change the laws regarding organ donation to a system of presumed consent as opposed to our current opt in system.”

**REPORT:**

If the Motion is passed a letter will issue to the appropriate Minister, and when a reply is received it will be issued to the Members.

A discussion followed with contributions from Councillors R. McMahon, D. O’Donovan, E. Fanning, B. Leech and C. O’Connor.

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 Motion was **PASSED.**

### **M10/0517S ROAD SAFETY PROGRAMME**

### It was proposed by Councillor P. Donovan and seconded byCouncillor C. Kingand **MOVED** without debate:

“That this Council calls on the Minister for Transport to work with the Department of Education to introduce a mandatory Road Safety Programme as part of the curriculum for all Transition Year Students.”

**REPORT:**

If the Motion is passed a letter will issue to the appropriate Minister, and when a reply is received it will be issued to the Members

The Motion was **AGREED**.

### **M11/0517S DEFIBRILLATOR SIGNAGE**

### It was proposed by Councillor L. O'Toole and seconded byCouncillor T. Gilligan:

“That this committee asks the Chief Executive to further investigate the introduction of defibrillator signage within our County and to report back on the costs involved. The availability of defibrillators in our Community provide undisputed benefits and generally are provided through fundraising through sport clubs and other voluntary organisation. The introduction of signs identifying the location of defibrillators would greatly increase the likelihood of that they would be used effectively and quickly in case of an emergency. The erection of signage would also help identify areas which lack sufficient numbers of defibrillators.”

**REPORT:**

As a result of previous motions agreed by Council, defibrillator signage has been installed at County Hall, Tallaght and arrangements have been made for the erection of a sign in a suitable location outside the Civic Offices, Clondalkin.

Defibrillators are currently provided throughout the County by a wide variety of groups from local community groups, sports organisations, large shopping centres, individual pharmacies and private commercial companies. In a substantial number of the locations there is signage and in the shopping centres there are staff who are aware of the location of the defibrillators. However where a defibrillator is installed in a premises with limited opening hours, the provision of signage in the vicinity can cause delays of vital minutes if access is required and attempted outside of those opening hours.

The Council will continue to promote the importance of defibrillators in saving lives with local community centres and sports centres on an ongoing basis. We will work with Community Centres to assess the viability of signage in suitable locations.

Councillor L. O’Toole outlined her Motion to the Members.

Ms. L. Maxwell, Director of Corporate Performance and Change Management responded to Councillor O’Toole’s queries.

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

**FOR: 22 (TWENTY TWO)**

**AGAINST: 0 (ZERO)**

**ABSTAINED: 0 (ZERO)**

The Report was **NOTED.**

In accordance with **Standing Order No. 74** the Mayor, Councillor G. O’Connell proposed and the Members unanimously **AGREED** to suspend standing orders in order to deal with the following Suspensory Motion.

**SM1/0517S** The following Suspensory Motion in the names of Councillors F. Timmons, C. Mc Cann, M. Ward, K. Egan, W. Lavelle, B. Leech, D. Richardson, L. O’Toole, R. Nolan, L. Dunne, C. O’Connor, P. Kearns, M. Duff, F. Duffy, V. Casserly, D. Looney E. Fanning, M. Johansson, N. Coules, P. Donovan, M. Genockey, G. O’Connell, E. O’Brien, E. Murphy, P. Foley, S. Holland andseconded by Councillor D. O’Donovan, and was **CONSIDERED:**

"That SDCC calls on The Department of Health not to give 'sole' ownership of the new €300 million State-funded National Maternity Hospital to The Sisters of Charity as they were one of 18 residential institutions that is highlighted by the Ryan report 2009 to have been responsible for child abuse and They still owe €3 million to the redress scheme for its survivors. The Sisters of Charity, along with three other religious congregations, were responsible for the management of Magdalene Laundries. In 2013 they stated they would not be making ANY contributions to the State redress scheme to the women who had been subject abuse in the Magdalene Laundries. The Department of Health now want to give 'sole' ownership of the new €300 million State-funded National Maternity Hospital and we as a council strongly object to this"

At the outset of the discussion Councillor E. O’Brien proposed and Councillor F. Timmons seconded an **amendment to the motion as follows:**

