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

Minutes of South Dublin County Council September 2017 County Council Meeting held on 25th September 2017.

**PRESENT**

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

**OFFICIALS PRESENT**

|  |  |
| --- | --- |
| Chief Executive | D. McLoughlin. |
| Directors/ Heads of Function  Head of Finance | B. Coman, F. Nevin, E. Taaffe, L. Maxwell, T. Walsh.  R. FitzGerald. |
| County Architect | E. Conroy. |
| Senior Executive Officers | H. Hogan, M. Staunton, L. Leonard, M. Maguire, T. Shanahan. |
| Financial Management Accountant  Senior Engineer | M. Kelly.  C. Galvin. |
| Administrative Officers | C. Murphy, N. Noonan, A. O’Melia, M. Dowling. |
| Staff Officer  Clerical Officer  IT. Support  Sord | P. Brennan.  M. Dunne.  T. McManus, R. Saiz.  A. O’Brien. |

The Mayor P. Gogarty Presided.

Apologies were received from Councillor A-M. Dermody.

The Mayor Councillor P. Gogarty wanted to welcome Deputy G. Kenny to the public gallery. A minutes silence was observed as a mark of respect for the recent tragic deaths of Homeless people.

### **H1/0917 CONFIRMATION AND RE-AFFIRMATION OF MINUTES**

1. Minutes of Annual Meeting of South Dublin County Council 30th June 2017which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor P. Gogarty seconded by Councillor F. Timmons.
2. Minutes of July County Council Meeting 10th July 2017which had been circulated were submitted and **APPROVED** as a true record and signed in the proposition of Councillor P. Gogarty seconded by Councillor F. Timmons.

At this point the Mayor Councillor P. Gogarty proposed and the Members **AGREED** to vary the sequence of items on the Agenda in order to take headed item no.12 **(H12)** next:

### **H12/0917 CHAIR OF AUDIT COMMITTEE TO PRESENT REPORT ON THE AUDIT COMMITTEE FINDINGS ON AFS 2016**

The following report by the Audit Committee, which had been circulated, was presented by Mr. G. Kennington and was **CONSIDERED:**

1. **“Introduction**

At the Audit Committee meeting held on 12th September, the Principal Local Government Auditor was in attendance to review and discuss her audit and report in respect of the Council’s Annual Financial Statement 2016.

In accordance with Section 60 of the Local Government Act 2014, I set out hereunder the Committee’s report in respect of their consideration of the audit and auditor’s report. Issues highlighted by the Auditor were discussed and considered by the Committee along with the Chief Executive’s responses to those issues raised.

The key issues raised by the auditor and discussed with the committee are as follows:

1. **Financial Standing**

The committee noted the areas of significant movements in the finances during the year, namely the increase in bank investments of €64.7m, the decrease in long term creditors of €10.9m and the reduction in specific revenue reserves of €5.9m, which contributed to the good financial cumulative revenue balance of €12.1m at year end.

1. **Income Collection**

The Committee noted the improved collection rate of 2% which the Auditor commended, and also the reduction in arrears of 4% in respect of commercial rates. While it was acknowledged that a considerable amount of work remains to be carried out to ensure improvement in the collection of rates continues, management has confirmed that the work is on-going and the situation monitored on a weekly basis. Management anticipate that additional collection powers will form part of the new rating legislation which will further enhance collection rates.

Progress continued in 2016 in the area of rent collection with an increase of 1% in the collection figures. An integrated housing system is currently being examined, it is anticipated that the new system will improve the automation of the arrears management process.

A review of customers’ loan accounts was carried out to ensure credit balances were appropriately applied. The closing arrears figure of €0.99m continues to be reviewed by management. The need for a new system for managing loans was highlighted by the Auditor and is currently being examined by the Council. The Committee recognises the complexities involved in procuring a suitable system due to the extent and variety of loan schemes available. It was noted that a number of options are currently being considered in conjunction with other Local Authorities.

1. **Mortgage Funding Gap**

Management has confirmed that the issue raised by the auditor in relation to the mortgage funding gap will be addressed in the current year. This is in relation to the proceeds of housing loans redeemed not being used to defray corresponding borrowings with the Housing Finance Agency. The Auditor confirmed that the proceeds were in the bank account at the year-end.

1. **Irish Water**

The Committee noted that the transition to Irish Water is an ongoing process and that the Council continues to deliver services on behalf of Irish Water under a service level Agreement.

1. **Capital Account**

The Committee noted that much progress had been made in 2016 in relation to unfunded capital schemes and the number of unfunded jobs had been reduced by approximately 50% which was commended by the Auditor. The Committee noted Management’s position in that schemes are embarked upon in advance of funding being made available by the Department, which will result in unfunded balances. The Committee also noted that the Council are requested to commence such schemes by the Department before the funding is confirmed. These balances are pursued as far as possible with the Department and where funding may not be forthcoming, provision will be made to fund these balances. The pursuit of these funds is ongoing with the Department.

The Committee noted issues raised by the Auditor in regard to the categorisation and recording of transactions on the capital account. Management acknowledged that while significant work has been carried out on the capital account, this work is ongoing.

1. **Bridging Loans**

The Committee noted that the bridging loans of circa €33.9m in respect of the acquisition of 139 affordable houses have been allocated to voluntary housing bodies under the Social leasing Scheme. The loans are on an interest only basis and are funded by the Department.

1. **Property Register**

The Committee noted that the reconciliation of the property management system with the fixed asset register is ongoing and that consideration is being given to the implementation of a national property management system.

1. **Interests in Associated & Subsidiary Companies**

The Committee noted that the audited accounts of the three subsidiaries and one associated companies were completed and available at the time of the audit.

1. **Procurement**

The Committee noted issues raised by the Auditor in her report in relation to procurement and also noted Management’s responses in relation to the issues. The Committee took into consideration the Auditor’s comments regarding the good work being carried out by the dedicated procurement unit. The unit continues to strengthen the governance of procurement throughout the organisation which should address the types of issues raised going forward.

1. **Governance**

In relation to risk management, the Committee noted the Auditor’s comments that the register is up to date and is reviewed regularly by the management team. The Committee endorsed the Auditor’s comments in relation to the high standard of work undertaken by the Internal Audit Unit during the year.

1. **Conclusion**

The Audit Committee is satisfied that much progress was made during the year in the areas of improved collections and reconciliations but acknowledges that further work is required to fully resolve issues identified by the auditor. While some of the issues previously raised were fully addressed, Management reported that work will continue on an ongoing basis to address the legacy issues and that further improvements will be made in the current year.

The Committee will continue to monitor progress on outstanding issues at its quarterly meetings as part of their work programme by receiving updates from Management.”

The Report was **NOTED.**

### **H2/0917 FILLING OF CASUAL VACANCY ON SOUTH DUBLIN COUNTY COUNCIL IN ACCORDANCE WITH S. 19 OF LOCAL GOVERNMENT ACT 2001 FOLLOWING THE RESIGNATION OF COUNCILLOR NICKY COULES**

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

“A casual vacancy has occurred on South Dublin County Council (Tallaght South Electoral Area) as Councillor Nicky Coules has announced his resignation from South Dublin County Council with effect from 10th September 2017.

[**Section 19 of the Local Government Act 2001**](http://www.irishstatutebook.ie/2001/en/act/pub/0037/sec0019.html) provides that a casual vacancy shall be filled by the co-option by the local authority of a person to fill the vacancy and such co- option shall be made at the next meeting of the local authority after the expiration of 14 days from the occurrence of the vacancy or as soon after the expiration of the 14 days as circumstances permit.

Ms. Emma Hendrick has been duly nominated by the People Before Profit party, being the registered political party who nominated Councillor Coules for election, and in accordance with Section 19 (5) Ms. Hendrick's written consent to her proposed co- option has been received.

Members are required to ratify the co-option of Ms. Hendrick at today's meeting.”

The reports were **NOTED** and it was proposed by Councillor M. Johansson seconded by Councillor K. Mahon and **AGREED:**

“That Ms. Emma Hendrick be co-opted to fill the vacancy occurring as a result of the resignation of Councillor Nicky Coules on Sunday 10th September 2017.”

Tributes were made to outgoing Councillor Nicky Coules by Councillors M. Johansson, K. Mahon, C. King, W. Lavelle, M. Duff, D. Looney, E. O’Brien, R. Nolan, R. McMahon and P. Gogarty.

Councillors M. Johansson, C. King, W. Lavelle, M. Duff, D. Looney, E. O’Brien, R. Nolan, R. McMahon and P. Gogarty wanted to welcome the incoming Councillor Emma Hendrick.

Mr. D. McLoughlin, Chief Executive thanked Councillor Coules for his service to the Council and he welcomed Councillor Emma Hendrick to the Council.

Councillor E. Hendrick thanked the Members for their kind words and People Before Profit for nominating her for this position.

**H3/0917 FILLING OF VACANCY ON JOINT POLICING COMMITTEE /HOUSING SPC DUE TO THE RESIGNATION OF COUNCILLOR NICKY COULES**

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:**

**“**A vacancy exists on the following committees held by Councillor Nicky Coules who has resigned from the Council**.**

a) Joint Policing Committee

b) Housing SPC

It is a matter for the Council to appoint a replacement to the above positions and this is now before the Members for consideration and recommendation.”

1. It was proposed by Councillor M. Johansson and seconded by Councillor C. King and **AGREED** that Councillor E. Hendrick be appointed to the Joint Policing Committee.
2. It was proposed by Councillor M. Johansson and seconded by Councillor M. Duff and **AGREED** that Councillor E. Hendrick be appointed to the Housing Strategic Policy Committee.

### **H4/0917 REPORTS FROM AREA COMMITTEES**

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

### **H5a/0917 STANDING COMMITTEES - ORGANISATION, PROCEDURE & FINANCE   COMMITTEE – 21st SEPTEMBER 2017-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 September 2017

**Draft Calendar of Meeting Dates November – December 2017**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 30/10 | ***Bank Holiday*** |  |  |
| Tue. | 31/10 |  |  |  |
| Wed. | 01/11 | **Arts, Culture, Gaeilge, Heritage & Libraries SPC** | **5.30 pm – 7.00 pm** | **28/09/2017** |
| Thur. | 02/11 |  |  |  |
| Fri. | 03/11 |  |  |  |
|  | | | | |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 06/11 | **Corporate Policy Group** | 3.00pm – 4.30pm |  |
| Tue. | 07/11 | **Environment, Water & Climate Change SPC** | **5.30 pm – 7.00 pm** | **05/10/2017** |
| Wed. | 08/11 | **Economic , Enterprise & Tourism Development SPC** | **5.30pm – 7.00pm** | **06/10/2017** |
| Thur. | 09//11 | **Organisation Procedure and Finance Special Budget Meeting** | **3.30pm –** |  |
| Fri. | 10/11 |  |  |  |
| *Planning File requests to be received by 01/11/2017* | | | | |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| **Mon** | **13/11** | **County Council Meeting** | **3.30pm – 7.00pm** | **31/10/2017** |
| Tue. | 14/11 | ***Rathfarnham/Templeogue-Terenure Area Committee***  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Support, Performance & Change Management*  ***Social & Community SPC*** | 3.00pm – 6.00pm  6.00pm – 7.30pm | 01/11/2017  12/10/2017 |
| Wed. | 15/11 | **Clondalkin Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 3.00pm – 6.00pm | 02/11/2017 |
| Thur. | 16/11 | **Annual Budget Meeting** | 3.30pm - |  |
| Fri. | 17/11 |  |  |  |
| *Planning File requests to be received by 10/11/2017*  *Planning File requests to be received by 11/11/2017* | | | | |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 20/11 | Housing SPC | 5.30pm – 7.30pm | 18/10/2017 |
| Tue. | 21/11 |  |  |  |
| Wed. | 22/11 | **Deputations** | 2.00pm – 5.00pm |  |
| Thur. | 23/11 | **Traffic Management Meeting Rathfarnham/Templeogue –Terenure**  **Traffic Management Meeting**  **Clondalkin**  **Organisation, Procedure & Finance Committee (**in committee)  **Adjourned Budget Meeting (if necessary)** | 2.00pm – 2.45pm  2.45pm – 3.30 pm  3.30pm – 6.00pm | 10/11/2017 |
| Fri. | 24/11 | **Joint Policing Committee** | 3.00pm – 5.00pm |  |
|  | | | | |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 27/11 | **Tallaght Traffic Management Meeting**  **Tallaght Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 2.15pm – 3.00pm  3.00 pm – 6.00 pm | 16/11/2017 |
| Tue. | 28/11 | **Lucan Traffic Management Meeting**  **Lucan Area Committee**  *Public realm, Environment, Water & Drainage, Community, Housing, Transportation, \*\*Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 2.15pm – 3.00  3.00pm – 6.00pm | 15/11/2017 |
| Wed. | 29/11 |  |  |  |
| Thurs | 30/11 | **Land Use, Planning & Transportation SPC** | 5.30pm – 7.00pm | 31/10/2017 |
| Fri. | 01/12 |  |  |  |
| *\*Planning file requests to be received by 22/11/2016*  *\*\* Planning file requests 23/11/2016* | | | | |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 04/12 | **Corporate Policy Group** | 3.30pm – 4.30 pm |  |
| Tues | 05/12 |  |  |  |
| Wed. | 06/12 |  |  |  |
| Thurs | 07/12 |  |  |  |
| Fri. | 08/12 |  |  |  |
|  | | | | |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon | 11/12 | **County Council Meeting** | 3.30pm – 7.00pm | 28/11/2017 |
| Tue | 12/12 | **Audit Committee**  **Rathfarnham/Templeogue Area Committee**  P*ublic realm, Environment, Water & Drainage, Community, Housing, Transportation,\* Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 8.00am – 9.30 am  3.00pm – 6.00pm | 29/11/2017 |
| Wed. | 13/12 | **Clondalkin Area Committee**  P*ublic realm, Environment, Water & Drainage, Community, Housing, Transportation,\*\* Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 3.00pm – 6.00pm | 30/11/2017 |
| Thur. | 14/12 |  |  |  |
| Fri. | 15/12 |  |  |  |
| *\*Planning file requests to be received by 07/12/2017*  *\*\*Planning file requests to be received by 08/12/2017* | | | | |
| **DATE** | | **MEETING / FUNCTION** | **TIME** | **CLOSING DATE FOR RECEIPT OF BUSINESS** |
| Mon. | 18/12 | **Tallaght Area Committee**  P*ublic realm, Environment, Water & Drainage, Community, Housing, Transportation,\* Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 3.00pm – 6.00pm | 05/12/2017 |
| Tue. | 19/12 | **Lucan Area Committee**  P*ublic realm, Environment, Water & Drainage, Community, Housing, Transportation,\*\* Planning Libraries & Arts, Economic Development, Corporate Support, Performance & change Management* | 3.00pm – 6.00 pm | 06/12/2017 |
| Wed | 20/12 |  |  |  |
| Thur. | 21/12 |  |  |  |
| Fri. | 22/12 |  |  |  |

*\*Planning file requests to be received by 11/12/2017*

**\****\*Planning file requests to be received by12/12/2017*

**Notes:**

Annual Budget Meeting 16th November 2017.