"That SDCC calls on The Department of Health not to give 'sole' ownership of the new €300 million State-funded National Maternity Hospital to The Sisters of Charity as they were one of 18 residential institutions that is highlighted by the Ryan report 2009 to have been responsible for child abuse and They still owe €3 million to the redress scheme for its survivors, **and that notwithstanding where the hospital is located, that this County Council calls on the Department of Health to ensure that the hospital, and all future hospitals constructed by the State, remains in public ownership.** The Sisters of Charity, along with three other religious congregations, were responsible for the management of Magdalene Laundries. In 2013 they stated they would not be making ANY contributions to the State redress scheme to the women who had been subject abuse in the Magdalene Laundries. The Department of Health now want to give 'sole' ownership of the new €300 million State-funded National Maternity Hospital and we as a council strongly object to this"

A vote was taken by a **Show of hands vote** on the amendment and the result was as follows:

**FOR: 23 (TWENTY THREE)**

**AGAINST: 1 (ONE)**

**ABSTAINED: 0 (ZERO)**

The Amendment to the Motion was **PASSED.**

The Amended Motion was **AGREED.**

### **M12/0517S MARATHON KIDS**

### It was proposed by Councillor K. Egan, Councillor V. Casserly and seconded byCouncillor S. Holland and **MOVED** without debate:

“To call on the manager to explore the programme Marathon Kids to work in conjunction with South Dublin County Council, Dublin City Council and SSE Airtricity Dublin Marathon to take action to get children active. The Marathon Kids programme is a fun and enjoyable 8 week journey that involves students running the 26.2 miles. According to the World Health Organisation (WHO) 2015 report, Ireland is set to become the most obese country in Europe by 2030 with 89% of all adults defined as obese or overweight. The Marathon Kids initiative is looking to encourage fitness, educate young people on the benefits of sport and promote an increase in activity levels in the early teenage population.

Fingal County Council participated in the programme which saw over 1,900 6th class pupils from twenty-nine Fingal schools participate, with children running 4-5 times per week in school, which led each student to complete a total of 25.2 miles (just one mile short of the Marathon distance), before completing the last mile at Marathon Kids Final Mile Event in the National Sports Campus on November 20th. The Marathon Kids programme is an educational and physical activity programme which supplements the school’s curriculum through a specially developed workbook, used as both a training guide and learning tool by pupils during school hours.”

**REPORT:**

South Dublin County Council's Sports officer's & Sports partnership Coordinator met with representatives from the Marathon Kids programme earlier this month with a view to possibly incorporating the programme into this year’s programme of work alongside the 2017 Health and Wellbeing Events.

We are awaiting further details from Marathon Kids.

The Report was **NOTED.**

### **M13/0517S GLYPHOSATE**

### It was proposed by Councillor E. Fanning and seconded byCouncillor S. Holland:

“That this Council calls for the banning of any use of glyphosate in or close to public parks, public playgrounds and public gardens. (Glyphosate is a broad-spectrum systemic herbicide and crop desiccant used to kill weeds, especially annual broadleaf weeds and grasses)”

**REPORT:**

European Commission made a decision in January 2017 to register a European Citizens Initiative (ECI) relating to targeting a ban on glyphosate.

The ECI proposal is as follows: "to propose to Member States a ban on glyphosate, to reform the pesticide approval procedure, and to set EU-wide mandatory reduction targets for pesticide use".

European Citizens Initiatives were introduced with the Lisbon Treaty in 2012, with the aim of giving citizens a direct mechanism to propose change.

The Commission registered the above ECI and now formally recognises it. The ECI concerned has a period of 1 year to collect at least 1 million signatures of EU citizens from at least 7 member States after which the Commission must react within a 3 month period.

This ECI has no impact on the current regulatory framework, which remains unchanged from that previously outlined i.e. the current EU approval of glyphosate extends to the end of 2017 or 6 months from the receipt of the final ECHA review on glyphosate.

Therefore, Member States all retain registrations containing glyphosate subject to a further EU renewal of glyphosate in 2017.

Should the EU Commission and the Member States decide otherwise Ireland, and South Dublin County Council, will take the necessary and appropriate regulatory actions.

In the interim, South Dublin County Council will continue to abide by existing regulatory framework.

A discussion followed with contributions from Councillors E. Fanning and D. Looney.

Ms. T. Walsh, Director of Environment, Water and Climate Change responded to the Members queries.