Special Operation Procedure and Finance Budget Meeting 9th November 2017

Housing SPC to be held on 20th November 2017.

The closing date for Council Business for the November Meeting 27/10/2017. Early Closing due to October Bank Holiday.

December Tallaght and Lucan Area Committees brought forward a week due to the Christmas Break

The Draft Calendar of Meeting date was proposed by Councillor P. Gogarty and seconded by Councillor F. Timmons”

The Draft Calendar of Meeting Dates was **APPROVED** on the proposition of Councillor P. Gogarty and seconded by Councillor F. Timmons.

### **H5b/0917 STANDING COMMITTEES - ORGANISATION, PROCEDURE & CONFERENCES- 21st SEPTEMBER 2017- REPORTS ON 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 on Conferences/Seminars was **APPROVED** by the Members at the Organisation, Procedure & Finance Committee Meeting held on 21st September 2017.

“[**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.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Conference** | **Host** | **Venue** | **Date** | **Members**  **Attending** |
| |  |  |  |  | | --- | --- | --- | --- | | NFLA All Ireland Forum Autumn Energy Policy Seminar 2017 |  | Meeting Room, County Council Offices, Buvinda House, Dublin Road, Athlumney, Navan, County Meath, | 22/09/2017 - 22/09/2017 | | Nuclear Free Local Authorities | County Council Offices Navan Co. Meath | 22nd September 2017 |  |
| Wellbeing for Councillors | Association of Irish Local Government | Clayton Silver Springs Hotel, Cork | 23rd September 2017 | Cllr. B. Lawlor |
| |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | | Biennial National Social Housing Conference | Irish Council for Social Housing | Limerick Strand Hotel | 27/09/2017 - 28/09/2017 |  | €265 | 19/09/2017 16:00 | [Edit](http://intranet/departments/corporate/Conferences/Edit.aspx?uo=True&id=180) | |  |  |  |  |  |  |  |  | | Irish Council for Social Housing | Limerick Strand Hotel, Limerick | 27th -28th September | Cllr D. O’ Donovan  Cllr M. Ward |
| Waste Management Better Efficiency | Local Authority Members Association | Hotel Minella, Clonmel | 28th – 30th September 2017 | Cllr K. Egan  Cllr V. Casserly  Cllr B. Lawlor |
| Reimagining the Planning System: Planning and Implementation | Irish Planning Institute | Gibson Hotel, Dublin 1 | 6th October 2017 |  |
| Autumn Training Conference | Association of Irish Local Government | Sligo Park Hotel,  Sligo | 12th -13th October 2017 |  |
| Local Authority Budget 2018 | Institute of Professional Training | Silver Tassie Hotel,  Letterkenny  Co Donegal | 13th -15th October 2017 |  |

**Conferences Attended Since May**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Conference** | **Host** | **Venue** | **Date** | **Members Attending** |
| A Briefing for Elected Members on Community Development initiatives - Urban and Rural | Association of Irish Local Government | Arklow | 09/05/2017 | Cllr E. Murphy |
| AILG Training  A Briefing for Elected Members on Community Development Initiatives - Urban and Rural | Association of Irish Local Government | Castlecourt Hotel  Westport  Co. Mayo | 13/05/2017 | Cllr R. Mc Mahon  Cllr K. Egan  Cllr V. Casserly  Cllr Brian Lawlor Cllr C. King  Cllr L. Dunne  Cllr D. Richardson  Cllr G.O’ Connell  Cllr A. M. Dermody |
| AILG Training  A Briefing for Elected Members on Community Development Initiatives | Association of Irish Local Government | Lakeside Hotel, Ballina/Killaloe, Co. Tipperary | 18/05/2017 | Cllr T. Gilligan |
| Brexit, Regional Planning and EU Affairs | Association of Irish Regions | Parkview Hotel  Newtounmountkennedy | 26/05/2017 | Cllr V. Casserly  Cllr. K. Egan |
| AILG Training | Association of Irish Local Government | Dundalk | 10/06/2017 | Cllr V. Casserly  Cllr K. Egan  Cllr B. Lawlor  Cllr A.M. Dermody  Cllr G. O’ Connell |
| Global Turbulence And Uncertainty  Ireland And Europe Must Prepare For A New Era | MacGill Summer School | Glenties, Co. Donegal | 19th-20th July 2017 | Cllr E. Higgins  Cllr A. M. Dermody  Cllr V. Casserly  Cllr K. Egan |
| Changing Trends And Approaches To  Drug And Alcohol Abuse’ | Institute of Professional Training | Baltimore, Co. Cork | 1st -3rd September 2017 | Cllr V. Casserly  Cllr, K. Egan  Cllr B. Lawlor  Cllr R. Mc Mahon |
| Wellbeing for Councillor | Association of Irish Local Government | City North Hotel Gormanstown Co. Meath | 14th September 2017 | Cllr. Guss O’Connell |

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 on Conferences/seminars was proposed by Councillor P. Gogarty and seconded by Councillor F. Timmons.”

The Report on Conferences/Seminars was **APPROVED** on the proposition of Councillor P. Gogarty and seconded by Councillor F. Timmons.

**H5c/0917** **STANDING COMMITTEES - ORGANISATION, PROCEDURE & CONFERENCES- 21st SEPTEMBER 2017-VACANCY ON JOINT POLICING COMMITTEE**

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 presented to the Members at the Organisation, Procedure and Finance Committee Meeting held on 21st September 2017:

A Vacancy exists on the Joint Policing Committee due to the resignation of Councillor Sarah Holland from this Committee.  It is a matter for the Council to nominate a replacement to fill the vacancy and it is now before the Members for their consideration.

It was proposed by Councillor C. King and seconded by Councillor D. Richardson and **AGREED** that **Councillor Mark Ward** be appointed to the joint policing Committee

This matter is now before the Council for Approval.”

The Nomination for the Vacancy on Joint Policing Committee was **APPROVED** on the proposition of Councillor P. Gogarty and seconded by Councillor D. Richardson.

**H5d/0917** **STANDING COMMITTEES - ORGANISATION, PROCEDURE & CONFERENCES- 21st SEPTEMBER 2017-VACANCY ON CLONDALKIN DRUGS TASKFORCE**

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 presented to the Members at the Organisation, Procedure and Finance Committee Meeting held on 21st September 2017:

A Vacancy exists on Clondalkin Drugs Task force due to the resignation of Councillor Francis Timmons from this Committee.

It is a matter for the Council to nominate a replacement to fill the vacancy and it is now before the Members for their consideration.

It was proposed by Councillor F. Timmons and seconded by Councillor C. O’Connor and **AGREED** that **Councillor Guss O’ Connell** be appointed to Clondalkin Drugs Task Force

This matter is now before the Council for Approval.”

The Nomination for the Vacancy on Clondalkin Drugs Task Force was **APPROVED** on the proposition of Councillor P. Gogarty and seconded by Councillor F. Timmons.

**H5e/0917 STANDING COMMITTEES - ORGANISATION, PROCEDURE & CONFERENCES- 21st SEPTEMBER 2017-VACANCY ON SOUTH DUBLIN PARTNERSHIP**

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 presented to the Members at the Organisation, Procedure and Finance Committee Meeting held on 21st September 2017:

A Vacancy exists South Dublin Partnership due to the resignation of Councillor Louise Dunne from this Committee.

It is a matter for the Council to nominate a replacement to fill the vacancy and it is now before the Members for their consideration.

It was proposed by Councillor C. King and seconded by Councillor M. Ward and **AGREED** that **Councillor Dermot Richardson** be appointed to South Dublin Partnership.

This matter is now before the Council for Approval.”

Nomination for the Vacancy on South Dublin Partnership was **APPROVED** on the proposition of Councillor P. Gogarty and seconded by Councillor C. King.

**H5f/0917 STANDING COMMITTEES - ORGANISATION, PROCEDURE & CONFERENCES- 21st SEPTEMBER 2017-VACANCY OF CHAIR OF LAND USE, PLANNING & TRANSPORTSTION SPC**

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 presented to the Members at the Organisation, Procedure and Finance Committee Meeting held on 21st September 2017.

Councillor William Lavelle was appointed Chairperson of the Land Use, Planning and Transportation Strategic Policy Committee by this Council at the Annual (Inaugural) Meeting in June 2014.    He has now submitted notification of his resignation from that position with effect from 19th September 2017.

It is now a matter for this Council to fill the vacancy in the chair of the SPC with the new appointment to be effective from 20th September 2017.

It was proposed by Councillor B. Lawlor and seconded by Councillor K. Egan that Councillor Emer Higgins be nominated as Chair of the Land Use Planning and Transportation SPC.

This matter is now before the Council for Approval.

The nomination for the Vacancy of Chair of The Land Use Planning and Transportation SPC Following the Resignation of Councillor W. Lavelle was **APPROVED** on the proposition of Councillor P. Gogarty and seconded by Councillor B. Lawlor.

It was further proposed by Councillor E. Higgins and Seconded by Councillor P. Gogarty and **APPROVED** that Councillor W. Lavelle be nominated to fill Councillor E. Higgins position on the Economic, Enterprise and Tourism Development SPC.

**H6/0917 STRATEGIC POLICY COMMITTEES**

It was **NOTED** that there were no report under this Heading.

**H7/0917 REPORTS REQUESTED BY AREA COMMITTEES**

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

**“**At the Tallaght ACM on 19th September 2017 the Members gave their consideration to a Report on the process to date in respect of a proposal to Extinguish the Public Right of Way between Whitebrook Park and Raheen Close. The Council at its meeting on 10th July 2017 AGREED that the process would be initiated.

The latest date for the receipt of objections, representations and requests for oral hearing was Thursday 31st August 2017. The following is a breakdown of the submissions received in response to the public advertisement/notice:-

### Against the Extinguishment of the Right of Way 359

### Of which: 212 requested public lighting and or CCTV be provided in the laneway

### 31 requested public lighting and CCTV Security linked to Garda Station, regular patrols of the lane and lane to be cleaned and graffiti free.

### In favour of Extinguishment of the Right of Way 304

### Number of Requests for Oral Hearing 2

### The Area Committee unanimously Recommend that the Council in accordance with the requirements of Section 73 of the Roads Act 1993 decide to grant an oral hearing in this case.

### The process of oral hearing requires that an independent inspector be appointed to conduct the hearing that an equal number of residents representing each side [those persons who have requested the hearing] be invited to attend and afforded the opportunity to state their case in front of each other and the inspector. The oral hearing is not open to any other parties. The Inspector will also make a site visit and will prepare a report which may contain recommendations. This report is brought back to the ACM for consideration and for a decision on the extinguishment proposal to be further recommended to the full Council.

### The Report was **AGREED.**

**QUESTIONS**

It was proposed by Councillor F. Timmons, seconded by Councillor T. Gilligan and **RESOLVED**:

### “That pursuant to Standing Order No. 13, Questions numbered Q1 – Q23 be **ADOPTED** and **APPROVED.”**

### 

### **Q1/0917 PLANNING DECISIONS**

### **QUESTION:** **Councillor E. Fanning**

To ask for clarity on the issuing of Planning Decisions being forwarded to Agents.  While a Decision may appear online (with no details), as has happened on a Friday - there was still no Registered letter received by Tuesday.  After contacting the Planning Department and requesting the decision by email, it was refused although in similar circumstances previously an email had been sent with the decision attached.

Can the correct procedure be clarified and can the time span between a decision appearing online and the issuing of a registered letter be shortened.

**REPLY:**

The procedure for issuing notifications of decisions is as follows:

The notification of decision is issued to the applicant/agent acting on behalf of the applicant by Registered Post on the day the decision order is signed or at the latest the following day. This satisfies the requirements of Article 31 of the Planning and Development Regulations 2001 (as amended) which states, inter alia, that “notification of a decision by a planning authority shall be given to the applicant within 3 working days of the decision.”

Once details of the decision are entered in the planning system the website is automatically updated with details of the decision.

It is the Council’s practice to allow a period of a few days from the date of decision before uploading the decision order and notification letter to the website in order that the applicant or agent gets first view of the decision details.

### **Q2/0917 DAMPNESS/CONDENSATION**

### **QUESTION:** **Councillor S. Holland**

To ask the Chief Executive how many complaints of dampness/condensation have we received, year by year in the term of this Council, and broken down by Electoral Area.

**REPLY:**

The current Housing Maintenance computer system does not allow for each complaint received to be categorised in accordance with Complaint Description. Complaints are categorised as Emergency, Urgent, Routine or Cyclical.

Accordingly, each individual Maintenance Request received from 2014 to date, (68,206 maintenance requests for the period specified), needed to be examined to extract the information requested.

An exercise was carried out to extract information using the key words “damp/mould/condensation”

The following chart shows the results of that exercise.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Year** | **Clondalkin** | **Lucan** | **Templeogue/Terenure** | **Tallaght South** | **Tallaght Central** | **Rathfarnham** |
| 2017(112) | 45 | 9 | 0 | 46 | 8 | 4 |
| 2016(200) | 84 | 10 | 0 | 80 | 19 | 7 |
| 2015(171) | 77 | 8 | 0 | 68 | 14 | 4 |
| 2014(204) | 75 | 16 | 0 | 80 | 26 | 7 |

When complaints are received in relation to this type of problem, the Clerk of Works carries out an investigation and in most cases he uses a moisture meter to measure the amount of water in the air and walls of the house. It is reported in a considerable number of cases that water vapour is very high (mainly due to windows not being opened, laundry being dried inside with heating turned on, vents not being opened, cooking with windows closed etc..). Consequently the vast majority of complaints are dealt with by making lifestyle changes. Tenants are provided with information regarding condensation. This information is also available on the Council’s Website.

### **Q3/0917 PIGEON CLUBS**

### **QUESTION:** **Councillor S. Holland**

To ask the Chief Executive whether any Pigeon racing clubs currently receive Local Authority funding, use of community facilities or support in the County and to give details of same if so.

**REPLY:**

Pigeon Clubs can apply for grants under the Community Grant Scheme.  Two grants were approved in 2016.

Grants are advertised on SDCC website, social media and in Echo/Gazette twice annually and applications can be made via the on-line system or in hard copy.

### **Q4/0917 THE GRANGE/KILCARBURY**

### **QUESTION:** **Councillor M. Johansson**

To ask the Chief Executive what is expected to be the breakdown of the 30% social housing at the Grange/Kilcarbery Integrated Housing Project i.e. how many are expected to be Council, Approved Housing Body or affordable housing?

**REPLY:**

The Grange/Kilcarbery Integrated Housing Project has an estimated capacity to deliver approx. 900 housing units (subject to planning permission).  The tenure mix is 30% social housing units and 70% private residential units.  The 30% social housing units will be owned by the Council.

### **Q5/0917 GATEWAY**

### **QUESTION:** **Councillor W. Lavelle**

To ask the Chief Executive for a report on any proposals being considered to deliver services (such as laneway cleansing) which were previously carried-out by staff under the Gateway programme?

**REPLY:**

The Gateway job activation scheme ran in South Dublin County Council from May 2014 and finished in early 2017.  There was a total of 200 staff engaged on the scheme on a week on/week off basis.  These staff were assigned to a number of Council departments including Roads Maintenance, Housing Maintenance and Environment with approximately 100 of the staff assigned to Public Realm maintenance.  Tasks assigned to the staff included cleaning of industrial estates, cleaning of laneways in housing areas and cleaning of parks and housing estate open spaces.  For much of the duration of the Gateway scheme the number of full time staff engaged by the Council was reducing as there was an embargo on recruitment.  The effect of this was that the Public Realm Section was operating below the agreed workforce plan numbers, with around 30 vacancies needing to be filled.  These vacancies have now been filled and in fact the workforce plan numbers have been exceeded with additional staff recruited for tree management as well as 15 seasonal staff recruited in 2017 to provide holiday relief.

### **Q6/0917 TREE MAINTENANCE**

### **QUESTION:** **Councillor W. Lavelle**

To ask the Chief Executive for an update on the level of tree maintenance service being provided by this Council in 2017; and on the formation of a third tree crew as provided for in the 2017 budget?

**REPLY:**

Throughout 2017 to date, the Council has had two full-time tree crews in operation with one carrying out tree maintenance north of the N7 and the other operating south of the N7.  Recruitment of 5 new staff to enable the formation of a third full-time tree crew took place in May and June of this year.  These staff are currently deployed within the existing tree crew structures in order to gain practical experience while undergoing the necessary training and skills development to advance the formation of a third full-time tree crew.  During the period January to March, two additional seasonal tree crews were also deployed in the delivery of the tree maintenance service across the county.  The tree stump removals crew were in operation from January to May and will shortly resume activity at the end of the grass cutting season.

### **Q7/091*7* TEEN FACILITIES**

### **QUESTION:** **Councillor W. Lavelle**

To ask the Chief Executive to provide a detailed update and timeframe on the planned consultation on teen facilities?

**REPLY:**

Provision has been for a consultation process on teen spaces and facilities in 2017.

This involves a study regarding the facilities for teenagers in parks and open spaces in South Dublin County; including provision of Youth Cafés where appropriate within parks and open space locations. The Community Department is involved in this study with Environment Water and Climate Change.

The project is defined a study of the facilities for teenagers in parks and open spaces in South Dublin County including the provision of Youth Cafés and will examine:

* Active recreation
* Passive recreation

Background research is on-going to assess current level of provision for this group.

Consultation is also on-going with regard to the facilities for teenagers in our parks and open spaces with particular focus on:

* facility providers
* relevant interest groups
* teenagers

Contact has been made with clubs and recreational providers to assess current level of provision. A focus group has commenced with contact with teenagers in the Ballycragh area prior to holidays; this will re-commence in September and it is intended to set up some similar focus groups elsewhere in the county. It is also intended to utilise the recent public participatory budgetary process and the proposed implementation of the ball wall in the Lucan area in 2017 to engage with teenagers on this new type of facility provision in our parks. The SDCC Communication Unit will commence a social media consultation process on Teen Spaces within the next two weeks. Content is currently being prepared and will be targeted at the relevant demographic. Councillors will be notified prior to the commencement of the social media campaign. The Community Development Team will also engage with Comhairle na Nog in the consultation process.

### **Q8/0917 HOUSING ALLOCATIONS**

### **QUESTION:** **Councillor B. Leech**

Can the criteria be given as to how Council Properties are allocated to Tenants? Is there an involvement by the Estate Management to vouch for new Tenants?

**REPLY:**

All properties are allocated in accordance with the Council's Allocations Scheme. Applicants, other than those on priority lists, will be considered on ‘time on list’ basis. The Council may also set aside a proportion of the dwellings available for the priority applicants and transfers.

Applicants will be investigated, by way of Garda check, in accordance with the Housing (Miscellaneous Provisions Act) 1997 and applicants involved in anti-social behaviour will not be considered for inclusion on the housing list for a period of one year.  Applicants engaging in anti-social Behaviour Strategy will not be considered for inclusion on the housing list for a period of two years.  These periods will be subject to a rolling review process.

The Garda checks on individuals seeking housing require the Estate Management Section and Estate Management Officer to liaise with Allocations staff in relation to any Anti-Social history associated with the applicants.

### **Q9/0917 HOUSING LIST**

### **QUESTION:** **Councillor E. Murphy**

Could the Chief Executive please give details of the length of time that applicants for social housing have been on the housing list? Can this please be broken down to reflect year of application to the Council?

**REPLY:**

The table below shows a breakdown of the Council's current housing waiting list of 8,160 by length of time on list:-

|  |  |
| --- | --- |
| **Years On List** | **Nos.** |
| 15 + | 11 |
| 10 - 15 | 387 |
| 5 - 10 | 2868 |
| up to 5 | 4894 |

### **Q10/0917 PAVILLION PROGRAMME**

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

To ask the Chief Executive to update the Council on actions being taken to deliver the Pavilion Programme and will he give assurances that there will be no further delays in respect of the matter?

**REPLY:**

The aim of the current pavilion construction programme is to provide for the provision of further pavilion facilities; commencing with provision at Dodder Valley-Old Bawn Park, Griffeen Park and Corkagh Park.

A tender process was carried for the Pavilion programme in 2016, it did not achieve results in either value for money, design innovation or the creation of a list of suitable contractors.

It was agreed to re-tender the Pavilion programme using the more successful tender model of design-build allied to more traditional construction successfully employed on the now completed Ballyowen equine centre. The tender was bases on evaluation criteria balancing Quality and Price. The preferred bidders tender following evaluation was over 450,000.00 euros more than the budget capital cost allocation already agreed in light of sports grant. A revised and reduced design was prepared by Architects Dept. and costed by the preferred bidder but the cost is still €300,000 in excess of the budget amount and is not seen as good value for money. The tender strategy is now under review and will be retendered shortly.

### **Q11/0917 PLANNING ADVERTISEMENTS**

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

To ask the Chief Executive if he is aware of concerns being expressed in respect of the system where advertisements for planning applications in our County are advertised in the Examiner newspaper based in Cork which is not widely read in the Dublin area and will he make a statement in the matter.

**REPLY:**

The Examiner newspaper is on the approved list for planning application notices and therefore Applicants are entitled to advertise in the Paper.  It should be noted that Applicants are also required to erect a Site Notice to advise the public.

### **Q12/0917 CLIMATE CHANGE**

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

To ask the Chief Executive to present an update on his endeavours to meet government targets in respect of climate change; will he detail actions being taken in the matter and furnish a statement.

**REPLY:**

‘A Strategy Towards Climate Change Action Plans for Dublin Local Authorities’, was adopted at the Council Meeting in February 2017.

SDCC must now produce a Local Adaptation Plan and Mitigation Plan. Adaptation to climate change and the successful implementation of adaptation policy, is a task that involves all levels of government from local to European levels. At local level, our task is to focus on the implementation of adaptation responses. Strengthening our capacity to adapt to unavoidable climate change impacts by making our county more resilient to extreme weather events.

Mitigation to climate change tasks local government to make efforts to reduce or prevent emission of greenhouse gases, this can be achieved through improved energy efficiency and greater use of renewable energy sources. SDCC in conjunction with the three other Dublin Local Authorities and Codema, are producing these plans. We are currently meeting all sections of the Local Authority and generating a list of actions required to Adapt to and Mitigate the challenge of Climate Change.

A series of workshops and seminars have taken place over the last three months involving the 4 Dublin Local Authority Climate Change working group nominees, Codema and the members of the 4 Dublin Local Authority Environment SPCs. The purpose of these meetings is to begin drafting Adaptation and Mitigation plans.

SDCC, in conjunction with Codema and the other Dublin Local Authorities are hosting a further Climate Change workshop in September, to further explore and come to a consensus on mitigation measures and how they can be implemented across the Dublin Region. Adaptation plans will be more specific for each LA, given the geographic locations of the LA’s and the different challenges faced in each area, e.g. DCC, DLR & Fingal will have coastal adaptation challenges, SDCC will have pluvial and fluvial flooding issues to consider.

### **Q13/0917 WELCOME SIGNS /BANNERS**

### **QUESTION:** **Councillor L. O'Toole**

Further to previous requests could the Chief Executive look at providing “Welcome/Best of Luck” signs (banners) on the relevant roads (bridges) to all the Counties when entering the County on specific and relevant events in sports etc.

**REPLY:**

The provision of such signage would be expensive and could, in certain circumstances result in a traffic hazard.  In addition the majority of traffic entering the County does so on the National Road/Motorway network where such signage is prohibited. The Council therefore has no plans to provide such signs.

### **Q14/0917 HOUSING BUILDING DETAILS**

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

To ask the Chief Executive to present a report on the Council's Housing Construction Programme confirming how many houses have been built so far this year and detailing expected house completions in 2017/2018.

**REPLY:**

The Council have commenced construction activity on 6 sites to date in 2017 with a further 3 in September 2017. There will be no house build completions in 2017 though we anticipate 280 units completed under the social housing build programme in 2018. The first units for 2017 construction starts will come on stream from March 2018. The numbers are outlined for delivery per quarter to end 2018 below.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Delivery Method** | **Q3 2017** | **Q4 2017** | **Q1 2018** | **Q2 2018** | **Q3 2018** | **Q4 2018** |
|  |  |  |  |  |  |  |
| **LA Construction** | 0 | 0 | 0 | 95 | 85 | 100 |

### **Q15/0917 HOMELESS FAMILIES**

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

To ask the Chief Executive if he will confirm how many homeless families from the County are still being accommodated in hotel or other temporary accommodation and will he give details in the matter and make a statement.

**REPLY:**

There were a total of 194 homeless families being accommodated in hotels and other temporary accommodation.

The numbers in commercial hotels or equivalent was 91 at the end of August.

South Dublin County Council working together with its partners is making every effort to ensure that these families move out of temporary accommodation as soon as possible.

### **Q16/0917 DUBLIN BUS**

### **QUESTION:** **Councillor L. O'Toole**

To ask the Chief Executive for an update of the plans/measures to provide a bus route on the ORR connecting Lucan to Tallaght via Clondalkin and vice versa.

**REPLY:**

The NTA have commenced a project called BusConnects which will examine the design of the current bus network. In addition a recent commitment to invest €1bn in Dublin’s bus network, has been announced.

The BusConnects project is a suite of initiatives, proposed by the National Transport Authority (NTA), aimed at revitalising bus transport in Dublin. A planned redesign of the current bus network is one of nine initiatives within the BusConnects project, and is still very much in the early stages; data analysis is being conducted and design options and route choices are being discussed.

Dublin Bus are fully engaged with this project and have communicated that they are committed to promoting and protecting the interests of customers. Requests for new routes will be considered as part of this project.

### **Q17/0917 STUDY OF FACILITIES FOR OLDER CHILDREN**

### **QUESTION:** **Councillor L. O'Toole**

To ask the Chief Executive for an update on ‘Study of facilities for older children’ which was to be carried out in 2017.

**REPLY:**

Provision has been for a consultation process on teen spaces and facilities in 2017.