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 Report was **NOTED.**

### **M14/0517S CAR SHARING**

###  **“**It was proposed by Councillor P. Gogarty and seconded byCouncillor R. Nolan:

“That this Council resolves to actively facilitate the provision of spaces for car sharing services, with a particular emphasis on electric vehicles, so that citizens can avail of this option in major population centres such as Clondalkin, Lucan and Palmerstown (Newcastle/Rathcoole, Terenure/Rathfarnham and Tallaght having one each already, but could do with more) and immediately sets about engaging with major providers to examine where vacant sites or preferably on-street drop off/collection points could be set up and that a report regarding the imminent implementation of same be provided to the Land Use, Planning and Transportation SPC, followed by the full Council, within three months of this motion being passed.”

**REPORT:**

The Council have made contact with a provider of car sharing services and a meeting is arranged. Other providers will be contacted and an examination of this type of service will be undertaken. To date there have been no enquiries from members of the general public about such a service. Electric car charge points are in place in a number of locations throughout the County.

Councillor P. Gogarty outlined his Motion to the Members.

Mr. E. Taaffe, Director of Land Use, Planning and Transportation responded to the Members queries.

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 Report was **NOTED.**

### **M15/0517S PRIORITY TO RAS SCHEME TENANTS**

### It was proposed by Councillor M. Duff and seconded byCouncillor F. Timmons and **MOVED** without debate:

“That this Council calls on the Chief Executive to grant priority to those tenants who are housed under the RAS Scheme and have laid down their roots within the Community in which they live, who are under threat of eviction because their Landlord will not renew the lease, to ensure that they will be rehoused within the local Community and also to consider their case for rehousing from the commencement of the Notice to terminate the Lease rather than wait until they are almost homeless.”

**REPORT:**

The Rental Accommodation Scheme (RAS) was introduced to cater for the accommodation needs of persons who are in receipt of Rent Supplement, normally for more than 18 months, and who have a long-term housing need.

In the Rental Accommodation Scheme, local authorities enter into contractual arrangements with property owners/landlords to secure the medium to long-term availability of private rented accommodation for RAS.

While different contract types may be entered into they will have in common the following main features:

* the local authority will pay the full rent to the landlord on behalf of the tenant;
* the Residential Tenancies Act 2004, will govern the tenancy between the landlord and the tenant;
* the landlord must be tax compliant;
* the landlord must provide a Building Energy Rating (BER) Certificate
* the property must meet the minimum standards for private rental accommodation as determined by the Housing (Standards for Rented Houses) Regulations 2008 (as amended) and also meet additional requirements for RAS;
* The landlord must register the tenancy with the Residential Tenancies Board (RTB).
* Payment of Local Property Tax

There are two standard template contracts for RAS used by South Dublin County Council.

(A) Availability Arrangements. In South Dublin County Council this is generally a 10 year agreement between landlords and South Dublin County Council.  Generally this agreement is only entered into in areas where there is a high demand for RAS property and where the property is of a very high standard. If a tenant leaves during the 10 year period South Dublin County Council will make every effort to source a new tenant for the remainder of the term of the contract.

(B) Tenancy by Tenancy Arrangements.  This is the more widely used contract in South Dublin County Council. It is used where the landlord is happy with the existing tenant and where the landlord wants control over who will reside in the property.  When the tenant leaves the contract ends.

Currently there are 1,480 properties on the RAS Scheme. It has,  been the trend however over the last few years of landlords exiting the scheme on the basis of (a) selling the property (b) requiring the property for a family member or (c) period of agreement has ended. In 2015 88 landlords left the scheme while a further 93 left in 2016.

Where an existing RAS tenant of the Council is served with a "Notice to Quit” the Council endeavours to identify suitable alternative accommodation for the tenant prior to the expiry of the notice period. However the Council deals with numerous such cases each year and while every attempt is made to locate a property in a nearby area, this is not always possible.

Due to a combination of (a) the shortage of housing and (b) the many demands from various priority categories of housing need, e.g. homeless, medical etc., it is not always possible to locate a house for a RAS tenant in the immediate area or in fact to locate any type of house in time before the expiration of the " Notice to Quit"

We do advise tenants as soon as they are served with an NTQ that they have the option to source alternative accommodation in the private rental market where the landlord is willing to participate in the RAS or other similar scheme.