This is a study regarding the facilities for teenagers in parks and open spaces in South Dublin County; including provision of Youth Cafés where appropriate within parks and open space locations. The Community Department is involved in this study with Environment Water and Climate Change.

The project is defined a study of the facilities for teenagers in parks and open spaces in South Dublin County including the provision of Youth Cafés and will examine:

* Active recreation
* Passive recreation

Background research is on-going to assess current level of provision for this group.

Consultation is also on-going with regard to the facilities for teenagers in our parks and open spaces with particular focus on:

* facility providers
* relevant interest groups
* teenagers

Contact has been made with clubs and recreational providers to assess current level of provision. A focus group has commenced with contact with teenagers in the Ballycragh area prior to holidays; this will re-commence in September and it is intended to set up some similar focus groups elsewhere. It is also intended to utilise the recent public participatory budgetary process and the proposed implementation of the ball wall in the Lucan area in 2017 to engage with teenagers on this new type of facility provision in our parks. The SDCC Communication Unit will commence a social media consultation process on Teen Spaces in two weeks. Content is currently being prepared and will be targeted at the relevant demographic. Councillors will be notified prior to the commencement of the social media campaign. The Community Development Team will also engage with Comhairle na Nog in the consultation process.

### **Q18/0917 ILLEGAL DUMPING**

### **QUESTION:** **Councillor L. O'Toole**

To ask the Chief Executive to provide a report on the costs of cleansing of illegal dumping for years 2015/2016 and 2017 to date, and to provide report on costs of the costs of additional litter installed for same period.

**REPLY:**

Costs to clean up illegally dumped waste in 2015, 2016 & 2017 are provided below as are details of costs of providing the litter bin service and the provision of new litter bins. Costs shown for 2017 are to the end of August.  It should be noted that not all of the waste disposal costs have been accounted for as yet in 2017.

|  |  |  |  |
| --- | --- | --- | --- |
| Year | Cost of clean-up of illegal dumping | Cost of provision of litter bin service | Cost of provision of new bins etc. |
| 2015 | €1,306,255 | €430,861 | €33,044 |
| 2016 | €1,378,200 | €485,433 | €43,710 |
| 2017 | €776,895 to end of August | €306,660 to end of August | €26,798 to end of August |

### **Q19/0917 HOUSING NEEDS**

### **QUESTION:** **Councillor F. Timmons**

To ask for a full report on the current housing needs? How many for 1 bed 2 bed 3 bed 4 plus bed and areas they have requested ?

**REPLY:**

At 31/08/2017 there are 8,160 applicants on the Council's housing waiting list, the table below shows size of accommodation needed and housing areas preferred - please note some applicants have expressed interest in both areas:-

|  |  |  |
| --- | --- | --- |
| **DWELLING SIZE** | **NORTH OF THE NAAS ROAD** | **SOUTH OF THE NAAS ROAD** |
|  |  |  |
| 1 Bedroom | 1497 | 2176 |
| 2 Bedroom | 1938 | 2335 |
| 3 Bedroom | 1127 | 1135 |
| 4 Bedroom | 121 | 121 |

### **Q20/0917 STEP DOWN ACCOMMODATION**

### **QUESTION:** **Councillor F. Timmons**

How many people are on the list for step down elderly accommodation? Can this be listed by area?

**REPLY:**

There are 32 Tenants on the Council's Transfer List who would qualify for older persons accommodation i.e. over 65 years of age, who would be considered 'step down' i.e. moving from larger accommodation.  Of these 22 have expressed a preference for South of the Naas Road and 13 for the North of the Naas Road housing areas.

There are also 210 applicants on the Council's Housing waiting list for older person’s accommodation.

### **Q21/0917 HOMELESS FIGURES**

### **QUESTION:** **Councillor F. Timmons**

To ask for a full report on the current homeless figures for South Dublin County Council and how they are being accommodated for?

**REPLY:**

|  |  |
| --- | --- |
|  | August 2017 |
| Number of Registered homeless | 465 |
| Single Male | 210 |
| Single Female | 50 |
| Couples | 11 |
| Families | 194 |

Killininny House offers supported temporary accommodation for 21 single men and is managed by the Peter McVerry Trust who have additional step down accommodation around the county which can cater for up to 14 individuals at any one time.

Hubs are provided at Tallaght X (64) Abberley (37) and Glean no Horna (9)

SDCC is currently seeking additional family hubs and supported temporary accommodation in the County.

All other Hotel & B&B accommodation is operated through the Central Placement Services.

All families included on the Homeless Register are notified to the Focus Family HAT who appoint a Case Worker to further assist those families.

SDCC is also working with Focus Ireland on the HAP Preventative Measure to assist and prevent those families at risk from becoming homelessness.

The Council also operates an outreach service and multi-agency approach to address rough sleepers.

### **Q22/0917 MORTGAGE ARREARS**

### **QUESTION:** **Councillor F. Timmons**

To ask for a full report into how many South Dublin County Council tenants are in Mortgage arrears? And what the estimated cost of this is to South Dublin County Council?

**REPLY:**

In August 2017 there were 283 loan accounts in arrears. The total arrears owing was €1,148,830.18. The Council works closely with these borrowers to reduce their arrears and enter repayment plans and also if applicable through the MARP facility.

### **Q23/0917 CAPITAL ASSISTANCE**

### **QUESTION:** **Councillor F. Timmons**

How much is South Dublin County Council hoping to put in for new Capital Assistance Scheme for Social homes? And how many homes is it estimated can be provided through this?

**REPLY:**

South Dublin Co. Co. have published an online notice inviting Approved Housing Bodies to submit proposals under Capital Assistance Scheme 2017. The Housing procurement team have meetings scheduled with Approved Housing Bodies to review proposals and options for delivery under CAS. The Housing Department will endeavour to maximise as many housing units as possible for delivery under Capital Assistance Scheme funding stream. All submissions will be subject to final approval from the Department of Housing, Planning, Community and Local Government.

### **H8/0917 DECLARATION OF ROADS TO BE PUBLIC ROADS**

### It was **NOTED** that there were no report under this Heading

**H9a/0917 PROPOSED DISPOSAL OF PROPERTIES/SITES - PROPOSED DISPOSAL OF THE FEE SIMPLE IN 16 ARTHUR GRIFFITH PARK, LUCAN, CO. DUBLIN**

The following report by the Chief Executive, which had been circulated, was presented by Mr. Frank Nevin, Director of Economic, Enterprise and Tourism 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 |
| 16 Arthur Griffith Park, Lucan, Co. Dublin | Maura O’Reilly | €208.37 |

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.”

Bottom of Form

**H9b/0617** **PROPOSED DISPOSAL OF PROPERTIES/SITES-PROPOSED DISPOSAL OF FEE SIMPLE INTEREST 36 OAKWOOD GROVE, CLONDALKIN, DUBLIN 22**

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

“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 interest in the site listed hereunder to Francis and Phyllis Breen to whom the site has been leased under the terms of the Council's Small Builders Scheme. Francis and Phyllis Breen have applied in accordance with the provisions of the Landlord and Tenant (Ground Rents) (No. 2) Act, 1978 to acquire the fee simple interest in the property. The Ground Rent payable is €19.04 per annum.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Site No.** | **Lessee** | **Date of Lease** | **Land Acquired From** | **Purchase Price** |
| *36 Oakwood Grove*  *Clondalkin, Dublin, 22* | *Francis and Phyllis Breen* | *12th November 1975* | *Daniel and Johanna Moynihan* | *€971.00* |

D. McLoughlin

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chief Executive”

**H9c/0917** **PROPOSED DISPOSAL OF PROPERTIES/ SITES - PROPOSED DISPOSAL OF FEES SIMPLE INTEREST OF 58 OAKWOOD GROVE, CLONDALKIN, DUBLIN 22**

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

“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 interest in the site listed hereunder to Geraldine Lanigan to whom the site has been leased under the terms of the Council's Small Builders Scheme. Geraldine Lanigan has applied in accordance with the provisions of the Landlord and Tenant (Ground Rents) (No. 2) Act, 1978 to acquire the fee simple interest in the property. The Ground Rent payable is €19.04 per annum.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Site No.** | **Lessee** | **Date of Lease** | **Land Acquired From** | **Purchase Price** |
| *58 Oakwood Grove*  *Clondalkin, Dublin, 22* | *Geraldine Lanigan* | *5th May 1975* | *Daniel and Johanna Moynihan* | *€971.00* |

D. McLoughlin

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chief Executive”

**H9d/0917** **PROPOSED DISPOSAL OF PROPERTIES - PROPOSED DISPOSAL OF PLOT OF LAND ADJACENT TO 19 SYLVAN CLOSE, KINGSWOOD HEIGHTS, TALLAGHT, DUBLIN** 24

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

“The houseowners of 19 Sylvan Close, Kingswood Heights, Tallaght, Dublin 24 have applied to acquire a plot of Council owned land adjacent to their property.

Following consultation with Public Realm, the matter was referred to the Council’s Valuer who has recommended the following terms and conditions which are considered to be fair and reasonable and which have been accepted by the Applicants.

Accordingly, I now recommend that the Council disposes of the plot of land measuring 0.0112 hectares (112 square metres) or thereabouts at 19 Sylvan Close, Kingswood Heights, Tallaght, Dublin 24 as outlined in red on the attached Drawing No. LA/08/17 to the Applicants, Caroline and Patrick Burke, 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 subject plot comprises an area of 0.0112 hectares (112 square metres) or thereabouts and is outlined in red on the attached Drawing No. LA/08/17.
2. That the Council disposes of the subject plot for the consideration of €8,000 (eight thousand euro) plus VAT (if applicable).
3. That the subject plot is disposed of with full freehold title and vacant possession.
4. That the Applicants hold the freehold or equivalent interest in 19 Sylvan Close, Kingswood Heights, Tallaght, Dublin 24.
5. That the Applicants incorporate the area and construct a boundary feature satisfactory to South Dublin County Council’s requirements in accordance with the Planning & Development and the Building Control legislation. The new boundary wall to be built similar in scale and materials to the existing boundary to the house and the exact line to be agreed with Public Realm Department prior to construction.
6. That the Applicants pay the Council’s legal fees plus VAT and outlay.
7. That the Applicants pay the Council’s Valuer’s fees of €800 plus VAT.
8. That all parties use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
9. That the Law Agent drafts the necessary legal agreements and includes any further terms deemed appropriate in Agreements of this nature.
10. That no contract enforceable at Law is created or intended to be created until such time as contracts have been exchanged.
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 from Owenabue Limited on 28 June 1985 for operation of the Luas network.

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**Daniel McLoughlin**

**Chief Executive”**

**H9e/0917** **PROPOSED DISPOSAL OF PROPERTIES/SITES - PROPOSED DISPOSAL OF PLOT OF LAND AT KILLINARDEN HEIGHTS, TALLAGHT, DUBLIN 24**

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

“As part of a safety review, Gas Networks Ireland applied for planning permission to install a DRI unit on Council owned land at Killinarden Heights, Tallaght, Dublin 24, as outlined in red on attached Indicative Drawing No. 9910058/ACQ/01 Rev 2. Planning permission for the installation of the DRI unit was granted on 20 March 2017 – Register Reference SD16A/0348 refers. Gas Networks Ireland now wish to acquire the plot of land on which to install the DRI unit.

Accordingly, I recommend that the Council disposes of its interest in the plot of land at Killinarden Heights, Tallaght, Dublin 24 measuring 10.625 square metres, as shown outlined in red on Indicative Drawing No. 9910058/ACQ/01 Rev 2, to Gas Networks Ireland, 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:-

1. That the Council disposes of its interest in the subject plot, measuring 10.625 square metres, as shown outlined in red on Indicative Drawing No. 9910058/ACQ/01 Rev 2 for the consideration of €10 (ten euro).
2. That the DRI site is disposed of with full freehold title.
3. That Gas Networks Ireland shall pay a contribution to the Council in respect of its legal fees.
4. That each party shall use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
5. That the Law Agent shall draft the necessary documents and include any further terms he deems appropriate in Agreements of this nature.
6. That no contract enforceable at law is created or intended to be created until such time as contracts have been exchanged.
7. That the disposal is subject to the necessary approvals and consents being obtained.

The lands being disposed of form part of the lands acquired from Dublin City Council (formerly Dublin Corporation) in 1997 under the Scheme of Transfer of Lands pursuant to the Local Government (Dublin) Act, 1993.

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**Daniel McLoughlin**

**Chief Executive”**

**H9f/0917** **PROPOSED DISPOSAL OF PROPERTIES/SITES – PROPOSED EXCHANGEOF LANDS BETWEEN SDCC AND CLONMEL ENTERPRISES LTD - WEATHERWELL INDUSTRIAL EST, CLONDALKIN, DUBLIN 22**

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

“Clonmel Enterprises Ltd. have applied to acquire title to a plot of Council owned land, contained within their boundary at the entrance to Weatherwell Industrial Estate, Clondalkin, Dublin 22, in exchange for disposal of two plots of land in their ownership, to the Council, in order to regularise land ownerships and their registration. The Council’s Senior Engineer – Land Use, Planning & Transportation Department, recommends the proposed exchange which will facilitate the future development of cycle tracks in the area.

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 Applicant.

Accordingly, I now recommend that the Council disposes of the plot of land measuring 0.0105 hectares (105 square metres) or thereabouts adjacent to entrance to Weatherwell Industrial Estate, Clondalkin, Dublin 22 as outlined in red on the attached Drawing No. LA/03/17 to the Applicant, Clonmel Enterprises Ltd., in exchange for two plots of land with combined area of 0.0305 hectares (305 square metres) as outlined in red on Drawing No. LA/04/17, 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 Council shall dispose of its freehold interest in the plot of land comprising an area of 0.0105 hectares (105 square metres) outlined in red on Drawing No. LA/03/17 to the Applicant.

1. That in exchange for the plot of land above, the Applicant will transfer the unencumbered freehold title with vacant possession of the two plots of land outlined in red on Drawing No. LA/04/17, comprising a combined area of 0.0305 hectares (305 square metres) together with a consideration of €4,000 (four thousand euro) plus VAT (if applicable), to the Council.
2. That the above proposal is subject to proof of satisfactory title.
3. That the Council shall retain a wayleave and right-of-way over the area coloured yellow on Drawing No. LA/03/17.
4. That all boundary features shall be in accordance with the Planning & Development and the Building Control legislation.
5. That each party shall be responsible for their own professional fees.
6. That each party shall be responsible for their own VAT, Stamp Duty or other costs arising.
7. That each party shall use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
8. That the Law Agent shall draft the necessary legal agreements and shall include any further terms deemed appropriate in Agreements of this nature.
9. That no contract enforceable at Law is created or intended to be created until such time as contracts have been exchanged.
10. That the disposal is subject to the necessary approvals and consents being obtained.

The lands to be disposed of form part of lands acquired from Weatherwell on 1 August 1994 for roads purposes.

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**Daniel McLoughlin**

**Chief Executive”**

**H9g/0917** **PROPOSED DISPOSAL OF PROPERTIES SITES - PROPOSED SHORT TERM LEASE TO FLYNN & FLYNN GLOBAL TRADE LTD T/A HAPPY PEAR TO OPERATE A RESTAURANT , RETAIL SHOP, INTERPRETIVE CENTRE AND ANCILLARY ACTIVITIES AT THE ROUND TOWER VISITOR CENTRE – BRÚ CHRÓNÁIN**

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

**“**The development of the Round Tower Visitor Centre, Clondalkin as identified outlined red on drawing LD 1456 was completed by the Council in June 2017.

In 2015 and 2016, the Council initiated two separate public procurement processes to source an operator for the restaurant, retail shop and interpretive centre which forms part of the Round Tower – Brú Chrónáin Visitor Centre. Both processes did not result in the appointment of suitable operators.

Following review of available options it was decided to engage a retail food consultant to develop a business case, identify suitable operators and make a recommendation on operators (including related negotiated terms and conditions), in consultation with the Council. This was set out in a request for tender published on 16th September 2016. On receipt of the tender it was recommended to engage James Burke & Associates to consult in the engagement of operator(s) for the café/restaurant, retail and related facility services for the Round Tower – Brú Chrónáin Visitor Centre (Dev/100/16 refers).

Following issue of expressions of interest by James Burke & Associates, eight companies expressed an interest in the proposal. Site visits were carried out on the premises of the eight interested parties during November and December 2016 and closing date of submission for proposals as set out by James Burke & Associates was 3rd January 2017. Two submissions were received.

Following detailed consideration of both submissions, it was agreed by the evaluation panel, in consultation with James Burke & Associates to award the operation for services to Flynn & Flynn Global Trade Ltd. T/A The Happy Pear being one of the two submissions received.

On advices of the Law Agent, it was recommended that a Temporary Convenience Letting Agreement for a duration of four months or until alternative arrangements are made, be granted by South Dublin County Council to Flynn & Flynn Global Trade Ltd. T/A The Happy Pear, for the purposes of operating the restaurant, retail shop, interpretive centre and ancillary activities at the Round Tower – Brú Chrónáin, Clondalkin.

This Agreement was duly executed and commenced 29/6/2017.

Following a review of the operation by The Happy Pear since opening on 29/6/2017 and the positive feedback, press reviews and visitor footfall, the Council is satisfied to facilitate the continued operation of a restaurant, retail shop, interpretative area and ancillary activities by The Happy Pear. To this end the Council and The Happy Pear in consultation with legal representatives from both sides have established terms for the continued operation which have been accepted and agreed by both parties

Accordingly, I now recommend that Council grant a lease tenancy to Flynn & Flynn Global Trade Ltd. T/A The Happy Pear for the continued operation of a restaurant, retail shop, interpretative centre and ancillary activities at the Round Tower – Brú Chrónáin Visitor Centre, Clondalkin, Dublin 22 as identified within the site outlined red on drawing LD 1456 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 to include the following terms and conditions:-

1. That the lease tenancy will be for a period of 4 years with an option for a new 2 year lease at the expiry of the initial 4 year term. The commencement date of the Lease to be 29th June 2017. It is expressly provided that there are no automatic renewal rights after the term subject to the option for a new lease.
2. The leased premises is as indicated outlined in red on drawing LD 1456
3. The annual rent shall be payable by the Tenant at 5% of site revenue net of VAT and other taxes.
4. The Tenant shall be granted a six month rent free period.
5. The Council and the tenant to enter into a Service Level Agreement for the day to day running of the for the restaurant, retail shop, interpretive centre and ancillary activities
6. The Tenant shall be responsible for all outgoings, including commercial rates, charges, utility bills and refuse charges which are directly associated with the commercial elements of the leased premises during the period of the lease. The apportionment costs to be further agreed.
7. The Lease shall contain covenants in respect maintenance, repair, replacement and servicing of the building and infrastructural reports.
8. The Tenant to effect Public Liability and Employers Liability insurance to include indemnities to the Council in respect of the operation in a form satisfactory to the Council insurers.
9. The Tenant shall not assign, grant any sub interests, make any alterations or part with possession of the leased area without the prior consent of the Council.
10. That the Council, its Employees or Agents shall have the right at all reasonable times to enter upon the leased area to ensure that the Tenant is complying with the terms of the Lease or for any other reasonable purpose.
11. In the event of a breach of the Lease terms, either party may terminate the Lease by providing not less than one month notice in writing to the other party.
12. That each party shall be responsible for their own legal costs.
13. That each party shall use their best endeavours to complete the transaction within a reasonable timeframe following adoption of the disposal resolution.
14. That the Law Agent shall draft the necessary legal agreements and shall include any further terms deemed appropriate in Agreements/Leases of this nature.
15. That no contract enforceable at Law is created or intended to be created until such time as the Lease has been executed by both parties.
16. That the disposal is subject to the necessary approvals and consents being obtained.

The Council assembled the site subject to the within disposal over the period 1997 to 2016 by way of strategic acquisitions and possessory title for future development purposes from a series of property owners namely Kay Pollard, Oakfield Trust, Clondalkin Property Development Company, Rory Burgess, Rosemary Ryan, Brendan O’Connor, Marie O’Connor, Carol Nolan, Jessica & Margaret Murray, Thomas Coates, Christopher Keenan and James McCann.

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Daniel McLoughlin

Chief Executive”

  A discussion followed with contributions from Councillors M. Duff and T. Gilligan.

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

The reports were **NOTED** and it was proposed byCouncillor P. Gogarty, seconded by Councillor T. Gilligan and **RESOLVED:**

“That the proposed Disposals of properties/sites, Exchange of Lands and Short term Lease be **ADOPTED** and **APPROVED.”**

### **H10/0917 MANAGEMENT REPORT**

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

[H10a) June Statistics](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=56795)  
[H10b) Finance - August Council Management Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=56796)  
[H10c) July Statistics - August Council Management Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=56802)  
[H10d) Strategy - August Council Management Report](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=56803)

The Reports were **NOTED.**

**H11/0917 FINAL REPORT ON PARTICIPATORY BUDGETING INITIATIVE**

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

1. Final Report on participatory Budgeting Initiative

The attached IPA report and evaluation of the south Dublin Participatory budgeting exercise is a positive endorsement of the initiative together with recommendations for consideration should the initiative be expanded into the future. The steering group met on the 11th September to consider the report and unanimously agreed to make the following recommendations to the full council

* That the report and recommendations be adopted in full.
* That two electoral areas drawn by lot benefit from this exercise in 2018 subject to the availability of the necessary finance. In this context it was also agreed
  + The budget per area would be €300,000 subject to availability
  + Lucan area would not be a beneficiary in 2018
  + Contiguous areas should not be selected i.e. both Tallaght central and south should not prevail in the same year or Rathfarnham and Templeogue/ Terenure
* The steering group should remain in place with a minimum of 7 and a maximum of 10 members to allow for representation from two areas. The mayor to be on the committee ex-officio.

[b) €300K Have Your Say IPA Evaluation Repor**t**](http://intranet/cmas/documentsview.aspx?noinc=true&id=56897)

### A discussion followed with contributions from Councillors R. McMahon and D. Looney.

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

### The Reports were **NOTED.**

### **H13/0917 2016 AUDIT OF ACCOUNTS**

The following report by the Chief Executive, which had been circulated, was presented by Mr. R. FitzGerald, Head of Finance and was **CONSIDERED:**

[H13 Audit Report 2016](http://www.sdublincoco.ie/sdcc/departments/corporate/apps/cmas/documentsview.aspx?id=56676)

The Report was **NOTED.**

### **H14/0917 LOCAL PROPERTY TAX VARIATION**

The following reports by the Chief Executive, which had been circulated, were presented by Mr. R. FitzGerald, Head of Finance and were **CONSIDERED:**

a) [To consider LPT Variation](http://intranet/cmas/documents/County%20Council/2017/September/September2017CountyCouncilMeeting/c71d4386-bd59-4aa3-bd87-8cd5c87518b9.docx)

[b) To consider outline Budget Strategy](http://intranet/cmas/documents/County%20Council/2017/September/September2017CountyCouncilMeeting/351b97eb-1005-4831-9f8a-1d4c4ef81075.ppt)

c[) Fin 05/2017 LPT Allocations 2018](http://intranet/cmas/documents/County%20Council/2017/September/September2017CountyCouncilMeeting/09d9e676-89cf-4060-ba62-88b6e9dcf61c.pdf)

At the outset of the discussion Councillor B. Ferron **Proposed** and Councillor F. Timmons **Seconded**, a reduction of 15% in the rate of property tax.

Contributions to the debate were also received from Councillors B. Ferron, F. Timmons, W. Lavelle, M. Duff, M. Genockey, C. King, R. Nolan, E. O’Brien, M. Johansson, P. Foley, R. McMahon, K. Mahon, G. O’Connell, D. Looney, P. Gogarty and M. Murphy.

Mr. D. McLoughlin Chief Executive and Mr. Ronan FitzGerald Head of Finance responded to the Members queries.

**A roll call vote on the reduction of the LPT by 15% was taken and the result was as follows:**

**FOR: 24 (TWENTY FOUR)**

Councillors V. Casserly, P. Donovan, E. Fanning, B. Ferron, P. Foley, E. Hendrick, S. Holland, M. Johansson, C. King, W. Lavelle, B. Leech, C. Mc Cann, R. McMahon, K. Mahon, E. Murphy, M. Murphy, R. Nolan, D. O’Brien, E. O’Brien, C. O’Connor, L. O’Toole, D. Richardson, F. Timmons and M. Ward.

**AGAINST: 9 (NINE)**

Councillors B. Bonner, M. Duff, F. Duffy, M. Genockey, P. Gogarty, P. Kearns, D. Looney, G. O’Connell and D. O’Donovan.

**ABSTAINED: 0 (ZERO)**

The Local Property Tax Variation was **APPROVED.**

### **H15/0917 PRE-DRAFT PUBLIC CONSULTATION ON THE TALLAGHT LOCAL AREA PLAN**

The following reports by the Chief Executive, which had been circulated, were presented by Mr. E. Taaffe, Director of Land Use, Planning and Transportation and were **CONSIDERED:**

“South Dublin County Council is carrying out a review of the Tallaght Town Centre Local Area Plan 2006 and intends to initiate a statutory process, pursuant to Section 19 of the Planning and Development Acts 2000 (as amended), for the next Local Area Plan in 2018.

  The Council undertook non-statutory pre-draft public consultation in July/August 2017 to inform the review process. A total of 17 submissions were received. The Chief Executive’s Report summarises the pre-draft consultation process and the issues raised in the submissions received and is now available to the Members of South Dublin County Council and accompanies this report. The Chief Executive’s Report will play a significant role in guiding the preparation of the Draft Local Area Plan.

  The next steps in the process involve the preparation of a Draft Local Area Plan taking into account issues raised during the pre-draft consultation stage. It is envisaged that the public consultation on Draft Plan will commence in the spring of 2018.

[Tallaght Local Area Plan](file:///F:\MEETINGS\COUNCIL\MINUTES\2017\8.%20September%202017\Minutes%20of%20September%20Council%20Meeting%20Full.docx)

### A discussion followed with contributions from Councillors M. Murphy, M. Genockey, M. Duff, C. King, C. O’Connor and B. Ferron.

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

### The Report was **NOTED.**

### **H16/0917 APPROVAL TO SIGN UP TO COVENANT OF MAYORS FOR CLIMATE & ENERGY**

The following reports by the Chief Executive, which had been circulated, were presented by Ms. T. Walsh, Director of Environment, Water and Climate Change and were **CONSIDERED:**

SDCC first signed up to The Covenant of Mayors in 2012. This initiative has now been revised as the 'Covenant of Mayors for Climate and Energy', and includes both mitigation and adaptation to Climate Change.  If South Dublin County Council wish to continue as a participant, it must sign up again to this new Covenant of Mayors for Climate and Energy.

Heralded as the “world’s biggest urban climate and energy initiative” by Commissioner Miguel Arias Cañete, The Covenant of Mayors for Climate and Energy brings together local and regional authorities voluntarily committing to implementing the EU’s climate and energy objectives on their territory. This unique bottom-up movement, which started in 2008 with the support of the European Commission, counts over 6,600 signatories in 57 countries.

Signatory cities pledge action to support implementation of the EU 40% greenhouse gas- reduction target by 2030 and the adoption of a joint approach to tackling mitigation and adaptation to climate change.