The Report was **NOTED.**

### **M16/0517S MEDICAL CANNIBIS**

### It was proposed by Councillor F. Timmons and seconded byCouncillor C. King and **MOVED** without debate:

“That SDCC calls on the Minister for Health to legalise medicinal cannabis for Vera Twomey cause and all the people out there with chronic pain, MS and cancers by Medical Prescription.”

**REPORT:**

If the Motion is passed a letter will issue to the appropriate Minister, and when a reply is received it will be issued to the Members.

 The Motion was **AGREED.**

### **M17/0517S DEFENCE FORCES**

### It was proposed by Councillor R. Nolan and seconded byCouncillor M. Genockey and **MOVED** without debate:

“That this Council calls on Minister Paul Kehoe to increase wages for recruits and privates of the Irish Defence Forces, to at least the recommended living wage.  Recent reports have shown that members are currently in receipt of Family Income Supplement due to the low rates of pay.”

**REPORT:**

If the Motion is passed a letter will issue to the appropriate Minister, and when a reply is received it will be issued to the Members

The Motion was **AGREED.**

### **M18/0517S HIDDEN HOMELESS**

### It was proposed by Councillor L. Dunne and seconded byCouncillor S. Holland:

“This Council calls on the Minister for Housing to include the hidden homeless such as sofa suffers who present to authorities or services and women in refuges in the national homeless figures.”

**REPORT:**

According to the 1998 Housing Act a person shall be regarded as homeless if there is no accommodation available which, in the opinion of the authority, he/she, together with any other person who normally resides with him/her or who might reasonably be expected to reside with him/her, can reasonably occupy or remain in occupation of and if he/she is unable to provide accommodation from his/her own resources.

This criteria does not prevent sofa surfers or service users of refuges being included.  If such persons present to the Council as homeless we will assess them in accordance with the criteria above and if they are deemed homeless they will be included in the homeless list which feed into the national statistics on homelessness.

A discussion followed with contributions from Councillors L. Dunne, P. Gogarty, M. Genockey and E. Murphy.

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

The Members asked for the letter to be sent to Minister for children and family affairs also.

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.**

### **M19/0517S HOSPITAL BEDS**

### It was proposed by Councillor C. O'Connor, Councillor P. Foley and seconded byCouncillor E. O’Brien:

“That this South Dublin County Council calls on Simon Harris TD, Minister for Health, to respond positively to the campaign to increase the hospital bed capacity which caters for communities in most of our county; asking him to appreciate the particular demand in that regard and to immediately engage in discussions with the HSE; will the CEO also forward the terms of this motion to the Minister, the CEO of the HSE and also copy it to Tallaght hospital, which is leading the campaign.”

**REPORT:**

If the Motion is passed a letter will issue to the appropriate Minister and Chief Executive Officer of the HSE and Tallaght Hospital, and when a reply is received it will be issued to the Members.

Councillor C. O’Connor outlined his Motion to the Members.

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.**

### **M20/0517S INCREASE IN GARDA NUMBERS**

### It was proposed by Councillor D. Richardson and seconded byCouncillor F. Timmons and **MOVED** without debate:

“That this Council call on the Minister for Justice to supply more Garda to all stations across the County.  With the current surge in gun crime and general crime some Garda stations are finding it impossible to get to residents that are reporting crime in their area.  We need more Garda in our Communities across the County.”

**REPORT:**

If the Motion is passed a letter will issue to the appropriate Minister, and when a reply is received it will be issued to the Members.

The Motion was **AGREED.**

### **M21/0517S DIRECT PROVISION**

### It was proposed by Councillor E. Fanning and seconded byCouncillor C. King:

“The Council requests that the Mayor leads a delegation of Councillors to visit the Direct Provision Centre at Clondalkin Towers, Ninth Lock Road, meets with both asylum seekers and management in the Centre and reports back to this Council.”

**REPORT:**

The Direct Provision Centre at Clondalkin Towers, Ninth Lock Road is not in the remit of South Dublin County Council so if the Motion is passed a letter will issue to the appropriate Minister requesting permission for a delegation of Councillors to visit the premises.   When a reply is received it will be issued to the Members.

A discussion followed with contributions from Councillors E. Fanning, F. Timmons, D. O’Brien, M. Johansson, M. Ward, E. O’Brien and G. O’Connell.

Ms. L. Maxwell, Director of Corporate Performance and Change Management responded to the Members queries.