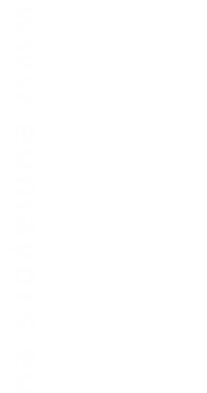
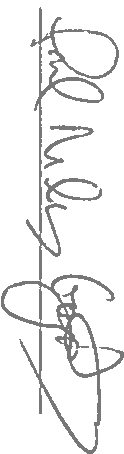
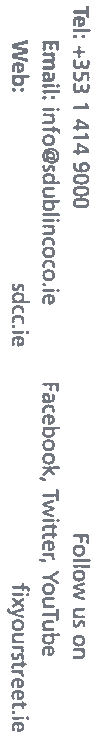
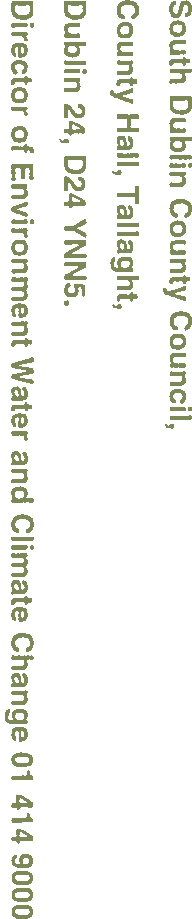
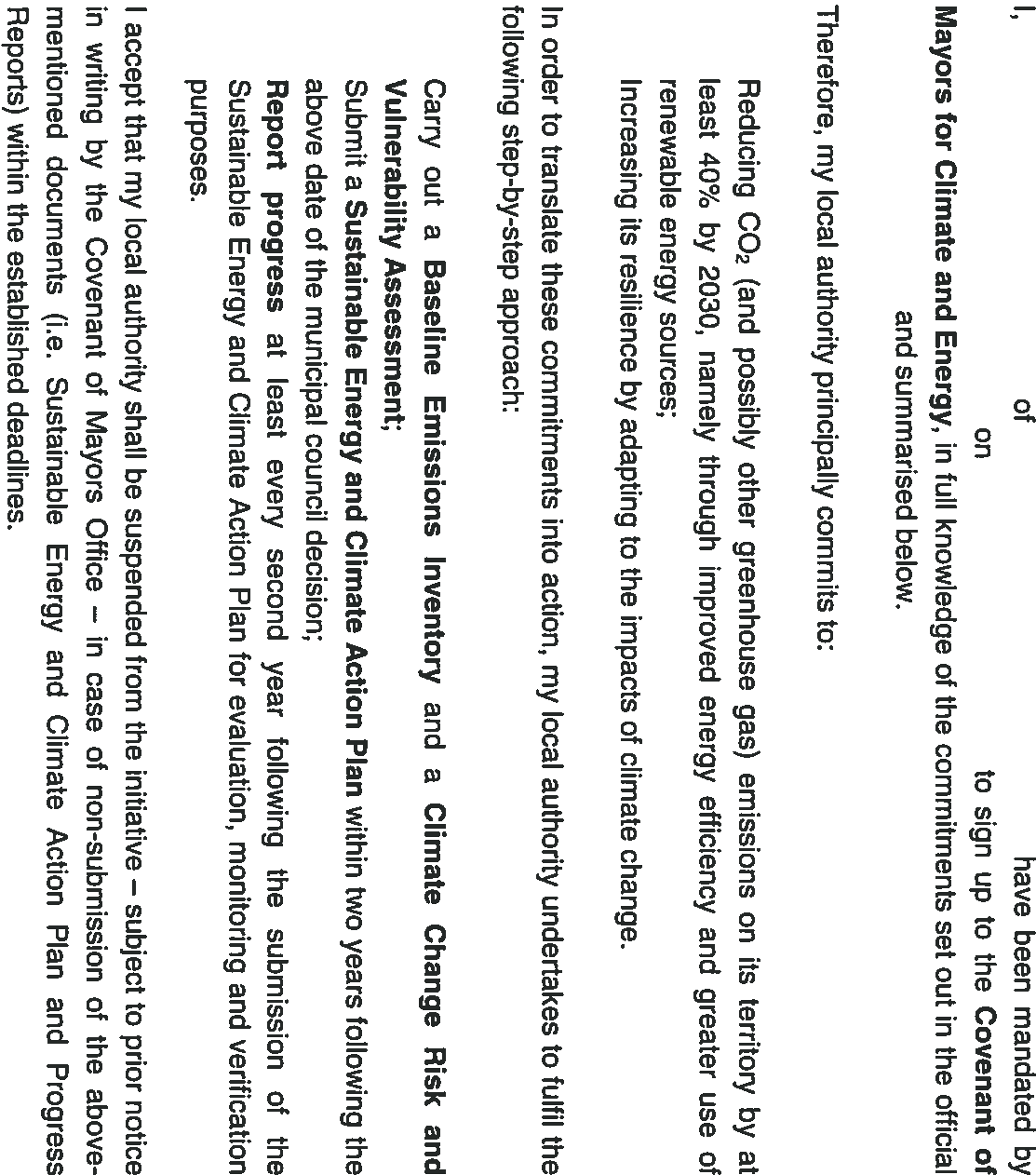
Signatories endorse a shared vision for 2050: accelerating the decarbonisation of their territories, strengthening their capacity to adapt to unavoidable climate change impact, and allowing their citizens to access secure, sustainable and affordable energy.

The clear and increasingly imminent dangers posed by Climate Change places a duty of care onto The Council to act with the appropriate urgency and allocation of resources to join in the Pan-European effort in helping alleviate the effects of the greatest threat to public health and safety in recent history.

It is now before this Council to resolve that South Dublin County Council sign up to **The EU Covenant of Mayors for Climate and Energy.**

The report was **NOTED** and it was proposed byCouncillor P. Gogarty, seconded by Councillor F. Timmons and **RESOLVED:**

“That South Dublin County Council sign up to **The EU Covenant of Mayors for Climate and Energy.”**



### **H17/0917 APPLICATION FOR TRANSFER OF FUNDING UNDER THE CAPITAL ASSISTANCE SCHEME  IN ACCORDANCE WITH SECTION 6 OF THE HOUSING (MISCELLANEOUS PROVISIONS) ACT, 1992 IN RESPECT OF PROPERTY AT SERVITE PRIORY, KILTIPPER, TALLAGHT, CO. DUBLIN**

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

“The Department of Housing, Planning, Community and Local Government on the 31st of August 2017 have approved the transfer of the funding allocation under Capital Assistance Scheme for the property at the Servite Priory, Kiltipper, Tallaght, Co. Dublin from North and East Housing Association to Peter McVerry Trust. The property was purchased by North and East Housing Association in 2014 with Capital Assistance Scheme Funding. Peter McVerry Trust intend to operate and manage the property in accordance with the terms and conditions of the Capital Assistance Scheme. South Dublin County Council have provided support in respect of this proposal.

Under [**Section 6 (8) of the Housing (Miscellaneous Provisions) Act, 1992**](http://www.irishstatutebook.ie/1992/en/act/pub/0018/sec0006.html) the granting of assistance under the Capital Assistance Scheme is a reserved function of the Council and is subject to the approval of the Department of Housing, Planning, Community and Local Government.

Accordingly, the following motion is required:

“That this Council recommends that the transfer of the Capital Assistance Scheme funding allocation in the sum of **€333,400** from North and East Housing Association to Peter McVerry Trust in respect of the property at Servite Priory, Kiltipper, Tallaght, Co. Dublin in accordance with the requirements of Section 6 of the Housing (Miscellaneous) Act, 1992 be approved”.

The Report was **NOTED** and it was proposed byCouncillor P. Gogarty and seconded by Councillor F. Timmons and **RESOLVED:**

“That the Application for Transfer of funding under the Capital Assistance Scheme be **ADOPTED and APPROVED.**”

In accordance with **Standing Order No. 77** the Mayor, Councillor P. Gogarty proposed and the Members unanimously **AGREED** to suspend standing orders in order to deal with the following Suspensory Motion.

**SM1/0917** The following Suspensory Motion in the names of Councillors S. Holland, J. Graham, C. Mc Cann, F. Timmons, P. Gogarty, G. O’Connell, M. Genockey, C. King, C. O’Connor, M. Ward, B. Leech, P. Kearns, K. Mahon, R. Nolan, D. Looney, D. O’Donovan, M. Murphy, M. Johansson, M. Duff, B. Bonner, P. Foley, E. Murphy, B. Lawlor, K. Egan, W. Lavelle, P. Donovan and T. Gilligan, E. Fanningandseconded by Councillor D. Richardson, and was **CONSIDERED:**

"This Council welcomes the recent court verdict from Egypt that Ibrahim Halawa and his sisters are innocent of all charges. We welcome Ibrahim's imminent release noting that he was arrested as a minor and incarcerated in Egyptian prisons, as an innocent person, for over four years. This Council wishes Ibrahim and his family well and looks forward to welcoming Ibrahim to address this Council at a future date subject to Council protocol".

The Motion was **AGREED.**

### **H18/0917 APPROVAL OF PART 8 PPP KILCARBERY**

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

“Part 8 of the Local Government (Planning and Development) Regulations 2001-2016 outlines the requirements with respect to certain classes of developments for, on behalf of, or in partnership with Local Authorities. The regulations apply to the proposed construction of houses.

The plan for the development consists of a 109 unit residential units in the Townlands of Kilcarbery and Corkagh Demesne, Old Nangor Road, Clondalkin, Dublin 22

The proposed residential development will consist of:

(i) 109 no. residential units comprising: (a) 8 no. 4 bed units, (b) 71 no. 3 bed units, (c) 15 no. 1 bed apartments; and (d) 15 no. 2 bed apartments; (ii) renewable energy design measures for each housing unit; (iii) internal distributor road and temporary fencing providing access to the site from the Old Nangor Road; (iv) relocation of the existing bus stop on the Old Nangor Road; (v) ESB substation; (vi) surface water measures including the provision of attenuation ponds adjoining the Camac River; (vii)  temporary construction signage; (viii) estate signage; (ix) temporary fencing around northern and western site perimeter until such time as development is constructed and occupied on the adjoining land; and (x) all associated site works.

The proposal is illustrated in the accompanying drawings:

[Sheet 1 Site Location](http://www.sdublincoco.ie/viewdocument.aspx?id=97edddc7-7747-4a3a-96bb-a7ed01008071)

[Sheet 2 Site Layout](http://www.sdublincoco.ie/viewdocument.aspx?id=5371fde7-5e50-490a-bc7e-a7ed0100ae8c)

[Sheet 3 Site Key Plan](http://www.sdublincoco.ie/viewdocument.aspx?id=536c4b75-3b41-40c3-9e7f-a7ed01015049)

[Sheet 4 Site Sections](http://www.sdublincoco.ie/viewdocument.aspx?id=f9137e26-0fda-42a4-adb7-a7ed0101acaa)

[Sheet 5 Landscape design](http://www.sdublincoco.ie/viewdocument.aspx?id=46ddd850-5c9d-436b-a5f9-a7ed0101f06f)

[Sheet 6 - 1 bed apartments](http://www.sdublincoco.ie/viewdocument.aspx?id=91cea2fa-bd3d-4ad0-b507-a7ed0102fb3d)

[Sheet 7 - 2 bed apartments](http://www.sdublincoco.ie/viewdocument.aspx?id=bd8414b7-28de-49db-a5a3-a7ed0103331b)

[Sheet 8 - 3-D Sketches](http://www.sdublincoco.ie/viewdocument.aspx?id=757e8915-cd53-4549-b563-a7ed010363eb)

[Sheet 9 - Houses](http://www.sdublincoco.ie/viewdocument.aspx?id=757e8915-cd53-4549-b563-a7ed010363eb)

[Sheet 10 – COR Site Layout](https://consult.sdublincoco.ie/en/system/files/materials/262/17-0523%20COR%20MOR%20Site%20Layout%201-500_0.pdf)

[Sheet 11 – Supporting Planning Statement](http://www.sdublincoco.ie/viewdocument.aspx?id=b37456c2-beb0-4498-9a2e-a7ed01152920)

[Sheet 12 – Screening Statement](http://www.sdublincoco.ie/viewdocument.aspx?id=3e8c215a-2ad8-487e-9e83-a7ee00ff860c)

[Sheet 13 – Architectural Design Statement](http://www.sdublincoco.ie/viewdocument.aspx?id=9c83fb09-ad38-4cd1-8cdc-a7ee010072b5)

[Sheet 14 – Traffic & Transport Assessment](http://www.sdublincoco.ie/viewdocument.aspx?id=42b42a2c-3ded-4ff9-9686-a7ee01012657)

A [notice](http://www.sdublincoco.ie/viewdocument.aspx?id=5c699d62-7073-42b1-bc65-a7f600a02d14) in accordance with **Article 81 of the Planning and Development Regulations 2001- 2016** was published on the 25th May 2017.

Plans and particulars of the development were made available for inspection by the public from 25th May 2017 up to and including 6th July 2017, with a further two week period up to and including Friday, 21st July 2017 for submissions and observations to the Council in relation to the matter.

Site Notices were erected on the same day, all of which were placed at prominent locations facing the site.

An overview of the PPP Bundle 1 Programme which includes this proposed development was issued to the elected members in March 2017. The Council adopted and approved under Section 85 of the Local Government Act 2001, as amended, that South Dublin Co. Co. agree to enter into an agreement with Dublin City Council whereby Dublin City Council will carry out such functions of South Dublin Co. Co. under the Housing Acts 1996-2014 in respect of the social housing PPP Bundle 1 Programme.

A total of number 44 submissions were received from various parties and have been grouped together for ease of references purposes.

[Residents Observations](http://www.sdublincoco.ie/viewdocument.aspx?id=17c7208d-6702-4702-930d-a7ed00c5f3e6)

[KIL032 Cherrywood Residents Association](http://www.sdublincoco.ie/viewdocument.aspx?id=22fbfb87-72d8-4a58-a1fa-a7ed00a98d34)

[KIL006 Kilcarbery Residents Group](http://www.sdublincoco.ie/viewdocument.aspx?id=d0876215-bf17-47e1-8a15-a7eb00d5d15a)

[KIL013 Deputy John Curran TD](http://www.sdublincoco.ie/viewdocument.aspx?id=30867cb3-bfe3-4c64-9367-a7e800f42169)

A further two submissions were received just after the closing date from Ms. S. Plummer and Deputy Eoin O’Broin TD Sinn Fein. However in the drafting of this final report the issues raised in the submissions were taken into consideration.

A briefing was held with Clondalkin Area Committee members on 20th September also a meeting held with representatives of Cherrywood Residents Association to discuss the plans outlined in the proposed development at this site. The main issues raised were

* Access via Cherrywood Estate
* Attenuation Ponds/Lakes – Major flood risk concerns
* The positioning of the proposed units at the Southernmost terrace of the proposed development
* Too many houses proposed/Suggestion for mix of social and private
* Increased Traffic on Nangor Road/ Construction Traffic and Impact on Residents
* Anti-Social Behaviour Concerns
* Treatment of boundary wall/Tree maintenance

The County Architect has reported generally on the issues raised in the submissions

**ISSUES RAISED IN SUBMISSIONS TO PART 8** –

* INCREASED RISK OF FLOODING DUE TO INCLUSION OF ATTENUATION PONDS;

Under the Greater Dublin Strategic Drainage Strategy all new residential construction projects require surface water to be attenuated i.e. the flow of surface water from the site is slowed down through storage on its journey to the surface water drainage network and eventually the sea. This slowing down is designed to reduce pressure from new developments on an already overstretched surface water system. Attenuation ponding is visually attractive and environmentally friendly as they can create wetlands and facilitate diversity of birds and fowl. Malone O’Regan Consulting Engineers carried out a Flood Risk Assessment for the PPP Part 8 using CFRAM, SFRA and OPW sources as well as the County Development Plan Strategic Flood Risk and found that the entirety of the site was not at risk from even a 1 in 1000 year flood event and was considered appropriate in this location. Flood alleviation works were carried out along the Camac and there has not been a flood in this area since the mid-1990s.

In view of the widespread concerns indicated in the submissions received it is recommended that the project will address attenuation using Storm-tech type network and attenuation ponds will not be included in the project. Likewise concerns about flooding risk resulting from incursion of the southernmost terrace proposed onto the area adjoining existing ponds will be addressed by repositioning this terrace in line with existing houses on Cherrywood Crescent.

* IMPACT OF CONSTRUCTION TRAFFIC

As part of this PPP project South Dublin County Council is committed to providing an access link road from the site to Old Nangor Road. This will be constructed to facilitate construction traffic from commencement on site. No construction traffic will access from the Cherrywood Estate. It is intended that this link road will be the access to this housing area. A review of the access strategy to Corkagh Park has removed the need for vehicular access from Cherrywood Crescent to the housing site and the Park beyond. Cherrywood Crescent will remain a cul-de-sac.

* LOSS OF PARKLAND

The Kilcarbery site overall has been zoned for New Residential Community in all Development Plans since the creation of South Dublin County Council. The site adjoins Corkagh Park which when allied with the Golf Course opposite constitutes one of the largest swathes of public open space in the county. The parkland is attractive and with a range of passive and active amenity options facilitating and accommodating a wide range of users. The park is well-used and safe. The Kilcarbery site however has seen extensive anti-social behaviour in places including stock-car racing of stolen vehicles. For residential purposes, the site is situated adjacent to existing mature communities, within walking distance of Clondalkin village, schools, and employment and with a good road infrastructure. While it is not possible to retain all planting, the Masterplan has identified all worthwhile existing trees, hedgerows and watercourses and these have been incorporated into the site layout for protection and retention as amenity for new and existing communities. Trees and hedgerows along the site boundary of Cherrywood will be retained as they currently exist.

* INCREASE IN TRAFFIC

The new scheme of 109 homes will be accessed by a dedicated link road from Old Nangor Road in the first instance and as the Masterplan is constructed there will be a major connection to the Outer Ring Road. There will be no vehicular connections to Cherrywood and no reason why the PPP scheme should impact in terms of traffic on existing residents there. The PART 8 has been the subject of Traffic and Transport Assessment. The delivery of the Kilcarbery residential district will encourage increased services on the existing bus- corridor and with the development of Clonburris SDZ the station at Clonburris will be opened. Increased public transport options will in turn reduce traffic impacts.

* ABSENCE OF ENVIRONMENTAL IMPACT STATEMENT

The site at 109 dwellings is below the threshold for EIS /EIA which will be carried out under planning permission process for the larger Kilcarbery development in early 2018. The site has of course been screened for Appropriate Assessment, Site Specific Flood Risk Assessment, Ecological Impact Assessment, Baseline Environmental Noise Monitoring, Arborist report, and Archaeological Impact Assessment.

* INCLUSION OF THREE-STOREY BUILDINGS IN DESIGN.

Best practice in new housing design in both public and private sectors seeks to optimise diversity and flexibility through the development of a range of dwelling types to suit all ages and family patterns. Duplex units are a common response to this need and are included as three-storey units in adjoining estates to the north of the site within short walking distance.( Castlegrange) They are a normal feature of all new housing and add to visual variety.

* ABSENCE OF SITE NOTICES.

Three site notices were erected to comply in full with the requirements of the Planning Regulations. They were photographed as they were erected to confirm compliance.

* OVER CONCENTRATION OF SOCIAL HOUSING

The Kilcarbery lands overall are the subject of a design masterplan to deliver 1,000 new homes to Clondalkin. The scheme will balance tenure overall with 40% of the scheme dedicated to Social housing. A Government initiative with the National Treasury Management Agency will deliver a Public Private Partnership to construct and manage over 25 year period 109 new homes. This is additional social housing available in the first instance to only 5 participating local authorities as part of the National Bundle 1 delivery of 500 units and is much-needed to address the growing housing crisis. The scheme when completed will be well-managed and integrated into the overall Kilcarbery residential community.

Following full consideration of all the matters the Council is now proposing the following:

* In view of the widespread concerns indicated in the submissions received it is recommended that the project will address attenuation using Storm-tech type network and attenuation ponds will not be included in the project.
* In addition concerns about flooding risk resulting from incursion of the southernmost terrace proposed onto the area adjoining existing ponds will be addressed by repositioning this terrace in line with existing houses on Cherrywood Crescent.
* A review of the access strategy to Corkagh Park has removed the need for vehicular access from Cherrywood Crescent to the housing site and the Park beyond therefore, Cherrywood Crescent will remain a cul-de-sac.

As the proposed revised development is in accordance with the proper planning and sustainable development of the area, it is recommended that the development of the 109 Social Housing unit development proceeds as outlined above.

At the outset of the discussion Councillor F. Timmons asked that this Approval be postponed for 3 weeks and Seconded by Councillor G. O’Connell.

A discussion followed with contributions from Councillors F. Timmons, G. O’Connell, M. Ward, M. Murphy, B. Bonner, C. King, E. Higgins, P. Gogarty, T. Gilligan, L. O’Toole, D. Looney, K. Mahon, V. Casserly and M. Johansson.

### The Mayor Councillor P. Gogarty then called for a roll call vote on the proposal to postpone the Approval of the Part 8 PPP Kilcarbery for 3 weeks. The result of which was as follows:

**FOR: 7 (SEVEN)**

Councillors P. Gogarty, E. Hendrick, M. Johansson, G. O’Connell, D. O’Donovan, L. O’Toole and F. Timmons.

**AGAINST: 29 (TWENTY NINE)**

Councillors B. Bonner, V. Casserly, P. Donovan, M. Duff, F. Duffy, L. Dunne, K. Egan, E. Fanning, B. Ferron, P. Foley, M. Genockey, T. Gilligan, J. Graham, E. Higgins, S. Holland, C. King, B. Lawlor, B. Leech, D. Looney, C. Mc Cann, R. McMahon, K. Mahon, M. Murphy, R. Nolan, D. O’Brien, E. O’Brien, C. O’Connor, D. Richardson, and M. Ward.

**ABSTAINED: 0 (ZERO)**

The Proposal to postpone the Approval of the Part 8 PPP Kilcarbery for 3 weeks **FELL.**

### Councillor C. King proposed and Councillor M. Ward seconded an amendment to the PPP at Kilcarbery as follows:

These amendments to be inserted at the end of the report on the PPP after the 3 recommendations,

“- Prior to the commencement of any works the Council along with appropriate technical staff/contractors will meet with residents of Cherrywood Crescent to discuss the detail of the Storm-tech type network to be provided in place of the attenuation ponds in order to alleviate residents’ concerns with respect to possible flooding at this location.”  
  
“- Prior to the commencement of any works on site the Council will establish a liaison meeting involving representatives from the Cherrywood, Kilcarberry and Oldchurch Residents Associations, the Council and the PPP consortium to ensure that issues such as boundary treatment, the Cherrywood Crescent cul-de-sac, and other relevant issued are implemented as agreed.”

A show of hand vote was taken on the Amendment to the Part 8 PPP Kilcarbery and the results were as follows:

**FOR: 35 (THIRTY FIVE)**

**AGAINST: 0 (ZERO)**

**ABSTAINED: 1 (ONE)**

The Amendment to the Part 8 PPP Kilcarbery was **PASSED.**

The Mayor Councillor P. Gogarty then called for a roll call vote on the Approval of the Amended Part 8 PPP Kilcarbery, the result of which was as follows:

**FOR: 29 (TWENTY NINE)**

Councillors B. Bonner, V. Casserly, P. Donovan, M. Duff, F. Duffy, L. Dunne, K. Egan, E. Fanning, B. Ferron, P. Foley, M. Genockey, P. Gogarty, J. Graham, E. Higgins, S. Holland, C. King, B. Lawlor, D. Looney, C. Mc Cann, R. McMahon, D. O’Brien, E. O’Brien, G. O’Connell, C. O’Connor, D. O’Donovan, L. O’Toole, D. Richardson, F. Timmons and M. Ward.

**AGAINST: 3 (THREE)**

Councillors E. Hendrick, M. Johansson and R. Nolan.

**ABSTAIN: 4 (FOUR)**

Councillors T. Gilligan, B. Leech, K. Mahon and M. Murphy.

The Amended Part 8 PPP Kilcarbery was **PASSED.**

The report was **NOTED** and it was proposed byCouncillor P. Gogarty, seconded by Councillor B. Bonner and **RESOLVED:**

“That the Amended **Part 8** was **ADOPTED** and **APPROVED.”**

**H19/0917 APPROVAL OF PART 8 DODDER GREENWAY**

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

At the outset of the discussion Councillor D. Looney proposed that this Approval of the Part 8 Dodder Greenway be postponed until the next Council Meeting and the Members **AGREED.**

Councillor C. King informed the Members that at the recent Tallaght Area Committee Meeting, he and Councillors M. Duff and E. Murphy were nominated to go on the Dodder Greenway Committee.

### **H20/0917 APPROVAL OF PART 8 LUCAN POOL**

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

“[**Part 8 of the Local Government (Planning and Development) Regulations 2001-` 2016**](http://www.environ.ie/en/legislation/developmentandhousing/planning/filedownload,32878,en.pdf) outlines the requirements with respect to certain classes of developments for, on behalf of, or in partnership with Local Authorities.

These regulations apply to the proposed swimming pool at Lucan.

The Development consists of:

* A new single storey public swimming pool building, including a gymnasium and fitness suites, changing facilities and cafeteria and associated accommodation. Landscaping and Public Realm improvements to surrounding area and new car park to allow for 108 car parking spaces and 88 Bicycle parking spaces.

The proposal is illustrated in the attached presentation.

Briefing sessions were held with members of the Lucan Area Committee prior to the Part 8 process. Plans and particulars of the proposal were available for inspection during the period 14th July 2017 to 28th August 2017. A [**Notice**](https://consult.sdublincoco.ie/en/consultation/part-8-lucan-swimming-pool-griffeen-valley-park) in accordance with [**Article 81 of the Planning and Development Regulations 2001-2016**](http://www.environ.ie/en/legislation/developmentandhousing/planning/filedownload,32878,en.pdf) was published on the 14th July 2017.

Plans and particulars of the development were made available for inspection by the public from 14th July 2017 to 28th August 2017. Written submissions or observations with respect to the proposed development, dealing with the proper planning and sustainable development of the area in which the proposed development would be situated could be made in writing to the Council by 5pm on 11th September 2017. Site Notices were erected on the same day, all of which were placed at prominent locations facing the site.

A total of 12 submissions were received falling into the following categories:

* General Design Considerations
* Universal Design and ensuring full accessibility
* Design of Pool to cater for specialist water activities
* Archaeology and Heritage
* Observations of a general nature

All of these submissions are dealt with in the attached [**County Architects Report**](http://www.sdublincoco.ie/viewdocument.aspx?id=29f5b67d-ded3-47c2-a1c0-a7f400a63ad4).

Also attached to the Architects Report are the Civil Engineering Report and the Appropriate Screening Assessment.

As the proposed development is in accordance with the proper planning and sustainable development of the area, it is recommended that the development of the proposed development of a swimming pool at Griffeen Valley Lucan County Dublin proceed as outlined in the County Architects report.

A discussion followed with contributions from Councillors G. O’Connell, D. O’Brien, R. Nolan, L. O’Toole, E. O’Brien, D. Looney, V. Casserly, B. Leech, C. O’Connor and P. Gogarty.