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

**FOR: 25 (TWENTY FIVE)**

**AGAINST: 0 (ZERO)**

**ABSTAINED: 0 (ZERO)**

The Motion was **PASSED.**

### **M22/0517S ORBITAL BUS ROUTE**

### It was proposed by Councillor L. O'Toole and seconded byCouncillor L. Dunne and **MOVED** without debate.

“That this Council asks the Chief Executive to make further representation to the NTA for the provision of a bus route along the Outer Ring Road which would connect Lucan (village) to Tallaght (village) via Clondalkin (village) and vice versa, making full use of this infrastructure.

This piece of infrastructure was designed with forward planning ensuring that facilities such as this bus lane and was put in place to be used when the demand arose.”

**REPORT:**

The provision of an orbital bus route as outlined above is a matter for the National Transport Authority, as they are the regulator for Public Transport.  Should the Motion be passed an update from the NTA will be sought.

The Motion was **AGREED.**

### **M23/0517S INCIDENTS ON M 50**

###  It was proposed by Councillor V. Casserly, Councillor W. Lavelle and seconded byCouncillor P. Donovan and **MOVED** without debate.

“That this Council, noting the ongoing concerns in relation to serious traffic delays which can arise from accidents on the M50; calls on Transport Infrastructure Ireland to put in place a region-wide public information campaign to explain the new M50 diversion route signage; and further calls on the Commissioner of An Garda Síochána to provide additional resources to the Regional Traffic Unit to aide local Gardaí in managing both accident sites on the M50 and the implementation of diversions routes.

**REPORT:**

Since 2015 an Interagency Incident Response Group (IICG) was set up which comprises representatives from An Garda Síochána, Dublin Fire Brigade, the four Dublin Local Authorities, Transport Infrastructure Ireland and the Motorway Traffic Control Centre. The role of the group is to ensure a coordinated approach to the management of incidents that occur on motorways in the Greater Dublin Area. The IICG have put in place a ‘Protocol for the management of major incidents on motorways’ in April 2016 and this document is subject to ongoing review.

Should the motion be passed, its terms will be conveyed to TII and An Garda Síochana.

The Motion was **AGREED.**

### **M24/0517S CONTROL OF HORSES**

### It was proposed by Councillor B. Leech and seconded byCouncillor S. Holland:

“In view of the number of horses that are being left neglected and fly grazing on SDCC parks and green spaces within Council Estates that this Council under the Control of Horses Act, 1996 initiate more effectively its regulations, penalties and bye laws.”

**REPORT:**

All reports of loose/stray horses which are received from elected representatives, members of the public and Council staff are referred in a timely manner to the contractor engaged by the Council for the provision and operation of the horse seizure service and horse pound facility.  All seized horses are taken to the horse pound facility where they are microchipped on arrival, (if not already microchipped) and examined by a veterinary practitioner. Horses which are unsuitable for re-homing or not reclaimed by their owners within a period of five days from the date of seizure and detention the Council (or Garda Superintendent) may dispose of by way of sale, animal euthanasia or re-homing.

Stray horses are not generally a problem within the Council's main parks where there is constant passive surveillance.

The Council's [**(Control of Horses) Bye-Laws 2014**](http://www.sdcc.ie/2014-control-of-horses-bye-laws) were adopted on 10th February 2014 and implemented with effect from 12th March 2014 and our Enforcement and Licensing Section actively enforces the provisions of these Bye-Laws and the **Control of Horses Act 1996** as well as guidelines issued by the Department of Agriculture, Food and the Marine.   The Bye-Laws have provided the Council with stronger tools to deal with issues which impact negatively on communities and animals alike.

The provisions of the Act and the Bye-Laws are fully utilised to reduce the number of horses that are being kept unlawfully (without licence / passport), in unsuitable conditions, or in areas where their presence has an adverse effect on the community.

Applications for reclaim are considered carefully and equines may be released to the owner or keeper of the horse only upon provision of a suite of relevant documentation to the Council, including proof of ownership, horse licence, passport, detail on suitability of location where the horse is to be kept etc.