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

The report was **NOTED** and it was proposed byCouncillor P. Gogarty, seconded by Councillor B. Bonner and **RESOLVED:**

“That the **Part 8** was **ADOPTED** and **APPROVED.**”

### **H21/0917 APPROVAL OF PART 8 GRANGE CASTLE POCKET PARK**

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

[**Approval of Part 8 Grange Castle Pocket Park**](http://intranet/cmas/documents/County%20Council/2017/September/September2017CountyCouncilMeeting/a69b888c-1531-4896-a9d7-78ed3bdaab2a.docx)

### Councillor M. Johansson raised a question on the Part 8.

### Mr. F. Nevin, Director of Economic, Enterprise and Tourism Development responded to Councillor Johansson’s question.

The report was **NOTED** and it was proposed byCouncillor P. Gogarty, seconded by Councillor B. Bonner and **RESOLVED:**

“That the **Part 8** was **ADOPTED** and **APPROVED.**”

### **CORRESPONDENCE**

### **Ministerial**

### **Co.1/0917** Letter dated 2nd August 2017 from Minister for Education and Skills regarding Cyberbullying

**Ministerial**

### **Co.2/0917** a)Letter dated 14th August from Minister for Education and Skills regarding National Sports Policy Framework

**Departmental**

b)Letter dated 29th June 2017 from Department of Transport, Tourism and Sport regarding National Sports Policy Framework

**Departmental**

### **Co.3/0917** Letter dated 19th July from Department of Arts, Heritage, Regional, Rural & Gaeltacht Affairs regarding Japanese Knotweed

**Departmental**

**Co.4/0917** Letter from Department of Health dated 28th June 2017 regarding Medical Cannabis

**Co.5/0917** Letter dated 16th August 2017 from Department of Health regarding Organ Donation.

### **Co.6/0917** Letter from Department of Health dated 14th July 2017 regarding Bed Capacity in

### **Co.7/0917** Letter from Sligo County Council dated 3rd July 2017 regarding the Rights of Persons with Disabilities

### **Co.8/0917** Letter from Limerick County Council dated 4th August 2017 regarding giving SKY TV rights to show certain games especially Gaelic Games

**Motions for discussion**

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 **M1 & M5** (of similar subject matter) in tandem.

**M1/0917 MAYOR'S BUSINESS –HEALTH AND WELLBEING YEAR**

It was proposed by Councillors P. Gogarty and seconded by Councillor C. O’Connor**.**

### That 2017 be designated "Health and Wellbeing Year" in South Dublin so as to build on our achievement of Healthy County status as part of the World Health Organisation’s Healthy Cities and Counties of Ireland Network and that all Council departments and agencies make a concerted effort to promote mental and physical health and wellbeing amongst people of all ages and backgrounds in our County, recognising that certain areas face special challenges.

**REPORT:**

In late 2016 South Dublin County Council secured status of Healthy Ireland County.

The Council’s Community Development Team, Social Inclusion Unit, Sports Partnership and Sports 7 Recreation Office have arranged a number of activities, events and initiatives throughout 2017, below are some of the highlights of these:

* Health and Wellbeing Week
* Bealtaine Festival
* International Foods Festival
* 55+ Daily Activity planner
* Social Inclusion Week
* Bike Week
* Gaelforce event
* Cross Country Programme
* We Can Quit Programme
* Delivery of the National Community Action on Alcohol Programme in partnership with Tallaght and Clondalkin Drug and Alcohol Task Forces
* Alcohol Seminar
* Operation Transformation - National Walk 2017 and countywide programme
* Summer Projects
* Girls Active Programme
* Swim Programme
* Play programme – playspace
* Sports Development Officers
* Marathon Kids programme
* Comprehensive sports disability programme
* Spring Summer Walks in Dublin's Great Outdoors
* Health and Wellbeing for Life course
* Community Gardening

South Dublin County Council has a Healthy County Steering Group comprising representatives from SDCC, HSE, IT Tallaght, DDLETB, Tallaght Hospital, South Dublin County Partnership and Trinity Research. This is considered the appropriate platform to pursue all efforts to promote and encourage Health and Wellbeing within our communities which is primarily a personal choice in many cases. To this end the Steering group is working on a branding and communication strategy and would welcome the Mayor to help champion the work of the Group.

The Report was **NOTED.**

### **M5/0917 STOP TARGETING KIDS**

### It was proposed by Councillors C. O'Connor and seconded by Councillor P. Gogarty**.**

That this South Dublin County Council supports the "Stop Targeting Kids" campaign organised by the Irish Heart Foundation and calls on Denis Naughten TD, Minister for Communications, Climate Action and Environment, to protect children's health through strict controls, particularly on digital marketing, by introducing a comprehensive statutory system of regulation for online unhealthy food and drinks marketing directed at children.

**REPORT:**

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

The Motion was **AGREED.**

As required under section 177 (2) of the Local Government Act 2001 Councillor W. Lavelle informed the Ethics Registrar in writing prior to the Meeting that he would be withdrawing from the Chamber when Motions 2 and 8 were before the Members for consideration. Councillor W. Lavelle left the Meeting at 5.51pm.

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 **M2 & M8** (of similar subject matter) in tandem.

**Mayor's Business**

### **M2/0917 MAYORS BUSINESS –PUBLIC HEALTH (ALCOHOL) BILL**

### It was proposed by Councillor P. Gogarty and seconded by Councillor K. Egan**:**

“That this Council writes to the Taoiseach, Minister for Health, Members of Cabinet and designated leaders of each political grouping in the Dáil and Seanad expressing our unambiguous support for the Public Health (Alcohol) Bill and requesting that it be implemented in full as a matter of urgency, as one of a number of required measures to help tackle this Country's toxic and normalised relationship with alcohol, which causes so much tragedy and destruction in this Country and is directly responsible for one-eighth of the Nation's entire health expenditure.”

**REPORT:**

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

### **M8/0917 ALCOHOL BILL**

### It was proposed by Councillor K. Egan and seconded by Councillor V. Casserly:

### 

“In support of National Recovery month and the upcoming impending implementation of the new Alcohol Bill, that this Council calls on the Minister for Health to liaise and engage with the Minister for Communications to examine and review current legislation to include and enforce a watershed restriction on alcohol and gambling advertisement.”

**REPORT:**

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

A discussion followed with contributions from Councillors P. Gogarty, K. Egan, F. Timmons, V. Casserly, M. Ward, C. O’Connor, D. Looney, B. Leech, E. O’Brien, C. Mc Cann, M. Duff, E. Higgins and L. O’Toole.

A show of hands vote followed on both Motions and the results were as follows:

**FOR: 34 (THIRTY FOUR)**

**AGAINST: 0 (ZERO)**

**ABSTAINED: 0 (ZERO)**

The Motions were **AGREED.**

### **M6/0917 VACCINE TRIALS**

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

### “That South Dublin County Council write to the Minister for Health and the Minister for Children asking that a full state investigation be undertook into the Vaccine Trials carried out in institutions run by the Church and State.”

**REPORT:**

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

The Motion was **AGREED.**

### **M7/0917 RACING PIGEONS**

### It was proposed by Councillor S. Holland and seconded by Councillor F. Timmons and **MOVED** without debate:

“To ask the Manager to write to all other local authorities seeking information on their by-laws regarding the keeping of racing pigeons by council tenants, and to use these responses to inform the relevant SDCC committee as they begin the process of drawing up by laws for this county.”

**REPORT:**

Pigeons are not allowed to be kept by a tenant at a council dwelling. In this regard it would be a breach of section 14 of the Tenancy Agreement which states:

The Tenant shall during his tenancy, keep the premises and every part thereof in a clean, proper and sanitary state and shall not allow any refuse, nuisance or offensive matter to accumulate on any portion thereof. He shall keep the plot free from weeds and otherwise properly maintain and keep the gardens in a clean and tidy condition. He shall not plant any trees or shrubs which shall be or become injurious to the premises or to any adjacent property or allotment, or cut down any trees without the permission of the Council. He shall keep every hedge forming part of the plot properly cut and trimmed. The Tenant shall not keep any horses, poultry, pigs, birds or other animals (other than domestic pets which are not likely to create a nuisance or become a source of annoyance) on the premises or in the vicinity thereof.

If domestic pets are kept by the Tenant he shall ensure that no nuisance is thereby caused and the sheds, shelters or yards where such domestic pets are housed shall be properly constructed, paved and drained. All domestic pets shall be kept under control, confined or tied. The Tenant shall not trespass on any adjoining premises or allow trespass on his own premises.

The Council will check the position with other Local Authorities as to how they deal with this matter but Tenancy Agreements nationally do reflect the position as outlined above.

The Report was **NOTED.**

### **M10/0917 ACCESSABILITY IN PARKS**

### It was proposed by Councillor C. Mc Cann and seconded by Councillor D. O’Brien and **MOVED** without debate:

“In view of the difficulties being experienced by those in wheel chairs or mobility impaired individuals and senior citizens crossing bridges in many of the parks in the South Dublin County Council areas that this Council agreed to initiate a review of all its parks with particular emphasis on making them more accessible to those who have physical impairments.”

**REPORT:**

South Dublin County Council has been committed to access and equality since the Council was established in 1995. SDCC adopted the Barcelona Declaration in June 2002. This EU-wide Declaration advocates the right of disabled people to equal opportunities, inclusiveness and integration. SDCC has been actively implementing the Declaration ever since through various actions and access initiatives. The extensive access works and initiatives which SDCC have undertaken over the past 15 years in particular have been focused on removing the barriers that create disability and exclusion in order to create a truly Accessible South Dublin County, including the revision of existing infrastructure which would date back many years and pre-date the Council in some cases.

The council is incorporating accessibility into newly built infrastructure as it is rolled out. Newly built infrastructure in recent years has ensured universal access is incorporated by considering the location, the design detail and the materials used. For instance in the build of the large scale walking and cycling route through Dodder Valley, the 2 new bridges are universally accessible, and all entrances to the route from Old Bawn Road, Firhouse Road and Seskin View Road were upgraded to remove existing k-barriers and kissing gates and install a universally accessible entrance detail. Similarly in the build of the play space programme and recent refurbishment of regional playgrounds emphasis was placed on ensuring the play spaces are accessible for children with impaired or limited mobility; including children in wheelchairs. Car parking standards ensure the incorporation of accessible car parking spaces and access routes to them. The recent Part 8 process for the Dodder Greenway included a number of initiatives to ensure the Greenway route and all entrances and links to Dodder Valley Park are universally accessible; this includes 4 proposed shared access bridges over the Dodder, a re-design of the existing road under-passes, toucan crossings of road crossings with dished or ramped access, re-design of entrance details; all of which are proposed to be universally accessible. In terms of other existing bridges, a re-build would involve significant investment, however where existing bridges are subject to re-design; Access For All design parameters will be incorporated into the re-design of the bridge.

In order to ensure that this work is planned and provided for the public realm section will collate information on issues that need to be addressed with all staff requested to input. It is proposed to prepare a list of action areas that can be reviewed, costed and programmed. It is proposed to focus initially on entrances to parks, access from parking areas to footpaths, access to facilities within the park, accessibility of bridges within parks, accessible seating/picnic benches as raised in another Council meeting item. Minor improvements that are required can be carried out under the general maintenance programme, or if more substantial works are required then we could consider inclusion in the improvement works programme.

It must be acknowledged however that concerns regarding access by motorbikes and scramblers and other motorised vehicles has led to access restrictions being implemented in many parks. Unfortunately these restrictions can have the unwanted side-effect of blocking access for certain types of mobility scooters, larger wheelchairs, buggies and so on as well as some bicycle users. At these locations within the county options are sometimes limited and the council tries to strike a balance between preventing unwanted and un-safe intrusion by these vehicles and ensuring all legitimate users have access.

The Report was **NOTED.**

The Meeting finished at 6.01pm.

**Motions not reached**

### **(M3) ACCESSIBLE PICNIC BENCH**

### **Councillors V. Casserly**

To call on the Chief Executive to install an accessible bench (as per illustration attached) in the Counties Parks as part of ongoing regeneration and ensuring our Parks are accessible for all.

### **(M4) VALUATIONS OFFICE**

### **Councillors R. McMahon**

To ask the Chief Executive to write to the Valuations Office with regard to the high increase in commercial rates that the recent valuation is imposing on the inadequate number of nursing homes in our County and for them to review the rateable valuation on nursing homes as a whole for the County.

### **(M9) SOCIAL HOUSING RENT**

### **Councillors M. Johansson**

That this Council agrees that all Voluntary or Approved Housing Bodies who house tenants from the Local Authority housing list, should charge these new tenants the same rate of rent as the Local Authority, and should this Motion be passed that this Council writes to all Approved Housing Bodies operating in the South Dublin County Council to inform them of the passing of this Motion.

### **(M11) PAY TO USE WASTE COMPACTORS**

### **Councillors R. Nolan**

That this Council on a pilot basis introduces Environmental Compaction Systems such as pay to use portables, where the customer is always in control, thus helping to reduce fly tipping.

### **(M12) LOCAL DEMOCRACY**

### **Councillors G. O'Connell**

This Council, concerned to ensure that all citizens are encouraged and enabled to participate in local democracy, and in the spirit of "Putting People First", calls on the Minister for Local Government as part of his role in organising and providing for local representation on Local Authorities and as part of the redrawing of local constituencies for the 2019 local elections, include in each County an additional single County Wide constituency providing for the filling of 20% of the County seats from four panels drawn from  (a) Members of the Traveller Community (b) Immigrants/Ethnic Minorities (c) Persons with a Disability (d) Disadvantaged Communities.

### **(M13) PARKS BYE LAWS**

### **Councillors L. O'Toole**

To ask the Chief Executive to examine the possibility of removing the word “only” from section 6.2.5. And replace “provide” with “recommended” in the parks Bye-laws.

Playground facilities are provided (recommended) only for the enjoyment of children up to 12 years of age. All such children must be accompanied by an adult.

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

Mayor

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