Correspondence also issues to private landowners where it has come to our attention that horse/ horses are present on such lands and for which concern is raised about the animal welfare.  These items of correspondence advise of the provisions of Section 18(5) of the Control of Horses Act 1996 (the Act) which states – ‘the occupier of any premises within a control area where a horse is found who is not the owner of that horse shall be deemed to be the person who keeps or has charge or control of the horse’.  (The administrative area of South Dublin County Council has been designated a control area for the purposes of the Act).   Landowners are therefore required to arrange for the removal of all/any horses kept on private lands where horses are not licenced to the landowner.   Similarly, landowners are also advised that all efforts should be made to ensure that the lands are secured to prevent any further illegal trespass.

All reports of sightings of loose horses outside of office hours should be made directly to the An Garda Siochana and it should also be noted that in certain cases our contractor requires the assistance of AGS in the removal of stray / wild horses.

The issue of general penalties and non-compliance are covered under the [**Control of Horses Act, 1996**](http://www.irishstatutebook.ie/eli/1996/act/37/enacted/en/html) and any change would require political intervention.

The existing Bye-Laws may be reviewed to establish if enforcement aspects require amendment.

It should be acknowledged that this Council is particularly proactive in the management of, and promotion of responsible urban horse ownership.  The Council has developed a state of the art equine facility for the stabling of up to 20 horses, with significant assistance from Department of Agriculture, Food and the Marine, which is being managed by the Clondalkin Equine Club under a management licence subject to strict conditions relative to oversight / governance, application of equality legislation, membership / use of the facility, and application of strict animal welfare protection.  Animal welfare remains a priority and ongoing education and awareness will form part of the urban horse project programme.

A discussion followed with contributions from Councillors B. Leech, S. Holland, P. Donovan, L. Dunne and D. Richardson. Bottom of Form

Ms. T. Walsh, Director of Environment, Water and Climate Change responded to the Members queries

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

**FOR: 22 (TWENTY TWO)**

**AGAINST: 0 (ZERO)**

**ABSTAINED: 0 (ZERO)**

The Report was **NOTED.**

### **M25/0517S AUTISM AWARENESS MONTH**

### It was proposed by Councillor P. Donovan and seconded byCouncillor W. Lavelle and **MOVED** without debate.

“In acknowledging April as Autism Awareness month, that our Council works with Autism support organisations to develop policies & best practice to support an Autism friendly county"

**REPORT:**

South Dublin County Council work with a wide range of community based organisations including autism support organisations.  Advice and support is provided, including financial support through the Community Grant Scheme and the Community Initiative Fund and funding has been provided to organisations who focus is on supporting children, adults and families living with autism.  Community organisations are invited to become involved in a wide range of programmes and initiatives such as Health and Wellbeing Week, Social Inclusion Week etc.

The Sports Office in conjunction with the Disability Officer deliver & support sports inclusive programmes across the county.  Although they do not specifically target children with a particular disability – there is a large uptake of children with autism engaging in these sports inclusive programmes; Learn to Cycle, Learn to Swim, Gladiators, Easter & Summer Inclusive Camps.  In addition to these programmes, our sport in the community development officers deliver inclusive programmes across the schools.

SDCC is also working on provision of a dedicated Autistic Childcare Facility.

If any elected members are aware of any organisations operating in the County that are not engaged with the Community and Sports Teams, please advise them to contact the Community Services Dept.

The Report was **NOTED.**

### **M26/0517S VILLAGES INITATIVE**

### It was proposed by Councillor D. Looney and seconded byCouncillor E. O’Brien:

“That, in order to promote civic pride and a sense of community ownership of our neighbourhoods, his Council calls for the roll-out of new, attractive and functional "welcome to" bilingual signage in all suburbs of the County outside the remit of the "Villages Initiative." That the design of this signage is rooted in a similar concept to the black metal signs erected by Dublin City Council in city suburbs with bespoke artwork. That this signage be designed by the end of 2017 and provided for in the 2018 Budget, with details discussed at Area Committees, with a view to delivering it in 2018.”

**REPORT:**

Should the Motion be adopted a Report will be brought to the Members at next OP&F Meeting.  The Proposal will detail the type of signage and the list of villages to be included in the village signing scheme.

A discussion followed with contributions from Councillors D. Looney, D. O’Donovan, C. O’Connor, V. Casserly and L. Dunne.

Mr. E. Taaffe, Director of Land Use, Planning and Transportation responded to the Members queries.

The Motion was **AGREED.**

Meeting finished at 6.39pm.

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mayor

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_